

Deputy clerks,
bond and oath.
[Amended,
1871, ch. 108.
Post, p. 473.]

of the United States are hereby empowered to appoint such deputy clerks as may be necessary for the efficient performance of their duties; but such deputies shall take the same oath required by law to be taken by the clerks, and the court may in its discretion require any such deputy to give bond to the United States for the faithful discharge of his duties as such deputy in the same penalty required of the clerk and with surety in like manner, and such bond shall be recorded and preserved in like manner: *Provided, however,* That the taking of such bond shall in no manner affect the legal responsibility of the clerk for the acts of such deputy: *And provided further,* That said additional courts shall not be held as aforesaid at the places aforesaid until the board of commissioners of the counties in which said cities of New Albany and Evansville are respectively situated shall have agreed, by orders in due form entered upon their records respectively, that said board, in each county aforesaid, will supply, without any charge whatever against the United States, suitable court-rooms in which to hold said additional terms of said court; and said court shall not be held if such rooms are not so provided; and duly authenticated copies of said orders shall be filed in the office of the clerk of the district courts aforesaid at Indianapolis.

Additional
courts not to be
held at New Al-
bany and Evans-
ville, unless
suitable court-
rooms are pro-
vided without
cost to the
United States.

APPROVED, June 30, 1870.

June 30, 1870. CHAP. CLXXXI. — *An Act giving Priority to certain Cases to which a State is a Party in the Courts of the United States.*

Priority given
to certain cases
in the United
States courts in
which a State is
a party.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all suits and actions either at law or in chancery, now pending, or that may hereafter be brought in any of the courts of the United States, whether original suits in the courts of the United States or brought into said courts by appeal, writ of error, or removal from any State court, wherein a State is a party, or where the execution of the revenue laws of any State may be enjoined or stayed by judicial order or process, it shall be the duty of any court in which such cause may be pending, on sufficient reason shown, to give such cause the preference and priority over all other civil causes pending in such court between private parties. And the State, or the party claiming under the laws of the State, the execution of whose revenue laws is enjoined or suspended, shall have a right to have such cause heard at any time after such cause is docketed in such court, in preference to any other civil cause pending in such court between private parties.

APPROVED, June 30, 1870.

July 1, 1870. CHAP. CLXXXV. — *An Act to regulate the foreign and coasting Trade on the northern, northeastern, and northwestern Frontiers of the United States, and for other Purposes.*

Masters of
certain vessels
engaged in the
foreign, &c.
trade on the
northern, &c.
frontiers, to pre-
sent to collector
before, &c.
duplicate mani-
fests of cargo,
&c.

If there is no
cargo, manifests
to so state, &c.

If vessel
touches at an
intermediate
port, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the master of every vessel enrolled or licensed to engage in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers of the United States shall, before the departure of his vessel from a port in one collection district to a port in another collection district, present to the collector at the port of departure duplicate manifests of his cargo, or, if he have no cargo, duplicate manifests setting forth that fact, which manifests shall be subscribed and sworn or affirmed to by the master before the collector, who shall indorse thereon his certificate of clearance, retaining one for the files of his office; the other he shall deliver for the use of the master. And in case such vessel shall touch at any intermediate port in the United States, and there discharge cargo taken on board at an American port, or at such intermediate ports shall take on board cargo destined for an American port, the master of such vessel shall not be required to report such lading

or unloading at such intermediate ports, but shall enter the same on his manifest obtained at the original port of departure, which he shall deliver to the collector of the port at which the unloading of the cargo is completed, within twenty-four hours after arrival, and shall subscribe and make oath (or affirm) as to the truth and correctness of the same. And the master of such vessel shall, before departing from a port in one collection district to a place in another collection district, where there is no custom-house, file his manifest and obtain a clearance in manner aforesaid, and make oath or affirmation to the manifest aforesaid, which manifest and clearance shall be delivered to the proper officer of customs at the port at which said vessel next arrives after leaving the place of destination specified in said clearance: *Provided*, That the master of any vessel with cargo, passengers, or baggage from any foreign port or place shall obtain a permit and comply with existing laws before discharging or landing the same: *And provided further*, That nothing in this section contained shall exempt masters of vessels from reporting, as now required by law, any goods, wares, or merchandise destined for any foreign port: *And be it further provided*, That no permit shall be required for the unloading of cargo brought from an American port.

Duty of master when departing to a place in, &c. where there is no custom-house.

Permit for landing, &c.

Goods destined for foreign port to be reported. When permit not required.

SEC. 2. *And be it further enacted*, That the master of any vessel enrolled or licensed as aforesaid, destined with cargo from a place in the United States, at which there may be no custom-house, to a port where there may be a custom-house, shall, within twenty-four hours after arrival at the port of destination, deliver to the proper officer of the customs a manifest, subscribed by him, setting forth the cargo laden at the place of departure, or laden or unladen at any intermediate port or place, to the truth of which manifest he shall make oath or affirm before such officer: *Provided*, That if said vessel have no cargo, the master shall not be required to deliver such manifest.

Duty of master with cargo from a place where there is no custom-house to a place where there is a custom-house.

Proviso.

SEC. 3. *And be it further enacted*, That steam-tugs duly enrolled and licensed to engage in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers of the United States, when exclusively employed in towing vessels, shall not be required to report and clear at the custom-house: *Provided*, That when said steam-tugs shall be employed in towing rafts or other vessels without sail or steam motive-power, not required to be enrolled or licensed under existing laws, they shall be required to report and clear in the same manner as is hereinbefore provided in similar cases for other vessels.

Steam-tugs in such trade, when not required to report and clear;

when required to report and clear.

SEC. 4. *And be it further enacted*, That the manifests, certificates of clearance, oaths or affirmations, provided for by this act, shall be in such form, and prepared, filled up, and executed in such manner, as the Secretary of the Treasury may from time to time prescribe.

Forms of manifests, certificates, oaths, &c.

SEC. 5. *And be it further enacted*, That if the master of any enrolled or licensed vessel, as aforesaid, shall neglect or fail to comply with any of the provisions or requirements of the foregoing sections of this act, such master shall forfeit and pay to the United States the sum of twenty dollars for each and every failure or neglect, and for which sum the vessel shall be liable, and may be summarily proceeded against, by way of libel, in any district court of the United States.

Penalty upon master for not complying with this act;

vessel liable;

SEC. 6. *And be it further enacted*, That in case the master or owner of any vessel shall wilfully and falsely swear or affirm to any of the matters or facts herein required to be sworn or affirmed to, said master or owner shall be deemed guilty of perjury, and shall be liable to all the fines and penalties imposed by existing laws punishing such offences.

upon master or owner for wilfully swearing, &c. falsely.

SEC. 7. *And be it further enacted*, That from and after the passage of this act, the following fees shall be levied and collected from the owners and masters of vessels enrolled or licensed on the northern, northeastern, and northwestern frontiers of the United States, and none other shall be received than those herein specially enumerated:

Fees. Post, pp. 595, 596.

Fees for ad- measurement. 1864, ch. 83, § 4. Vol. xiii. p. 72.	For the admeasurement of any vessel, the fees prescribed by section — of an act entitled "An act —," approved May six, eighteen hundred and sixty-four.
Enrolment.	For certificate of enrolment, including bond and oath, one dollar and ten cents.
License.	For granting license, including bond and oath, if not over twenty tons, forty-five cents.
	For granting license, including bond and oath, above twenty and not over one hundred tons, seventy cents.
	For granting license, including bond and oath, above one hundred tons, one dollar [and] twenty cents.
Manifest.	For certifying manifest, including master's oath, and granting permit for vessel to go from district to district, under fifty tons, twenty-five cents.
	For certifying manifest, including master's oath, and granting permit for vessel to go from district to district, over fifty tons, fifty cents.
	For receiving manifest, including master's oath, on arrival of a vessel from one collection district to another, whether touching at foreign intermediate ports or not, under fifty tons, twenty-five cents.
	For receiving manifest, including master's oath, on arrival of a vessel from one collection district to another, whether touching at foreign intermediate ports or not, over fifty tons, fifty cents.
	For certifying a manifest, including master's oath, and granting permit to a vessel under fifty tons, laden with a cargo destined for a port or place in another district at which there is no custom-house, twenty-five cents.
	For certifying a manifest, including master's oath, and granting permit to a vessel above fifty tons, laden with a cargo destined for a port or place in another district at which there is no custom-house, fifty cents.
Entry of vessel.	For the entry of a vessel of fifty tons or under, direct from a foreign port, one dollar and fifty cents.
	For the entry of a vessel above fifty tons, direct from a foreign port, two dollars and fifty cents.
Clearance.	For the clearance of a vessel of fifty tons or under, direct to a foreign port, one dollar and fifty cents.
	For the clearance of a vessel above fifty tons, direct to a foreign port, two dollars [and] fifty cents: <i>Provided</i> , That vessels departing to or arriving from a port in one district to or from a port in an adjoining district, and touching at intermediate foreign ports, are exempted from the payment of the entry fees.
Proviso.	For a port entry of such vessel, two dollars.
	For permit to land or deliver goods, twenty cents.
Port entry. Permit to land or deliver.	For a bond taken officially, not otherwise provided for, fifty cents.
Bond.	For permit to load goods for exportation entitled to drawback, thirty cents.
Permit to load goods.	For debenture or other official certificate not otherwise provided for, twenty cents.
Debenture.	For recording all bills of sale, mortgages, hypothecations, or conveyances of vessels, fifty cents.
Recording mortgages, bills of sale, &c.	For recording all certificates for discharging and cancel[ing] any such conveyances, fifty cents.
Certificate.	For furnishing a certificate setting forth the names of the owners of any registered or enrolled vessel, the parts or proportions owned by each, and also the material facts of any existing bill of sale, mortgage, hypothecation, or other incumbrance; the date, amount of such incumbrance, and from and to whom made, one dollar.
	For furnishing copies of such records for each bill of sale, mortgage or other conveyance, fifty cents.
Copies of records, &c.	For receiving manifest of each railroad car or other vehicle laden with goods, wares, or merchandise, from a foreign contiguous territory, twenty-five cents.
Manifest of railroad car, &c.	

For entry of goods, wares, or merchandise, for consumption-warehouse, re-warehouse transportation, or exportation, including oath and permit to land or deliver, fifty cents. Entry for consumption-warehouse, &c.

For certificate of registry, including bond and oath, two dollars [and] twenty-five cents. Certificate of registry, &c.

For indorsement of change of masters on registry, one dollar. Change of masters.

SEC. 8. *And be it further enacted*, That all acts or parts of acts conflicting with this act are hereby repealed. Repealing clause.

SEC. 9. *And be it further enacted*, That the Secretary of the Treasury shall have authority to ascertain the facts upon all applications for remission of fines or penalties incurred under the provisions of this act, where the amount in question does not exceed one thousand dollars, in such manner and under such regulations as he may deem proper, and he may thereupon remit or mitigate such fines or penalties, if in his opinion the same shall have been incurred without willful negligence or intention of fraud in the person or persons incurring the same, and all fines and penalties imposed or recovered by this act shall, after deducting proper costs and charges, be disposed of as provided by section ninety-one, act of March two, seventeen hundred and ninety-nine. Secretary of Treasury may remit certain fines and penalties. 1799, ch. 22, § 91. Vol. i. p. 697.

APPROVED, July 1, 1870.

CHAP. CLXXXVI. — *An Act in Relation to Circuit Courts.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the "Act to amend the judicial system of the United States," approved April ten, eighteen hundred and sixty-nine, shall be construed to require a circuit court to be held in any judicial district in which a circuit court was not required to be held by previously existing law. July 1, 1870. Circuit courts to be held in what districts under act 1869, ch. 22. Ante, p. 44.

APPROVED, July 1, 1870.

CHAP. CLXXXVII. — *An Act to define the Intent of an Act entitled "An Act to allow Deputy Collectors of internal Revenue acting as Collectors the Pay of Collector, and for other Purposes," approved March one, eighteen hundred and sixty-nine.* July 1, 1870. 1869, ch. 57. Vol. xv. p. 282.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the true intent and meaning of an act approved March one, eighteen hundred and sixty-nine, entitled "An act to allow deputy collectors of internal revenue acting as collectors, the pay of collectors and for other purposes," is as follows, to wit: That any deputy collector of internal revenue who has performed, or may hereafter perform, under authority of law, the duties of collector of internal revenue in consequence of any vacancy in the office of said collector, shall be entitled to, and shall receive the salary and commissions allowed by law to such collector, or the allowance in lieu of said salary and commissions allowed by the Secretary of the Treasury to such collector, and that the Secretary of the Treasury is authorized to make to the said deputy collector such allowance in lieu of salary and commissions as he would by law be authorized to make to said collector. And said deputy collector shall not be debarred from receiving said salary and commissions, or allowance in lieu thereof, by reason of the holding of another federal office by said collector during the time for which said deputy collector acts as collector: *Provided*, That all payments to said deputy collector shall be upon duly audited vouchers. Deputy collectors of internal revenue performing duties of collector, &c. to receive salary, &c. of collector, &c. Proviso.

APPROVED, July 1, 1870.