

subsistence, increase and repairs, medicines and contingent expenses, of two frigates, two sloops, two small vessels, and two armed steamers, to be employed as a home squadron, the sum of seven hundred and eighty-nine thousand three hundred and ten dollars is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

APPROVED, August 1, 1841.

CHAP. V.—*An Act making further provision for the maintenance of pauper lunatics in the District of Columbia.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the act entitled "An act making temporary provision for lunatics in the District of Columbia," approved February second, one thousand eight hundred and forty-one, as limits the appropriation to three thousand dollars, be, and the same is hereby, repealed, and the further sum of three thousand five hundred dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated, to make immediate provision for the maintenance of pauper lunatics as provided for in the said act.

SEC. 2. *And be it further enacted,* That the marshal of the District of Columbia shall not be restricted to the asylum at Baltimore, but may provide for pauper lunatics at any public lunatic asylum in the United States, consulting economy in the selection.

APPROVED, August 3, 1841.

STATUTE I.

Aug. 3, 1841.

Act of Feb. 2, 1841, ch. 4.

So much of former act as limits the appropriation repealed, and a further appropriation made.

Marshal, not restricted to the asylum at Baltimore.

STATUTE I.

Aug. 13, 1841.

CHAP. VII.—*An Act to repeal the act entitled "An act to provide for the collection, safe-keeping, transfer, and disbursement of the public revenue," and to provide for the punishment of embezzlers of public money, 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 act entitled "An act to provide for the collection, safe-keeping, transfer, and disbursement of the public revenue," approved on the fourth day of July A. D. one thousand eight hundred and forty, be, and the same is hereby, repealed: *Provided, always,* That, for any offences which may have been committed against the provisions of the seventeenth section of the said act, the offenders may be prosecuted and punished according to those provisions; and that all bonds executed under the provisions of said act, and all civil rights and liabilities which have arisen or accrued under said act, and the remedies therefor, shall remain and continue as if said act had not been repealed; any thing herein contained to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That if any officer charged with the safe-keeping, transfer, or disbursement of public moneys, or connected with the Post Office Department, shall convert to his own use, in any way whatever, or shall use by way of investment in any kind of property or merchandise, or shall loan, with or without interest, any portion of the public moneys entrusted to him for safe-keeping, transfer, disbursement, or for any other purpose, every such act shall be deemed and adjudged to be an embezzlement of so much of the said moneys as shall be thus taken, converted, invested, used, or loaned, which is hereby declared to be a felony; and the neglect or refusal to pay over on demand any public moneys in his hands, upon the presentation of a draft, order, or warrant drawn upon him, and signed by the Secretary of the Treasury, or to transfer or disburse any such moneys promptly according to law, on the legal requirement of a superior officer, shall be prima facie evidence of such conversion to his own use of so much of the public moneys as may be in his hands. Any officer or agent of the

Act of 4th July 1840, ch. 41. repealed.

Proviso.

Bonds, &c. not affected by the repeal.

Felony, for officers charged with safe-keeping, transfer, or disbursement of public moneys, &c. to use public moneys.

Neglect or refusal to pay over, transfer, or disburse such moneys, prima facie evidence of such use.