

inquired into all the matters set forth in the petition, and that he believes them to be true, shall be presented to the said district court, if in session, or if it be not, to the clerk thereof at his office, and shall be filed in said office. The cause shall thereupon be entered on the docket of the district court and shall proceed as a cause originally commenced in that court; but all bail and other security given upon such suit or prosecution shall continue in like force and effect as if the same had proceeded to final judgment and execution in the State court. When the suit is commenced in the State court by summons, subpoena, petition, or any other process except *capias*, the clerk of the district court shall issue a writ of certiorari to the State court requiring it to send to the district court the record and the proceedings in the cause. When it is commenced by *capias* or by any other similar form of proceeding by which a personal arrest is ordered, he shall issue a writ of habeas corpus cum causa, a duplicate of which shall be delivered to the clerk of the State court or left at his office by the marshal of the district or his deputy or by some other person duly authorized thereto; and thereupon it shall be the duty of the State court to stay all further proceedings in the cause, and the suit or prosecution, upon delivery of such process, or leaving the same as aforesaid, shall be held to be removed to the district court, and any further proceedings, trial, or judgment therein in the State court shall be void. If the defendant in the suit or prosecution be in actual custody on mesne process therein, it shall be the duty of the marshal, by virtue of the writ of habeas corpus cum causa, to take the body of the defendant into his custody, to be dealt with in the cause according to law and the order of the district court, or, in vacation, of any judge thereof; and if, upon the removal of such suit or prosecution, it is made to appear to the district court that no copy of the record and proceedings therein in the State court can be obtained, the district court may allow and require the plaintiff to proceed *de novo* and to file a declaration of his cause of action, and the parties may thereupon proceed as in actions originally brought in said district court. On failure of the plaintiff so to proceed, judgment of non prosequitur may be rendered against him, with costs for the defendant."

Approved, August 23, 1916.

CHAP. 400.—An Act Permitting the Needles and Oatman Bridge Company to construct, maintain, and operate a bridge across the Colorado River between the States of California and Arizona.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Needles and Oatman Bridge Company, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Colorado River at a point suitable to the interests of navigation at or near the city of Needles, San Bernardino County, State of California, about ten miles north of the existing bridge of the Atchison, Topeka and Santa Fe Railway Company in that vicinity, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March twenty-third, nineteen hundred and six.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 23, 1916.

Certiorari to State court for record, etc.

Capias proceedings.

Duty of marshal.

Duty of plaintiff.

August 23, 1916.
[H. R. 16914.]

[Public, No. 232.]

Colorado River.
Needles and Oatman
Bridge Company may
bridge, Needles, Cal.

Construction.
Vol. 34, p. 84.

Amendment.