

shall become a law. But, in all such cases, the votes of both Houses shall be determined by yeas and nays; and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Assembly by adjournment prevent its return, in which case it shall not be a law.

SEC. 2. *And be it further enacted*, That this act shall not be so construed as to deprive Congress of the right to disapprove of any law passed by the said Legislative Assembly, or in any way to impair or alter the power of Congress over laws passed by said Assembly.

APPROVED, March 3, 1839.

Limitation of the act.

CHAP. XCI.—*An Act to define and establish the eastern boundary line of the Territory of Iowa.*

STATUTE III.

March 3, 1839.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the middle or centre of the main channel of the river Mississippi shall be deemed, and is hereby declared, to be the eastern boundary line of the Territory of Iowa, so far or to such extent as the said Territory is bounded eastwardly by or upon said river: *Provided, however*, That the said Territory of Iowa shall have concurrent jurisdiction upon the said Mississippi river with any other conterminous State or Territory so far or to such extent as the said river shall form a common boundary between the aforesaid Territory of Iowa and any other such conterminous State or Territory.

Eastern boundary of Iowa.

Proviso.

APPROVED, March 3, 1839.

STATUTE III.

March 3, 1839.

CHAP. XCII.—*An Act to authorize the election or appointment of certain officers in the Territory of Iowa, and for other purposes.*

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislative Assembly of the Territory of Iowa shall be, and are hereby, authorized to provide by law for the election or appointment of sheriffs, judges of probate, justices of the peace, and county surveyors, within the said Territory, in such way or manner, and at such times and places as to them may seem proper; and after a law shall have been passed by the Legislative Assembly for that purpose, all elections or appointments of the above-named officers thereafter to be had or made shall be in pursuance of such law.

Legislative Assembly of Iowa authorized to provide by law for the election of sheriffs, &c.

SEC. 2. *And be it further enacted*, That the term of service of the present Delegate for said Territory of Iowa shall expire on the twenty-seventh day of October, eighteen hundred and forty; and the qualified electors of said Territory may elect a Delegate to serve from the said twenty-seventh day of October to the fourth day of March thereafter, at such time and place as shall be prescribed by law by the Legislative Assembly, and thereafter a Delegate shall be elected, at such time and place as the Legislative Assembly may direct, to serve for a Congress, as members of the House of Representatives are now elected.

Election of delegate.

APPROVED, March 3, 1839.

STATUTE III.

March 3, 1839.

CHAP. XCIII.—*An Act making appropriations for preventing and suppressing Indian hostilities, for the year eighteen hundred and thirty-nine.*

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums, amounting to one million eight hundred and four thousand seven

Appropriation.

- hundred and seventy-four dollars, be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses which have been, or may be, incurred, in preventing or suppressing the hostilities of any Indians, in the year eighteen hundred and thirty-nine; to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the nineteenth of March and the second of July, eighteen hundred and thirty-six, and of the acts therein referred to :
- How to be expended.**
1836, ch. 43.
1836, ch. 254.
- Forage.**
For forage for the horses of the second dragoons, mounted volunteers and militia officers entitled to forage in kind, and for horses, mules, and oxen, in the service of trains, three hundred and ninety-two thousand eight hundred and thirty-one dollars;
- Freight, &c.**
For freight or transportation of military supplies of every description from the places of purchase to Florida, two hundred and fifty-four thousand six hundred and twenty-eight dollars;
- Purchase of wagons, &c.**
For the purchase of wagons, harness, boats and lighters, horses to keep up the trains, tools, leather and other materials for repairs, ninety-two thousand dollars;
- Transportation.**
For the transportation of supplies from the principal depots to the several posts, as well as troops, when they move by water, including hire of steamboats and other vessels for the service in the rivers and on the coasts, and the expenses of maintaining and sailing the several steamers and transport schooners connected with the operations of the army, three hundred thousand dollars;
- Hire of mechanics, &c.**
For the hire of mechanics, laborers, mule-drivers, teamsters, and other assistants, including their subsistence, and for soldiers on extra duty, conformably to law, one hundred thousand dollars;
- Transportation of militia or volunteers.**
For the transportation of the militia or volunteers while marching to and from the scene of operations, thirty thousand dollars;
- Miscellaneous.**
For miscellaneous expenses of all kinds, not embraced under the foregoing heads, and which, from their contingent character, cannot be specified, four hundred thousand dollars;
- Accoutrements, &c.**
For accoutrements and arms for infantry and cavalry, including militia infantry and cavalry, ammunition for men and field artillery, and repairs of arms, and for contingencies, seventy-one thousand dollars;
- Pay of militia and volunteers.**
For the pay of such militia and volunteers as may have been or may be called into the service of the United States, in addition to the unexpended balance of the appropriation for the payment of four thousand volunteers, for the year eighteen hundred and thirty-eight, one hundred and fourteen thousand three hundred and fifteen dollars;
- Treaty with the Seminoles.**
For the purpose of holding a treaty with the Seminole Indians, five thousand dollars;
- Vessels to cruise along the coast of Florida.**
For the purchase and maintaining in active service three vessels of light draught of water, to cruise along the coast of Florida, for the protection of the lives and property of the citizens, fifty thousand dollars;
- Paying value of horses and equipage of Tennessee and other volunteers.**
Value, how to be ascertained.
All acts since 1812, authorizing payment for horses, revived and extended for two years.
For paying the value of the horses and equipage of the Tennessee and other volunteers who have at any time been in the service of the United States in the Territory of Florida, and which were turned over to the Government, by the order of the commanding general or other commanding officer, said value to be ascertained by the appraisement of said value when the volunteers entered the service, fifty-two thousand dollars. And the provisions of acts approved and in force at various periods since eighteen hundred and twelve, authorizing payment for horses lost in the service of the United States by rangers, militia, and volunteers, are hereby revived and extended for two years from and after the passage of this act, and under the action of the Third Auditor, shall be deemed to embrace all cases not already satisfied, of horses lost to their owners in service as aforesaid, in battle or otherwise, when care

and diligence be rendered manifest on the part of the owner; and if the death or loss of rangers' horses shall have occurred for want of forage, it be at places where, acting in obedience to the orders of commanding officers, forage could not have been procured by proper vigilance on the part of the owner: No payment however shall be made for horses or other property lost or destroyed, when the loss or destruction shall have been occasioned by the fault or neglect of the owner, or where by the terms of the contract, the risk was upon the owner of the property: and no greater sum of money than the fifty-two thousand dollars appropriated by this section, shall be drawn from the Treasury by reason of its provisions.

SEC. 2. *And be it further enacted*, That no part of the money appropriated by this act shall be applied to the payment of any volunteers, except for arrearages, or for any expenses growing out of the employment of any volunteers for the year eighteen hundred and thirty-eight.

APPROVED, March 3, 1839.

No money appropriated by this act to be applied, &c.

STATUTE III.
March 3, 1839.

[Obsolete.]

CHAP. XCIV.—*An Act making appropriations for the support of the army for the year one thousand eight hundred and thirty-nine.*

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 money in the Treasury not otherwise appropriated, for the support of the army during the year one thousand eight hundred and thirty-nine, that is to say:

For the pay of the army, one million five hundred and thirty-four thousand eight hundred and thirty-two dollars;

Pay.

For the subsistence of officers, four hundred and seventy thousand seven hundred and fifty-four dollars;

Subsistence of officers.

For forage of officers' horses, one hundred and eleven thousand one hundred and fifteen dollars;

Forage for officers' horses.

For payments in lieu of clothing to discharged soldiers, and to officers, in lieu of clothing for their servants, fifty-nine thousand four hundred dollars;

Payments in lieu of clothing.

For subsistence, exclusive of that of officers, one million one hundred and twenty-two thousand eight hundred and thirty-one dollars;

Subsistence.

For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, four hundred and seventy-three thousand four hundred and thirty-five dollars;

Clothing, &c.

For the medical and hospital department, twenty-four thousand four hundred dollars;

Medical and hospital department.
Supplies by Q. Master's dep't.

For the regular supplies furnished by the quartermaster's department, consisting of fuel, forage, straw, stationery, and printing, two hundred and forty-five thousand five hundred dollars;

Barracks, &c.

For barracks, quarters, store houses, embracing the repairs and enlargement of barracks, quarters, store houses, and hospitals, at the several posts; the erection of temporary cantonments at such posts as shall be occupied during the year, and of gun houses for the protection of the cannon at the forts on the seaboard; the purchase of the necessary tools and materials for the objects wanted, and of the authorized furniture for the barrack rooms; rent of quarters for officers; of barracks for troops at posts where there are no public buildings for their accommodation; of store houses for the safe keeping of subsistence, clothing, and other military supplies, and of grounds for summer cantonments, encampments, and military practice, one hundred thousand dollars;

For the allowance made to officers for the transportation of their baggage, when travelling on duty without troops, sixty thousand dollars;

Transportation of officers' baggage.