

ACTS OF THE TWENTY-FIFTH CONGRESS

OF THE

UNITED STATES,

Passed at the third session, which was begun and held at the City of Washington, in the district of Columbia, on Monday, the 3d day of December, 1838, and ended the 3d day of March, 1839.

MARTIN VAN BUREN, President. RICHARD M. JOHNSON, Vice President of the United States, and President of the Senate. JAMES K. POLK, Speaker of the House of Representatives.

STATUTE III.

Dec. 22, 1838. CHAP. I.—*An Act making appropriations, in part, for the support of Government, for the years eighteen hundred and thirty-eight and eighteen hundred and thirty-nine.*
[Obsolete.]

Appropriations. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any unappropriated money in the Treasury, viz :*

Pay and mileage of members of Congress. For pay and mileage of members of Congress and Delegates, three hundred and seventy thousand nine hundred and forty-four dollars;

Pay of officers of Congress. For pay of the officers and clerks of the Senate and House of Representatives, forty-three thousand four hundred dollars;

Cont. exp. of Senate. For stationery, fuel, printing, and all other incidental and contingent expenses of the Senate, thirty-five thousand dollars;

Cont. exp. of House of Representatives. For stationery, fuel, printing, and all other incidental and contingent expenses of the House of Representatives, one hundred thousand dollars.

The said two sums last mentioned to be applied to the payment of the ordinary expenditures of the Senate and House of Representatives, severally, and to no other purpose.

APPROVED, December 22, 1838.

STATUTE III.

Jan. 11, 1839. CHAP. II.—*An Act to provide for carrying into effect the convention between the United States of America and the Republic of Texas for marking the boundary between them. (a)*

Act of May 18 1842, ch. 29.

Commissioner and surveyor, how appointed. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner and surveyor to be appointed on the part of the United States, according to the first article of the convention between the United States of America and the Republic of Texas for marking the boundary between them, concluded April twenty-fifth, eighteen hundred and thirty-eight, be severally appointed by the President of the United States, by and with the consent of the Senate, together with a clerk to the said commissioner, to be appointed in the same manner; and that for the purpose of carrying into effect the said first article of said convention,*

A clerk to be appointed in the same manner.

(a) An act for the relief of persons residing within the reputed limits of the States of Arkansas or Louisiana, and beyond the boundary line between the United States and the republic of Texas, as established by the commissioners appointed to ascertain the same; June 15, 1844, chap. 75.

A joint resolution for annexing Texas to the United States, March 1, 1845.

there be appropriated, out of any money in the Treasury not otherwise appropriated, the following sums:

For the salary of the commissioner, two thousand five hundred dollars;

Commissioner's salary.

For the salary of the surveyor, two thousand dollars;

Surveyor's salary.

For the salary of the clerk, one thousand two hundred dollars: *Provided*, That the salaries of the said officers shall not commence until they shall be ordered into service.

Clerk's salary. Salaries when to commence.

For other expenses of the survey of boundary required by said convention, including the purchase of instruments, wages to persons employed, and other contingencies, ten thousand dollars.

Contingent expenses.

APPROVED, January 11, 1839.

CHAP. III.—*An Act to amend an act entitled "An act to require the judge of the district of East and West Tennessee to hold a court at Jackson, in said State," approved June eighteenth, eighteen hundred and thirty-eight.* (a)

STATUTE III.
Jan. 16, 1839.

Act of June 18, 1838, ch. 118.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to the counties specified in the first section of the act to which this is an amendment, the counties of Madison, Henderson, and Weakly, are hereby added to compose the district of West Tennessee, and the residue of the counties of the said State of Tennessee, formerly composing the district of West Tennessee, shall compose one district, to be called the Middle District of Tennessee.

District of West Tennessee.

Middle dist. of Tennessee.

SEC. 2. *And be it further enacted*, That the court to be held at Jackson, in addition to the ordinary jurisdiction and power of a district court, shall, within the limits of its district, have jurisdiction of all causes, except appeals and writs of error, which now are, or hereafter may by law be, made cognizable in a circuit court, and shall proceed therein in the same manner as a circuit court.

The court to be held at Jackson.

SEC. 3. *And be it further [enacted]*, That the said court shall be held annually on the first Monday in April, at the town of Jackson, in the county of Madison, in said State, and all writs and other process may be returnable to such court on the first Monday in April, and also at rules on the first Monday in October, in the same manner as to the regular sessions of said court; and the said writs and other process may also bear test on the first Monday in October, as though a session of the court was held on that day at Jackson; and writs and other process issued previously to the first Monday in April next may bear test as on the first Monday in October last.

Said court to be held annually.

Writs, &c. when and how returnable.

SEC. 4. *And be it further enacted*, That the marshal appointed by virtue of the act to which this is an amendment, shall execute throughout his district all lawful precepts directed to him, and issued under the authority of the United States, and shall have the same power, perform the same duties, and be under the same liabilities within his district as is conferred by law upon the other marshals of the United States within their respective districts; *Provided*, That the marshal of the Middle District, formerly termed the district of West Tennessee, shall have power and authority to collect the executions issued or to be issued upon judgments and decrees heretofore rendered in the circuit court of the United States, at Nashville, and to serve and execute all process necessary to enforce such judgments, orders, or decrees, as if this act, or the act to which this is an amendment, had not passed; and all writs of scire facias and other process upon the said judgments and decrees, or upon suits now pending in said circuit court, at Nashville, shall also be

Duties and liabilities of the marshal, &c.

Proviso.

(a) Circuit courts in Tennessee, vol. 2, pages 420, 477, 516, 693; act of March 3, 1839, chap. 80, sec. 2; act of July 4, 1840, chap. 42, sec. 3; act of April 14, 1842, chap. 20; act of May 18, 1842, chap. 30; act of March 3, 1843, chap. 74.