

in the same; and the office of surveyor general, in every such district, shall thereafter cease and be discontinued.

SEC. 2. *And be it further enacted*, That whenever the quantity of public land remaining unsold in any land district shall be reduced to a number of acres less than one hundred thousand, it shall be the duty of the Secretary of the Treasury to discontinue the land office of such district; and if any land, in any such district, shall remain unsold at the time of the discontinuance of a land office, the same shall be subject to sale at some one of the existing land offices most convenient to the district in which the land office shall have been discontinued, of which the Secretary of the Treasury shall give notice.

Certain land offices to be discontinued.

Post, p. 455.

APPROVED, JUNE 12, 1840.

CHAP. XXXVII.—*An Act concerning prisoners of the United States committed to the gaol in the County of Providence and State of Rhode Island.*

STATUTE I.
June 12, 1840.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all prisoners committed to the present gaol in the County of Providence and State of Rhode Island under the authority of the United States, shall be kept until discharged by due course of the laws thereof under the like restrictions and penalties as in the case of prisoners committed to said gaol under the authority of said State of Rhode Island.

The prisoners of the U. S. to be kept under the like restrictions as those of Rhode Island.

APPROVED, JUNE 12, 1840.

CHAP. XXXIX. — *An Act making provision for the payment of pensions to the executors or administrators of deceased pensioners in certain cases.*

STATUTE I.
June 19, 1840.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case any male pensioner shall die, leaving children, but no widow, the amount of pension due to such pensioner at the time of his death shall be paid to the executor or administrator on the estate of such pensioner, for the sole and exclusive benefit of the children, to be by him distributed among them in equal shares, and the same shall not be considered as a part of the assets of said estate, nor liable to be applied to the payment of the debts of said estate in any case whatever.

In case of a pensioner leaving children, but no widow.

SEC. 2. *And be it further enacted*, That in case any pensioner who is a widow shall die, leaving children, the amount of pension due at the time of her death shall be paid to the executor or administrator for the benefit of her children, as directed in the foregoing section.

In case of a pensioner who is a widow leaving children.

SEC. 3. *And be it further enacted*, That in case of the death of any pensioner, whether male or female, leaving children, the amount of pension may be paid to any one or each of them, as they may prefer, without the intervention of an administrator.

In case of any pensioner leaving children.

APPROVED, JUNE 19, 1840.

CHAP. XLI.—*An Act to provide for the collection, safe keeping, transfer, and disbursement of the public revenue. (a)*

STATUTE I.
July 4, 1840.
1846, ch. 90.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be prepared and provided, within the new Treasury building now erecting at the seat of Government, suitable and convenient rooms for the use of the Treasurer of the United States, his assistants and clerks: and sufficient and secure fire-proof vaults and safes for the keeping of the public moneys in the possession and under the immediate control of the said Treasurer; which said rooms, vaults, and safes, are hereby constituted

Rooms to be provided for the Treasurer, and vaults and safes for the public moneys.

(a) Repealed by act of August 13, 1841, chap. 7.

and declared to be, the Treasury of the United States. And the said Treasurer of the United States shall keep all the public moneys which shall come to his hands in the Treasury of the United States, as hereby constituted, until the same are drawn therefrom according to law.

U.S. Mint, and the branch mint at N. Orleans, to be places of deposit.

SEC. 2. *And be it further enacted*, That the Mint of the United States, in the city of Philadelphia, in the State of Pennsylvania, and the Branch Mint, in the city of New Orleans, in the State of Louisiana, and the vaults and safes thereof, respectively, shall be places of deposit and safe keeping of the public moneys at those points respectively; and the Treasurer of the said Mint and Branch Mint respectively, for the time being, shall have the custody and care of all public moneys deposited within the same, and shall perform all the duties required to be performed by them, in reference to the receipt, safekeeping, transfer and disbursements of all such moneys, according to the provisions hereinafter contained.

Rooms to be provided in the custom-houses at N. York and Boston, for the receivers-general.

The receivers-general to have custody of said rooms, vaults and safes.

SEC. 3. *And be it further enacted*, That there shall be prepared and provided, within the custom-houses now erecting in the city of New York, in the State of New York, and in the city of Boston, in the State of Massachusetts, suitable and convenient rooms for the use of the receivers-general of public moneys, hereinafter directed to be appointed, at those places, respectively; and sufficient and secure fireproof vaults and safes for the keeping of the public moneys collected and deposited with them, respectively; and the receivers-general of public money, from time to time, appointed at those points, shall have the custody and care of the said rooms, vaults, and safes, respectively, and of all the public moneys deposited within the same; and shall perform all the duties required to be performed by them, in reference to the receipt, safekeeping, transfer, and disbursement of all such moneys, according to the provisions of this act.

Rooms to be provided for the receivers-general at Charleston and St. Louis.

SEC. 4. *And be it further enacted*, That there shall be erected, prepared, and provided, at the expense of the United States, at the city of Charleston, in the State of South Carolina, and at the city of St. Louis, in the State of Missouri, offices, with suitable and convenient rooms for the use of the receivers-general of public money hereinafter directed to be appointed at the places above named; and sufficient and secure fireproof vaults and safes for the keeping of the public money collected and deposited at those points respectively; and the said receivers-general, from time to time appointed at those places, shall have the custody and care of the said offices, vaults, and safes, so to be erected, prepared, and provided, and of all the public moneys deposited within the same; and shall perform all the duties required to be performed by them, in reference to the receipt, safekeeping, transfer, and disbursement of all such moneys, according to the provisions hereinafter contained.

Four receivers-general to be appointed. One at N. York, one at Boston, one at Charleston, and one at St. Louis.

SEC. 5. *And be it further enacted*, That the President shall nominate, and by and with the advice and consent of the Senate, appoint four officers, to be denominated "receivers-general of public money," which said officers shall hold their respective offices for the term of four years, unless sooner removed therefrom; one of which shall be located at the city of New York, in the State of New York; one other of which shall be located at the city of Boston, in the State of Massachusetts; one other of which shall be located at the city of Charleston, in the State of South Carolina; and the remaining one of which shall be located at the city of St. Louis, in the State of Missouri; and all of which said officers shall give bonds to the United States, with sureties according to the provisions hereinafter contained, for the faithful discharge of the duties of their respective offices.

All required to give bonds.

Officers charged with the custody of the public moneys—their duties.

SEC. 6. *And be it further enacted*, That the Treasurer of the United States, the treasurer of the Mint of the United States, the treasurers, and those acting as such, of the various Branch Mints, all collectors of the

customs, all surveyors of the customs acting also as collectors, all receivers-general of public moneys, all receivers of public moneys at the several land offices, and all post-masters, except as is hereinafter particularly provided, be, and they are hereby, required to keep safely, without loaning or using, all the public money collected by them, or otherwise at any time placed in their possession and custody, till the same is ordered by the proper department or officer of the Government to be transferred or paid out; and when such orders for transfer or payment are received, faithfully and promptly to make the same as directed, and to do and perform all other duties as fiscal agents of the Government, which may be imposed by this or any other acts of Congress, or by any regulation of the Treasury Department, made in conformity to law; and also to do and perform all acts and duties required by law, or by direction of any of the Executive Departments of the Government, as agents for paying pensions, or for making any other disbursements which either of the heads of those departments may be required by law to make, and which are of a character to be made by the depositaries hereby constituted, consistently with the other official duties imposed upon them.

SEC. 7. *And be it further enacted*, That the Treasurer of the United States, the Treasurer of the Mint of the United States, the Treasurer of the Branch Mint at New Orleans, and the receivers-general of public money hereinbefore directed to be appointed, shall, respectively, give bonds to the United States, in such form, and for such amounts, as shall be directed by the Secretary of the Treasury, by and with the advice and consent of the President, with sureties to the satisfaction of the Solicitor of the Treasury; and shall, from time to time, renew, strengthen, and increase their official bonds, as the Secretary of the Treasury, with the consent of the President, may direct; any law in reference to any of the official bonds of any of the said officers to the contrary notwithstanding.

Bonds to be given by the Treasurers and receivers-general, &c.

SEC. 8. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury, at as early a day as possible after the passage of this act, to require from the several depositaries hereby constituted, and whose official bonds are not hereinbefore provided for, to execute bonds new and suitable in their terms to meet the new and increased duties imposed upon them respectively by this act, and with sureties, and in sums such as shall seem reasonable and safe to the Solicitor of the Treasury, and from time to time to require such bonds to be renewed and increased in amount and strengthened by new sureties, to meet any increasing responsibility which may grow out of accumulations of money in the hands of the depository, or out of any other duty or responsibility arising under this or any other law of Congress.

Bonds to be given by the other depositaries constituted by this act.

SEC. 9. *And be it further enacted*, That all collectors and receivers of public money, of every character and description, within the District of Columbia, shall, as frequently as they may be directed by the Secretary of the Treasury, or the Postmaster General, so to do, pay over to the Treasurer of the United States at the Treasury thereof, all public moneys collected by them, or in their hands; that all such collectors and receivers of public moneys within the cities of Philadelphia and New Orleans, shall, upon the same direction, pay over to the Treasurers of the Mints in their respective cities, at the said mints, all public moneys collected by them, or in their hands; and that all such collectors and receivers of public moneys within the cities of New York, Boston, Charleston, and St. Louis, shall, upon the same direction, pay over to the receivers-general of public money in their respective cities, at their offices respectively, all the public moneys collected by them, or in their hands, to be safely kept by the said respective depositaries, until otherwise disposed of according to law; and it shall be the duty of the said Secretary and Postmaster General to direct such payments, by the said collectors and receivers, at all the said places, at least as often as once

Bonds may be renewed, &c.

Collectors and receivers of public money in the following places to pay over, when and to whom.
District of Columbia.
Philadelphia and N. Orleans.

New York, Bost'n, Charleston, and St. Louis.

Payments at least once a week.

in each week, and as much more frequently, in all cases, as they, in their discretion, may think proper.

Sec. of Treas.
authorized to
make transfers
of the public
moneys.

SEC. 10. *And be it further enacted*, That it shall be lawful for the Secretary of the Treasury to transfer the moneys in the hands of any depositary hereby constituted, to the Treasury of the United States; to the Mint at Philadelphia; to the Branch Mint at New Orleans; or to the offices of either of the receivers-general of public moneys, by this act directed to be appointed; to be there safely kept, according to the provisions of this act; and also to transfer moneys in the hands of any one depositary constituted by this act to any other depositary constituted by the same, at his discretion, and as the safety of the public moneys, and the convenience of the public service shall seem to him to require; which authority to transfer the moneys belonging to the Post Office Department is also hereby conferred upon the Postmaster General, so far as its exercise by him may be consistent with the provisions of existing laws; and every depositary constituted by this act shall keep his account of the money paid to, or deposited with, him, belonging to the Post Office Department, separate and distinct from the account kept by him of other public moneys so paid or deposited. And for the purpose of payments on the public account, it shall be lawful for the Treasurer of the United States to draw upon any of the said depositaries, as he may think most conducive to the public interests, or to the convenience of the public creditors, or both.

Postmaster
Gen. authorized
to make trans-
fers of moneys
belonging to
Post Office De-
partment.

Treasurer may
draw on any de-
positary.

Moneys in the
hands of deposi-
taries.

SEC. 11. *And be it further enacted*, That the moneys in the hands, care, and custody, of any of the depositaries constituted by this act, shall be considered and held as deposited to the credit of the Treasurer of the United States, and shall be, at all times, subject to his draft, whether made for transfer or disbursement, in the same manner as though the said moneys were actually in the Treasury of the United States; and each depositary shall make returns to the Treasury and Post Office Department of all moneys received and paid by him, at such times, and in such form, as shall be directed by the Secretary of the Treasury or the Postmaster General.

Depositaries to
make returns,
&c.

Examinations
to be made of
the books, &c.

SEC. 12. *And be it further enacted*, That the Secretary of the Treasury shall be, and he is hereby, authorized to cause examinations to be made of the books, accounts, and money on hand, of the several depositaries constituted by this act; and for that purpose to appoint special agents, as occasion may require, with such compensation as he may think reasonable, to be fixed and declared at the time of each appointment. The agents selected to make these examinations shall be instructed to examine as well the books, accounts, and returns of the officer, as the money on hand, and the manner of its being kept, to the end that uniformity and accuracy in the accounts, as well as safety to the public moneys may be secured thereby.

Special agents
may be appoint-
ed.

Additional ex-
aminations to
be made—how.

SEC. 13. *And be it further enacted*, That in addition to the examinations provided for in the last preceding section, and as a further guard over the public moneys, it shall be the duty of each naval officer and surveyor, as a check upon the receiver-general of public moneys, or collector of the customs, of their respective districts; of each register of a land office, as a check upon the receiver of his land office; and of the director and superintendent of each Mint and Branch Mint when separate offices, as a check upon the Treasurers, respectively, of the said Mints, or the persons acting as such, at the close of each quarter of the year, and as much more frequently as they shall be directed by the Secretary of the Treasury to do so, to examine the books, accounts, returns, and money on hand, of the receivers-general of public money, collectors, receivers of land offices, treasurers, and persons acting as such, and to make a full, accurate, and faithful return to the Treasury Department of their condition.

SEC. 14. *And be it further enacted*, That the said officers respectively, whose duty it is made by this act to receive, keep, and disburse the public moneys, as the fiscal agents of the Government, may be allowed any necessary additional expenses for clerks, fireproof chests, or vaults, or other necessary expenses of safekeeping, transferring, and disbursing said moneys: all such expenses of every character to be first expressly authorized by the Secretary of the Treasury, whose directions upon all the above subjects, by way of regulation and otherwise, so far as authorized by law, are to be strictly followed by all the said officers: *Provided*, That the whole number of clerks to be appointed by virtue of this section of this act, shall not exceed ten, and that the aggregate compensations of the whole number shall not exceed eight thousand dollars, nor shall the compensation of any one clerk, so appointed, exceed eight hundred dollars per annum.

Necessary expenses for clerks, fireproof chests, &c. allowed.

Proviso.

SEC. 15. *And be it further enacted*, That the Secretary of the Treasury shall, with as much promptitude as the convenience of the public business, and the safety of the public funds will permit, withdraw the balances remaining with the present depositaries of the public moneys, and confine the safekeeping, transfer, and disbursement of those moneys to the depositaries established by this act.

The balances remaining with the present depositaries to be withdrawn.

SEC. 16. *And be it further enacted*, That all marshals, district attorneys, and others, having public money to pay to the United States, and all patentees, wishing to make payment for patents to be issued, may pay all such moneys to the Treasurer of the United States, at the Treasury, to the Treasurer of either of the Mints, in Philadelphia or New Orleans, to either of the receivers-general of public money, or to such other depositary constituted by this act as shall be designated by the Secretary of the Treasury, in other parts of the United States, to receive such payments, and give receipts or certificates of deposit therefor.

Payments of public money to the U. S. and payments for patents—to whom to be made.

SEC. 17. *And be it further enacted*, That all officers charged by this act with the safekeeping, transfer, and disbursement of the public moneys, other than those connected with the Post Office Department, are hereby required to keep an accurate entry of each sum received, and of the kind of money in which it is received, and of each payment or transfer, and of the kind of currency in which it is made; and that if any one of the said officers, or of those connected with the Post Office Department, shall convert to his own use, in any way whatever, or shall use by way of investment in any kind of property or merchandise, or shall loan, with or without interest, any portion of the public moneys intrusted to him for safekeeping, disbursement, transfer, or for any other purpose, every such act shall be deemed and adjudged to be an embezzlement of so much of the said moneys as shall be thus taken, converted, invested, used, or loaned, which is hereby declared to be a felony, and any officer or agent of the United States, and all persons advising or participating in such act, being convicted thereof before any court of the United States of competent jurisdiction, shall be sentenced to imprisonment for a term of not less than six months nor more than five years, and to a fine equal to the amount of the money embezzled.

Entries required to be made of public moneys, other than those connected with the Post Office Department.
Felony.

SEC. 18. *And be it further enacted*, That until the rooms, offices, vaults, and safes, directed by the first four sections of this act to be constructed and prepared for the use of the Treasurer of the United States, the Treasurers of the Mints at Philadelphia and New Orleans, and the receivers-general of public money at New York, Boston, Charleston, and St. Louis, can be constructed and prepared for use, it shall be the duty of the Secretary of the Treasury to procure suitable rooms for offices for those officers at their respective locations, and to contract for such use of vaults and safes as may be required for the

Other rooms to be procured.

safekeeping of the public moneys in the charge and custody of those officers respectively, the expense to be paid by the United States.

Duties, how
to be paid, &c.

SEC. 19. *And be it further enacted*, That from and after the thirtieth day of June, which will be in the year one thousand eight hundred and forty, the resolution of Congress of the thirtieth day of April, in the year one thousand eight hundred and sixteen, so far as it authorizes the receipt in payment of duties, taxes, sales of public lands, debts, and sums of money, accruing or becoming payable to the United States, to be collected and paid in the notes of specie-paying banks, shall be so modified as that one fourth part of all such duties, taxes, sales of public lands, debts, and sums of money accruing or becoming due to the United States, shall be collected in the legal currency of the United States; and from and after the thirtieth day of June, which will be in the year one thousand eight hundred and forty-one, one other fourth part of all such duties, taxes, sales of public lands, debts, and sums of money, shall be so collected; and that from and after the thirtieth day of June, which will be in the year one thousand eight hundred and forty-two, one other fourth part of all such duties, taxes, sales of public lands, debts and sums of money, shall be so collected; and that from and after the thirtieth day of June, which will be in the year one thousand eight hundred and forty-three, the remaining fourth part of the said duties, taxes, sales of public lands, debts, and sums of money, shall be also collected in the legal currency of the United States; and from and after the last-mentioned day, all sums accruing, or becoming payable to the United States, for duties, taxes, sales of public lands, or other debts, and also all sums due for postages, or otherwise, to the General Post Office Department, shall be paid in gold and silver only.

All payments
on account of
U. S. to be in
gold and silver
only.

Violations of
this and the pre-
ceding section.

No exchange
of funds to be
made except for
gold and silver.

Officers viola-
ting this section
to be suspend-
ed, &c.

SEC. 20. *And be it further enacted*, That from and after the thirtieth day of June, which will be in the year one thousand eight hundred and forty-three, every officer or agent engaged in making disbursements on account of the United States, or of the General Post Office, shall make all payments in gold and silver coin only; and any receiving or disbursing officer, or agent, who shall neglect, evade, or violate, the provisions of this and the last preceding section of this act, shall, by the Secretary of the Treasury, be immediately reported to the President of the United States, with the facts of such neglect, evasion, or violation, and also to Congress, if in session, and, if not in session, at the commencement of its session next after the violation takes place.

SEC. 21. *And be it further enacted*, That no exchange of funds shall be made by any disbursing officers, or agents, of the Government, of any grade or denomination whatsoever, or connected with any branch of the public service, other than an exchange for gold and silver; and every such disbursing officer, when the means for his disbursements are furnished to him in currency legally receivable under the provisions of this act, shall make his payments in the currency so furnished, or when those means are furnished to him in drafts, shall cause those drafts to be presented at their place of payment and properly paid according to the law, and shall make his payments in the currency so received for the drafts furnished, unless, in either case, he can exchange the means in his hands for gold and silver at par, and so as to facilitate his payments, or otherwise accommodate the public service and promote the circulation of a metallic currency: And it shall be, and is hereby made, the duty of the head of the proper department immediately to suspend from duty any disbursing officer who shall violate the provisions of this section, and forthwith to report the name of the officer, or agent, to the President, with the fact of the violation and all the circumstances accompanying the same and within the knowledge of the said Secretary, to the end that such officer, or agent, may be promptly removed from

office, or restored to his trust and the performance of his duties, as to the President may seem just and proper.

SEC. 22. *And be it further enacted*, That it shall not be lawful for the Secretary of the Treasury to make or continue in force, any general order, which shall create any difference between the different branches of revenue, as to the funds or medium of payment, in which debts or dues accruing to the United States may be paid.

To be no difference betw'n the funds receivable.

SEC. 23. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to issue and publish regulations to enforce the speedy presentation of all Government drafts for payment at the place where payable, and to prescribe the time, according to the different distances of the depositaries from the seat of Government, within which all drafts upon them, respectively, shall be presented for payment; and, in default of such presentation, to direct any other mode and place of payment which he may deem proper; but in all those regulations and directions, it shall be the duty of the Secretary of the Treasury to guard, as far as may be, against those drafts being used or thrown into circulation, as a paper currency, or medium of exchange.

Measures to be taken to enforce the speedy presentation of government drafts for payment, &c.

SEC. 24. *And be it further enacted*, That the receivers-general of public moneys directed by this act to be appointed, shall receive, respectively, the following salaries, per annum, to be paid quarter-yearly, at the Treasury of the United States, to wit: the receiver-general of public money at New York shall be paid a salary of four thousand dollars per annum; the receiver-general of public money at Boston shall be paid a salary of two thousand five hundred dollars per annum; the receiver-general of public money at Charleston shall be paid a salary of two thousand five hundred dollars per annum; and the receiver-general of public money at St. Louis shall be paid a salary of two thousand five hundred dollars per annum; the treasurer of the Mint at Philadelphia shall, in addition to his present salary, receive five hundred dollars, annually, for the performance of the duties imposed by this act; the treasurer of the branch Mint at New Orleans shall also receive one thousand dollars, annually, for the additional duties created by this act; and these salaries, respectively, shall be in full for the services of the respective officers, nor shall either of them be permitted to charge, or receive, any commission, pay, or perquisite, for any official service, of any character or description whatsoever; and the making of any such charge, or the receipt of any such compensation, is hereby declared to be a misdemeanor, for which the officer convicted thereof, before any court of the United States of competent jurisdiction, shall be subject to punishment by fine, or imprisonment, or both, at the discretion of the court before which the offence shall be tried.

Salaries of receivers-general.

Of the treas'r of the mint.

Of the treas'r of branch mint at N. Orleans.

A misdemeanor to charge or receive any commission, &c. for official service.

SEC. 25. *And be it further enacted*, That the Treasurer of the United States be, and he is hereby, authorized to receive at the Treasury, and at such other points as he may designate, payments in advance for public lands, the payments so made in all cases, to be evidenced by the receipt of the said Treasurer of the United States; which receipts so given shall be receivable for public lands, at any public or private sale of lands, in the same manner as the currency authorized by law to be received in payment for the public lands: *Provided, however*, That the receipts given by the treasurer of the United States, pursuant to the authority conferred in this section, shall not be negotiable or transferable, by delivery, or assignment, or in any other manner whatsoever, but shall, in all cases, be presented in payment for lands by or for the person to whom the receipt was given, as shown upon its face.

Treasurer authorized to receive payments in advance for public lands.

Proviso.

SEC. 26. *And be it further enacted*, That for the purchase of sites, and for the construction of the offices of the receivers-general of public money, by this act directed to be erected at Charleston, South Carolina, and at St. Louis, Missouri, there shall be, and hereby is, appropriated,

Appropriation for purchase of sites, and construction of offices.

to be paid out of any money in the Treasury not otherwise appropriated, the sum of ten thousand dollars, to be expended under the direction of the Secretary of the Treasury, who is hereby required to adopt plans for the said offices, and the vaults and safes connected therewith, and to cause the same to be constructed and prepared for use with as little delay as shall be consistent with the public interests, and the convenient location and security of the buildings to be erected: *Provided, however,* That if the Secretary of the Treasury shall find upon inquiry and examination, that suitable rooms for the use of the receiver-general at Charleston can be obtained in the custom-house now owned by the United States at that place, and that secure vaults and safes can be constructed in that building for the safekeeping of the public money, then he shall cause such rooms to be prepared and fitted up, and such vaults and safes to be constructed in the custom-house at Charleston, and no independent office shall be there erected.

Proviso.

Appropriation for expenses.

SEC. 27. *And be it further enacted,* That, for the payment of the expenses authorized by this act, other than those herein before provided for, a sufficient sum of money be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

Acts, &c. conflicting with this, repealed.

SEC. 28. *And be it further enacted,* That all acts or parts of acts which come in conflict with the provisions of this act be, and the same are hereby, repealed.

APPROVED, July 4, 1840.

STATUTE I.

July 4, 1840.

Act of Jan. 18, 1839, ch. 3.
Act of June 18, 1838, ch. 118.

CHAP. XLII.—*An Act to amend an act approved the eighteenth of January eighteen hundred and thirty-nine, entitled "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 the eighteenth, eighteen hundred and thirty-eight," and for other purposes.* (a)

Two terms to be held annually.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first Monday in April, eighteen hundred and forty, there shall be two terms of said court held annually by the district judge at Jackson, on the second Monday in December next, and the second Monday in June then following; and the rule days of said court for the return of process and filing of pleadings shall be held on the second Monday of September and March, in each and every year.

Rule days.

7th sec. act of 18th Jan. 1839, ch. 3, repealed.

SEC. 2. *And be it further enacted,* That the seventh section of the act which this is intended to amend, be, and the same is hereby, repealed.

An additional term of the circuit court to be held in Knoxville.

SEC. 3. *And be it further enacted,* That an additional term of the circuit court of the United States shall be holden in Knoxville, in East Tennessee, on the third Monday in April in each and every year, which said term shall be held by the district judge; and should any difficult point of law arise, at said April term, in any cause or matter of controversy in said court, the said district judge may, at his discretion, adjourn the same over to the next term.

The judge may adjourn a cause to next term.

APPROVED, July 4, 1840.

STATUTE I.

July 4, 1840.

CHAP. XLIII.—*An Act in addition to the acts respecting the judicial system of the United States.* (b)

Adjournment of the court.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, whenever it shall so happen that neither of the judges of a circuit court of the United States shall attend at the commencement of a session of the said court, or at

(a) See vol. 2, 273.

(b) An act concerning the Supreme Court of the United States, June 17, 1844, chap. 96.