

charges and penalties as are provided in like cases under the Territorial laws.

SEC. 5. *And be it further enacted*, That the officers mentioned in the preceding section shall receive for their services the same compensation as is given for like services under the Territorial laws.

APPROVED, May 4, 1858.

May 4, 1858.

CHAP. XXVII.—*An Act to provide for the Issuing, Service and Return of original and final Process in the Circuit and District Courts of the United States in certain Cases.*

Venue of suits not local.

Mode of serving process.

Service how made on defendants in local suits.

Local suits, where brought, &c., when land, &c. is in different districts in same State.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all suits, not of a local nature, hereafter to be brought in the circuit and district courts of the United States, in a district in any State containing more than one district, against a single defendant, shall be brought in the district in which the defendant resides; but if there be two or more defendants, residing in different districts in the same State, the plaintiff may sue in either district and issue a duplicate writ against the defendants, directed to the marshal of any other district within the State in which any of the defendants reside, on which duplicate writ the clerk issuing the same shall indorse that it is a true copy of a writ sued out of the court of the proper district, and such original and duplicate writs, so issued, shall, when executed and returned into the office from which they issued, constitute one suit and be proceeded on accordingly, and upon any judgment rendered in a suit so brought process of execution may be issued, directed to the marshal of any district in the same State. And in suits of a local nature, where the defendant resides in a different district in the same State than the one in which the suit is brought, the plaintiff may have original and final process against such defendant, directed to the marshal of the district in which he resides.

SEC. 2. *And be it further enacted*, That in all cases of a local nature at law or in equity where the land or other subject-matter of a fixed character lies partly in one district and partly in another district, within the same State, the plaintiff may bring his action or suit in the circuit or district court of either district, and the court in which any such action or suit shall have been commenced, as aforesaid, shall have jurisdiction to hear and decide the same, and to cause mesne or final process to be issued and executed as fully as if the land or other subject-matter were wholly within the district for which such court is constituted.

APPROVED, May 4, 1858.

May 4, 1858.

CHAP. XXVIII.—*An Act to alter the Times of holding the Circuit and District Courts of the United States for the District of Vermont.*

Circuit Court at Windsor.

District Court at Windsor.

Suits, &c. now pending to have day at the new terms.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the circuit court of the United States now directed to be holden at Windsor, in and for the district of Vermont, on the twenty-first day of May, shall, after the first day of July next, be holden on the fourth Tuesday of July annually at said place, and the district court of the United States, within and for said district, instead of the twenty-seventh day of May, shall, after the first day of July next, be holden on the Monday next after the fourth Tuesday in July annually.

SEC. 2. *And be it further enacted*, That all indictments, informations, suits, or actions, and proceedings of any kind, whether civil or criminal, now pending in said courts respectively, shall have day in court and be proceeded in, heard, tried, and determined on the days herein appointed for the holding of said courts respectively, in the same manner that might and ought to have been done had the said courts respectively been holden on the twenty-first and twenty-seventh days of May.

APPROVED, May 4, 1858.