

CHAPTER THIRTEEN.

Chapter 13.

GENERAL PROVISIONS.

General provisions.

Sec.	Sec.
289. Circuit courts abolished; records of to be transferred to district courts.	293. Sections 1 to 5, Revised Statutes, to govern construction of this act.
290. Suits pending in circuit courts to be disposed of in district courts.	294. Laws revised in this act to be construed as continuations of existing laws.
291. Powers and duties of circuit courts imposed upon district courts.	295. Inference of legislative construction not to be drawn by reason of arrangement of sections.
292. References to laws revised in this act deemed to refer to sections of act.	296. Act may be designated as "The Judicial Code."

Sec. 289. The circuit courts of the United States, upon the taking effect of this Act, shall be, and hereby are, abolished; and thereupon, on said date, the clerks of said courts shall deliver to the clerks of the district courts of the United States for their respective districts all the journals, dockets, books, files, records, and other books and papers of or belonging to or in any manner connected with said circuit courts; and shall also on said date deliver to the clerks of said district courts all moneys, from whatever source received, then remaining in their hands or under their control as clerks of said circuit courts, or received by them by virtue of their said offices. The journals, dockets, books, files, records, and other books and papers so delivered to the clerks of the several district courts shall be and remain a part of the official records of said district courts, and copies thereof, when certified under the hand and seal of the clerk of the district court, shall be received as evidence equally with the originals thereof; and the clerks of the several district courts shall have the same authority to exercise all the powers and to perform all the duties with respect thereto as the clerks of the several circuit courts had prior to the taking effect of this Act.

Circuit courts abolished. R. S., secs. 605-672, pp. 107-124. Transfer of all records, etc., to clerks of district courts.

Delivery of moneys.

To become part of files, etc., of district courts.

Powers transferred to district court clerks.

Sec. 290. All suits and proceedings pending in said circuit courts on the date of the taking effect of this Act, whether originally brought therein or certified thereto from the district courts, shall thereupon and thereafter be proceeded with and disposed of in the district courts in the same manner and with the same effect as if originally begun therein, the record thereof being entered in the records of the circuit courts so transferred as above provided.

Pending suits to be continued in district courts.

Sec. 291. Wherever, in any law not embraced within this Act, any reference is made to, or any power or duty is conferred or imposed upon, the circuit courts, such reference shall, upon the taking effect of this Act, be deemed and held to refer to, and to confer such power and impose such duty upon, the district courts.

Circuit courts' powers, etc., conferred upon district courts.

Sec. 292. Wherever, in any law not contained within this Act, a reference is made to any law revised or embraced herein, such reference, upon the taking effect hereof, shall be construed to refer to the section of this Act into which has been carried or revised the provision of law to which reference is so made.

References to laws revised in this act.

Sec. 293. The provisions of sections one to five, both inclusive, of the Revised Statutes, shall apply to and govern the construction of the provisions of this Act. The words "this title," wherever they occur herein, shall be construed to mean this Act.

Construction of words, etc. R. S., secs. 1-5, p. 1, 2.

Sec. 294. The provisions of this Act, so far as they are substantially the same as existing statutes, shall be construed as continuations thereof, and not as new enactments, and there shall be no implication of a change of intent by reason of a change of words in such statute, unless such change of intent shall be clearly manifest.

Existing laws continued by this act.

Sec. 295. The arrangement and classification of the several sections of this Act have been made for the purpose of a more convenient and orderly arrangement of the same, and therefore no infer-

Legislative construction not presumed from arrangement of sections.

ence or presumption of a legislative construction is to be drawn by reason of the chapter under which any particular section is placed.

SEC. 296. This Act may be designated and cited as "The Judicial Code."

Title of Act.

Chapter 14.

Repealing provisions.

CHAPTER FOURTEEN.

REPEALING PROVISIONS.

Sec.	Sec.
297. Sections, acts, and parts of acts repealed.	300. Offenses committed, and penalties, forfeitures, and liabilities incurred, how to be prosecuted and enforced.
298. Repeal not to affect tenure of office, or salary, or compensation of incumbents, etc.	301. Date this act shall be effective.
299. Accrued rights, etc., not affected.	

SEC. 297. The following sections of the Revised Statutes and Acts and parts of Acts are hereby repealed:

Sections five hundred and thirty to five hundred and sixty, both inclusive; sections five hundred and sixty-two to five hundred and sixty-four, both inclusive; sections five hundred and sixty-seven to six hundred and twenty-seven, both inclusive; sections six hundred and twenty-nine to six hundred and forty-seven, both inclusive; sections six hundred and fifty to six hundred and ninety-seven, both inclusive; section six hundred and ninety-nine; sections seven hundred and two to seven hundred and fourteen, both inclusive; sections seven hundred and sixteen to seven hundred and twenty, both inclusive; section seven hundred and twenty-three; sections seven hundred and twenty-five to seven hundred and forty-nine, both inclusive; sections eight hundred to eight hundred and twenty-two, both inclusive; sections ten hundred and forty-nine to ten hundred and eighty-eight, both inclusive; sections ten hundred and ninety-one to ten hundred and ninety-three, both inclusive, of the Revised Statutes.

"An Act to determine the jurisdiction of circuit courts of the United States and to regulate the removal of causes from State courts, and for other purposes," approved March third, eighteen hundred and seventy-five.

Section five of an Act entitled "An Act to amend section fifty-three hundred and fifty-two of the Revised Statutes of the United States, in reference to bigamy, and for other purposes," approved March twenty-second, eighteen hundred and eighty-two; but sections six, seven, and eight of said Act, and sections one, two, and twenty-six of an Act entitled "An Act to amend an Act entitled 'An Act to amend section fifty-three hundred and fifty-two of the Revised Statutes of the United States, in reference to bigamy, and for other purposes,' approved March twenty-second, eighteen hundred and eighty-two," approved March third, eighteen hundred and eighty-seven, are hereby continued in force.

"An Act to afford assistance and relief to Congress and the executive departments in the investigation of claims and demands against the Government," approved March third, eighteen hundred and eighty-three.

"An Act regulating appeals from the supreme court of the District of Columbia and the supreme courts of the several Territories," approved March third, eighteen hundred and eighty-five.

"An Act to provide for the bringing of suits against the Government of the United States," approved March third, eighteen hundred and eighty-seven, except sections four, five, six, seven, and ten thereof.

Sections one, two, three, four, six, and seven of an Act entitled "An Act to correct the enrollment of an Act approved March third, eighteen hundred and eighty-seven, entitled 'An Act to amend sections one, two, three, and ten of an Act to determine the jurisdiction of

Laws repealed.
Revised Statutes.

Secs. 530-560, pp. 84-

94.

Secs. 562-564, pp. 94-

96.

Secs. 567-577, pp. 97-

102.

Secs. 529-547, pp. 110-

117.

Secs. 650-697, pp. 118-

130.

Sec. 699, p. 130.

Secs. 702-714, pp. 131-

135.

Secs. 716-720, pp. 135,

137.

Secs. 723, p. 137.

Secs. 725-749, pp. 137-

141.

Secs. 800-822, pp. 150-

153.

Secs. 1049-1088, pp.

194-200.

Secs. 1091-1093, p.

200.

Removals from State

courts.

Vol. 18, p. 470.

Juries in polygamy

trials.

Vol. 22, p. 31.

Exceptions.

Vol. 24, pp. 535, 541.

Howman Act.

Vol. 22, p. 486.

Appeals from Dis-

trict of Columbia and

Territorial courts.

Vol. 22, p. 443.

Tucker Act.

Vol. 24, p. 505.

Exceptions.

Removals from State

courts, etc.

Vol. 25, p. 435.

Vol. 24, p. 552

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the circuit courts of the United States, and to regulate the removal of causes from State courts, and for other purposes,' approved March third, eighteen hundred and seventy-five," approved August thirteenth, eighteen hundred and eighty-eight.

"An Act to withdraw from the Supreme Court jurisdiction of criminal cases not capital and confer the same on the circuit courts of appeals," approved January twentieth, eighteen hundred and ninety-seven.

Criminal cases withdrawn from Supreme Court.
Vol. 29, p. 492.

"An Act to amend sections one and two of the Act of March third, eighteen hundred and eighty-seven, Twenty-fourth Statutes at Large, chapter three hundred and fifty-nine," approved June twenty-seventh, eighteen hundred and ninety-eight.

Suits for official services.
Vol. 30, p. 454.

"An Act to amend the seventh section of the Act entitled 'An Act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes,' approved March third, eighteen hundred and ninety-one, and the several Acts amendatory thereto," approved April fourteenth, nineteen hundred and six.

Appeals in interlocutory orders.
Vol. 34, p. 116.
Vol. 26, p. 828.

All Acts and parts of Acts authorizing the appointment of United States circuit or district judges, or creating or changing judicial circuits, or judicial districts or divisions thereof, or fixing or changing the times or places of holding court therein, enacted prior to February first, nineteen hundred and eleven.

Acts prior to February 1, 1911, relating to judges, districts, terms, etc.

Sections one, two, three, four, five, the first paragraph of section six, and section seventeen of an Act entitled 'An Act to create a commerce court, and to amend an Act entitled 'An Act to regulate commerce,' approved February fourth, eighteen hundred and eighty-seven, as heretofore amended, and for other purposes," approved June eighteenth, nineteen hundred and ten.

Commerce Court.
Acte, pp. 539-544, 577.
Vol. 34, p. 584.

Also all other Acts and parts of Acts, in so far as they are embraced within and superseded by this Act, are hereby repealed; the remaining portions thereof to be and remain in force with the same effect and to the same extent as if this Act had not been passed.

Acts superseded hereby.
Portions not affected continued.

SEC. 298. The repeal of existing laws providing for the appointment of judges and other officers mentioned in this Act, or affecting the organization of the courts, shall not be construed to affect the tenure of office of the incumbents (except the office be abolished), but they shall continue to hold their respective offices during the terms for which appointed, unless removed as provided by law; nor (except the office be abolished) shall such repeal affect the salary or fees or compensation of any officer or person holding office or position by virtue of any law.

Effect on tenure of office of present incumbents.

SEC. 299. The repeal of existing laws, or the amendments thereof, embraced in this Act, shall not affect any act done, or any right accruing or accrued, or any suit or proceeding, including those pending on writ of error, appeal, certificate, or writ of certiorari, in any appellate court referred to or included within, the provisions of this Act, pending at the time of the taking effect of this Act, but all such suits and proceedings, and suits and proceedings for causes arising or acts done prior to such date, may be commenced and prosecuted within the same time, and with the same effect, as if said repeal or amendments had not been made.

Pending suits, etc., not affected.

SEC. 300. All offenses committed, and all penalties, forfeitures, or liabilities incurred prior to the taking effect hereof, under any law embraced in, amended, or repealed by this Act, may be prosecuted and punished, or sued for and recovered, in the district courts, in the same manner and with the same effect as if this Act had not been passed.

Prosecution of prior offenses, etc.

SEC. 301. This Act shall take effect and be in force on and after January first, nineteen hundred and twelve.

In effect January 1, 1912.

Approved, March 3, 1911.