

shall be composed of three hundred and eighty-six members, to be apportioned among the several States as follows: Alabama, nine; Arkansas, seven; California, eight; Colorado, three; Connecticut, five; Delaware, one; Florida, three; Georgia, eleven; Idaho, one; Illinois, twenty-five; Indiana, thirteen; Iowa, eleven; Kansas, eight; Kentucky, eleven; Louisiana, seven; Maine, four; Maryland, six; Massachusetts, fourteen; Michigan, twelve; Minnesota, nine; Mississippi, eight; Missouri, sixteen; Montana, one; Nebraska, six; Nevada, one; New Hampshire, two; New Jersey, ten; New York, thirty-seven; North Carolina, ten; North Dakota, two; Ohio, twenty-one; Oregon, two; Pennsylvania, thirty-two; Rhode Island, two; South Carolina, seven; South Dakota, two; Tennessee, ten; Texas, sixteen; Utah, one; Vermont, two; Virginia, ten; Washington, three; West Virginia, five; Wisconsin, eleven; and Wyoming, one.

SEC. 2. That whenever a new State is admitted to the Union the Representative or Representatives assigned to it shall be in addition to the number three hundred and eighty-six.

SEC. 3. That in each State entitled under this apportionment, the number to which such State may be entitled in the Fifty-eighth and each subsequent Congress shall be elected by districts composed of contiguous and compact territory and containing as nearly as practicable an equal number of inhabitants. The said districts shall be equal to the number of the Representatives to which such State may be entitled in Congress, no one district electing more than one Representative.

SEC. 4. That in case of an increase in the number of Representatives which may be given to any State under this apportionment such additional Representative or Representatives shall be elected by the State at large, and the other Representatives by the districts now prescribed by law until the legislature of such State in the manner herein prescribed, shall redistrict such State; and if there be no increase in the number of Representatives from a State the Representatives thereof shall be elected from the districts now prescribed by law until such State be redistricted as herein prescribed by the legislature of said State; and if the number hereby provided for shall in any State be less than it was before the change hereby made, then the whole number to such State hereby provided for shall be elected at large, unless the legislatures of said States have provided or shall otherwise provide before the time fixed by law for the next election of Representatives therein.

SEC. 5. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved, January 16, 1901.

January 19, 1901.

CHAP. 101.—An Act Relating to the accounts of United States marshals and clerks of the district courts of the Territory of Utah.

Utah Territory.
Clerks and marshals
liable only for fees
earned in United
States cases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States marshals and the clerks of the district courts of the Territory of Utah prior to its admission to the Union as a State shall be held accountable only for fees earned in United States cases, in accordance with a decision of the Attorney-General dated December second, eighteen hundred and ninety-one, and all unclosed accounts of such officers shall be settled and closed accordingly, and the fees earned in United States cases, and withheld from them, shall be paid to them out of any money not otherwise appropriated.

Approved, January 19, 1901.

CHAP. 102.—An Act To change and fix the time for holding the district and circuit courts of the United States for the northeastern division of the eastern district of Tennessee.

January 19, 1901.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the terms of the circuit and district courts of the United States for the northeastern division of the eastern district of Tennessee, held at Greeneville, Tennessee, shall commence on the second Monday in November and May of each year, instead of the fourth Monday in August and February, as is now provided by law; and each of said terms shall continue as long as the presiding judge may deem necessary.

Tennessee eastern judicial district, northeastern division. Terms of court at Greeneville.

SEC. 2. That no action, suit, proceeding, information, indictment, recognizance, bail bond, or other process in either of said courts shall abate or be rendered invalid by reason of the change of time in the holding of the terms of said courts, but the same shall be deemed to be returnable to, pending, and triable at the terms herein provided for.

Pending cases not to abate.

SEC. 3. That all laws and parts of laws conflicting with this Act be, and are hereby, repealed.

Repeal.

Approved, January 19, 1901.

CHAP. 103.—An Act For the relief of Edward Everett Hayden, an ensign on the retired list of the Navy.

January 19, 1901.

Whereas Ensign Edward Everett Hayden, United States Navy, was placed upon the retired list of the Navy by reason of the loss of a leg, resulting from an accident incurred in the line of duty; and

Preamble.

Whereas sections fourteen hundred and ninety-three and fourteen hundred and ninety-four of the Revised Statutes of the United States permit an officer of the Navy who has been wounded in the line of duty to remain upon the active list while capable of performing other than sea duty; and

Whereas several other officers of the Navy suffering from similar disability for sea duty have been, and are now, retained on the active list, in accordance with the above-mentioned sections of the Revised Statutes; and

Whereas the said Edward Everett Hayden has been, since his retirement, engaged in scientific study and work of value to and under the direction of the Navy Department, including service during the war with Spain, when he volunteered for active duty and served creditably and longer than any other retired officer of the Navy: Therefore, that justice may be done the said Edward Everett Hayden and that the Navy Department may be enabled to command his services during peace as well as war, in accordance with the above-mentioned sections of the Revised Statutes,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of law regulating appointments in the Navy by promotion in the line and limiting the number of lieutenants to be appointed in the United States naval service are hereby suspended for the purpose of this Act only, and only so far as they affect Edward Everett Hayden; and the President of the United States is hereby authorized, in the exercise of his discretion and judgment, to nominate and, by and with the advice and consent of the Senate, to appoint said Edward Everett Hayden, now an ensign on the retired list of the Navy of the United States, to the grade and rank of lieutenant on the active list of the Navy, as of the date of May first, eighteen hundred and ninety-five, and to place his name in the Register of the Navy next after that of his classmate, John

Navy. Edward Everett Hayden may be appointed lieutenant on active list.