

Which sum, if required, shall be expended under the direction of the Secretary of War, conformably, &c.

1795, ch. 9.
1836, ch. 44.

STATUTE II.
Feb. 22, 1838.

Act of March 3, 1837, ch. 34.
Act of March 3, 1839, ch. 81.
The Circuit Court U. S. established at Huntsville by act 3d March, 1837, abolished.

The jurisdiction which belonged to the Dist. Court U. S., of N. Dist. of Ala., at and before the passage of act 3d March, 1837, restored, &c.

All causes pending in Circuit Court to be transferred to Dist. Court, to be proceeded in, &c.

Clerk of Circuit Court to deliver to clerk of Dist. Court the original papers and records.
Proviso.

Terms of Dist. Court to be held twice in each year.

Appeals, &c., to lie from Dist. Court to Circuit Court U. S. at Mobile.

All process, &c., returnable to Circuit Court shall be returnable to Dist. Court next held under this act, &c.

Treasury, to defray any expenses which have been or may be incurred in protecting the northern frontier of the United States, by calling out, under the direction of the President of the United States, any part of the militia or volunteers, according to the provisions of the Constitution and laws; which sum, if required, shall be expended under the direction of the Secretary of War, conformably to the provisions of the act of Congress of January second, seventeen hundred and ninety-five; of the act of April fifth, eighteen hundred and thirty-two, making appropriations for the support of the army; and of the act of March nineteenth, eighteen hundred and thirty-six, providing for the payment of volunteers and militia corps in the service of the United States.

APPROVED, January 30, 1838.

CHAP. XII.—*An Act to abolish the Circuit Court at Huntsville in the State of Alabama 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 Circuit Court of the United States, established at Huntsville in the State of Alabama, by the act of Congress of the third of March, eighteen hundred and thirty-seven, entitled "An act supplementary to the act entitled 'An act to amend the judicial system of the United States,'" be, and the same is hereby abolished.

SEC. 2. *And be it further enacted,* That all the jurisdiction which belonged to the District Court of the United States, for the northern district of the State of Alabama, at Huntsville, at and before the passage of the said act of Congress of the third of March, eighteen hundred and thirty-seven, be and the same is hereby restored to and vested again in the said District Court, and every act of Congress upon which the jurisdiction of the said District Court depended at and before the passage of the said act of Congress of the third of March eighteen hundred and thirty-seven, is hereby revived, so far as such act or acts gave jurisdiction as the same existed at the time aforesaid, in the said District Court.

SEC. 3. *And be it further enacted,* That all causes at law or in equity, pending in the said Circuit Court at Huntsville, shall be transferred to the said District Court at Huntsville, and shall be proceeded in and be determined by the said District Court in the same manner as if they had been originally commenced in the said District Court; and it shall be the duty of the clerk of the said Circuit Court to deliver to the clerk of the said District Court, the original papers in all such causes, together with the record of all the proceedings had in the said Circuit Court: *Provided,* That the first term for the trial of the causes hereby transferred shall be the term of the said District Court which will be commenced on the third Monday in May eighteen hundred and thirty-eight.

SEC. 4. *And be it further enacted,* That the terms of the said District Court shall be held at the said town of Huntsville, twice in each year, on the third Monday in May, and the fourth Monday in November, annually.

SEC. 5. *And be it further enacted,* That appeals and writs of error shall lie from the said District Court to the Circuit Court of the United States at Mobile, in the State of Alabama.

SEC. 6. *And be it further enacted,* That all process, bail bonds, and recognizances returnable to the Circuit Court of the United States at Huntsville aforesaid, shall be returnable and returned to the District Court, next held under this act, in the same manner as if so made returnable on the face thereof, and shall have full effect accordingly.

APPROVED, February 22, 1838.