third correction line south; thence west on said line to the western boundary of the Territory; thence south to the southern boundary of said Territory; thence east to the eastern boundary of said Territory; thence north to the place of beginning; shall constitute a separate land district, to be called the Arkansas Valley land district, the office of which shall be located at such place in said district as the President of the United States may direct, which may be changed by him from time to time as the public interest may require.

Sec. 2. And be it further enacted, That the President shall appoint, by and with the advice and consent of the Senate, or in the recess of the Senate, a register and receiver of public moneys for said district; and said officers shall reside in the place where said land office is located, and shall have the same powers and receive the same emoluments as the same officers now receive in the land districts in the State of Nevada.

Approved, May 27, 1870.

May 81, 1870.

CHAP. CXIV. — An Act to enforce the Right of Citizens of the United States to vote in the several States of this Union, and for other Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all citizens of the United States who are or shall be otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.

Sec. 2. And be it further enacted, That if by or under the authority of the constitution or laws of any State, or the laws of any Territory, any act is or shall be required to be done as a prerequisite or qualification for voting, and by such constitution or laws persons or officers are or shall be charged with the performance of duties in furnishing to citizens an opportunity to perform such prerequisite, or to become qualified to vote, it shall be the duty of every such person and officer to give to all citizens of the United States the same and equal opportunity to perform such prerequisite, and to become qualified to vote without distinction of race, color, or previous condition of servitude; and if any such person or officer shall refuse or knowingly omit to give full effect to this section, he shall, for every such offence, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with full costs, and such allowance for counsel fees as the court shall deem just, and shall also, for every such offence, be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

Sec. 3. And be it further enacted, That whenever, by or under the authority of the constitution or laws of any State, or the laws of any Territory, any act is or shall be required to qualify or entitle him to vote, the offer of any such citizen to perform the act required to be done as aforesaid shall, if it fail to be carried into execution by reason of the wrongful act or omission aforesaid of the person or officer charged with the duty of receiving or permitting such performance or offer to perform, or acting thereon, be deemed and held as a performance in law of such act; and the person so offering and failing as aforesaid, and being otherwise qualified, shall be entitled to vote in the same manner and to the same extent as
if he had in fact performed such act; and any judge, inspect, or other
officer of election whose duty it is or shall be to receive, count, certify,
register, report, or give effect to the vote of any such citizen who shall
wrongfully refuse or omit to receive, count, certify, register, report, or
give effect to the vote of such citizen upon the presentation by him of
his affidavit stating such offer and the time and place thereof, and the
name of the officer or person whose duty it was to act thereon, and that
he was wrongfully prevented by such person or officer from performing
such act, shall for every such offence forfeit and pay the sum of five
hundred dollars to the person aggrieved thereby, to be recovered by an
action on the case, with full costs, and such allowance for counsel fees as
the court shall deem just, and shall also for every such offence be guilty
of a misdemeanor, and shall, on conviction thereof, be fined not less than
five hundred dollars, or be imprisoned not less than one month and not
more than one year, or both, at the discretion of the court.

SEC. 4. And be it further enacted, That if any person, by force, bribery,
threats, intimidation, or other unlawful means, shall hinder, delay, pre-
vent, or obstruct, or shall combine and confederate with others to hinder,
delay, prevent, or obstruct, any citizen from doing any act required to be
done to qualify him to vote or from voting at any election as aforesaid,
such person shall for every such offence forfeit and pay the sum of five
hundred dollars to the person aggrieved thereby, to be recovered by an
action on the case, with full costs, and such allowance for counsel fees as
the court shall deem just, and shall also for every such offence be guilty
of a misdemeanor, and shall, on conviction thereof, be fined not less than
five hundred dollars, or be imprisoned not less than one month and not
more than one year, or both, at the discretion of the court.

SEC. 5. And be it further enacted, That if any person shall prevent,
hinder, control, or intimidate, or shall attempt to prevent, hinder, control,
or intimidate, any person from exercising or in exercising the right of suf-
frage, to whom the right of suffrage is secured or guaranteed by the fif-
teenth amendment to the Constitution of the United States, by means of
bribery, threats, or threats of depriving such person of employment or oc-
cupation, or of ejecting such person from rented house, lands, or other
property, or by threats of refusing to renew leases or contracts for labor,
or by threats of violence to himself or family, such person so offending
shall be deemed guilty of a misdemeanor, and shall, on conviction there-
of, be fined not less than five hundred dollars, or be imprisoned not less
than one month and not more than one year, or both, at the discretion of the
court.

SEC. 6. And be it further enacted, That if two or more persons shall
band or conspire together, or go in disguise upon the public highway, or
upon the premises of another, with intent to violate any provision of this
act, or to injure, oppress, threaten, or intimidate any citizen with intent
to prevent or hinder his free exercise and enjoyment of any right or privi-
lege granted or secured to him by the Constitution or laws of the United
States, or because of his having exercised the same, such persons shall be
held guilty of felony, and, on conviction thereof, shall be fined or impris-
oned, or both, at the discretion of the court, — the fine not to exceed five
thousand dollars, and the imprisonment not to exceed ten years, — and
shall, moreover, be thereafter ineligible to, and disabled from holding, any
office or place of honor, profit, or trust created by the Constitution or
laws of the United States.

SEC. 7. And be it further enacted, That if in the act of violating any
provision in either of the two preceding sections, any other felony, crime,
or misdemeanor shall be committed, the offender, on conviction of such
violation of said sections, shall be punished for the same with such punish-
ments as are attached to the said felonies, crimes, and misdemeanors by
the laws of the State in which the offence may be committed.
Section 8. And be it further enacted, That the district courts of the United States, within their respective districts, shall have, exclusively of the courts of the several States, cognizance of all crimes and offenses committed against the provisions of this act, and also, concurrently with the circuit courts of the United States, of all causes, civil and criminal, arising under this act, except as herein otherwise provided, and the jurisdiction hereby conferred shall be exercised in conformity with the laws and practice governing United States courts; and all crimes and offenses committed against the provisions of this act may be prosecuted by the indictment of a grand jury, or, in cases of crimes and offenses not infamous, the prosecution may be either by indictment or information filed by the district attorney in a court having jurisdiction.

Section 9. And be it further enacted, That the district attorneys, marshals, and deputy marshals of the United States, the commissioners appointed by the circuit and territorial courts of the United States, with powers of arresting, imprisoning, or bailing offenders against the laws of the United States, and every other officer who may be specially empowered by the President of the United States, shall be, and they are hereby, specially authorized and required, at the expense of the United States, to institute proceedings against all and every person who shall violate the provisions of this act, and cause him or them to be arrested and imprisoned, or bailed, as the case may be, for trial before such court of the United States or territorial court as has cognizance of the offense. And with a view to afford reasonable protection to all persons in their constitutional right to vote without distinction of race, color, or previous condition of servitude, and to the prompt discharge of the duties of this act, it shall be the duty of the circuit courts of the United States, and the superior courts of the Territories of the United States, from time to time, to increase the number of commissioners, so as to afford a speedy and convenient means for the arrest and examination of persons charged with a violation of this act; and such commissioners are hereby authorized and required to exercise and discharge all the powers and duties conferred on them by this act, and the same duties with regard to offences created by this act as they are authorized by law to exercise with regard to other offences against the laws of the United States.

Section 10. And be it further enacted. That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive warrant, or failing to execute it diligently:

- Commissioners may appoint suitable persons to execute process;

- Authority of such persons to call upon bystanders or the United States forces.

- Warrants may be executed within the State.

Section 11. And be it further enacted, That any person who shall know-
ingly and wilfully obstruct, hinder, or prevent any officer or other person charged with the execution of any warrant or process issued under the provisions of this act, or any person or persons lawfully assisting him or them from arresting any person for whose apprehension such warrant or process may have been issued, or shall rescue or attempt to rescue such person from the custody of the officer or other person or persons, or those lawfully assisting as aforesaid, when so arrested pursuant to the authority herein given and declared, or shall aid, abet, or assist any person so arrested as aforesaid, directly or indirectly, to escape from the custody of the officer or other person legally authorized as aforesaid, or shall harbor or conceal any person for whose arrest a warrant or process shall have been issued as aforesaid, so as to prevent his discovery and arrest after notice or knowledge of the fact that a warrant has been issued for the apprehension of such person, shall, for either of said offenses, be subject to a fine not exceeding one thousand dollars, or imprisonment not exceeding six months, or both, at the discretion of the court, on conviction before the district or circuit court of the United States for the district or circuit in which said offense may have been committed, or before the proper court of criminal jurisdiction, if committed within any one of the organized Territories of the United States.

SEC. 12. And be it further enacted, That the commissioners, district attorneys, the marshals, their deputies, and the clerks of the said district, circuit, and territorial courts shall be paid for their services the like fees as may be allowed to them for similar services in other cases. The person or persons authorized to execute the process to be issued by such commissioners for the arrest of offenders against the provisions of this act shall be entitled to the usual fees allowed to the marshal for an arrest for each person he or they may arrest and take before any such commissioner as aforesaid, with such other fees as may be deemed reasonable by such commissioner for such other additional services as may be necessarily performed by him or them, such as attending at the examination, keeping the prisoner in custody, and providing him with food and lodging during his detention and until the final determination of such commissioner, and in general for performing such other duties as may be required in the premises; such fees to be made up in conformity with the fees usually charged by the officers of the courts of justice within the proper district or county as near as may be practicable, and paid out of the treasury of the United States on the certificate of the judge of the district within which the arrest is made, and to be recoverable from the defendant as part of the judgment in case of conviction.

SEC. 13. And be it further enacted, That it shall be lawful for the President of the United States to employ such part of the land or naval forces of the United States, or of the militia, as shall be necessary to aid the militia, may be employed, in the execution of judicial process issued under this act.

SEC. 14. And be it further enacted, That whenever any person shall hold office, except as a member of Congress or of some State legislature, contrary to the provisions of the third section of the fourteenth article of amendment of the Constitution of the United States, it shall be the duty of the district attorney of the United States for the district in which such person shall hold office, as aforesaid, to proceed against such person, by writ of quo warranto, returnable to the circuit or district court of the United States in such district, and to prosecute the same to the removal of such person from office; and any writ of quo warranto so brought, as aforesaid, shall take precedence of all other cases on the docket of the court to which it is made returnable, and shall not be continued unless for cause proved to the satisfaction of the court.

SEC. 15. And be it further enacted, That any person who shall hereafter knowingly accept or hold any office under the United States, or any State to which he is ineligible under the third section of the fourteenth
article of amendment of the Constitution of the United States, or who shall attempt to hold or exercise the duties of any such office, shall be deemed guilty of a misdemeanor against the United States, and, upon conviction thereof before the circuit or district court of the United States, shall be imprisoned not more than one year, or fined not exceeding one thousand dollars, or both, at the discretion of the court.

SEC. 16. And be it further enacted, That all persons within the jurisdiction of the United States shall have the same right in every State and Territory to the full and equal benefit of all laws, &c. as enjoyed by white citizens.

No special tax or charge shall be imposed or enforced by any State upon any person immigrating thereto from a foreign country which is not equally imposed and enforced upon every person immigrating to such State from any other foreign country; and any law of any State in conflict with this provision is hereby declared null and void.

SEC. 17. And be it further enacted, That any person who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right secured or protected by the last preceding section of this act, or to different punishment, pains, or penalties on account of such person being an alien, or by reason of his color or race, than is prescribed for the punishment of citizens, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both, in the discretion of the court.

SEC. 18. And be it further enacted, That the act to protect all persons in the United States in their civil rights, and furnish the means of their vindication, passed April nine, eighteen hundred and sixty-six, is hereby re-enacted; and sections sixteen and seventeen hereof shall be enforced according to the provisions of said act.

SEC. 19. And be it further enacted, That if at any election for representative or delegate in the Congress of the United States any person shall knowingly personate and vote, or attempt to vote, in the name of any other person, whether living, dead, or fictitious; or vote more than once at the same election for any candidate for the same office; or vote at a place where he may not be lawfully entitled to vote; or vote without having a lawful right to vote; or do any unlawful act to secure a right or an opportunity to vote for himself or any other person; or by force, threat, menace, intimidation, bribery, reward, or offer, or promise thereof, or otherwise unlawfully prevent any qualified voter of any State of the United States of America, or of any Territory thereof, from freely exercising the right of suffrage, or by any such means induce any voter for inducing to refuse to exercise such right; or compel or induce by any such means, or otherwise unlawfully prevent any qualified voter of any State of the United States of America, or of any Territory thereof, from freely exercising the right of suffrage, or by any such means induce any voter to do any act hereby made a crime, or to omit to do any duty the omission of
which is hereby made a crime, or attempt to do so, every such person shall be deemed guilty of a crime, and shall for such crime be liable to prosecution in any court of the United States of competent jurisdiction, and, on conviction thereof, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding three years, or both, in the discretion of the court, and shall pay the costs of prosecution.

Sec. 20. And be it further enacted, That if, at any registration of voters for an election for representative or delegate in the Congress of the United States, any person shall knowingly personate and register, or attempt to register, in the name of any other person, whether living, dead, or fictitious, or fraudulently register, or fraudulently attempt to register, not having a lawful right so to do; or do any unlawful act to secure registration for himself or any other person; or by force, threat, menace, intimidation, bribery, reward, or offer, or promise thereof, or other unlawful means, prevent or hinder any person having a lawful right to register from duly exercising such right; or compel or induce, by any of such means, or other unlawful means, any officer of registration to admit to registration any person not legally entitled thereto, or interfere in any manner with any officer of registration in the discharge of his duties, or by any such means, or other unlawful means, induce any officer of registration to violate or refuse to comply with his duty, or any law regulating the same; or knowingly and wilfully receive the vote of any person not entitled to vote, or refuse to receive the vote of any person entitled to vote, or aid, counsel, procure, or advise any such voter, person, or officer to do any act hereby made a crime, or to omit any act, the omission of which is hereby made a crime, every such person shall be deemed guilty of a crime, and shall be liable to prosecution and punishment therefor, as provided in section nineteen of this act for persons made guilty of any of the crimes therein specified: Provided, That every registration made under the laws of any State or Territory, for any State or other election at which such representative or delegate in Congress shall be chosen, shall be deemed to be a registration within the meaning of this act, notwithstanding the same shall also be made for the purposes of any State, territorial, or municipal election.

Sec. 21. And be it further enacted, That whenever, by the laws of any State or Territory, the name of any candidate or person to be voted for as representative or delegate in Congress shall be required to be printed, written, or contained in any ticket or ballot with other candidates or persons to be voted for at the same election for State, territorial, municipal, or local officers, it shall be sufficient prima facie evidence, either for the purpose of indicting or convicting any person charged with voting, or attempting or offering to vote, unlawfully under the provisions of the preceding sections, or for committing either of the offenses hereby created, to prove that the person so charged or indicted, voted, or attempted or offered to vote, such ballot or ticket, or committed either of the offenses named in the preceding sections of this act with reference to such ballot. And the proof and establishment of such facts shall be taken, held, and deemed to be presumptive evidence that such person voted, or attempted or offered to vote, for such representative or delegate, as the case may be, or that such offense was committed with reference to the election of such representative or delegate, and shall be sufficient to warrant his conviction, unless it shall be shown that any such ballot, when cast, or attempted or offered to be cast, by him, did not contain the name of any candidate for the office of representative or delegate in the Congress of the United States, or that such offense was not committed with reference to the election of such representative or delegate.

Sec. 22. And be it further enacted, That any officer of any election at which any representative or delegate in the Congress of the United States
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 with hold, 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 thereof, as provided in the nineteenth section of this act for persons guilty of any of the crimes therein specified.

**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 each 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.

Approved, May 31, 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.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all fictitious 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.

**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.

**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
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.

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:

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

"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:

"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.

APPROVED, June 1, 1870.

CHAP. CXVI. — An Act concerning Divorces 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 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.

APPROVED, June 1, 1870.