Deputy clerks.

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

SEC. 558. One or more deputies of any clerk of a district court may be appointed by the court, on the application of the clerk, and may be removed at the pleasure of judges authorized to make the appointment. 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 default or misfeasances in office of any such deputy, whether in the life-time 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 default or misfeasances committed after his death as the clerk would be entitled to if the same had occurred in his life-time.

Deputy clerks of the district court in Indiana.

3 Mar., 1871, c. 108, s. 1, v. 16, p. 473. 30 June, 1870, c. 180, ss. 1, 7, v. 16, p. 175. 8 June, 1872, c. 336, v. 17, p. 330.

SEC. 559. In the district of Indiana the clerk of the district court must appoint a deputy clerk for said court held at New Albany, and a deputy clerk for said court held at Evansville; who shall reside and keep their offices at said places respectively. Each deputy shall keep in his office full records of all actions and proceedings in the district court held at the same place, and shall have the same power to issue all process from the said court that is or may be given the clerks or other district courts in like cases.

Iowa; deputy clerks.

3 Mar., 1849, c. 124, s. 4, v. 9, p. 412. 3 Mar., 1859, c. 85, ss. 5, 8, v. 11, pp. 437, 438. 30 June 1870, c. 178, ss. 1, 3, v. 16, p. 174. 30 June, 1870, c. 180, s. 7, v. 16, p. 175. 8 June, 1872, c. 336, v. 17, p. 330.

SEC. 560. In the district of Iowa a deputy clerk of the district court shall be appointed at each place, in the four divisions of said district, where said court is required to be held; each of whom, in the absence of the clerk, may exercise all the official powers of clerk, at the place and within the division for which he is appointed.

Compensation of deputy clerks.

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

SEC. 561. The compensation of deputies of the clerks of the district courts shall be paid by the clerks, respectively, and allowed in the same manner that other expenses of the clerks' offices are paid and allowed.

Records, where kept.

24 Sept., 1789, c. 20, s. 3, v. 1, p. 73.

SEC. 562. The records of a district court shall be kept at the place where the court is held. When it is held at more than one place in any district, and the place of keeping the records is not specially provided by law, they shall be kept at either of the places of holding the court which may be designated by the district judge.

CHAPTER THREE.

DISTRICT COURTS—JURISDICTION.

Sec.
563. Jurisdiction.
564. Certain seizures cognizable in any district into which the property is taken.
565. May proceed in prize causes after appeal.
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567. Transfer of records to district courts when a Territory becomes a State.
568. District judge shall demand and compel delivery of records of territorial court.
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571. Certain district courts to have circuit court jurisdiction.

Jurisdiction.

Crimes and offenses.

24 Sept., 1789, c. 20, s. 9, v. 1, p. 76. 3 Mar., 1815, c. 101, s. 4, v. 3, p. 245. 3 *Mar.*, 1875, *c.* 137, *ss.* 1, 9, *v.* 18, *pp.* 470, 473.—*Ex parte* Bollman, 4 Cr., 75; U. S. *v.* Hudson, 7 Cr., 32; U. S. *v.* Coolidge, 1 Wh., 415, U. S. *v.* Bevans, 3 Wh., 336.

SEC. 563. The district courts shall have jurisdiction as follows:

First. Of all crimes and offenses cognizable under the authority of the United States, committed within their respective districts, or upon the high seas, the punishment of which is not capital, except in the cases mentioned in section fifty-four hundred and twelve, Title "CRIMES." [See §§ 4300-4305.] 23 Aug., 1842, c. 188, s. 3, v. 5, 517. 28 Feb., 1871, c. 100, s. 57, v. 16,

Second. Of all cases arising under any act for the punishment of piracy, when no circuit court is held in the district of such court. Of piracy, when.

3 Mar., 1823, c. 72, v. 3, p. 789. 15 May, 1820, c. 113, v. 3, p. 600. 30 Jan., 1823, c. 7, v. 3, p. 721. The Palmyra, 12 Wh., 1.

Third. Of all suits for penalties and forfeitures incurred under any law of the United States. Penalties and forfeitures.

24 Sept., 1789, c. 20, s. 9, v. 1, p. 76. Ketland *v.* The Cassius, 2 Dall., 365; Hall *v.* Warren, 2 McLean, 332.

Fourth. Of all suits at common law brought by the United States, or by any officer thereof, authorized by law to sue. Suits at common law by United States or officers.

24 Sept., 1789, c. 20, s. 9, v. 1, p. 76. 3 Mar., 1815, c. 101, s. 4, v. 3, p. 245. Parsons *v.* Bedford, 3 Pet., 433; Duncan *v.* U. S., 7 Pet., 435.

Fifth. Of all suits in equity to enforce the lien of the United States upon any real estate for any internal-revenue tax, or to subject to the payment of any such tax any real estate owned by the delinquent, or in which he has any right, title, or interest. [See § 3207.] Suits in equity to enforce internal-revenue taxes.

20 July, 1868, c. 186, s. 106, v. 15, p. 167.

Sixth. Of all suits for the recovery of any forfeiture or damages under section thirty-four hundred and ninety, Title "DEBTS DUE BY OR TO THE UNITED STATES;" and such suits may be tried and determined by any district court within whose jurisdictional limits the defendant may be found. [See §§ 3490-3494.] Suits for penalties and damages for frauds against United States.

2 Mar., 1863, c. 67, s. 4, v. 12, p. 698.

Seventh. Of all causes of action arising under the postal laws of the United States. Suits under postal laws.

3 Mar., 1845, c. 43, s. 20, v. 5, p. 739.

Eighth. Of all civil causes of admiralty and maritime jurisdiction; saving to suitors in all cases the right of a common-law remedy, where the common law is competent to give it; and of all seizures on land and on waters not within admiralty and maritime jurisdiction. And such jurisdiction shall be exclusive, except in the particular cases where jurisdiction of such causes and seizures is given to the circuit courts. [And shall have original and exclusive cognizance of all prizes brought into the United States, except as provided in paragraph six of section six hundred and twenty-nine.] Admiralty causes and seizures on land.

24 Sept., 1789, c. 20, s. 9, v. 1, p. 76. 22 Mar., 1794, c. 11, s. 1, v. 1, p. 347. 10 May, 1800, c. 51, ss. 1, 5, v. 2, pp. 70, 71. 2 Mar., 1807, c. 22, ss. 2, 7, v. 2, pp. 426, 428. 6 Aug., 1861, c. 60, s. 2, v. 12, p. 319. 13 July, 1866, c. 184, ss. 9, 19, v. 14, pp. 111, 145, 152. 2 Mar., 1867, c. 169, ss. 10, 25, v. 14, pp. 475, 483. 20 July, 1868, c. 186, s. 106, v. 15, p. 167. 30 June, 1864, c. 173, ss. 41, 179, v. 13, pp. 239, 240, 305. 3 Mar., 1865, c. 78, s. 1, v. 13, p. 483. 18 *Feb.*, 1875, *c.* 80, *v.* 18, *p.* 317.—Glass *v.* Sloop Betsey, 3 Dall., 6; Bingham *v.* Cabbo, 3 Dall., 19; U. S. *v.* Schooner Sallie, 2 Cr., 406; Rose *v.* Himely, 4 Cr., 241; U. S. *v.* Betsey and Charlotte, 4 Cr., 443; Keene *v.* U. S., 5 Cr., 304; The Samuel, 1 Wh., 9; L'Invincible, 1 Wh., 238; U. S. *v.* Coolidge, 1 Wh., 415; Slocum *v.* Mayberry, 2 Wh., 1; The Estrella, 4 Wh., 298; L'Amistad de Ruez, 5 Wh., 385; The Sarah, 8 Wh., 391; The Margaret, 9 Wh., 119; The Merino, 9 Wh., 391; Ramsay *v.* Allegre, 12 Wh., 611; Hobart *v.* Drogan, 10 Pet., 108; The Orleans *v.* Phœbus, 11 Pet., 175; Smith *v.* Condry, 1 How., 28; Waring *v.* Clarke, 5 How., 441; New Jersey Steam Navigation Company *v.* Merchants' Bank, 6 How., 344; The Genesee Chief, 12 How., 443; Fretz *v.* Bull, 12 How., 466; Walsh *v.* Rogers, 13 How., 283; Steamboat New World *v.* King, 16 How., 469; Bogard *v.* Steamboat John Jay, 17 How., 399; Ward *v.* Peck, 18 How., 267; Ure *v.* Coffman, 19 How., 56; Jackson *v.* Steamboat Magnolia, 20 How., 296; People's Ferry Company *v.* Beers, 20 How., 393; Taylor *v.* Carryl, 20 How., 598; Allen *v.* Newberry, 21 How., 244; Nelson *v.* Leland, 22 How., 48; Roach *v.* Chapman, 22 How., 129; Ward *v.* Thompson, 22 How., 330; Railroad *v.* Steam Tow-boat Company, 23 How., 209; Moorewood *v.* Enequist, 23 How., 491; The Steamer St. Lawrence, 1 Bl., 522; The Propeller Commerce, 1 Bl., 574; The Plymouth, 3 Wall., 20; The Moses Taylor, 4 Wall., 411; Hine *v.* Trevor, 4 Wall., 555; The Eddy, 5 Wall., 481; The Siren, 7 Wall., 152; The Belfast, 7 Wall., 624; The Eagle, 8 Wall., 15; The Maggie Hammond, 9 Wall., 435; Norwich Company *v.* Wright, 13 Wall., 104; Steamboat Company *v.* Chase, 16 Wall., 522; Atkins *v.* The Disintegrating Company, 18 Wall., 272; Corfield *v.* Coryell, 4 Wash. C. C., 371; Clark *v.* U. S., 2 Wash. C. C., 519; The Abby, 1 Mas., 360; The Washington, 4 Blatch., 101; Jennings *v.* Carson's exs., 1 Pet. Ad., 1; The Jerusalem, 2 Gallis., 345; De Lovio *v.* Boit, 2 Gallis., 398; Gastrell *v.* Raymond, 2 Wood, 213.

Ninth. Of all proceedings for the condemnation of property taken as prize, in pursuance of section fifty-three hundred and [*seventy-six,*] [eight,] Title "INSURRECTION." Condemnation of property taken as prize.

6 Aug., 1861, c. 60, s. 2, v. 12, p. 319. 18 *Feb.*, 1875, *c.* 80, *v.* 18, *p.* 317.

Suits on debentures.

2 Mar., 1799, c. 22, s. 80, v. 1, p. 687.

Tenth. Of all suits by the assignee of any debenture for drawback of duties, issued under any law for the collection of duties, against the person to whom such debenture was originally granted, or against any indorser thereof, to recover the amount of such debenture. [See § 3039.]

Suits on account of injuries by conspirators in certain cases.

20 April, 1871, c. 22, s. 2, v. 17, p. 13.

Eleventh. Of all suits authorized by law to be brought by any person for the recovery of damages on account of any injury to his person or property, or of the deprivation of any right or privilege of a citizen of the United States by any act done in furtherance of any conspiracy mentioned in section nineteen hundred and eighty-five, Title, "CIVIL RIGHTS." [See § 1980.]

Suits to redress deprivation of rights secured by the Constitution and laws to persons within jurisdiction of United States.

Twelfth. Of all suits at law or in equity authorized by law to be brought by any person to redress the deprivation, under color of any law, ordinance, regulation, custom, or usage of any State, of any right, privilege, or immunity secured by the Constitution of the United States, or of any right secured by any law of the United States to persons within the jurisdiction thereof. [See §§ 1977, 1979.]

20 April, 1871, c. 22, s. 1, v. 17, p 13. 31 May, 1870, c. 114, ss. 16, 18, v. 16, p. 144. 9 April, 1866, c. 31, s. 3, v. 14, p. 27.

Suits to recover offices.

31 May, 1870, c. 114, s. 23, v. 16, p. 146.

1 *Mar.*, 1875, *c.* 114, *s.* 3, *v.* 18, *p.* 336.

Thirteenth. Of all suits to recover possession of any office, except that of elector of President or Vice-President, Representative or Delegate in Congress, or member of a State legislature, authorized by law to be brought, wherein it appears that the sole question touching the title to such office arises out of the denial of the right to vote to any citizen offering to vote, on account of race, color, or previous condition of servitude: *Provided*, That such jurisdiction shall extend only so far as to determine the rights of the parties to such office by reason of the denial of the right guaranteed by the Constitution of the United States, and secured by any law, to enforce the right of citizens of the United States to vote in all the States. [See § 2010.]

Suits for removal of officers holding contrary to fourteenth amendment

31 May, 1870, c. 114, s. 14, v. 16, p. 143.

Fourteenth. Of all proceeding by the writ of quo warranto, prosecuted by any district attorney, for the removal from office of any person holding office, except as a member of Congress, or of a State legislature, contrary to the provisions of the third section of the fourteenth article of amendment of the Constitution of the United States. [See § 1786.]

Suits against national banks.

3 June, 1864, c. 106, s. 57, v. 13, p. 116.

Fifteenth. Of all suits by or against any association established under any law providing for national banking associations within the district for which the court is held.

Kennedy *v.* Gibson, 8 Wall., 506; Cadle *v.* Tracy, 11 Blatch., 101.

Suits by aliens for torts in violation of the law of nations.

24 Sept., 1789, c. 20, s. 9, v. 1, p. 76. 22 *June*, 1874, *c.* 391, *s.* 17, *v.* 18, *p.* 189. 19 *Feb.*, 1875, *c.* 90, *s.* 7, *v.* 18, *p.* 331.

Sixteenth. Of all suits brought by any alien for a tort 'only' in violation of the law of nations, or of a treaty of the United States.

Suits against consuls and vice-consuls.

24 Sept., 1789, c. 20, s. 9, v. 1, p. 76. 23 Aug., 1842, c. 188, v. 4, p. 517. Laury *v.* Lausada, 1 Am. L. Rev., 92.

Seventeenth. Of all suits against consuls or vice-consuls, except for offenses above the description aforesaid.

In bankruptcy.

2 Mar., 1867, c. 176, s. 1, v. 14, p. 517.

Eighteenth. The district courts are constituted courts of bankruptcy, and shall have in their respective districts original jurisdiction in all matters and proceedings in bankruptcy.

Ray *v.* Norseworthy, 23 Wall., 128; Lathrop Ass. *v.* Drake et al., 91 U. S., 516; Sherman et al. *v.* Bingham et al., 1 Lowell, 575; *In re* The Mutual Ins. Co., 2 Low., 97.

Certain seizures cognizable in any district into which the property is taken.

13 July, 1861, c. 3, ss. 4, 5, 9, v. 12, pp. 256, 257, 258.

SEC. 564. Proceedings on seizures for forfeiture of any vessel or cargo entering any port of entry which has been closed by the President in pursuance of law, or of goods and chattels coming from a State or section declared by proclamation of the President to be in insurrection into other parts of the United States, or of any vessel or vehicle conveying such property, or conveying persons to or from such State or section, or of any vessel belonging, in whole or in part, to any inhabitant of such State or section, may be prosecuted in any district court into which the property so seized may be taken, and proceedings instituted; and the district court thereof shall have as full jurisdiction over such proceedings as if the seizure was made in that district. [See §§ 5301, 5317.]