

CHAP. 324.—An act to aid vessels wrecked or disabled in the waters conterminous to the United States and the Dominion of Canada.

June 19, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Canadian vessels of all descriptions may render aid or assistance to Canadian or other vessels wrecked or disabled in the waters of the United States contiguous to the Dominion of Canada: *Provided,* That this act shall not take effect until proclamation by the President declaring that the privilege of aiding American or other vessels wrecked or disabled in Canadian waters contiguous to the United States has been extended by the government of the Dominion of Canada and declaring this act to be in force: *And provided further,* That this act shall cease to be in force from and after the date of proclamation by the President to the effect that said reciprocal privilege has been withdrawn or revoked by the said Government of the Dominion of Canada.

Canadian ves-
sels.
May aid vessels
disabled in waters
of U. S., etc.
Proviso.

Proviso.

Approved, June 19, 1878.

CHAP. 325.—An act amending the laws with reference to elections in certain States

June 19, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on the second Tuesday of October, eighteen hundred and seventy-eight, there shall be elected in each Congressional district in the State of West Virginia, one representative to represent said State of West Virginia in the Forty-sixth Congress.

Congressional
elections.
In West Vir-
ginia.

SEC. 2. Said election shall be conducted according to the laws now in force, except so far as the same relate to and fix the time of such election

SEC. 3. That an election held on the Tuesday next after the first Monday in November, eighteen hundred and seventy-eight, for Representatives to the Forty-sixth Congress from the State of North Carolina, conducted by the sheriffs, or by other persons duly appointed therefor, in like manner as elections for members of the general assembly of said State, and according to the provisions of an act of the general assembly of said State entitled "An act to regulate elections", ratified the twelfth day of March, eighteen hundred and seventy-seven, and also of an act of the general assembly of said State entitled "An act to regulate the manner of making election-returns", ratified the sixth day of March, eighteen hundred and seventy-seven, shall be deemed lawful and valid; and all acts of Congress and parts of acts applicable to the manner of holding such elections shall continue in force, anything in the laws of said State to the contrary notwithstanding

In North Caro-
lina.

Approved, June 19, 1878.

CHAP. 326.—An act to detach certain territory from the eastern judicial district of Michigan and to attach the same to the western judicial district of Michigan, and to provide for divisions in said western district and for holding the district and circuit courts therein, and for other purposes.

June 19, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the counties of Chippewa, Schoolcraft, Marquette, Houghton, Keweenaw, Ontonagon, Isle Royale, Baraga, and Mackinaw being and including all that portion of the territory and waters of said eastern district lying in the upper peninsula of Michigan be and the same are hereby detached from the eastern judicial district of Michigan and attached to the western judicial district of said State.

Michigan.
Counties detached
from eastern to
western district.

SEC. 2. That for the trial and determination of all causes and proceedings cognizable and triable in the circuit and district courts of the United States for the western district of Michigan as bounded and described in this act, the said district shall consist of two divisions known respectively as the southern and northern divisions of said district.

Two trial-divis-
ions in western dis-
trict.

- Division boundaries.** The southern division shall comprise all that portion of said district lying and being in the lower peninsula of said State, and the northern division of said district shall comprise all the territory and waters of the entire upper peninsula of said State; and there shall be two regular terms of the circuit and district courts begun and held in each of the divisions of said western district annually.
- Terms of court.** The regular terms of the circuit and district courts in said southern division shall be held at the city of Grand Rapids, commencing on the first Tuesdays of March and October in each year.
- The regular terms of the circuit and district courts in said northern division shall be held at the city of Marquette, commencing upon the first Tuesdays of May and September in each year.
- Issues of fact, where triable.** And all issues of fact shall be tried at the terms of said courts to be held in the division where such suits shall hereafter be commenced; but nothing herein contained shall prevent the said circuit and district courts from regulating by general rule the venue of transitory actions, either in law or in equity, and from changing the same for cause.
- Venue.**
- Suits, where to be brought.** SEC. 3. That all suits and proceedings hereafter to be brought in the said circuit or district courts not of a local nature, shall be brought in a court of the division of the district where the defendant resides; but if there be more than one defendant, and they reside in different divisions of the district, the plaintiff may sue in either divisions and send duplicate writ or writs to the other defendants, on which the plaintiff or his attorney shall endorse that the writ thus sent is a copy of a writ sued out of a court of the proper division of the said district; and the said writs when executed and returned into the office from which they issued, shall constitute one suit, and be proceeded in accordingly.
- Clerk's office in western district.** SEC. 4. The clerk of the circuit and district courts for the western district of Michigan shall reside and keep his office at Grand Rapids, and shall also appoint a deputy clerk for said courts held at Marquette, who shall reside and keep his office at that place; and said deputy clerk shall keep in his office full records of all actions and proceedings in the said circuit and district courts for the northern division of said district held at that place, and shall have the same power to issue all processes from the said courts and perform any other duty that is or may be given to the clerks of other circuit and district courts in like cases.
- Deputy clerk.**
- District attorney and marshal.** SEC. 5. That the district attorney and marshal of the said western district of Michigan shall respectively perform the duties of district attorney and marshal for the southern and northern divisions of said district as established by this act. The marshal of said district shall keep an office and a deputy marshal at Marquette in the northern division of said district.
- Deputy marshal at Marquette.**
- Criminal causes, where to be tried.** SEC. 6. Any person charged with violating any of the penal or criminal statutes of the United States of which the said circuit or district courts have jurisdiction, shall be proceeded against by indictment or otherwise, within the division of said district where the alleged offense or offenses shall be committed, and shall have his or her trial at a term of the said court held in said division, unless for cause shown, the judge shall otherwise direct; and one grand and one petit jury only shall be summoned, and serve in both said courts at each term thereof; and jurors shall be selected and drawn from the division of the said district in which they reside and in which the terms of the said circuit and district courts to which they are summoned are held.
- Juries.**
- Pending causes in eastern district.** SEC. 7. This act shall not affect or in any wise interfere with causes of action now pending in the circuit and district courts for the eastern district of Michigan, but the same may be proceeded with in the same manner as though this act had not been passed: *Provided, however,* That upon cause shown, the circuit and district courts for the eastern district may transfer civil causes arising in that portion of said district detached therefrom by this act to the circuit and district courts for the northern division of the western district of Michigan, provided for in this act. The circuit and district courts for the eastern district

of Michigan shall continue to have the same jurisdiction in reference to all crimes and offenses committed prior to the passage of this act in any portion of the State of Michigan by this act detached from said eastern district and attached to said western district.

SEC. 8. All provisions of law in conflict with this act are hereby repealed. Repeals.

SEC. 9. There shall be one or more terms of the district court for the eastern district of Michigan, held annually at the United States court room in the city of Port Huron in said district, in the discretion of the judge of said district court, and at such times as he shall appoint therefor. Terms at Port Huron.

Approved, June 19, 1878.

CHAP. 327.—An act to legalize the collection of head-moneys already paid. June 19, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the acts of every State and municipal officer or corporation of the several States of the United States in the collection of head-moneys prior to the first day of January, eighteen hundred and seventy-seven, from the master, consignee, or owner of any vessel bringing passengers to the United States from a foreign port, pursuant to the then existing laws of the several States, shall be valid, and no action shall be maintained against any such State or municipal officer or corporation for the recovery of any moneys so paid or collected prior to said date. Head-money. Past collections of, by State officers, legalized.

Approved, June 19, 1878.

CHAP. 328.—An act to provide for the expenses of the Select Committee on Alleged Frauds in the late Presidential Election. June 19, 1878.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty thousand dollars or so much thereof as may be necessary be and the same is hereby appropriated from any moneys in the Treasury not otherwise appropriated to defray the actual expenses necessarily incurred by the select committee of the House of Representatives appointed under resolution of the House of May seventeenth, and under that resolution and the resolution of May twenty-second, following, directed to investigate alleged frauds in the late Presidential election said to have been committed in Louisiana and Florida, or that may be charged to have been committed in any other State. Said appropriation to be added to the contingent fund of the House of Representatives, and to be disbursed upon vouchers approved by the chairman of said committee or of any sub-committee thereof; and the clerk of the House shall pay such parts of said sum as the chairman of the said committee shall in writing direct for the purpose aforesaid to the Sergeant-at-Arms of the House, who shall, as soon thereafter as practicable, make report in writing to the House, of the manner in which the sums thus paid to him have been expended, accompanied by vouchers in detail which report and vouchers when examined and approved by the Committee of Accounts of the House shall be deemed a sufficient settlement of his accountability, and any unexpended balance remaining in his hands, after such settlement shall be paid by him into the Treasury of the United States, to the credit of the fund for which it was appropriated. Appropriations. Committee to investigate alleged frauds in Presidential election.

SEC. 2. That the sum of twenty thousand dollars be, and the same hereby is, appropriated, out of any money in the Treasury not otherwise appropriated; which sum shall be placed to the credit of the contingent fund of the Senate, and be applied toward defraying the expenses of said investigations and inquiries as have already been, or may hereafter be, directed by the Senate during the period of the Forty-fifth Congress; Disbursement. Report. Unexpended balance. Investigations by Senate.