

CHAP. XIII.—*An Act to amend an act entitled "An act for the appointment of commissioners to adjust the claims to reservations of land under the fourteenth article of the treaty of eighteen hundred and thirty with the Choctaw Indians."*

STATUTE II.
Feb. 22, 1838.
1842, ch. 187.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioners provided for in the act hereby amended, or a majority of them, shall have full power and authority to adjourn their sessions to such place or places, within the State of Mississippi, as in their judgment the interest of the Government and of the claimants may require such sessions to be held.

Act of March 3, 1837, ch. 39.

Commissioners may adjourn their sessions to such places in Miss. as the interest of the government and claimants may require.

SEC. 2. *And be it further enacted,* That in case of the death, resignation, or absence of any one of the said commissioners, the remaining two commissioners shall have full power and authority to proceed and execute the powers given by this act or the act hereby amended.

In case of the death, &c., of one of the commissioners, the others may act.

SEC. 3. *And be it further enacted,* That the said commissioners shall have all the powers of a court of record, for the purpose of compelling the attendance of witnesses, administering oaths, touching matters depending before them, preserving order, and punishing contempts; and shall have power to make all needful rules for the regulation of the proceedings before them, as well as to employ one or more interpreters, and one or more agents to collect testimony for the United States.

Commissioners to have power to compel the attendance of witnesses, &c.; also, to make rules for, &c., to employ interpreters, &c.
Appropriation.

SEC. 4. *And be it further enacted,* That for defraying the contingent expenses of the said commission, the sum of five thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated.

SEC. 5. *And be it further enacted,* That the said act shall be and remain in force until the first day of August next.

Act continued till 1st August next.

SEC. 6. *And be it further enacted, by the authority aforesaid,* That the compensation to be made to the district attorney for his services, shall be equal to the compensation allowed to a commissioner under the act hereby amended.

Dist. Att'y to receive the same compensation as a commissioner.

SEC. 7. *And be it further enacted,* That nothing contained in this act, or the act which this is intended to amend, shall be so construed as to embrace the claim of any Indian or head of a Choctaw family, who has removed west of the Mississippi river.

Claims of Indians who have removed west of the Mississippi not embraced.

SEC. 8. *And be it further enacted,* That if it shall be proved to the satisfaction of said commissioners that any claimant has attempted, or shall attempt to substitute the child of any other Indian as and for his own, or has attempted or shall attempt, by his testimony, to substitute for the child of any other claimant, the child of another Indian, the name of such claimant so attempting to make such substitution, shall be stricken from the list of claimants.

Any claimant attempting to substitute the child of any other Indian for his own, &c., shall be stricken from the list.

APPROVED, February 22, 1838.

STATUTE II.
March 2, 1838.

CHAP. XIV.—*An Act to prevent the abatement of suits and actions now pending, in which the late Bank of the United States may be a party.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no suit, action, judgment or decree, now pending and unsatisfied, in which the late Bank of the United States is a party, plaintiff or defendant, shall abate, or be discontinued or dismissed, by reason of the expiration of the two years after the expiration of the charter, limited by the twenty-first section of the act of incorporation of the said bank, for the use of the corporate name, style, and capacity of said bank, for the purpose of suits for the final settlement and liquidation of the affairs and accounts of the corporation; but all such suits, actions, judgments and decrees,

No suit, &c., in which the late Bank of the U. S. is a party, shall abate, &c., by reason of the expiration of the two years after the expiration of the charter.

shall be allowed to proceed to final judgment, execution, satisfaction and settlement, as if the said two years had not expired.

APPROVED, March 2, 1838.

STATUTE II.
March 2, 1838.

Spring term of the Circuit Court to commence on 18th May, and the fall term on 18th November, in each year.

Terms of Dist. Court to commence on 12th May and 12th November, in each year.

Proviso.

All proceedings, &c., to be deemed returnable on the days hereinbefore prescribed, for holding said Courts.

STATUTE II.
March 10, 1838.
[Expired.]

Act of April 20, 1818, ch. 88. Collectors, &c. required to seize any vessel, &c. which may be provided for any military expedition against any foreign Prince, &c. conterminous and at peace with the U. S.

CHAP. XV.—*An Act to change the time of holding the terms of the Circuit Court of the United States for the eastern district of Virginia, and of the District Court of the United States for the eastern district of Virginia, directed by law to be held in the city of Richmond.* (a)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, hereafter, the spring term of the circuit court of the United States for the eastern district of Virginia shall commence on the eighteenth day of May, and the fall term on the eighteenth of November, in each year, instead of the twenty-second of May and the twenty-second of November, as is now provided by law.

SEC. 2. *And be it further enacted,* That the terms of the district court of the United States for the eastern district of Virginia, which are now directed by law to commence on the fifteenth day of May and the fifteenth [day] of November, in each year, shall hereafter commence on the twelfth day of May and the twelfth day of November, in each year: *Provided, nevertheless,* That, whenever the day on which the terms of either of the said circuit or district court, as herein provided for, shall happen to be Sunday, then the term of said court shall commence on the following day.

SEC. 3. *And be it further enacted,* That all proceedings and process depending in or issuing out of either of the said courts, which are or may be made returnable to any other time appointed for holding the same than that above specified, shall be deemed legally returnable on the days hereinbefore prescribed, and not otherwise. And all suits and other proceedings in either of the said courts which stand continued to any other time than that above specified, shall be deemed continued to the time prescribed by this act, and no other.

APPROVED, March 2, 1838.

CHAP. XXXI.—*An Act supplementary to an act entitled "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," approved twentieth of April, eighteen hundred and eighteen.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several collectors, naval officers, surveyors, inspectors of customs, the marshals, and deputy marshals of the United States, and every other officer who may be specially empowered for the purpose by the President of the United States, shall be, and they are hereby respectively authorized and required to seize and detain any vessel or any arms or munitions of war which may be provided or prepared for any military expedition or enterprise against the territory or dominions of any foreign Prince or State, or of any colony, district or people conterminous with the United States, and with whom they are at peace, contrary to the sixth section of the act passed on the twentieth of April, eighteen hundred and eighteen, entitled "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," and retain possession of the same until the decision of the President be had thereon, or until the same shall be released as herein-after directed.

(a) See notes of the acts relating to the District Court of Virginia, vol. 3, 479.