

admiralty, at any other time than the legal time for holding the circuit court of the United States in and for such district.

SEC. 2. *And be it further enacted*, That the clerk of such district court shall, during the continuance of the disability of the district judge, continue to certify as aforesaid, all suits or actions of what nature or kind soever, which may thereafter be brought to such district court, and the same transmit to the circuit court next thereafter to be holden in the same district; and the said circuit court shall have cognizance of the same in like manner as is herein before provided in this act, and shall proceed to hear and determine the same: *Provided nevertheless*, that when the disability of the district judge shall cease or be removed, all suits or actions then pending and undetermined in the circuit court, in which by law the district courts have an exclusive original cognizance, shall be remanded, and the clerk of the said circuit court shall transmit the same, pursuant to the order of said court, with all matters and things relating thereto, to the district court next thereafter to be holden in said district, and the same proceedings shall be had therein in said district court as would have been, had the same originated or been continued in the said district court.

SEC. 3. *And be it further enacted*, That in case of the district judge in any district being unable to discharge his duties, as aforesaid, the district clerk of such district shall be authorized and empowered, by leave or order of the circuit judge of the circuit in which such district is included, to take, during such disability of the district judge, all examinations and depositions of witnesses, and make all necessary rules and orders preparatory to the final hearing of all causes of admiralty and maritime jurisdiction.

APPROVED, March 2, 1809.

the session of the circuit court.

Duties of the district clerks under this act.

Process &c. &c.

On the ceasing of the disability of the district judge, all causes shall be remanded to the district court.

District clerks during the disability of the judges, to take examinations, make rules, &c. &c.

STATUTE II.

March 3, 1809.

Act of May 8, 1792, ch. 37.

Act of March 3, 1795, ch. 43.

Act of April 21, 1808, ch. 43.

Act of March 3, 1817, ch. 45.

Act of May 1, 1820, ch. 50.

Warrants to be charged to the distinct appropriations on which they are founded.

Payments to be charged to specific appropriations.

Separate accounts to be rendered to Congress by the officers.

The President during the recess of Congress may order a portion of the monies appro-

CHAP. XXVIII.—*An Act further to amend the several acts for the establishment and regulation of the Treasury, War and Navy departments.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all warrants drawn by the Secretary of the Treasury, or of War, or of the Navy, upon the Treasurer of the United States, shall specify the particular appropriation or appropriations to which the same should be charged: the monies paid by virtue of such warrants shall, in conformity therewith, be charged to such appropriation or appropriations, in the books kept in the office of the comptroller of the treasury, in the case of warrants drawn by the Secretary of the Treasury, and in the books of the accountants of the war or navy department respectively, in the case of warrants drawn by the Secretary of War, or by the Secretary of the Navy; and the officers, agents, or other persons, who may be receivers of public monies, shall render distinct accounts of the application of such monies according to the appropriation or appropriations under which the same shall have been drawn, and the Secretary of War and of the Navy shall, on the first day of January, in each and every year, severally report to Congress a distinct account of the expenditure and application of all such sums of money as may, prior to the thirtieth day of September preceding, have been by them respectively drawn from the treasury in virtue of the appropriation law of the preceding year, and the sums appropriated by law for each branch of expenditure in the several departments shall be solely applied to the objects for which they are respectively appropriated, and to no other: *Provided nevertheless*, that during the recess of Congress, the President of the United States may, and he is hereby authorized, on the application of the secretary of the proper department, and not otherwise, to direct, if in his opinion necessary for the public service, that a portion

priated for a particular branch of expenditure to be applied to another branch of expenditure in the same department; this application to be laid before Congress.

Comptroller of the treasury authorized to cause the settlement of certain accounts.

Annual statement to be laid before Congress by the comptroller of certain delinquencies.

Agents for the purchase of supplies and making of contracts, and disbursements.

The President may during the recess of the Senate appoint agents and fix the number and compensation.

Limitation of the compensation.

Agents, &c. to give bonds.

To keep the public money in banks, &c. &c.

Purchases and contracts, how to be made, &c. &c.

An annual statement of contracts and purchases to be laid before Con-

of the monies appropriated for a particular branch of expenditure in that department, be applied to another branch of expenditure in the same department, in which case a special account of the monies thus transferred, and of their application, shall be laid before Congress during the first week of their next ensuing session.

SEC. 2. *And be it further enacted*, That it shall be the duty of the comptroller of the treasury, in every case where in his opinion further delays would be injurious to the United States, and he is hereby authorized to direct the auditor of the treasury, and the accountants of the war and navy departments, at any time, forthwith to audit and settle any particular account which the said officers may be respectively authorized to audit and settle, and to report such settlement for his revision and final decision. And the said comptroller shall also lay an annual statement before Congress, during the first week of their session, of the accounts in the treasury, war or navy departments, which may have remained more than three years unsettled, or on which balances appear to have been due more than three years, prior to the thirtieth of September then last past, together with a statement of the causes which have prevented the settlement of the accounts or the recovery of the balances due to the United States.

SEC. 3. *And be it further enacted*, That exclusively of the purveyor of public supplies, paymasters of the army, pursers of the navy, military agents, and other officers already authorized by law, no other permanent agents shall be appointed either for the purpose of making contracts, or for the purchase of supplies, or for the disbursement in any other manner, of monies for the use of the military establishment, or of the navy of the United States, but such as shall be appointed by the President of the United States, with the advice and consent of the Senate: *Provided*, that the President may, and he is hereby authorized, in the recess of the Senate, to appoint all or any of such agents, which appointments shall be submitted to the Senate at their next session, for their advice and consent, and the President of the United States is hereby authorized, until otherwise provided by law, to fix the number and compensations of such agents: *Provided*, that the compensation allowed to either shall not exceed one per centum on the public monies disbursed by him, nor in any instance the compensation allowed by law to the purveyor of public supplies.

SEC. 4. *And be it further enacted*, That every such agent as may be appointed by virtue of the next preceding section, and every purser of the navy, shall give bond with one or more sufficient sureties, in such sums as the President of the United States may direct, for the faithful discharge of the trust reposed in him; and the paymaster of the army, the military agents, the purveyor of public supplies, the pursers of the navy, and the agents appointed by virtue of the preceding section, shall, whenever practicable, keep the public monies in their hands, in some incorporated bank, to be designated for the purpose by the President of the United States, and shall make monthly returns in such form as may be prescribed by the treasury department, of the monies received and expended during the preceding month, and of the unexpended balance in their hands.

SEC. 5. *And be it further enacted*, That all purchases and contracts for supplies or services which are or may, according to law, be made by or under the direction of either the Secretary of the Treasury, the Secretary of War, or the Secretary of the Navy, shall be made either by open purchase, or by previously advertising for proposals respecting the same: And an annual statement of all such contracts and purchases, and also of the expenditure of the monies appropriated for the contingent expenses of the military establishment, for the contingent expenses of the navy of the United States, and for the discharge of miscellaneous

claims not otherwise provided for, and paid at the treasury, shall be laid before Congress at the beginning of each year, by the secretary of the proper department.

APPROVED, March 3, 1809.

STATUTE II.

CHAP. XXIX.—*An Act making a further appropriation towards completing the two wings of the Capitol at the city of Washington, and for other purposes.* March 3, 1809.

[Obsolete.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums of money be, and the same are hereby appropriated, to be applied under the direction of the President of the United States, that is to say:

For improvements and repairs of the House of Representatives, six thousand dollars. Specific appropriations.

For completing the work in the interior of the north wing, comprising the Senate chamber, court room, &c. &c. twenty thousand dollars.

For completing the staircase, and providing temporary and adequate accommodations for the library, in the room now used for that purpose, and in the one in which the Senate now sit, five thousand dollars.

For improvements and repairs of the President's house and square, including a carriage house, twelve thousand dollars.

SEC. 2. *And be it further enacted,* That the several sums of money hereby appropriated shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 3, 1809.

STATUTE II.

CHAP. XXX.—*An Act supplementary to the act intituled "An act to amend the charter of Georgetown."* March 3, 1809.

Boundaries of Georgetown.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following shall, and are hereby declared to be the limits of Georgetown, in the district of Columbia, any law or regulation to the contrary notwithstanding, that is to say: beginning in the middle of College street, as laid down and designated in Fenwick's map of the said town, at or near to the bank of the river Potomac; thence by a straight line drawn northerly through the middle of said street to the middle of First street; thence by a line drawn through the middle of First street to a point directly opposite to the termination of the eastern line of the lots now enclosed as the property of the college; thence northerly by the eastern line of said enclosure as far as the same extends; thence in the same northerly direction to the middle of Fourth street; thence eastwardly by a line drawn along the middle of Fourth street to a point at the distance of one hundred and twenty feet westward from the west side of Fayette street; thence northerly by a line drawn parallel to Fayette street at the said distance of one hundred and twenty feet westward from the west side thereof, until it intersects a boundary line of Beatty and Hawkins' addition to Georgetown; thence westwardly by said boundary line as far as it extends; thence by the courses and distances of the several other boundary lines of Beatty and Hawkins' addition aforesaid, that is to say: westwardly, northwardly, eastwardly and southwardly, to a point opposite to the middle of Road street, and opposite or nearly opposite to the middle of Eighth street; thence eastwardly by a line drawn through the middle of Road street, as it now runs, and as far as it extends; thence eastwardly by a line drawn parallel to Back street, and continued in the same direction to the middle of Rock creek; thence by the middle of the same creek and the middle of the Potomac river to a