

million two hundred and ninety-one thousand seven hundred and sixteen dollars and thirty-nine cents.

For the pensions to the invalids, to the commutation pensioners, and to the widows and orphans, three hundred and thirteen thousand one hundred and seventy-four dollars and forty-two cents.

For arrearages in the War Department, prior to the first of July, one thousand eight hundred and fifteen, twenty-six thousand dollars.

SEC. 2. *And be it further enacted*, That the several sums hereby appropriated, shall be paid out of any money in the treasury not otherwise appropriated: *Provided, however*, That no money appropriated by this act, shall be paid to any person, for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the treasury, all sums for which he may be liable: *Provided, further*, That nothing in this section contained, shall extend to balances arising solely from the depreciation of treasury notes, received by such person, to be expended in the public service; but, in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officer, if demanded by the party, his agent or attorney, to report forthwith to the agent of the Treasury Department the balance due; and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent, and his securities.

APPROVED, March 10, 1824.

To be paid out of the treasury.
Proviso.

Proviso.

STATUTE I.

March 10, 1824.

CHAP. XXVIII.—*An Act for the better organization of the district courts of the United States within the state of Alabama. (a)*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the state of Alabama shall be, and the same is hereby, divided into two districts, in manner following, to wit:—That part thereof composing the counties of Jackson, Decatur, Madison, Limestone, Lauderdale, Franklin, Lawrence, Morgan, Blount, St. Clair, Jefferson, Walker, and Marion, shall compose one district to be called the northern district of Alabama; and the residue thereof, shall compose another district to be called the southern district of Alabama.

Act of April 21, 1820, ch. 47.
The state of Alabama to be divided into two districts.

SEC. 2. *And be it further enacted*, That there shall be two terms of the district court for the southern district, held at Mobile, in each year, to begin on the third Monday after the fourth Monday in March, and the fourth Monday after the fourth Monday in October; and one term at Cahawba, in each year, to begin on the third Monday in June; and one term of the district court, for the northern district, shall be held in Huntsville, in each year, to begin on the second Monday in July; and the district judge of the United States, for the state of Alabama, is hereby required to hold the courts aforesaid, and furthermore, to hold one or more special terms, at Cahawba, and at Huntsville, in each year, if, in his opinion, the business of the court shall require it to be done.

District court for the southern district to be held at Mobile twice, at Cahawba once; and that of the northern district at Huntsville once in each year.

SEC. 3. *And be it further enacted*, That the third Monday in December, in each year, shall be a return day for writs and executions, returnable to the said district court at Cahawba; and the second Monday in January, in each year, shall be a return day for writs and executions returnable to the said district court at Huntsville; and the parties to such suits as shall be so returned, shall make up their pleadings under such rules as the court shall prescribe, in order to have the causes so returned, in a state for trial at the next regular term.

All writs and executions to be returned to the district court at Mobile and Cahawba, to be adjourned, &c. to the times appointed by this act.

SEC. 4. *And be it further enacted*, That all causes pending in the

All cases

(a) See notes to act of April 21, 1820, ch. 47.

pending in the district courts, at Mobile and Cahawba, to be adjourned, &c. to the times appointed by this act, &c.

All cases pending in said courts, in which the defendant or defendants resided in the northern district at the time of serving the process, to be transferred to the court for the northern district, &c.

All suits hereafter to be brought, not of a local nature, to be brought only in the district where the defendant shall reside, &c.

A clerk of the district court for the northern district to be appointed.

The district attorney for the district of Alabama to be attorney for the southern, and one to be appointed for the northern district.

Adjournment in case of the non-attendance of the judge.

STATUTE I.

March 16, 1824.

The country lying between the Illinois and Mississippi rivers, &c. to be attached to, &c. the land district of Edwardsville, &c.

said district courts at Mobile and Cahawba shall be adjourned and continued from the times heretofore prescribed by law for holding said courts respectively, to the times appointed by this act: and all recognisances and process of every description, made returnable to the former terms of holding said courts, respectively, shall be returned to the terms herein established, and be as valid as if the time of holding the same had not been changed.

SEC. 5. *And be it further enacted*, That all causes at law or in chancery, pending in the said district courts at Mobile and Cahawba, in which the defendant or defendants resided in the northern district, at the time of serving the process, shall be transferred to the district court for the said northern district, established by this act, and be proceeded in, adjudged, and determined, in the same manner as if originally commenced in said court; and it shall be the duty of the clerks of the said district courts at Mobile and Cahawba, to transmit by some safe conveyance, to the clerk of the district court for the northern district, the original papers in all such causes, together with a transcript of all proceedings had therein.

SEC. 6. *And be it further enacted*, That all suits hereafter to be brought, in either of the courts aforesaid, not of a local nature, shall be brought only in the district where the defendant shall reside; but if there be more than one defendant, and some of them reside in the northern, and some in the southern district, the plaintiff may sue in either, and send a duplicate writ to the other, on which he shall endorse that it is part of a suit brought in the district from which it is sent; and the said writs, when executed and returned, shall constitute one suit, and be proceeded in accordingly.

SEC. 7. *And be it further enacted*, That the judge of said courts shall appoint a clerk of the district court of the northern district, who shall reside and keep his office, and the records and documents appertaining thereto, at the place of holding said court: be entitled to the same fees allowed by law to the clerks of the southern district, and be subject to the same liabilities and penalties.

SEC. 8. *And be it further enacted*, That the district attorney heretofore appointed for the district of Alabama, shall be the district attorney for the southern district of Alabama; and there shall be a district attorney appointed for the northern district of Alabama, who shall hold his appointment for the same term, be subject to the same duties, and receive the same salary, fees, and emoluments allowed to the district attorney of the southern district of Alabama.

SEC. 9. *And be it further enacted*, That, should the judge fail to attend at the time and place of holding any of the courts herein mentioned, before the close of the third day of the term, the business thereof shall stand adjourned to the next term.

APPROVED, March 10, 1824.

CHAP. XXIX.—*An Act to define the boundary line between the Edwardsville and Springfield land districts, in the state of Illinois.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that tract of country lying between the Illinois and Mississippi rivers, and south of the base line of the military surveys, be, and the same is hereby, attached to, and made a part of, the land district, the office of which is located at Edwardsville; and all that tract of country lying between the said rivers, and north of the said base line, be, and the same is hereby, attached to, and made a part of, the land district, the office of which is established at Springfield, in the county of Sangamo.

APPROVED, March 16, 1824.