

provided whenever such witnesses reside or are stationed at such a distance from the place where said naval court is ordered to sit, or are about to go to such a distance as, in the judgment of the convening authority, would render it impracticable to secure their personal attendance.

SEC. 17. That all sentences of summary courts-martial may be carried into effect upon the approval of the senior officer present, and all sentences of deck courts may be carried into effect upon approval of the convening authority or his successor in office.

SEC. 18. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved, February 16, 1909.

Approval of sentences.

Repeal.

CHAP. 132. An Act To amend section eight of the Act approved May twenty-eighth, nineteen hundred and eight, entitled "An Act to amend the laws relating to navigation, and for other purposes."

February 16, 1909.

[H. R. 27970.]

[Public, No. 231.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the requirements in regard to life line or rope contained in section eight of the Act approved May twenty-eighth, nineteen hundred and eight (being chapter two hundred and twelve of the Statutes at Large, first session Sixtieth Congress) entitled "An Act to amend the laws relating to navigation, and for other purposes," shall not apply to any scow or boat the deck outside the coaming or rail of which shall not exceed one foot in width. On any such scow or boat its name or number and owner's name painted in letters and numbers, at least fourteen inches long on both ends of such scow or boat, shall be a compliance with the provisions of the said section in regard to name, number, and owner's name.

New York Harbor. Life lines not required on certain scows carrying garbage, etc.
Ante, p. 427, amended.

Names, etc., may be painted on ends of boats.

Approved, February 16, 1909.

CHAP. 134.—An Act To change the name and jurisdiction of the inferior court of justice of the peace in the District of Columbia.

February 17, 1909.

[S. 6356.]

[Public, No. 232.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inferior court known as "justice of the peace" in the District of Columbia shall remain as now constituted, but shall hereafter be known as "the municipal court of the District of Columbia." It shall consist of the present justices of the peace of said District, who shall serve as the judges of said court for the unexpired terms of their now existing commissions, and who shall not be required to be recommissioned for said unexpired terms. Thereafter, and upon the expiration of the commission of any of said members, his successor shall be appointed by the President of the United States, by and with the advice and consent of the Senate, for a term of four years, unless sooner removed as provided by law: *Provided*, That no person shall be appointed to said office unless he shall have been a bona fide citizen and resident of said District for the continuous period of at least five years immediately preceding his appointment, and shall either have been a judge of said court for at least one year, or shall have been engaged in the actual practice of law before the supreme court of the District of Columbia for a period of at least five years prior to his appointment. Each judge, when appointed, shall take an oath for the faithful and impartial performance of the duties of his office. The judges of said court shall no longer be required to give bond as heretofore, but a bond shall be given by the

Municipal court, District of Columbia. Justice of the peace court to be known as. Present justices to serve unexpired terms.

Appointments.

Terms.

Provisos. Qualifications.

Oath.

Bond of clerk.

Sittings.	clerk of said court, who shall receive and account for all fees as hereinafter provided. Said municipal court shall sit for the trial of causes in one building to be designated by the Commissioners of the District of Columbia, to be rented by said District of Columbia at a rental not to exceed one thousand eight hundred dollars per annum: <i>Provided</i> , That the first vacancy occurring in the office of judge in the municipal court of the District of Columbia, after the passage of this Act shall not be filled, and thereafter the number of said judges shall be five only.
Rent.	
Number of judges to be reduced to five.	
Jurisdiction.	The said court and each member thereof shall exercise the same jurisdiction as was vested in them as justice of the peace immediately before the passage of this Act, and no more, and shall be governed by the laws then in force, except as said laws and said jurisdiction are expressly changed or enlarged hereby.
Trials.	Any member of said court may try any case within its jurisdiction according to law, regardless of the place and residence of the defendant therein. The jurisdiction of said court is hereby increased from three hundred to five hundred dollars in the class of cases over which it had jurisdiction immediately prior to the passage of this Act; that said jurisdiction shall be exclusive when the amount claimed for debt or damages or the value of personal property claimed does not exceed one hundred dollars, and concurrent with the supreme court of the District of Columbia when it exceeds one hundred dollars and is not in excess of five hundred dollars, with the same right to remove any case by certiorari, as heretofore, in cases of concurrent jurisdiction.
Amount increased to \$500.	
Exclusive jurisdiction.	
Concurrent.	
Assignment of actions.	All pending actions and all actions hereinafter instituted shall be assigned for trial among the members of said court in nearly equal numbers and in such manner as may be agreed upon between them. The judges of said court shall hold separate sessions as heretofore, and are empowered to make rules for the apportionment of the business between them, and the act of each of said judges respecting the business of said court shall be deemed and taken to be the act of said court. Each of said judges is hereby empowered to administer oaths. The judges of said court shall receive the annual salary of two thousand five hundred dollars in lieu of the salary heretofore provided for justices of the peace by section six of the Code of Law for the District of Columbia, to be paid monthly as heretofore, but they shall not receive the allowance heretofore granted for rent, stationery, and other expenses. In case of sickness, absence, disability, expiration of term of service or of death of either of the judges of the police court or of the juvenile court, any one of the justices of the supreme court of the District of Columbia may designate one of the judges of the municipal court to discharge the duties of said judges until such disability be removed or vacancy filled. The justice so designated shall take the same oath prescribed for these judges.
Salaries.	
Vol. 31, p. 1191, amended.	
Service in police and juvenile courts.	
Oath.	
Clerk, etc. Salaries.	The said court shall have power to appoint a clerk at an annual salary of one thousand five hundred dollars and an assistant clerk at an annual salary of one thousand dollars, payable monthly by the District of Columbia, which clerks shall hold office at the pleasure of the court.
Deposit of fees, etc.	The clerks shall receive and care for all deposits for costs made and fees exacted under the rules governing the fee charges of said court, and shall make a weekly deposit with the collector of taxes for the District of Columbia of all fees earned during the preceding week.
Return of fees, etc.	He shall return to suitors making such deposits any proportion of a deposit which shall remain in his hands over and above the earned fees in completed cases, and shall render an itemized statement to the auditor of the District of Columbia of every fee earned, on such forms and in such manner as shall be prescribed by the auditor of the District of Columbia. In case there shall remain in the hands of the said clerk for a term of three years a balance or part of a deposit in any case which shall not have been called for by the party or parties entitled
Reversion of unclaimed deposits to District.	

to receive the same, the same shall revert to the District of Columbia, and be paid forthwith to the collector of taxes as part of the revenues of the District of Columbia.

In all suits in said court process shall be signed by the said clerk or assistant clerk in the name of the court. The assistant clerk may sign the name of the clerk to any official act required by law or by the practice of the court to be performed by the clerk. In such case the signature shall be "_____, Clerk, by _____, Assistant Clerk."

Issue of process.

Both the clerk and assistant clerk are hereby given authority to administer oaths in all cases pending in said court, or about to be filed therein.

Oath administered by clerk.

The clerk shall perform such other and further duties as may from time to time be prescribed by the municipal court.

Other duties.

He shall give bond to the District of Columbia in the sum of five thousand dollars, with surety or sureties to be approved by the Commissioners of the District of Columbia, for the faithful performance of the duties of his office, and the assistant clerk shall give a like bond in the sum of two thousand dollars: *Provided*, That the expenditures to be incurred under any of the provisions of this Act shall not in any case exceed the total amount of revenues and fees of the said municipal court.

Bond.

Proviso.
Expenditures limited.

The said clerk shall keep a docket similar to the one heretofore provided for justices of the peace.

Docket.

Approved, February 17, 1909.

CHAP. 135.—An Act To amend section nineteen of the Act granting the Lake Erie and Ohio River Ship Canal Company rights to construct, equip, maintain, and operate a canal or canals and appurtenant works between the Ohio River in the State of Pennsylvania and Lake Erie in the State of Ohio, approved June thirtieth, nineteen hundred and six.

February 17, 1909.
[S. 8154.]

[Public, No. 233.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section nineteen of the Act granting the Lake Erie and Ohio River Ship Canal Company rights to construct equip, maintain, and operate a canal or canals and appurtenant works between the Ohio River in the State of Pennsylvania and Lake Erie in the State of Ohio, approved June thirtieth, nineteen hundred and six, be, and it is hereby, amended as follows: In said section of said Act strike out the words "three years" and insert the words "six years" in lieu thereof; also strike out the words "ten years" and insert the words "thirteen years" in lieu thereof.

Lake Erie and Ohio River Ship Canal Company.
Time extended for constructing canal between Ohio River and Lake Erie.
Vol. 34, p. 813, amended.

Approved, February 17, 1909.

CHAP. 136.—An Act To authorize the Secretary of War to donate two condemned brass or bronze cannon or field pieces and cannon balls to the city of Henderson, Kentucky.

February 17, 1909.
[H. R. 27069.]

[Public, No. 234.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to donate to the city of Henderson, Kentucky, to be placed in the public park of said city, two condemned brass or bronze cannon or field pieces with a suitable outfit of cannon balls, which may not be needed in the service, the same to be placed in Central Park, in Henderson, Kentucky, and for which said city is trustee: *Provided*, That the articles of ordnance property furnished under the provisions of this Act shall not be required to be accounted for by the Chief of Ordnance, and no expense shall be incurred by the United States in the delivery of the same.

Henderson, Ky.
Condemned cannon donated to.

Proviso.
No expense, etc.

Approved, February 17, 1909.