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operation of the line of railroad authorized by this section the said companies may exercise all the authorities, rights, privileges, and franchises by this Act conferred upon and vested in them in respect of the lines of railroad authorized by the foregoing sections of this Act, outside of the limits of the city of Washington: *Provided*, That whenever in the construction of said line of railroad it shall be found necessary to cross any existing public highway of the District of Columbia the company shall submit to and file with the Commissioners of the District of Columbia proper plans showing the intended crossing, shall obtain the approval of the same by the said Commissioners, and shall construct such crossing only in conformity with such approved plan. Every such highway crossing shall be either over or under grade where practicable without increasing the grades on said railroad or causing unreasonable expense in construction; and for the purpose of avoiding grade crossings the Commissioners of the District of Columbia shall be fully authorized and empowered to change the grade of any such public highway so as to pass the same over or under said railroad, and to deflect or divert any such highway so as to pass over or under said railroad at a different point of crossing, and to close so much of the said highway as is abandoned; and the company shall acquire, by purchase or condemnation, at its own expense, all lands required to relocate such highways, and shall pay the cost of all new construction or work required to restore any such highway raised, depressed, deflected, or relocated as above provided, all of which construction and work shall be done to the satisfaction and subject to the approval of the said Commissioners.

Proviso.
—highway crossings; approval of plans.

—relocating highways.

SEC. 13. That all existing laws or parts of laws inconsistent with the provisions of this Act are hereby repealed to the extent to which they are so inconsistent, but to no further or other extent.

Repeal.

SEC. 14. That Congress reserves the right to alter, amend, or repeal this Act.

Amendment.

Approved, February 12, 1901.

CHAP. 355.—An Act To divide Kentucky into two judicial districts.

February 12, 1901.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five hundred and thirty-one of the Revised Statutes is hereby amended by striking therefrom the word "Kentucky."

Kentucky divided into two judicial districts.
R. S., sec. 531, p. 89 amended.

SEC. 2. That the State of Kentucky is divided into two judicial districts, which shall be called the eastern and western judicial districts of the State of Kentucky. The eastern district includes the counties of Carroll, Trimble, Henry, Shelby, Anderson, Mercer, Boyle, Gallatin, Boone, Kenton, Campbell, Pendleton, Grant, Owen, Franklin, Bourbon, Scott, Woodford, Fayette, Jessamine, Garrard, Madison, Lincoln, Rockcastle, Pulaski, Wayne, Whitley, Bell, Knox, Harlan, Laurel, Clay, Leslie, Letcher, Perry, Owsley, Jackson, Estill, Lee, Breathitt, Knott, Pike, Floyd, Magoffin, Martin, Johnson, Lawrence, Boyd, Greenup, Carter, Elliott, Morgan, Wolfe, Powell, Menifee, Clark, Montgomery, Bath, Rowan, Lewis, Fleming, Mason, Bracken, Robertson, Nicholas, Harrison, with the waters thereof. The western district includes the residue of said State of Kentucky, with the waters thereof.

Eastern district, of what composed.

—western.

SEC. 3. That the district judge of the judicial district of Kentucky as heretofore constituted, and in office at the time this Act takes effect, shall be the district judge for the western judicial district of Kentucky as constituted by this Act. That the clerk of the circuit court and the clerk of the district court in said judicial district of Kentucky as heretofore constituted, and in office at the time this Act takes effect,

Existing officers to act.

shall be the clerks of the circuit and district courts of the western judicial district of Kentucky, respectively, as hereby constituted, until their successors, respectively, shall be appointed and qualified. The district attorney, assistant district attorneys, marshal, deputy marshals, deputy clerks, and referees in bankruptcy resident in said western judicial district of Kentucky as constituted by this Act shall, within their respective jurisdictions in said western judicial district, continue in office and continue to be such officers in such western district until the expiration of their respective terms of office as heretofore fixed by law, or until their successors shall be duly appointed and qualified.

Appointment of judge for eastern district.

SEC. 4. That the President of the United States, by and with the advice and consent of the Senate, shall appoint a district judge for the eastern judicial district of Kentucky, who shall possess and exercise all the powers conferred by existing law upon the judges of the district courts of the United States, and who shall, as to all business and proceedings arising in said eastern judicial district as hereby constituted or transferred thereto, succeed to and possess the same powers and perform the same duties within the said eastern judicial district as are now possessed by and performed by the district judge for the district of Kentucky.

—marshal and district attorney.

SEC. 5. That the President of the United States, by and with the advice and consent of the Senate, shall appoint a marshal and district attorney for the said eastern judicial district of Kentucky as hereby constituted, who shall, within their respective jurisdictions, possess and exercise all the powers conferred by existing law upon the marshals and district attorneys of the United States, respectively.

Other offices to cease, etc.

SEC. 6. That all other officers residing within the eastern judicial district of the State of Kentucky, as hereby constituted, shall cease to be such officers when their successors are appointed and qualified.

Vacancies, how filled.

SEC. 7. That the office of marshal and district attorney in each of said districts, deputy marshals and assistant district attorneys, and all other officers authorized by law and made necessary by the creation of said two districts and the provisions of this Act, and all vacancies created thereby in either of said districts as constituted by this Act, shall be filled in the manner provided by existing law. The salaries, pay, fees, and allowances of the judges, district attorneys, marshals, clerks, and other officers in said districts, until changed under the provisions of existing law, shall be the same, respectively, as now fixed by law for such officers in the judicial district of Kentucky as heretofore constituted.

Existing salaries unchanged.

Pending cases transferred to eastern district.

SEC. 8. That all causes and proceedings of every name and nature, civil and criminal, now pending in the courts of the judicial district of Kentucky as heretofore constituted whereof the courts of the eastern judicial district of Kentucky as hereby constituted would have had jurisdiction if said district and the courts thereof had been constituted when said causes or proceedings were instituted, shall be, and are hereby, transferred to and the same shall be proceeded with in the eastern judicial district of Kentucky as hereby constituted, and jurisdiction thereof is hereby transferred to and vested in the courts of said eastern judicial district, and the records and proceedings therein and relating to said proceedings and causes shall be certified and transferred thereto; and all causes and proceedings of every name and nature, civil and criminal, now pending in the courts of the judicial district of Kentucky as heretofore constituted whereof the courts of the western judicial district of Kentucky as hereby constituted would have had jurisdiction if said district and the courts thereof had been constituted when said causes or proceedings were instituted shall be, and are hereby, transferred to and the same shall be proceeded with in the western judicial district of Kentucky as hereby constituted, and jurisdiction thereof is hereby transferred to and vested in the courts of said

—western.

western judicial district, and the records and proceedings therein and relating to said proceedings and causes shall be certified and transferred thereto: *Provided*, That all motions and causes submitted, and all causes and proceedings, both civil and criminal, including proceedings in bankruptcy, now pending in said judicial district of Kentucky as heretofore constituted in which the evidence has been taken in whole or in part before the present district judge of the judicial district of Kentucky as heretofore constituted, or taken in whole or in part and submitted and passed upon by the said district judge, shall be proceeded with and disposed of in said western judicial district of Kentucky as constituted by this Act.

Proviso.
Submitted cases, etc., before present judge to be disposed of in western district.

SEC. 9. That the regular terms of the circuit and district courts of the United States for the western district of Kentucky shall be held at the following times and places, namely: At Louisville, beginning on the second Monday in March and the second Monday in October in each year; at Owensboro, beginning on the fourth Monday in November and the first Monday in May in each year; at Paducah, beginning on the third Monday in April and the third Monday in November in each year; at Bowling Green, beginning on the third Monday in May and the second Monday in December in each year.

Terms of court. —western district.

That the regular terms of the circuit and district courts of the United States for the eastern district of Kentucky shall be held at the following times and places, namely: At Frankfort, beginning on the second Monday in March and the fourth Monday in September in each year; at Covington, beginning on the first Monday in April and the third Monday in October in each year; at Richmond, beginning on the fourth Monday in April and the second Monday in November in each year; at London, beginning on the second Monday in May and the fourth Monday in November in each year, and at such other times and places as may hereafter be provided by law.

—eastern district.

SEC. 10. That the terms of said courts shall not be limited to any particular number of days nor shall it be necessary to adjourn by reason of the intervention of a term elsewhere; but the court intervening may be adjourned until the business of the court in session is concluded.

Length of term.

SEC. 11. That nothing in this Act shall be construed to repeal section five hundred and seventy-eight of the Revised Statutes or the Act of August eighth, eighteen hundred and eighty-eight, entitled "An Act to provide for holding terms of the circuit and district courts of the United States for the district of Kentucky at Owensboro, in said district, and for other purposes."

Monthly adjournments for trial of criminal cases.
R. S., sec. 578, p. 102.
Vol. 25, p. 389.

SEC. 12. That all prosecutions for crimes or offenses hereafter committed in either of said districts shall be cognizable within the district in which committed, and all prosecutions for crimes or offenses committed before the passage of this Act in which indictments have not been found or proceedings instituted shall be cognizable within the district as hereby constituted in which such crimes or offenses were committed.

Jurisdiction of crimes.

SEC. 13. That all laws and parts of laws, so far as inconsistent with the provisions of this Act, are hereby repealed.

Repeal.

SEC. 14. That this Act shall take effect on the first day of July, nineteen hundred and one.

Effect.

Approved, February 12, 1901.

CHAP. 356.—An Act To authorize the purchase of a steam launch for use in the customs collection district of Galveston, Texas.

February 12, 1901.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to purchase, after procuring

Galveston, Tex.
Steam launch authorized for use at.