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TERM OF COURT AT CASPER, WYO.

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MAY 13, 1924.—Ordered to be printed

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- Mr. WALSH of Montana, from the Committee on the Judiciary submitted the following

REPORT

[To accompany H. R. 4445]

The Committee on the Judiciary, to whom was referred the bill (H. R. 4445) to amend section 115 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary," having considered the same, report favorably thereon, with the recommendation that the bill do pass with amendments.

The bill amends section 115 of the so-called Judicial Code, so as to provide for holding a term of court at Casper, in the State of Wyoming, a change which the growing importance of that city seems to require. In the consideration of the measure attention was called to the fact that a part of Yellowstone Park lies within the exterior boundaries of the State of Montana, and that under section 92 of the general act referred to the State of Montana is a judicial district. It results, accordingly, that there is an overlapping of jurisdiction under the two sections referred to as to that part of the Yellowstone Park so within the boundaries of the State of Montana, a serious matter should a crime be committed within that area. It is in the last degree doubtful whether Congress has the power to include within the same district territory being parts of two States, in view of the provision of Article VI of the amendments to the Constitution of the United States providing that defendant is entitled to trial in the State and district within which the crime was committed.

The committee can see no reason for attempting to extend the jurisdiction of the district of Wyoming over that portion of the portion of the park within the State of Montana while consequences of the gravest character might ensue from the attempt to do so. It accordingly recommends that the bill be amended by striking out the language in lines 7 and 8, page 1, "and the Yellowstone National

Park," and to make the bill a harmonious whole that further amendments as follows be made:

After the word "appoint," at the end of line 12, page 2, insert the words "among others."

Strike out the words, in lines 13 and 14, page 2, "for the Yellowstone National Park" and the words "said park" in line 14, and insert after the word "in" in line 14, page 2, the words "the Yellowstone National Park."