

June 25, 1910.
[H. R. 26233.]

[Public, No. 310.]

CHAP. 428.—An Act To amend an Act entitled “An Act to expedite the hearing and determination of suits in equity pending or hereafter brought under the Act of July second, eighteen hundred and ninety, entitled ‘An Act to protect trade and commerce against unlawful restraints and monopolies,’ ‘An Act to regulate commerce,’ approved February fourth, eighteen hundred and eighty-seven, or any other Acts having a like purpose that may be hereafter enacted,” approved February eleventh, nineteen hundred and three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of the Act entitled “An Act to expedite the hearing and determination of suits in equity pending or hereafter brought under the Act of July second, eighteen hundred and ninety, entitled ‘An Act to protect trade and commerce against unlawful restraints and monopolies,’ ‘An Act to regulate commerce,’ approved February fourth, eighteen hundred and eighty-seven, or any other Acts having a like purpose that may be hereafter enacted,” approved February eleventh, nineteen hundred and three, be, and the same is hereby, amended so as to read as follows:

United States courts.
Expediting hearings
of trust, etc., cases.
Vol. 32, p. 823, amend-
ed.

Precedence given to
antitrust and com-
merce cases in circuit
courts.
Vol. 26, p. 209.
Vol. 24, p. 379.
Vol. 54, p. 544.
Ante, p. 539.

Certificate of Attor-
ney-General.

Assignment to
judges.

Designation of dis-
trict judges.

Division of opinion.
Designation of cir-
cuit judge to assist.

Order of designa-
tion.

Reargument, etc.

Pending causes in-
cluded.

“That in any suit in equity pending or hereafter brought in any circuit court of the United States under the Act entitled ‘An Act to protect trade and commerce against unlawful restraints and monopolies,’ approved July second, eighteen hundred and ninety, ‘An Act to regulate commerce,’ approved February fourth, eighteen hundred and eighty-seven, or any other Acts having a like purpose that hereafter may be enacted, wherein the United States is complainant, the Attorney-General may file with the clerk of such court a certificate that, in his opinion, the case is of general public importance, a copy of which shall be immediately furnished by such clerk to each of the circuit judges of the circuit in which the case is pending. Thereupon such case shall be given precedence over others and in every way expedited, and be assigned for hearing at the earliest practicable day, before not less than three of the circuit judges of said court, if there be three or more; and if there be not more than two circuit judges, then before them and such district judge as they may select; or, in case the full court shall not at any time be made up by reason of the necessary absence or disqualification of one or more of the said circuit judges, the justice of the Supreme Court assigned to that circuit or the other circuit judge or judges may designate a district judge or judges within the circuit who shall be competent to sit in said court at the hearing of said suit. In the event the judges sitting in such case shall be equally divided in opinion as to the decision or disposition of said cause, or in the event that a majority of said judges shall be unable to agree upon the judgment, order, or decree finally disposing of said case in said court which should be entered in said cause, then they shall immediately certify that fact to the Chief Justice of the United States, who shall at once designate and appoint some circuit judge to sit with said judges and to assist in determining said cause. Such order of the Chief Justice shall be immediately transmitted to the clerk of the circuit court in which said cause is pending, and shall be entered upon the minutes of said court. Thereupon said cause shall at once be set down for reargument and the parties thereto notified in writing by the clerk of said court of the action of the court and the date fixed for the reargument thereof. The provisions of this section shall apply to all causes and proceedings in all courts now pending, or which may hereafter be brought.

Approved, June 25, 1910.