

and wharves, the direction and strength of the currents, and the soundings accurately showing the bed of the water, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge and drawbridges, wharves, and docks are approved by the Secretary of War work thereon shall not be commenced; and should any change be made in the plan of said bridge and drawbridges, wharves, or docks during the progress of construction or after completion such change shall be subject to the approval of the Secretary of War.

Changes.

SEC. 4. That Congress reserves the right to alter, amend, or repeal this Act at any time; and if at any time navigation between Mississippi Sound and the Bay of Mobile shall in any manner be obstructed or impaired by the said works, the Secretary of War shall have authority, and it shall be his duty, to require the said company to alter or remove the said works at its own expense, in such manner as may be proper to secure free and complete navigation without impediment.

Amendment.

SEC. 5. That the draws provided for the bridge herein authorized to be constructed shall be opened promptly upon reasonable signal for the passing of boats; and said company or corporation shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

Opening draws.

Lights, etc.

SEC. 6. That all telephone and telegraph companies shall be granted equal rights and privileges in the construction and operation of their lines across said bridge; and if actual construction of the works herein authorized shall not be commenced within one year from the passage of this Act and be completed within five years from same date, the rights and privileges hereby granted shall cease and be determined.

Telephone, etc., rights.

Time of construction.

Approved, February 5, 1906.

**CHAP. 83.**—An Act To provide for a land district in Yellowstone, Carbon, and Rosebud counties, in the State of Montana, to be known as the Billings land district.

February 5, 1906.  
[H. R. 8994.]

[Public, No. 12.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all that portion of the State of Montana included within the present boundaries of Yellowstone and Carbon counties and all that portion of the ceded and unceded part of the Crow Indian Reservation lying within the limits of Rosebud County, west of the Big Horn River, is hereby constituted a new land district, and that the land office for said district shall be located at Billings, in said Yellowstone County.

Public lands.  
Billings land district, Montana, created.

Office.

Approved, February 5, 1906.

**CHAP. 155.**—An Act To provide for the selection of grand and petit jurors for the district courts in the Territory of Oklahoma.

February 9, 1906.  
[H. R. 5289.]

[Public, No. 13.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That until otherwise provided by the legislature of Oklahoma it shall be the duty of the judge of the district court in each judicial district of the Territory of Oklahoma to appoint in each county of his district two discreet, honorable, and reputable persons of opposite politics, and having the qualifications of jurors as prescribed by the laws of said Territory, and not interested in any cause, civil or criminal, pending in the district court of the county for which he is appointed, which two persons, together with the clerk of the district court, or his resident deputy, in such county, shall constitute a board of jury commissioners. Said commissioners shall

Oklahoma.  
Selection of jurors.  
Appointment of jury commissioners.

Meeting.

meet at the office of the clerk of the district court upon the order of the judge of said court at least once each year, at such time as the judge shall designate, and after having taken and subscribed an oath that they will honestly, faithfully, and impartially discharge their duties as such jury commissioners, shall proceed to select the names of not less than three hundred nor more than three hundred and twenty-five persons, having and possessing the qualifications of jurors as prescribed by the laws of said Territory of Oklahoma. Said names for jurors shall be apportioned to and selected from the several voting precincts in said county as near as practicable according to the voting population of each precinct. The board of jury commissioners shall make a list of said names, showing the election precinct from which each juror was selected, and shall certify to the same and file said list in the office of the clerk of the district court for the county for which said names were selected. The clerk shall record said list upon the journal of the court and certify to the correctness thereof. As soon as said list is completed and recorded the clerk of the district court shall forthwith write each of said names upon a separate slip of paper, which slips shall be of uniform size and color, and shall fold said slips and place them in a box provided with two locks and keys of different designs and securely lock the same, leaving no opening. When said box is closed and locked, the key of one lock shall be retained by the clerk and the other shall be delivered to and retained by the sheriff of the county. Prior to any term of court at which a grand or petit jury will be required the judge of the district court shall certify to the clerk of the district court the number of jurors that will be required for either a grand or a petit jury, and direct said jury to be drawn and summoned at such times as he shall direct. Upon receiving such order the clerk of the district court shall notify the sheriff of the time of the drawing of such jury, and the sheriff or one of his deputies, and the clerk of the district court or one of his deputies, shall take said box containing the names of the jurors so selected and thoroughly shake the same. They shall then together, in the presence of each other, open said jury box, and after placing the same in a position that neither can see into it, shall draw therefrom alternately one name at a time and record the same until the number of jurors have been drawn required in the order of the judge, which may be not to exceed thirty persons from which to select a grand jury and not to exceed forty persons from which to select a petit jury. As soon as said jurors are drawn and the names recorded, the slips drawn shall be destroyed and the box securely locked and retained in the custody of the clerk, one key being retained by the sheriff. Upon the completion of such drawing the clerk shall issue separate venires for the grand and petit jurors, returnable at such time as the judge shall in his order direct. The first names drawn to the number stated in the judge's order shall be summoned as grand jurors, and the grand jury shall be empaneled from said persons: *Provided*, That additional and other drawings may be had at such times as the court or judge may order for the completion of the panel of either the grand or petit jury, or for the empaneling of a new grand jury during any term of court, if, in the judgment of the court, the same shall become necessary, or if, for any cause, the court, in its discretion, shall deem other jurors necessary. The court may excuse or discharge any person drawn and summoned as a grand or petit juror whenever, in the discretion of the court, such action may be deemed expedient: *Provided further*, That at any time during a term of court after a petit jury has been drawn and summoned in the manner as herein provided, when for the trial of any cause, civil or criminal, the regular panel of jurors shall appear to be insufficient, the jury may be completed from talesmen or the court may direct that an open venire

Oath.

Jurors.

Selection of names.

Filing the list.

Procedure.

Empaneling the jury.

Grand and petit jurors.  
Issue of separate venires.

Provisos.  
Additional drawings.

Completion of the petit jury.

issue to the marshal or sheriff for such number of jurors as may be deemed necessary to be selected from the body or any portion of the county: *And provided further*, That the probate judges of the several counties may order a jury drawn in like manner from said jury box for any term of the probate court or for the trial of any cause in said court wherein a jury is authorized by the laws of Oklahoma to be drawn from such box.

Probate jury.

SEC. 2. That the commissioners shall each receive as compensation for his services the sum of ten dollars per day for each day actually and necessarily employed in the discharge of their duties, the time necessarily employed to be determined by the judge and to be paid upon the order of the judge of the district court, either by the United States or the county, as the judge in his order shall direct. The venires for juries, grand or petit, may be served by either the United States marshal or the sheriff of the county, as the court or judge shall order.

Compensation of commissioners.

Service of venires.

SEC. 3. That all laws of the Territory of Oklahoma inconsistent with the provisions of this Act are hereby repealed.

Repeal.

Approved, February 9, 1906.

**CHAP. 156.**—An Act To amend paragraph thirty-four of section seven of an Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes," approved July first, nineteen hundred and two.

February 9, 1906.  
[H. R. 9757.]

[Public, No. 14.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That paragraph thirty-four of section seven of the Act of Congress approved July first, nineteen hundred and two, entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes," be, and the same is hereby, amended by adding thereto the following:

District of Columbia.  
Fuel hucksters.  
Vol. 32, p. 627.

"Persons licensed to store or sell kerosene or oils of like grade, or explosives of any kind, shall pay a license tax of one dollar per annum for each permit issued; for storing or selling fireworks the license tax shall be fifty cents per annum for each permit issued; for storing or selling gasoline or oils of like grade the license tax shall be five dollars per annum for each permit issued: *Provided*, That persons paying a license tax as fuel hucksters shall not be required to pay an additional tax for storing or selling such articles."

License tax on permits to store and sell explosives, etc.

*Proviso.*  
Additional tax for storing, etc., not required of hucksters.

Approved, February 9, 1906.

**CHAP. 255.**—An Act To authorize The American National Bank of Graham, Virginia, to change its location and name.

February 15, 1906.  
[S. 2582.]

[Public, No. 15.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That The American National Bank of Graham, now located at Graham, Tazewell County, State of Virginia, is hereby authorized to change its location, or place where its operations of discount and deposit are carried on, to the town of Bluefield, Mercer County, State of West Virginia, and its corporate title to The American National Bank of Bluefield, by and with the consent of the Comptroller of the Currency, whenever the shareholders owning two-thirds of the stock of said bank, at a meeting called for that purpose, determine to make such change: *Provided*, That there shall be sent to the Comptroller of Currency a duly

The American National Bank of Graham, Va.  
May move to Bluefield, W. Va.

*Proviso.*  
Notice of vote for removal, etc.