

BE IT ENACTED by the Senate and House of Representatives of the United States of America in Congress assembled,
THAT all of that part of the State of Texas included in the first congressional district of said State, including the counties of Dallas, Benton, and Cooke, except the counties of Liberty and Jefferson, shall be erected into a new judicial district, to be called the eastern district of Texas, for which one judge shall be appointed, who shall reside therein, and who shall receive a salary of two thousand dollars per annum, and that said court shall have and exercise the same powers and jurisdiction as have been conferred by law upon the district courts of the United States, and also shall have and exercise the powers and jurisdiction of a circuit court of the United States, and appeals and writs of error shall lie from the decisions of said court to the Supreme Court of the United States, in the same cases, and under the same regulations as from the circuit to the Supreme Court of the United States.

Sec. 2. And be it further enacted, That there shall be appointed, in and for said district, a person learned in the law to act as an attorney of the United States in said district, and also a person to act as marshal of the United States in said district, each of whom shall receive an annual salary of

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two hundred dollars, and also such compensation and fees for official services as have been or may be provided by law for United States district attorneys and marshals, and the judge of said court shall appoint a clerk therefor, who shall receive like compensation and fees as have been or may be allowed by law to clerks of the district and circuit courts of the United States.

Sec. 3. And be it further enacted, That the judge of said district shall hold two regular terms of court in each year at Paris and Nacogdoches; he shall also hold extra sessions of said court, from time to time, at such places in said district as occasion may require, for the despatch of the business of said court.

Sec. 4. And be it further enacted, That the district court heretofore established in the State of Texas shall be called the court of the western district, and that the judge thereof shall hold two terms of said court: annually, at the city of Houston, at the city of Austin, and at Corpus Christi; said western district to include all the territory of the State of Texas not herein declared to be included in the eastern district.

Sec. 5. And be it further enacted, That all suits brought in said court shall be returnable, in the discretion of the judges

thereof, to that place where a court may
be held most convenient to the residence of
the defendant: Provided, That nothing herein
contained shall operate to bar or abate any suit
on account of its being made returnable at an
improper place; but the judges shall have
the discretion to remove the proceedings and
cause the trial to be had at the place
contemplated by the provisions of this act.

Passed the Senate

January 31. 1849

Attest

Abner Dickinson
Secretary

S 93

An act

to establish an additional district court of the United States in the State of Texas.

R. Judiciary

(no papers)