

divisions of the district, the plaintiff may sue in either division, and send duplicate writ or writs to the other defendants; on which the plaintiff or his attorney shall endorse that the writ thus sent is a copy of a writ sued out of a court of the proper division of the said district; and the said writs, when executed and returned into the office from which they issued, shall constitute one suit, and be proceeded in accordingly.

Clerk of District Court authorized to appoint a deputy for each division, &c.

SEC. 4. *And be it further enacted*, That it shall be lawful for the clerk of the District Court for the district of Iowa to appoint a deputy at each of the places prescribed for holding terms of the said court, who, in his absence, may exercise all the official powers of the said clerk, at the place and within the division of the said district for which he may have been appointed. And such deputy, before he enters on the discharge of his duties, shall take the usual oath for the faithful performance of his duties as such deputy. And nothing herein contained shall be held to excuse or release the said clerk from legal responsibility for acts performed by his said deputy, in behalf of said clerk in the office aforesaid.

Duties of marshal and district attorney.

SEC. 5. *And be it further enacted*, That the district attorney and marshal of the district of Iowa shall, respectively, perform the duties of district attorney and marshal of and for the northern, middle, and southern divisions of the district of Iowa, as established by this act; and the said marshal shall keep an office at each of the places where the sessions of the said District Court are directed to be held, and his charges for mileage, in the execution of the duties of his office within the said district, shall be computed from the city of Iowa.

Jurisdiction of said District Court extended.

SEC. 6. *And be it further enacted*, That in addition to the ordinary jurisdiction and powers of a District Court of the United States, with which the District Court of Iowa has been invested, it be, and is hereby, invested, within the limits of said district, with the exercise of concurrent jurisdiction and power 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, writs of error and appeals shall be allowed and taken from the judgment, 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.

Writs of error and appeals to Supreme Court.

Inconsistent acts repealed.

SEC. 7. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, March 3, 1849.

March 3, 1849.

CHAP. CXXV. — *An Act to transfer the Towns of Vinal Haven, North Haven, and Islesboro', from the Collection District of Penobscot to that of Belfast, in the State of Maine.*

Towns of Vinal Haven, North Haven, and Islesboro', to constitute a portion of the collection district of Belfast.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the towns of Vinal Haven, North Haven, and Islesboro', in the State of Maine, now included in the collection district of Penobscot, shall hereafter be included in and constitute a part of the collection district of Belfast.

APPROVED, March 3, 1849.

March 3, 1849.

CHAP. CXXVI. — *An Act to provide for the Settlement of the Accounts of public Officers and others who may have received Moneys arising from military Contributions, or otherwise, in Mexico.*

1852, ch. 110, § 7. 1853, ch. 98, § 5. How moneys raised by contribution in Mexico shall be charged

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all moneys raised in Mexico by contributions, or otherwise, and received by any

officer of the United States army, or navy, shall be charged against such officer on the books of the Treasury Department, and accounted for by him in like manner as if the moneys collected and received had been drawn from the treasury of the United States; and if any part of said moneys shall have been expended for objects not usually embraced among those for which appropriations are made for that branch of the service to which the officer belongs, the sums so *expected* shall not be passed to the credit of the officer, except, in the case of an officer of the army, on the certificate of the Secretary of War, that the amount expended was properly disbursed, and for the public service, and, in case of any officer of the navy, on a like certificate of the Secretary of the Navy; and on the adjustment of the accounts of the officer, if any balance shall appear to remain in the hands of such officer, the same shall be paid into the treasury of the United States for general purposes. And any such officer having such balance in his hands, who, after being duly required, shall refuse or neglect to pay over the same, or who shall, after due notice, fail to settle his accounts, shall be proceeded against in the same manner as is provided for, by existing laws, in the case of disbursing officers who neglect or refuse to account for moneys drawn from the treasury of the United States. And all moneys received by any officer, either as contributions or penalties, or as internal assessments and compensations granted by the municipal authorities, as well as all sums received by any officer or agent acting as collector, shall be charged to, and accounted for, by such officer or agent, in the same manner as in other cases provided by this section.

and accounted for.

Officers refusing or neglecting to account for and pay over the balances in their hands to be proceeded against.

SEC. 2. *And be it further enacted*, That where an officer has had the supervision of the collection of the military contributions at any of the ports in Mexico, and has, at the same time, exercised civil functions under the temporary government there established, or where *and* officer or other person shall have performed the duties of collectors at such ports, such officer or person shall be allowed a compensation which shall be assimilated in amount, as nearly as may be, including the regular pay and emoluments of such officer, to that allowed by existing laws to officers of the customs in the United States where the services are similar in amount and importance; such allowance, in all cases, to be determined by the President of the United States. And all officers of the army and other persons in public employment, who have received payment for their services in collecting, keeping, or accounting for said moneys, and for other necessary services, are authorized to retain so much of the amounts so received as, in the opinion of the President of the United States, may be a fair compensation for said services.

Provision for compensation of officers who had the collection of such contributions, &c.

SEC. 3. *And be it further enacted*, That where questions arise in respect to the refunding of duties collected in Mexico, or the remission of penalties imposed, on the ground that the collection was improper, or the penalties wrongfully enforced, the same shall be referred for the decision of the Secretary of the Treasury, who is hereby authorized and required to pay, under the direction of the President of the United States, out of the money in the treasury raised from contributions, such sums as may be determined by him to have been improperly levied or imposed as contributions, assessments, or penalties.

Questions in regard to refunding of duties, or remission of penalties, how to be referred and decided.

SEC. 4. *And be it further enacted*, That where accounts are rendered for expenditures, under the approval and sanction of the proper officers, and which may appear to have been proper and necessary, but cannot be settled for the want of appropriations applicable to the objects to which they relate, the same may be paid out of the contribution fund, on the approval of the head of the department having charge of that branch of business to which the expenditure appertains.

Accounts rendered for expenditures, how to be paid.

Expenditures  
for secret ser-  
vices.

SEC. 5. *And be it further enacted,* That where expenditures have been made, in the course of the war with Mexico, by the commanding generals, or under their directions, for secret services, the accounts therefor shall be adjusted and settled in the same manner as is provided for the settlement of accounts for expenses of intercourse between the United States and foreign nations, under the act entitled "An Act providing the means of intercourse between the United States and foreign nations," passed March nineteenth, seventeen hundred and ninety-eight.

1798, ch. 17.

Disbursements  
by pursers of the  
navy.

Post, p. 419.

SEC. 6. *And be it further enacted,* That where pursers of the navy, acting under the instructions of their commanding naval officers, have made disbursements for hostile operations against the enemy on land, and which operations have been approved by the government, such pursers shall, under the direction of the President of the United States, be credited for the amounts thus necessarily disbursed; and such parts thereof as shall have been received by officers of the army shall be charged to and accounted for by them respectively.

APPROVED, March 3, 1849.

March 3, 1849.

CHAP. CXXVII. — *An Act declaring Fort Covington, in the State of New York, to be a Port of Delivery, and for other Purposes.*

Fort Coving-  
ton, New York,  
made a port of  
delivery.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the town of Fort Covington, in the State of New York, shall be a port of delivery, and shall be subject to the same regulations as other ports of delivery in the United States.

Deputy collec-  
tor for Ches-  
apeake city, Md.,  
to be appointed.

Ante, p. 410.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be authorized to appoint a deputy collector to reside at Chesapeake city, in the State of Maryland, to grant enrolments and licenses to vessels: *Provided,* That the compensation of the said deputy collector shall be the usual fees of office, and nothing more.

APPROVED, March 3, 1849.

March 3, 1849.

CHAP. CXXIX. — *An Act to provide for the Payment of Horses and other Property lost or destroyed in the Military Service of the United States.*

Payment for  
horses, and other  
property lost or  
destroyed in the  
military service  
of the United  
States provided  
for.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any field, or staff, or other officer, mounted militia-man, volunteer, ranger, or cavalry, engaged in the military service of the United States since the eighteenth of June, eighteen hundred and twelve, or who shall hereafter be in said service, and has sustained, or shall sustain, damage without any fault or negligence on his part, while in said service, by the loss of a horse in battle, or by the loss of a horse wounded in battle, and which has died or shall die of said wound, or, being so wounded, shall be abandoned by order of his officer and lost, or shall sustain damage by the loss of any horse by death or abandonment because of the unavoidable dangers of the sea when on board an United States transport vessel, or because the United States failed to supply transportation for the horse, and the owner was compelled by the order of his commanding officer to embark and leave him, or in consequence of the United States failing to supply sufficient forage, or because the rider was dismounted and separated from his horse and ordered to do duty on foot at a station detached from his horse, or when the officer in the immediate command ordered, or shall order, the horse turned out to graze in the woods, prairies, or commons, because the United States failed, or shall fail, to supply