

December 18, 1902.

[Public, No. 4.]

**CHAP. 4.**—An Act Providing that the circuit court of appeals of the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Fort Worth, in the State of Texas, on the first Monday in November in each year.

United States courts.  
Circuit court of ap-  
peals, fifth circuit.  
Additional term,  
Fort Worth, Tex.  
Vol. 26, p. 827.

Appeals, writs of  
error, etc.

*Proviso.*  
Injunctions, etc.

Other terms.

Vol. 26, p. 826,  
amended.

Transportation ex-  
penses.

Expenses of clerk.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the circuit court of appeals of the fifth judicial circuit of the United States is hereby authorized and required to hold one term of said court in the city of Fort Worth, in the State of Texas, on the first Monday in November in each year.

**SEC. 2.** That all appeals, writs of error, and other appellate proceedings which may, after the date of this Act, be taken or prosecuted from the circuit or district courts of the United States in the State of Texas to the court of appeals of the fifth circuit shall be heard and disposed of by the said court of appeals at the terms of the court held in Fort Worth in pursuance of this Act: *Provided,* That nothing herein contained shall prevent the court from hearing appeals or writs of error wherever the said court shall sit, in cases of injunctions and in all other cases which under the statutes and the rules, or in the opinion of the court, are entitled to be brought to a speedy hearing.

**SEC. 3.** That this Act shall not operate to prevent the said court from holding other terms in the city of Fort Worth or in such other places in the said fifth judicial district as said court may from time to time designate.

**SEC. 4.** That chapter five hundred and seventeen of Twenty-sixth United States Statutes at Large is hereby amended in accordance with the provisions of this Act.

**SEC. 5.** That the clerk of said court is authorized and permitted to pay, out of the fees and emoluments of his office, (one) the expenses incurred by him in transporting from his office in New Orleans, Louisiana, to Fort Worth, Texas, and in transporting from Fort Worth, Texas, to New Orleans, Louisiana, the records, books, papers, files, dockets, and supplies necessary for the use of the court at its terms to be held in Fort Worth, Texas; (two) an allowance for actual expenses not exceeding ten dollars per day to cover travel and subsistence for each day he may be required to be present at Fort Worth, Texas, on business connected with his said office, such expenses and allowance to be approved and allowed by the senior circuit judge of the fifth judicial circuit.

Approved, December 18, 1902.

December 18, 1902.

[Public, No. 5.]

Preamble.

Vol. 25, p. 679.

\* Vol. 10, p. 179.

Vol. 11, p. 385.

**CHAP. 5.**—An Act Relating to grants of land to the Territory and State of Washington for school purposes.

Whereas by the Act of Congress of February twenty-second, eighteen hundred and eighty-nine, providing that the inhabitants of the Territory of Washington might, upon certain conditions prescribed in said Act, become the State of Washington, certain lands were granted to the said State for school purposes; and

Whereas a doubt has arisen as to what lands were granted by section ten of said Act; and

Whereas by section twenty of the Act of Congress of March second, eighteen hundred and fifty-three, entitled "An Act to establish the Territorial government of Washington," the county commissioners of counties in said Territory were authorized to locate and select certain lands in lieu of sections sixteen and thirty-six occupied by actual settlers; and

Whereas by the Act of Congress of February twenty-sixth, eighteen hundred and fifty-nine, entitled "An Act to authorize settlers upon six-

teenth and thirty-sixth sections, who settled before the surveys of public lands, to preempt their settlements," certain lands were appropriated for school purposes in lieu of such as might be patented by preemptors, and to compensate deficiencies for school purposes where said sections sixteen and thirty-six were fractional in quantity, or where one or both were wanting by reason of the township being fractional, or from any natural cause whatever, and providing for their selection; and

Whereas certain lieu lands have been selected by the Territory of Washington under said Acts of Congress: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases where sections sixteen and thirty-six, or either or any of them, or any portion thereof, have been occupied by actual settlers prior to survey thereof, and the county commissioners of the counties in which said sections so occupied as aforesaid are situated, have, under said Act of Congress of March second, eighteen hundred and fifty-three, located or selected other lands in sections or fractional sections, as the case may be, within their respective counties, in lieu of said section so occupied as aforesaid, the lands so located or selected, when the same shall have been approved by the Secretary of the Interior, shall be deemed and taken to have been granted to said State by said Act of February twenty-second, eighteen hundred and eighty-nine, and the title of said State thereto is hereby confirmed.

Public lands.  
Washington.  
Selections in lieu of  
school grants con-  
firmed.

Vol. 10, p. 179.

Vol. 25, p. 679.

SEC. 2. That where any lands appropriated by Congress to said Territory to compensate deficiencies for school purposes, where sections sixteen or thirty-six were fractional in quantity, or where one or both were wanting by reason of the township being fractional, or from any natural cause whatever, or where section sixteen or thirty-six were patented by preemptors, have been selected and appropriated as provided in said Act of Congress of February twenty-sixth, eighteen hundred and fifty-nine, the lands so selected and appropriated, when the same shall have been approved by the Secretary of the Interior, shall be deemed and taken to have been granted to said State of Washington by the said Act of February twenty-second, eighteen hundred and eighty-nine, and the title thereto confirmed.

Lands selected in  
lieu of deficiencies  
confirmed.

Vol. 11, p. 385.

Vol. 25, p. 679.

Approved, December 18, 1902.

**CHAP. 7.**—An Act Providing for the recognition of the military service of the officers and enlisted men of the First Regiment Ohio Volunteer Light Artillery.

December 19, 1902.

[Public, No. 6.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the officers and enlisted men of the First Regiment Ohio Volunteer Light Artillery (three months' service), furnished by the State of Ohio under the call of the President of the United States issued on the fifteenth day of April, eighteen hundred and sixty-one, and which rendered actual military service under the command of officers of the United States and in cooperation with the regularly organized military forces of the United States, shall be held and considered to have been in the military service of and to have formed a part of the military establishment of the United States during the period for which said organization was enlisted and was in active service, and that the Secretary of War be, and he hereby is, authorized and directed to issue certificates of discharge, upon due application and satisfactory proof of identity, for all honorably discharged members of the said organization: *Provided,* That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this Act.

First Ohio Volunteer  
Light Artillery.  
Military service rec-  
ognized.

*Proviso.*  
No pay, etc.

Approved, December 19, 1902.