

June 21, 1870. CHAP. CXXXVIII. — *An Act to require the Register of Wills for the District of Columbia to give Bond.*

Register of wills for the District of Columbia to give bond;  
conditions.  
Bond to be entered and filed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the register of wills for the District of Columbia shall, within thirty days after the passage of this act, give a bond, with two or more sureties, (to be approved of by the chief justice of the supreme court of said District for the time being,) to the United States in the sum of five thousand dollars, faithfully to discharge the duties of his office and seasonably to record the decrees and orders of the orphans' court for said District, and all wills proved before him or the said court, and all other matters by existing laws, or any law hereafter passed, directed to be recorded in the said court, or in the office of said register, which bond shall be entered in full upon the minutes of the said orphans' court and the original filed with the records thereof.

Bond of any register hereafter appointed.

SEC. 2. *And be it further enacted,* That any register of wills for the said District hereinafter appointed according to law, before he acts as such, shall give a similar bond as prescribed in the first section of this act, with the like sureties, in the same penalty, on the same conditions, and subject to the same approval as required by said first section.

APPROVED, June 21, 1870.

June 21, 1870. CHAP. CXXXIX. — *An Act to make legal a certain Act of the Councils of the City of Washington.*

Certain act of the councils of the city of Washington made legal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a certain act of the councils of the city of Washington, approved the twenty-sixth day of October, eighteen hundred and sixty-nine, and entitled "An act for the relief of the trustees of the Foundry Methodist Episcopal Church," be, and is hereby, declared to be a legal act and not inconsistent with the powers of the corporate authorities of the city of Washington; and they are hereby empowered and directed to pay to said trustees the sum of four hundred dollars and twenty-seven cents, in accordance with the amount appropriated by said act.

APPROVED, June 21, 1870.

June 21, 1870. CHAP. CXL. — *An Act to amend an Act entitled "An Act fixing the Compensation for the Bailiffs and Criers of the Courts of the District of Columbia," approved February twenty-two, eighteen hundred and sixty-seven.*

Pay of bailiffs and criers of the Courts in the District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the passage of this act the marshal shall pay to each bailiff and crier who shall be required to attend upon the district, circuit, [and] criminal courts of the District of Columbia, three dollars and fifty cents for each day such bailiff or crier shall attend upon either of said courts.

APPROVED, June 21, 1870.

June 21, 1870. CHAP. CXLI. — *An Act Relating to the Supreme Court of the District of Columbia.*

Terms of the supreme court of the District of Columbia established.  
1863, ch. 91.  
Vol. xii. p. 762.

Judgments, decrees, &c.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the several general terms and special terms of the circuit courts, district courts, and criminal courts authorized by the act approved March third, eighteen hundred and sixty-three, entitled "An act to reorganize the courts in the District of Columbia, and for other purposes," which have been or may be held, shall be, and are declared to be, severally, terms of the supreme court of the District of Columbia; and the judgments, decrees, sentences, orders, proceedings, and acts of said general terms, special terms, circuit courts, district courts, and criminal courts heretofore or hereafter rendered, made,

or had, shall be deemed judgments, decrees, sentences, orders, proceedings, and acts of said supreme court: *Provided*, That nothing herein contained shall affect the right of appeal as provided by law.

Right of appeal not affected.

SEC. 2. *And be it further enacted*, That the supreme court of the District of Columbia shall hereafter consist of a chief justice and four associate justices; and for this purpose there shall be appointed by the President, by and with the advice and consent of the Senate, an additional justice of said court, with the like powers, to take the same oaths, to perform the same duties, and to receive the same salary, as the other associate justices of the court.

Supreme court of the District of Columbia to consist of a chief justice and four associates.

Salary, &c.

SEC. 3. *And be it further enacted*, That whenever, at a session of the court in general term held by four of the justices, the court shall be equally divided in opinion upon the question involved in any cause argued or submitted to the court, such division of opinion shall be noted upon the minutes of the court; and thereupon, and within four days thereafter, either party in such cause may file with the clerk of the court a motion in writing to have such cause reargued before the five justices; and such reargument or rehearing shall be had as soon thereafter as conveniently may be.

When the court held by four justices is equally divided, either party may have the cause reargued before the five justices.

SEC. 4. *And be it further enacted*, That all the powers and jurisdiction by law now held and exercised by the orphans' court of Washington county, in the District of Columbia, shall hereafter be held and exercised by the justice holding the special term of the said supreme court for that purpose, subject always to the same provisions as are contained in the fifth section of the act of Congress, entitled "An act to reorganize the courts in the District of Columbia, and for other purposes," approved March third, eighteen hundred and sixty-three.

Powers, &c. of orphans' court of Washington county may be exercised by a justice at a special term of the supreme court.

SEC. 5. *And be it further enacted*, That the orphans' court of Washington county, District of Columbia, be, and the same is hereby, abolished; and all laws and parts of laws relating to said orphans' court, so far as the same are applicable to said supreme court, are hereby continued in force in respect to said supreme court; and all other laws and parts of laws relating to said orphans' court are hereby repealed: *Provided, however*, That nothing herein contained shall be construed to abolish the office of register of wills for said county.

Orphans' court of Washington county abolished.

Laws relating thereto continued in force.

Office of register of wills not abolished.

APPROVED, June 21, 1870.

CHAP. CXLII — *An Act supplementary to an Act entitled "An Act to authorize the Construction, Extension [Extension, Construction] and Use of a lateral Branch of the Baltimore and Potomac Railroad Company into and within the District of Columbia," approved February five, eighteen hundred and seventy [sixty-seven].*

June 21, 1870.  
1867, ch. 29.  
Vol. xiv. p. 387.  
1869, ch. 2.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Baltimore and Potomac Railroad Company be, and they are hereby, authorized and empowered to extend their lateral branch, authorized by the act to which this is a supplement, and by former supplements to said acts, by the way of Maryland Avenue, conforming to its grade, to the viaduct over the Potomac river, at the city of Washington, known as the Long Bridge, and to extend their tracks over said bridge, and connect with any railroads constructed, or that may hereafter be constructed, in the State of Virginia. To effect these purposes the said Baltimore and Potomac Railroad Company are hereby authorized and empowered to take possession of, hold, change, and use the said bridge, and the draws connected therewith, in perpetuity free of cost: *Provided*, That the said Baltimore and Potomac Railroad Company will maintain in good condition the said bridge for railway and ordinary travel; and the bridge shall at all times be and remain a free bridge for public use for ordinary travel: *And provided further*, That the said Baltimore and Potomac Railroad Company shall erect and maintain the drawbridges, so as not to impede the free navi-

*Ante*, p. 1.

1870, ch. 32.

*Ante*, p. 78.

Lateral branch of Baltimore and Potomac Railroad may be extended, and connect, &c.;

may use Long Bridge.

Long Bridge to be kept in repair, and free for ordinary travel.

Drawbridges.