

switches and run cars as follows: From the intersection of its tracks at Ninth street with B street northwest north on Ninth street to G. street northwest over the tracks of the Metropolitan Railway Company; thence west on G. street northwest to Eleventh street northwest over the tracks of Eckington and Soldiers' Home Railway Company; thence south on Eleventh street to E. street northwest, and east on E street to Ninth street on the tracks of the Capitol, North O Street and South Washington Railway Company; thence south on Ninth street to B street on the tracks of the Metropolitan Railway Company. That in construction of its tracks herein authorized the pattern of the rail used shall be the standard flat grooved rail and approved by the Commissioners of the District of Columbia, and that all rails laid under authority of this act shall be on a level with the surface of the street: *Provided*, That the said company shall commence work within three months and complete the same within six months from the approval of this act.

Extension of tracks.

Rails.

Proviso.
Commencement and completion.

May use tracks of other companies.

SEC. 2. That, should any part of the track extension herein authorized coincide with portions of any other duly incorporated street railway in the District of Columbia, but one set of tracks shall be used when, on account of the width of the street or for other sufficient reason, it shall be deemed necessary by the Commissioners of the District; and the relative conditions of use and of chartered rights may be adjusted upon terms to be mutually agreed upon between the companies, or, in case of disagreement, by the supreme court of the District of Columbia, on petition filed therein by either party and on such notice to the other party as the court may order.

Terms of use.

SEC. 3. That this Road shall exchange tickets with other roads where their tracks unite.

Exchange tickets.

SEC. 4. That Congress may at any time amend, alter, or repeal this act.

Amendment, etc.

Approved, April 30, 1892.

CHAP. 57.—An act to amend the charter of the Rock Creek Railroad Company.

April 30, 1892.

Be it enacted by the Senate and Ho. of Representatives of the United States of America in Congress assembled, That the Rock Creek Railroad Company be, and it is hereby, authorized to extend its road from its present terminus on U street to Florida avenue, thence along Florida avenue to North Capitol street: *Provided*, That it shall run on the same track with the Metropolitan Railroad Company between Ninth and Seventh streets. Said company is authorized to extend a branch road from a point on its line in Cliffburne tract across the Adams Mill road to Kansas street, thence along Kansas street to Ontario avenue, thence along or adjacent to Ontario avenue to the east line of the Zoölogical Park, on such line as shall be approved by the Commissioners of the District of Columbia. That the extension and branch herein provided for shall be subject, in all respects, to the acts of Congress granting and amending the charter of the Rock Creek Railway Company as fully as if such acts were incorporated herein.

Rock Creek Railroad, D. C.
Extension of tracks.

Proviso.
Use of other tracks.
Branch road.

Vol. 25, p. 199; Vol. 26, pp. 121, 835.

SEC. 2. That whenever the route of the foregoing extension coincides with the track occupied by the Metropolitan Railroad Company, both companies shall use the same track upon such fair and equitable terms as may be agreed upon by said companies; and in the event that said companies shall fail to agree upon equitable terms, either of said companies may apply by petition to the supreme court of the District of Columbia, who shall hear and determine summarily the matter in due form of law, and adjudge to the proper party the amount of compensation to be paid therefor. Whenever more than one of the tracks of said railroad company shall be constructed on any of the streets, avenues, or other public highways in the District of Columbia, the width of space between the two tracks shall not exceed four feet, unless otherwise especially ordered by the Commissioners of the District of Columbia.

Use of other tracks.

Terms of use.

Width between tracks.

Rock Creek and Eckington railway companies may contract for running cars over tracks of each other.

Commencement and completion.

Opening of streets, etc.

Amendment, etc.

SEC. 3. That the Rock Creek Railway Company and the Eckington and Soldiers' Home Railway Company shall have the power to make any contracts or agreements that may be necessary to enable the said companies to run the cars of each or either company over the tracks of the other company, and also to contract for and use the power of each or either company to propel the cars of the other company. The said extension and branch shall be completed within one year and a half from the passage of this act.

SEC. 4. That the streets or avenues opened under the provisions of this act shall conform to the general plans for the extension of the streets and avenues of the District of Columbia, and shall be laid out under the direction of the Commissioners of the District of Columbia.

SEC. 5. That Congress reserves the right at any time to alter, amend, or repeal this act.

Approved, April 30, 1892.

May 3, 1892.

CHAP. 59.—An act to create a third division of the district of Kansas for judicial purposes, and to fix the time for holding court therein.

Kansas judicial district.

Third division constituted.
R. S., sec. 531, p. 89, amended.
Terms.
Fort Scott.

Jurisdiction in civil causes.

Prosecutions for crimes.

Quapaw Indian Agency.

Proviso.

Pending prosecutions.

Deputy marshal and clerks.

Proviso.
Court to approve appointments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the counties of Miami, Linn, Bourbon, Crawford, Cherokee, Labette, Neosho, Allen, Anderson, Coffey, Woodson, Wilson, Montgomery, Chautauqua, Elk and Greenwood in the State of Kansas, shall constitute the third division of the judicial district of Kansas, and a term of the circuit and district courts for said district shall be held therein at the city of Fort Scott, on the first Monday of May and the first Monday of November of each year. The remaining counties heretofore embraced in the first division of the judicial district of Kansas shall constitute the first division thereof.

SEC. 2. That all civil suits which shall hereafter be brought against a defendant or defendants who reside in said third division of said district shall be brought in said third division, but if there are two or more defendants residing in different divisions of said district, such suit may be brought in either division of said district in which any defendant or defendants reside, and all mesne and final process subject to the provisions of this act, issued in either of the divisions of the judicial district of Kansas, may be served and executed in either or all of the divisions.

SEC. 3. That all crimes and offenses against the laws of the United States hereafter committed within the counties comprising the third division of said district, and all crimes and offenses against said laws known and defined as infamous hereafter committed within the limits of the Quapaw Indian Agency, in the Indian Territory, and of which the courts in Kansas have heretofore had jurisdiction, shall be prosecuted, tried, and determined at the terms of the district court hereinbefore provided for: *Provided*, That all such crimes and offenses heretofore committed within 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.

SEC. 4. That the clerks of the circuit and district courts for said district and the marshal of said district shall each appoint a deputy, who shall reside and maintain an office at the City of Fort Scott, each of whom shall, in the absence of the clerks or marshal, exercise all the powers and perform all the duties of his principal within the division for which he shall be appointed: *Provided* That the appointment of such deputy shall be approved by the court for which they shall be respectively appointed, and they may be removed by such court at pleasure, and the clerk and marshal shall be responsible for the official acts and neglects of all their deputies.