

While these concepts of jurisdiction are basic, and ones which were generally followed for about 140 years, it is apparent that since the 1930s, there has been a gradual departure from them. As a result, the jurisdiction of the Federal Government seems almost without bounds today, as it legislates and judicates on every subject under the sun, many of which are blatantly and obviously not from an enumerated power under the U.S. Constitution.

In light of such Federal action the question of authority comes again to the forefront. What was it that changed our system of Federal jurisprudence? Was something new or different introduced into the judicial process that could explain the change? One thing that was introduced into the system was the use of the United States Code.

The Change from Statute to Code

The laws of the United States as passed by Congress were from the very beginning published in a series of books called "United States Statutes at Large." The first Congress under the U.S. Constitution convened in New York City from March 4, 1789, to September 29, 1789, during which time Congress passed 27 separate acts. These Acts are recorded in volume one of the Statutes at Large. This publication was issued by the Secretary of State and the Government Printing Office. These books were regarded as the official source for all public and private laws, resolutions, treaties, and proclamations.

Through the course of time many volumes of the Statutes at Large were published, which contained not only new laws but repeals of old laws. It became more difficult to ascertain what the law was on a given matter. As early as 1866 Congress authorized a consolidation of all laws arranged by subject matter. The first edition of a "Revised Statutes" was produced in 1872, but was not favored by Congress so it was revised in 1875, but that edition contained many "errors." Another edition of the

Revised Statutes was published in 1878. These works were rarely cited as most courts and lawyers continued to use the Statutes at Large.

In 1924, a bill to revise all the laws of the United States that were enacted up to that time passed the House but was defeated in the Senate. The Senate then appointed a committee to inspect the bill (which contained over two million words) and this group recommended that a commission be appointed to do the work over. The commission was formed and the revision of laws, called "The United States Code" was finally approved by an act of Congress on June 30, 1926 (44 Stat. Part 1).

The Code was divided into 50 Titles or subject headings, under which the revised laws were listed. The U.S. Code has, since 1926, been periodically compiled by a standing committee appointed to revise the laws.

The Code is assembled and revised under the supervision of "the Committee on the Judiciary of the House of Representatives." The main work of revision is done by a subcommittee or office of this committee called "the Office of the Law Revision Counsel of the House of Representatives." It consists of an appointed supervisor, some members of Congress, some volunteer lawyers, and persons from West Publishing of St. Paul, Minnesota.

At first the Code was generally ignored, as everyone was used to using the Statutes at Large. In most cases where laws, including "New Deal" laws, were held to be unconstitutional, the indictments and court records had generally used the Statutes at Large citation. For instance, in the case of *Carter v. Carter Coal Co*, 298 U.S. 238 (1936), involving the Bituminous Coal Conservation Act, it was cited as "C. 824, 49 Stat. 991." Only a few cases used the U.S. Code citation and then only along with the Statutes at Large citation.

One case in which the U.S. Code was used is *Steward Machine Co. v. Davis*, 301 U.S. 548 (1937), which involved the Social Security Act.