

# INDIANA PALLADIUM.

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(BY AUTHORITY.)

LAWS OF THE UNITED STATES, PASSED AT THE SECOND SESSION OF THE TWENTY-FIRST CONGRESS.

[PUBLIC—No. 6.]

AN ACT to amend an act, entitled "An act to provide for paying to the States of Missouri, Mississippi, and Alabama, three per centum, of the net proceeds arising from the sales of the public lands within the same."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of an act, entitled "An act to provide for paying to the States of Missouri, Mississippi, and Alabama, three per centum of the net proceeds arising from the sales of the public lands within the same," approved the third of May, eighteen hundred and twenty-two, as requires an annual account of the application of the said three per centum, to be transmitted to the Secretary of the Treasury, be, and the same is hereby repealed.

ANDREW STEVENSON,  
Speaker of the House of Representatives.

JOHN C. CALHOUN,  
President of the Senate.

APPROVED, January 19, 1831.

ANDREW JACKSON.

[PUBLIC—No. 7.]

AN ACT for closing certain accounts, and making appropriations for arrearages in the Indian Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of sixty-one thousand dollars be, and the same is hereby appropriated, to be paid out of any money in the Treasury, not otherwise appropriated, for arrearages in the Indian Department, the same to be applied to the payment of balances on accounts presented and settled by the proper accounting officer, and now actually due, which accrued previous to the first day of January, one thousand eight hundred and twenty-nine, and to no other purpose.

Sec. 2. And be it further enacted, That, for the purpose of settling and closing the accounts in the office of the Second Auditor, relating to Indian affairs, prior to the date of January, one thousand eight hundred and twenty-nine, the President of the United States is hereby authorized to direct transfers to be made from such balances of moneys heretofore appropriated to carry into effect certain Indian treaties as are no longer required for their several objects, to the credit of certain other heads of Indian expenditure, under which balances accruing previously to the above date, remain due to certain individuals, and appear upon the books of the Second Auditor; also, to direct similar transfers to be made to and from the several specific heads of contingencies of the Indian Department, pay of agents, sub-agents, and presents to Indians; and, also, of the sum of five thousand fourteen dollars and fifteen cents, from the head of subsistence of the army, to the head of Indian expenditure, under which that amount was actually applied and expended: Provided, always, That no such transfer shall be made unless it satisfactorily appear that the specific expenditure was actually made for the service of Indian affairs, in good faith, by an authorized agent of the Government, and before the date aforesaid, and that the balances from which such transfers are authorized to be made are not necessary for the specific purpose of their original appropriation.

Sec. 3. And be it further enacted, That the Secretary of the Treasury be, and is hereby, authorized to pay to Mark and R. H. Bean, of Arkansas, out of any money in the treasury, not otherwise appropriated, eight thousand seven hundred and forty-eight dollars and twenty-five cents, for supplies furnished to the emigrant Creek Indians by direction of former Indian agents: Provided, That the said Beans shall first present sufficient evidence to the proper accounting officer, that credit was originally given by them to the Government of the United States, and that no part of the amount has been received by them, or satisfied, directly or indirectly, from the agents through whom they sold or contracted.

APPROVED, January 27, 1831.

[PUBLIC—No. 8.]

AN ACT making appropriations for the payment of revolutionary and invalid pensioners. 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, to be paid out of any money in the Treasury, not otherwise appropriated, for paying revolutionary and invalid pensioners, viz:

For payment of revolutionary pensioners, for the year one thousand eight hundred and thirty-one, one million eleven thousand one hundred dollars.

For paying the invalid pensioners, in the year one thousand eight hundred and thirty-one, two hundred and seventy-six thousand seven hundred and twenty dollars, in addition to an unexpended balance of appropriation for invalid pensioners of twenty-nine thousand two hundred and forty-six dollars ninety-five cents.

For pensions to widows and orphans, five thousand dollars.

APPROVED, January 27, 1831.

[PUBLIC—No. 9.]

AN ACT to alter the times of holding the District Courts of the United States for the Districts of Maine and Illinois, and Northern District of Alabama.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the terms of the District Court of the United States for the Northern District of Alabama, which are now directed by law to be held on the first Mondays of March and October in each year, shall hereafter be held on the second Mondays of April and October in each year; and that the term of the District Court of the United States for the District of Maine, which is now directed by law to be held on the second Tuesday of September in each year, shall hereafter be held on the first Tuesday of September in each year; and all processes which may have issued, or which shall hereafter issue, returnable to the next succeeding terms of the said District Courts as heretofore established, shall be held returnable, and be returned, to those terms to which they are severally changed by this act.

Sec. 2. And be it further enacted, That the terms of the District Court of the United States for the District of Illinois, which are now directed by law to be held on the third Mondays of June and November in each year, shall hereafter be held on the first Mondays of May and December in each year; and all process which may have issued, or which shall hereafter issue, returnable to the next succeeding terms of the said District Court as heretofore established, shall be held returnable, and be returned, to those terms to which they are severally changed by this act.

APPROVED, January 27, 1831.

[PUBLIC—No. 10.]

AN ACT to extend the time for entering certain donation claims to land in the Territory of Arkansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the eighth and ninth sections of the act of Congress, approved twenty-fourth day of May, one thousand eight hundred and twenty-eight, entitled "An act to aid the State of Ohio in extending the Miami Canal from Dayton to lake Erie, and to grant a quantity of land to said State to aid in the construction of the canals authorized by law, and for making donations of land to certain persons in Arkansas Territory," and the provisions of the act, entitled "An act restricting the locations of certain land claims in the Territory of Arkansas, and for other purposes," approved sixth January, one thousand eight hundred and twenty-nine; and, also, the provisions of the act, entitled "An act to extend the time for locating certain donations in Arkansas," approved thirteenth January, one thousand eight hundred and thirty, be, and the same are hereby, continued in force for the period of two years from the twenty-fourth May, one thousand eight hundred and thirty-one: Provided, That nothing in this act, or the foregoing acts, shall be so construed as to prevent the President of the United States from bringing the said lands in Arkansas into market under the existing laws; and all claims to donations under the before recited act, which shall not have been presented and allowed by the proper authorities on or before the day which shall be fixed on by the President for the sale of said land, are hereby declared forfeited to the United States.

APPROVED, January 27, 1831.

[PUBLIC—No. 11.]

AN ACT further supplemental to the act entitled "An act making further provision for settling the claims to land in the Territory of Missouri," passed the thirteenth day of June, one thousand eight hundred and twelve.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States do hereby relinquish to the inhabitants of the several towns or villages of Portage des Sioux, Saint Charles, Saint Louis, Saint Ferdinand, Villa a Robert, Carondelit, Saint Genevieve, New Madrid, New Bourbon, and Little Prairie, in the State of Missouri, all the right, title, and interest, of the United States, in and to the town and village lots, out lots, common field lots, and commons, in, adjoining, and belonging to, the said towns or villages, confirmed to them respectively by the first section of the act of Congress, entitled "An act making further provision for settling the claims to land in the Territory of Missouri," passed the thirteenth day of June, one thousand eight hundred and twelve; to be held by the inhabitants of the said towns and villages in full property, according to their several rights therein, to be regulated or disposed of for the use of the inhabitants, according to the laws of the State of Missouri.

Sec. 2. And be it further enacted, That the United States do hereby relinquish all their right, title, and interest, in and to the town and village lots, out lots, and common field lots, in the State of Missouri, reserved for the support of schools, in the respective towns and villages aforesaid, by the second section of the above recited act of Congress; and that the same shall be sold or disposed of, or regulated, for the said purposes, in such manner as may be directed by the Legislature of said State.

APPROVED, January 27, 1831.

A LAW OF INDIANA.

AN ACT to regulate the mode of doing county business in the several counties in this state.

Sec. 1. Be it enacted by the General Assembly of the state of Indiana, That there shall be and hereby is organized in each county in this state, a board of commissioners for transacting county business, to consist of three qualified electors, any two of whom shall be competent to do business, to be elected by the qualified electors of the several counties respectively on the first Monday in August next, as general elections are conducted. Provided, however, In voting for commissioners the ticket shall always show which is voted for, for first, second or third district, and should there be two or more candidates in any one district, the person having the highest number of votes shall be elected for such district.

Sec. 2. At the first election in pursuance of this act, the person having the highest number of votes shall serve three years, the person having the next highest number of votes shall serve two years, and the person having the next highest number of votes shall serve one year; and thereafter annually one commissioner shall be elected who shall serve three years, and each commissioner elected according to the provisions of this act, shall continue in office until his successor is elected and qualified; but if two or more persons shall have an equal number of votes as above, their grade shall be determined by lot by the clerk, in the presence and under the direction of the returning officers.

Sec. 3. Each person elected as a commissioner, shall, on receiving a certificate of his election, take the oath or affirmation required by the constitution of this state, before some person legally authorized to administer the same; which oath or affirmation, being certified on the back of such certificate, under the hand and seal of the person administering the same, shall be sufficient authority for such commissioner to take his seat with, and act as a member of the board, during the time for which he was elected.

Sec. 4. The commissioners thus elected and qualified, shall be considered a body corporate and politic, by and under the name and style of the board of commissioners of the county of —, and as such, by and under such name and style, may sue and be sued, plead and be impleaded, defend and be defended, answer and be answered unto, in any court either of law or equity, and do and transact all business on behalf of their respective counties, that may be assigned them from time to time by law; and in all cases where their respective counties may have been injured, or may hereafter be injured, in their goods, chattles, lands, tenements,

rights, credits, effects, or contracts; such commissioners shall and may, by and under their corporate name and style, without setting out their individual names, bring any suit or suits, action or actions, either in law or equity, which may be best calculated to obtain redress for any such injury, in the same way and manner that private individuals might or could do, and may in like way and manner, by and under their corporate name and style, be sued, by any person or persons having any manner of claims against such county.

Sec. 5. The board of commissioners shall meet at the court house, in each and every county, for the purpose aforesaid, or at the usual place of holding the circuit court in such county, on the first Mondays in January, March, May, September, and November, in each and every year, and may sit three days at each term, if the business of the county shall require it: Provided however, If the circuit court shall meet on any of the before mentioned days, the commissioners shall meet on the Monday preceding.

Sec. 6. The clerk of the circuit court shall, by virtue of his office, attend the meeting of the board of commissioners, and keep a record of their proceedings, and do such other business as he shall be required by law to do: and the sheriff of the county shall also, by himself or deputy, attend said board and execute their orders.

Sec. 7. Where money has been advanced by any clerk, or any other county officer, for the use and benefit of his county, pursuant to the requisitions of law, the board doing county business shall order such money, so advanced, to be first paid; and where there is any judgment or judgments against any county in this state, the board may in their discretion, order when and in what manner such judgment or judgments, shall be discharged, not inconsistent with the constitution of this state or of the United States, any law to the contrary notwithstanding. And when any county shall owe the commissioners for locating any seat of justice therein, such claims shall be preferred to any other against said county; and the collectors shall receive the said orders for commissioners' wages, and shall pay the same out of the first monies that shall come to his hands, after such orders shall be presented to him, and the said orders accepted shall be a sufficient voucher in the hands of such collector for any claims the county may have against him, to their full amount.

Sec. 8. When two or more of the members shall be present at the meeting of the board, and a division shall take place on any question, it shall be continued until the next meeting before it shall be finally determined. When any vacancy shall happen in the office of commissioner, the circuit court of the county, or the two associate judges in vacation, shall appoint a suitable person or persons to fill such vacancy until the next annual election of commissioners, when such vacancy shall be filled by an election by the electors of the county.

Sec. 9. It shall be the duty of the board of commissioners at their May session, in each year, to receive and inspect the lists of books, and levy a county tax according to law, and cause their clerk to make out a duplicate for collection accordingly.

Sec. 10. The commissioners of each county respectively, shall have and use a common seal, for the purpose of sealing their proceedings; and copies of the same, when signed and sealed by the said commissioners, and attested by their clerk, shall be good evidence of such proceedings, on the trial of any cause, in any of the courts of this state. The commissioners aforesaid, at their session in November, or when the circuit term prevents their meeting in November, then at their first meeting thereafter, in every year, shall make a fair and accurate statement of the receipts and expenditures of the preceding year, and have the same set up at the court house door, and at two other public places in their county respectively, and published in some newspaper in their county, if there be any; and if the said commissioners, or either of them, after accepting their appointment, shall neglect or refuse to do his or their duty in office, he or they so doing, shall, on conviction by indictment before the circuit court of the proper county, be fined in any sum not exceeding one hundred dollars.

Sec. 11. And it is hereby made the duty of the present boards doing the business of the several counties, to meet on the first Monday of May eighteen hundred and thirty-one, and lay their respective counties off into three equal commissioner's districts, numbered in numerical order, one, two, and three, and one commissioner shall be elected in each of said districts, by a vote of the whole county; and said districts when so laid off, may be altered once in every three years thereafter, if justice require it, and not oftener: Provided however, That nothing in this act shall be so construed as to affect the term of office of any commissioner hereafter elected. But when a vacancy shall occur in any board of commissioners, now in existence, the same shall be supplied by a person to be elected from one of such districts, in numerical order.

Sec. 12. That all the duties heretofore required of the boards doing county business, in the several counties in this state, and not included or otherwise directed to this act, be and the same is hereby made the duty of said commissioners, to do and perform in the same manner as though it were named in this act.

Sec. 13. The commissioners so elected and qualified, shall each receive two dollars per day, for each and every day that they may necessarily be employed in transacting the county business; and said board of commissioners when organized shall possess the powers and authority heretofore given to the county board of justices.

Sec. 14. All suits, pleas, plaints, prosecutions, and proceedings, which may be pending in any court to be tried for or against any board of justices, previous to the taking effect of this act, shall be prosecuted to final judgment and execution in the same name and manner, as the same might have been done, had this law not been passed; and all contracts either written or verbal made by such board of justices, previous to the taking effect of this act, shall remain valid in law and equity, and suit may be therewith brought, in the same way and manner, as the same might have been, had this act not have been passed, with this difference, that the corporate name of the board of commissioners shall be used instead of the name of the board of justices.

Sec. 15. It shall be the duty of the Clerks of the several boards doing county business, to keep fair books, wherein shall be kept the accounts of the county, to attest all orders issued by the board for the payment of money, and enter the same in numerical order, in a book to be kept for that purpose; and shall copy into their said books the reports of the Treasurer of the receipts and disbursements of their respective counties, and whenever the duplicate shall be put into the hands of the Collector, it shall be the duty of said Clerks, to send a statement of the sum wherewith such Collector stands charged, to the county Treasurer.

Sec. 16. When any person has an attested county order in his own name, of a larger amount than his county tax, and is desirous to appropriate a part of such order to the payment of such tax, he is hereby authorized to apply to the clerk of the board doing county business, whose duty it shall be to give to the holder of such order, and in exchange therefor, two or more attested county orders, making together the same amount with the original order, which shall be therewith cancelled; and such clerk shall insert in every such order, that the same with others, were so given in exchange for — for such original order, together with the number and amount of such original order; one of which orders shall be for the amount of his tax, and shall appear on its face to be intended for the payment thereof.

Sec. 17. Whenever any person shall exhibit any claim against any County, for services rendered, for which the fund arising from the sale of lots, or otherwise, at the county seat, is specially appropriated, and those funds have been fully expended, it shall be the duty of the board doing county business to give such claimant an order on the county treasury, for such sum as may be due to such claimant, to be paid out of any moneys not otherwise appropriated.

Sec. 18. Every Collector of county taxes is hereby required to receive any regularly attested county order, made by the board doing county business, when the same may be tendered to him by any person in payment of such person's taxes, due such county.

Sec. 19. No Collector or other person doing county business, shall, either directly or indirectly, purchase or receive in payment, exchange or in any way whatever, any demand against his county, or any county order for a claim allowed by the board doing county business, at any time during the period for which he may be elected, for a less amount than that expressed on the face of such order or demands against the county; and every person elected, or appointed to do county business, shall, before entering on the duties of his office, take an oath not to violate the provisions of this section; and any Col-