

priations, how expended.

Discrimination in favor of faithful chiefs.

Contracts of Indians.

Education.

appropriated for the benefit of the said Indians shall be expended in such manner as will, in the judgment of the President, best advance the said Indians in agricultural and mechanical pursuits, and enable them to sustain themselves without the aid of the Government. And in such expenditure reasonable discrimination may be made in favor of the chiefs who shall be found faithful to the Government of the United States, and efficient in maintaining its authority and the peace of the Indians. Said Indians shall be subject to the laws of the United States, and to the criminal laws of the State or Territory in which they may happen to reside. They shall also be subject to such rules and regulations for their government as the Secretary of the Interior may prescribe; but they shall be deemed incapable of making any valid civil contract with any person other than a native member of their tribe without the consent of the President of the United States. The Secretary of the Interior shall also make reasonable provision for the education of said Indians, according to their capacity and the means at his command.

APPROVED, February 21, 1863.

Feb. 24, 1863.

CHAP. LIV. — *An Act to divide the State of Michigan into two Judicial Districts, and to provide for holding the District and Circuit Courts therein.*

Michigan divided into two judicial districts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the State of Michigan be, and the same is hereby, divided into two judicial districts, in the following manner, namely: —

#### THE EASTERN AND WESTERN DISTRICTS.

Western district.

The western district shall embrace all the territory and waters within the following boundaries, to wit: Commencing at the southwest corner of Hillsdale county, in the State of Michigan, and running from thence north, on the west line of said county, to the south line of Calhoun county; thence east, on the south line thereof, to the southeast corner of said last-named county; thence north, on the east boundary of said county, to the south line of Eaton county; thence east, on said south line, to the southeast corner of Eaton county; thence north, on the east boundary of Eaton county, to the south line of Clinton county; thence west, on the south boundary of said county, to the southwest corner thereof; thence north, on the west boundary of Clinton and Gratiot counties, to the south boundary of Isabella county; thence west, on its south boundary, to the southwest corner of said last-named county; thence north, on the west line of Isabella and Clare counties, to the south boundary of Missaukee county; thence east, on its south boundary, to the southeast corner of Missaukee county; thence north, on the east line of Missaukee, Kalamazoo, and Antrim counties, to the south boundary [of] Emmet county; thence east to the southeast corner of Emmet county; thence north, on the east boundary of Emmet county, to the Straits of Mackinac; thence north to midway across said straits; thence westerly, in a direct line, to a point on the shore of Lake Michigan where the north boundary of Delta county reaches Lake Michigan; thence west, on the north line of Delta county, to the northwest corner of said Delta county; thence south, on the west boundary of said county, to the dividing line between the States of Michigan and Wisconsin in Green Bay; thence northeasterly, on the said dividing line, into Lake Michigan; and thence southerly, through Lake Michigan, to the southwest corner of the State of Michigan, on a line that will include within said boundaries the waters of Lake Michigan within the admiralty jurisdiction of the State of Michigan; thence east, on the south boundary of the State of Michigan, to the intersection of the west line of Hillsdale county. The judicial centre of which district shall be at Grand Rapids, in the county of Kent, where the courts of

Courts, where held.

said district shall be held. The eastern district shall embrace all the other territory of the State of Michigan and all other waters of said State not embraced within the foregoing boundaries of said western district. The judicial centre of said eastern district shall be at Detroit, in the county of Wayne, where the courts of said district shall be held.

Eastern district.

Place of holding courts.

SEC. 2. *And be it further enacted*, That there shall be two terms of the circuit and district courts begun and held in each of said districts, to wit: At the city of Detroit, for the eastern district, on the first Tuesday in June, November, and March in each year; and at the city of Grand Rapids, for the western district, on the third Monday of May and third Monday of October in each year. And the said courts are hereby authorized to hold adjourned terms when the business before the courts shall, in the opinion of the court, require it.

Terms of courts.

*Ante*, p. 657.

SEC. 3. *And be it further enacted*, That all suits and other proceedings, of whatever name or nature, now pending in the circuit or district courts of the United States for the district of Michigan, shall be tried and disposed of in the circuit and district courts, respectively, for the eastern district of Michigan, in the same manner as the same would have been in case said State had not been divided into two districts; and for that purpose the jurisdiction is reserved to said courts in the eastern district; and the clerk of the circuit and district courts for the present district of Michigan shall remove the records and files of the said circuit and district courts to the city of Detroit, and do and perform all the duties appertaining to his office within the eastern district; and all process and other proceedings taken or issued, or made returnable to the circuit or district court for the present district of Michigan, shall be returnable at the next term of the said courts, respectively, in the eastern district of Michigan.

Provision for pending suits and process.

Records and files.

SEC. 4. *And be it further enacted*, That, upon the application of any party to any suit now pending which would have been commenced in the western district if this act had been in force before the commencement of said suit, the proper court may, and, if all parties consent, shall, order that the same be removed for further proceedings to the proper court for the western district; and thereupon the clerk shall transmit all the papers in the cause, with a transcript of the order of the removal, to the clerk of the court to which the said suit shall be removed; and all further proceedings shall be had in said court as if the suit had been originally commenced therein.

Suits pending may be removed to western district.

SEC. 5. *And be it further enacted*, That the present judge of the district of Michigan be, and he is hereby, assigned to hold said courts in the eastern district of Michigan, and shall exercise the same jurisdiction and perform the same duties within said district as he now exercises and performs within his present district.

Present judge to hold courts in eastern district.

SEC. 6. *And be it further enacted*, That final process upon any judgment or decree entered in the circuit or district court of the United States for the district of Michigan, and all other process for the enforcement of any order of said courts, respectively, in any cause now pending therein, except causes removed as hereinbefore provided, shall be issued from and made returnable to the proper court for the eastern district of Michigan, and may run and be executed by the marshal of said eastern district in any part of said State.

Final process, &amp;c., returnable to eastern district.

SEC. 7. *And be it further enacted*, That there be appointed a district judge for the said western district of Michigan, who shall possess the same powers and do and perform all such duties in his district as are now enjoined or in any wise appertaining to the present district judge for the district of Michigan; and the district judge of each district shall be entitled to the same compensation as by law is provided for the present judge for the district of Michigan.

Judge to be appointed for western district.

Pay.

SEC. 8. *And be it further enacted*, That there be appointed one person as district attorney, and one person as marshal for said western district,

District attorney and marshal.

Pay and duties. whose terms of appointment and service, as well as duties and emoluments, shall be the same with those respectively appertaining to the said offices in the district of Michigan. And said marshal shall give the same bond that other marshals are required to give, to be approved and recorded as now directed by law: *Provided*, That the present district attorney of the district of Michigan shall be the district attorney of the eastern district, and retain the charge of all suits already commenced until final termination, unless the President of the United States shall otherwise direct, and the present marshal of the district of Michigan shall be the marshal of the eastern district, during their respective official terms.

Present marshal and district attorney. SEC. 9. *And be it further enacted*, That all suits hereafter to be brought in either of said courts not of a local nature, shall be brought in the court of the district where the defendant resides; but if there be more than one defendant, and they reside in different districts, the plaintiff may sue in either, and send a duplicate writ against the defendants, directed to the marshal of the other district, on which an endorsement shall be made that the writ thus sent is a copy of a writ sued out of the court of the proper district; and the said writs, when executed and returned into the office from whence they issued, shall constitute one suit, and be proceeded in accordingly.

APPROVED, February 24, 1863.

Feb. 24, 1863.

CHAP. LV. — *An Act to establish certain Post Roads.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following be established as post roads: —

#### CALIFORNIA.

From Colusa to Bear Valley.

From Folsom to Lincoln.

From Trinity Centre, via Summerville, Cecilville, and Centreville, to the Forks of Salmon River, in Klamath county.

Missouri.

#### MISSOURI.

From Warrenton to Troy.

From Warrenton to Pinkney.

From St. Charles to Elsah, in Jersey county, Illinois, via Portage de Sioux.

From Wellsburg, by Chain of Rocks, Bailey's, Chantilly, and Snow Hill, to New Hope, in Lincoln county.

From Mount Vernon to Carthage, via Bowei's Mills.

Illinois.

#### ILLINOIS.

From Peru Station to Blue Grass.

Indiana.

#### INDIANA.

From Knox to Hamlet.

From Bristol, Indiana, via Osborn's Corners, to Brownsville, Michigan.

From Wilmot, via Indian Village, Cromwell, to Ligonier.

From Brookville to Sumanville.

Iowa.

#### IOWA.

From Des Moines, via Adelphia, Vandalia, Bennington, and Red Rock to Knoxville.

From Sioux City to the Yancton Agency, Fort Randal, Fort Pierre, Fort Berthol, Fort Union, mouth of Milk River, Fort Benton, Sun River Farms, Deer Lodge, to Bitter Root Valley.

From Masonville to Marion.