

the mails, the troops, and the munitions of war of the United States than the rate per mile paid for the transportation of said mails, troops, and munitions over the railroads and public highways leading to said bridge; and the United States shall have the right of way for postal telegraph and telephone purposes over said bridge.

Postal telegraph, etc.

Commencement and completion.

Amendment, etc.

SEC. 11. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date of approval thereof.

SEC. 12. That the right to alter, amend, or repeal this act is hereby expressly reserved; and the right to require the entire removal of the bridge constructed under the provisions of this act, at the expense of the owners thereof, whenever Congress or the Secretary of War shall decide that the public interests require it, is also expressly reserved.

Approved, February 7, 1893.

February 7, 1893.

CHAP. 67.—An act to amend "An act authorizing the construction of a high wagon bridge across the Missouri River at or near Sioux City, Iowa," and so forth.

Bridge across Missouri River at Sioux City, Iowa. Vol. 25, p. 850; Vol. 26, p. 79.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section seven of an act entitled "An act authorizing the construction of a high wagon bridge across the Missouri River at or near Sioux City, Iowa," approved March second, eighteen hundred and eighty-nine, as amended by an act entitled "An act to amend an act entitled 'An act authorizing the construction of a high wagon bridge across the Missouri River at or near Sioux City, Iowa,'" approved April thirtieth, eighteen hundred and ninety, be amended so that it shall read as follows:*

Time for construction extended.

SEC. 7. That this act shall be null and void if the construction of said bridge shall not be commenced within two years and be finished on or before March second, eighteen hundred and ninety-four.

Addition of "assigns." Vol. 26, p. 79.

SEC. 2. That section one of said act of April thirtieth, eighteen hundred and ninety, be amended to read as follows:

"That it shall be lawful for the Pacific Short Line Bridge Company, or its assigns, to construct and maintain," and so forth.

And the addition of the words "and assigns" shall be made wherever in said section the words "the Pacific Short Line Bridge Company" appear: *Provided always*, That the franchises granted to said company by the aforesaid acts shall not be alienable until all judgments existing against said company at the time this act goes into effect have been paid and satisfied.

Proviso. Alienation of franchise.

Approved, February 7, 1893.

February 8, 1893.

CHAP. 69.—An act to make Rockport, Texas, a subport of entry.

Rockport, Tex. To be subport of entry, Corpus Christi district.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Arausas (Rockport) in the customs collection district of Corpus Christi, Texas, be, and is hereby, constituted a subport of entry in said district.*

Approved, February 8, 1893.

February 9, 1893.

CHAP. 74.—An act to establish a court of appeals for the District of Columbia, and for other purposes.

District of Columbia. Court of appeals established.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and there is hereby, established in the District of Columbia a court, to be known as the court of appeals of the District of Columbia, which shall consist*

of one chief justice and two associate justices, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold office during good behavior.

Justices.

SEC. 2. That the said justices shall each receive an annual salary of six thousand dollars, payable quarterly at the Treasury of the United States, except the chief justice, who shall receive six thousand five hundred dollars.

Salaries.

SEC. 3. That each of said justices, before he enters upon the duties of his office, shall take the oath prescribed by law to be taken by the judges of the courts of the United States.

Oath.

SEC. 4. That there shall be a clerk of said court of appeals, to be appointed by the court, who shall receive as compensation for his services, in the discretion of the court, an annual salary not to exceed the sum of three thousand dollars, payable quarterly at the Treasury of the United States, and who shall give bond, such as the court may determine to be satisfactory, for the faithful performance of his duties; and his duties shall be such as the court may from time to time prescribe. The court shall regulate from time to time the fees to be charged by the said clerk, which shall be accounted for at least once in each quarter and paid into the Treasury of the United States; and said clerk shall receive such allowance for clerical assistance and necessary expenditures in the conduct of his office as the court may determine by special or general order in the premises, but not to exceed the sum of two thousand dollars in any one year, payable as aforesaid at the Treasury of the United States.

Clerk.

Salary.

Duties.

Fees.

Clerical assistance.

Maximum.

SEC. 5. That said court of appeals may appoint a crier at a compensation not to exceed one hundred dollars a month, and a messenger at a compensation not to exceed sixty dollars a month, both payable at the Treasury of the United States, who shall perform such duties as may be assigned them by the court.

Crier and messenger.

SEC. 6. That the said court of appeals shall establish a term of the court during each and every month in each year excepting the months of July and August, and it shall make such rules and regulations as may be necessary and proper for the transaction of the business to be brought before it, and for the time and method of the entry of appeals and for giving notice of appeals thereto from the supreme court of the District of Columbia, and such other rules and regulations as may be necessary and proper in the premises.

Terms.

Rules, etc.

If any member of the court shall be absent on account of illness or other cause during the session thereof, or shall be disqualified from hearing and determining any particular cause by having been of counsel therein, or by having as a justice of the supreme court of the District of Columbia previously passed upon the merits thereof, or if for any reason whatever it shall be impracticable to obtain a full court of three justices, the member or members of the court who shall be present shall designate the justice or justices of the supreme court of the District of Columbia to temporarily fill the vacancy or vacancies so created, and the justice or justices so designated shall sit in said court of appeals and perform the duties of a member thereof while such vacancy or vacancies shall exist: *Provided*, That no justice of the supreme court of the District of Columbia shall, while on the bench of said court of appeals, sit in review of any judgement, decree, or order which he shall have himself entered or made.

Designation of supreme court justices to fill temporary vacancies.

*Proviso.* Justices not to review their own judgments, etc.

Appeals from supreme court, D. C.

SEC. 7. That any party aggrieved by any final order, judgment, or decree of the supreme court of the District of Columbia, or of any justice thereof, may appeal therefrom to the court of appeals hereby created; and upon such appeal the court of appeals shall review such order, judgment, or decree, and affirm, reverse, or modify the same as shall be just: *Provided, however*, That all causes now pending before the said supreme court in general term, together with the original papers and record entries duly certified, shall by appropriate orders duly entered of record be transferred and delivered to the court of appeals

*Proviso.* Transfer of causes from supreme court.

Appellate power of supreme court abolished.  
Appeals from interlocutory orders.

hereby created, which said court of appeals is hereby vested with authority and jurisdiction to hear and determine the causes so transferred. The appellate power and jurisdiction of said general term is hereby abrogated and abolished, and no causes shall hereafter be heard in the said general term. Appeals shall also be allowed to said court of appeals from all interlocutory orders of the supreme court of the District of Columbia, or by any justice thereof, whereby the possession of property is changed or affected, such as orders for the appointment of receivers, granting injunctions, dissolving writs of attachment, and the like; and also from any other interlocutory order, in the discretion of said court of appeals, whenever it is made to appear to said court upon petition that it will be in the interest of justice to allow such appeal.

Appeal, etc., to Supreme Court of the United States.

SEC. 8. That any final judgment or decree of the said court of appeals may be re-examined and affirmed, reversed, or modified by the Supreme Court of the United States, upon writ of error or appeal, in all cases in which the matter in dispute, exclusive of costs, shall exceed the sum of five thousand dollars, in the same manner and under the same regulations as heretofore provided for in cases of writs of error on judgment or appeals from decrees rendered in the supreme court of the District of Columbia; and also in cases, without regard to the sum or value of the matter in dispute, wherein is involved the validity of any patent or copyright, or in which is drawn in question the validity of a treaty or statute of or an authority exercised under the United States.

To try appeals from Commissioner of Patents.

R. S. D. C., sec. 780, p. 93.

SEC. 9. That the determination of appeals from the decision of the Commissioner of Patents, now vested in the general term of the supreme court of the District of Columbia, in pursuance of the provisions of section seven hundred and eighty of the Revised Statutes of the United States, relating to the District of Columbia, shall hereafter be and the same is hereby vested in the court of appeals created by this act; and in addition, any party aggrieved by a decision of the Commissioner of Patents in any interference case may appeal therefrom to said court of appeals.

Opinions to be in writing.

SEC. 10. That the opinion of the said court of appeals in every case shall be rendered in writing, and shall be filed in such case as a part of the record thereof.

Writs.

SEC. 11. That the said court of appeals shall have power to issue all necessary and proper remedial prerogative writs in aid of its appellate jurisdiction.

Court rooms.

SEC. 12. That the Attorney-General is hereby empowered and directed to provide suitable rooms and accommodations in the city of Washington for the court of appeals hereby created and for the transaction of its business.

Execution of orders and processes.

SEC. 13. That the marshal of the United States for the District of Columbia shall execute the orders and processes of the court of appeals hereby created in the same manner as he now executes those of the supreme court of the District of Columbia.

Salaries of justices, supreme court. D. C.

R. S. D. C., sec. 751, p. 90.

SEC. 14. That the justices of the supreme court of the District of Columbia shall hereafter receive an annual salary of five thousand dollars each payable quarterly at the Treasury of the United States.

One-half of salaries from District revenues.

SEC. 15. That hereafter one-half of the amounts paid on account of salary to the justices of the court of appeals hereby created, and to the justices of the supreme court of the District of Columbia, shall be paid from the revenues of the District of Columbia.

To take effect April 3, 1893.

SEC. 16. That this act shall take effect on the third day of April, eighteen hundred and ninety-three, said day being the first day of the April term of the supreme court of the District of Columbia in general term.

Repeal, etc.

SEC. 17. That all acts and parts of acts inconsistent herewith are hereby repealed.

Approved, February 9, 1893.