

## AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7672 of this title as this section.

## EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

**§ 8873. Allowance of expenses to marshals**

The marshal shall be allowed his actual and necessary expenses for the custody, care, preservation, insurance, and sale or other disposal of the prize property, and for executing any order of the court in the prize cause. Charges of the marshal for expenses or disbursements shall be allowed only upon his oath that they have been necessarily incurred for the purpose stated.

(Aug. 10, 1956, ch. 1041, 70A Stat. 481, § 7673; renumbered § 8873, Pub. L. 115-232, div. A, title VIII, § 807(d)(9), Aug. 13, 2018, 132 Stat. 1837.)

## HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7673 .....	34 U.S.C. 1153.	R.S. 4645.

34 U.S.C. 1153 and the revised section reflect the Act of May 28, 1896, ch. 252, § 6, 29 Stat. 179, which provided that marshals should receive annual salaries in lieu of the fees and emoluments previously allowed them.

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Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

**§ 8874. Payment of witness fees**

If the court allows fees to any witness in a prize cause, or fees for taking evidence out of the district in which the court sits, and there is no money subject to its order in the cause, the marshal shall pay the fees. He shall be repaid from any money deposited to the order of the court in the cause. Any amount not so repaid to the marshal shall be allowed him as witness fees paid by him in cases in which the United States is a party.

(Aug. 10, 1956, ch. 1041, 70A Stat. 481, § 7674; renumbered § 8874, Pub. L. 115-232, div. A, title VIII, § 807(d)(9), Aug. 13, 2018, 132 Stat. 1837.)

## HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7674 .....	34 U.S.C. 1157.	R.S. 4651.

## AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7674 of this title as this section.

## EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and

special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

**§ 8875. Commissions of auctioneers**

(a) The Secretary of the Navy may establish a scale of commissions to be paid to auctioneers employed to make sales of prize property. These commissions are in full satisfaction of expenses as well as services. The scale may in no case allow a commission in excess of—

- (1)  $\frac{1}{2}$  of 1 percent on any amount exceeding \$10,000 on the sale of a vessel; and
- (2) 1 percent on any amount exceeding \$10,000 on the sale of other prize property.

(b) If no such scale is established, auctioneers in prize causes shall be paid such compensation as the court considers just under the circumstances of each case.

(Aug. 10, 1956, ch. 1041, 70A Stat. 481, § 7675; renumbered § 8875, Pub. L. 115-232, div. A, title VIII, § 807(d)(9), Aug. 13, 2018, 132 Stat. 1837.)

## HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7675 .....	34 U.S.C. 1156.	R.S. 4650.

The word “amount” is substituted for the word “sum”.

## AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7675 of this title as this section.

## EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

**§ 8876. Compensation of prize commissioners and special prize commissioners**

(a) Naval prize commissioners and naval special prize commissioners may not receive compensation for their services in prize causes other than that to which they are entitled as officers of the Navy.

(b) Prize commissioners and special prize commissioners, except naval prize commissioners and naval special prize commissioners, are entitled to just and suitable compensation for their services in prize causes. The amount of compensation in each cause shall be determined by the court and allowed as costs.

(c) Annually, on the anniversary of his appointment, each prize commissioner and special prize commissioner, except a naval prize commissioner or a naval special prize commissioner, shall submit to the Attorney General an account of all amounts received for his services in prize causes within the previous year. Of the amounts reported, each such commissioner may retain not more than \$3,000, which is in full satisfaction for all his services in prize causes for that year. He shall pay any excess over that amount into the Treasury.

(Aug. 10, 1956, ch. 1041, 70A Stat. 482, § 7676; renumbered § 8876, Pub. L. 115-232, div. A, title VIII, § 807(d)(9), Aug. 13, 2018, 132 Stat. 1837.)