election at which, &c. for neglect or refusal to do his duty in regard to such election or the certificate or return thereof, &c.

shall be voted for, whether such officer of election be appointed or created by or under any law or authority of the United States, or by or under any State, territorial, district, or municipal law or authority, who shall neglect or refuse to perform any duty in regard to such election required of him by any law of the United States, or of any State or Territory thereof; or violate any duty so imposed, or knowingly do any act thereby unauthorized, with intent to affect any such election, or the result thereof; or fraudulently make any false certificate of the result of such election in regard to such representative or delegate; or withhold, conceal, or destroy any certificate of record so required by law respecting, concerning, or pertaining to the election of any such representative or delegate; or neglect or refuse to make and return the same as so required by law; or aid, counsel, procure, or advise any voter, person, or officer to do any act by this or any of the preceding sections made a crime; or to omit to do any duty the omission of which is by this or any of said sections made a crime, or attempt to do so, shall be deemed guilty of a crime and shall be liable to prosecution and punishment therefor, as provided in the nineteenth section of this act for persons guilty of any of the crimes therein specified.

Persons deprived of election to any office, except, &c. by the exclusion of votes, on account of race, color, &c. may bring suit to recover possession of such office; when such suits may be instituted in the United States courts.

Sec. 23. *And be it further enacted*, That whenever any person shall be defeated or deprived of his election to any office, except elector of President or Vice-President, representative or delegate in Congress, or member of a State legislature, by reason of the denial to any citizen or citizens who shall offer to vote, of the right to vote, on account of race, color, or previous condition of servitude, his right to hold and enjoy such office, and the emoluments thereof, shall not be impaired by such denial; and such person may bring any appropriate suit or proceeding to recover possession of such office, and in cases where it shall appear that the sole question touching the title to such office arises out of the denial of the right to vote to citizens who so offered to vote, on account of race, color, or previous condition of servitude, such suit or proceeding may be instituted in the circuit or district court of the United States of the circuit or district in which such person resides. And said circuit or district court shall have, concurrently with the State courts, jurisdiction thereof so far as to determine the rights of the parties to such office by reason of the denial of the right guaranteed by the fifteenth article of amendment to the Constitution of the United States, and secured by this act.

Jurisdiction of such courts concurrently with state courts.

Approved, May 31, 1870.

---

June 1, 1870.

CHAP. CXV. — *An Act to further amend the Law of the District of Columbia in Relation to judicial Proceedings, and preserve Records of Marriages therein.*

Fictions in pleadings in actions of ejectment in the District of Columbia abolished.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all fictions in the pleadings in the action of ejectment within the District of Columbia be, and are hereby, abolished; and all actions for the recovery of real estate in said District shall be commenced in the name of the real party in interest, and against the party claiming to own or be possessed thereof.

Real actions how commenced.

Duties of clerk of supreme court may be done by assistants.

Sec. 2. *And be it further enacted*, That any of the duties of the clerk of the supreme court of the District of Columbia may be performed, in his name, by any of the assistant clerks in his office; and said assistants may sign the name of the clerk to any process, certificate, or other official act required by law or by the practice of the court to be performed by said clerk, and may authenticate said signature by affixing the seal of the court thereto, whereon the impress of the seal is necessary to its authentication. In such cases the signature shall be, "———— ————, Clerk, by ———— ————, Assistant Clerk."

Certain judgments for debt before a justice

Sec. 3. *And be it further enacted*, That after a judgment for a debt amounting with interest to twenty dollars, exclusive of costs, before a justice of the peace of the District of Columbia, the judgment creditor

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

may, when execution is returned "No personal property found whereon to levy," file in the clerk's office of the supreme court of the District of Columbia a certified copy of such judgment, and which shall be docketed in the docket of law causes in said office, in the same manner as appeals from justices are docketed there; and when so docketed, the force and effect of the judgment shall be the same, as to lien and execution, as if it had been a judgment of said court.

of the peace to be a lien when, &c.

SEC. 4. *And be it further enacted*, That for the purpose of preserving the evidence of marriages in the District of Columbia, every minister of the gospel, appointed or ordained according to the rites and ceremonies of his church, whether his residence be in the District of Columbia or elsewhere in the United States or its Territories, may be licensed to celebrate marriages in the said District; and the license shall be issued by the clerk of the supreme court of said District in the following form:

Certain ministers of the gospel may be licensed to celebrate marriages in the District of Columbia.

"To any minister of the gospel authorized to celebrate marriages in the District of Columbia, greeting:

Form of license.

"You are hereby licensed to solemnize the rites of marriage between ——— ———, of ———, and ——— ———, of ———, if you find no lawful impediment thereto; and having so done you are commanded to appear in the clerk's office of the supreme court of said District, and certify the same.

"Witness my hand and the seal of said court:

"——— ———, Clerk."

SEC. 5. *And be it further enacted*, That said clerk shall provide a record-book of his office, consisting of licenses in the above form, printed in blank, one of which he shall fill up with the names of the parties for whose union any license has been issued, and beneath it shall be printed a certificate to be made by the minister who solemnized the marriage, in the following form:

Record of licenses.

Certificate of minister.

"I, ——— ———, minister of ——— church in ———, hereby certify that, by authority of a license of the same tenor as the foregoing, I solemnized the marriage of the parties aforesaid, on the ——— day of ———, eighteen ———, at ———, in the District of Columbia.

"——— ———."

SEC. 6. *And be it further enacted*, That a copy of any license and certificate, recorded in said book, certified by said clerk, under his hand and the seal of the court, shall be competent evidence of said marriage.

Copy of license and certificate, &c. to be competent evidence of the marriage.

APPROVED, June 1, 1870.

---

CHAP. CXVI. — *An Act concerning Divorces in the District of Columbia.*

June 1, 1870.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in addition to the causes for which the supreme court of the District of Columbia may now grant divorces from the bond of marriage, such divorce may be granted for — First. Habitual drunkenness for a period of three years on the part of the party complained against. Second. Cruelty of treatment endangering the life or health of the party complaining. Third. Wilful desertion and abandonment by the party complained against of the party complaining for the full uninterrupted space of two years.

Additional causes for divorce in the District of Columbia.

Habitual drunkenness.

Cruelty, &c.

Wilful desertion.

APPROVED, June 1, 1870.