

horses and oxen, stationery, printing, and other incidental and contingent expenses, twenty thousand dollars.

contingent expenses.

For completing the barracks for cadets, fifteen thousand dollars.

Barracks.

SEC. 2. *And be it further enacted*, That the President be authorized to appoint a board of visitors, to attend the annual examination of the Military Academy, whose duty it shall be to report to the Secretary of War, for the information of Congress, at the commencement of the next succeeding session, the actual state of the discipline, instruction, police administration, fiscal affairs, and other concerns, of the institution: *Provided*, That the whole number of visitors each year shall not exceed the half of the number of States in the Union; and that they shall be selected, alternately, from every second State, each member being a *bonâ fide* resident citizen of the State from which he shall be appointed; that not less than six members shall be taken from among officers actually serving in the militia; and that a second member shall not be taken from any Congressional district, until every other district in the State shall have supplied a member: *Provided, further*, That no compensation shall be made to said members beyond the payment of their expenses for board and lodging while at the Military Academy, and an allowance not to exceed eight cents per mile, for travelling by the shortest mail route from their respective homes to the Academy, and back to their homes. And the sum of two thousand dollars is hereby appropriated to defray the expenses of said board of visitors, at the next annual examination.

Board of visitors to be appointed.

How selected.

Compensation.

Appropriation.

SEC. 3. *And be it further enacted*, That the teacher of drawing, and the first teacher of French, at the Military Academy, shall hereafter be, respectively, professor of drawing, and professor of the French language.

Certain teachers to be professors.

APPROVED, August 8, 1846.

CHAP. XCVII. — *An Act supplementary to the Act passed on the twentieth Day of February, eighteen hundred and forty-six, entitled "An Act to enlarge the Powers of the several Orphans' Courts held in and for the District of Columbia."*

Aug. 8, 1846.

1846, ch. 8, ante, p. 4.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That every orphan, or other infant, to whom the Orphans' Courts of the District of Columbia are authorized and empowered by the act to which this act is supplementary, or by any other law in force in the said district, or in either county thereof, to appoint a guardian, shall be entitled, on arriving at the age of fourteen years, or at any age between fourteen and twenty-one years, notwithstanding any appointment of guardian before made by such courts, or either of them, to elect a guardian for himself or herself: *Provided*, The Orphans' Court within whose jurisdiction may be the person and residence of such orphan, or any property, real, personal, or mixed, to which such orphan is entitled, or where a guardian had been duly appointed before, the court by which said former guardian had been appointed, approve the character and competency of the person so elected guardian: *And provided*, such Orphans' Court shall and may require of the guardian, so elected, such security, and exercise towards him all such jurisdiction and powers for compelling the faithful administration of his trust, as are provided in the said act, or any other law in force as aforesaid, in the cases of guardians appointed by the said court; and if the said court, in the due exercise of such, its jurisdiction and powers, shall see fit to supersede and remove such guardian, or if such guardian die, or become incompetent during the minority of such orphan, the said court shall forthwith cite such orphan to appear and make a new election of guardian, which such orphan may do under the same

Orphan children may select guardians in certain cases.

Selection to be subject to the approval of the court.

Security to be given by guardian.

Supersedure.

Guardian *ad interim*.

Notice of application to supersede.

Sureties may complain, &c.

conditions and restrictions as are hereinbefore prescribed in respect to the original election of guardian; and for the interval of time between the removal, death, or incompetency, of the first elected guardian, and the new election of another by such orphan, the said court may, if it deem it expedient, appoint a guardian *ad interim* until such new election be made; taking such security of such guardian *ad interim*, and exercising over him such jurisdiction and powers, as are or may be required and given in the cases of other guardians: *And provided further*, That, where a guardian is to be superseded by such election, he shall have notice of the application by summons, or in writing.

SEC. 2. *And be it further enacted*, That if any surety of a guardian, by petition to the court before which he was bound, setting forth that he apprehends himself or herself to be in danger of suffering thereby, shall pray that he may be relieved, the said court, after a summons to answer the petition shall have been served upon the guardian, or a copy of such summons left at the place of his usual abode, shall order him to give counter security for the complete indemnity of the original surety, or to deliver the ward's estate into the hands of the surety, or of some other person; in either of which cases it shall take sufficient security of the person into whose hands the ward's estate shall be delivered as aforesaid; and such court shall and may make such further and other order for the relief of the petitioner as to it shall seem just.

APPROVED, August 8, 1846.

Aug. 8, 1846.

CHAP. XCVIII. — *An Act to regulate the Proceedings in the Circuit and District Courts of the United States, and for other Purposes.*

Change of time for holding Circuit Court of U. S. for Southern District of New York.

July term abolished.

Either court may remit indictments to the other.

Effect of such remission.

Grand juries of District Courts

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Circuit Court of the United States for the Southern District of New York shall hereafter be held on the third Monday in October, instead of the last Monday in November; and that all writs, pleas, suits, recognizances, indictments, and all other proceedings, civil and criminal, shall be returnable to and have day in court, and shall be heard, tried, and proceeded with, by the said court, in the same manner as might and ought to have been done, if the court had been held at the time heretofore directed by law; and it is further provided, that the term of the Circuit Court appointed by law to be held on the last Monday in July, in each year, in said district, shall not hereafter be holden.

SEC. 2. *And be it further enacted*, That whenever the district attorney shall deem it necessary, it shall be lawful for any Circuit Court, in session, by order entered on its minutes, to remit to the next term or session of the District Court of the same district any indictment pending in the said Circuit Court, when the offence or offences therein charged may be cognizable by the said District Court; and in like manner it shall be lawful for any District Court to remit to the next term or session of the Circuit Court of the same district any indictment pending in the said District Court; and such remission shall carry with it all recognizances, processes, and proceedings pending in the case in the court from which the remission is made; and the court to which such remission is made shall, after the order of remission is filed therein, act and proceed in the case as if the indictment, and all other proceedings in the same, had been originated in said court.

SEC. 3. *And be it further enacted*, That it shall be lawful for the grand juries impanelled and sworn in any District Court to take