

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it further enacted*, That all laws, or parts of laws, contrary to or inconsistent with this act, shall be, and remain repealed, from the date when this act shall take effect.

Inconsistent laws repealed.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 Pittsburgh, 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.

Columb is, 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.