

Feb. 28, 1887.

**CHAP. 270.**—An act to authorize the Commissioners of the District of Columbia to permit the temporary occupation of streets by a railway for the purpose of transporting material to fill about the base of the Washington Monument.

Commissioners  
D. C. to permit lay-  
ing of track to be  
used in filling base  
of Washington  
Monument.

Laws 1st session  
49th Congress, p.  
245.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioners of the District of Columbia are hereby authorized to issue permit for the laying of a temporary railway track in such streets or avenues as in their judgment shall best subserve the purpose and interfere least with the public use of the same, to such persons as shall be awarded the contract to fill about the base of the Washington Monument, in pursuance of the advertisement of the officer in charge of the construction and under the provisions of the act of August fourth, eighteen hundred and eighty-six, making appropriation for that work.

Approved, February 28, 1887.

Feb. 28, 1887.

**CHAP. 271.**—An act to amend the act dividing the State of Missouri into two judicial districts, and to divide the eastern and western districts thereof into divisions, establish district and circuit courts of the United States therein, and provide for the times and places for holding such courts, and for other purposes.

Missouri.  
Eastern judicial  
district.  
R. S., sec. 540, p.  
91.  
Vol. 20, pp. 35,  
263.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the city of Saint Louis and the following-named counties in the State of Missouri shall constitute the eastern judicial district of Missouri, to wit: Saint Louis, Franklin, Gasconade, Jefferson, Crawford, Washington, Saint Francois, Saint Genevieve, Dent, Iron, Madison, Perry, Bollinger, Cape Girardeau, Shannon, Reynolds, Wayne, Scott, Carter, Oregon, Ripley, Butler, Stoddard, New Madrid, Mississippi, Dunklin, Pemiscot, Montgomery, Lincoln, Warren, Saint Charles, Macon, Adair, Audrain, Clarke, Knox, Lewis, Marion, Monroe, Pike, Ralls, Schuyler, Scotland, Shelly and Randolph. And all the other counties in the State of Missouri shall constitute the western judicial district of Missouri.

Western judicial  
district.

Division of east-  
ern district.

Eastern division.

**SEC. 2.** That the eastern judicial district of Missouri is hereby divided into two divisions, which shall be known respectively as the northern and eastern divisions of said eastern district. The city of Saint Louis and the counties of Saint Louis, Franklin, Gasconade, Jefferson, Crawford, Washington, Saint Francois, Sainte Genevieve, Dent, Iron, Madison, Perry, Bollinger, Cape Girardeau, Shannon, Reynolds, Wayne, Scott, Carter, Oregon, Ripley, Butler, Stoddard, New Madrid, Mississippi, Dunklin, Pemiscot, Montgomery, Lincoln, Warren, and Saint Charles shall constitute the eastern division of said district, the courts for which are now established and held and shall be continued at the city of Saint Louis. The remaining counties within the eastern district shall constitute the northern division of said district, and the courts therefor shall be held at the city of Hannibal. The western judicial district of Missouri shall be divided into four divisions to be known as the Saint Joseph, the western, the central, and the southern divisions. The counties of Clay, Ray, Carroll, Chariton, Sullivan, Jackson, La Fayette, Saline, Cass, Johnson, Bates, Henry, Vernon, Putnam, Caldwell, Livingston, Grundy, Mercer, Linn, Barton, Jasper, and Saint Clair shall constitute the western division, the courts circuit and district for which shall be continued at the city of Kansas. The counties of Atchison, Nodaway, Holt, Andrew, Buchanan, Platte, Clinton, Harrison, Daviess, De Kalb, Gentry, and Worth shall constitute the Saint Joseph division and the courts therefor shall be held at the city of Saint Joseph. The counties of Cedar, Polk, Dallas, Laclede, Pulaski, Dade, Greene, Webster, Wright, Texas, Lawrence, Christian, Douglas, Howell, Newton, Barry, McDonald, Stone, Taney, and Ozark shall constitute the southern division of said western district, the courts for which shall be held at the city of Springfield. The remaining counties within

Courts.

Northern divi-  
sion.

Courts.

Division of west-  
ern district.

Western divi-  
sion.

Courts.

Saint Joseph di-  
vision.

Courts.

Southern divi-  
sion.

Courts.

the said western district shall constitute the central division of said district, and the courts circuit and district therefor shall be continued and held at Jefferson City.

Central division.  
Courts.

SEC. 3. That there shall be and there are hereby established a district and circuit court of the United States in each of the several divisions of the said eastern and western districts herein created, except the southern division of the western district in which a district court shall be and is hereby created. That in each division there shall be held two terms of the district and circuit courts in each and every year except said southern division of the western district in which there shall be held two terms of the district court in each and every year. The times of holding said terms of court in the city of Saint Louis, the city of Kansas and the city of Jefferson shall be held at the times now established by law, and in the other divisions herein named the times of holding said terms of court shall be at the city of Hannibal on the first Mondays in May and November; at the city of St Joseph on the first Mondays in April and October; at the city of Springfield on the first Mondays in February and August. That the counties of Cedar, Polk, Greene, Dade, Lawrence, Newton, McDonald, Barry and Stone of the southern division of the western district aforesaid, be and they are hereby attached to the western division of the western district for circuit court purposes as to all civil causes and proceedings and that all other counties in said southern division of the western district be, and they are hereby, attached to the central division of the western district for circuit court purposes as to all civil causes and proceedings. The district judges for the eastern and western districts of Missouri, each in the divisions of his proper district, and the circuit judge of the United States for the eighth judicial circuit, are hereby required to hold the courts aforesaid. Juries shall be summoned for the courts hereby created as now provided by law for the summoning of juries in the said districts. And whenever the circuit and district courts in either of said districts or divisions shall be held at the same time and place, jurors shall not be summoned for each of said courts, but for both said courts, and they shall act accordingly as grand and petit jurors for both said courts.

Courts establish-  
ed.

Terms.

R. S., secs. 572,  
p. 100; 658, p. 121.

Jurisdiction  
of circuit courts,  
western division,  
western district.

Juries.

SEC. 4. That hereafter all suits to be brought in the courts of the United States in Missouri, not of a local nature, shall be brought in the division having jurisdiction over the county where the defendants, or either of them reside; but if there be more than one defendant, and a part of them reside in different divisions or districts of said State, the plaintiff may sue in either division of either district where one of such defendants resides, and send duplicate writs to the other division or district directed to the marshal of said district, on which said writs shall be indorsed, by the plaintiff or his attorney, that the same is a duplicate of the original writ sued out of the court of the proper division and district. Any cause may, by the written consent of both parties or their attorneys of record, be transferred to the court of either division or district, without regard to the residence of the defendants, and whether such cause be now pending or be instituted hereafter. All civil causes now pending in any of the courts in said eastern or western district, or any division thereof, against parties residing in some other division hereby created, may remain and be finally disposed of in the court in which they are now pending, respectively, unless the defendants therein shall desire to have the same transferred to the appropriate court of the division in which they reside, in which last event such transfer shall be applied for to the court of the division in which the cause is pending; and when a cause shall be ordered to be transferred, as above provided, to a court in any other division, it shall be the duty of the clerk of the court from which the transfer is made to carefully transmit to the clerk of the court to which the transfer is made the entire file of papers of the cause, and all documents and deposits in his court pertaining thereto, together with a certified transcript of the

Jurisdiction.

Transfers.

Pending causes.

Transmitting pa-  
pers, transcripts,  
etc.

record of all orders; interlocutory decrees, or other entries in the cause; and he shall also certify under seal of the court, that the papers sent are all which are on file in said court belonging to the cause, for the performance of which duties said clerk so transmitting and certifying shall receive the same fees as now allowed by law for similar services, to be taxed in the bill of costs and regularly collected with the other costs of the cause; and such transcript, when so certified and received, shall thence forth constitute a part of the record of the cause in the court to which the transfer shall be made.

Clerks.

SEC. 5. That there shall be appointed a clerk for each of said courts at Hannibal, Saint Joseph, City of Kansas and Springfield, and each clerk shall be a resident of the division in which the court of which he is clerk is held; he shall keep an office, and the records, files and documents pertaining to the court of his division, and he shall discharge all the duties and receive the fees required or allowed by law. And the marshals and the district attorneys for the said eastern and western judicial district shall be the marshal and attorney, respectively, for the divisions for their respective district, and shall be allowed the same fees and be subject to the same duties and liabilities as may be provided by law; that process issuing out of the courts of either division of said districts shall be directed to the marshal of the district in which the division is located, and may be executed by him or his deputies upon the party or parties against whom issued wherever found within his district; and the marshal of each district shall keep an office and at least one general deputy residing at the place of holding courts in each division, excepting the division in which he may himself reside.

Marshals and district attorneys.

Process.

Transfers may be made in vacation or term-time.

SEC. 6. That all civil causes and proceedings in law, equity, or bankruptcy now pending in any district or circuit court of the United States in the State of Missouri, where all the defendants (or plaintiffs, where the jurisdiction is derived from the residence of the plaintiffs) shall reside in either of the divisions in which courts are hereby established, may in the discretion of the court be transferred to the court of the division in which the defendants (or plaintiffs, where the jurisdiction is derived from their residence) reside, and the transfer may be made in vacation or in term-time. If made in vacation, an affidavit of all the parties defendant that they are resident in said division shall be filed, and ten days notice of the purpose and time of hearing of said motion shall be given the opposite party or his attorney of record; but if made in term-time, then on motion and affidavit only. And the said circuit and district courts for said divisions shall have the same powers and jurisdiction, with the same right to parties to prosecute appeals and writs of error thereupon, as now pertain to the district and circuit courts for said eastern and western judicial districts. All crimes and offenses heretofore committed within either of said districts shall be prosecuted, tried and determined in the same manner and with the same effect as if this act had not been passed.

Crimes.

Courts at Saint Joseph.

SEC. 7. That before the judge shall hold the terms of courts at Saint Joseph he shall have satisfactory evidence that the county court of Buchanan county has provided and set apart for the use of said courts a court-room, clerk's office, marshal's office, and attorney's office, free of expense to the United States for rent therefor, to be used and occupied until the completion of the public building belonging to the United States Government now in process of construction at said city of Saint Joseph, at which time the courts shall be held and said offices established in said public building; and before the judge shall hold the terms of courts at Hannibal he shall have satisfactory evidence that the county court of Marion county has provided and set apart for the use of said courts a court-room, clerk's office, marshal's office, and attorney's office, free of expense to the United States for rent therefor, to be used and occupied until the completion of the public building belonging to the United States Government now in process of construction at said

Courts at Hannibal.

city of Hannibal at which time the courts shall be held and said offices established in said public building; and before the court or judge shall hold the terms of said court at Springfield he shall have satisfactory evidence that the county court of Greene county has provided and set apart for the use of said court a court-room, clerk's office, marshal's office, and attorney's office, free of expense to the United States for rent therefor.

Court at Springfield.

Approved, February 28, 1887.

**CHAP. 272.**—An act to regulate steam engineering in the District of Columbia.

Feb. 28, 1887.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any person to act as steam engineer in the District of Columbia who shall not have been regularly licensed to do so by the Commissioners thereof.

District of Columbia.  
Steam engineers to be licensed.

*Am. 3-4-125  
no. 62*

SEC. 2. That all persons applying for such license shall be examined by a board of examiners composed as follows: The boiler-inspector for the District of Columbia and two practical engineers to be appointed by the District Commissioners. Said examination shall be conducted in all respects under such rules and regulations as the Commissioners of the District of Columbia shall from time to time provide; and all steam-boilers and engines shall be subjected to such tests as the said Commissioners may prescribe.

Board of examiners.

Rules.

*engines and*

SEC. 3. That applicants for license as steam engineers must be twenty-one years of age and of temperate habits; must make application in writing, to which application must be attached a certificate as to character and moral habits signed by at least three citizens of the District of Columbia, themselves of moral standing.

Qualifications.

SEC. 4. That the fee for a license as steam engineer shall be three dollars.

Fee.

SEC. 5. That any person employed as a licensed steam engineer in the District of Columbia who is found under the influence of intoxicating liquor while on duty, shall, for the first offense, have his license revoked for six months; for the second offense, twelve months; and for the third offense, shall have his license revoked and be debarred from following the occupation of licensed steam engineer in the District of Columbia for the period of five years.

Punishment for intoxication.

SEC. 6. That any owner or lessee of ~~steam-boiler or engine, or the~~ secretary of any corporation, who shall ~~knowingly~~ employ a steam-engineer as such who has not been regularly licensed to act as such, shall on conviction thereof by the police court of the District of Columbia, be fined fifty dollars, and in default of payment of such fine shall be confined for a period of one month in the workhouse of the District of Columbia. *Provided*, That boilers used for steam heating, where the water returns to the boiler without the use of a pump and injector or inspirator, and which are worked automatically, shall be exempt from the provisions of this section.

Penalty for employing non-licensed engineers.

*Proviso by gravity*  
Heating boilers.

SEC. 7. That the foregoing section shall not apply to engineers who have been licensed by the United States Government or the laws of any State *having reciprocity with the U.S.*

State or United States license.

SEC. 8. That this act shall take effect sixty days after the approval thereof.

Approved, February 28, 1887.