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CHAP. 20.—An act to divide the western district of Missouri into two divisions, and to prescribe the times and places for holding courts therein, and for other purposes. Jan. 21, 1879.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, The western district of Missouri is hereby divided into two divisions, which shall be known as the eastern and western divisions of the western district of Missouri. The western division shall include the counties of Andrew, Atchison, Barton, Bates, Buchanan, Caldwell, Carroll, Cass, Chariton, Clay, Clinton, Daviess, De Kalb, Gentry, Grundy, Harrison, Holt, Jackson, Jasper, La Fayette, Linn, Livingston, Mercer, Nodaway, Platte, Putnam, Ray, Saline, Sullivan, Vernon, and Worth; and a term of the district court and circuit court of the United States for said district shall be held therein at the city of Kansas on the third Monday in May and the third Monday in October of each year. The remaining counties embraced in said district shall constitute the eastern division thereof and the terms of the district and circuit courts of the United States for said district shall be held therein at the times and place now prescribed by law. Missouri. Divided into two judicial divisions.

SEC. 2. All offenses hereafter committed in either of said divisions shall be cognizable and indictable within the division where committed; and all grand and petit jurors summoned for service in each division shall be inhabitants thereof. And all offenses heretofore committed within said district shall be prosecuted and tried as if this act had not passed. Offenses, where triable.

SEC. 3. All civil suits not of a local character which shall be hereafter brought in the district or circuit courts of the United States for the western district of Missouri in either of said divisions, against a single defendant, or where all the defendants reside in the same division of said district, shall be brought in the division in which the defendant or defendants reside; but if there are two or more defendants residing in different divisions, such suit may be brought in either division, and all mesne and final process subject to the provisions of this act, issued in either of said divisions, may be served and executed in either or both of the divisions. Civil suits, where to be brought.

SEC. 4. The clerks of the circuit and district courts for said district shall each appoint a deputy clerk at the place where their respective courts are required to be held in the division of the district in which such clerk shall not himself reside, each of whom shall, in the absence of the clerk, exercise all the powers and perform all the duties of clerk within the division for which he shall be appointed: *Provided*, That the appointment of such deputies shall be approved by the court for which they shall be respectively appointed, and may be annulled by such court at its pleasure. And the clerk shall be responsible for the official acts and neglects of all such deputies. Deputy clerk for each division. *Proviso.*

SEC. 5. All civil suits and proceedings now pending in the circuit or district court of said western district of Missouri, and which would, if instituted after the passage of this act, be required to be brought in the western division of said district, may be transferred, by consent of all the parties, to said western division of said district, and there disposed of in the same manner and with like effect as if the same had been there instituted; and all process, writs, and recognizances relating to such suits and proceedings so transferred shall be considered as belonging to the term of the court in the western division of said district, in the same manner and with like effect as if they had been issued or taken in reference thereto originally. Transfer of pending civil suits.

Approved, January 21, 1879.