

by such States; and in case any State shall have established under the provisions of said act of July second aforesaid, an agricultural department or experimental station, in connection with any university, college or institution not distinctively an agricultural college or school, and such State shall have established or shall hereafter establish a separate agricultural college or school, which shall have connected therewith an experimental farm or station, the legislature of such State may apply in whole or in part the appropriation by this act made, to such separate agricultural college, or school, and no legislature shall by contract express or implied disable itself from so doing.

Legislative assent necessary.

SEC. 9. That the grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purposes of said grants: *Provided*, That payment of such instalments of the appropriation herein made as shall become due to any State before the adjournment of the regular session of its legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof duly certified to the Secretary of the Treasury.

Right to suspend, etc., reserved.

SEC. 10. Nothing in this act shall be held or construed as binding the United States to continue any payments from the Treasury to any or all the States or institutions mentioned in this act, but Congress may at any time amend suspend or repeal any or all the provisions of this act.

Approved, March 2, 1887.

Mar. 2, 1887.

CHAP. 315.—An act to amend section five hundred and thirty-six of the Revised Statutes of the United States, relating to the division of the State of Illinois into judicial districts, and to provide for holding terms of court of the northern district at the city of Peoria.

Illinois northern judicial district.
R. S., sec. 536,
p. 90.

Two divisions.
Southern division.

Courts at Peoria.

Terms.
Chicago.
Peoria.

Jurisdiction.

Clerks' offices.

Chief deputies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the counties of McDonough, Fulton, and Tazewell be detached from the southern district of Illinois and be included in the northern district of Illinois.

SEC. 2. That the northern district of Illinois shall be divided into two divisions, to be known as the northern and southern divisions. The counties of Peoria, Stark, Henry, Rock Island, Mercer, Henderson, Warren, Knox, McDonough, Fulton, Putnam, Marshall, Woodford, Tazewell, Livingston, and Iroquois shall constitute the southern division of said northern district of Illinois, the courts for which shall be held at the city of Peoria.

SEC. 3. That the terms of the circuit and district courts in and for said northern district of Illinois shall be held at the city of Chicago, as now provided by law, and at the city of Peoria, in the southern division of said district, on the third Mondays of April and October of each year.

SEC. 4. That all civil suits not of a local nature, and criminal prosecutions, must be brought in the division of the said northern district of Illinois where the defendant or defendants reside or the offence is committed; but if there are two or more defendants in civil suits residing in the different divisions or districts, the action may be brought in either in which either of the defendants may reside. When the defendant is a non-resident of the district, action may be brought in either division of said district wherein the defendant may be found.

SEC. 5. That the clerks of the circuit and district courts of the northern district of Illinois shall be respectively the clerks of the courts of both divisions of the said district; that each of said clerks, or his deputies, shall keep an office open at all times at each of the places of holding said court, and shall there keep the records, files, and documents pertaining to the court of that division; and said clerk shall be entitled to the same fees now allowed him by law. In addition to his powers to appoint deputies, as now prescribed by law, each of said clerks shall be required to appoint a chief deputy for the court of that division in

which he himself may not reside, who shall have all the powers of the clerk in his absence.

SEC. 6. That the marshal and clerk for said northern district of Illinois shall respectively appoint at least one deputy residing in the said southern division, unless he shall reside there himself, and also maintain an office at that place of holding court.

Deputy marshal, and clerk.

SEC. 7. That all causes and proceedings in law, equity, admiralty, or bankruptcy now pending in the circuit or district court of the northern district of Illinois, where all the defendants (or the plaintiffs, when the jurisdiction is derived from the residence of the plaintiff or complainants within the district shall reside in the southern division of said district, shall be transferred to the court of such division, said transfer to be made in vacation or in term-time; if made in vacation, only on the affidavit that all the said parties plaintiff or defendant, as the case may be, are residents of said southern division, and ten days' notice of the purpose and time of the hearing of said motion; but if made in term-time, then on motion and affidavit only.

Transfers of pending causes.

SEC. 8. That all civil causes now pending in the United States circuit or district court for the southern district of Illinois against parties residing in that portion of said district by this act annexed to and incorporated in the said northern district may remain and be finally disposed of, respectively, in the court in which they are now pending, unless the defendants therein shall desire to have the same transferred to the appropriate division of said court in the district in which they reside, as provided by this act; in which last event such transfer shall be applied for and made to the court for the division of the residence of such defendant in said northern district, or to the court of the southern district, as the case may be, in the manner above provided in the seventh section hereof for the transfer of pending causes from the court of the northern division of said northern district to that of the southern division thereof, mutatis mutandis.

Transfers from southern district.

SEC. 9. That when a cause shall be transferred as above provided by the seventh and eighth sections hereof, either from the northern division of said northern district to the southern division thereof, or from the southern district of Illinois to the southern division of said northern district, 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 files of papers in the cause, and all documents and deposits in his court pertaining thereto, together with a certified transcript of the record of all orders, interlocutory decrees, or other entries in said cause; and he shall also certify, under the seal of the court, that the papers sent are all which are on file in said court belonging to said cause; for the performance of which duties said clerk so transmitting and certifying shall receive the same fees as are now allowed by law for similar services, to be taxed in the bill of costs and regularly collected with the other costs in the cause; and such transcript, when so certified and received, shall thenceforth constitute a part of the record of the cause in the court to which the transfer shall be made.

Transmittal of records papers, etc.

SEC. 10. That the judge of the United States circuit or district court for said northern district of Illinois may, by order, from time to time, appoint and hold additional special terms of said court in said southern division of said district, for the disposal of the unfinished business thereof, whenever the interest of the public and condition of the docket shall so require.

Special terms in southern division.

SEC. 11. That all crimes and offenses heretofore committed within the said district shall be prosecuted, tried, and determined in the same manner and with the same effect as if this act had not been passed.

Crimes, etc.

Approved, March 2, 1887.