

April 23, 1856. CHAP. XXI. — *An Act amendatory of an Act entitled "An Act to regulate the Fees and Costs to be allowed Clerks, Marshals, and Attorneys of the Circuit and District Courts of the United States, and for other Purposes."*

Pay of Jurors in District of Columbia.
1853, ch. 80.
Vol. x. p. 161.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act entitled "An act to regulate the fees and costs to be allowed clerks, marshals, and attorneys of the circuit and district courts of the United States, and for other purposes," approved February twenty-sixth, eighteen hundred and fifty-three, as applies to the fees of jurors, be and the same is hereby made to embrace the jurors of the United States courts for the District of Columbia.

APPROVED, April 23, 1856.

April 30, 1856. CHAP. XXIII. — *An Act to alter and amend an Act entitled "An Act to establish a Circuit Court of the United States in and for the State of California," approved March third, eighteen hundred and fifty-five.*

Times and places of sessions of circuit court in California.
1855, ch. 142.
Vol. x. p. 631.

Powers of circuit judge same as of other circuit judges.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the circuit court of the United States for the districts of California shall hereafter hold four regular sessions in each year, two of which, beginning respectively on the first Monday in January and July, shall be held at San Francisco, in and for the northern district of California; and the other two, beginning respectively on the first Monday of March and September, shall be held at Los Angeles, in the southern district of California, and the circuit judge of California shall have the same powers in relation to his attendance on said sessions and the arrangement of business thereat as are vested in the other circuit judges of the United States by the second section of the act approved the seventeenth of June, one thousand eight hundred and forty-four, entitled "An act concerning the supreme court of the United States;" *Provided, That the term of said court herein provided to be held at San Francisco on the first Monday in January next, may be held in advance of that time under order of the said circuit judge upon notice previously given in conformity with the second section of the act of which this act is amendatory.**

Judges of circuit court.
Either judge to be a quorum.

Powers of judges same as of other circuit judges.

Laws respecting circuit courts extended to circuit court of California.

Marshal.

SEC. 2. And be it further enacted, That the said circuit court shall be presided over by the judge of the circuit court of the United States for the districts of California, and by the judge of the district court for the district in which the court is holden, either of whom shall constitute a quorum; and the said circuit court and the said circuit judge, and each of the said district judges within his separate district, when sitting as circuit judge, shall be, and they are hereby, respectively vested with all the authority, powers, and jurisdiction which are vested by existing laws in the several circuit courts of the United States, or the judges thereof. And all laws, or parts of laws, which now are or may hereafter be enacted, regulating the jurisdiction, process, and practice of the circuit courts of the United States, shall be, and the same are hereby, made applicable to the said circuit court for each of said districts of California. And the marshal of the United States for each district of California shall act as marshal of said circuit court for his district, and shall attend not only the regular sessions of said courts, but such special or extra terms as may be held in either district, which the said circuit judge is hereby authorized to order in conformity to the mode directed by the second section of the act of which this act is amendatory.

Clerk of circuit court to keep records in San Francisco may appoint deputies.

SEC. 3. And be it further enacted, That the clerk of the said circuit court of the United States for the districts of California shall keep the records of said court in the city of San Francisco, and he is hereby authorized to appoint a deputy or deputies, whose official acts, signatures, attestations, and certificates shall be entitled to as full credit as those of the said clerk.

SEC. 4. *And be it further enacted*, That all suits or causes instituted in the district courts of California prior to the first Monday of July, eighteen hundred and fifty-five, and which remain pending in either of said courts, or in which final process has not been executed, and which are properly within the jurisdiction of circuit courts, and not of district courts of the United States, shall be removed for the district in which the cause is pending by a transfer and delivery to the clerk of the said circuit court of the original papers with an exemplification of the record or docket entries under the seal of the district court, for which exemplification the clerk of the said district court shall receive the same fees as are allowed for similar services in making transcripts for appeals or writs of error, to be paid by the party applying for the same, and taxed as costs on final judgment; and all causes now pending in said circuit court of the United States, against parties residing in the southern district of California, shall, on application of the parties defendant, made within three months from the date when this act shall take effect, be removed in like manner to the said circuit court held in the southern district of California, and all such causes shall take rank on the docket according to the date of removal; and all suits removed under the provisions of this section shall be proceeded in, and conducted in the same manner as if originally instituted in the court to which they may be removed.

Suits to be transferred to the circuit court.

SEC. 5. *And be it further enacted*, That all laws, or parts of laws, contrary to or inconsistent with this act, shall be, and remain repealed, from the date when this act shall take effect.

Inconsistent laws repealed.

SEC. 6. *And be it further enacted*, That this act shall take effect in ninety days after the passing thereof, and not before that period.

Act, when to take effect.

APPROVED, April 30, 1856.

CHAP. XXIV. — *An Act creating Columbus, in Kentucky, a Port of Delivery.*

May 9, 1856.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Columbus, in the State of Kentucky, be and is hereby constituted a port of delivery, within the collection district of New Orleans, and there shall be a surveyor of customs appointed for the said port, who shall perform the duties, and receive the salary and emoluments prescribed by the act of Congress, approved on the second day of March, eighteen hundred and thirty-one, entitled "An act allowing the duties on foreign merchandise imported into Pittsburg, Wheeling, Cincinnati, Louisville, St. Louis, Nashville, and Natchez, to be secured and paid at those places:" *Provided*, That it shall be the duty of the Secretary of the Treasury to abolish said port of delivery whenever, in his judgment, the public interest shall no longer require a port of delivery at that place.

Columbus, Ky., made a port of delivery. Surveyor.

1831, ch. 87.

Vol. iv. p. 480.

Port shall be abolished if public good requires it.

APPROVED, May 9, 1856.

CHAP. XXV. — *An Act to surrender to the State of Illinois the Cumberland Road in said State.*

May 9, 1856.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the Cumberland Road as lies within the State of Illinois, and all the interest of the United States in the same, together with all the stone, timber, and other materials belonging to the United States, and procured for the purpose of being used in the construction of the same, and all the rights and privileges of every kind belonging to the United States, as connected with said road, in said State, be, and the same are hereby, transferred and surrendered to the said State of Illinois.

So much of the Cumberland Road as is in Illinois, with materials, surrendered to that State.

APPROVED, May 9, 1856.