

and place as he shall designate, but at least twice in each year, a council composed of the circuit judges for such circuit, who are hereby designated a council for that purpose, at which council the senior circuit judge shall preside. The senior judge shall submit to the council the quarterly reports of the Director required to be filed by the provisions of section 446, clause (2), and such action shall be taken thereon by the council as may be necessary. It shall be the duty of the district judges promptly to carry out the directions of the council as to the administration of the business of their respective courts. Nothing contained in this section shall affect the provisions of existing law relating to the assignment of district judges to serve outside of the districts for which they, respectively, were appointed. (March 3, 1911, c. 231, § 306, added Aug. 7, 1939, c. 501, § 1, 53 Stat. 1223.)

Section 7 of Act Aug. 7, 1939, cited to text, provides that such Act should take effect ninety days after its approval.

§ 449. (Judicial Code, section 307.) Circuit conference for improving administration of justice; expenses of judges. A conference shall be held annually in each judicial circuit, at such time and place, as shall be designated by the senior circuit judge thereof, which conference shall be composed of circuit and district judges in such circuit who reside within the continental United States, with participation in such conference on the part of members of the bar under rules to be prescribed by the circuit courts of appeals, for the purpose of considering the state of the business of the courts and advising ways and means of improving the administration of justice within the circuit. The senior circuit judge and each judge summoned and attending such conferences shall be allowed his actual expenses of travel and his necessary expenses for subsistence, not to exceed \$10 per day, which payments shall be made by the United States marshal for the district in which the conference is held, upon the written certificate of the judge incurring such expenses. (March 3, 1911, c. 231, § 307, added Aug. 7, 1939, c. 501, § 1, 53 Stat. 1223.)

Section 7 of Act Aug. 7, 1939, cited to text, provides that such Act should take effect ninety days after its approval.

§ 450. (Judicial Code, section 308.) Courts affected; definitions. The provisions of this chapter shall apply to the several United States circuit courts of appeals, the United States Court of Appeals for the District of Columbia, the several district courts of the United States in the continental United States, the Court of Claims, the United States Court of Customs and Patent Appeals, the United States Customs Court, the District Court for the District of Alaska, the District Court for the District of Hawaii, the District Court of the United States for Puerto Rico, the United States District Court for the District of the Canal Zone, the District Court of the Virgin Islands, and the United States Court for China. The term "courts" as used in this chapter means the courts specified in this section. The term "continental United States" as used in this chapter means the States of the Union and the District of Columbia. For the purposes of this chapter, the District of Columbia shall be deemed to be a judicial circuit. The chief justice of the United States Court of Appeals for the District of Columbia shall have the duties, powers, and authority of the senior circuit judge for such circuit, and the associate justices of the United States Court of Appeals for the District of Columbia shall have the duties, powers, and authority of circuit judges for such circuit. (March 3, 1911, c. 231, § 308, added Aug. 7, 1939, c. 501, § 1, 53 Stat. 1223.)

Section 7 of Act Aug. 7, 1939, cited to text, provides that such Act should take effect ninety days after its approval.

Chapter 14.—HABEAS CORPUS

Federal Rules of Civil Procedure

Application of Rules of Civil Procedure, see Rule 81, following section 723c of this title.

Continuation of chapter under Rule 81, see note by Advisory Committee under said Rule 81.

§ 452. Power of judges; place of entering order of circuit judge.

Circuit judge's power to grant habeas corpus as same as district judge's power in his district, see section 463 (a) of this title.

§ 463. Review—(a) By circuit courts of appeals; jurisdiction of circuit judge to issue writ. In a proceeding in habeas corpus in a district court, or before a district judge or a circuit judge, the final order shall be subject to review, on appeal, by the circuit court of appeals of the circuit wherein the proceeding is had: *Provided, however,* That there shall be no right of appeal from such order in any habeas corpus proceeding to test the validity of a warrant of removal issued pursuant to the provisions of section 591 of Title 18 or the detention pending removal proceedings. A circuit judge shall have the same power to grant writs of habeas corpus within his circuit that a district judge has within his district. The order of the circuit judge shall be entered in the records of the district court of the district wherein the restraint complained of is had. (As amended June 29, 1938, c. 806, 52 Stat. 1232.)

(b) Review by United States Court of Appeals for the District of Columbia. In such a proceeding in the District Court of the United States for the District of Columbia, or before a justice thereof, the final order shall be subject to review on appeal, by the United States Court of Appeals for the District of Columbia: *Provided, however,* That there shall be no right of appeal from such order in any habeas corpus proceeding to test the validity of a warrant of removal issued pursuant to the provisions of section 591 of Title 18 or the detention pending removal proceedings. (As amended June 25, 1936, c. 804, 49 Stat. 1921; June 29, 1938, c. 806, 52 Stat. 1232.)

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Power of judges to issue writs of habeas corpus and place of entry of writs, see section 452 of this title.

Chapter 15.—DISTRICT ATTORNEYS, MARSHALS, CLERKS, AND OTHER COURT OFFICERS, AND COMMISSIONERS

§ 489. Same; reports to Department of Justice.

Federal Rules of Civil Procedure

Execution, see Rules of Civil Procedure, Rule 69, following section 723c of this title.

§ 503. Marshals; duties. It shall be the duty of the marshal of each district to attend the district courts when sitting therein and to execute all lawful precepts issued under the authority of the United States; and he shall have power to command all necessary assistance in the execution of his duty. (As amended June 15, 1935, c. 259, § 1, 49 Stat. 377.)

Federal Rules of Civil Procedure

Process, see Rules of Civil Procedure, Rule 4, following section 723c of this title.

Effect of Rule 4 on this section, see note by Advisory Committee under said Rule 4.

§ 504a. Same; arrests without warrant; carrying firearms. In addition to all other powers, United States marshals and their deputies shall have the power to make arrests without warrant for any offense against the laws of the United States committed in their presence or for any felony cognizable under the laws of the United States in cases where such felony has in fact been or is being committed and they have reasonable grounds to believe that the person to be arrested has committed or is committing it. The marshals and their deputies shall also have the power to carry firearms. (June 15, 1935, c. 259, § 2, 49 Stat. 378.)

§ 511. District attorneys and marshals; vacancies; filled temporarily.

Act June 25, 1936, c. 804, 49 Stat. 1921, changed the name of the "Supreme Court of the District of Columbia" to "district court of the United States for the District of Columbia."