now allowed by law, authorized to sell property on certain other days.

days of each term of the district court; and that he may, at the written request of the defendant, change the sale of property to the place where the United States court for his district is holden: *Provided*, in the opinion of the Marshal, the interest of the plaintiff would not be compromitted thereby.

Proviso.

Approved, February 16, 1839.

Statute III.

Feb. 16, 1839.

[Obsolete.]

Chap XXVIII.—*An Act making an appropriation for the support of the penitentiary in the District of Columbia.*

Appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the unexpended balance of appropriations of eighteen hundred and thirty-seven, now subject to the order of the inspectors, there shall be, and hereby is, appropriated, for the support of the penitentiary for the District of Columbia, for the year eighteen hundred and thirty-eight, and for the payment of claims not settled, as follows: For pay of officers and agents; for repairs to buildings; for purchase of raw materials; for rations, clothing, beds, and bedding of prisoners; for purchase of fuel; for purchase of hospital stores and medicines; for purchase of books and stationery; for purchase of horse food; for allowance to discharged convicts; for pay of the inspectors for the years eighteen hundred and twenty-nine and eighteen hundred and thirty; for compensation to the secretary to the board of inspectors, from the date of his appointment, at two hundred dollars per annum, for keeping the books, records, and papers of the inspectors, as required by law; and for other contingent expenses of the institution, the sum of eight thousand six hundred and eighty-nine dollars, and forty cents; to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction of the board of inspectors.

Approved, February 16, 1839.

Statute III.

Feb. 20, 1839.

Chap. XXX.—*An Act to prohibit the giving or accepting, within the District of Columbia, of a challenge to fight a duel, and for the punishment thereof.*

Any person challenging another, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person shall, in the District of Columbia, challenge another to fight a duel, or shall send or deliver any written or verbal message, purporting or intended to be such challenge, or shall accept any such challenge or message, or shall knowingly carry or deliver any such challenge or message, or shall knowingly carry or deliver an acceptance of such challenge or message to fight a duel in or out of the said District, and such duel shall be fought in or out of the said District, and either of the parties thereto shall be slain or mortally wounded in such duel, the surviving party to such duel, and every person carrying or delivering such challenge or message, or acceptance of such challenge or message as aforesaid, and all others aiding or abetting therein, shall be deemed guilty of felony, and upon conviction thereof, in any court competent to the trial thereof, in the said District, shall be punished by imprisonment and confinement to hard labor in the penitentiary, for a term not exceeding ten years, in the discretion of the court.

Any person giving, or sending, or causing a challenge to be given or sent, &c.

Sec. 2. *And be it further enacted*, That if any person shall give or send, or cause to be given or sent, to any person in the District of Columbia, any challenge to fight a duel, or to engage in single combat with any deadly or dangerous instrument or weapon whatever, or if any person in said District shall accept any challenge to fight a duel, or to engage in single combat with any deadly or dangerous instrument or weapon whatever, or shall be the bearer of any such challenge, every

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