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CHAPTER 1—DIPLOMATIC AND CONSULAR SERVICE GENERALLY

Revision of Laws


Proclamations Respecting War and Neutrality

See notes preceding section 1 of Title 50, Appendix, War and National Defense.


Section 1, act May 24, 1924, ch. 182, § 8, formerly § 1, 43 Stat. 140; renumbered § 8 and amended Feb. 23, 1931, ch. 276, § 7, 46 Stat. 1207, related to establishment of Foreign Service.

Section 1a, act May 3, 1945, ch. 105, § 1, 59 Stat. 102, related to Congressional declaration of purpose.

Section 2, act May 24, 1924, ch. 182, § 9, formerly § 2, 43 Stat. 140; renumbered § 9 and amended Feb. 23, 1931, ch. 276, § 7, 46 Stat. 1207, related to definition of a Foreign Service officer and assignment to duty generally.


Section 3a, act May 24, 1924, ch. 182, § 3a, as added Feb. 23, 1931, ch. 276, § 7, 46 Stat. 1215; amended Apr. 24, 1939, ch. 84, §§ 4, 5, 53 Stat. 588, related to salary increases.


Section 6, act May 24, 1924, ch. 182, § 12, formerly § 5, 43 Stat. 141; renumbered § 12 and amended Feb. 23, 1931, ch. 276, § 7, 46 Stat. 1208, related to appointment to a class and not to a particular post.


Effective Date of Repeal

Repeal effective three months after Aug. 13, 1946, see section 1141 of act Aug. 13, 1946.


Section, act May 24, 1924, ch. 182, § 7, 43 Stat. 141, related to recombination of diplomatic and consular officers on July 1, 1924.


Effective Date of Repeal

Repeal effective three months after Aug. 13, 1946.


Section, act May 24, 1924, ch. 182, § 14, formerly § 8, 43 Stat. 142; renumbered § 14 and amended Feb. 23, 1931, ch. 276, § 7, 46 Stat. 1208, abolished grade of consular assistant and provided against reduction of salaries of certain consuls.


Section 11, R.S. §§ 1697, 1698, as amended acts Dec. 21, 1898, ch. 36, §§ 1, 2, 30 Stat. 770, 771; May 24, 1924, ch. 182,


Section 17a, act May 24, 1924, ch. 182, § 22, as added Feb. 23, 1931, ch. 276, § 7, 46 Stat. 1210, related to leave of absence and sick leave.


Section 19, act May 24, 1924, ch. 182, § 24, formerly § 17, 43 Stat. 143; renumbered § 24 and amended Feb. 23, 1931, ch. 276, § 7, 46 Stat. 1210, related to Foreign Service officers acting as commissionaires, charge d’affaires, etc.


Section 21a, act July 3, 1926, ch. 798, § 2, 44 Stat. 903, related to retirement and disability rights of Chief of Division of Western European Affairs.


Section 23a, acts Feb. 23, 1931, ch. 276, § 1, 46 Stat. 1207; May 3, 1945, ch. 105, § 2, 59 Stat. 102, related to administrative, fiscal, and clerical personnel of Foreign Service.

Section 23b, act Feb. 23, 1931, ch. 276, § 2, 46 Stat. 1207, related to appointment to grade of senior clerk.

Section 23c, acts Feb. 23, 1931, ch. 276, § 3, 46 Stat. 1207; Apr. 24, 1939, ch. 84, § 1, 53 Stat. 583; May 3, 1945, ch. 105, § 3, 59 Stat. 102, related to allowances at all posts to clerks to meet excessive costs of living.


Section 23e, act Feb. 23, 1931, ch. 276, § 5, 46 Stat. 1207, related to regulations governing clerks.


Section 23h, act May 24, 1924, ch. 182, § 32, as added Feb. 23, 1931, ch. 276, § 7, 46 Stat. 1214; amended July 3, 1946, ch. 539, § 5, 60 Stat. 427, related to Division of Foreign Service Personnel, efficiency ratings, etc.


Section 23j, act May 24, 1924, ch. 182, § 34, as added Feb. 23, 1931, ch. 276, § 7, 46 Stat. 1216, related to reduction of salary upon promotion to a higher grade.


Section, act May 3, 1945, ch. 105, § 12, 59 Stat. 105, related to restriction on transaction of business by officers and employees.


§ 41. Transferred

Codification

Section, act July 5, 1946, ch. 541, title I, 60 Stat. 448, which related to ambassadors or ministers unable to serve because of emergent conditions abroad, was transferred and set out as a note under section 901 of this title and subsequently omitted from the Code.


Codification

Section, R.S. § 1674, which related to various provisions applicable to particular classes of consular officers, was transferred to section 4191 of this title.

§ 54. Omitted

Codification

Section, act Apr. 5, 1906, ch. 1366, § 3, 34 Stat. 100, abolished grade of commercial agent.


Repeal effective three months after Aug. 13, 1946, see section 1141 of act Aug. 13, 1946.


Repeal effective three months after Aug. 13, 1946, see section 1141 of act Aug. 13, 1946.


Repeal effective three months after Aug. 13, 1946, see section 1141 of act Aug. 13, 1946.

§§ 72 to 79. Transferred

Codification

Section, R.S. § 1702, which related to solemnization of marriages, was transferred to section 4192 of this title and subsequently repealed.

Section, R.S. § 1707, which related to receipt of protests and declarations by consuls and vice-consuls, was transferred to section 4193 of this title.

Section, R.S. § 1708, which related to lists and returns of seamen and vessels, was transferred to section 4194 of this title.

Section, R.S. § 1709, which related to handling of estates of decedents by consular officers, was transferred to section 4195 of this title and subsequently repealed.

Section, R.S. § 1710, which related to notification of death of a decedent by a consular officer, was transferred to section 4196 of this title.

Section, R.S. § 1711, which related to following testamentary directions by a consular officer, was transferred to section 4197 of this title.

Section, act June 30, 1902, ch. 1331, § 1, 32 Stat. 546, which related to appointment of a consular officer as a trust officer for settlement or conservation of an estate, was transferred to section 4198 of this title.

Section, act June 30, 1902, ch. 1331, § 2, 32 Stat. 547, which related to failure of a consular officer to post bond prior to appointment as an administrator, was transferred to section 4199 of this title.

§§ 80 to 82. Repealed. Aug. 13, 1946, ch. 957, title XI, § 1131(9), (10), (22), 60 Stat. 1036


Section 82, R.S. §1713; acts June 18, 1888, ch. 393, 25 Stat. 186; Feb. 9, 1889, ch. 122, §§1, 4, 25 Stat. 659, related to reports on current prices of merchandise, etc.

**Section 83, R.S. §1715,** which related to certification of invoices, was transferred to section 4200 of this title.

Section 84, act Apr. 5, 1906, ch. 1366, §9, 34 Stat. 101, which related to fees for certification of invoices, was transferred to section 4203 of this title.

Section 85, R.S. §1716, which related to exaction of excessive fees for verification of invoices, was transferred to section 4202 of this title.

Section 86, act Feb. 24, 1903, ch. 753, 32 Stat. 854, which related to destruction of old invoices, was transferred to section 4203 of this title.

Section 87, R.S. §1717, which related to granting of a certificate for goods shipped from countries adjacent to the United States, was transferred to section 4204 of this title.

Section 88, R.S. §1718, which related to retention of papers of American vessels until payment of demands and wages, was transferred to section 4205 of this title.

Section 89, act June 26, 1884, ch. 121, §12, 23 Stat. 56, which related to fees for official services to American vessels or seamen, was transferred to section 4206 of this title.

Section 90, R.S. §1719, which related to profits from dealings with discharged seamen, was transferred to section 4207 of this title.

Section 91, R.S. §1722, which related to valuation of foreign coins in payment of fees, was transferred to section 4208 of this title.

Section 92, R.S. §1723, which related to exaction of excessive fees generally, was transferred to section 4209 of this title.

Section 93, R.S. §1724, which related to liability for uncollected fees, was transferred to section 4210 of this title.

Section 94, R.S. §1725, which related to returns as to fees by officers compensated by fees, was transferred to section 4211 of this title.

Section 95, R.S. §§1726, 1727, which related to receipt for fees, was transferred to section 4212 of this title.

Section 96, R.S. §1727, which related to registry of fees, was transferred to section 4213 of this title.

Section 97, R.S. §1728, which related to account of fees, was transferred to section 4214 of this title.

Section 98, act Apr. 5, 1906, ch. 1366, §7, 34 Stat. 101, which related to notarial acts, oaths, affirmations, affidavits, and depositions, was transferred to section 4215 of this title.


Section 100, act Apr. 5, 1906, ch. 1366, §10, 34 Stat. 102, which related to use of official fee stamps on documents involved in performance of any consular or notarial act, was transferred to section 1196 of this title and was subsequently repealed by act June 28, 1955, ch. 196, 69 Stat. 167.

Section 101, R.S. §1731, which related to posting rates of fees, was transferred to section 4216 of this title.

Section 102, R.S. §1734, which related to embezzlement of fees or of effects of American citizens, was transferred to section 4217 of this title.

Section 103, R.S. §§1735, 1736, which related to liability for neglect of duty or malfeasance, was transferred to section 1199 of this title.

Section 104, R.S. §1737, which related to false certificates as to ownership of property, was transferred to section 4218 of this title.


Section 105, R.S. §1699; act Apr. 5, 1906, ch. 1366, §6, 34 Stat. 101, related to restriction of transaction of private business by consular officer.

Section 106, R.S. §1700; act Apr. 5, 1906, ch. 1366, §§6, 34 Stat. 101, related to extension of restriction as to transaction of business.

Section 107, R.S. §1701; act Apr. 5, 1906, ch. 1366, §§3, 34 Stat. 100, related to penalty for violation of restriction and action on bond.


Section 109, R.S. §1706; act Apr. 5, 1906, ch. 1366, §§3, 34 Stat. 100, related to allowance for office rent of consular officers.


Section 122, act June 11, 1874, ch. 275, §4, 18 Stat. 70, related to fixing of travel time allowances.

**Section 123, R.S. §1741,** which related to regulation of foreign governments.

Section 124, R.S. §1742, related to salary during absence.


Section 124, R.S. §1741; acts June 17, 1874, ch. 294, 18 Stat. 77; Apr. 5, 1906, ch. 1366, §3, 34 Stat. 100, related to absence without leave.

Section 125, R.S. §1743, related to extra compensation.

Section 126, R.S. §1751; act June 17, 1874, ch. 294, 18 Stat. 77, related to private correspondence on affairs of foreign governments.

**Section 127, R.S. §1745,** which related to regulation of fees by President, was transferred to section 4219 of this title.

Section 128, R.S. §1746, which related to medium for payment of fees, was transferred to section 4220 of this title.


Section 129, R.S. §1748; act Apr. 5, 1906, ch. 1366, §§3, 34 Stat. 100, related to office paraphernalia.
§ 131. Transferred

CODIFICATION

Section, R.S. § 1750, which related to depositions and notarial acts, was transferred to section 4221 of this title.


CODIFICATION

Section, R.S. § 1752, related to general regulations by President.

§ 133. Repealed. May 7, 1926, ch. 250, § 7, 44 Stat. 405

CODIFICATION

Section, act Feb. 17, 1911, ch. 105, 36 Stat. 917, provided for purchase of buildings for Diplomatic and Consular Service.


CODIFICATION

Section, act Mar. 2, 1921, ch. 113, 41 Stat. 1215, related to acceptance of gifts of lands, buildings, etc., for use of the Service.

§§ 135, 136. Transferred

CODIFICATION

Section 135, act June 10, 1933, ch. 57, 48 Stat. 122, which related to protection of diplomatic codes, was transferred to section 815 of this title, and was subsequently repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862.

Section 136, act July 5, 1946, ch. 541, title I, 60 Stat. 452, which related to temporary assignment of American citizens in Foreign Service to Department of State during national emergencies, was transferred and set out as a note under section 909 of this title and subsequently omitted from the Code.

CHAPTER 2—CONSULAR COURTS


CODIFICATION

Section 130, R.S. 1749, related to allowances of widows. See section 1082 of this title.


Section 131, R.S. §§ 4083, 4125, 4126, 4127; act June 14, 1878, ch. 193, 20 Stat. 131, related to judicial authority generally of ministers and consuls of United States in China, Siam, Turkey, Morocco, Muscat, Abyssinia, Persia, and territories formerly part of Ottoman Empire including Egypt.

§ 142. R.S. § 4084, related to general criminal jurisdiction of ministers and consuls of United States.

§ 143. R.S. § 4085, related to general jurisdiction of ministers and consuls of United States and venue in civil cases.

§ 144. Omitted

CODIFICATION


CODIFICATION

Act Aug. 1, 1956, repealed sections 145 to 174 effective upon the date which the President determined to be appropriate for the relinquishment of jurisdiction of the United States in Morocco. Jurisdiction of the United States in Morocco was relinquished by memorandum of President Eisenhower dated Sept. 15, 1956. Notice was given to Morocco on Oct. 6, 1956, and all pending cases were disposed of by 1960. See Bulletin of the State Department Vol. 35:909, page 844.

§ 145, R.S. § 4086, related to system of laws to be applied.

§ 146, R.S. § 4117, related to rules and regulations for consular courts generally.

§ 147, R.S. § 4118, related to assent or dissent of consuls to, and publication of, rules, regulations, decrees, and orders.

§ 148, R.S. § 4119, related to transmission of rules, regulations, orders and decrees to Secretary of State.

§ 149, R.S. § 4087, related to warrant, arrest, trial, and sentence by consul.

§ 150, R.S. § 4105, related to jurisdiction of consul sitting alone in criminal cases and finality of decision.

§ 151, R.S. § 4089, related to jurisdiction of the consul sitting alone in criminal cases and appeal to minister.

§ 152, R.S. § 4106, related to calling in by consul of associates in criminal cases and reference to minister upon disagreement.

§ 153, R.S. § 4107, related to jurisdiction of consuls in civil cases, finality of decision, calling in of associates, and reference to minister upon disagreement.

§ 154, R.S. § 4097, related to evidence and how it was to be taken.

§ 155, R.S. § 4101, related to punishment generally and contempt.

§ 156, R.S. § 4102, related to capital offenses, requisites for conviction, and conviction of lesser offenses.

§ 157, R.S. § 4104, related to punishment for contempt of court.

§ 158, R.S. § 4103, related to execution of criminals and pardons.

§ 159, R.S. § 4120, related to fees for judicial services, application of moneys and rendition of accounts.

§ 160, R.S. § 4099, related to settlement of criminal cases.

§ 161, R.S. § 4098, related to arbitration, reference, and compromise of civil cases.