

of the sixth March, eighteen hundred and twenty, entitled "An act to authorize the people of Missouri Territory to form a constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain Territories;" and an act of the seventh June, eighteen hundred and thirty-six, entitled "An act to extend the western boundary of the State of Missouri to the Missouri river:" *Provided, however,* That if either or both of said commissioners to be appointed on the part of the State of Missouri and Territory of Iowa should fail to attend to the aforesaid duty, after reasonable notice by the commissioner on the part of the United States, or if the State of Missouri, or Governor of Iowa, or either of them, should fail to appoint such commissioner on their part, respectively, after reasonable notice from the President of the United States, then, and in that case, the commissioner appointed on the part of the United States shall proceed to execute the duties enjoined by this act with either of said commissioners who may attend, or without the attendance of either or both of said commissioners, as the case may be.

Proviso.

SEC. 3. *And be it further enacted,* That the line to be so run, ascertained, and marked, shall not be deemed to be finally established and ratified by the United States, until the map or plat, and description aforesaid, and also the said report of the commissioner shall be submitted to, and the boundary, as thus ascertained and marked, approved of and ratified by the Congress of the United States.

To be approved by Congress.

SEC. 4. *And be it further enacted,* That, for the purpose of carrying into effect the provisions of this act, the sum of four thousand dollars, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated.

Appropriation.

APPROVED, June 18, 1838.

STATUTE II.

CHAP. CXVII.—*An Act making an appropriation for completing the public buildings in Wisconsin.*

June 18, 1838.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of twenty thousand dollars be, and the same is hereby, granted and appropriated, out of any unappropriated money in the Treasury, to defray the expenses of completing the public buildings in the Territory of Wisconsin, which are now commenced and partially completed; which said sum, or so much thereof as may be necessary for that purpose, shall be expended according to the act of the Legislative Assembly of Wisconsin, entitled "An act to establish the seat of Government of the Territory of Wisconsin, and to provide for the erection of public buildings," approved December thirty, eighteen hundred and thirty-six: *Provided,* That the commissioners elected in pursuance of the third section of said act, shall cause the said money to be so expended as to accomplish the completion or finishing of said buildings without further expense to the United States.

[Obsolete.]

Appropriation for completing public buildings.

How to be expended.

Proviso.

APPROVED, June 18, 1838.

STATUTE II.

CHAP. CXVIII.—*An Act to require the judge of the district courts of East and West Tennessee to hold a court at Jackson, in said state. (a)*

June 18, 1838.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a district court of the United States be, and the same is hereby, established in the western district of the State of Tennessee, for the counties of Benton, Carroll, Henry, Obion, Dyer, Gibson, Lauderdale, Haywood, Tipton, Shelby,

A district court U. S. established in the western district of Tennessee.

(a) See notes to the act of January 13, 1831, chap. 1.

Fayette, Hardeman, McNairy, Hardin, and Perry; and that the said court be holden annually on the third Monday in September, at the town of Jackson, in the county of Madison, in said State.

**Jurisdiction.**

SEC. 2. *And be it further enacted*, That the said district court shall be invested with, and exercise, all and every species of jurisdiction now exercised by the district courts of East and West Tennessee.

**To be holden by, &c.**

SEC. 3. *And be it further enacted*, That the said court shall be holden by the judge of the said district courts of East and West Tennessee.

**Concurrent jurisdiction in all civil cases now exercised by the U. S. circuit courts.**

SEC. 4. *And be it further enacted*, That in addition to the jurisdiction hereby invested in said court, it be invested with the exercise of concurrent jurisdiction in all civil cases now exercised by the circuit courts of the United States; and that in all cases where said court shall exercise such jurisdiction, appeals may be taken from the judgments, orders, or decrees of said court to the Supreme Court of the United States, in the same manner, and upon the same conditions, as appeals may be taken from the circuit courts.

**Appeals to the U. S. Supreme Court.**

**Judge to appoint a clerk.**

SEC. 5. *And be it further enacted*, That at the first term of said court, the judge thereof shall appoint a clerk, in manner, and upon such conditions, as like officers are required by law to be appointed for the said district courts of East and West Tennessee; and that the said clerk perform such duties in regard to the proceedings, orders, judgments, and decrees of said court, as are required by law to be performed by the same officers in the said district courts of East and West Tennessee.

**Duties of the clerk.**

**Process.**

SEC. 6. *And be it further enacted*, That all laws now in force regulating the emanation, execution, and return of the process of said district courts of East and West Tennessee shall, in all things, regulate the emanation, execution, and return of process in the said district court.

**Adjournment.**

SEC. 7. *And be it further enacted*, That if from any cause the judge of said court shall fail to attend and open said court on the first day thereof, then, and in that case, the said court shall stand adjourned from day to day, until four o'clock of the third; and in case he shall fail to attend and open said court by that time, the said court shall stand adjourned until the first day of the next term.

**Intermediate term.**

SEC. 8. *And be it further enacted*, That in case the judge of said court, from any cause, shall fail to hold a regular term of said court, it shall be his duty, if in his opinion the business in said court shall require, to hold an intermediate term of said court, at such time as he shall, by his order, under his hand and seal, direct, addressed to the clerk and marshal of said court, at least thirty days previous to the commencement of said term, and to be published in the several newspapers published in the bounds of said district the same length of time.

**Clerk's fees.**

SEC. 9. *And be it further enacted*, That the clerk of said court shall be entitled to receive such fees and emoluments for his services as are now allowed by law for like services to the clerks of said district courts of East and West Tennessee.

**A marshal to be appointed—his duties, salary, and fees.**

SEC. 10. *And be it further enacted*, That a marshal shall be appointed for said court, whose duty it shall be to execute all orders, judgments, and decrees of said court now authorized by law, and that he receive for his services the sum of two hundred dollars, to be paid out of the public Treasury; and that he be allowed the same fees as are allowed for the same services in the courts of East and West Tennessee.

**A district attorney to be appointed. Salary and fees.**

SEC. 11. *And be it further enacted*, That a district attorney of the United States be appointed for said court, who shall receive in addition to the usual fees of office, the sum of two hundred dollars annually, to be paid out of the public Treasury of the United States

APPROVED, June 18, 1838.