

olina in the city of Florence on the first Tuesday in March in each year hereafter: *Provided, however,* That suitable rooms and accommodations are furnished for the holding of said courts at Florence free of expense to the Government of the United States.

Proviso.
Court rooms.

Approved, May 10, 1900.

CHAP. 391.—An Act To amend the Revised Statutes of the United States relating to the northern district of New York, to divide the same into two districts, and provide for the terms of court to be held therein and the officers thereof and the disposition of pending causes.

May 12, 1900.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five hundred and forty-one of the Revised Statutes be amended so as to read as follows:

New York northern judicial district. Division into two districts.

“The State of New York is divided into four districts, which shall be called the western, northern, eastern, and southern districts of New York. The western district includes the counties of Allegany, Cattaraugus, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming, and Yates, with the waters thereof. The northern district includes the counties of Albany, Broome, Cayuga, Chenango, Clinton, Cortland, Delaware, Essex, Franklin, Fulton, Hamilton, Herkimer, Jefferson, Lewis, Madison, Montgomery, Oneida, Onondaga, Oswego, Otsego, Rensselaer, Saint Lawrence, Saratoga, Schenectady, Schoharie, Tioga, Tompkins, Warren, and Washington, with the waters thereof. The eastern district includes the counties of Richmond, Kings, Queens, Nassau, and Suffolk, with the waters thereof. The southern district includes the residue of said State, with the waters thereof.”

R. S., sec. 541, p. 91, amended. Western district, of what composed.

SEC. 2. That the President of the United States, by and with the advice and consent of the Senate, shall appoint a district judge for the western district of New York, who shall possess and exercise all the powers conferred by existing law upon the judges of the district courts of the United States, and who shall, as to all business and proceedings arising in said western district as hereby constituted or transferred thereto, succeed to and possess the same powers and perform the same duties within the said western district as are now possessed and performed by the district judge for the northern district of New York.

—district judge for.

SEC. 3. That that part of section five hundred and seventy-two of the Revised Statutes declaring the times, places, and provisions for holding terms of the district court in the northern district of New York be, and is hereby, repealed, and that said section be, and is hereby, amended by inserting in place of the part so repealed the following two paragraphs:

Terms of district court. R. S., sec. 572, p. 100, amended.

“In the northern district of New York, at Albany, on the second Tuesday of February; at Utica, on the first Tuesday of December; at Binghamton, on the second Tuesday of June; at Auburn, on the first Tuesday of October; at Syracuse, on the first Tuesday of April, and, in the discretion of the judge of the court, one term annually at such time and place within the counties of Saratoga, Onondaga, Saint Lawrence, Clinton, Jefferson, Oswego, and Franklin as he may from time to time appoint. Such appointment shall be made by notice of at least twenty days published in a newspaper published at the place where said court is to be held.

—in northern district.

“In the western district of New York, at the city of Elmira, on the second Tuesday of January; at the city of Buffalo, on the second Tuesdays of March and November; at the city of Rochester, on the second Tuesday of May; at the city of Jamestown, on the second Tuesday of July; at the city of Lockport, on the second Tuesday of October.”

—in western district.

Terms of circuit court.
R. S., sec. 658, p. 121, amended.

SEC. 4. That that part of section six hundred and fifty-eight of the Revised Statutes declaring the times, places, and provisions for holding terms of the circuit court in the northern district of New York be, and is hereby repealed, and that said section be, and is hereby, amended by inserting in place of the part so repealed the following two paragraphs:

—in northern district.

“In the northern district of New York, at Utica, on the first Tuesday of December; at Syracuse, on the first Tuesday of April; at Albany, on the second Tuesday of February.

—in western district.

“In the western district of New York, at Rochester, on the second Tuesday of May; at Canandaigua, on the second Tuesday in September; at Buffalo, on the second Tuesday of November.”

Sessions at Buffalo, etc.

SEC. 5. That regular sessions of the district court for the western district of New York, for the hearing of motions and for proceedings in bankruptcy and the trial of causes in admiralty, shall be held at the city of Buffalo at least two weeks in each month of the year except August unless the business is sooner disposed of. The times for holding the same, and such other special sessions as the court shall deem necessary, shall be fixed by rules of the court. All process in admiralty causes and proceedings in the western district of New York shall be made returnable at Buffalo.

Existing judicial officers to continue in office, etc.

SEC. 6. That the district judge of the northern district of New York in office at the time this Act takes effect shall continue to be the district judge for the northern district of New York as constituted by this Act. That the clerk of the circuit court for the northern district of New York in office at the time this Act takes effect shall continue to be clerk of the circuit court of the northern district as constituted by this Act until his successor shall be appointed and qualified, and said clerk of said circuit court or his successor shall likewise be clerk of the district court of that district until a clerk of said district court shall be appointed and qualified.

Clerk district, etc., court, western district.

SEC. 7. That the present clerk of the district court for the northern district of New York as heretofore constituted shall be the clerk of the district court of the western district of New York as hereby constituted until his successor is appointed and qualified. He shall also be the clerk of the circuit court in the said western district hereby constituted until a clerk of said circuit court is duly appointed and qualified.

Future crimes cognizable where committed.

SEC. 8. That all prosecutions for crimes or offenses hereafter committed in either of said districts shall be cognizable within the district in which committed.

Term of office of judicial officers, northern district.

SEC. 9. That all other officers who have been heretofore appointed for the northern district of New York as heretofore constituted who shall be in office at the time of the taking effect of this Act and who reside therein as hereby constituted shall continue in office as officers of the district of their residence until the expiration of their respective terms, or until their successors are appointed and qualified, and shall perform the same duties and receive the same salary and compensation as heretofore.

Nonresident officers, northern district.

All officers not residing in said northern district as hereby constituted shall cease to be officers of said northern district when their successors, respectively, for the northern district as hereby constituted are duly appointed and qualified. The office of marshal and district attorney in each of said districts, deputy marshals and assistant district attorneys, and all other officers authorized by law and made necessary by the creation of said western district and the provisions of this Act, and all vacancies created thereby in either of said districts, shall be filled in the manner provided by existing law. The salaries, pay, fees, and allowances of the judges, district attorneys, marshals, and other officers in said districts, until changed under the provisions of existing law, shall

Vacancies, etc., how filled.

Salaries, etc.

be the same, respectively, as now fixed for such officers in the northern district of New York.

SEC. 10. That all causes and proceedings of every name and nature, civil and criminal, now pending in the courts of the northern district of New York as now constituted, whereof the courts of the western district of New York as hereby constituted would have had jurisdiction if said district and the courts thereof had been constituted when said causes or proceedings were instituted, shall be, and are hereby, transferred to, and same shall be proceeded with in, the western district of New York, and jurisdiction thereof is hereby transferred to and vested in the courts of said western district, and the records and proceedings therein and relating to said proceedings and causes shall be certified and transferred thereto: *Provided*, That nothing herein contained shall be construed to impair or affect the jurisdiction of the district court of the northern district of New York as hereby constituted in any case, civil or criminal, pending therein as heretofore constituted at the time of the passage of this Act or returnable thereto and not transferred to said western district, but the same shall be proceeded in to final disposition as if this Act had not been passed: *And provided further*, That all motions and causes submitted, and all causes and proceedings, both civil and criminal, including proceedings in bankruptcy, now pending in said northern district of New York as heretofore constituted, in which the evidence has been taken in whole or in part before the district judge of the northern district of New York as heretofore constituted or taken in whole or in part and submitted to and passed upon by the said district judge, shall be retained, proceeded with, and disposed of in said northern district of New York as constituted by this Act: *And provided further*, That nothing in the preceding proviso contained shall be held to retain or keep in said northern district as constituted by this Act any criminal proceeding or prosecution for the reason that questions as to the validity of the indictment have been raised and disposed of by the judge of said district.

Pending cases transferred.

Provisos.
Pending cases in district court, northern district, untransferred, not affected.

—causes submitted etc., to be retained.

—exception.

Approved, May 12, 1900.

CHAP. 392.—An Act To authorize the establishment, at some point in North Carolina, of a station for the investigation of problems connected with marine fishery interests of the middle and south Atlantic coast.

May 12, 1900.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Fish and Fisheries be, and he is hereby, authorized, empowered, and directed to establish a station for the investigation of problems connected with the marine fishery interests of the middle and south Atlantic States at some point in North Carolina.

North Carolina. Marine fishery station established in.

SEC. 2. That for necessary surveys, erection of buildings and other structures, and for the proper equipment of said station, the sum of twelve thousand five hundred dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated.

Appropriation.

Approved, May 12, 1900.

CHAP. 393.—An Act Authorizing the Commissioner of Internal Revenue to redeem or make allowance for internal-revenue stamps.

May 12, 1900.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Internal Revenue, subject to regulations prescribed by the Secretary of the Treasury, may, upon receipt of satisfactory evidence of the facts,

Internal revenue. Redemption of spoiled, etc., stamps authorized.