the present marshal of the district of West Florida, to execute all process now in his hands, and he shall be responsible in like manner as if this act had not passed.

Salary, &c. of the judge, &c.

Sec. 4. *And be it further enacted*, That the judge, marshal, and district attorney shall have the same salaries, fees, and compensation as are allowed and paid to the other judges, marshals and district attorneys in said Territory under the laws of the United States, or the Territory of Florida, out of any money in the Treasury not otherwise appropriated.

Approved, July 7, 1838.

Statute II.
July 7, 1838.

Chap. CLXXXII.—*An Act to increase and regulate the terms of the circuit and district courts for the northern district of the State of New York.* (a)

Four regular terms of the district court in each year.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be four regular terms of the district court of the United States for the northern district of the State of New York in each year; one of which, to commence on the third Tuesday in January, shall be held in the city of Albany; and one to commence on the second Tuesday in July, shall be held at the city of Utica; and one to commence on the third Tuesday of May, shall be held at the city of Rochester; and one to commence on the second Tuesday of October, shall be held at the city of Buffalo. And there shall also be held one other term annually, at such time and in such place within the counties of St. Lawrence, Clinton, or Franklin, as the judge of said district shall from time to time appoint, by a notice of at least forty days, to be published in the State paper of the State of New York, which latter term shall be held only for the trial of issues of fact arising within the said three last mentioned counties; but nothing herein contained shall prevent the judge of said court from holding special terms thereof at the places above specified, or at any other places in said district, in addition to said regular terms, when he shall deem it necessary.

At Albany.

At Utica.
At Rochester.
At Buffalo.
One other term.

The circuit court to be held at Canandaigua.

Sec. 2. *And be it further enacted*, That the term of the circuit court for the said northern district, now required by law to be held annually at Albany on the second Tuesday of June, be hereafter held at Canandaigua, in the county of Ontario, on the Tuesday next after the third Monday of June in each year.

The district to be subdivided into three divisions.

Sec. 3. *And be it further enacted*, That, for the purpose of trying all issues of fact, triable by a jury in the district court of the United States for the northern district of New York, the said district shall be subdivided into three divisions, as follows, to wit: all that part of said district lying westward of the west lines of the counties of Cayuga, Tompkins, and Tioga, shall constitute the western division; the counties of St. Lawrence, Franklin, and Clinton, shall constitute the northern division; and all the remainder of the district shall constitute the eastern division. And all such issues of fact shall be tried at a term of said court to be held in the division where the cause of action may have arisen, unless the said court, for good cause shown, shall order such issue to be tried elsewhere. And all issues of fact in the said circuit court to be tried by a jury, where the cause of action may have arisen in the northern or eastern division aforesaid, shall be tried at the term of said circuit court to be held at Albany, and all other issues of fact in said circuit court to be tried by a jury, where the cause of action may have arisen in the western division of said district, shall be tried at the term of said circuit court to be held at Canandaigua. But nothing herein contained shall prevent either of said courts, by general

The western division.
Northern division.
Eastern division.

Where the issues of fact shall be tried.

(a) See vol. 3, 120, 414.

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Venue of transitory actions.

rule, from regulating the venue of transitory actions, and from changing the same for a good cause to be shown.

All issues now pending, where they shall be tried, &c.

Sec. 4. *And be it further enacted*, That all issues now pending in either of said courts shall be tried at the places above prescribed for holding such court, unless otherwise ordered by said court, in pursuance of the authority given in the last section; and no process issued or proceedings pending in either of said courts shall be avoided or impaired by this change of the time and place of holding such court; but all process, bail bonds, and recognizances, returnable at the next term of either of said courts, shall be returnable and returned to the said court next held according to this act, in the same manner as if so made returnable on the face thereof, and shall have full effect accordingly; and all continuances may be made to conform to the provisions of this act.

Approved, July 7, 1838.

Statute II.

July 7, 1838.

Chap. CLXXXIII.—*An Act ceding to the State of Ohio the interest of the United States in a certain road within that State.*

Title of the U. S. in a certain road granted to the State of Ohio.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right or title of the United States, acquired by the treaty of Brownstown, in a certain road from the foot of the rapids of the Miami of the Lake to the western line of the Connecticut Western reserve be, and the same is hereby, granted to the State of Ohio.

Approved, July 7, 1838.

Statute II.

July 7, 1838.

Chap. CLXXXIV.—*An Act to authorize the sale of certain bonds belonging to the United States.*

Sec. Treas. authorized to sell the two bonds held by the U. S. against "the president, directors, and company of the Bank of the U. S." chartered by Pennsylvania, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to sell upon the best terms he can command for money in hand in the markets of this or of any foreign country, as upon inquiry he shall find most for the interest of the United States, the two bonds held by the United States against "the president, directors, and company of the Bank of the United States," chartered by the State of Pennsylvania, which will fall due in the month of September, in the year one thousand eight hundred and thirty-nine, and one thousand eight hundred and forty, being the two last of four several bonds, dated on the tenth day of May, one thousand eight hundred and thirty-seven, given to secure the payment of the sum of one million nine hundred and eighty-six thousand, five hundred and eighty-nine dollars and four cents each, with interest upon each bond, at the rate of six per centum per annum, from the third day of March, one thousand eight hundred and thirty-six until paid, the said four bonds having been received by the United States as security for the final payment of the stock held by the United States, in the late Bank of the United States, chartered by Congress, and to execute under his hand and the seal of his office, to the purchaser or purchasers of the said bonds, suitable and proper assignments to transfer to the said purchaser or purchasers, his, her, or their representatives, or assigns, all the right, title and interest of the United States, of, in, and to the money due and to become due upon the bonds sold and assigned in pursuance of this act:

To execute assignments.

Proviso.

Provided, That no sale of either of the said bonds shall be made upon terms less favorable to the United States than the par value of the bond sold, at the time of sale, calculated according the rules for estimating the par value of securities upon which interest has run for a time, but which securities have not reached maturity.

Sec. 2. *And be it further enacted*, That all money received upon the