

other district, may, on the application of either party, be transferred to the proper court of said district; and in case of such transfer, all papers and files therein, with copies of all journal entries, shall be transferred to the office of the clerk of such court, and the same shall proceed in all respects as though originally commenced in said court.

Assignment of present judges.

SEC. 7. That the present judge of the eastern district of Texas be, and he is hereby, assigned to hold said courts in the said eastern district, and shall exercise the same jurisdiction and perform the same duties within the said district as he now exercises and performs within his present district.

New judge for northern district.

That the present judge of the western district of Texas be, and he is hereby, assigned to hold said courts in the western district of Texas, and shall exercise the same jurisdiction and perform the same duties within the said district as he now exercises and performs within his present district. And there shall be appointed a district judge for the northern district of Texas, who shall possess the same powers and do and perform all such duties in his district as are now enjoyed, or in any manner appertain to the present district judges for said eastern and western districts of Texas. And the district judge of such district shall be entitled to the same compensation as by law is provided for the present judges of the eastern and western districts of Texas.

District attorney and marshal for northern district.

SEC. 8. That there shall be appointed one person as district attorney and one person as marshal for said northern district, whose terms of appointment and services, as well as duties and emoluments, shall be the same with those respectively appertaining to the said offices in the said eastern and western districts of Texas; and said marshal shall give the same bond that other marshals are required to give, to be approved and recorded as now directed by law: *Provided*, That the present district attorneys for the eastern and western districts of Texas shall still hold their offices respectively in said districts, and shall retain charge of all suits already commenced, until the final termination, unless the President of the United States shall otherwise direct; and the present marshals for said eastern and western districts shall continue to be the marshals for said districts during their respective official terms: *Provided further*, That it is not intended by this act to work the removal of, or in any manner affect, the clerks of the district courts now holding office in said districts.

Present district attorneys and marshals.

Proviso.

Clerk for northern district and deputies.

SEC. 9. The district judge of the northern district shall appoint a clerk of said court, who shall reside at one of the places designated in this act for holding the courts, and two deputies shall be appointed by the clerk, one of whom shall reside at each of the other places designated for holding the courts.

Approved, February 24, 1879.

Feb. 25, 1879.

CHAP. 99.—An act to create an additional associate justice of the supreme court of the District of Columbia, and for the better administration of justice in said District

Supreme Court, District of Columbia.

Additional associate justice.

Quorum at general term.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed by the President, by and with the advice and consent of the Senate, one additional associate justice of the supreme court of the District of Columbia. That the said additional associate justice shall have the same power, authority, and jurisdiction as now or hereafter may be exercised by any of the associate justices of the said supreme court, and shall be entitled to receive the same salary, payable in the same manner.

SEC. 2. Two of the justices, sitting at general term, shall constitute a quorum for the transaction of business; but when the two justices shall be divided in opinion, the same 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 three or more justices; but no justice shall sit in

general term to hear an appeal from any judgment or decree or order which he may have rendered at the special term. SEC. 3. The general term may order two terms of the circuit court to be held at the same time, whenever, in their judgment the business therein shall require it; and they shall designate by an order of the court, the time and places of holding the same, and the justices by whom they shall, respectively, be held; and shall make all necessary orders for a division of the docket between the justices holding such term; and petit juries shall be drawn therefor, in the same manner as is provided for in such circuit court, at least ten days before the commencement of any such sitting. SEC. 4. The final judgment or decree of the supreme court of the District of Columbia in any case where the matter in dispute, exclusive of costs, exceeds the value of twenty-five hundred dollars, may be re-examined and reversed or affirmed in the supreme court of the United States, upon writ of error or appeal in the same manner and under the same regulations as are provided in cases of writs of error on judgments or appeals from decrees rendered in a circuit-court. SEC. 5. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Two circuit court terms.

Appeals to supreme court.

Repeals.

Approved, February 25, 1879.

CHAP. 100.—An act to authorize the restoration of Michael O'Brien to the rank of first lieutenant in the Army

Feb. 25, 1879.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be and he is hereby authorized to nominate, and by and with the advice and consent of the Senate, appoint Michael O'Brien, late first lieutenant First Regiment of Artillery, a first lieutenant of artillery in the army of the United States, with his original rank and date of commission; and that he shall be assigned to the first vacancy occurring in his grade in the artillery arm of the service: *Provided, however,* That he shall receive no pay for the period he was out of the service

M. O'Brien.
Restored to Army.

Approved, February 25, 1879.

CHAP. 101.—An act directing the Secretary of War to purchase a lot of ground, situated near the city of Columbus, Ohio, now used by the United States as a cemetery.

Feb. 25, 1879.

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 purchase from the present owners a certain lot of ground, containing two and one-half acres, more or less, situated near the city of Columbus, Ohio, on the site of what was formerly known as Camp Chase, and used by the United States as a burial-place for the rebel prisoners who died while confined in the said Camp Chase (Ohio) military prison; and the sum of five hundred dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for this purpose.

Camp Chase Cemetery.
Purchase of site.

Appropriation.

Approved, February 25, 1879.

CHAP. 102.—An act to authorize the issue of certificates of deposit in aid of the refunding of the public debt.

Feb. 26, 1879.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to issue, in exchange for lawful money of the United States that may be presented for such exchange, certificates of deposit, of the denomination of ten dollars, bearing interest at the rate of four per centum per annum, and convertible at any time, with accrued interest, into the four per centum bonds described in

Public debt.
Certificates in aid of refunding.