

made over to said bank, or which would in any manner have become the property of said bank had the same continued in existence in any action, suit, judgment, or execution aforesaid or otherwise, shall enure to the trustee or trustees, assignee or assignees, receiver or receivers of said bank, if any shall be appointed by the stockholders or otherwise.

Trustees, &c.
to have power
to commence
suits, &c., and
prosecute to
final judgment
and execution.

Proviso.

SEC. 2. *And be it further enacted,* That the trustee or trustees, assignee or assignees, receiver or receivers, who may be appointed to collect and receive the assets of any bank whose charter shall expire as aforesaid, and to adjust, settle, and liquidate, the debts due from said banks, shall have full power to commence and institute all necessary actions, suits, or other proceedings, in law or equity, in the name of said bank, and prosecute the same to final judgment and execution, *Provided,* That the Court in which such legal or equitable proceeding shall be commenced, shall first receive sufficient security for the costs which may be recovered by the opposite party.

APPROVED, June 17, 1844.

STATUTE I.

June 17, 1844.

CHAP. XCIX.—*An Act to enable the War Department to supply certain balances of appropriation, and for other purposes.*

Balances under
acts of June 12,
1838, ch. 97,
and March 3,
1839, ch. 93,
how to be ap-
plied.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to direct the application of any balances now remaining in the treasury, or which may come into the treasury on the settlement of accounts under any of the specific heads of appropriation in the acts of the twelfth June eighteen hundred and thirty-eight and third March eighteen hundred and thirty-nine, to any arrearages chargeable to the general head of suppression of Indian hostilities.

Balances under
acts of April
29, 1836, ch. 37,
June 12, 1838,
ch. 97, and
March 3, 1839,
ch. 93, re-ap-
propriated.

SEC. 2. *And be it further enacted,* That the balances of appropriations made twenty-ninth April eighteen hundred and thirty-six, twelfth June, eighteen hundred and thirty-eight and third March eighteen hundred and thirty-nine for suppression of Indian hostilities, which have been carried to the surplus fund, be and the same are hereby re-appropriated for the settlement of arrearages for suppression of Indian hostilities so far as the same may be necessary in the payment of accounts audited and passed for settlement by the accounting officers of the Treasury.

APPROVED, June 17, 1844.

STATUTE I.

June 17, 1844.

Act of Aug. 1,
1842, ch. 108,
1853, ch. 40.

CHAP. C.—*An Act supplementary to an act entitled "An act to regulate arrests on mesne process in the District of Columbia," approved August first, eighteen hundred and forty-two.*

No person to
be held to bail
or imprisoned
in a civil action,
when the debt
is less than \$50,
&c.

1845, ch. 2.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no person shall hereafter be held to bail or imprisoned in any civil action in the District of Columbia, in any case where the debt or claim, exclusive of interest and costs, is less than fifty dollars, and in cases where he may have been, or shall hereafter be, held to bail under the act, to which this is a supplement; and that every person who at the time of the passage of this act, shall be held in prison or prison bounds, in any civil action, except in the cases hereinbefore mentioned, shall thereupon be immediately discharged: *Provided,* That if any plaintiff in any civil action after judgment shall have been obtained by him or her, shall make oath according to law, that the defendant or defendants has or have conveyed away, lessened, or disposed of his or their property, rights, or credits, or is, or are about to remove, or hath or have removed, his or their property from this District, as he or she believes

Proviso.

with intent thereby to hinder or delay the recovery or payment of his debts, the clerk of the court of the county in which such judgment shall have been rendered, shall thereupon issue a *capias ad satisfaciendum* in the same manner as though this act had not been passed: and upon the arrest of any such defendant or defendants under such *capias ad satisfaciendum*, he or they may be brought by *habeas corpus* before the court of such county, if in term time, and before one of the judges thereof in vacation, and may call upon the plaintiff or plaintiffs, to show cause why he or they, the said defendant or defendants shall not be discharged from said imprisonment; and upon such notice, either party may demand a trial by jury; and thereupon the said court or judge shall direct an issue or issues to be framed upon the affidavit so filed, and shall cause a jury to be impanelled and sworn to try such issue or issues, and if the finding of the jury upon such issue or issues shall be for the plaintiff, such defendant or defendants shall be thereupon remanded to prison, and be dealt with as though this act had not been passed: *And provided further*, that nothing in this act shall be construed to authorize the custody or imprisonment of any female person on civil process, nor to any non-resident for any debt contracted out of the District of Columbia: *Provided*, That nothing contained in this act shall prevent the execution of process already in the hands of the marshal and not yet executed.

Proviso.

Proviso.

APPROVED, June 17, 1844.

STATUTE I.

June 17, 1844.

CHAP. CI.—*An Act concerning conveyances, or devises of places of public worship 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 when any lot, or part of a lot, tract, or parcel of land has been heretofore conveyed or devised, to one or more trustees, for the use and benefit of any religious congregation as a place of public worship, the same, and all buildings and other improvements thereupon, shall be held by such trustee or trustees (or their successors) for the purpose of the trust, and not otherwise.

All conveyances, &c. of places of public worship to be held by trustees for the purpose of the trust.

SEC. 2. *And be it further enacted*, That when any conveyance or devise has been heretofore, or shall hereafter be made, of such property for the use, and benefit, and purpose aforesaid, the same shall not be void or frustrated by reason of the want of trustees to take and hold the same in trust, but trustees may be appointed in the manner hereinafter directed.

Not to be void for want of trustees.

SEC. 3. *And be it further enacted*, That when such conveyance or devise has been heretofore, or shall hereafter be made, whether by the intervention of trustees, or not, the circuit court of the District of Columbia, sitting in the county where such property is, or may be situated, shall, on application of the United States attorney for the District of Columbia, on behalf of the authorized authorities of any such religious congregation, have full power and authority to appoint trustees, originally, when there are none, or to substitute others, from time to time, in cases of death, refusal, or neglect to act, removal from the county, or other inability to execute the trust beneficially and conveniently; and the legal title shall thereupon become exclusively vested in the whole number of the trustees and their successors.

Circuit court may appoint trustees, and legal titles to be in them and their successors.

SEC. 4. *And be it further enacted*, That a majority of the acting trustees for any such congregation may sue and be sued in their own names, in relation to the title, possession, or enjoyment of such property without abatement by the death of any of the trustees, or substitution of others; but the action or suit may, notwithstanding, be prosecuted to its final termination in the names of the trustees by or against

Majority of acting trustees may sue and be sued, &c.