All suits, not of a local nature, shall hereafter be brought to the court of the district, &c.

Sec. 4. *And be it further enacted*, That all suits hereafter to be brought in either of said courts not of a local nature, shall be brought in the court of the district where the defendant resides; but if there be more than one defendant, and they reside in different districts, the plaintiff may sue in either, and send a duplicate writ against the defendant, directed to the marshal of the other district, on which the plaintiff or his attorney shall endorse that the writ thus sent is a copy of a writ sued out of the district court of the proper district; and the said writs, when executed and returned into the office from which they issued, shall constitute one suit, and be proceeded in accordingly.

The judge of said courts to appoint a clerk for the northern district—his duties, fees, &c.

Sec. 5. *And be it further enacted*, That the judge of the said courts shall appoint a clerk of the district court of the northern district, who shall reside and keep his office, and the records and documents appertaining thereto, at the place of holding said courts; said clerk shall be entitled to the same fees allowed by law to the clerk of the other district of the State of Mississippi, perform the like duties, and be subject to the same liabilities and penalties.

A marshal and dist. atty. to be appointed for the northern dist.—their duties and liabilities.

Sec. 6. *And be it further enacted*, That a marshal and district attorney shall be appointed in the northern district of the State aforesaid, having the same duties and liabilities, in all respects, as are now possessed by the marshal and district attorney, respectively, in the State of Mississippi; and the said marshal is hereby required to give the same bonds that other marshals are required to give under the laws of the United States, to be approved of and recorded as now directed by law.

Marshal and dist. atty. of the northern dist. to have the same salaries, &c.

Sec. 7. *And be it further enacted*, That the marshal and district attorney for the northern district, shall have the same salaries, fees and compensation, as are allowed and paid to the other marshal and district attorney for the State of Mississippi, under the laws of the United States.

Approved, June 18, 1838.

Statute II.

June 18, 1838.

Chap. CXVI.—*An Act to authorize the President of the United States to cause the southern boundary line of the Territory of Iowa to be ascertained and marked.*

Act of June 12, 1838, ch. 96.

President to cause southern boundary of Iowa to be ascertained and marked.

President to appoint a commissioner to act, &c. in running, &c. the line.

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 be, and he is hereby, authorized to cause to be surveyed, ascertained and distinctly marked, the southern boundary line of the Territory of Iowa, west of the Mississippi river, which divides said Territory from the State of Missouri; and that, for that purpose he shall appoint a commissioner on the part of the United States, who (with the aid of such surveyor or surveyors as may be necessary) shall unite or act in conjunction with a commissioner to be appointed by the State of Missouri and a commissioner to be appointed by the Governor of the Territory of Iowa, in running, marking, and ascertaining said boundary line; and that it shall be the duty of the commissioner so to be appointed by the President as aforesaid, after he shall have ascertained, run, and marked said boundary line, to make three maps or plats thereof, with a description or survey-bill thereof appended to each map or plat; one of which shall be returned to the office of Secretary of State for the United States, one to the office of Secretary of State for the State of Missouri, and one to the Secretary of the Territory of Iowa, and the said commissioner on the part of the United States shall also make a full report of his proceedings in the premises to the Secretary of State for the United States.

Three maps of the line, &c.

Said line to be run according to acts of 6th March 1820, ch. 22, and 7th June 1836, ch. 86.

Sec. 2. *And be it further enacted*, That the said boundary line shall be run or surveyed, ascertained, and marked in all respects according to, and in pursuance of the provisions of the following acts, wherein the said boundary line is defined and described, to wit: an act of Congress

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of the sixth March, eighteen hundred and twenty, entitled "An act to authorize the people of Missouri Territory to form a constitution and State Government, and for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain Territories;" and an act of the seventh June, eighteen hundred and thirty-six, entitled "An act to extend the western boundary of the State of Missouri to the Missouri river:" *Provided, however*, That if either or both of said commissioners to be appointed on the part of the State of Missouri and Territory of Iowa should fail to attend to the aforesaid duty, after reasonable notice by the commissioner on the part of the United States, or if the State of Missouri, or Governor of Iowa, or either of them, should fail to appoint such commissioner on their part, respectively, after reasonable notice from the President of the United States, then, and in that case, the commissioner appointed on the part of the United States shall proceed to execute the duties enjoined by this act with either of said commissioners who may attend, or without the attendance of either or both of said commissioners, as the case may be.

Proviso.

SEC. 3. *And be it further enacted*, That the line to be so run, ascertained, and marked, shall not be deemed to be finally established and ratified by the United States, until the map or plat, and description aforesaid, and also the said report of the commissioner shall be submitted to, and the boundary, as thus ascertained and marked, approved of and ratified by the Congress of the United States.

To be approved by Congress.

SEC. 4. *And be it further enacted*, That, for the purpose of carrying into effect the provisions of this act, the sum of four thousand dollars, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated.

Appropriation.

APPROVED, June 18, 1838.

STATUTE II.

June 18, 1838.

CHAP. CXVII.—*An Act making an appropriation for completing the public buildings in Wisconsin.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty thousand dollars be, and the same is hereby, granted and appropriated, out of any unappropriated money in the Treasury, to defray the expenses of completing the public buildings in the Territory of Wisconsin, which are now commenced and partially completed; which said sum, or so much thereof as may be necessary for that purpose, shall be expended according to the act of the Legislative Assembly of Wisconsin, entitled "An act to establish the seat of Government of the Territory of Wisconsin, and to provide for the erection of public buildings," approved December thirty, eighteen hundred and thirty-six: *Provided*, That the commissioners elected in pursuance of the third section of said act, shall cause the said money to be so expended as to accomplish the completion or finishing of said buildings without further expense to the United States.

Appropriation for completing public buildings.

How to be expended.

Proviso.

APPROVED, June 18, 1838.

STATUTE II.

June 18, 1838.

CHAP. CXVIII.—*An Act to require the judge of the district courts of East and West Tennessee to hold a court at Jackson, in said state.* (*a*)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a district court of the United States be, and the same is hereby, established in the western district of the State of Tennessee, for the counties of Benton, Carroll, Henry, Obion, Dyer, Gibson, Lauderdale, Haywood, Tipton, Shelby,

A district court U. S. established in the western district of Tennessee.

(*a*) See notes to the act of January 13, 1831, chap. 1.