vernor shall appoint and direct; and shall be conducted, and returns thereof made, in all respects, according to the provisions of the laws of said Territory, and the Governor shall declare the persons having the greatest number of votes to be elected, and shall order a new election when there is a tie between two or more persons voted for, to supply the vacancy made by such tie. The persons thus elected shall meet at Madison, the seat of Government, on such day as he shall appoint, but thereafter the apportioning of the representation in the several counties to the Council and House of Representatives according to population, the day of their election, and the day for the commencement of the session of the Legislative Assembly, shall be prescribed by law.

First election, when held, how conducted, &c.

Time and place of meeting.

Sec. 20. *And be it further enacted*, That temporarily, and until otherwise provided by law of the Legislative Assembly, the Governor of the Territory of Iowa may define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times for holding courts in the several counties in each district, by proclamation to be issued by him; but the Legislative Assembly, at their first, or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges and alter the times of holding the courts or any of them.

Gov. of Iowa may temporarily define the judicial districts, assign the judges, and appoint the times of holding the courts.

Approved, June 12, 1838.

Statute II.

June 12, 1838.

[Obsolete.]

Chap. XCVII.—*An Act making appropriations for preventing and suppressing Indian hostilities for the year eighteen hundred and thirty-eight, and for arrearages for the year eighteen hundred and thirty-seven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses which have been, or may be, incurred, in preventing or suppressing the hostilities of any Indians, in the year eighteen hundred and thirty-eight; to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the nineteenth of March and the second of July, eighteen hundred and thirty-six, and of the acts therein referred to; and for arrearages of the same for the year eighteen hundred and thirty-seven:

1836, ch. 44.

1836, ch. 254.

To be expended under direction of Sec'y. War, conformably, &c.

For forage for the horses of the dragoons, volunteers, officers, and in the service of the trains, four hundred thousand dollars;

Forage for horses.

For freight or transportation of military supplies sent into Florida and the Cherokee country, three hundred and fifty thousand dollars;

Freight, &c. of military supplies.

For wagons, carts, ambulances, and harness, and for boats and lighters, one hundred and fifty thousand dollars;

Wagons, carts, &c.

For the transportation of supplies from the principal depots to the points of consumption, including the hire of steamboats and other vessels, and the expense of public steamers and transport schooners, seven hundred thousand dollars;

Transportation of supplies from principal depots, &c.

For the hire of a corps of mechanics, laborers, mule-drivers, teamsters, wagon-masters, and other assistants, two hundred and fifty thousand dollars;

Hire of mechanics, &c.

For transportation and other expenses of four thousand volunteers, one hundred thousand dollars;

Transportation, &c. of volunteers.

For miscellaneous and contingent charges of all kinds, not embraced under the foregoing heads, seven hundred and fifty thousand dollars;

Miscellaneous and contingent expenses.

For drafts lying over, and arrearages for services and supplies in Florida and the Cherokee country, one million forty-eight thousand six hundred dollars;

Drafts lying over, and arrearages.

For pay of four thousand volunteers, for the year eighteen hundred and thirty-eight, including one hundred and fifty-three thousand four

Pay of volunteers for 1838,

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including arrearages for 1837.

hundred and fifteen dollars arrearages for eighteen hundred and thirty-seven, one million four hundred and sixteen thousand two hundred and fifty dollars and thirty-two cents;

Subsistence for militia, &c.

For subsistence for militia, volunteers, and friendly Indians, three hundred and sixty-five thousand and forty dollars;

Purchase of powder, &c.

For the purchase of powder and other materials for cartridges, together with the repairs of gun-carriages, small-arms, and accoutrements, thirty-five thousand dollars;

Tents, knapsacks, &c.

For tents, knapsacks, and other supplies furnished by the clothing bureau, twenty thousand six hundred and seventy-seven dollars and fifty-six cents;

Correcting an error in paying the Indians employed in Florida.

For correcting an error in paying the Indians employed in the public service in Florida, seven thousand seven hundred and seventy-five dollars and fifty-three cents;

Objects specified in 3d art. of supplementary articles of treaty of 1835 with Cherokees, &c.

Sec. 2. *And be it further enacted*, That the further sum of one million forty-seven thousand and sixty-seven dollars be appropriated, out of any money in the Treasury not otherwise appropriated, in full, for all objects specified in the third article of the supplementary articles of the treaty of eighteen hundred and thirty-five, between the United States and the Cherokee Indians, and for the further object of aiding in the subsistence of said Indians for one year after their removal west: *Provided*, That no part of the said sum of money shall be deducted from the five millions stipulated to be paid to said tribe of Indians by said treaty: *And provided, further*, That the said Indians shall receive no benefit from the said appropriation, unless they shall complete their emigration within such time as the President shall deem reasonable, and without coercion on the part of the Government.

Proviso.

Further proviso.

For satisfying all claims for annuities, &c.

Sec. 3. *And be it further enacted*, That, for satisfying all claims for arrearages of annuities, for supplying blankets and other articles of clothing for the Cherokees who are not able to supply themselves, and which may be necessary for their comfortable removal, and for medicines and medical assistance, and for such other purposes as the President shall deem proper to facilitate the removal of the Cherokees, one hundred thousand dollars be appropriated out of any money in the Treasury not otherwise appropriated.

Approved, June 12, 1838.

Statute II.

June 12, 1838.

Chap. XCVIII.—*An Act to secure the payment of certain commissions on duty bonds to collectors of customs.*

Commissions to collectors on bonds postponed by act of Oct. 16, 1837. ch. 8.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, on all bonds for duties, taken by any collector of the customs, the payment whereof has been at any time postponed by virtue of "An act authorizing a further postponement of payment upon duty bonds," passed on the sixteenth day of October last, the collectors who took said bonds, respectively, or their legal representatives, shall be allowed by the Secretary of the Treasury, and entitled to receive, the same commissions, whenever and as fast as the sums secured by such bonds shall be paid into the Treasury, as they would respectively have been entitled to be allowed and receive had the said bonds been paid at maturity and without such postponement; and no part of such commissions shall be claimed by or allowed to the successor in office of any such collector, in any case in which such successor would not have been entitled by law to a portion thereof, if such postponement of the payment of said bonds had not taken place: *Provided*, That nothing in this act shall be so construed as to give to any collector of the customs, or to the representatives of any such collector, a sum greater than the compensation he would have been entitled to receive in case the law therein referred to, for the suspension of pay-

Proviso.