

Circuit and district courts.

State courts.

Transfer of files, records, etc.

Writs, etc., not to abate, etc.

Proviso.

Request for trial in Federal courts, etc.

Election of United States Senators, etc.

Territorial officers to hold over, etc., until after State election, etc.

Operation of United States laws.

Existing Territorial laws.

Repeal provision.

arising within the limits of such State, whereof the circuit or district court by this act established might have had jurisdiction under the laws of the United States had such courts existed at the time of commencement of such cases, the said circuit and district court, respectively, shall be the successors of said supreme and district courts of said Territory; and in respect to all other cases, proceedings, and matters pending in the supreme or district courts of the said Territory at the time of the admission of such Territory into the Union, arising within the limits of said State, the courts established by such State shall, respectively, be the successors of said supreme and district Territorial courts; and all the files, records, indictments, and proceedings relating to any such cases shall be transferred to such circuit, district, and State courts, respectively, and the same shall be proceeded with therein in due course of law; but no writ, action, indictment, cause, or proceeding now pending, or that prior to the admission of the State shall be pending, in any Territorial court in said Territory shall abate by the admission of such State into the Union, but the same shall be transferred and proceeded with in the proper United States circuit, district, or State court, as the case may be: *Provided, however,* That in all civil actions, causes, and proceedings in which the United States is not a party, transfers shall not be made to the circuit and district court of the United States except upon written request of one of the parties to such action or proceeding filed in the proper court; and in the absence of such request such cases shall be proceeded with in the proper State courts.

SEC 19. That the legislature of the said State may elect two Senators of the United States as is provided by the constitution of said State, and the Senators and Representatives of said State shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

SEC 20. That until the State officers are elected and qualified under the provisions of the constitution of said State, the officers of the Territory of Wyoming shall discharge the duties of their respective offices under the constitution of the State, in the manner and form as therein provided.

SEC 21. That from and after the admission of said State into the Union, in pursuance of this act, the laws of the United States, not locally inapplicable, shall have the same force and effect within the said State as elsewhere within the United States; and all laws in force made by said Territory, at the time of its admission into the Union, until amended or repealed, shall be in force in said State, except as modified or changed by this act or by the constitution of the State, and all acts or parts of acts in conflict with the provisions of this act, whether passed by a legislature of said Territory or by Congress, are hereby repealed

Approved, July 10, 1890.

July 10, 1890.

**CHAP. 665.**—An act to provide for an additional associate justice of the supreme court of the Territory of New Mexico.

New Mexico.  
Supreme court.  
R.S., sec. 1864, p. 330;  
vol. 24, p. 428.  
Quorum.  
*Proviso.*  
Limitation.

Additional associate justice.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter the supreme court of the Territory of New Mexico shall consist of a chief justice and four associate justices, any three of whom shall constitute a quorum: *Provided,* That the judge who presided at the trial of a cause in the court below shall not sit at the hearing of the same case on appeal, or writ of error, in the supreme court of the Territory.

SEC. 2. That it shall be the duty of the President to appoint one additional associate justice of said supreme court in manner now

provided by law, who shall hold his office for the term of four years, and until his successor is appointed and qualified.

SEC. 3. That the said Territory shall be divided into five judicial districts, and a district court shall be held in each district by one of the justices of the supreme court, at such time and place as is or may be prescribed by law. Each judge, after assignment, shall reside in the district to which he is assigned.

Territory divided into five districts.

Terms, etc.

SEC. 4. That the present chief-justice and his associates are hereby vested with power and authority, and they are hereby directed, to divide said Territory into five judicial districts, and make such assignments of the judges provided for in the first section of this act as shall in their judgment be meet and proper.

Supreme court to make division, etc.

SEC. 5. That the said district court shall have jurisdiction, and the same is hereby vested, to hear, try, and determine all matters and causes that the courts of the other districts of the Territory now possess; and for such purposes two terms of said court shall be held annually, at such places within said district as may be designated by the chief-justice and his associates, or a majority of them; and grand and petit jurors shall be summoned therein in the manner now required by law.

Jurisdiction.

Juries.

SEC. 6. That all offenses committed before the passage of this act shall be prosecuted, tried, and determined in the same manner and with the same effect (except as to the number of judges), as if this act had not passed.

Offenses.

Approved, July 10, 1890.

**CHAP. 666.**—An act to provide for the disposal of certain abandoned military reservations in Wyoming Territory.

July 10, 1890.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all public lands now remaining undisposed of within the abandoned military reservations in the Territory of Wyoming, known as Forts Fetterman, (post), Laramie, Sanders, and Steele (post), military reservations, and that portion of the Fort Bridger reservation heretofore abandoned for military purposes, and which are not otherwise occupied or used for any public purpose, are hereby made subject to disposal under the homestead law only: *Provided*, That actual occupants thereon upon the first day of January, eighteen hundred and ninety, if otherwise qualified, shall have the preference right to make one entry not exceeding one quarter section under either of the existing land laws, which shall include their respective improvements: *Provided further*, That any of such lands as are occupied for town-site purposes, and any of the lands that may be shown to be valuable for coal or minerals; such lands so occupied for town-site purposes, or valuable for coal or minerals, shall be disposed of as now provided for lands subject to entry and sale under the town-site, coal, or mineral land laws, respectively: *Provided further*, That this act shall not apply to any subdivision of land, which subdivision may include adjoining lands to the amount of one hundred and sixty acres, on which any buildings or improvements of the United States are situated until the Secretary of the Interior shall so direct: *Provided further*, That the passage of this act shall not be construed to amend or repeal the act approved May twenty-eighth, eighteen hundred and eighty-eight, entitled "An act granting certain lands in the Territory of Wyoming for public purposes."

Public lands. Disposal of certain abandoned military reservations in Wyoming.

Fort Fetterman, Laramie, Sanders, Steele, and Bridger.

Under homestead law. *Provisos*.

Preference right of certain actual occupants.

Town site and mineral lands.

Limitation as to certain land subdivisions.

Vol. 25, p. 158.

Fish-hatchery land grant.

Approved, July 10, 1890.