

agents in Utah and Nevada.

agents in Nevada and Utah shall hereafter be at the rate of fifteen hundred dollars per annum.

APPROVED, March 3, 1863.

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CHAP. C.—*An Act to provide Circuit Courts for the Districts of California and Oregon, and for other Purposes.*

Supreme court to consist of a chief justice and nine associates.

Quorum.

One additional justice.

California and Oregon to form 10th circuit.

District courts in those States not to have powers of circuit courts.

1855, ch. 142. Vol. x. p. 631.

Circuit court abolished.

Circuit courts, how to be held.

Provision for pending process.

Bail-bonds, &c.

Regulations.

Clerks.

Times and places of circuit courts in California,

in Oregon.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the supreme court of the United States shall hereafter consist of a chief justice and nine associate justices, any six of whom shall constitute a quorum; and for this purpose there shall be appointed one additional associate justice of said court, with the like powers, and to take the same oaths, perform the same duties, and be entitled to the same salary, as the other associate justices. The districts of California and Oregon shall constitute the tenth circuit, and the other circuits shall remain as now constituted by law.

SEC. 2. *And be it further enacted,* That so much of any act or acts of Congress as vests in the district courts in and for the said States of California and Oregon, or either of them, the power and jurisdiction of circuit courts, and the act entitled "An act to establish a circuit court of the United States in and for the State of California," approved March second, eighteen hundred and fifty-five, be, and the same are hereby, repealed, and the said circuit court is hereby abolished; and there shall hereafter be circuit courts held for the districts of the States of California and Oregon by the chief justice, or one of the associate justices of the supreme court of the United States assigned or allotted to the circuit to which such districts may respectively belong, and the district judges of such districts, severally and respectively, either of whom shall constitute a quorum, which circuit courts and the judges thereof shall have like powers and exercise like jurisdiction as other circuit courts and the judges thereof; and the district courts in and for the several districts in and for said States of California and Oregon, and the judges thereof, shall have like powers and exercise like jurisdiction as the district courts and the judges thereof in the other circuits.

SEC. 3. *And be it further enacted,* That all actions, suits, prosecutions, causes, pleas, process, and other proceedings, relative to any cause, civil or criminal, (which might have been brought and could have been originally cognizable in a circuit court as established by this act,) now pending in or returnable to the several district courts of the United States in the said States of California and Oregon, or now pending in or returnable to the circuit court of California, by this act abolished, acting as circuit courts (or so empowered to act) shall be, and are hereby declared to be, respectively, transferred, returnable, and continued to the several circuit courts constituted by this act, to be holden within said districts respectively, and shall be heard, tried, and determined therein, in the same manner as if originally brought, entered, prosecuted, or had in such circuit courts; and no bail-bond or recognizance taken in any of said actions, suits, prosecutions, or causes transferred to said circuit courts by this act shall thereby be avoided, impaired, or invalidated; and the said circuit courts shall be governed by the same laws and regulations as apply to the other circuit courts of the United States; and the clerks of said courts, respectively, shall perform the same duties, and shall be entitled to receive the same fees and emoluments which are by law established for the clerks of the other circuit courts of the United States.

SEC. 4. *And be it further enacted,* That the circuit court for the districts in California shall be held at the city of San Francisco and the city of Los Angeles, in said State, at the same times now prescribed by law for holding terms of the district courts for the northern and southern districts of said State at said places; and the circuit court for the State of Oregon

shall be held at Portland, in said State, at the same times now fixed by law for holding terms of the district court for the district of Oregon at that place.

SEC. 5. *And be it further enacted*, That the judge assigned to the tenth circuit, as constituted by this act, shall receive, in addition to his salary hereinbefore provided, the sum of one thousand dollars for his travelling expenses for each year in which he may actually attend a session of the supreme court of the United States. Judge of 10th circuit allowed \$1,000 a year for travel, &c.

APPROVED, March 3, 1863.

CHAP. CI. — *An Act to carry into Effect the Convention between the United States and the Republic of Peru, signed at Lima on the twelfth of January, eighteen hundred and sixty-three, for the Settlement of Claims.* March 3, 1863.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States, by and with the advice and consent of the Senate, shall appoint two commissioners, whose duty it shall be, conjointly with the commissioners appointed by the Government of Peru, to investigate, adjust, and determine the amount of the claims of citizens of the United States against the Government of Peru, and of citizens of Peru against the Government of the United States, pursuant to the terms of a convention signed at Lima, on the twelfth of January, eighteen hundred and sixty-three. The President to appoint two commissioners under the convention with Peru.

SEC. 2. *And be it further enacted*, That the President, by and with the advice and consent of the Senate, shall appoint a solicitor or agent, learned in the Spanish language and law, on the part of the United States, whose duty it shall be to prosecute, before the joint commission in the city of Lima, the claims of citizens of the United States embraced in the stipulations of said convention. Solicitor or agent.

SEC. 3. *And be it further enacted*, That the President, by and with the advice and consent of the Senate, shall appoint a secretary to the said commissioners on behalf of the United States, versed in the English and Spanish languages. Secretary.

SEC. 4. *And be it further enacted*, That the compensation of the respective officers for whose appointment provision is made in this act shall be as follows: To the commissioners, in full for their services, four thousand five hundred dollars each; to the solicitor or agent, four thousand five hundred dollars, in full for his services. And the said commissioners and agent shall also be allowed, in commutation of travelling and all other personal expenses, ten dollars a day, for the time actually and necessarily occupied in going from the places of their residence to Lima and returning home, under the provisions of the convention. To the secretary of the commissioners on the part of the United States, there shall be paid two thousand dollars in full for his services, and the same amount in commutation of all travelling and other personal expenses, as is provided in the case of the commissioners and solicitor. And the sums necessary to pay the foregoing salaries and expenses, as well as the share of the contingent expenses of the commission on the part of the United States, and of the compensation of the umpire chosen under the convention, are hereby appropriated out of any money in the treasury not otherwise appropriated. Pay of commissioners, solicitor, secretary.

SEC. 5. *And be it further enacted*, That the said commissioners on the part of the United States, in conjunction with the commissioners on the part of Peru, shall be, and they are hereby, authorized to make all needful rules and regulations for conducting the business of the said commission; such rules and regulations not contravening the Constitution of the United States, the provisions of this act, or the stipulations of the said convention. Rules and regulations for conducting the business of the commission.

SEC. 6. *And be it further enacted*, That the Secretary of State is

Appropriation.