

and maintain, under the provisions of said act, as far as applicable, except as herein modified, altered, or amended, either a railroad, wagon, and foot-passenger bridge, or a railroad, or wagon and foot-passenger bridge, and in the event that only a wagon and foot-passenger bridge be built that the provisions in said act for the passage of railroad trains and rights of railway companies incident thereto shall not apply.

SEC. 3. That in case the bridge authorized at or near Burlington, Iowa, by an act approved August sixth, eighteen hundred and eighty-eight, be constructed in the immediate vicinity of the existing railroad bridge, the length of spans required by said act may be so modified as to make the clear channel-ways correspond in length and location to the clear channel-ways of the existing bridge: *Provided*, That in the opinion of the Secretary of War the interests of navigation be not materially affected thereby.

Length of spans modified.

Proviso. Not to affect navigation.

Approved, February 21, 1890.

CHAP. 19.—An act to require the Superintendent of Census to ascertain the number of people who own farms and homes, and the amount of mortgage indebtedness thereon.

February 22, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Superintendent of Census, in addition to the duties now required of him by law, to ascertain the number of persons who live on and cultivate their own farms, and who live in their own homes, and the number who hire their farms and homes, and the number of farms and homes which are under mortgage, the amount of mortgage debt, and the value of the property mortgaged. He shall also ascertain whether such farms and homes have been mortgaged for the whole or part of the purchase money for the same, or for other purposes, and the rates of interest paid upon mortgage loans.

Eleventh Census. Enumeration of owners of farms, mortgages, etc.

SEC. 2. That for the purposes of this act the sum of one million dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Appropriation.

SEC. 3. That the provisions of sections thirteen, fourteen, fifteen and sixteen of the "Act to provide for taking the Eleventh Census and subsequent censuses," approved March first, eighteen hundred and eighty-nine, shall apply to the provisions of this act.

Penalties, etc. Vol. 25, pp. 764, 765.

Approved, February 22, 1890.

CHAP. 20.—An act to authorize the President to confer brevet rank on officers of the United States Army for gallant services in Indian campaigns.

February 27, 1890.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and empowered, at his discretion, to nominate, and by and with the advice and consent of the Senate, to appoint to brevet rank all officers of the United States Army, now on the active or retired list, who by their department commander, and with the concurrence of the commanding general of the Army, have been or may be recommended for gallant service in action against hostile Indians since January first, eighteen hundred and sixty-seven.

Army. Brevet rank authorized for gallantry, Indian campaigns.

SEC. 2. That such brevet commissions as may be issued under the provisions of this act shall bear date only from the passage of this act: *Provided, however*, that the date of the particular heroic act for which the officer is promoted shall appear in his commission.

Date of commissions.

Proviso. Date of heroic service.

To be strictly honorary.

SEC. 3. That brevet rank shall be considered strictly honorary, and shall confer no privilege of precedence or command not already provided for in the statutes which embody the rules and articles governing the Army of the United States.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

Approved, February 27, 1890.

February 27, 1890.

CHAP. 21.—An act to provide for the time and place of holding the terms of the United States circuit and district courts in the State of South Dakota.

South Dakota judicial district.

Three divisions erected.

Eastern division. Composition.

Central division. Composition.

Western division. Composition.

Terms of district court.

Sioux Falls.

Pierre.

Deadwood.

Repeal of former law.

Vol. 25, p. 882.

Jurisdiction.

Terms of circuit court.

Sioux Falls.

Deadwood.

Pierre.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of South Dakota shall constitute one judicial district.

SEC. 2. That for the purpose of holding terms of the district court said district shall be divided into three divisions, to be known as the eastern, central, and western divisions. The counties of Clay, Union, Yankton, Turner, Lincoln, Bonhomme, Charles Mix, Douglas, Hutchinson, Brule, Aurora, Davidson, Hanson, McCook, Minnehaha, Moody, Lake, Lyman, Miner, Sanborn, Beadle, Kingsbury, Brookings, Hamlin, Deuel, Grant, Roberts, Codington, Clark, Day, Marshall, Spink, Brown, Gregory, Todd, and the Yankton, Sisseton, Wahpeton, and Crow Creek Indian Reservations shall constitute the eastern division, the court for which shall be held at the city of Sioux Falls. The counties of McPherson, Edmunds, Campbell, Walworth, Potter, Sully, Faulk, Hand, Hyde, Hughes, Buffalo, Jerauld, Stanley, Knowlen, and that portion of the counties of Pratt, Jackson, and Sterling not included in any Indian reservation, and the Standing Rock, Cheyenne, and Lower Brule Indian Reservations shall constitute the central division, the court for which shall be held at the city of Pierre. All that portion of the State of South Dakota lying west of the central division, and in addition thereto the Rosebud and Red Cloud Indian Reservations, shall constitute the western division, the court for which shall be held at the city of Deadwood.

SEC. 3. That the terms of the district court for the district of South Dakota shall be held at Sioux Falls on the first Tuesday of April and October in each year; at Pierre on the third Tuesday of May and November in each year; and at Deadwood on the first Tuesday of January and July in each year. And the provision of law now existing for the holding of said court on the first Monday in April and November in each year, is hereby repealed, and all suits, prosecutions, process, recognizances, bail-bonds, and other things pending in or returnable to said court on the days last named are hereby transferred to, and shall be made returnable to and have force in the said respective terms in this act provided in the same manner and with the same effect as they would have had had this act not been passed.

SEC. 4. That all civil suits not of a local nature must be brought in the division of the district where the defendant or defendants reside; but if there are two or more defendants, residing in different divisions, the action may be brought in either of the divisions in which a defendant resides.

SEC. 5. That the Circuit Court of the United States for said District shall be held at Sioux Falls on the first Tuesday of April and October in each year, and at Deadwood on the first Tuesday of July in each year, and at Pierre on the third Tuesday of November in each year; and cases taken on appeal or writ of error from the District Court shall be returnable to the Circuit Court held in that judicial sub-division from which the appeal was taken. When the Circuit