

subsistence, increase and repairs, medicines and contingent expenses, of two frigates, two sloops, two small vessels, and two armed steamers, to be employed as a home squadron, the sum of seven hundred and eighty-nine thousand three hundred and ten dollars is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, August 1, 1841.

CHAP. V.—*An Act making further provision for the maintenance of pauper lunatics in the District of Columbia.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act entitled "An act making temporary provision for lunatics in the District of Columbia," approved February second, one thousand eight hundred and forty-one, as limits the appropriation to three thousand dollars, be, and the same is hereby, repealed, and the further sum of three thousand five hundred dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated, to make immediate provision for the maintenance of pauper lunatics as provided for in the said act.

SEC. 2. *And be it further enacted,* That the marshal of the District of Columbia shall not be restricted to the asylum at Baltimore, but may provide for pauper lunatics at any public lunatic asylum in the United States, consulting economy in the selection.

APPROVED, August 3, 1841.

CHAP. VII.—*An Act to repeal the act entitled "An act to provide for the collection, safe-keeping, transfer, and disbursement of the public revenue," and to provide for the punishment of embezzlers of public money, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to provide for the collection, safe-keeping, transfer, and disbursement of the public revenue," approved on the fourth day of July A. D. one thousand eight hundred and forty, be, and the same is hereby, repealed: *Provided, always,* That, for any offences which may have been committed against the provisions of the seventeenth section of the said act, the offenders may be prosecuted and punished according to those provisions; and that all bonds executed under the provisions of said act, and all civil rights and liabilities which have arisen or accrued under said act, and the remedies therefor, shall remain and continue as if said act had not been repealed; any thing herein contained to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That if any officer charged with the safe-keeping, transfer, or disbursement of public moneys, or connected with the Post Office Department, shall convert to his own use, in any way whatever, or shall use by way of investment in any kind of property or merchandise, or shall loan, with or without interest, any portion of the public moneys entrusted to him for safe-keeping, transfer, disbursement, or for any other purpose, every such act shall be deemed and adjudged to be an embezzlement of so much of the said moneys as shall be thus taken, converted, invested, used, or loaned, which is hereby declared to be a felony; and the neglect or refusal to pay over on demand any public moneys in his hands, upon the presentation of a draft, order, or warrant drawn upon him, and signed by the Secretary of the Treasury, or to transfer or disburse any such moneys promptly according to law, on the legal requirement of a superior officer, shall be prima facie evidence of such conversion to his own use of so much of the public moneys as may be in his hands. Any officer or agent of the

STATUTE I.

Aug. 3, 1841,
Act of Feb. 2,
1841, ch. 4.

So much of former act as limits the appropriation repealed, and a further appropriation made.

Marshal, not restricted to the asylum at Baltimore.

STATUTE I.

Aug. 13, 1841.

Act of 4th July
1840, ch. 41.
repealed.

Proviso.

Bonds, &c. not affected by the repeal.

Felony, for officers charged with safe-keeping, transfer, or disbursement of public moneys, &c. to use public moneys.

Neglect or refusal to pay over, transfer, or disburse such moneys, prima facie evidence of such use.

Punishment for said offence, &c.

United States, and all persons advising, or knowingly and willingly participating in such embezzlement, upon being convicted thereof before any court of the United States of competent jurisdiction, shall, for every such offence, forfeit and pay to the United States a fine equal to the amount of the money embezzled, and shall suffer imprisonment for a term not less than six months nor more than five years.

Act of June 23, 1836, ch. 115, excepting 13th and 14th secs., repealed.

SEC. 3. *And be it further enacted*, That the act entitled "An act to regulate the deposits of the public money," approved on the twenty-third day of June, eighteen hundred and thirty-six, excepting the thirteenth and fourteenth sections thereof, be and the same hereby is repealed.

So much of act of 14th April 1836, ch. 52, as prohibits the payment by the U. S. of bank notes under certain denominations, repealed.

SEC. 4. *And be it further enacted*, That so much of an act, passed the fourteenth of April, eighteen hundred and thirty-six, entitled "An act making appropriations for the payment of the Revolutionary and other pensioners of the United States, for the year eighteen hundred and thirty-six," as provides that no bank note of less denomination than ten dollars, and after the third day of March, eighteen hundred and thirty-seven, no bank note of less denomination than twenty dollars, shall be offered in payment in any case whatsoever, in which money is to be paid by the United States, or the Post Office Department, be, and the same hereby is, repealed.

APPROVED, August 13, 1841.

STATUTE I.

Aug. 16, 1841.

CHAP. VIII.—*An Act to provide for the payment of Navy Pensions.*

Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred and thirty-nine thousand six hundred and sixty-six dollars and six cents is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the payment of pensions and half-pay chargeable on the navy pension fund: *Provided*, That all widows or children of all naval officers, seamen, or marines, now deceased, and entitled to receive or make proof of their pensions under the act of the third of March, eighteen hundred and thirty-seven, shall receive the same until the close of the next session of Congress; but no widows or children of any naval officer, seaman, or marine, who may hereafter die, shall be entitled to any pension by virtue only of any provision in the said act.

Proviso; pensions under act 3d March 1837, ch. 38, limited. No widow, &c. of any naval officer, &c. who may hereafter die, entitled, under the act of 1837, ch. 38.

No officer, &c. shall receive pay as a pensioner and officer in service.

SEC. 2. *And be it further enacted*, That no officer, seaman, or marine, entitled to a pension from the navy pension fund, who receives pay from the public treasury, shall receive more from the said fund than is sufficient to make the whole amount received from both the above-named sources equal to the pay fixed by law for the grade to which the officer, seaman, or marine may belong as an officer in the services in which he may be engaged, during the year, so that no officer shall receive pay at the same time both as a pensioner and an officer in service.

APPROVED, August 16, 1841.

STATUTE I.

Aug. 19, 1841.

CHAP. IX.—*An Act to establish a uniform system of bankruptcy throughout the United States.* (a)

Repealed, 3d March 1843, ch. 82.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, established throughout the United States, a uniform system of bank-

(a) See notes of the decisions of the courts of the United States on the bankrupt act of April 4, 1800, vol. 2, 19.

In the case of Nelson, a petitioner in bankruptcy, in the Kentucky district, and Carland, an opposing creditor, several points were adjourned by the district to the circuit court. Upon the hearing of the case in the circuit court, the district judge, as well as the justice of the Supreme Court, sat in the case; and,