

265; Feb. 14, 1913, ch. 53, 37 Stat. 674; May 17, 1926, ch. 311, 44 Stat. 561).

Provisions relating to maintenance of offices by the clerk and marshal were omitted as covered by sections 452, 541 [see 561], 542 [see 561], and 751 of this title.

Changes in arrangement and phraseology were made.

### § 111. New Mexico

New Mexico constitutes one judicial district.

Court shall be held at Albuquerque, Las Cruces, Las Vegas, Roswell, Santa Fe, and Silver City.

(June 25, 1948, ch. 646, 62 Stat. 885.)

#### HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §177 (June 20, 1910, ch. 310, §13, 36 Stat. 565; Mar. 4, 1921, ch. 149, 41 Stat. 1361; June 7, 1924, ch. 332, 43 Stat. 642).

The reference to Raton as a place of holding court was omitted on advice of the clerk that court is no longer held there.

Provisions for furnishing rooms and accommodations at Las Vegas were omitted as obsolete upon advice of Director of the Administrative Office of the United States Courts that Federal accommodations are now available.

Provision for adjournment or continuance in case of insufficient business by orders made anywhere in the district was omitted as covered by section 138 of this title.

Provisions for transfer of causes, civil or criminal, from one place of holding court to another were omitted. Such provisions, as to civil cases, are covered by section 1404 of this title, and, as to criminal cases, are rendered unnecessary because of inherent power of the court, and Rules 18–20 of the Federal Rules of Criminal Procedure, relating to venue.

Provisions for appointment of deputy clerks and deputy marshals and maintenance of offices at various cities were omitted as covered by sections 541 [see 561], 542 [see 561], and 751 of this title.

The provision respecting court accommodations at Silver City was omitted as covered by section 142 of this title.

Changes in arrangement and phraseology were made.

### § 112. New York

New York is divided into four judicial districts to be known as the Northern, Southern, Eastern, and Western Districts of New York.

#### Northern District

(a) The Northern District comprises the counties of Albany, Broome, Cayuga, Chenango, Clinton, Columbia, Cortland, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Jefferson, Lewis, Madison, Montgomery, Oneida, Onondaga, Oswego, Otsego, Rensselaer, Saint Lawrence, Saratoga, Schenectady, Schoharie, Tioga, Tompkins, Ulster, Warren, and Washington.

Court for the Northern District shall be held at Albany, Auburn, Binghamton, Malone, Plattsburgh,<sup>1</sup> Syracuse, Utica, Wadertown, and Plattsburgh.<sup>1</sup>

#### Southern District

(b) The Southern District comprises the counties of Bronx, Dutchess, New York, Orange, Putnam, Rockland, Sullivan, and Westchester and concurrently with the Eastern District, the waters within the Eastern District.

<sup>1</sup> So in original. "Plattsburgh" appears twice.

Court for the Southern District shall be held at New York, White Plains, and in the Middletown-Walkkill area of Orange County or such nearby location as may be deemed appropriate.

#### Eastern District

(c) The Eastern District comprises the counties of Kings, Nassau, Queens, Richmond, and Suffolk and concurrently with the Southern District, the waters within the counties of Bronx and New York.

Court for the Eastern District shall be held at Brooklyn, Hauppauge, Hempstead (including the village of Uniondale), and Central Islip.

#### Western District

(d) The Western District comprises the counties of Allegany, Cattaraugus, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming, and Yates.

Court for the Western District shall be held at Buffalo, Canandaigua, Elmira, Jamestown, and Rochester.

(June 25, 1948, ch. 646, 62 Stat. 885; Pub. L. 90–217, Dec. 18, 1967, 81 Stat. 662; Pub. L. 91–546, §1, Dec. 14, 1970, 84 Stat. 1412; Pub. L. 95–271, §1, Apr. 28, 1978, 92 Stat. 221; Pub. L. 95–408, §4(c), Oct. 2, 1978, 92 Stat. 885; Pub. L. 95–573, §3, Nov. 2, 1978, 92 Stat. 2458; Pub. L. 98–620, title IV, §405, Nov. 8, 1984, 98 Stat. 3361; Pub. L. 101–650, title III, §324(a)(2), Dec. 1, 1990, 104 Stat. 5120; Pub. L. 104–317, title VI, §609, Oct. 19, 1996, 110 Stat. 3860; Pub. L. 106–113, div. B, §1000(a)(1) [title III, §306], Nov. 29, 1999, 113 Stat. 1535, 1501A–37; Pub. L. 108–455, §4, Dec. 10, 2004, 118 Stat. 3628; Pub. L. 108–482, title III, §302, Dec. 23, 2004, 118 Stat. 3918.)

#### HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §§178 and 178a (Mar. 3, 1911, ch. 231, §97, 36 Stat. 1119; Jan. 21, 1920, ch. 50, 41 Stat. 394; July 1, 1922, ch. 260, 42 Stat. 812; Aug. 12, 1937, ch. 591, 50 Stat. 623).

A reference in section 178 of title 28, U.S.C., 1940 ed., to Franklin County in the list of Counties in the Northern District, in which one term might be held annually, in the discretion of the judge, was omitted as superseded by the provisions of said section 178a of title 28, requiring an annual term to be held at Malone, which is in Franklin County.

References to seizures made, matters done and processes or orders issued respecting waters within the concurrent jurisdiction of the southern and eastern districts, were omitted as unnecessary and covered by the revised language.

Provision for 20 days' notice of the special term authorized in the discretion of the court in the counties of Clinton, Jefferson, Onondaga, Oswego, Rensselaer, St. Lawrence, Saratoga, and Schenectady was omitted as unnecessary, in view of section 141 of this title providing for such notice as the district judge orders.

The special provision permitting any district judge in New York to act as judge in any other district in that State upon request of the resident district judge was omitted, thus making applicable the uniform procedure for designation and assignment of district judges throughout the United States, provided by section 292 of this title.

Words "with the waters thereof" after the list of counties in each district were omitted as unnecessary and inconsistent with other sections of this chapter.