(June 25, 1948, ch. 646, 62 Stat. 925; Pub. L. 86–243, § 1, Sept. 9, 1959, 73 Stat. 474; Pub. L. 96–417, title V, § 501(17), Oct. 10, 1980, 94 Stat. 1742.)

HISTORICAL AND REVISION NOTES

Based on section 6 of title 19, U.S.C., 1940 ed., Customs Duties (May 4, 1923, ch. 251, § 2, 42 Stat. 1453; Jan. 13, 1925, ch. 76, 43 Stat. 748; May 28, 1926, ch. 411, § 1, 44 Stat. 669; June 17, 1930, ch. 497, title IV, §§ 518, 649, 46 Stat. 737, 762).

Section is based on the last two sentences of section 6 of title 19, U.S.C., 1940 ed., which provided for appointment by the Attorney General in conformity with the civil service laws. This and other administrative powers of the Department of Justice with respect to the courts were transferred to the Administrative Office of the United States Courts by section 446 of title 28, U.S.C., 1940 ed., which is section 604 of this title. The revised section vests the power of appointment in the chief judge to conform with section 253 of this title and rules 5 and 22 of the Rules of the Customs Court adopted May 29, 1936.

Changes were made in phraseology.

AMENDMENTS

1980—Pub. L. 96–417 redesignated the Customs Court as the Court of International Trade.

1959—Pub. L. 86–243 included chief deputy clerk and assistant clerk in section catchline, transferred the appointing authority from the chief judge to the Customs Court, provided for appointment of a chief deputy clerk, an assistant clerk and deputy clerks and for power of removal and deleted reference to the civil service laws with respect to appointments.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96–417 effective Nov. 1, 1980, and applicable with respect to civil actions pending on or commenced on or after such date, see section 701(a) of Pub. L. 96–417, set out as a note under section 251 of this title.

SAVINGS PROVISION

Section 4 of Pub. L. 86–243 provided that: ''Nothing contained in the amendments made by this Act [enacting section 873 and amending this section and sections 253, 550, and 872 of this title] shall be construed to deprive any person serving on the date of enactment of this Act [Sept. 9, 1959] as an officer or employee of the Customs Court of any rights, privileges, or civil service status, if any, to which such person is entitled under the laws of the United States or regulations thereunder.''

§ 872. Criers, bailiffs, and messengers

The Court of International Trade may appoint such criers as it may require for said court, which criers shall also perform the duties of bailiffs and messengers and such other duties as the court directs and shall be subject to removal by the court.

(Added Pub. L. 86–243, § 1, Sept. 9, 1959, 73 Stat. 474, § 873; amended Pub. L. 96–417, title V, § 501(19), Oct. 10, 1980, 94 Stat. 1742; renumbered § 872, Pub. L. 99–466, § 3(b)(2), Oct. 14, 1986, 100 Stat. 1191.)

PRIOR PROVISIONS

A prior section 872, acts June 25, 1948, ch. 646, 62 Stat. 925; May 24, 1949, ch. 139, § 78, 63 Stat. 101; Sept. 9, 1959, Pub. L. 86–243, § 1, 73 Stat. 474; Oct. 10, 1980, Pub. L. 96–417, title V, § 501(18), 94 Stat. 1742, related to a marshal and deputy marshals, prior to repeal by Pub. L. 99–466, §§ 3(b)(1), 4, Oct. 14, 1986, 100 Stat. 1191, effective 60 days after Oct. 14, 1986.

AMENDMENTS

1986—Pub. L. 99–466 renumbered section 873 of this title as this section.

1980—Pub. L. 96–417 redesignated the Customs Court as the Court of International Trade.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96–417 effective Nov. 1, 1980, and applicable with respect to civil actions pending on or commenced on or after such date, see section 701(a) of Pub. L. 96–417, set out as a note under section 251 of this title.

SAVINGS PROVISION

Enactment of section by Pub. L. 86–243 not to deprive Customs Court officers or employees of any rights, privileges, or civil service status, see section 4 of Pub. L. 86–243, set out as a note under section 871 of this title.

[§ 873. Renumbered § 872]

CHAPTER 57—GENERAL PROVISIONS APPLICABLE TO COURT OFFICERS AND EMPLOYEES

Sec.
951. Oath of office of clerks and deputies.
[952. Repealed.]
953. Administration of oaths and acknowledgments.
954. Vacancy in clerk position; absence of clerk.
955. Practice of law restricted.
956. Powers and duties of clerks and deputies.
957. Clerks ineligible for certain offices.
958. Persons ineligible as receivers.
959. Trustees and receivers suable; management; State laws.
960. Tax liability.
961. Office expenses of clerks.
[962. Repealed.]
963. Courts defined.

SENATE REVISION AMENDMENT

This chapter was renumbered ''57'', but without change in its section numbers, by Senate amendment. See 80th Congress Senate Report No. 1559.

AMENDMENTS

1996—Pub. L. 104–317, title II, § 204(b), Oct. 19, 1996, 110 Stat. 3850, substituted ''Vacancy in clerk position; absence of clerk'' for ''Death of clerk; duties of deputies'' in item 954.

1972—Pub. L. 92–310, title II, § 206(e)(2), (f)(2), June 6, 1972, 86 Stat. 203, struck out item 952 ''Bonds of clerks and deputies'', and struck out ''and remedies against'' before ''deputies'' in item 954.

1968—Pub. L. 90–623, § 4, Oct. 22, 1968, 82 Stat. 1315, struck out item 962 ''Traveling expenses''.

1949—Act May 24, 1949, ch. 139, § 78a, 63 Stat. 101, struck out ''by clerks'' after ''law'' in item 955.

§ 951. Oath of office of clerks and deputies

Each clerk of court and his deputies shall take the following oath or affirmation before entering upon their duties: ''I, _____ _____, having been appointed _____, do solemnly swear (or affirm) that I will truly and faithfully enter and record all orders, decrees, judgments and proceedings of such court, and will faithfully and impartially discharge all other duties of my office according to the best of my abilities and understanding. So help me God.''

(June 25, 1948, ch. 646, 62 Stat. 925.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., § 512 (R.S., § 794; Mar. 3, 1911, ch. 231, § 291, 36 Stat. 1167).