CHAP. CLXXX.—*An Act to require the Holding of additional District and Circuit Courts of the United States in the District of Indiana, and for other Purposes.* June 30, 1870.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the terms of the circuit and district courts of the United States for the district of Indiana, now required by law to be held at the city of Indianapolis, terms of the said courts shall hereafter be held at the city of New Albany, commencing on the first Mondays of January and July of each year, and at the city of Evansville, commencing on the first Mondays of February and August in each year. Additional terms of the circuit and district courts of the United States in Indiana, to be held at New Albany and Evansville.

Sec. 2. *And be it further enacted*, That if neither of the judges of said courts be present at the time for opening court, the clerk may open and adjourn the court from day to day for four days; and if the judge does not appear by two o'clock post meridian of the fourth day, the clerk shall adjourn the court to the next stated term. But either the circuit or district judge, by written order to the clerk within the first three days of his term, may adjourn court to a future day within thirty days of the first day, of which adjournment the clerk shall give notice by posting a copy of said order on the front door of the court-house where the court is to be held; and the district judge, and in his absence the circuit judge, may order a special term of the circuit court, designated in a similar order, to be published in a similar manner, and in one or more newspapers in the place where the court is held; and by said order the judge may prescribe the duties of the officers of the court in summoning juries, and in the performance of other acts necessary for the holding of such special term; or the court may, by its order, after it is opened, prescribe the duties of its officers, and the mode of proceeding, and any of the details thereof. If neither judge is present clerk may adjourn the court, &c. Judges may, by written order to the clerk, adjourn the court. Notice how given. Juries. Duties of officers.

Sec. 3. *And be it further enacted*, That such number of jurors shall be summoned by the marshal at every term of the circuit and district courts, respectively, as may have been ordered of record at the previous term; and in case there is not a sufficient number of jurors in attendance at any term, the court may order such number to be summoned as, in its judgment, may be deemed necessary to transact the business of the court. And a grand jury may be summoned to attend every term of the circuit or district court by order of court. The marshal may summon jurors or talesmen, in case of a deficiency, pursuant to an order of court made during the term; and they shall serve for such time as the court may direct. Jurors, number and how to be summoned. Grand jury. Talesmen.

Sec. 4. *And be it further enacted*, That a special term of any district court may be held at any time that the district judge may order, by giving notice thereof on the front door of the court-house where the court is to be held, and in some one or more newspapers, if there be any at the place. Special terms of district court.

Sec. 5. *And be it further enacted*, That the district judge may adjourn the court from time to time to suit the convenience of litigants and to meet the necessities of the business; and the intervention of a term of a district or circuit court at another place shall not preclude the power to adjourn over to a future day. District judge may adjourn court. Intervention of a term not to prevent.

Sec. 6. *And be it further enacted*, That the terms of the circuit and district courts shall not be limited to any particular number of days, nor shall it be necessary to adjourn by reason of the intervention of a term of the court elsewhere; but the business of the courts at two places may proceed, there being a judge present at each place, or the court intervening may be adjourned over, as herein provided, till the business of the court in session is concluded. Terms of circuit and district courts not to be limited, &c. Courts may be held at two places at same time.

Sec. 7. *And be it further enacted*, That the marshal of said district, in person or by assistant, and the clerk of said courts for the district aforesaid, in person or by deputy, shall attend the said courts when in session at Evansville or New Albany. The clerks of district and circuit courts Marshal and clerk to attend terms at Evansville and New Albany.

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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 repectively, 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 Albany and Evansville, unless suitable court-rooms are provided 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.

Post, p. 595.

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 present to collector before, &c. duplicate manifests 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