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MINUTES OF THE SUPREME COURT OF THE UNITED STATES

In this microfilm publication, M-215, are reproduced the engrossed minutes of the Supreme Court of the United States. These minutes contain a complete report of the daily proceedings of each session and provide a record of the date, the names of members and officials of the Court who were present, the admission of attorneys to the bar of the Court, the swearing in of new members, rules adopted, the argument of cases by counsel, the submission of cases to the court, orders and decrees by the Court in individual cases, and other activities of the Court. The minutes are arranged chronologically by date of the meetings of the Court and are not indexed. The engrossed minutes are the final and complete records of the Court's proceedings, whereas the rough minutes are in the form of notes made daily in Court. Both sets of minutes are in the custody of the Supreme Court of the United States.

Among the cases brought before the Court are those that established the implied powers of the Federal Government and the power of the Court to pass on the constitutionality of acts of Congress and of the State legislatures; prize and admiralty cases; those involving questions concerning the neutrality of the United States in war between foreign nations; treason cases; and cases involving the contract clause of the Constitution, interstate and foreign commerce, the slave trade and the status of slavery, the powers of the Federal Government during the Civil War and foreign wars, civil rights, labor disputes, immigration, wage and hour legislation, and Federal and State police power.

The Supreme Court of the United States, provided for in article III, section 1, of the Constitution, was established by authority of the Judiciary Act of September 24, 1789 (1 Stat. 73). The Court's jurisdiction extends to all cases in law and equity arising under the Constitution, the laws of the United States, and treaties made under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime law; to controversies in which the United States is a party; and to controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State or its citizens and foreign states, citizens, or subjects. In all cases affecting ambassadors, ministers, and consuls, and those in which a State is a party, the Supreme Court has original jurisdiction. Its appellate jurisdiction is defined in various statutes; but as the circuit courts of appeals are competent to give final decision in the majority of cases, the Supreme Court usually hears only those cases that involve the construction or the constitutionality of legislative enactments or other issues of general importance.

Membership of the Supreme Court, as specified by the establishing act, consisted of a Chief Justice and five Associate Justices. Congress made frequent changes in the number of Associate Justices until in 1869 it fixed the number at eight.

The date set for the Court's convening has also changed frequently. The act that established the Court provided that two annual sessions be held, one to begin the first Monday in February and the other the first Monday in August. In 1801 an act provided that the Court should meet on the first Monday in June and December of each year. In the following year this legislation was repealed and the times for convening were restored as set forth in the act of 1789. Later in 1802 an act abolished the August term except for the receipt of motions and other routine business. As a result of these changes there was no session of the Court from December 1801 to February 1803. By an act effective in 1827 the annual term

was set to begin on the second Monday in January; and effective in 1845, the day was changed to the first Monday in December. Again in 1873 the day was changed to the second Monday in October, and in 1916 to the first Monday in October, which remains as the day for convening the annual term. The Supreme Court may also hold special terms when necessary for the dispatch of its business.

Other records in the custody of the Supreme Court of the United States have been reproduced as a part of the microfilm publication program of the National Archives. These include the dockets from August 4, 1791 (M-216), the attorney rolls from February 5, 1790 (M-217), the case files from 1790 (M-214), and the records of prize cases heard on appeal from Colonial courts by committees of the Continental Congress, 1776-80, and by the Court of Appeals in Cases of Capture, 1780-86 (M-162).

Several groups of records that relate to the activities of Federal courts are in the National Archives. In Record Group 21, Records of the District Courts of the United States, are dockets, minutes, case files, and other records of some district courts and former circuit courts of the United States relating to the same types of cases and in some instances to the same cases as are recorded in the minutes of the Supreme Court. Record Group 60, General Records of the Department of Justice, contains correspondence, memoranda, reports, and other records relating to cases in which the United States was a party or had an interest. Record Group 118, Records of United States Attorneys and Marshals, contains records of United States attorneys and marshals that relate to Federal legal proceedings.

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