

Special terms,
general rule.

4 July, 1840, c. 43,
s. 2, v. 5, p. 393.

Special terms,
business transacted at.

15 May, 1862, c.
71, s. 2, v. 12, p. 386.

30 June, 1870, c.
180, s. 2, v. 16, p.
175.

21 Feb., 1855, c.
118, s. 3, v. 10, p.
612.

29 June, 1870, c.
175, s. 4, v. 16, p.
171.

3 Feb., 1871, c. 35, s. 4, v. 16, p. 403. 4 July, 1840, c. 43, s. 2, v. 5, p. 393. 26 Jan., 1864, c. 5, s. 2, v. 13, p. 2. 19 Feb., 1864, c. 11, s. 3, v. 13, p. 4. 27 Feb., 1865, c. 64, s. 7, v. 13, p. 440. 4 June, 1872, c. 282, s. 4, v. 17, p. 215.

Adjournment in
absence of the
judges.

24 Sept., 1789, c.
20, s. 6, v. 1, p. 76.

19 May, 1794, c.
32, v. 1, p. 369.

10 April, 1869, c. 22, s. 2, v. 16, p. 44.

Adjournment, in
absence of the
judges, by written
order.

4 July, 1840, c.
43, s. 1, v. 5, p. 392.

18 Jan., 1839, c.
3, s. 9, v. 5, p. 314.

SEC. 669. In the districts not mentioned in the five preceding sections, the presiding judge of any circuit court may appoint special sessions thereof, to be held at the places where the regular sessions are held.

SEC. 670. At any special term of a circuit court in any district in Indiana, Kentucky, Missouri, North Carolina, Virginia, and Wisconsin, any business may be transacted which might be transacted at any regular term of such court. At any special term of a circuit court in any other district, it shall be competent for the court to entertain jurisdiction of and to hear and decide all cases in equity, cases in error or on appeal, issues of law, motions in arrest of judgment, motion for a new trial, and all other motions, and to award executions and other final process, and to do and transact all other business, and direct all other proceedings, in all causes pending in the circuit court, except trying any cause by a jury, in the same way and with the same effect as the same might be done at any regular session of said court.

SEC. 671. If neither of the judges of a circuit court is present to open any session, the marshal may adjourn the court from day to day until a judge is present: *Provided*, That if neither of them attends before the close of the fourth day after the time appointed for the commencement of the session, the marshal may adjourn the court to the next regular term.

SEC. 672. If neither of the judges of a circuit court be present to open and adjourn any regular or adjourned or special session, either of them may, by a written order, directed alternatively to the marshal, and, in his absence, to the clerk, adjourn the court from time to time, as the case may require, to any time before the next regular term.

CHAPTER NINE.

SUPREME COURT—ORGANIZATION.

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674. Precedence of the associate justices.
675. Vacancy in the office of Chief Justice.
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Number of jus-
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10 April, 1869, c.
22, s. 1, v. 16, p. 44.

Precedence of the
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24 Sept., 1789, c.
20, s. 1, v. 1, p. 73.

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tice.

24 Sept., 1789, c.
20, s. 1, v. 1, p. 73.

25 June, 1868, c.
81, s. 1, v. 15, p. 80.

SEC. 673. The Supreme Court of the United States shall consist of a Chief Justice of the United States and eight associate justices, any six of whom shall constitute a quorum.

SEC. 674. The associate justices shall have precedence according to the dates of their commissions, or, when the commissions of two or more of them bear the same date, according to their ages.

SEC. 675. In case of a vacancy in the office of Chief Justice, or of his inability to perform the duties and powers of his office, they shall devolve upon the associate justice who is first in precedence, until such disability is removed, or another Chief Justice is appointed and duly qualified. This provision shall apply to every associate justice who succeeds to the office of Chief Justice.

SEC. 676. The Chief Justice of the Supreme Court of the United States shall receive the sum of ten thousand five hundred dollars a year, and the justices thereof shall receive the sum of ten thousand dollars a year each, to be paid monthly.

Salaries of judges.

3 March, 1873, c. 226, s. 1, v. 17, p. 486.

SEC. 677. The Supreme Court shall have power to appoint a clerk and a marshal for said court, and a reporter of its decisions.

Clerk, marshal, and reporter.

24 Sept., 1789, c. 20, s. 7, v. 1, p. 76. 26 Aug., 1842, c. 202, s. 2, v. 5, p. 524. 29 Aug., 1842, c. 264, s. 1, v. 5, p. 545. 2 March, 1867, c. 156, s. 2, v. 14, p. 433.

SEC. 678. One or more deputies of the clerk of the Supreme Court may be appointed by the court on the application of the clerk, and may be removed at the pleasure of the court. In case of the death of the clerk, his deputy or deputies shall, unless removed, continue in office and perform the duties of the clerk in his name until a clerk is appointed and qualified; and for the defaults or misfeasances in office of any such deputy, whether in the lifetime of the clerk or after his death, the clerk, and his estate, and the sureties in his official bond shall be liable; and his executor or administrator shall have such remedy for any such defaults or misfeasances committed after his death as the clerk would be entitled to if the same had occurred in his lifetime.

Deputies of the clerk.

8 June, 1872, c. 336, v. 17, p. 330.

SEC. 679. The records and proceedings of the court of appeals, appointed previous to the adoption of the present Constitution, shall be kept in the office of the clerk of the Supreme Court, who shall give copies thereof to any person requiring and paying for them in the manner provided by law for giving copies of the records and proceedings of the Supreme Court; and such copies shall have like faith and credit with all other proceedings of said court.

Records of the old court of appeals.

8 May, 1792, c. 36, s. 12, v. 1, p. 279.

SEC. 680. The marshal is entitled to receive a salary at the rate of three thousand five hundred dollars a year. He shall attend the court at its sessions; shall serve and execute all process and orders issuing from it, or made by the Chief Justice or an associate justice in pursuance of law; and shall take charge of all property of the United States used by the court or its members. With the approval of the Chief Justice he may appoint assistants and messengers to attend the court, with the compensation allowed to officers of the House of Representatives of similar grade.

Marshal of the Supreme Court.

2 March, 1867, c. 156, s. 2, v. 14, p. 443. 27 Feb., 1801, c. 15, s. 7, v. 2, p. 106. 24 Sept., 1789, c. 20, s. 27, v. 1, p. 87.

SEC. 681. The reporter shall cause the decisions of the Supreme Court made during his office to be printed and published within eight months after they are made; and, within the same time, shall deliver three hundred copies of the volumes of said reports to the Secretary of the Interior. And he shall, in any year when he is so directed by the court, cause to be printed and published a second volume of said decisions, of which he shall deliver, in like manner and time, three hundred copies.

Duties of the reporter.

29 Aug., 1842, c. 264, s. 1, v. 5, p. 545. 21 May, 1866, c. 88, s. 1, v. 14, p. 51. 23 July, 1866, c. 208, s. 1, v. 14, p. 191, (205.) 2 March, 1867, c. 168, s. 10, v. 14, p. 471.

SEC. 682. The reporter shall be entitled to receive from the Treasury an annual salary of twenty-five hundred dollars, when his report of said decisions constitutes one volume, and an additional sum of fifteen hundred dollars when, by direction of the court, he causes to be printed and published, in any year, a second volume. But said salary and compensation, respectively, shall be paid only when he causes such decisions to be printed, published, and delivered within the time and in the manner prescribed by law, and upon the condition that the volumes of said reports shall be sold by him to the public for a price not exceeding five dollars a volume.

Reporter's salary and price of reports.

29 Aug., 1842, c. 264, s. 1, v. 5, p. 545. 21 May, 1866, c. 88, s. 1, v. 14, p. 51. 23 July, 1866, c. 208, s. 1, v. 14, p. 191, (205.) 2 March, 1867, c. 168, s. 10, v. 14, p. 471.

SEC. 683. The three hundred copies of said reports delivered to the Secretary of the Interior shall be distributed as follows: To the President, the justices of the Supreme Court, the circuit judges, the judges of the district courts, the judges of the Court of Claims, the judges of the supreme court of the District of Columbia, the judges of the several territorial courts, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Secretary of the

Distribution of the Supreme Court reports.

29 Aug., 1842, c. 264, s. 1, v. 5, p. 545. 2 March, 1861, c. 87, s. 6, v. 12, p. 245.

15 July, 1870, c. 292, s. 1, v. 16, p. 291, (307.)
 23 July, 1866, c. 208, s. 1, v. 15, p. 191, (205.)

Interior, the Postmaster-General, the Attorney-General, the Solicitor-General, the Secretary of the Senate, for the use of the Senate, the Clerk of the House of Representatives, for the use of the House of Representatives, the governors of the Territories, the Commissioner of Agriculture, the Commissioner of Internal Revenue, the Commissioner of Indian Affairs, the Commissioner of Pensions, the Commissioner of the General Land-Office, the Commissioner of Patents, the Commissioner of Customs, the Commissioner of Education, the Paymaster-General, the First and Second Comptrollers of the Treasury, the First, Second, Third, Fourth, Fifth, and Sixth Auditors of the Treasury, the Solicitor of the Treasury, the Register of the Treasury, the Treasurer of the United States, and the heads of such other executive offices as may hereafter be provided by law, of equal grade with any of the said officers, each one copy; to the Secretary of the Senate, for the use of the standing committees of the Senate, ten copies; and to the Clerk of the House of Representatives, for the use of the standing committees of the House, twelve copies; and the residue of said copies shall be deposited in the Library of Congress, to become a part of said Library. The copies received by any officer under this section shall, in case of his death, resignation, or dismissal from office, be delivered up to his successor in office.

CHAPTER TEN.

SUPREME COURT—SESSIONS.

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| <p>Sec. 684. Terms. 685. Adjournments for want of a quorum.</p> | <p>Sec. 686. Preparatory orders made by less than a quorum.</p> |
| <p>Terms. 23 July, 1866, c. 210, s. 1, v. 14, p. 209. 24 Jan., 1873, c. 64, v. 17, p. 419.</p> <p>Adjournments for want of a quorum. 29 April, 1802, c. 31, s. 1, v. 2, p. 156. 21 Jan., 1829, c. 12, ss. 1, 2, v. 4, p. 332.</p> <p>Preparatory orders made by less than a quorum. 29 April, 1802, c. 31, s. 1, v. 2, p. 156. 21 Jan., 1829, c. 12, s. 1, v. 4, p. 323.</p> | <p>SEC. 684. The Supreme Court shall hold, at the seat of Government, one term annually, commencing on the second Monday in October, and such adjourned or special terms as it may find necessary for the dispatch of business; and suits, proceedings, recognizances, and processes pending in or returnable to said court shall be tried, heard, and proceeded with as if the time of holding said sessions had not been hereby altered.</p> <p>SEC. 685. If, at any session of the Supreme Court, a quorum does not attend on the day appointed for holding it, the justices who do attend may adjourn the court from day to day for twenty days after said appointed time, unless there be sooner a quorum. If a quorum does not attend within said twenty days, the business of the court shall be continued over till the next appointed session; and if, during a term, after a quorum has assembled, less than that number attend on any day, the justices attending may adjourn the court from day to day until there is a quorum, or may adjourn without day.</p> <p>SEC. 686. The justices attending at any term when less than a quorum is present, may, within the twenty days mentioned in the preceding section, make all necessary orders touching any suit, proceeding, or process, depending in or returned to the court, preparatory to the hearing, trial, or decision thereof.</p> <p>23 July, 1866, c. 210, s. 1, v. 14, p. 209.</p> |