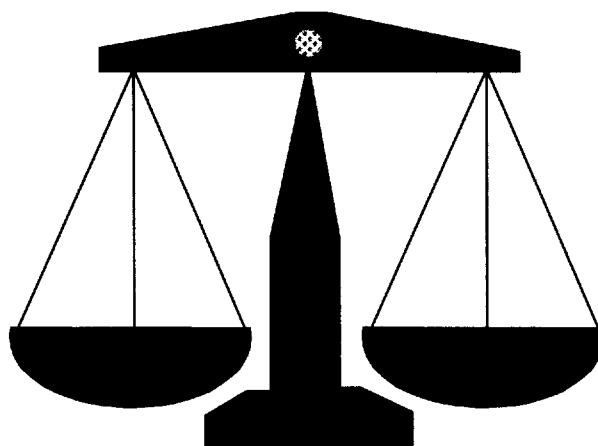


RECORDS OF THE UNITED STATES DISTRICT COURTS



revised JMM 10/2001
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revised JMM 5/2002

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ORGANIZATION OF THE RG 21 (U.S. DISTRICT COURT) FINDING AIDS

The intellectual organization of each finding aid for the various District Courts will follow a set order in order to bring uniformity to the various finding aids of records held by the Mid-Atlantic Regional Branch of the National Archives & Records Administration.

For those District Courts with divisions, the divisions will be listed in the chronological order in which they were created, even if their first court sessions may not have occurred until another division was created. (Charlottesville was established in 1903 although their first sessions did not occur until 1906, after the establishment and first sessions of Big Stone Gap) For example, the Western District of Virginia will be divided as follows:

- | | |
|---|----------|
| 1. Wytheville, established 1819, abolished 1864 | (51-W-1) |
| 2. Staunton, established 1825, abolished 1864 | (51-W-2) |
| 3. Abingdon, established 1871 | (51-W-3) |
| 4. Danville, established 1871 | (51-W-4) |
| 5. Harrisonburg, established 1871 | (51-W-5) |
| 6. Lynchburg, established 1871 | (51-W-6) |
| 7. Roanoke, established 1902 | (51-W-7) |
| 8. Charlottesville, established 1903 | (51-W-8) |
| 9. Big Stone Gap, established 1904 | (51-W-9) |

The Circuit Court divisions will follow the same pattern as their District Court counterparts. The Circuit Courts of Abingdon, Danville, Harrisonburg and Lynchburg will be 51-W-23, 51-W-24, 51-W-25, and 52-W-26 respectively.

The individual record sub-groupings in the District Court will be organized as follows, despite whether the District or individual division has any records in this sub-group. This will allow for the proper insertion of records that may fill gaps in the collection.

- | | |
|----------------------------|---------------------------------------|
| 1. General Records | 8. Habeas Corpus Records |
| 2. Admiralty Records | 9. Criminal Records |
| 2.1 Prize Cases | 10. Naturalization Records |
| 2.2 Prize Cases, Civil War | 11. Confiscation Records |
| 3. Bankruptcy Records | 12. Civil Rem Records |
| 3.1 Bankruptcy – 1800 | 13. |
| 3.2 Bankruptcy – 1841 | 14. Fugitive Slave Records |
| 3.3 Bankruptcy – 1867 | 15. |
| 3.2 Bankruptcy – 1898 | 16. |
| 4. Civil Records | 17. Miscellaneous Records |
| 5. Chancery Records | 18. Records of Judges |
| 6. Equity Records | 19. Records of the Clerk of the Court |
| 7. Law Records | 20. Records of the U.S. Commissioners |
| 7.1 Internal Revenue | |

The individual record sub-groupings in the Circuit Court records will follow a similar pattern. This is currently set up as follows:

1. General Records
2. Appellate Jurisdiction Records
- 3.
4. Civil Records
5. Chancery Records
6. Equity Records
7. Law Records
8. Habeas Corpus Records
9. Criminal Records
10. Naturalization Records
- 11.
- 12.
13. Supervision of Elections records
14. Fugitive Slave records
- 15.
- 16.
17. Miscellaneous & Other records
- 18.
19. Records of the Clerk of the Court

The various series within these groupings should follow a set pattern: minutes, dockets, case files, and other records, in that order. There will be no reserved number for these series, however.

INTRODUCTION

Being one of the original states, the state of Maryland was constituted as a district with a District Court judge under the First Judiciary Act.¹ The District Court was held alternately in Baltimore and Eaton by the District judge and was authorized to hold court at such other places as the judge might determine. On at least one occasion, when Judge James Winchester was not well enough to go out, he held court in his home at Shawan. The Circuit Court was held at Annapolis and Eaton. This was one of the rare occasions where Congress provided that the Circuit Court should be held in a place other than where the District Court was held. In 1802, the mandatory sessions at Eaton were eliminated.²

The Judiciary Act of 1801 established the District of Maryland, which encompassed most of the state, and the Potomac District, which included Maryland west of the Patuxent River, as well as the District of Columbia and Virginia east of the Rappahannock River. The act authorized the district judge of Maryland to preside over the court of the Potomac District, which was to sit in Alexandria, Virginia.³ The repeal of this act restored Maryland as a single judicial district.⁴

In 1892, provisions were made for holding terms of the Circuit and District Court in Cumberland.⁵ In 1925, a term of court was provided in Denton conditioned upon the state or local authorities furnishing adequate accommodations free of charge.⁶

Since the organization of the Court in 1789, the District has been presided over by one District judge. In 1910, an additional judge was provided with the provision that the next vacancy should not be filled and that there be but one judge in the district.⁷

Beginning in 1927, additional permanent judgeships have been authorized for the District of Maryland.

Date of Authorization	Statute	Number Authorized	Total Number of Judges
3 March 1927	44 Stat. 1346	1	2
19 May 1961	75 Stat. 80	2	4
18 March 1966	80 Stat. 75	1	5
2 June 1970	84 Stat. 294	2	7
20 October 1978	92 Stat. 1629	2	9

¹ 1 Stat. 73 (24 September 1789)

² 2 Stat. 158

³ 2 Stat. 89 (13 February 1801)

⁴ 2 Stat. 132 (8 March 1802)

⁵ 27 Stat. 11

⁶ 43 Stat. 1106

⁷ 36 Stat. 201 (24 February 1910)

24-M-1: BALTIMORE DIVISION**24-M-1-1: GENERAL RECORDS****24-M-1-1.1 GENERAL INDEX TO JUDGMENTS AND DECREES, 1791-1859**

1 in.

1 vol.

Arranged alphabetically by initial letter of surname of the defendant and thereunder chronologically by term of court.

An index to the names of defendants against whom or in whose favor judgments were rendered in civil and criminal cases. Entries include the names of the plaintiff and the defendant, term of court in which the judgment was rendered, and the docket and page number.

Location: **A-06-12-05-2**

Old Number: 24M1

24-M-1-1.2 GENERAL INDEX TO JUDGMENTS & DECREES (EXCEPT DECREES IN EQUITY), 1860-1925

6 in.

2 vols.

Arranged chronologically by initial of the surname of the plaintiff or defendant. There are no indexes for the period 1878-1900.

An index to the names of the plaintiffs or defendants in whose favor judgments were rendered in civil cases, except in decrees in equity. Entries show the name of the plaintiff and defendant, date and amount of judgment, case number, and the docket and page numbers.

Location: **A-06-12-05-2 (1860-1877, 1901-1925)**

Old Number: 24M2

24-M-1-1.3 RECORD OF JUDGMENTS, 1801

1 in.

1 vol.

Arranged in rough chronological order by date of judgment. Indexed alphabetically by initial letter of the surname of the defendant.

A record of cases that deal mainly with the First Bank of the United States. The record generally includes the name of the case, date of judgment and copies of bills of complaint, petitions, answers, court orders, and judgments.

Location: **A-06-05-02-3**

Old Number: 24M3

24-M-1-1.4 RECORDS OF JUDGMENTS AND DECREES, 1911-1947

1 ft.

5 vols. & 1 loose-leaf binder

Arranged in rough chronological order by date of judgment or decree. Each volume is indexed alphabetically by initial letter of the surname of the defendant.

A record of approximately 45 civil cases, mostly in equity, that pertain to stocks, bonds, and land transactions. The record generally includes the name of the case, date of judgment, and copies of bills of complaint, petitions, depositions, testimony, answers, motions, costs and assessments, court orders, writs, judgments and decrees.

Location: **A-07-03-02-2**

Old Number: 24M4

24-M-1-1.5 MINUTES, 1790-1972

20 ft.

68 vols.

Arranged chronologically by date of session.

A record of the activities of the court, showing dates of sessions, names of presiding judges, and judgments and orders of the court arising out of litigation of cases in every area of jurisdiction. The minutes also record the admission of attorneys to practice before the court, names of persons summoned to serve as grand and petite jurors, findings and verdicts of juries, sentences imposed, agreements for the settlement of cases, appointments of clerks, and in some instances, the names of aliens admitted as citizens.

Location:

1790-1852 **A-06-12-04-3 to A-06-12-05-1**

1852-1954 **A-06-05-02-3 to A-06-05-05-3**

1945-1972 **I-05-17-01-03 to I-05-17-02-04** (8 FRC-S)

1819-1820 **E-02-05-03-07** (1 LGA container shared)

Old Number: 24M5

24-M-1-1.6 DOCKETS (CIVIL & CRIMINAL), 1790-1877

2 ft.

18 vols.

Arranged chronologically by term of court and thereunder by type of case.

A record of papers filed and proceedings held in civil and criminal cases. Entries generally include the name and number of the case, type of case, names or initials of attorneys, court costs, chronological listing of all papers filed in the case, and, in most instances, the disposition of the case.

Location: **A-06-12-05-2 to A-07-01-01-1**

Old Number: 24M6

24-M-1-1.7 DOCKET (ORIGINAL & INFORMATION), 1863-1867

1 in.
1 vol.

Arranged by type of case and thereunder chronologically by term of court.

A rough record of papers filed and proceedings held in original and information type cases. Entries generally include the name and number of the case, initials of attorneys, court costs, nature of the complaint, and a chronological list of all papers filed in the case.

Location: **A-07-02-02-3**
Old Number: 24M7

24-M-1-1.8 PETITION DOCKETS, 1813-1951

1 ft
6 vols.

Arranged in rough chronological order by date of petition for the period 1813-1862 (Volumes 1-4); volume 5 (1863-1876) is arranged numerically by case number (1-1052). Also included in volume 6 are entries pertaining to the Circuit Court, 1877-1911.

Entries generally include the name and number of the case, names of attorneys, court costs, and a chronological listing of all papers filed in the case.

Location: **A-07-02-04-3 to A-07-02-05-1**
Old Number: 24M8

24-M-1-1.9 PETITION CASE FILES, 1886-1953

4 ft.
12 LGA-R containers

Arranged numerically and thereunder chronologically.

Petitions to the court for a variety of reasons: to have U.S. Marshals to bring witnesses to the court to testify; to issue bench warrants; to issue orders of the court; to commit individuals to prison; and to obtain testimony from individuals living outside of the state of Maryland. Most of the cases date 1920-1940.

Location: **E-02-05-01-15 to E-02-05-02-10**
Old Number: 24M8A

24-M-1-1.10 JUDICIAL DOCKET, 1861-1873

1 in.
1 vol.

Arranged chronologically by term of court and thereunder numerically by case number.

A record of judgments rendered chiefly in civil but also in criminal cases. Entries generally include the name and number of the case, names or initials of attorneys, date and amount of judgment, and court costs. For a district court judicial docket which covers the period December 1864-March 1926, see volume 2 of the Circuit Court Judicial Dockets, Entry 24M-24

Location: **A-07-04-03-2**

Old Number: 24M9

24-M-1-1.11 INTERNAL REVENUE DOCKET, 1867-1872

2 in.

1 vol.

Arranged chronologically by term of court and thereunder by date of filing of the initial action in each case.

A record of all papers filed in case dealing with violations of internal revenue laws. Entries generally include the name and number of the case, date and nature of the complaint, amount of debt, court costs, and disposition of the case.

Location: **A-07-04-03-3**

Old Number: 24M10

24-M-1-2: ADMIRALTY RECORDS

Article III, section 2, of the Constitution provides that the judicial power of the United States shall extend "to all cases of admiralty and maritime jurisdiction." In a series of decisions, the Supreme Court has interpreted this grant of authority as extending not only over the high seas but over all public navigable waters as well, including interior lakes, rivers, and canals. The Judiciary Act of 1789 conferred original jurisdiction in admiralty and maritime cases exclusively on the district courts of the United States, but reserved to all suitors "the right of a common law remedy, where the common law is competent to give it."⁸ The act provided for admiralty appeals from the district courts to the circuit courts of the United States. This provision was abolished in 1891 upon the creation of the circuit courts of appeals, which became the final courts of appeal in admiralty except that for certain questions including those concerning jurisdiction, constitutionality, and prizes. Provision was now made for direct appeal to the Supreme Court.⁹

Apart from statutory provisions as to registry, licensing, regulation, inspection, navigation, and seizure and forfeiture of vessels and cargo, American admiralty law deals with such matters as prizes, ransom, and military salvage; petitory suits to try title to a ship independently of possession of the vessel; possessory actions to recover ships to which a party is entitled by right; and a great variety of maritime contracts and torts. Typical maritime contracts relate to charter parties; affreightment; the carriage of passengers and their baggage, and the carriage of goods; marine insurance; demurrage; pilotage; towage; lighterage; wharfage; and for the purchase of supplies and repairs; salvage; bottomry; seamen's wages; and the maintenance and care of ill or injured seamen. Typical maritime torts involve collision; loss of or injury to a cargo; and personal injury or ill usage arising between the master and officers on one hand and the seamen or passengers on the other.¹⁰

Suits and proceedings in admiralty may be *In Rem* (against a thing), usually against a ship, in which case the relief sought is confined to the thing, although the suit may have arisen out of transactions between persons; or *In Personam* (against an individual) in which case relief is sought against a particular person. One of the significant features of maritime law is the limitation of liability. In the United States, limitation of liability rests upon the statutes of March 3, 1851¹¹ and June 26, 1884.¹² Under these laws a ship owner may limit both his maritime and non-maritime liability to the value of his vessel or its freight after any disaster, act, loss, or damage incurred without his knowledge, fault, or neglect.

⁸ (1 Stat. 76)

⁹ (26 Stat. 826)

¹⁰ E. C. Benedict, "The American Admiralty; Its Jurisdiction and Practice," pp. 158-184 (Albany, 1910).

¹¹ (9 Stat. 635),

¹² (23 Stat. 57)

24-M-1-2.1 RECORD OF JUDGMENTS AND DECREES IN ADMIRALTY, 1806-1808

1 in.

1 vol.

Arranged in rough chronological order by date of judgment or decree.

Covers the period June 1806 to March 1808

Entries generally include the name of the case, copies of libels, motions, answers, depositions, court costs, interrogatories, and judgments and decrees.

Location: **A-07-03-01-1**

Old Number: 24M11

24-M-1-2.2 INDEX TO ADMIRALTY DOCKETS, 1864, 1952-1956

5 in.

3 vols.

Arranged alphabetically and thereunder chronologically.

Shown is the name of the plaintiff, the defendant, case number and page of the docket on which case will be found.

Location: **A-07-04-03-2** **1864**

A-06-06-01-1 **1952-1956**

Old Number: 24M12

24-M-1-2.3 DOCKETS, 1790-1966

8 ft.

47 vols.

The dockets for the period 1790-1911 are arranged chronologically by term of court and thereunder numerically. Dockets after 1911 are arranged numerically by case number, #1-5044. There are name indexes in all volumes after 1833.

Entries generally include the name of the case, name or initials of attorneys, court costs, and a chronological listing of all papers filed. The docket for the period 1790-1805 includes a list of fees for filing various types of legal documents and a list of attorneys admitted to practice before the court(March 2 and April 17,1790); the docket for 1806-1813 contains a separate but incomplete War of 1812 Prize Docket and a Criminal Docket, 1801-1814; and the docket for 1823-1834 includes a list of admiralty judgments for the April 1832 term.

Location: **A-07-02-02-3 to A-07-02-04-3** **1790-1948(to #3100)**

A-27-02-01-1 to A-27-02-01-2 **1949-1966(3101-5044)**

Old Number: 24M13

24-M-1-2.4 "ROUGH" DOCKETS, 1804-1817

3 in.

2 vols.

Arranged chronologically by term of court and thereunder numerical by case number.

A record probably kept by the Clerk of the Court in making the "smooth" dockets(See entry 24M13). Shown is name and number of the case, initials of attorneys, court costs, and in some instances, the dates attachments were served.

Location: **A-07-04-03-2**

Old Number: 24M14

24-M-1-2.5 CITATION DOCKET, 1873-1886

3 in.

2 vols.

Arranged chronologically by date of citation.

Shown is the name of the case, date of citation, name of citation server, and the date the fee was paid.

Location: **A-07-02-02-3**

Old Number: 24M15

24-M-1-2.6 RECORD OF PETITIONS FOR REMISSION OF FORFEITURES AND OF JUDGMENTS AND DECREES IN ADMIRALTY, 1799-1809

2 in.

1 vol.

Arranged by type of material(petitions or judgments and decrees) and thereunder chronologically either by date of filing petition for remission of forfeiture or by date of judgment or decree.

A record of petitions for the remission of forfeitures in admiralty cases, December 4,1799-January 10,1809, and of judgments and decrees in selected admiralty cases, November 21,1799-December 10,1801. Entries relating to the petitions for the remission of forfeiture generally include the name of the case and copies of the petition and of the court action taken on the petition; entries relating to the judgments and decrees generally include the name of the case, and copies of libels, interrogatories, answers, depositions, motions, petitions for review, and judgments and decrees.

Location: **A-07-02-02-3**

Old Number: 24M16

24-M-1-2.7 CASE FILES, 1790-1966

318 ft.

Arranged chronologically by term of court and thereunder numerically for the period 1790-1911; from 1912-1966 the case are arranged numerically.

Libels, informations, answers, depositions, commissioners' reports relating to the taking of testimony, questions of account, damages, orders of the court, decrees, and other papers filed with the court.

Location:

LGA-2 boxes # 1-33	1790-1805		C-05-08-08-13 to C-05-09-01-14
LGA-2 boxes # 1-140	1806-1851		C-05-09-01-15 to C-06-01-01-10
	1851-1911		C-06-01-01-11 to C-06-02-05-04
(LGA<A)	1912-1960	#1-4293	C-06-02-05-05 to C-06-04-09-16
(FRC-S)	1961-1966	4294-5044	I-05-12-03-06 to I-05-12-08-03

Old Number: 24M18

24-M-1-2.8 SEAMEN'S WAGE DOCKETS, 1872-1952

15 ft. 29 LGA-R containers

5 ft. 28 vols.

Arranged chronologically by date of filing of statement by U.S. Shipping Commissioner. Name indexes.

A record of the settlement and disbursement of wages and personal effects of deceased and deserted seamen. Shown is name of seaman, name of vessel on which they served, date of the statement by the U.S. shipping Commissioner, amount of wages, clerk's fees, and names of the persons to who the wages or personal effects were given. Attached to some of the accounts are orders of the court directing payment of wages, and receipts for funds deposited in the U.S. Treasury or in the court's registry account.

Location: E-02-04-05-06 to E-02-04-07-02

A-07-02-05-2 to A-07-03-01-2

Old Number: 24M88

24-M-1-2-1: PRIZE CASES, WAR OF 1812

24-M-1-2-1.1 RECORDS RELATING TO THE SALE OF PRIZE VESSELS, 1812-1815

1 in.

Arranged in rough chronological order by date of the document.

Records of the U.S. Marshal of the Maryland District Court relating to the sale at auction of prize vessels and cargoes captured by American vessels and brought into the port of Baltimore during the War of 1812. Some of the records relate to captures made by Captain David Porter in the U.S. Frigate *Essex*. These records include references to the following prize vessels: *Alfred, Ann, Burchall, Chasseur, Francis, Harriot, Henry, James, Jamacia, John, John Hamilton, Lamphrey, Point Shares, Porgie, Swallow, and Ulysses*.

Shown in the records are receipts, notes, disbursements, and accounts.

Location: **C-08-06-05-11**

Old Number: 24M17

24-M-1-2-2: PRIZE CASES, CIVIL WAR

24-M-1-2-2.1 CIVIL WAR CONFISCATION CASES, 1861-1866

4 ft.

11 LGA-R containers

Arranged numerically by case number, #2-179. An itemized listing follows this page.

These are case files that reflect action taken by the Federal Government in the confiscation of property owned by Confederate citizens during the Civil War. Entries include orders of seizure, libels of information, proofs of publication, decrees, notices of seizure and inventories of property seized. The items seized appear to be goods that were on vessels bound for Southern destinations or on the wharves prior to shipping.

Location: **E-02-05-02-12 to E-02-05-03-06**

Old Number: 24M18A

24-M-1-3: BANKRUPTCY RECORDS

Under the constitutional provision that Congress shall have the power to establish "uniform laws on the subject of Bankruptcies throughout the United States,"¹³ five national bankruptcy laws have been enacted. Each of the first four laws was approved shortly after a period of business depression. The Act of 1800 followed the business disturbances of 1797; the Act of 1841, the Panic of 1837; the Act of 1867, the depressed economic conditions of the post Civil War period; and the Act of 1898, the Panic of 1893 and the following years of depression. Until 1898 national bankruptcy legislation was an emergency device, and each of the first three bankruptcy laws was repealed when business conditions generally improved. The Act of 1898 was amended from time to time and eventually superceded by the Bankruptcy Act of 1978.¹⁴ Original jurisdiction under each of the acts was assigned by Congress to the United States District Courts, except that under the Act of 1800, jury trials of bankruptcy claims could be heard in the United States Circuit Courts until April 29, 1802, when this function was transferred to the District Courts. Appellate jurisdiction in bankruptcy controversies under the first three Acts was vested in the Circuit Courts. When the Act of 1898 was approved, all appellate jurisdiction had been fixed in Circuit Courts of Appeals. The Act of 1978 established separate Courts of Bankruptcy within each District Court division.

The records described below were created in proceedings initiated in the United States District Court for the Eastern District of Virginia and the United States Bankruptcy Court for the Eastern District of Virginia under each of the national bankruptcy acts. They consist of case files, dockets, indexes, minute books, and related materials. All records pertaining to each of the acts are grouped together.

¹³ U.S. Constitution, Article I, Section 8

¹⁴ 92 Statutes 2549

24-M-1-3-1: BANKRUPTCY ACT OF 1800

The first national bankruptcy act, approved on April 4, 1800 (2 Stat, 19), provided for an effective period beginning June 2, 1800, and continuing for 5 years. It applied only to merchants or other persons "residing within the United States, actually using the trade of merchandise, by buying and selling in gross, or by retail, or dealing in exchange, or as a banker, broker, factor, underwriter, or marine insurer." The act provided for compulsory or involuntary bankruptcy, but not for voluntary bankruptcy. It recognized only two acts of bankruptcy: fraudulent conveyance or concealment of a person or his property, and attachment of a person or his property for at least 2 months. Discharge of a bankrupt from his debts required the consent of creditors having claims of more than \$50 each, who together held at least two-thirds of the claims in number and amount. The bankruptcy act was administered under the direction of the district courts by commissioners, who were at first appointed by the district judge but later by the President (2 Stat. 164), and assignees, who were elected by the creditors at their first meeting. Because of its limited applicability and for other reasons, the act was repealed on December 19, 1803 (2 Stat. 248), months before its expiration date, although the repealing act provided for the execution of any commission of bankruptcy issued before its passage.

24-M-1-3-1.1 DOCKET, 1800-1802

1 in.

1 vol.

Arranged numerically by case number (1-29).

Entries generally include the name of the petitioner, date filed, case number, list of court costs and a chronological listing of all papers filed with the court.

Location: **A-06-08-01-2**

Old Number: 24M19

24-M-1-3-1.2 CASE FILES, 1800-1808

2 ft.

4 LGA-R containers

Arranged numerically by case number, 1-29.

The papers generally include the petition for bankruptcy filed by creditors against debtors; proofs of publication of bankruptcy notices; creditors' bonds; warrants to seize property; proofs of debts owed to creditors; schedules of bankrupt's property; depositions; examinations; certificates of bankruptcy; and related papers filed with the court.

Location: **C-06-05-04-13 to C-06-05-04-16**

Old Number: 24M20

24-M-1-3-2: BANKRUPTCYACT OF 1841

The second national bankruptcy act was passed on August 19, 1841, and was to take effect on February 1, 1842.¹⁵ The shortest lived of the Federal bankruptcy laws, it was repealed on March 3, 1843.¹⁶ The law allowed voluntary bankruptcy to all debtors, but limited involuntary bankruptcy to merchants, bankers, factors, brokers, and traders. It eliminated the requirement of the consent of the creditor for a discharge, but creditors holding a majority in number and amount of claims could block a discharge by written dissent. The bankrupt, however, could obtain his discharge through a jury trial if the jury found that he had surrendered all his property and had fully complied with the orders of the court. The act was administered by commissioners and assignees, all of whom were appointed by the district judge.

24-M-1-3-2.1 MINUTE BOOK, 1842-1844

2 in.

Arranged chronologically.

Shown are dates of sessions, names of presiding judges and clerk, names of attorneys admitted to practice before the court, whether bankruptcy was voluntary or involuntary, names of commissioners, names of newspapers where required notices would be published, and disposition of case.

Location: **A-06-08-01-1**

Old Number: 24M21

24-M-1-3-2.2 DOCKETS, 1842-1843

4 in.

2 vols.

Arranged numerically by case number, 1-490.

Shown is name of petitioner, case number, court fees, date of filing, initials of attorneys, name of assignees, and other papers filed with the court.

Location: **A-06-08-01-2**

Old Number: 24M22

24-M-1-3-2.3 CASE FILES, 1841-1844

10 ft.

26 LTA-1 containers

Arranged numerically by case number, 1-490.

Included are the petition of bankruptcy, schedule of real and personal property, listing of creditors and what was owed to them, powers of attorneys, proofs of publication of bankruptcy notices, petitions for discharge, orders of discharge, reports of assignees and commissioners, and other papers filed with the court.

Location: **C-06-06-01-01 to C-06-06-02-10**

Old Number: 24M23

¹⁵ (5 Stat. 440)

¹⁶ (5 Stat. 614)

24-M-1-3-3: BANKRUPTCY ACT OF 1867

On March 2, 1867, Congress approved the Nation's third bankruptcy act.¹⁷ The principal feature of the law was its extension of involuntary bankruptcy to all classes of debtors. No discharge was to be granted without the consent of a majority of the creditors if the bankrupt's assets did not pay 50 percent of the debts, but this provision was not to apply in any bankruptcy proceedings begun within 1 year after the approval of the act. To assist the judges in the administration of the law, the act provided for the appointment by the court of registers in bankruptcy. The registers were authorized to make an adjudication of the bankruptcy, to hold and preside at meetings of creditors, to take proofs of debts, to make computations of dividends, and otherwise to dispatch the administrative business of the court in bankruptcy matters when there was no opposing interest. In cases where opposition to the register's adjudication or a discharge arose, the controversy was to be submitted to the court. The act was an unpopular measure despite several amendments to correct its objectionable features. However, it was not repealed until 7 June 1878.¹⁸

24-M-1-3-3.1 INDEX TO DOCKETS, 1867-1878

1 in.

1 vol.

Arranged alphabetically by initial letter of surname of petitioner.

Shown is name of petitioner, case number, docket and page number.

Location: **A-06-05-02-3**

Old Number: 24M24

24-M-1-3-3.2 DOCKETS, 1867-1878

7 in.

3 vols.

Arranged numerically by case number, 1-864.

Shown is name of petitioner, case number, date of filing petition, whether bankruptcy was voluntary or involuntary, court costs and disposition of the case.

Location: **A-06-05-02-3**

Old Number: 24M25

¹⁷ (14 Stat. 517).

¹⁸ (20 Stat. 99).

24-M-1-3-3.3 “ROUGH” DOCKETS, 1867-1878

2 in.

2 vols.

Arranged numerically by case number, 1-839.

A docket kept by the Clerk of the Court to be used in the preparation of the “smooth” docket entries(See entry 24M25). Shown is name of petitioner, case number, date of filing petition, whether bankrupt was voluntary or involuntary, names of attorneys, and a listing of other papers filed with the case.

Location: **A-06-05-02-3**

Old Number: 24M26

24-M-1-3-3.4 REGISTER DOCKET, 1867-1873

1 in.

1 vol.

Arranged in rough chronological order by date of the warrant in bankruptcy. Indexed by the initial letter of the surname of the petitioner.

Shown is the name of the petitioner, name of the register, court costs, date of warrant, names of persons summoned, dates the writs were served, and the names of newspapers in which notices were published.

Location: **A-06-05-02-3**

Old Number: 24M27

24-M-1-3-3.5 RECORD OF RESOLUTIONS OF CREDITORS, 1872-1878

2 in.

1 vol.

Arranged in rough chronological order by date of resolution of the creditors. Indexed alphabetically by initial letter of the surname of the petitioner.

Shown is name of petitioner, names of creditors, amount due creditors, assignments of the bankrupt’s effects, and copies of petitions and memoranda of agreement by creditors to accept compositions offered by bankrupts.

Location: **A-06-05-02-3**

Old Number: 24M28

24-M-1-3-3.6 CASE FILES, 1867-1878

50 ft.

206 LTA-1 containers

Arranged numerically by case number, 1-864.

Shown is petition of bankruptcy filed by both creditors and debtors, schedules of debts, listing the amount and nature of the defendants’ debts, names and addresses of the creditors, and sum due each creditor, schedules showing both real and personal property, proofs of publication of bankruptcy notices, petitions for discharge, orders of discharge and other papers filed with the court.

Location: **C-06-06-02-10 to C-06-07-06-08**

Old Number: 24M29

24-M-1-3-4: BANKRUPTCY ACT OF 1898

Congress passed a new national bankruptcy act on July 1, 1898.¹⁹ It provided that anyone owing debts, except a corporation, was entitled to the benefits of the law as a voluntary bankrupt; and anyone except wage earners or farmers or certain types of corporations, owing debts of \$1,000 or more could be adjudged an involuntary bankrupt. A certificate of discharge was denied only when the applicant had committed an offense punishable by imprisonment as provided by the law or, with fraudulent intent to conceal his true financial condition and in contemplation of bankruptcy, had concealed or destroyed or failed to keep records of accounts. The act created the offices of referee and trustee. Referees were to be appointed by the court and vested with jurisdiction to make an adjudication of the bankruptcy or to dismiss the petitions, and to perform such other duties, except as to opposition arising out of applications for composition of discharge, as were conferred by the act on courts of bankruptcy. Trustees were to be appointed by creditors at their first meeting. The act was amended from time to time and substantially revised by the so-called Chandler Act of June 22, 1938.²⁰ It was superceded by the Bankruptcy Act of 1978.²¹

24-M-1-3-4.1 INDEX TO DOCKETS, 1898-1934

8 in.

4 vols.

Arranged alphabetically.

Shown is the name of the petitioner, case number, docket and page number.

Location: A-06-08-01-1

Old Number: 24M30

24-M-1-3-4.2 INDEX TO "ROUGH" DOCKETS, 1898-1903

1 in.

1 vol.

Arranged alphabetically. Index includes those bankruptcy cases 1-1000.

Entries include the name of the petitioner, docket and page number.

Location: A-06-08-01-1

Old Number: 24M31

¹⁹ (30 Stat. 544)

²⁰ (52 Stat. 840)

²¹ 92 Statutes 2549

24-M-1-3-4.3 DOCKETS, 1898-1979

31 ft.

102 vols.

Arranged numerical by case number.

Shown is name and address of petitioner, case number, date of filing petition, names and address of attorneys, names of trustees and assignees, court costs, and a listing of all papers filed with the case and disposition of the case.

Location: **A-06-08-02-1 to A-06-08-04-1** **# 1 to 10366**
 A-23-08-02-1 to A-23-09-04-2 **# 10337 to 79-0186**

Old Number: 24M32

24-M-1-3-4.4 "ROUGH" DOCKETS, 1904-1949

3 ft.

18 vols.

Arranged in rough numerical order by case number assigned chronologically by date of filing of the petition.

Shown is name of petitioner, case number, date of filing of petition, names of attorneys, names of trustees and assignees, all papers filed with the court, and disposition of the case.

Location: **A-06-08-04-2 to A-06-08-05-1**

Old Number: 24M33

24-M-1-3-4.5 RECORD OF BANKRUPTCY CASES, 1899-1952

6 ft.

27 vols.

Arranged in rough chronological order by the date of the bankruptcy. Name indexes.

Generally shown is the name of the petitioner, case number, and copies of petitions, orders, reports, subpoenas, answers, schedules, bonds, and decrees in bankruptcy.

Location: **A-06-08-05-1 to A-06-09-01-3**

Old Number: 24M34

24-M-1-3-4.6 STENOGRAPHIC RECORDS OF TESTIMONY, 1921-1936

5 ft.

Arranged chronologically.

Typed copies of stenographic records of questions and answers given in bankruptcy cases heard before Willis E. Myers and W. Ainsworth Parker, Referees in Bankruptcy. Entries include the name of the bankrupt, date and place of the testimony, transcripts of the testimony and, occasionally, the bankruptcy case number.

Location: **P-02-04-03-4 to P-02-04-03-6**

Old Number: 24M35

24-M-1-3-4.7 BANKRUPTCY CASE PAPERS TRANSMITTED TO THE COURT BY REFEREES, 1926-1939

2 ft.

Arranged numerically by case number, 4441-9241(with gaps).

Included are powers of attorneys, docket sheets, proofs of debts and claims, petitions, reports of receivers, answers, accounts, letters, trustees' exceptions, and orders of the referee.

Location: **P-02-04-03-2 to P-02-04-03-3**

Old Number: 24M36

24-M-1-3-4.8 CASE FILES, 1898-1961

409 ft.

Arranged numerically by case number.

Shown are creditors' and debtors' petitions for adjudication of bankruptcy, schedules of petitioners' debts including real and personal property, reports of referees and trustees, applications for discharge, orders of discharge and other papers filed with the court.

Location:	P-01-08-02-3 to P-02-04-02-5	#1-8945
	P-02-04-02-6 to P-02-04-03-1	7184 & 8562
	F-04-18-02-1	7184
	(E-02-05-06-6	8722)
	P-06-09-05-4	11070

Old Number: 24M37

24-M-1-4: CIVIL RECORDS

By an act of Congress dated June 19, 1934, the Supreme Court could, at any time, unite the general rules prescribed by it for cases in equity with those in actions at law so as to secure one form of civil action and procedure for both.²² The Supreme Court issued such an order on December 20, 1937 and this order took effect in the regular session of the District Court on January 3, 1938.

24-M-1-4.1 INDEX TO DOCKETS, 1938-1956

8 in.

4 vols.

Arranged alphabetically.

Shown are the names of plaintiffs and defendants, docket and page number.

Location: **A-06-12-02-1**

Old Number: 24M38

24-M-1-4.2 DOCKETS, 1938-1970

21 ft.

91 vols.

Arranged numerically by case number.

Entries generally include the name and number of the case, type of case, names of attorneys, court costs, jury trial date, and a chronological listing of all papers filed with the court.

Location:	A-07-02-01-1 to A-07-02-02-2	# 1 to 6109
	A-27-02-03-3 to A-27-02-05-3	# 6110 to 14,750
	A-23-07-05-1 to A-23-08-01-3	# 14,751 to 70-1479

Old Number: 24M39

²² (48 Stat. 1064),

24-M-1-4.3 CASE FILES, 1938-1971, 1973-1974, 1976

841 ft.

Arranged numerically by case number. Declarations and complaints setting forth the circumstances constituting the plaintiffs' causes of action; defendants' answer denying the plaintiffs' allegations; pleas of defendants' showing why cases should be dismissed or barred; praecipes to the Clerk of the Court to issue process; writs of execution and summons; orders of the court; consents to discontinue suits; and related records filed in civil cases.

Location:

#1-15195	C-06-07-06-09 to C-07-08-07-13
15196-18259	I-05-13-06-04 to I-05-17-01-01
(10830(part)	E-02-05-06-4)
15823,15824 & 15963	F-09-10-03-3 to F-09-10-04-3
17199 & 17240	I-05-17-01-02
10546	G-13-04-02-1
(11421(pt)	E-02-05-06-5)
18259-20621(Acc.021-76A-0023)	J-04-03-03-01 to J-04-06-01-03
20622-21583(Acc.021-78-0013)	K-01-01-01-1 to K-01-02-03-1
18544(Acc.021-76B-0023)	J-05-01-01-01
10591, 17176, 20614	J-07-01-04-06 to J-07-01-05-02
1076	J-07-01-03-04
1105-1106	K-04-03-02-3 to K-04-03-03-6
#74-71	K-01-04-04-5 to K-01-04-05-1
#74-1211	K-20-02-01-1 to K-20-02-01-6
1-165*	K-17-02-04-6 to K-17-02-05-1
#76-1255	J-02-06-06-06 to J-02-07-01-04
1968 files (acc. 021-76C-0023)	O-03-01-09-01

(* Seaman's Wage Case Files from 1954-1969).

Old Number: 24M40

24-M-1-4.4 ORDER BOOKS, 1938-1954

8 in.

2 vols.

Arranged chronologically.

Shown is the title to the case, case number, date of the order, the order, and what judge issued the order.

Location: A-06-06-01-3

Old Number: 24M40A

24-M-1-6: EQUITY RECORDS

The equity jurisdiction of the district courts was very limited. Until 1820 district judges were authorized to grant injunctions if a party had not had sufficient time to apply to a circuit court. These injunctions were to continue only until the next session of the circuit court and this power was considered merely as auxiliary to the jurisdiction of the circuit courts. An act of May 15, 1820, invested district judges with independent authority to grant injunctions.²³ Under provisions of Federal bankruptcy legislation the district courts entertained bills in equity filed by assignees and trustees seeking to recover certain properties from defendants as assets of the bankrupts.²⁴ On July 20, 1868, Congress conferred upon the district courts jurisdiction over all suits in equity to enforce the lien of the United States upon any real estate for any internal revenue tax.²⁵ Upon the termination of the circuit courts in 1911, all equity jurisdiction passed to the district courts.

24-M-1-6.1 INDEX TO DOCKETS, 1907-1938

1 ft.

3 vols.

Arranged alphabetically by the initial two letters of the surname of the defendant and thereunder chronologically by the date of filing the bill of complaint. Volume one also indexes Circuit Court equity cases from 1907-1911.

Shown is the names of the plaintiff and defendant, case number, and the docket and page number.

Location: **A-07-01-03-2**

Old Number: 24M41

24-M-1-6.2 DOCKETS, 1868-1938

4 ft.

20 vols.

Arranged numerically by case number. Names indexes.

Shown is title of the case, number, nature of the case, names or initials of attorneys, court fees, and a chronological listing of all papers filed in the case.

Location: **A-07-01-04-2 to A-07-01-05-2**

Old Number: 24M42

²³ 3 Stat. 595

²⁴ 5 Stat. 440; 14 Stat. 517; 30 Stat. 544

²⁵ 15 Stat. 167

24-M-1-6.3 “ROUGH” DOCKET, 1868-1879

1 in.

1 vol.

Arranged numerically by case number, 1-70.

Entries generally include the name and number of the case, nature of the complaint, names or initials of attorneys, court fees, and a chronological listing of all papers filed with the case.

Location: **A-07-01-04-2**

Old Number: 24M43

24-M-1-6.4 JOURNALS, 1913-1938

1 ft.

6 vols.

Arranged chronologically.

Entries show the title and number of the case, and a copy of any final order or judgment issued by the court showing the date issued and by what judge.

Location: **A-07-01-03-3**

Old Number: 24M44

24-M-1-6.5 CASE FILES, 1868-1938

215 ft.

Arranged numerically by case number.

Bills in equity, supplemental bills, answers, amended answers, demurrers, subpoenas, stipulations, joinders, affidavits, depositions, orders on motions and petitions, agreement decrees, and other papers filed with the court.

Location:	C-07-08-07-14 to C-07-08-08-01	A Series	1-77
	C-07-08-08-02 to C-07-08-08-03	B series	1 - 14
	C-07-08-08-04 to C-08-03-06-10	C series	1 - 2564
	E-02-05-05-1 to E-02-05-05-6		145 to 2265

Old Number: 24M45

24-M-1-7: LAW RECORDS

As courts of common-law jurisdiction, the district courts of the United States possessed from the time of their organization exclusive original jurisdiction over all seizures on land or on waters not navigable by boats of 10 or more tons, made under the laws of the United States; exclusive original jurisdiction, with a few exceptions, over suits for penalties and forfeitures incurred under Federal laws; concurrent jurisdiction, with State and circuit courts, over all cases where an alien sued for a tort in violation of the law of nations, or a treaty of the United States; concurrent jurisdiction, with State and circuit courts, over all suits at common law where the United States, or one of its officers, sued under the authority of an act of Congress; and exclusive original jurisdiction over suits against foreign consuls and vice consuls, with the exception of criminal prosecutions.²⁶ From time to time this jurisdiction was expanded by Congress to cover other types of cases, such as those arising under the postal laws of the United States²⁷ and under civil rights legislation.²⁸

24-M-1-7.1 INDEX TO DOCKETS, 1935-1938

2 in.

1 vol.

Arranged alphabetically by initial two letters of the surname of the defendant.

Shown is name of the plaintiff and defendant, docket and page number.

Location: **A-07-01-01-2**

Old Number: 24M48

24-M-1-7.2 DOCKETS, 1871-1938

8 ft.

43 vols.

Arranged numerically by case number and thereunder chronologically by date of filing of initial action in each case. Dockets are marked A&B(1871-1911) and #1-41(1912-1938).

Shown is title of case, its number, names of attorneys, court fees, and all papers filed with the court. For dockets prior to 1871, see entry 24M6.

Location: **A-07-02-01-1 to A-07-01-03-2**

Old Number: 24M49

²⁶ Alfred Conkling, "A Treatise on the Organization, Jurisdiction, and Practice of the Courts of the United States," p. 260-263 (Albany, 1870).

²⁷ 5 Stat. 739

²⁸ 17 Stat. 13

24-M-1-7.3 CASE FILES, 1790-1938

146 ft.

Cases 1790-1911 are arranged chronologically by session of court and thereunder numerically by case number; beginning in 1912, cases are arranged numerically by case number, #1-6515.

Shown are complaint, declarations, answers, praecipes, writs of capias, summons, fieri facias, scire facias, inquisitions, subpoenas, rules to plead, to show cause, to continue, and to discontinue; and all other papers filed with the court.

Location:

1790-1818	C-08-03-06-14 to C-08-03-08-14	33 LGA-2
1818-1828	C-08-03-08-15 to C-08-04-01-02	20 LGA-2
1828-1860	C-08-04-01-03 to C-08-04-03-03	32 LGA-2; 1 LGA-R
A Series 1-162	C-08-04-03-04 to C-08-04-03-08	5 LGA-2
B Series 1 - 71	C-08-04-03-09 to C-08-04-03-13	5 LGA-2
# 1 - 6515	C-08-04-03-14 to C-08-06-04-02	289 LGA-2; 1 BUND
1790-1817 (misc.)	C-08-06-04-03	

Old Number: 24M50

24-M-1-8: HABEAS CORPUS RECORDS

Under the terms of the Judiciary Act of 1789 (1 Stat. 81), the Supreme Court and the circuit and district courts of the United States could issue writs of habeas corpus. The writ of habeas corpus is generally regarded as the most famous writ in the law, having been employed for many centuries to remove illegal restraint on personal liberty. In the United States, the writ has been used to maintain the supremacy of the Constitution, laws, and treaties of the United States, and to protect personal liberty against unlawful restraints, insofar as the duty lies within the purview of the Federal Government. The Federal Constitution provides that "the Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in case of Rebellion or Invasion, the Public Safety may require it. (Art. 1, Sec. 9). Accordingly, the First Congress, by the 14th section of the original Judiciary Act (1 Stat. 81), gave to all the United States courts the power to issue writs of habeas corpus. This act and subsequent legislation (4 Stat. 634; 5 Stat. 539; 14 Stat. 385) expanded the jurisdiction of the Federal courts to embrace four classes of cases of persons alleged to be restrained of their liberty: (1) by color of the authority of the United States; (2) for an act done or omitted in pursuance of the law of the United States; (3) in violation of the Constitution, laws, or treaties of the United States; and (4) being subjects of a foreign state, for an act done or omitted under any alleged right, title, authority, or privilege claimed under the sanction of any foreign state, the validity and effect whereof depends upon the law of nations.¹ The writ is also used where it is necessary to bring a prisoner into court to testify.

¹ C.L. Bates, "Federal Procedure at Law," p. 384-385 (Chicago, 1908).

24-M-1-8.1 CASE FILES, 1862-1907

1 cu. ft.

2 LGA-R containers

Arranged in chronological order.

Petitions for writs of habeas corpus, transcripts of hearings on petitions, affidavits, writs of habeas corpus, orders for discharge, and related papers filed with the court mainly relating to criminal cases.

Location: **E-02-04-07-03 to E-02-04-07-04**

Old Number: 24M51

24-M-1-9: CRIMINAL RECORDS

The Judiciary Act of 1789 conferred a very limited criminal jurisdiction upon the district courts of the United States.²⁹ The district courts were to have jurisdiction over all crimes and offenses cognizable under the authority of the United States where the punishment did not exceed a whipping of 30 stripes, a fine of \$100, or 6 months imprisonment. Jurisdiction was further reduced by an act of February 28, 1839, which abolished the punishment of whipping.³⁰ Three years later, however, Congress extended the criminal jurisdiction of the district courts to all crimes and offenses against the United States punishable by death.³¹

The volume of criminal records greatly increased when all original jurisdiction in Federal criminal matters passed to the district courts as a result of the abolition of the circuit courts in 1911.

24-M-1-9.1 INDEXES TO DOCKETS, 1841-1956

1 ft.

8 vols.

Arranged alphabetically by the initial two letters of the surname of the defendant. The court prepared an index for the cases dating 1841-1878 which is located in the front of docket # 1, See entry 24M54.

Shown is name of defendant, case number and page number.

Location: **A-06-11-03-2 to A-06-11-03-3**

Old Number: 24M52

24-M-1-9.2 DOCKETS, 1878-1970

17 ft.

73 vols.

Arranged numerically by case number in six series. Docket A(1878-1890) contains cases A1-A845; Docket B(1891-1897), cases B1 - B745; Docket C(1898-1906), cases C1 - C733; Docket D(1906-1911), cases D1 - D461; Docket E(1912-1916), cases E1 - E471. Cases from 1916-1969 are numbered consecutive STARTING WITH CASE #472. Beginning in 1970 the cases are numbered in consecutive order with a year prefix(eg. 70-1).

Shown is name of defendant, case number, names of attorneys, court fees, and a chronological listing of all papers filed with the court.

Location: **A-06-11-03-3 to A-06-12-02-1** **#A-1 to 22,503**
A-27-05-01-3 to A-27-05-03-2 **22,504 to 70-498**

Old Number: 24M54

²⁹ 1 Stat. 76

³⁰ 5 Stat. 322

³¹ 5 Stat. 517

24-M-1-9.3 “ROUGH” DOCKET, 1905-1908

1 in.

1 vol.

Arranged chronologically.

A rough copy used by the Clerk of the Court to record actions taken in criminal cases. Shown is name of defendant, case number, court fees, and a listing of all papers filed with the court. The Clerk probably used this docket to prepare those found in entry 24M54.

Location: **A-06-11-03-3**

Old Number: 24M55

24-M-1-9.4 RECORD OF CRIMINAL CASES, 1853

2 in.

1 vol.

Arranged in rough chronological order by date of final judgment.

Entries include the name of the defendant, case number, and copies of complaints, petitions, depositions, testimony, trial proceedings, court orders and judgments.

Location: **A-06-11-03-3**

Old Number: 24M56

24-M-1-9.5 CASE FILES, 1841-1970, 1976

452 ft.

Case files are arranged for the years 1841-1878 in chronological order by term of court. There is a box list for the criminal case files for this time period attached to this finding-aid. Case files from 1878-1911 are arranged by those found in dockets A-E (see entry 24M54). Case files from 1912-1970 are arranged in numerical order, 1 to 70-40.

Shown is bill of indictment, pleas of defendant, depositions of witnesses, demurrers, bench warrants, orders of the court, subpoenas, in some instances, the testimony, and other papers filed with the court.

Location:	H-02-09-04-1 to H-02-09-07-2	1841-1878
	C-08-06-05-14 to C-08-06-06-14	A1-A845
	C-08-06-06-15 to C-08-06-07-11	B1-B745
	C-08-06-07-12 to C-08-06-08-15	C1-C733
	C-08-06-08-16 to C-08-06-09-12	D1-D459
	C-08-06-09-13 to C-08-09-09-15	(E)1-17,085
	E-01-01-01-01 to E-01-06-02-01	17,086-25,309
	F-08-14-04-1 to F-08-15-04-5	25,310-26,445
	I-05-12-08-04 to I-05-13-05-02	26,446-27,585
	I-05-13-06-01 to I-05-13-06-03	240 & 241
	F-08-15-04-6	24,653 (trans. & exh.)
	E-02-05-06-5	24,975 (part)
	I-05-13-05-03 to I-05-13-05-06	26,448-27,349
	I-05-14-06-01 to I-05-14-06-03	28,240-28,241
	J-04-06-01-04 to J-04-06-8-05	27,586-28,537
	K-05-01-05-4 to K-05-01-08-2	28,538 to 70-40
(Acc 021-96-0223)	J-02-06-06-06 to J-02-07-01-04	# 76-1255

Old Number: 24M57

24-M-1-10: NATURALIZATION RECORDS

The first naturalization act was passed March 26, 1790. This act required a two-year residence in the United States and one year in a particular state. The individual had to be of good character and was required to make an oath to support the Constitution. His application could be filed in any common law court of record within the United States (federal, state, county or local).

This act has been modified many times beginning on 29 January 1895. This act required a declaration of intention to be filed at least three years before admission as a citizen and five years residency in the United States. In addition, the applicant had to be of good moral character, make an oath of allegiance, renounce any title of nobility and forswear allegiance to his previous monarch or state. With slight exceptions, this became the basis for the naturalization laws for the past 200 years.

The Alien and Sedition Acts, which included the naturalization Act of 28 June 1798, increased the residency requirement to fourteen years. This Act was repealed on 14 April 1802. Subsequent acts of 1804, 1813, 1816, 1824 and 1828 tinkered with some of the requirements. The chief change occurred as a result of the act of 26 May 1824, which reduced the three-year waiting period between the declaration of intention and the final petition to two years.

This varying procedures exercised under each individual court was modified under the act of 29 June 1906 which centralized control of immigration and naturalization under a new Bureau of Immigration and Naturalization in the Department of Commerce and Labor. The basic law as enacted in 1906 has been amended about twenty times between 1906 and 1940. In 1911 this Bureau was split in two, and naturalization functions were undertaken by the Naturalization Service, which was placed under the Department of Labor in 1913. On 10 June 1933, the bureaus were reunited to form the Immigration and Naturalization Service, which was transferred to the Department of Justice in 1940.³² The courts' jurisdiction over the naturalization process ended on 29 November 1990 with the passage of an Act placing the exclusive jurisdiction of naturalization in the Office of the Attorney General.³³

³² For further reading, see John J. Newman, *American Naturalization Processes and Procedures, 1790-1985*, Indiana Historical Society, 1985.

³³ 104 Statutes 4978

24-M-1-10.1 INDEX TO DECLARATIONS OF INTENTION & PETITIONS FOR NATURALIZATION, 1797-1951

25 rolls of microfilm

Original 3" x 5" cards showed the name of the petitioner, date of declaration and/or petition for naturalization, volume and page where located, and country of origin. These cards also include Circuit Court declarations and petitions for the period 1797-1911. These cards have been microfilmed as microfilm publication M-1168. The original cards were donated to the Maryland Hall of Records in Annapolis, Maryland. It should be noted that the original declarations and petitions that these cards reference for the period 1797-1906 have not been located. They are not with the District Court nor the Maryland Hall of Records.

Location: **Reference Room**

Old Number: 24M58

24-M-1-10.2 INDEX TO DECLARATIONS OF INTENTION, 1928-1955

4 in.

1 vol.

Arranged alphabetically.

Shown is the name of the alien and the declaration number.

Location: **A-07-04-03-3**

Old Number: 24M59

24-M-1-10.3 INDEX TO DECLARATIONS OF INTENTION AND PETITIONS FOR NATURALIZATION, 1797-1906

10 in.

5 vols.

Arranged alphabetically and thereunder chronologically by date of filing.

Show is the name of the alien, date of declaration of intention or petition for naturalization, volume and page number where found.

Location: **A-07-04-03-3**

Old Number: 24M60

24-M-1-10.4 INDEX TO NATURALIZATION PETITIONS, 1925-1955

9 in.

2 vols.

Arranged alphabetically.

Shown is name of alien and petition number.

Location: **A-07-04-04-1**

Old Number: 24M61

24-M-1-10.5 RECORD OF DECLARATIONS OF INTENTION AND PETITIONS FOR NATURALIZATION, 1792-1906

5 ft.

24 vols.

Arranged chronologically by date of declaration or petition.

Volumes 1-10(1792-1844) contain a record of both declarations and petitions; volumes 11-23(1844-1906) record just naturalizations; volumes 21-22(1856-1903) are lists of names of aliens who have been naturalized; volume 24(1903-1906) is a record of the naturalization of minors. Shown is name of alien, country of origin, present residence, name of witnesses, place and date of declaration of intention and date.

Location: **A-06-09-02-3 to A-06-09-03-3**

Old Number: 24M63

24-M-1-10.6 DECLARATIONS OF INTENTION, 1836-1840, 1911-1967

12 ft.

66 vols.

Arranged numerically by declaration number, #1-39100. Volumes 1-44(1911-1928) have an name index.

Shown is name of alien, age, race, occupation, nationality, physical description, place and date of birth, present residence, place and date of arrival in the United States, last foreign residence, name of vessel on which he/she immigrated, marital status, name of spouse, spouse's place of birth and present residence, and renunciation of allegiance to a foreign state or sovereign.

Location:	(E-01-06-03-3	1836-1840) ?
	A-06-10-04-3 to A-06-11-03-2	1 to 36,900
	G-12-06-06-3	36,901 to 39,100

Old Number: 24M64

24-M-1-10.7 PETITIONS FOR NATURALIZATION, 1903-1972

60 ft.

220 vols.

Arranged chronologically for the period 1903-1906; for the period 1906-1972, arranged numerically by petition number(1-55700). The volumes are numbered 1-82 and the looseleaf binders are numbered 83-218. Volumes 1-82 contain a name index.

Shown is name of alien, residence, occupation, date and place of birth, citizenship and physical description of petitioner, date of immigration; port from which alien emigrated and port of arrival in the United States, marital status, names, dates and places of birth of petitioner's children, and of spouse, and date and signature of oath of allegiance. Copies of declaration of intention and certificate of arrival are sometimes interfiled with the petition.

Location:	A-06-07-03-3 to A-06-07-04-1	1903-1906
	A-06-09-04-1 to A-06-10-04-1	1-11,473
	A-25-06-01-1 to A-25-07-03-3	11,474-55,700

Old Number: 24M66

24-M-1-10.8 PETITIONS FOR MILITARY NATURALIZATIONS, 1918-1923

1 ft.

7 vols.

Arranged numerically by petitions number, 1M - 1550M.

Shown is name of soldier, physical description, place and date of birth, present residence(military unit), oath of allegiance to the United States, date and certificate number. These petitions were created at Fort Meade, Maryland.

Location: **A-06-10-04-2**

Old Number: 24M67

24-M-1-10.9 DEPOSITIONS, 1910-1968

15 ft.

39 LGA-R containers

Arranged numerically by petition number.

These are formal statements in support of an applicant's petition by witnesses designated by the applicant. The records indicate the period of the applicant's residence in certain locale and other data, including the witnesses' appraisal of the applicant's character. Shown is the name of the witness, age, occupation, address, place of birth, citizenship, and period of time the witness has known the applicant.

Location: **E-02-04-02-05 to E-02-04-04-11**

Old Number: 24M68

24-M-1-10.10 CERTIFICATE OF NATURALIZATION RECEIPT BOOKS, 1907-1929

4 ft.

183 vols. in 10 LGA-R containers

Arranged numerically by certificate number.

Shown is name of petitioner, age, date of declaration of intention, place of residence, name of spouse and children, date of certificate and petition number.

Location: **E-02-04-04-12 to E-02-04-05-05**

Old Number: 24M69

24-M-1-10.11 ORDERS, 1926-1969

2 ft.

6 vols.

Arranged chronologically.

Shown is the date of the order of the court, names of aliens, and their petition numbers, and the date they appeared to take their oaths of allegiance.

Location: **G-12-06-06-1 to G-12-06-06-2**

Old Number: 24M70

24-M-1-10.12 TRANSFERRED PETITIONS, 1953-1968

4 in.

1 vol.

Arranged chronologically.

These petitions were filed originally in another court and then transferred to the District Court as a result of the alien moving. Shown is the name of the alien, date of filing, petition number, and date court approved the transfer.

Location: **G-12-06-05-3**

Old Number: 24M71

24-M-1-10.13 MISCELLANEOUS RECORDS, 1940-1956

1 ft

3 in.

1 vol.

Arranged in rough chronological order.

Included are World War II petitions and duplicate certificates issued, 1942-1956; objections to Final Hearings pertaining to alien enemies, 1943-1944; notice of waiver of 90 day period, 1944-1955; alien enemy reports, 1942-1951; certificates of loyalty, 1945-1950; and repatriations, 1937-1954.

Location: **E-02-04-02-01 to E-02-04-02-04**

A-25-07-08-3 (vol.)

Old Number: 24M72

24-M-1-14: FUGITIVE SLAVE RECORDS

Congress passed two principal Fugitive Slave Acts prior to the Civil War: in 1793 and 1850. The second Act formed a principal component of the Compromise of 1850 in which California was admitted as a free state. Both Acts allowed the seizure and return of runaway slaves who escaped into a free state or federal territory. Any federal judge of the United States District or Circuit Courts or any state magistrate assumed the power to determine the fate of an alleged fugitive slave, without a trial by jury. Under the Act of 1850, fugitives were forbidden to testify on their own behalf or to have a trial by jury. Heavy penalties were placed upon the U.S. Marshals who refused to enforce the law. Special commissioners were authorized for the prosecution of fugitive slave cases with the same jurisdiction as a federal court. The Fugitive Slave Acts were repealed on 28 June 1864.

24-M-1-14.1 PETITIONS FILED UNDER THE FUGITIVE SLAVE ACT, 1850-1860

3 in.

1 vol.

Arranged numerically, 1-41. Name index.

A record of petitions to the judge of the District Court filed under the Fugitive slave Act of September 18, 1850, and supporting documents. The supporting documents include copies of descriptions of the fugitive slaves, owners' titles, affidavits, certificates, bills of sale, will, deeds, and court orders. The original documents may be found in entry 24M103A.

Location: **A-07-04-04-2**

Old Number: 24M89

24-M-1-14.2 FUGITIVE SLAVE CASE PAPERS, 1850-1860

6 in.

Arranged numerically, 1-42.

Petitions filed with the court per Fugitive slave Act of September 18, 1850. Also included are affidavits, copies of wills and other papers in support of their ownership of the slave(s). These records were transcribed into bound volumes, see entry 24M89.

Location: **C-08-03-06-11**

Old Number: 24M103A

24-M-1-19: RECORDS OF THE CLERK OF THE COURT

The Judiciary Act of 1789 provided that the Judge of the District Court should appoint a Clerk of the Court.³⁴

At various times, the Clerk was authorized by law to perform certain functions besides his regular duties of maintaining and preserving the records of the court, including taking testimony of witnesses whom parties in admiralty cases might not be able to produce in the Circuit Court on appeal;³⁵ receiving and preserving census returns filed by the Marshal of the district;³⁶ receiving and recording maps, charts, and books in fulfillment of the copyright law;³⁷ taking certain recognizances, affidavits, depositions, and acknowledgements, and administering oaths;³⁸ sending copies of naturalization papers to the Secretary of State and registering aliens in the United States;³⁹ receiving lists of real estate sold for nonpayment of taxes and handling the redemption of the property by former owners;⁴⁰ and certifying the need for assignment of another judge to the District Court at certain times.⁴¹

24-M-1-19.1 CLERK'S DOCKETS, 1878-1902

1 ft.

18 vols.

Arranged chronologically by year and thereunder by type of case.

Entries show name of case, number, names of attorneys, court fees, and a chronological listing of all papers filed in the case. Only criminal and civil cases were docketed.

Location: **A-07-03-03-3 to A-07-03-04-1**

Old Number: 24M73

24-M-1-19.2 CLERK'S CIVIL DOCKETS (TAX LIENS), 1941-1953

2 ft.

10 vols.

Arranged chronologically and thereunder numerically by case number, 1 T.L. - 3499 T.L.

Shown is name of plaintiff(the United States); defendants' names and addresses; the date notice of lien filed; nature of the tax(IRS, Employment, etc.), the amount; date and certificate of discharge filed.

Location: **A-06-06-01-1 to A-06-06-01-2**

Old Number: 24M73A

³⁴ 1 Stat. 76

³⁵ 1 Stat. 89

³⁶ 1 Stat. 102; 2 Stat. 12, 566; 3 Stat. 550; 4 Stat. 384; 5 Stat. 333, 368

³⁷ 1 Stat. 125

³⁸ 1 Stat. 278; 1 Stat. 163

³⁹ 1 Stat. 567, 568

⁴⁰ 3 Stat. 32, 175; 12 Stat. 441; 13 Stat. 235

⁴¹ 9 Stat. 442; Stat. 5

24-M-1-19.3 SUBPOENA DOCKETS, 1840-1900

8 in.

8 vols.

Arranged chronologically by term of court.

Shown is name and date of the case, names of witnesses, days in attendance, mileage allowance, and disposition of the case.

Location: **A-07-03-02-3**

Old Number: 24M74

24-M-1-19.4 SUBPOENA DOCKETS AND SUPPLEMENTAL MINUTES, 1919-1929

1 ft.

8 vols.

Arranged by type of subpoena and thereunder chronologically by date issued.

Shown is name of witnesses called to testify, title of case, number, and minutes of proceeding of the court.

Location: **A-07-03-02-3 to A-07-03-03-1**

Old Number: 24M75

24-M-1-19.5 SUBPOENA DOCKETS – CIVIL, 1929-1953

2 in.

2 vols.

Arranged chronologically by date subpoena was issued. Name indexes.

A record of the names of witnesses called to testify in civil cases. Entries show name and number of the case, type of case, names of witnesses, dates the subpoena was issued and returned, marshal's return, days in attendance at the court, costs of attendance, and the date the certificate was issued.

Location: **A-07-03-02-2**

Old Number: 24M76

24-M-1-19.6 SUBPOENA DOCKETS – CRIMINAL, 1929-1953

1 ft.

5 vols.

Arranged chronologically by date of subpoena. Name indexes.

A record of witnesses called to testify in criminal cases. Entries show name and number of the case, name of witnesses, dates the subpoenas were issued and returned, marshal's return and date of return, days and costs of attendance, and the date the certification was issued.

Location: **A-07-03-03-1**

Old Number: 24M77

24-M-1-19.7 SUBPOENA DOCKETS - GRAND JURY, 1929-1952

3 in.

1 vol.

Arranged chronologically by date of subpoena.

A record of the names of witnesses called to testify before the Grand Jury. Entries show name of witness, date of subpoena was issued and returned, marshal's return and date of return, days and cost of attendance, and the date the certification was issued.

Location: **A-07-03-05-2**

Old Number: 24M78

24-M-1-19.8 BENCH WARRANT DOCKETS, 1861-1877

3 in.

2 vols.

Arranged chronologically by term of court and thereunder by date of the bench warrant. Volume 2 has a name index.

A record of papers filed and proceedings held in criminal cases where bench warrants were issued for the attachment or arrest of a person. Shown is name of case, nature of the complaint, date of bench warrant, court fees, amount of bond, and disposition of the case.

Location: **A-07-03-05-1**

Old Number: 24M79

24-M-1-19.9 PETIT AND GRAND JURORS, 1794-1863

2 in.

Arranged chronologically.

Lists of those individuals who were called to serve on petit or grand juries. Shown is the name of the individual and the term of the court.

Location: **C-08-03-06-13**

Old Number: 24M103E

24-M-1-19.10 INDEX TO JURORS, 1888-1893

1 in.

1 vol.

Arranged alphabetically by initial letter of the surname of the juror.

Shown is name of juror and date of the jury.

Location: **A-07-03-05-2**

Old Number: 24M80

24-M-1-19.11 JURY BOOKS, 1878-1961

4 in.

3 vols.

Arranged chronologically by term of court and thereunder by type of jury. There are no books for the period 1902-1946.

Shown is name of juror, place of residence, days in attendance, and talesman excuses or discharged.

Location: A-07-03-05-3

Old Number: 24M81

24-M-1-19.12 REGISTRY FUND LEDGERS, 1866-1953

2 ft.

13 vols.

Arranged chronological by date of initial entry in each account. Vols. 4-13 have name indexes (1917-1945).

Shown is name and number of the case, dates of receipts and expenditures, amounts, docket and page number, and check number. Attached to some of the accounts are receipts for funds deposited into the U.S. Treasury, and orders directing payment of funds. Most of the ledgers also include a summary account of the receipts and disbursements of the registry of the court and, after 1920, special accounts of Liberty Bonds and other types of bonds deposited with the court.

Location: A-07-03-04-2 to A-07-03-04-3

Old Number: 24M82

24-M-1-19.13 MARSHALS' COMPENSATION DOCKETS, 1869-1885

3 in.

2 vols.

Arranged by type of case and thereunder chronologically by term of court.

Shown is name and number of the case, names or initials of attorneys, date subpoena was served and action taken, and a summary of the marshal's fees and costs.

Location: A-07-03-04-3

Old Number: 24M83

24-M-1-19.14 CASH BOOKS, 1885-1954

1 ft.

7 vols.

Arranged chronologically by date of the receipt of cash. There are no cash books for the period 1899-1943.

Shown is the name of the type of case or type of court action, date of receipt of the fee, and amount.

Location: A-07-03-03-2

Old Number: 24M84

24-M-1-19.15 COSTS DOCKETS, 1834-1886

4 in.

3 vols.

Arranged by type of case and thereunder in chronological order by date of payment of fee. There are no costs dockets for the period 1852-1872.

Shown is the name of the case, initials of the attorneys, court fees, and disposition of the case. The second part of docket 1 contains a mixture of court costs in civil cases, 1834-1850, and in criminal cases, 1834-1851; entries for the civil cases include the name and type of case, defendant's costs, plaintiff's costs, and total costs; entries for the criminal cases include the name of the case, date of payment of the fees and the nature and amount of the fees. Volume 2 contains circuit court cases, November 1873-April 1877; volume 3 contains circuit court cases for the period April 1878-April 1886.

Location: **A-07-03-05-1**

Old Number: 24M85

24-M-1-19.16 JOURNALS OF FEES AND COSTS, 1853-1875

2 in.

3 vols.

Arranged chronologically.

An account of fees paid to the Clerk of the Court in both district and circuit courts. Some of the reports are given quarterly. The accounts are divided into three types: per diem accounts, criminal and civil accounts, and court papers accounts. Entries in the per diem section include the number of days in attendance, and fees paid; entries in the criminal and civil case accounts section include the name and date of the case, type of case, and fees paid; and entries in the court papers accounts section include the date of the court action, type of case, and fees paid.

Location: **A-07-03-05-3**

Old Number: 24M86

24-M-1-19.17 TRUST FUND LEDGER, 1944-1949

2 in.

1 vol.

Arranged chronologically by date of the receipt or disbursement of funds.

Shown is the date of the receipt or payment, check and voucher number, and the amount of funds paid or received.

Location: **A-07-03-05-2**

Old Number: 24M87

24-M-1-19.18 INDEX TO COPYRIGHT RECORDS, 1831-1856

2 in.

2 vols.

Arranged alphabetically by initial letter of the surname of the person holding copyright and thereunder chronologically by date of copyright.

Shown is name of copyright holder, date of copyright, title and type of copyright, and the docket and page numbers of the copyright record.

Location: **A-07-04-01-2**

Old Number: 24M90

24-M-1-19.19 RECORD OF PAPERS FILED IN COPYRIGHT ASSIGNMENTS, 1834-1870

1 in.

1 vol.

Arranged chronologically by date of assignment of copyright.

Shown is copy of assignment, and copies of supporting documents such as deeds, transfers, mortgages, and certifications.

Location: **A-07-04-01-2**

Old Number: 24M91

24-M-1-19.20 RECOGNIZANCE DOCKETS, 1857-1886

2 in.

2 vols.

Arranged chronologically.

Shown is name and number of case, names or initials of attorneys, names of witnesses, amount of recognizance, and disposition of case.

Location: **A-07-03-05-2**

Old Number: 24M92

24-M-1-19.21 RECOGNIZANCE PAPERS, 1852-1889

2 ft.

6 LGA-2 containers

Arranged chronologically.

Recognizances, subpoenas, warrants, and other types of papers filed in both the district and circuit courts whereby persons promise to appear in court at a given time to testify in court for either the plaintiff or the defendant. Other types of papers include writs of venire facias, orders of the court, judicials, marshal's jury returns, and depositions.

Location: **C-08-06-04-204to C-08-06-04-09**

Old Number: 24M93

24-M-1-19.22 STOREKEEPER'S RETURN OF GOODS FROM WAREHOUSE, 1864-1868

6 in.

1 LGA-R container shared with other records)

1 LGA-2 container

Arranged chronologically from March 1864-December 1868. There are no returns for the period April 1,1864-August 21,1868.

These records were created by the storekeeper of the Baltimore Customs House, which, for unknown reasons, were filed with the records of the district court. The returns include a brief description of the merchandise, name of the vessel in which the merchandise was imported, name of the company or person who imported the merchandise, date it was received in the Customs House, and the date of endorsement at the Customs House.

Location: **E-02-05-03-07 and C-08-06-05-08**

Old Number: 24M94

24-M-1-19.23 PAPERS RELATING TO WAR OF 1812 PRISONERS OF WAR, 1814-1815

2 in.

Arranged chronologically.

Papers of Thomas Rutter, U.S. Marshal for the State of Maryland relating to British soldiers and seamen taken and held prisoner of war, and to British aliens living in Maryland. Papers include letters and copies of letters to Rutter from, among others, Joseph Anderson, Edward Beall, Thomas A. Davis, Henry Haskins, and John Mason. They pertain specifically with such topics as prisoner of war accounts, rations, and housing conditions.

Location: **C-08-06-05-10**

Old Number: 24M95

24-M-1-19.24 LETTERS TO JAMES CROOK, 1840-1841

2 in. (1 LGA container shared with other records)

Arranged chronologically from September 1840 to September 1841.

Letters sent by East Coast merchants and lawyers to James Crook, a Baltimore carpet merchant, regarding the buying, shipping, and selling of carpets. The letters include a few bills of lading and pertain to the payment and transfer of funds under the provisions of the Independent Treasury Act of July 4,1840(5STAT. 385).

Location: **E-02-05-03-07**

Old Number: 24M96

24-M-1-19.25 PROTESTS BY NOTARY PUBLICS FOR NON-PAYMENT OF DEBTS, 1832-1847

1 in.

Arranged chronologically from December 1832 to October 1847

Protests by notary publics, addressed to the endorsers of promissory notes, for the non-payment of the notes. Also included are originals and copies of sight drafts, bills of exchange, and other types of promissory notes. The protests include the name and location of the notary public, name of the endorser of the promissory note, name of the person who made the note, name of the person or institution who protested the note, and the date of the note.

Location: **C-08-06-05-10**

Old Number: 24M97

24-M-1-19.26 LIST OF JUDGMENT DEBTORS, 1829-1849

1 in.

1 vol.

Arranged chronologically.

Shown is name and number of the case, type of case, date of trial, amount of judgment, amount collected under the judgment, interest and court costs, whether the debtor had died in the meantime, and whether there were any further attempts to collect the debt. The volume also contains copies of letters and accounts relating to the collection of these debts, 1848-1849.

Location: **A-07-03-05-1**

Old Number: 24M98

24-M-1-19.27 TAX LISTS AND ACCOUNT BOOK, 1814-1816

1 in.

1 vol.

Arranged by type of list or account and thereunder chronologically.

A list of property sold for non-payment of taxes; list of delinquent taxpayers who did not reside in the same county in which the taxed property was located; an account of additional taxes of 10% or 20% on property offered for sale; an account of contingent expenses; and a list of taxes (on slaves) improperly transmitted to the Maryland collector of taxes. These lists include the name of the taxable person, place of residence, locations and value of the property, amount of the tax, and the amount of additional taxes.

Location: **A-07-04-04-2**

Old Number: 24M99

24-M-1-19.28 EMOLUMENT BOOK, 1877-1883

1 in.

1 vol.

Arranged by type of court action and thereunder chronologically.

Entries for the different types of court action include a yearly account of fees paid and not paid by the Federal government and by individuals, and either a docket number or check stub number.

Location: **A-07-04-04-2**

Old Number: 24M100

24-M-1-19.29 CLERK'S BOOK OF CASH RECEIVED, N.D.

1 in.

1 vol.

Arranged alphabetically.

Shown is a listing of all cases and the amount of fees received for each case.

Location: **A-07-04-04-2**

Old Number: 24M101

24-M-1-19.30 APPOINTMENTS, OATHS, AND RESIGNATIONS, 1872-1951

2 ft.

Arranged chronologically.

Shown are the dates of appointment, oaths and resignations of the following court officials: U.S. Commissioners, Referees in Bankruptcy, Shipping Commissioners, jury commissioners, U.S. Marshals, Clerks of the Court, Chief Deputy Clerks of the Court, deputy clerks, clerical assistants, court criers, conciliation commissioners, probation officers, messengers, stenographers, interpreters, and official court reporters.

Location: **E-01-06-02-1 to E-01-06-02-3**

Old Number: 24M102

24-M-1-19.31 MISCELLANEOUS PAPERS, 1790-1945

3 ft.

Arranged chronologically.

A variety of papers that were filed with the court such as: orders, affidavits, citations, decrees, demurrers, depositions, ejectments, injunctions, judgments, libels, motions, recognizances, subpoenas, summonses, and warrants; accounts, bonds, invoices, letters, receipts, returns, petitions for writs of habeas corpus and other miscellaneous documents.

Location: **C-08-06-04-10 to C-08-06-04-14**

C-08-06-05-09 and C-08-06-05-11 to C-08-06-05-12

Old Number: 24M103

24-M-1-19.32 APPOINTMENT OF STEAMBOAT INSPECTORS, 1839-1864

5 in.

Arranged chronologically. (February 25,1839-July 8,1864)

As a result of an Act of Congress passed on July 7,1838, all steamboats had to be inspected with regards to their safety. Shown is the name of the inspector, the vessel they inspected and date. There are no appointments for the period January 1840-September 1848, and January 1850-March 1856. These records appear to be created by the Bureau of Customs.

Location: **C-08-03-06-11**

Old Number: 24M103B

24-M-1-19.33 SCHEDULES OF PROPERTY OF REVOLUTIONARY WAR PENSIONERS, 1820

2 in.

July, 1820

1 LGA-2 box (shared)

The 25 schedules are arranged alphabetically.

The service-pension Act of 1818, which allowed officers and enlisted men in need of assistance to qualify for a pension, resulted in a great number of applications, many of which were approved. Congress had to appropriate greater sums than ever before for Revolutionary War pension payments. Financial difficulties and charges that applicants were feigning poverty to obtain benefits under the terms of the act caused Congress to enact legislation on May 1,1820(3 STAT.569). The new law required every pensioner receiving payments under the 1818 act, and every would-be pensioner, to submit a certified schedule of his estate and income to the Secretary of War. The Secretary was authorized to remove from the pension list the names of those persons who, in his opinion, were not in need of assistance. Within a few years the total Revolutionary War service pensioners was reduced by several thousand. An Act of Congress approved March 23,1823(3 STAT.782), resulted in the restoration of pensions to many whose names had been removed under the terms of the 1820 legislation, but who subsequently proved their need for aid.

Location: **C-08-03-06-13 (shared box)**

Old Number: 24M103C

24-M-1-19.34 BONDS FOR PAYMENT OF DUTIES ON IMPORTED GOODS, 1816-1822

3 in.

1 LGA-2 box (shared)

Arranged chronologically.

Shown is the name of the merchant, amount of bond, date, name of bondsman, name of vessel, and port of origin. These were Custom House records that were located amount the records of the Clerk of the Court.

Location: **C-08-03-06-13 (shared box)**

Old Number: 24M103D

24-M-1-19.35 LIST OF CASES PENDING OR UNDECIDED, 1797-1842

2 in.

1 LGA-2 box (shared)

Arranged chronologically.

Shown is the name of the defendant, type of action, judge assigned and any remarks on the progress of the case. There are no lists for the period 1805-1839.

Location: **C-08-03-06-13 (shared box)**

Old Number: 24M103F

24-M-1-20: RECORDS OF U.S. COMMISSIONERS

The administration of the business of the Federal district courts is largely aided, especially in criminal procedures, by a class of officers known as United States Commissioners. Authority to appoint Commissioners was first conferred on the Circuit Courts by an act of February 20, 1812 to provide for the more convenient taking of bail and affidavits.⁴² The functions of the Commissioners were later enlarged by acts of Congress and rules of court. Some of their more important powers include authority to issue warrants for the arrest of persons charged with offenses against the United States; to examine such offenders and to imprison them or admit them to bail⁴³; upon complaint of a seaman for unpaid wages, to summon the ship's master to show cause why process should not issue against his vessel⁴⁴; to enforce decisions of foreign consuls and vice consuls relating to controversies arising in United States ports between masters and crews of vessels belonging to their respective countries⁴⁵; to entertain complaints under extradition treaties and issue warrants for the apprehension of fugitives from foreign justice⁴⁶; upon applications of consuls of foreign governments, to issue warrants for the arrest of deserting seamen⁴⁷; to institute proceedings for violations of civil rights legislation⁴⁸; and to take stipulations in admiralty suits. In 1896 the authority to appoint Commissioners was transferred from the Circuit Courts to the District Courts of the United States⁴⁹.

Under an act effective October 17, 1968 the duties of the U.S. Commissioners were enlarged and absorbed into a new office to be known as U.S. Magistrate.⁵⁰ The additional duties of Magistrates included the power to administer oaths and affirmations; impose conditions of release; take acknowledgements, affidavits, and depositions; and conduct trials.

24-M-1-20.1 TRANSCRIPT DOCKETS, 1917-1952

2 ft.

9 vols.

Arranged numerically by case number, 1-24,238.

A record of papers filed and proceedings held in criminal cases sent up to the district court. Shown is the name of the defendant, case number, date of complaint, fees charged, a chronological listing of all filings and the criminal case number in the district court.

Location: **A-06-06-01-1 to A-06-06-01-2**

Old Number: 24M103G

⁴² (2 Stat. 679)

⁴³ (5 Stat. 516)

⁴⁴ (5 Stat. 516)

⁴⁵ (9 Stat. 79)

⁴⁶ (9 Stat. 302)

⁴⁷ (10 Stat. 614)

⁴⁸ (14 Stat. 28)

⁴⁹ (29 Stat. 184)

⁵⁰ (82 Stat. 1108)

24-M-1-20.2 COST DOCKET, 1873-1875

2 in.

2 vols.

Arranged chronologically.

Shown is the name of the defendant, date and nature of the complaint, fees charged, and disposition of the case.

Location: **A-06-06-01-2**

Old Number: 24M104

24-M-1-20.3 RECORD OF PROCEEDINGS, 1916-1946

28 ft.

337 vols.

Arranged alphabetically by surname of commissioner and thereunder by date of filing of the complaint.

A record of papers filed and proceedings held in criminal cases brought before the U.S. Commissioner holding sessions in Baltimore, Cabin John, Cambridge, Denton, Frederick, Hagerstown, Salisbury, Annapolis, and Upper Marborough. Entries show name of defendant, case number, date and nature of the complaint, name of person making the complaint, place where offense was committed, names of attorneys, amount of bond, fees charged, names and addresses of witnesses, and a chronological listing of all filings in the proceedings.

Location: **A-06-06-01-3 to A-06-08-01-1**

Old Number: 24M105

24-M-2: CUMBERLAND DIVISION

In 1892, provisions were made for holding terms of the Circuit and District Court in Cumberland.⁵¹

24-M-2-3: BANKRUPTCY RECORDS

Under the constitutional provision that Congress shall have the power to establish "uniform laws on the subject of Bankruptcies throughout the United States,"⁵² five national bankruptcy laws have been enacted. Each of the first four laws was approved shortly after a period of business depression. The Act of 1800 followed the business disturbances of 1797; the Act of 1841, the Panic of 1837; the Act of 1867, the depressed economic conditions of the post Civil War period; and the Act of 1898, the Panic of 1893 and the following years of depression. Until 1898 national bankruptcy legislation was an emergency device, and each of the first three bankruptcy laws was repealed when business conditions generally improved. The Act of 1898 was amended from time to time and eventually superceded by the Bankruptcy Act of 1978.⁵³ Original jurisdiction under each of the acts was assigned by Congress to the United States District Courts, except that under the Act of 1800, jury trials of bankruptcy claims could be heard in the United States Circuit Courts until April 29, 1802, when this function was transferred to the District Courts. Appellate jurisdiction in bankruptcy controversies under the first three Acts was vested in the Circuit Courts. When the Act of 1898 was approved, all appellate jurisdiction had been fixed in Circuit Courts of Appeals. The Act of 1978 established separate Courts of Bankruptcy within each District Court division.

The records described below were created in proceedings initiated in the United States District Court for the Eastern District of Virginia and the United States Bankruptcy Court for the Eastern District of Virginia under each of the national bankruptcy acts. They consist of case files, dockets, indexes, minute books, and related materials. All records pertaining to each of the acts are grouped together.

⁵¹ 27 Stat. 11

⁵² U.S. Constitution, Article I, Section 8

⁵³ 92 Statutes 2549

24-M-2-3-4: BANKRUPTCY ACT OF 1898

Congress passed a new national bankruptcy act on July 1, 1898.⁵⁴ It provided that anyone owing debts, except a corporation, was entitled to the benefits of the law as a voluntary bankrupt; and anyone except wage earners or farmers or certain types of corporations, owing debts of \$1,000 or more could be adjudged an involuntary bankrupt. A certificate of discharge was denied only when the applicant had committed an offense punishable by imprisonment as provided by the law or, with fraudulent intent to conceal his true financial condition and in contemplation of bankruptcy, had concealed or destroyed or failed to keep records of accounts. The act created the offices of referee and trustee. Referees were to be appointed by the court and vested with jurisdiction to make an adjudication of the bankruptcy or to dismiss the petitions, and to perform such other duties, except as to opposition arising out of applications for composition of discharge, as were conferred by the act on courts of bankruptcy. Trustees were to be appointed by creditors at their first meeting. The act was amended from time to time and substantially revised by the so-called Chandler Act of June 22, 1938.⁵⁵ It was superceded by the Bankruptcy Act of 1978.⁵⁶

24-M-2-3-4.1 DOCKETS, 1907-1951

5 in.

2 vols.

Arranged numerically by case number, 1-606. Name indexes.

Shown is name of bankrupt, case number, date of filing of the petition, names of attorneys, whether bankruptcy was voluntary or involuntary, names of referees and/or trustees, court fees, and a chronological listing of all papers filed with the court.

Location: **A-06-08-01-3**

Old Number: 24M106

24-M-2-3-4.2 CASE FILES, 1907-1951

14 ft.

36 LGA-2 containers

Arranged numerically by case number, 1-606.

Included are petitions filed by both creditors and debtors; schedules of debts listing the amount and nature of the defendants' debts, names and addresses of the creditors, and the sum due each creditor; schedules containing inventories of the defendant's real and personal property; powers of attorney, trustee's bonds, orders for discharge, decrees of final discharge, and other papers filed with the court.

Location: **C-06-05-01 to C-06-05-07-04**

Old Number: 24M107

⁵⁴ (30 Stat. 544)

⁵⁵ (52 Stat. 840)

⁵⁶ 92 Statutes 2549

24-M-2-3-4.3 CORRESPONDENCE RELATING TO BANKRUPTCY CASES, 1933-1935

2 in.

1 LGA-2 container

Arranged by subject and thereunder chronologically by date of the document.

Letters of Judge William C. Coleman to officials of the court, usually the referee in bankruptcy, concerning routine transmittal matters, legal questions, and opinions of the judge on some points of law or procedure; copies of letters from the referee in bankruptcy to the court on general subjects; letters concerning closed bankruptcy cases; and miscellaneous correspondence between court officials and other interested parties.

Location: **C-06-05-07-05**

Old Number: 24M108

24-M-2-3-4.4 RULES OF THE COURT, 1933-1934

2 in.

Arranged chronologically.

Copies of notes and memoranda concerning rules of the court, printed copies of bankruptcy cases and opinions published in the legal newspaper *Daily Record*, 1933-1934.

Location: **C-06-05-07-05 (?)**

Old Number: 24M109

24-M-2-3-4.5 REFEREE'S DOCKET, 1908-1918

2 in.

1 vol.

Arranged chronologically by the date that the bankruptcy papers were received by the referee from the Clerk of the Court. Name index.

Shown is the name of the petitioner, case number, address and occupation of the petitioner, names of attorneys, amount of assets and liabilities, whether bankrupt is a pauper, names of creditors, dates and amounts of the claims of the creditors, and a chronological listing of papers filed with the referee. Included is an account of the referee's fees and expenses, April 1909-April 1928.

Location: **A-06-08-01-3**

Old Number: 24M110

24-M-2-4: CIVIL RECORDS

By an act of Congress dated June 19, 1934, the Supreme Court could, at any time, unite the general rules prescribed by it for cases in equity with those in actions at law so as to secure one form of civil action and procedure for both.⁵⁷ The Supreme Court issued such an order on December 20, 1937 and this order took effect in the regular session of the District Court on January 3, 1938.

24-M-2-4.1 DOCKET, 1939-1947

2 in.

1 vol.

Arranged numerically by case number, 1-14. Docket is labeled "Circuit Court Docket Book." Name index.

Shown is name and number of the case, names of attorneys, court fees, and a chronological listing of all papers filed with the court.

Location: **A-07-02-04-6**

Old Number: 24M111

24-M-2-4.2 CASE FILES, 1939-1947

10 in.

2 LGA-2 containers

Arranged numerically by case number, 1-14.

Shown is declarations, complaint, answers, pleas, petitions, subpoenas, depositions, orders of the court, and other papers filed with the court.

Location: **C-06-05-08-03 to C-06-05-08-04**

Old Number: 24M112

⁵⁷ (48 Stat. 1064),

24-M-2-6: EQUITY RECORDS

The equity jurisdiction of the district courts was very limited. Until 1820 district judges were authorized to grant injunctions if a party had not had sufficient time to apply to a circuit court. These injunctions were to continue only until the next session of the circuit court and this power was considered merely as auxiliary to the jurisdiction of the circuit courts. An act of May 15, 1820, invested district judges with independent authority to grant injunctions.⁵⁸ Under provisions of Federal bankruptcy legislation the district courts entertained bills in equity filed by assignees and trustees seeking to recover certain properties from defendants as assets of the bankrupts.⁵⁹ On July 20, 1868, Congress conferred upon the district courts jurisdiction over all suits in equity to enforce the lien of the United States upon any real estate for any internal revenue tax.⁶⁰ Upon the termination of the circuit courts in 1911, all equity jurisdiction passed to the district courts.

24-M-2-6.1 DOCKET, 1912-1941

2 in.

1 vol.

Arranged numerically by case number, 1-45. Name index.

Shown is name and number of case, names of attorneys, court fees, and a chronological listing of all papers filed with the court.

Location: **A-07-02-05-1**

Old Number: 24M113

24-M-2-6.2 CASE FILES, 1912-1941

2 ft.

5 LGA-2 containers

Arranged numerically by case number, 1-45.

Shown is bills of complaint, answers, subpoenas, orders and decrees of the court, motions, in some instances, testimony, and other papers filed with the court.

Location: **C-06-05-07-14 to C-06-05-08-02**

Old Number: 24M114

⁵⁸ 3 Stat. 595

⁵⁹ 5 Stat. 440; 14 Stat. 517; 30 Stat. 544

⁶⁰ 15 Stat. 167

24-M-2-7: LAW RECORDS

As courts of common-law jurisdiction, the district courts of the United States possessed from the time of their organization exclusive original jurisdiction over all seizures on land or on waters not navigable by boats of 10 or more tons, made under the laws of the United States; exclusive original jurisdiction, with a few exceptions, over suits for penalties and forfeitures incurred under Federal laws; concurrent jurisdiction, with State and circuit courts, over all cases where an alien sued for a tort in violation of the law of nations, or a treaty of the United States; concurrent jurisdiction, with State and circuit courts, over all suits at common law where the United States, or one of its officers, sued under the authority of an act of Congress; and exclusive original jurisdiction over suits against foreign consuls and vice consuls, with the exception of criminal prosecutions.⁶¹ From time to time this jurisdiction was expanded by Congress to cover other types of cases, such as those arising under the postal laws of the United States⁶² and under civil rights legislation.⁶³

24-M-2-7.1 DOCKET, 1908-1938

2 in.

1 vol.

Arranged numerically by case number, 1-87. Name index.

Shown is name and number of the case, attorneys names, court fees and a chronological listing of all papers filed with the court.

Location: **A-07-02-05-1**

Old Number: 24M115

24-M-2-7.2 CASE FILES, 1908-1938

3 ft.

8 LGA-2 containers

Arranged numerically by case number, 1-87.

Included are declarations, complaints, petitions, answers, demurrers, please, preapices, depositions, subpoenas, opinions, and other papers filed with the court.

Location: **C-06-05-07-06 to C-06-05-07-13**

Old Number: 24M116

⁶¹ Alfred Conkling, "A Treatise on the Organization, Jurisdiction, and Practice of the Courts of the United States," p. 260-263 (Albany, 1870).

⁶² 5 Stat. 739

⁶³ 17 Stat. 13

24-M-2-9: CRIMINAL RECORDS

The Judiciary Act of 1789 conferred a very limited criminal jurisdiction upon the district courts of the United States.⁶⁴ The district courts were to have jurisdiction over all crimes and offenses cognizable under the authority of the United States where the punishment did not exceed a whipping of 30 stripes, a fine of \$100, or 6 months imprisonment. Jurisdiction was further reduced by an act of February 28, 1839, which abolished the punishment of whipping.⁶⁵ Three years later, however, Congress extended the criminal jurisdiction of the district courts to all crimes and offenses against the United States punishable by death.⁶⁶

The volume of criminal records greatly increased when all original jurisdiction in Federal criminal matters passed to the district courts as a result of the abolition of the circuit courts in 1911.

24-M-2-9.1 DOCKETS, 1907-1933

7 in.

3 vols.

Arranged numerically by case number, 1-1243. Name indexes.

Shown is name and number of the case, names of attorneys, court fees, and a chronological listing of all papers filed with the court.

Location: **A-07-03-05-2**

Old Number: 24M117

24-M-2-9.2 CASE FILES, 1907-1933

6 ft.

17 LGA-2 containers

Arranged numerically by case number, 1-1243.

Included are bills of indictment, plea of the defendant, depositions of witnesses, demurrers, warrants, recognizances, orders of the court, and other papers filed with the court.

Location: **C-06-05-08-05 to C-06-05-09-05**

Old Number: 24M118

⁶⁴ 1 Stat. 76

⁶⁵ 5 Stat. 322

⁶⁶ 5 Stat. 517

24-M-2-19: RECORDS OF THE CLERK OF THE COURT

The Judiciary Act of 1789 provided that the Judge of the District Court should appoint a Clerk of the Court.⁶⁷

At various times, the Clerk was authorized by law to perform certain functions besides his regular duties of maintaining and preserving the records of the court, including taking testimony of witnesses whom parties in admiralty cases might not be able to produce in the Circuit Court on appeal;⁶⁸ receiving and preserving census returns filed by the Marshal of the district;⁶⁹ receiving and recording maps, charts, and books in fulfillment of the copyright law;⁷⁰ taking certain recognizances, affidavits, depositions, and acknowledgements, and administering oaths;⁷¹ sending copies of naturalization papers to the Secretary of State and registering aliens in the United States;⁷² receiving lists of real estate sold for nonpayment of taxes and handling the redemption of the property by former owners;⁷³ and certifying the need for assignment of another judge to the District Court at certain times.⁷⁴

24-M-2-19.1 SUBPOENA DOCKET, 1930-1943

2 in.

1 vol.

Arranged chronologically. Name index.

A record of the names of witnesses called to testify in cases noted for trial before the court. Shown is the name and number of the case, name of witnesses, days in attendance, mileage allowance, date the subpoena was issued and returned, and the date the certificate was issued.

Location: **A-07-03-05-3**

Old Number: 24M119

24-M-2-19.2 SUBPOENA DOCKET AND SUPPLEMENTAL MINUTES, 1925-1930

1 in.

1 vol.

Arranged chronologically. Name index.

Entries include the name of the case, type and docket number of the case, names of witnesses, days in attendance, mileage allowance, dates the subpoena was issued and returned, record of the daily activities in the case, and date the certificate was issued.

Location: **A-07-03-03-05-3**

Old Number: 24M120

⁶⁷ 1 Stat. 76

⁶⁸ 1 Stat. 89

⁶⁹ 1 Stat. 102; 2 Stat. 12, 566; 3 Stat. 550; 4 Stat. 384; 5 Stat. 333, 368

⁷⁰ 1 Stat. 125

⁷¹ 1 Stat. 278; 1 Stat. 163

⁷² 1 Stat. 567, 568

⁷³ 3 Stat. 32, 175; 12 Stat. 441; 13 Stat. 235

⁷⁴ 9 Stat. 442; Stat. 5

24-M-2-19.3 CASH BOOK, 1907-1947

2 in.

1 vol.

Arranged chronologically.

Shown is the date and nature of the transaction, names of persons from whom the cash was received, and to who the cash was disbursed; assorted special categories of fees and fines, and docket and page numbers for original cases.

Location: **A-07-03-05-3**

Old Number: 24M121

24-M-2-19.4 RECORDS RELATING TO JURIES AND SESSIONS OF THE COURT, 1907-1940

2 in.

1 shared LGA-2 container

Arranged chronologically by term of court.

Orders opening court for the purpose of drawing prospective jurors, issuance of the writ of *venire facias* for grand and petite jurors, results of jury selection, and orders adjourning court. Of interest is a letter from Arthur L. Spamer, Clerk of the Court, to William J. Feagan, Deputy Clerk at Cumberland, dated December 2, 1907, in which he discusses the method of jury selection.

Location: **C-06-05-09-06**

Old Number: 24M122

24-M-2-19.5 POWERS OF ATTORNEY, 1907-1952

3 in.

1 shared LGA-2 container

Arranged chronologically.

Originals and copies of authorizations and revocations of authorizations filed with the court for individuals to represent insurance and indemnity companies as their legal agents before the court. Shown is name of attorney, date, and signature of the attorney.

Location: **C-06-05-09-06**

Old Number: 24M123

24-M-2-19.6 MISCELLANEOUS RECORDS, 1920-1935

1 in.

1 LGA-2 container

Arranged chronologically.

Subpoenas, applications by attorneys for permission to practice before the court, lists of fees for cases due before the court, and a copy of the rules for the District Courts.

Location: **C-06-05-07-05**

Old Number: 24M124

24-M-2-20: RECORDS OF U.S. COMMISSIONERS

The administration of the business of the Federal district courts is largely aided, especially in criminal procedures, by a class of officers known as United States Commissioners. Authority to appoint Commissioners was first conferred on the Circuit Courts by an act of February 20, 1812 to provide for the more convenient taking of bail and affidavits.⁷⁵ The functions of the Commissioners were later enlarged by acts of Congress and rules of court. Some of their more important powers include authority to issue warrants for the arrest of persons charged with offenses against the United States; to examine such offenders and to imprison them or admit them to bail⁷⁶; upon complaint of a seaman for unpaid wages, to summon the ship's master to show cause why process should not issue against his vessel⁷⁷; to enforce decisions of foreign consuls and vice consuls relating to controversies arising in United States ports between masters and crews of vessels belonging to their respective countries⁷⁸; to entertain complaints under extradition treaties and issue warrants for the apprehension of fugitives from foreign justice⁷⁹; upon applications of consuls of foreign governments, to issue warrants for the arrest of deserting seamen⁸⁰; to institute proceedings for violations of civil rights legislation⁸¹; and to take stipulations in admiralty suits. In 1896 the authority to appoint Commissioners was transferred from the Circuit Courts to the District Courts of the United States⁸².

Under an act effective October 17, 1968 the duties of the U.S. Commissioners were enlarged and absorbed into a new office to be known as U.S. Magistrate.⁸³ The additional duties of Magistrates included the power to administer oaths and affirmations; impose conditions of release; take acknowledgements, affidavits, and depositions; and conduct trials.

24-M-2-20.1 TRANSCRIPT DOCKETS, 1920-1952

3 in.

2 vols.

Arranged numerically by case number, 1-2345. Name indexes.

Shown is the name of the defendant, case number, date of complaint, fees charged, and criminal case number in the district court.

Location: **A-07-03-05-3**

Old Number: 24M125

⁷⁵ (2 Stat. 679)

⁷⁶ (5 Stat. 516)

⁷⁷ (5 Stat. 516)

⁷⁸ (9 Stat. 79)

⁷⁹ (9 Stat. 302)

⁸⁰ (10 Stat. 614)

⁸¹ (14 Stat. 28)

⁸² (29 Stat. 184)

⁸³ (82 Stat. 1108)

24-M-2-20.2 CASE FILES, 1920-1952

2 ft.

4 LGA-2 containers

Arranged numerically by case number, 1-2339.

Entries include affidavits, warrants, subpoenas, recognizances, and other papers filed with the court. Many of the cases deal with violations of the Volstead Act (prohibition).

Location: **C-06-05-09-07 to C-06-05-09-10**

Old Number: 24M126

24-M-2-20.3 UNDOCKETED CASE FILES, 1907-1924

5 in.

1 LGA-2 container

Arranged chronologically.

Similar to entry 24M126 with the exception that these cases were not docketed and therefore were not assigned case numbers. Entries include affidavits, warrants, subpoenas, recognizances, and other papers filed with the Commissioner.

Location: **C-06-05-09-11**

Old Number: 24M127

24-M-2-20.4 APPLICATIONS FOR DISCHARGE FROM IMPRISONMENT, 1920-1935

1 ft.

1 LGA-2 container

Arranged chronologically.

Requests by convicts that they be released from jail because they have served the minimum of thirty days and are too poor to pay the fines required by the court. The documents include the applications for discharge, oaths of the convicts that their assets are no more than \$20.00, and mandates by the U.S. commissioners to the jailers requiring that the convicts be produced at a given date before them. Entries include the name of the convict, name of Commissioner, name of jailer, length and date of the convict's sentence, place of incarceration, amount of the convict's fine, and the name of the witness.

Location: **C-06-05-09-12**

Old Number: 24M128

24-M-2-20.5 SEARCH WARRANTS, 1919-1933

5 in.

1 LGA-2 container

Arranged chronologically.

Entries include the name of the complainant, nature of the complaint, name of person whose residence is to be searched, location of that residence, name of the Commissioner swearing out the warrant, and the name of the person ordered to conduct the search. Such warrants indicate the results of the search and a summary of any property seized.

Location: **C-06-05-09-13**

Old Number: 24M129

CIRCUIT COURT

The Circuit Court for the District of Maryland was set up under the Judiciary Act of 1789. The court had both original and appellate jurisdiction. The original jurisdiction was concurrent with Statute courts in all suits of civil nature both at common law and equity where the amount in controversy exceeded \$500 and where the United States was a plaintiff. The circuit court also had jurisdiction over all suits involving major criminal offenses against the laws of the United States, all suits where an alien was a party, and all suits between citizens of different states. It also reviewed the decrees of the district courts in civil actions where the amount in controversy was more than \$500. The appellate jurisdiction of the court was transferred to the newly created circuit courts by an act of March 3, 1891⁸⁴ that established a circuit court of appeals in each circuit. The Judicial Code of 1911 abolished the circuit courts as of January 1, 1912, and transferred their remaining jurisdiction and records to the district courts.

The records described below consist of both original and appellate cases.

24-M-11: BALTIMORE DIVISION

24-M-11-1: GENERAL RECORDS

24-M-11-1.1 INDEX TO JUDGMENTS AND DECREES, 1790-1877

2 in.

2 vols.

Arranged alphabetically.

Shown is name of plaintiff and defendant, term of court in which the judgment was rendered, and the docket and page number.

Location: **A-07-04-03-1**

Old Number: 24M130

24-M-11-1.2 INDEX TO JUDGMENTS AND DECREES (EXCEPT IN EQUITY), 1878-1911

2 in.

2 vols.

Arranged alphabetically.

Shown is names of the plaintiffs and defendants, date of judgment or decree, amount of judgment, and the docket and page number.

Location: **A-07-04-03-1**

Old Number: 24M131

⁸⁴ 26 Stat.826

24-M-11-1.3 ROUGH INDEX YO JUDGMENTS AND DECREES (EXCEPT EQUITY), 1878-1900

1 in.

1 vol.

Arranged alphabetically.

This volume appears to have been created by the Clerk of the Court to use prior to creating the index that is shown in entry 24-M-11-1.2. Shown is name of plaintiff and defendant, date of judgment or decree, amount of judgment, and the docket and page number.

Location: **A-07-04-03-2**

Old Number: 24M132

24-M-11-1.4 RECORD OF JUDGMENTS, 1802-1809

2 in.

2 vols.

Arranged chronologically by term of court.

Shown is name of the case, date of judgment, and copies of petitions, bills of complaint, exhibits, accounts, and judgments.

Location: **A-07-04-02-1**

Old Number: 24M133

24-M-11-1.5 JUDGMENT ORDERS, 1800-1840

3 ft.

8 LGA-2 containers

Arranged chronologically.

Shown is title of case, order of court, date issued and signature of judge issuing the order.

Location: **E-02-05-01-07 to E-02-05-01-14**

Old Number: 24M134

24-M-11-1.6 MINUTES, 1790-1911

3 ft.

18 vols.; 2 LGA-R containers

Arranged chronologically.

Shown are the dates of the sessions, names of presiding judges, orders, and judgments, cases heard showing the title and date, names of persons summoned to serve as grand and petite jurors, and sometimes naturalization proceedings. The minutes have been microfilmed as part of National Archives Microfilm Publication M931.

An additional set of rough minutes exist for the period 1850-1863

Location: **A-06-12-03-1 to A-06-12-03-3**

C-08-06-05-03 to C-08-06-05-04 (rough minutes)

Old Number: 24M135

24-M-11-1.7 DOCKETS, 1790-1877

4 ft.

28 vols.

Arranged chronologically.

Shown is name of case, type, names or initials of attorneys, court fees, and a chronological listing of all papers filed with the court.

Location: **A-06-12-02-2 to A-06-12-03-3**

Old Number: 24M136

24-M-11-1.8 PETITION CASE FILES, 1879-1910

5 in.

1 LGA-R container

Arranged chronologically.

Shown is title to case, petition and date petition was issued.

Location: **E-02-05-02-11**

Old Number: 24M136A

24-M-11-1.9 OPINIONS, 1836-1838

2 in.

1 vol.

Arranged chronologically.

Shown is the name of the case and copies of the plaintiff's plea to the jury, the defendant's plea, statement of fact, instructions to the jury, and the opinion of the court.

Location: **A-07-04-01-3**

Old Number: 24M137

24-M-11-2: APPELLATE JURISDICTION RECORDS

The appellate power of the Circuit Courts over final decrees and judgements of the District Courts was derived from the original Judiciary Act of 1789⁸⁵ and the act of March 3, 1803.⁸⁶ It was exercised either by appeal, a proceeding which subjected both the law and the facts to a review; or by writ of error, a process removed for reexamination only the law involved. The appellate jurisdiction extended, where the amount in controversy exceeded \$50, to all final decrees of the District Courts in cases of admiralty and maritime jurisdiction (in which case the remedy was by appeal), and to all judgements in civil actions (in which case the remedy was by writ of error). Appeals to the Circuit Court for a review of proceedings in bankruptcy were provided for in each of the first three national bankruptcy acts. In 1891, the Circuit Courts lost their appellate powers to the newly created Circuit Courts of Appeal.⁸⁷

24-M-11-2.1 DOCKET, 1878-1891

2 in.

1 vol.

Arranged numerically by case number, 1-140.

Name index.

A record of papers filed and proceedings held in civil cases that were appealed to the circuit court from the district court. The cases are primarily in admiralty although there are some in bankruptcy. Shown is name of the case, attorneys, court fees, and a chronological listing of all papers filed with the appeal.

Location: **A-07-04-02-1**

Old Number: 24M138

24-M-11-2.2 CASE FILES, 1807-1877

7 ft.

17 LGA-2 containers

Arranged chronologically.

Included among the papers are the complaint filed with the district court, opinion, cause for appeal, briefs, and other papers filed with the court in appellate cases.

Location: **E-02-04-07-06 to E-02-05-01-06**

Old Number: 24M138A

⁸⁵ 1 Stat. 79

⁸⁶ 2 Stat. 244

⁸⁷ 26 Stat. 827

24-M-11-3: ORIGINAL JURISDICTION RECORDS

24-M-11-3.1 RECORD OF JUDGMENTS AND DECREES, 1852-1900

2 ft.

11 vols.

Arranged chronologically.

A record of approximately sixty cases, mostly in equity, pertaining to stocks, bonds, and land transactions. Shown is the name of the case, copies of the bill of complaint, petitions, depositions, answers, motions, orders of the court, and judgments and decrees.

Location: **A-07-03-01-2 to A-07-03-02-1**

Old Number: 24M139

24-M-11-3.2 ORIGINAL JURISDICTION DOCKET, 1864-1879

1 in.

1 vol.

Arranged chronologically.

Name index.

Shown is name and number of case, names of attorneys, court fees, and docket and page number.

Location: **A-07-04-02-2**

Old Number: 24M140

24-M-11-3.3 JUDICIAL DOCKET, 1850-1911

3 in.

2 vols.

Arranged chronologically.

Shown is name and number of case, names of attorneys, date and amount of judgment, court fees, and docket and page number.

Location: **A-07-04-02-2**

Old Number: 24M141

24-M-11-6: EQUITY RECORDS

The basis of equity jurisdiction in the Federal courts is laid in the provisions of the Constitution and the laws of the United States. This jurisdiction, as provided in section 16 of the original Judiciary Act of 1789, is not exercised in any case where a "plain, adequate, and complete remedy may be had at law." At the time the Constitution was framed, the distinction between law and equity as known in England was recognized, and the equity jurisdiction conferred on the Federal courts by that instrument was the same as that possessed by the High Court of Chancery in England. Whereas the procedure in law cases in Federal courts before 1938 was similar to existing procedures in like cases in the courts of the State within which such Federal courts were held, the practice in Federal equity was uniform throughout the country. This practice was in large part regulated by rules first prescribed in 1822 by the Supreme Court. These rules were replaced by another set adopted by the Court in 1842 which remained substantially unaltered until 1913, when an entirely new set went into effect. The Federal Rules of Civil Procedure, effective in 1938 after their adoption by the Supreme Court, prescribed a uniform procedure for law and equity cases, with one form of action to be known as 'civil action.'

24-M-11-6.1 INDEX TO DOCKETS, 1860-1908

4 in.

3 vols.

Arranged alphabetically.

Shown is names of plaintiffs and defendants, docket and page number. For a general index to defendants in equity cases from 1908-1911, see district court general index. Entry 24M41.

Location: **A-07-01-04-1**

Old Number: 24M142

24-M-11-6.2 DOCKETS, 1858-1911

1 ft.

7 vols.

Dockets are numbered A through G. Docket A (1858-1879) is arranged chronologically by date of the filing of the complaint; dockets B through G (1879-1911) are each arranged numerically by case number. Name indexes.

Shown is name and number of the case, nature of the case, names of attorneys, court fees, and a chronological listing of all papers filed with the case. For circuit court equity cases filed before 1858, see the circuit court general dockets, entry 24M136.

Location: **A-07-01-04-2**

Old Number: 24M143

24-M-11-6.3 CASE FILES, 1801-1911

126 ft.

343 LGA-R containers

Case files for the period 1801-1858 are arranged chronologically by term of court and thereunder alphabetically by name of plaintiff; case files for the period 1859-1911 are arranged numerically by case number. The years 1859-1879 are covered by cases A1 - A298; 1879-1893 by cases B1 - B408; 1894-1899 by cases C1 - C141; 1900-1903 by cases D1 - D127; 1904-1906 by cases E1 - E75; 1907-1909 by cases F1 - F90; and 1910-1911 by cases G1 - G52. Some of the individual case files are missing.

Shown is the bill of complaint, answers, affidavits, depositions, writs, warrants, subpoenas, orders of the court, and other papers filed with the court.

Location: **E-06-03-01-01 to E-06-05-06-07**

Old Number: 24M144

24-M-11-6.4 ORDER BOOKS, 1843-1864

2 in.

2 vols.

Arranged chronologically.

Shown is name and number of case, order of court, date issued, and signature of judge issuing the order.

Location: **A-07-01-04-3**

Old Number: 24M145

24-M-11-7: LAW (CIVIL) RECORDS

24-M-11-7.1 DOCKETS, 1878-1911

10 in.

5 vols.

Arranged numerically by case number. Dockets are numbered A to E. Docket A(1878-1886) covers cases A1 - A735; Docket B(1887-1902) covers case B1 - B363; Docket C(1902-1906) covers cases C1 - C227; Docket D(1907-1908) covers cases D1 - D105; and Docket E(1909-1911) covers cases E1 - E106. Name indexes.

Shown is the name and number of the case, names of attorneys, court fees, and a chronological listing of all papers filed with the court. For law dockets prior to 1878, see entry 24M136.

Location: **A-07-01-05-3**

Old Number: 24M146

24-M-11-7.2 CASE FILES, 1790-1911

82 ft.

227 LGA-2 containers

Arranged numerically in five series following the docket books (See entry 24-M-11-7.1).

Law case files contain complaints, declarations, and narrations stating the plaintiffs' causes of action; demurrers, answers, replications and other pleadings; summonses, stipulations, affidavits, interrogatories, depositions, motions, orders of the court, statement of costs, opinions, and other papers filed with the court.

Location: **E-02-02-01-10 to E-02-04-01-12**

Old Number: 24M147

24-M-11-9: CRIMINAL RECORDS

The Constitution defines treason⁸⁸ and authorizes Congress to punish the counterfeiting of coins and securities of the United States, piracies and felonies committed on the high seas, and offenses against the law of nations.⁸⁹ The great mass of Federal criminal jurisdiction, however, rests upon the constitutional authority of Congress to enact laws "necessary and proper" to the execution of specifically conferred powers. The first Federal law to prescribe a penalty dealt with revenue frauds⁹⁰, and antedated the creation of the Federal Court system. The Crimes Act of 1790 defined such offenses as treason, misprision of felony, forgery, and bribery, and prescribed the punishment for each.⁹¹ The Federal law was extended in 1825 to provide for the punishment of persons committing arson on Federal property⁹² and, in 1859, of persons committing depredations on timber lands of the United States.⁹³ Thus, gradually, act by act, the national criminal law developed. In 1874 obsolete provisions in the Federal criminal law were repealed, inconsistent provisions were reconciled, and the other provisions were consolidated into Title LXX of the Revised Statutes of the United States. The national criminal laws were again overhauled by an act of March 4, 1909, known as the Criminal Code of 1909.⁹⁴ The original Judiciary Act of 1789 vested in the Circuit Courts of the United States jurisdiction "of all crimes and offenses cognizable under the authority of the United States, except where this act otherwise provides, or the laws of the United States shall otherwise direct, and concurrent jurisdiction with the District Courts of the crimes and offenses cognizable therein." When the Circuit Courts were abolished in 1911, all original jurisdiction in Federal criminal matters passed to the District Courts of the United States.

24-M-11-9.1 DOCKETS, 1864-1903

3 in.

2 vols.

Docket 1(1864-1877) is arranged chronologically by term of court and thereunder numerically by case number; Docket 2(1878-1903) is arranged numerically by case number, A1-A135).

Name indexes.

Shown is name and number of case, names of attorneys, court fees, and a chronological listing of all papers filed with the court.

Location: **A-07-04-02-1**

Old Number: 24M148

⁸⁸ Art. III, sec. 3

⁸⁹ Art I, sec 8

⁹⁰ 1 Stat. 39

⁹¹ 1 Stat. 112

⁹² 4 Stat. 115

⁹³ 11 Stat. 408

⁹⁴ 35 Stat. 1088

24-M-11-9.2 CASE FILES, 1795-1903

3 ft.

9 LGA-2 containers

Case files for the period 1795-1860 are arranged chronologically by term of court and thereunder alphabetically; those for the period 1877-1903 are arranged numerically by case number, A1 - A135. Some of the cases are missing.

Shown are bills of indictment, pleas, petitions, depositions, bonds, recognizances, writs, subpoenas, warrants, orders of the court and other papers files with the court. Case files for the period 1795-1860 have been reproduced as part of National Archives Microfilm Publication M1010.

Location: **E-02-02-01-01 to E-02-02-01-09**

Old Number: 24M149

24-M-11-10: NATURALIZATION RECORDS

The first naturalization act was passed March 26, 1790. This act has been modified many times, especially by the passage of the Alien and Sedition Acts in 1798 and their repeal in 1802. However, the basic structure remained unchanged until 1990. The alien first filed before any United States court a Declaration of Intention to become a citizen of the United States. After a certain length of time, usually a minimum of five years, he went again to court and took the oath of allegiance to the United States. In 1906, control of immigration and naturalization was centralized under the Bureau of Immigration and Naturalization in the Department of Commerce and Labor.

24-M-11-10.1 INDEX TO DECLARATIONS OF INTENTION AND PETITIONS FOR NATURALIZATION, 1797-1906

1 ft.

6 vols.

Arranged alphabetically.

Shown is name of alien, whether a petition or declaration of intent, and volume and page number.

Location: **A-07-04-03-3**

Old Number: 24M150

24-M-11-10.2 REGISTER OF DECLARATIONS OF INTENTION AND PETITIONS FOR NATURALIZATION, 1796-1906

2 ft.

11 vols.

Arranged chronologically. There is a name index to volume 1(1796-1854).

Shown is name of alien, country of origin, present residence, names of witnesses and date of declaration of intention or petition of naturalization. It should be noted that there are no individual declarations of intention or petitions for naturalization. They are not located in the federal courthouse in Baltimore nor are they with the Maryland Hall of Records in Annapolis.

Location: **A-06-09-02-1 to A-06-09-02-2**

Old Number: 24M151

24-M-11-10.3 REGISTER OF DECLARATIONS OF INTENTION, 1816-1828

1 in.

1 vol.

Arranged numerically, 1-1642.

Name index.

Shown is name of alien, age, race, place of birth, place and date of arrival in the United States, intended place of residence, and a renunciation of allegiance to a foreign state or sovereign.

Location: **A-07-04-04-2**

Old Number: 24M152

24-M-11-10.4 REPORTS OF NATURALIZATION, 1816-1828

2 in.

3 vols.

Arranged chronologically. Volume 1(1816-1821) has a partial name index.

A record of proceedings whereby aliens declare their intention of becoming a citizen of the United States or where the court judge declares the alien a naturalized citizen. In some instances the record of the declarations of intention includes an oath of intention to become a citizen. Volume 1 also includes a naturalization cash account, May 13 - August 15, 1818; volume 3 includes an office cash account, December 1824 - March 1834 and an account of papers served in various cases, November 1824 - February 1825. Shown is name of alien, age, race, place of birth, place and date of arrival into the United States and intended place of residence.

Location: **A-07-04-04-2**

Old Number: 24M153

24-M-11-10.5 LISTS OF ALIENS WHO FILED A DECLARATION OF INTENTION, 1855-1906

3 in.

2 vols.

Arranged chronologically.

Shown is name of alien, date of declaration of intention and country of birth.

Location: **A-07-04-04-1**

Old Number: 24M154

24-M-11-10.6 DECLARATIONS OF INTENTION, 1906-1911

8 in.

5 vols.

Arranged numerically, 1-1496.

Shown is name of alien, physical description, occupation, place and date of birth, present residence, place and date of arrival in United States, last foreign residence, name of vessel on which alien emigrated, and a declaration to renounce their allegiance to a foreign state or sovereign.

Location: **A-06-10-04-2**

Old Number: 24M155

24-M-11-13: SUPERVISORS OF ELECTIONS RECORDS

24-M-11-13.1 SUPERVISORS OF ELECTION APPOINTMENTS, 1872-1888

5 in.

1 LGA-2 container

Arranged chronologically.

Shown include that names and election district of the citizens who have petitioned for election for election supervision, and the names and the election district of the citizens who have been appointed supervisors of election. Also included are the oaths of office, commissions and resignations of the supervisors.

Location: **E-02-04-07-05**

Old Number: 24M165

24-M-11-19: RECORDS OF THE CLERK OF THE COURT

The Judiciary Act of 1789 provided that the Clerk of the District Court, appointed by the District Judge, should also serve as Clerk of the Circuit Court. In the brief period 1801-1802 and again after February 28, 1839, all of the Circuit Courts were given the power to appoint their own Clerks.⁹⁵

As the officer responsible for maintaining and preserving the records of the court, the clerk was charged by law with a number of related duties, such as (1) taking recognizances of special bail de bene esse in any matter pending in the court, and issuing writs of error returnable to the Supreme Court of the United States⁹⁶; (2) administering oaths, taking acknowledgements, and taking and certifying affidavits and depositions⁹⁷; (3) publishing notices of special sessions to try criminal cases⁹⁸; and (4) transmitting certified copies of naturalization papers to the Secretary of State.⁹⁹

24-M-11-19.1 CLERK'S DOCKETS, 1878-1891

9 in.

13 vols.

Arranged chronologically. Name indexes.

Shown is name of the case, names of attorneys, court fees, and a chronologically listing of all papers filed with the court.

Location: **A-07-04-02-2**

Old Number: 24M156

24-M-11-19.2 SUBPOENA DOCKET, 1833-1900

5 in.

5 vols.

Arranged chronologically.

Shown is name and date of the case, names of witnesses, days in attendance, and mileage allowance.

Location: **A-07-04-01-2**

Old Number: 24M157

⁹⁵ 2 Stat. 97, 132; 5 Stat. 322

⁹⁶ 1 Stat. 278

⁹⁷ 1 Stat. 278, 10 Stat. 163

⁹⁸ 1 Stat. 334

⁹⁹ 1 Stat. 567

24-M-11-19.3 REFERENCE DOCKET, 1829-1875

1 in.

1 vol.

Arranged numerically by case number, 1-25.

A record of papers filed and proceedings held in cases that were referred for further action or for reconsideration. The docket includes three cases listed as "Attachments of Revenue Inspectors," April 4, 1866-March 6, 1868. Entries include the name and number of the case, court fees, and a chronological listing of papers filed with the court and the names of the courts or persons to whom the cases or various aspects of them were referred.

Location: **A-07-04-01-2**

Old Number: 24M158

24-M-11-19.4 DEPOSITION DOCKET, 1871-1880

1 in.

1 vol.

Arranged chronologically.

A record of depositions filed in certain cases. The docket also includes an account of court costs in certain cases, 1871-1878, and a miscellaneous account, 1871-1880. Shown is the name of the case, nature of the proceedings, court fees, and a chronological listing of all papers filed with the court.

Location: **A-07-04-01-2**

Old Number: 24M159

24-M-11-19.5 INDEX TO JURY BOOKS, 1888-1903

1 in.

2 vols.

Arranged alphabetically.

An index to the names of jurors who served on circuit court juries. Shown is name of juror, sometimes the address of the juror, and the period of service.

Location: **A-07-04-01-1**

Old Number: 24M160

24-M-11-19.6 MARSHALS' COMPENSATION DOCKETS, 1869-1886

5 in.

3 vols.

Arranged by type of case and thereunder chronologically by term of court.

Volumes two and three have name indexes.

Shown is name and number of the case, names or initials of attorneys, dates subpoenas were served, and a summary of the marshals' fees and costs.

Location: **A-07-04-01-1**

Old Number: 24M161

24-M-11-19.7 CASH BOOKS, 1885-1905

3 in.

2 vols.

Arranged chronologically.

Shown is name of the case, type of court action, defendant's costs, plaintiff's costs, those received by the court and a summary of the total fees received.

Location: **A-07-04-01-3**

Old Number: 24M162

24-M-11-19.8 SEAMEN'S WAGE DOCKETS, 1888-1918

6 in.

2 vols.

Arranged chronologically.

Shown is name of seaman, name of vessel on which he served, date of the court order directing payment of wages, amount of wages, clerk's fees, and names of the person(s) to whom wages or personal effects were given. Attached to some of the accounts are orders of the court directing payment of wages. For wage dockets after 1917, see the district court seamen's wage dockets, entry 24M88.

Location: **A-07-04-01-1**

Old Number: 24M163

24-M-11-19.9 GRAND JURY PROCEEDINGS, 1861

1 in. (1 LGA-R container, shared with other records.)

Arranged chronologically from September 4, 1861 - October 12, 1861

A record of testimony given before the Grand Jury. The testimony pertains to the activities that took place on the night of April 19-20, when pro-Confederate individuals attacked Union sympathizers and the 6th Massachusetts Regiment as it passed through Baltimore on its way to Washington, D.C. The record includes the names and sometimes the addresses of the persons testifying before the Grand Jury and a description of the events as they saw it.

Location: **E-02-05-03-07**

Old Number: 24M164

24-M-11-19.10 MISCELLANEOUS RECORDS, 1795-1891

1 ½ ft.

1 LGA-2 containers

Arranged chronologically.

Included are recognizances, subpoenas, writs, jury lists, undocketed equity complaints, transfer cases from other district courts, ejectments, continuances, and two cases that were appealed to the Supreme Court 1) *McCulloch vs. Maryland* (1818) and *Glass vs. The Sloop Betsy* (1793).

Location: **C-08-06-04-15 to C-08-06-05-02**

Old Number: 24M166

24-M-12: CUMBERLAND DIVISION

24-M-12-7: LAW (CIVIL) RECORDS

24-M-12-7.1 DOCKET, 1907-1912

2 in.

1 vol.

Arranged numerically by case number, 1-13.

Name index.

Shown is title of case, number, names of attorneys, court fees, and a chronological listing of all papers filed with the court.

Location: **A-07-04-02-1**

Old Number: 24M167

24-M-12-7.2 CASE FILES, 1907-1912

5 in.

1 LGA-2 container

Arranged numerically by case number, 1-13.

Shown is the complaint, answers, declarations, bills of exception, affidavits, depositions, subpoenas, orders of the court, and other papers filed with the court.

Location: **C-06-05-09-14**

Old Number: 24M168

24-M-12-19: RECORDS OF THE CLERK OF THE COURT

The Judiciary Act of 1789 provided that the Clerk of the District Court, appointed by the District Judge, should also serve as Clerk of the Circuit Court. In the brief period 1801-1802 and again after February 28, 1839, all of the Circuit Courts were given the power to appoint their own Clerks.¹⁰⁰

As the officer responsible for maintaining and preserving the records of the court, the clerk was charged by law with a number of related duties, such as (1) taking recognizances of special bail de bene esse in any matter pending in the court, and issuing writs of error returnable to the Supreme Court of the United States¹⁰¹; (2) administering oaths, taking acknowledgements, and taking and certifying affidavits and depositions¹⁰²; (3) publishing notices of special sessions to try criminal cases¹⁰³; and (4) transmitting certified copies of naturalization papers to the Secretary of State.¹⁰⁴

24-M-12-19.1 CASH BOOKS, 1907-1912

2 in.

1 vol.

Arranged chronologically.

Shown is the date and nature of the transaction, names of persons from whom the cash is received and to whom it is disbursed, and docket and page number for the original cases. This docket also includes cash received and disbursed by the clerk of the district court for the period 1946-1952.

Location: **A-07-04-01-3**

Old Number: 24M169

¹⁰⁰ 2 Stat. 97, 132; 5 Stat. 322

¹⁰¹ 1 Stat. 278

¹⁰² 1 Stat. 278, 10 Stat. 163

¹⁰³ 1 Stat. 334

¹⁰⁴ 1 Stat. 567

RECORD GROUP 276

RECORDS OF THE

UNITED STATES COURTS OF APPEALS

The Courts of Appeals are intermediate courts created by an act of March 3, 1891, to relieve the Supreme Court of considering appeals in cases originally decided by Federal trial courts. They are empowered to review final and certain interlocutory decisions of district courts except where the law provides for direct review by the Supreme Court.

The courts of appeals also review and enforce orders of Federal administrative bodies, such as the Securities and Exchange Commission (SEC) and the National Labor Relations Board (NLRB). Decisions of the courts are final except when subject to discretionary review or appeal to the Supreme Court.

The United States is divided into eleven judicial circuits, with the District of Columbia constituting a separate circuit. There is one U.S. court of Appeals with a Supreme Court Justice assigned to it in each circuit. The judges of U.S. courts of appeals constitute the judicial council of each circuit and meet at least twice a year to consider Federal judicial business in the circuit and to give necessary orders for its effective administration. The chief circuit judge calls an annual conference of all circuit and district judges in his circuit, sometimes including members of the bar, to discuss Federal business.

The Third Circuit Court of Appeals is located in Philadelphia, Pennsylvania and hears cases from the states of Delaware, New Jersey, Pennsylvania, and the Virgin Islands.

The Fourth Circuit Court of Appeals is located in Richmond, Virginia and hears cases from the states of Maryland, North Carolina, South Carolina, Virginia, and West Virginia.

Changes & Corrections:

7/16/2002: Changed locations of 3-5 and 3-11

JMM

**THIRD CIRCUIT COURT OF APPEALS
PHILADELPHIA, PENNSYLVANIA**

ENTRY 3-1 MINUTES, June 16, 1891-April 11, 1969
10 cu. ft. 45 volumes

Arranged chronologically.

A record of the activities of the Third Circuit Court of Appeals, showing dates of sessions and judgements and orders of the court arising out of litigation of cases in every area of jurisdiction. The minutes also record the admission of attorneys to practice before the Court, findings and verdicts of the Court, agreements for the settlements of the cases, appointments of clerks, memorials for deceased District and Circuit Judges and adoption of procedural rules.

Volumes 1-45 (VOL-O) A-11-07-05-2 to A-11-08-03-2

ENTRY 3-2 DOCKETS, 1891-1989
66 cu. ft. 45 volumes

Arranged numerically by case number from #1 to 89-6008.

A record of papers filed and proceedings held in the conduct of each case from its initiation to its final disposition. Entries for each case show the name of the parties, the names of the attorneys, the court of origin, a chronological listing of the filings and proceedings, and a statement of the clerk's fees.

Volumes 1-45	(VOL-O)	A-11-08-03-2 to A-11-08-05-3	#1 to 9549
NA Boxes 1-27	(LTA-S)	G-02-09-05-1 to G-02-10-01-2	#9550 to 74-2305
NA Boxes 1-154	(LTA-C)	G-17-08-07-3 to G-17-10-07-3	#75-1001 to 89-5059
NA Boxes 1-5	(LTA-C)	G-17-03-02-1 to G-17-03-02-2	#89-5060 to 89-6008

ENTRY 3-3 CASE FILES (BRIEFS AND APPENDICES), 1891-1976
563 cu. ft. 6,046 vols.

Arranged numerically by case numbers in two series, #'s 1-19564 and 71-1023 to 76-2687.

These case files contain primarily the brief for the appellee and appellant and the opinion of the court. In some instances they also contain appendices to the brief. In the appendices one could find a printed copy of docket entries from the lower court case, a transcript or partial transcript and other documents from the lower court case. Seven volumes of transcripts for case #2344 are located at F-02-20-07-4.

Volumes 1-1441	(VOL-J)	A-14-07-01-1 to A-15-03-08-6	#1 to 3740
Volumes 1442-5225	(VOL-J)	A-16-01-01-1 to A-19-03-01-3	#3741 to 19564
Volumes 5226-5751	(VOL-J)	A-19-03-01-3 to A-19-08-05-3	#71-1023 to 74-1199
Volumes 5752-5974	(VOL-J)	A-26-05-01-1 to A-26-06-09-3	#74-1200 to 74-2233
Volumes 5975-6046	(VOL-J)	A-27-04-01-1 to A-27-04-06-2	#74-2012 to 74-2305
Box 1	(FRC-S)	K-16-02-02-2	#17182 to 74-2206¹
Boxes 1-54	(FRC-S)	H-11-08-01-1 to H-11-08-09-6	#72-1900 to 73-2122²
Boxes 1-68	(FRC-S)	H-11-06-07-4 to H-11-07-09-6	#75-1001 to 75-2464³
Boxes 1-79	(FRC-S)	O-03-02-02-2 to O-03-05-02-2	#76-1005 to 76-2687⁴

ENTRY 3-4 SUNDRY VOLUMES (BRIEFS AND APPENDICES), 1963-1974
7 cu. ft. 118 Vols.

Arranged numerically by case numbers, #14475 to 74-1142.

For description of the contents of the sundry volumes, see Entry 3-3. A volume list is attached to this finding-aid.

Volumes 1-47	(VOL-J)	A-19-08-06-1 to A-19-09-02-3	#14475 to 19567
Volumes 48-106	(VOL-J)	A-19-09-02-3 to A-19-09-07-3	#71-1069 to 73-1309
Volumes 107-118	(VOL-J)	A-27-04-06-3 to A-27-04-07-2	#71-1069 to 74-1142

¹ Accession #276-84-0011 box list attached.

² Accession #276-76-0001 box list attached.

³ Accession #276-84-0012 box list attached.

⁴ Accession #276-84-0013 no box list found.

ENTRY 3-5**CORRESPONDENCE RELATING TO CASES, 1957-1972
828 cu. ft.**

Arranged numerically by case number #1 to 19,561, 71-1300 to 72-1899. Box lists are attached.

Included are stipulations to the Supreme Court, Judgments, Mandates of the Court, and routine correspondence between the parties involved in the case, their attorneys, and the Clerk of the Court.

Boxes 1-879	(LGA-R)	F-02-24-02-3 to F-03-03-07-5	#1 to 10215
Boxes 1-51	(LGA-S)	G-13-08-03-2 to G-13-09-01-3	#10216 to 11140
Boxes 1-129	(LGA-S)	G-13-09-01-2 to G-13-10-08-3	#11141 to 13348
Boxes 1-39	(LGA-S)	G-13-10-08-3 to G-14-01-04-2	#13349 to 14040
Boxes 1-20	(LGA-S)	G-11-09-06-1 to G-11-09-08-3	#14041 to 14401
Boxes 1-156	(LGA-S)	G-14-01-05-2 to G-14-03-06-1	#14402 to 16036
Boxes 1-163	(LGA-S)	H-07-04-03-01 to H-07-05-04-03	#16037 to 17512
Boxes 1-25	(FRC-S)	J-03-09-07-1 to J-03-10-03-1	#17513 to 18182⁵
Boxes 1-22	(FRC-S)	J-03-10-03-2 to J-03-10-06-5	#18183 to 18989⁶
Boxes 1-20	(FRC-S)	J-03-10-06-6 to J-03-11-02-1	#18990 to 19561⁷
Boxes 1-30	(FRC-S)	J-05-04-05-3 to J-05-05-02-2	#71-1300 to 71-2099⁸
Boxes 1-43	(FRC-S)	J-06-03-02-6 to J-06-04-01-6	#71-2100 to 72-1899⁹
51417 (122 to 137)	(FRC-S)	F-02-20-04-3 to F-02-20-07-1	#12138 to 12536¹⁰
Box 2809-1	(FRC-S)	F-02-20-07-2	#7742 & 8734¹¹

⁵ Accession #276-72-0256 box list attached.

⁶ Accession #276-73A-0255 box list attached.

⁷ Accession #276-73A-0381 box list attached.

⁸ Accession #276-74B-0247 box list attached.

⁹ Accession #276-75A-0270 box list attached.

¹⁰ Accession #276-61A-0254 box list attached.

¹¹ Accession #276-64A-0169 box list attached.

ENTRY 3-6 **PRESS COPIES OF LETTERS SENT, 1934-1947**
21 cu. ft. **95 vols.**

Arranged chronologically.

Press copies of correspondence sent to various parties by the Clerk of the Court. Very routine, involving the disposition of a case, the sending of opinions of the court or the briefs to interested parties, etc.

95 Volumes **(VOL-O)** **A-11-07-02-1 to A-11-07-05-2**

ENTRY 3-7 **MISCELLANEOUS CASE FILES, 1968-1972**
49 cu. ft.

Arranged numerically by case number, #350 to 1209.

Actions taken by the court that were not docketed in the regular series of case files. Actions include such things as disciplinary matters involving attorneys, pre-docketing issues and other administrative concern.

Boxes 1-98 **(LGA-S)** **J-07-02-02-6 to J-07-02-08-6**

ENTRY 3-8 **OPINIONS, 1960-1968**
9 cu. ft.

Arranged numerically by case number, #6700 to 13,899. A box list is attached.

Opinions issued by the court. These printed opinions should also be part of the case files found in entry 3-3. Shown are the opinion, date issued and judges issuing the opinion.

Boxes 1-8 **(FRC-S)** **J-03-11-02-2 to J-03-11-07-3** **276-71-0005**

ENTRY 3-9 **CORRESPONDENCE FILES TO MISCELLANEOUS CASE FILES,**
1971-1972
18 cu. ft.

Arranged in numerical order by file number, #179 to 2379. A box list is attached.
Correspondence files to Miscellaneous Case files.

Boxes 1-17 **(FRC-S)** **J-05-06-02-2 to J-05-06-04-6** **276-75B-0270**

**ENTRY 3-10 RECORDS OF THE JUDICIAL CONFERENCES, 1932-1981
ADMINISTRATIVE RECORDS, 1945-1978
15 cu. ft.**

Arranged by subject. A box list is attached.
Records of the Judicial Conferences, 1931-1981 and Administrative Records, 1945-1978.

Boxes 1-14 (FRC-S) J-05-03-04-1 to J-05-03-06-2 276-98-005

**ENTRY 3-11 ROLLS OF ATTORNEYS, 1896-1973
2 cu. ft. 3 Vols.**

Arranged alphabetically and thereunder chronologically. A box list is attached.
Records showing dates, names, and addresses of attorneys admitted to practice before the
U.S. Court of Appeals for the Third Circuit Court, Philadelphia, PA.

**Volumes 1-3 (VOL-O) A-11-08-06-3
Boxes 1-9 (IND-2) G-10-06-03-01 to G-10-06-03-09**

**FOURTH CIRCUIT COURT OF APPEALS
RICHMOND, VIRGINIA**

ENTRY 4-1 MINUTES, 1891-1975
8 cu. ft. 37 vols.

Arranged chronologically by date of court session. Name Indexes.

A record of the daily activities of the Fourth Circuit Court of Appeals, showing judgments, orders of the court, findings, verdicts, settlement agreements, the admission of attorneys, appointments of Clerks of the Court, memorials of deceased District and Circuit judges, and adoption of procedural rules.

Volumes 1-37 (VOL-O) A-14-05-01-1 to A-14-05-03-1

ENTRY 4-2 ROUGH DOCKETS, 1891-1950
6 cu. ft. 27 vols.

Arranged chronologically by term of court and thereunder numerically by case number (#1 to 6290). Name Indexes.

These dockets were used by the Clerk of the Court as working dockets for cases heard before the court. They note corrections, and other items to be added or subtracted from the "official" dockets. (See Entry 4-3). Entries include the parties to the case, attorneys, type of case, court of original jurisdiction, date of initial filing, and a chronological listing of the Clerk's actions in the case.

Volumes 1-27 (VOL-O) A-14-05-03-1 to A-14-05-04-2

ENTRY 4-3 DOCKETS, 1891-1986
67 cu. ft. 15 vols.

Arranged numerically by case number (#1 to 86-8110). Volumes 1-27 include a name index.

Entries include parties to the case, attorneys, court of origin, a chronological listing of filings and proceedings, and a statement of the clerk's fees.

Volumes 1-15	(VOL-J)	A-14-01-01-1 to A-14-01-02-1	1 to 6641
Boxes 1-14	(LTA-D)	A-14-01-02-1 to A-14-01-02-3	6642 to 12012
Boxes 1-6	(LTA-S)	A-14-03-05-1 to A-14-03-05-2	12013 to 15435
Boxes 1-91	(LTA-S)	A-14-03-05-3 to A-14-03-04-3	71-1001 to 83-8275
Boxes 1-28	(LTA-S)	G-11-09-08-3 to G-11-10-02-2	84-1001 to 86-8110

ENTRY 4-4 CASE FILES (BRIEFS AND APPENDICES), 1892-1979
880 cu. ft. 1,473 vols.

Arranged numerically by case number, #1 to 79-8520.

Printed copies of case files, generally include the brief for the appellant and appellee, opinion of the court, docket entries of the lower court as well as documents filed in the lower case and partial or complete transcripts of the district court case.

Volumes 1-453	(VOL-J)	A-20-01-01-1 to A-20-06-06-3	1 to 2467
Volumes 454-1445	(VOL-J)	A-21-03-01-1 to A-22-06-06-3	2468 to 9608
Volumes 1446-1473	(VOL-J)	A-23-04-01-1 to A-23-04-03-2	9609 to 9942
Boxes 1-430	(LGA-R)	H-08-03-06-01 to H-08-06-07-02	10009 to 72-1722
Boxes 431-487	(LGA-R)	H-08-01-01-01 to H-08-01-04-09	72-1728 to 72-2517
Boxes 488-527	(LGA-R)	H-08-06-07-03 to H-08-06-09-10	73-1001 to 73-1513
Boxes 528-562	(LGA-R)	H-10-04-03-01 to H-10-04-05-03	73-1514 to 73-1983
Boxes 563-603	(LGA-R)	H-08-06-09-11 to H-08-07-03-03	73-1993 to 73-2529
Boxes 1-429	(LGA-R)	H-08-07-04-3 to H-08-09-09-16	74-1003 to 76-1616
Boxes 430-504	(LGA-R)	H-07-06-09-01 to H-07-07-06-12	76-1623 to 77-1396
Boxes 1-107	(FRC-S)	J-04-01-01-2 to J-04-03-02-6	75-1870 to 77-2619¹²
Boxes 1-35	(LGA-S)	J-05-03-06-3 to J-05-04-06-2	74-1007 to 78-6593 78-8001 to 78-8501
Boxes 43-111	(FRC-S)	H-10-04-08-1 to H-10-06-02-1	71-1998 to 78-6822¹³
Boxes 1-55	(FRC-S)	K-16-01-01-1 to K-16-02-02-1	74-2096 to 79-8520¹⁴

ENTRY 4-5 CASE FILES (BRIEFS AND APPENDICES)-PATENT CASES,
1892-1964 10 cu. ft. 183 vols.

Arranged numerically by case number, #4 to 9866 with gaps.

Those cases dealing with patents were removed from the regular series (Entry 4-4) and kept separately. For a description of what can be found in the case files, see Entry 4-4.

Volumes 1-183	(VOL-J)	A-23-04-03-2 to A-23-06-05-1	4 to 9866
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¹² Accession #276-82-0001 no box list found.

¹³ Accession #276-83-0003 a box list is attached.

¹⁴ Accession #276-84-0001 a box list is attached.

ENTRY 4-6 OPINIONS, 1892-1965
5 cu. ft. 91 vols.

Arranged numerically by case number, #1 to 9998, with some gaps.

Printed copies of opinions of the court, which generally include a summary of the facts of the case and the basis for the court's opinion.

Volumes 1-91 (VOL-J) A-23-06-05-2 to A-23-07-04-2 1 to 9998

ENTRY 4-7 CORRESPONDENCE RELATING TO CASES, 1891-1977
934 cu. ft.

Arranged numerically by case number, #1 to 77-8434.

* Means there is some overlap in some of the series. Cases need to be inter-filed and staff may need to examine SF-135s to determine case location.

Included are stipulations, appeals to the Supreme Court, judgments, mandates of the Court, and routine correspondence between the parties involved in the case, their attorneys, and the Clerk of the Court.

Boxes 1-820	(LGA-S)	F-09-12-03-1 to F-09-17-08-4	1 to 9999
Boxes 1-87	(LGA-S)	G-14-04-06-2 to G-14-07-01-1	7588 to 10999
Boxes 1-239	(LGA-S)	G-14-08-05-2 to G-15-03-02-1	8844 to 14015
Boxes 1-94*	(FRC-S)	H-09-01-03-2 to H-09-02-09-5	73-2527 to 75-2383¹⁵
Boxes 152-209*	(FRC-S)	H-09-02-09-6 to H-09-04-01-3	72-1773 to 76-8426¹⁶
Boxes 1-74*	(FRC-S)	H-09-04-02-1 to H-09-05-05-1	14016 to 71-1899¹⁷
Boxes 1-107*	(FRC-S)	H-09-05-05-2 to H-09-07-06-4	71-1122 to 73-2526¹⁸

ENTRY 4-8 TRANSCRIPTS, 1892-1948
205 cu. ft.

Arranged numerically by case number, #23 to 8648.

Original transcripts of case, including documentary exhibits.

Boxes 1-476 (LGA-R) F-02-20-08-1 to F-02-24-03-3

¹⁵ Accession #276-79-0001 a box list is attached.

¹⁶ Accession #276-80-0002 a box list is attached.

¹⁷ Accession #276-74A-0004 a box list is attached.

¹⁸ Accession #276-78-0001 a box list is attached.

**ENTRY 4-9 DISBARMENT OF HENRY WOODWARD WINBURN
(WINSBERG), OCTOBER 1933
5 in.**

Arranged chronologically.

Papers involving the disbarment of Mr. Winburn (Winsberg). Included is the testimony taken by the Fourth Circuit and other documents pertaining to the case.

Box 1 (LGA-R) F-02-24-03-4

**ENTRY 4-10 MEMORIALS, 1893-1952
10 in.**

Arranged chronologically.

Memorial resolutions read into the record of the Fourth Circuit on the death of Federal and state judges, prominent local attorneys, and clerks of the court. Memorials usually contain a brief biographical sketch of the deceased and note his contributions to the legal profession.

Boxes 1-2 (LGA-R) F-02-24-03-4

NATIONAL ARCHIVES AND RECORDS SERVICE
GENERAL SERVICES ADMINISTRATION
WASHINGTON 1973



Minutes of
the U.S. Circuit Court
for the
District of Maryland
E790-191E

NATIONAL ARCHIVES MICROFILM PUBLICATIONS
PAMPHLET DESCRIBING M93T

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Records of District Courts of the United States
Record Group 21

MINUTES OF THE U.S. CIRCUIT COURT
FOR THE DISTRICT OF MARYLAND
1790-1911

On the seven rolls of this microfilm publication are reproduced 18 volumes of minutes of the U.S. Circuit Court for the District of Maryland, 1790-1911.

The Judiciary Act of September 24, 1789 (1 Stat. 73), provided for a system of district and circuit courts in addition to the Supreme Court of the United States. The act divided the country into 13 judicial districts and established in each a district court consisting of one district judge. The districts were grouped into three circuits--eastern, middle, and southern. A circuit court, made up of the district judge and two Justices of the Supreme Court, any two of whom would constitute a quorum, was to convene twice a year in each district.

The State of Maryland constituted one of the 13 judicial districts established under the Judiciary Act of 1789 and was part of the Middle Circuit. The act provided that the circuit courts for the Maryland district should be held alternately at Annapolis and Easton; that the first session should be held on May 7, 1790, at Annapolis; and that later sessions should be held every 6 months. The first session of the Circuit Court for the District of Maryland was held at Annapolis with John Blair, Associate Justice of the Supreme Court of the United States, presiding. Terms of court were held regularly at Annapolis and Easton from 1790 to 1797. By an act of March 3, 1797 (1 Stat. 517), Baltimore replaced Easton; court was held at Annapolis and Baltimore from November 1797 through the May session for 1800. Beginning with the November 1800 session, court was held at Baltimore only.

Although the original intention was for two Supreme Court Justices to sit with the district court judge on the circuit court, the usual practice from the beginning was for only one to attend. By an act of 1802 (2 Stat. 156) only one Supreme Court Justice was assigned to each circuit. As the country expanded, the work load became too much for the Supreme Court Justices to attend the full sessions of the circuit courts. In 1844 Congress provided that a Supreme Court Justice need attend only one session annually of each circuit court in his circuit (5 Stat. 676). Finally, in 1869 the Supreme Court Justices were relieved of circuit duty and replaced with circuit judges. The first Circuit Judge for the District of Maryland was Hugh L. Bond, who first presided over the Maryland Circuit Court on October 24, 1870.

The circuit courts had both original jurisdiction and appellate jurisdiction, or power of appeal, over decisions of the district courts. The original jurisdiction of the circuit courts was conferred by the Judiciary Act of 1789. In general, when the amount in controversy exceeded \$500, the jurisdiction applied to

cases arising under the Constitution, laws, or treaties of the United States; cases in which there was a dispute between citizens of different States; and suits between citizens of a State and a foreign state or its citizens. The original jurisdiction also included, irrespective of the amount in dispute, suits between citizens of the same State claiming lands under grants of different States, to cases in which the United States was plaintiff or petitioner, and to all proceedings arising out of crimes and offenses against the United States, except as otherwise provided by law. A number of special laws also conferred on the circuit courts jurisdiction over various matters, such as those relating to the infringement of patents and copyrights, transportation of passengers in merchant vessels, controversies between trustees in bankruptcy and adverse claimants to property held by the trustee, violations of civil rights and the elective franchise, importation of alien contract labor, registration of trademarks, and unlawful restraints of trade and monopolies.

The revisionary or appellate power of the circuit courts over final decrees and judgments of the district courts was also derived from the original Judiciary Act of 1789 and from an act of March 3, 1803 (2 Stat. 244). It was exercised either by appeal, a proceeding that subjected both the law and the facts to a review, or by writ of error, a process that subjected only the laws to reexamination. When the amount in controversy exceeded \$50, the appellate jurisdiction applied to all final decrees of the district courts in cases of admiralty and maritime jurisdiction (in which case the remedy was by appeal) and to all judgments in civil actions (in which case the remedy was by writ of error).

The minutes reproduced in this microfilm publication are a record of the activities of the circuit court, showing dates of sessions, names of presiding judges, and, usually, judgments and orders of the court arising out of the litigation of all cases before it, original and appellate, civil and criminal. The minutes also record some naturalization proceedings, the admission of attorneys to practice before the court, names of persons summoned to serve as grand and petit jurors, fines imposed upon defaulting jurors, findings and verdicts of juries, the settlement of cases by agreement, the approval of accounts submitted by various court officers, the adoption of procedural rules and administrative regulations, and the appointment of clerks, United States commissioners, and other court officials. The entries in the minutes are chronological by date of session. All pages with writing have been filmed; blank pages were omitted.

The minutes relate to cases concerned with such matters as the maintenance of U.S. neutrality during foreign wars, the "quasi-war" with France during the John Adams administration, the embargo during the Jefferson administration, evasion of customs duties and trespass laws, salvage, privateering and prize law, mutinies and revolts, bankruptcy, slavery and slave trade, protection of

patents for inventions, ejection of tenants and rent procedures, suspension of habeas corpus during the Civil War, and the provisions of the court to enforce voting rights laws during the Reconstruction Era. The minutes contain copies of some official correspondence, including the letters appointing justices, judges, and clerks, and the texts of some court orders. The writ of habeas corpus issued by Chief Justice Roger Taney on May 26, 1861, for the release of John Merryman, and related correspondence were entered in the minutes at the direction of the Chief Justice, who ruled that the President had Merryman imprisoned illegally. There are also eulogies made on the death of people related to the function of the court that were entered in the minutes on request. In some cases newspaper articles concerning the deceased are attached.

The consistency of the minutes over the years is probably due to the long careers of three circuit court clerks that span the years 1793-1907. The minutes appear complete except for the years 1804-5 and 1807-8, the November session of 1803, and the first part of the May 1806 session.

In 1891 Congress established the Circuit Courts of Appeals (26 Stat. 827), taking appellate jurisdiction from the circuit courts, and in 1911 Congress abolished the circuit courts altogether. The minutes were received in the National Archives and Records Service (NARS) from the District Court for the District of Maryland, which had acquired them under the terms of an act of March 3, 1911, that terminated the circuit courts effective January 1, 1912 (36 Stat. 1167).

The records reproduced in this microfilm publication are part of Records of District Courts of the United States, Record Group 21. They are part of the records identified as Records of the U.S. Circuit Court for the District of Maryland, which are in the custody of the General Archives Division, located in the Washington National Records Center. It is expected that other records of the Circuit Court of Maryland, including case files and dockets for the period 1790-1911, will be acquired by NARS in the future.

Additional information is available in the multivolume publication, *Federal Cases*, an annotated reprint of the decisions of the U.S. district and circuit courts from 1789 to 1880; Erwin C. Surrency, *Federal District Court Judges and the History of Their Courts* (History of Federal Courts Pamphlet #1, 1966, privately printed); "History of Federal Courts," 28 *Missouri Law Review*, 214 (1963); Charles Warren, *The Supreme Court in United States History* (Boston, 1935; 2 vols.); and John J. Parker, "The Federal Judicial System," 14 *Federal Rules Decisions*, 361 (1954).

This microfilm publication is part of a project to reproduce most existing U.S. district and circuit court records for the

period 1789-1840 that are part of NARS. The project was originally suggested and initiated by Irwin S. Rhodes and Savioe Lottinville, codirectors of the Irwin S. and Elizabeth F. Rhodes Legal History Collection of the University of Oklahoma, and is the result of joint planning with NARS. The selection of records to be micro-filmed and the establishment of priorities for microfilming the records are based largely on Mr. Rhodes' comprehensive survey and report of extant Federal court records, 1789-1840. This report, with modifications, has been issued by NARS as Special List No. 31, *List of Pre-1840 Federal District and Circuit Court Records*. It is available from the Publications Sales Branch (NATS), National Archives (GSA), Washington, DC 20408. The list serves as a guide to Federal court records in several NARS depositories. This microfilm publication has been continued beyond 1840 to include all of the minutes of the court at the request of the U.S. District Court for the District of Maryland.

The primary purposes of this microfilm publication are to provide access to Federal court records for scholarly research and to promote the undertaking of such research. Inquiries and advice regarding the development of research projects are invited.

These introductory remarks were written by John Saunders.

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