

PRIVATE ACTS OF THE ELEVENTH CONGRESS

OF THE

UNITED STATES,

Passed at the third session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the third day of December, 1810, and ended the third day of March, 1811.

JAMES MADISON, President; GEORGE CLINTON, Vice President of the United States, and President of the Senate; JOHN POPE, President of the Senate pro tempore, from the 26th day of February; J. B. VARNUM, Speaker of the House of Representatives.

STATUTE III.

Jan. 19, 1811.

CHAP. V.—*An Act for the relief of George Armroyd and Company.*

Drawback allowed them.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collector of the customs for the port of Wilmington, in the State of Delaware, be, and he is hereby directed to allow George Armroyd and Company the drawback of duties on certain merchandise exported from the port of Philadelphia by them, in the month of October, one thousand eight hundred and nine, which merchandise, so exported, was imported into the district of Wilmington aforesaid, on the tenth of July, one thousand eight hundred and seven, in the schooner Christianstadt, and thence shipped coastwise to the port of Philadelphia, in the sloops Caroline and Anne: *Provided, nevertheless,* That nothing herein contained shall be so construed as to compel the collector of Wilmington to grant the allowance of the drawback of duties aforementioned, until he shall receive from the collector of the port of Philadelphia satisfactory proof that the merchandise was shipped according to the forms of the laws, in such cases made and provided; and also satisfactory proof from the said George Armroyd and Company, that the merchandise has been landed in some foreign port or place.

APPROVED, January 19, 1811.

STATUTE III.

Jan. 21, 1811.

CHAP. VI.—*An Act for the relief of the heirs of the late Major-General Anthony Wayne.*

Accounts to be re-examined and settled.

Be it enacted, &c., That the proper accounting officers be, and they are hereby authorized to re-examine and settle the accounts of the late Major-General Anthony Wayne, and place to the credit thereof the three several sums stated by his executor in his memorial to Congress, dated the seventh of January, eighteen hundred and eleven, to have been disbursed by the deceased for expenses necessarily incurred in the official discharge of his duty; and three other sums stated in the said memorial, for services rendered by the said deceased to the United States.

APPROVED, January 21, 1811.

CHAP. VIII.—*An Act to change the name of Lewis Grant to that of Lewis Grant Davidson.*

STATUTE III.

Feb. 6, 1811.

Be it enacted, &c., That Lewis Grant of the District of Columbia, devisee of Samuel Davidson, late deceased, of the said district, be, and he is hereby authorized, from and after the passage of this act, to take and use the surname of Davidson, and that his name hereafter be Lewis Grant Davidson, and all acts done and entered into by that name shall have the same effect and operation in law, as if his name had originally been Lewis Grant Davidson.

Name to be changed.

APPROVED, February 6, 1811.

CHAP. X.—*An Act for the relief of William Mills.*

STATUTE III.

Feb. 7, 1811.

Be it enacted, &c., That William Mills, now imprisoned in the county of Middlesex, and State of Connecticut, shall be and is hereby released and discharged from all claim and demand of the United States, to or upon a certain judgment, before the district court for the district of Connecticut, holden at New Haven, in the month of August, one thousand eight hundred and ten, recovered for the sum of two thousand dollars, with costs, at their suit, on his recognizance for appearance as witness, in the case of a prosecution on behalf of the United States before the circuit court in the same district.

To be discharged from imprisonment.

APPROVED, February 7, 1811.

CHAP. XII.—*An Act making compensation to John Eugene Leitensdorfer for services rendered the United States in the war with Tripoli.*

STATUTE III.

Feb. 13, 1811.

Be it enacted, &c., That the Secretary of War be, and he is hereby directed to issue a land warrant to John Eugene Leitensdorfer for three hundred and twenty acres; which said warrant may, at the option of the holder or possessor, be located with any register or registers of the land offices on any of the public lands of the United States, lying on the west side of the Mississippi, then and there offered for sale, or may be received at the rate of two dollars per acre in payment of any such public lands.

Land-warrant to be granted to Leitensdorfer.

SEC. 2. *And be it further enacted,* That the proper accounting officers of the treasury be, and they are hereby directed to settle the account of John Eugene Leitensdorfer, and to allow him the pay of a captain, from the fifteenth day of December, one thousand eight hundred and four, to the fifteenth day of July, one thousand eight hundred and five, being the time he served as adjutant and inspector of the forces of the United States, in Egypt and on the coast of Africa.

His account to be settled.

APPROVED, February 13, 1811.

CHAP. XIII.—*An Act authorizing the discharge of Nathaniel F. Fosdick from his imprisonment.*

STATUTE III.

Feb. 13, 1811.

Be it enacted, &c., That the marshal for the district of Maine be, and he is hereby authorized and directed to discharge Nathaniel F. Fosdick from his imprisonment, upon an execution issued against him in behalf of the United States: *Provided,* That the said Nathaniel F. Fosdick shall pay and satisfy all the costs that have arisen on the part of the United States in the said prosecution, and shall assign and convey all the estate, real and personal, which he may own, or be entitled to, to some person, for the use and benefit of the United States, under the direction of the secretary of the treasury: *And provided also,* That any estate, real or personal, which the said Fosdick may hereafter

To be discharged from imprisonment.

acquire, shall be liable to be taken and sold in the same manner as if he had never been imprisoned and discharged as aforesaid: *And provided also*, That any surety or sureties of said Fosdick shall first agree in writing, under the direction of the secretary of the treasury, as aforesaid, that any liability which may at present exist against such surety shall in nowise be impaired or affected by this act, or by the liberation of said Fosdick from his imprisonment.

APPROVED, February 13, 1811.

STATUTE III.

Feb. 25, 1811.

CHAP. XXIV.—*An Act providing for the sale of a tract of land lying in the state of Tennessee, and a tract in the Indiana territory.*

Site of town of Pulaski to be entered with register of land office, and sold.

Conditions.

Conditions upon which the land for the permanent seat of Indiana government may be obtained.

Be it enacted, &c., That the commissioners appointed by an act of the legislature of the state of Tennessee, passed on the fourteenth day of November, one thousand eight hundred and nine, to fix on a site for the town of Pulaski, in the county of Giles, and state aforesaid, and their successors in office, be, and they are hereby authorized, on producing a receipt from the receiver of public moneys, for at least one-twentieth part of the purchase money, to enter with the register of the land office, established for the lands ceded to the United States by the Cherokee and Chickasaw Indians, in the Mississippi territory, a tract of land lying in a regular square, and containing six hundred and forty acres, which has or may be fixed on as a site for the town of Pulaski, as aforesaid, at the same price and on the same terms and conditions of payment as are provided with respect to the other public lands sold at private sale at the said office; and on completing the payment of the purchase money, a patent shall be granted therefor to the said commissioners and their successors in office, in trust, for the use of the said county of Giles, for the purpose aforesaid.

SEC. 2. *And be it further enacted*, That the commissioners appointed by an act of the legislature of the Indiana territory, to fix on a proper site for the permanent seat of government for the said territory, be, and they are hereby authorized, and their successors in office, so soon as the surveys under the authority of the United States shall have been made of the lands which they shall select, and on producing a receipt from the receiver of public moneys, for at least one-twentieth part of the purchase money, to enter with the register of the land office for the district in which the land lies, any four quarter sections of land adjoining to each other, which have not been reserved by any former act of Congress, and which the said commissioners may select and fix on as a site for the permanent seat of government for the said territory; and payment shall be made therefor at the same price, and on the same terms and conditions, as are provided in respect to the other public lands sold at private sale in the same district; and on completing the payment of the purchase money, a patent shall be granted therefor, to the said commissioners and their successors in office, in trust for the use of said territory, for the purpose aforesaid.

APPROVED, February 25, 1811.

STATUTE III.

Feb. 26, 1811.

CHAP. XXVII.—*An Act for the relief of Peter Audrain.*

Compensation for services as clerk.

Be it enacted, &c., That there be allowed to Peter Audrain the sum of seven hundred dollars, being a balance due as a compensation for two years' services as clerk to the board of land commissioners at Detroit, from the first of July, one thousand eight hundred and seven, to the first of July, one thousand eight hundred and nine; and that the same be paid to him out of any money in the treasury not otherwise appropriated.

APPROVED, February 26, 1811.

CHAP. XXXV.—*An Act for the relief of John Macnamara.*

STATUTE III.

March 2, 1811.

Be it enacted, &c., That the schooner Sally, owned by John Macnamara, which vessel, at Nassau, New Providence, took on board some French emigrants from the Island of Cuba, with their domestic slaves, and landed them at Charleston, which said vessel was seized, together with her cargo, and libelled for a violation of an act entitled "An act to prohibit the importation of slaves into any port or place of the United States, from and after the first day of January, in the year one thousand eight hundred and eight," be, and the same is hereby released, together with her cargo, from the seizure aforesaid.

Schooner Sally released.

Act of March 2, 1807, ch. 22.

SEC. 2. *And be it further enacted,* That all penalties or forfeitures which may have been incurred by the captain or owner of said vessel in consequence of any provisions of the act referred to in the first section, which have inured, or might otherwise inure to the United States, be, and the same are hereby remitted: *Provided,* that the said vessel and [cargo] shall not be released, or the said penalties and forfeitures remitted, but on condition that the said slaves be previously, actually and bona fide removed (if not already removed) from and without the limits of the United States and territories thereof.

Penalties remitted.

APPROVED, March 2, 1811.

CHAP. XXXIX.—*An Act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, and Joseph Wilson, of the Mississippi Territory.*

STATUTE III.

March 3, 1811.

Be it enacted, &c., That Richard Tervin be, and he is hereby, authorized to produce to the register of the land office, and the receiver of public moneys, for the district east of Pearl river, in the Mississippi territory, evidence of his having inhabited and cultivated a tract of land in said territory, prior to the thirtieth day of March, one thousand seven hundred and ninety-eight; and in case such evidence shall be produced, the said register and receiver are required to grant to the said Richard Tervin a donation certificate for such tract of land, not exceeding six hundred and forty acres.

Donation certificate for a tract of land granted to Richard Tervin, on his producing certain evidence.

SEC. 2. *And be it further enacted,* That William Coleman be, and he is hereby authorized to produce to the said register and receiver, evidence of his right to a donation of a tract of land on the Tombigbee river in said territory; and in case he shall produce satisfactory evidence to the said register and receiver, that he was entitled to a donation of such tract, according to the provisions of the second section of the act entitled "An act regulating the grants of land and providing for the disposal of the lands of the United States, south of the state of Tennessee," and the acts supplementary thereto, it shall then be lawful for the said William Coleman to locate a quantity of land equal to that to which he was entitled under the above-mentioned provisions, on any lands of the United States, which shall have been offered at public sale, in the said district, and that shall then remain unsold; and it shall be the duty of the said register and receiver to issue a donation certificate to the said William Coleman, for the land so located by him.

To William Coleman.

Act of March 3, 1803, ch. 27.

SEC. 3. *And be it further enacted,* That Edwin Lewis be entitled to the right of pre-emption in five acres of land, situate within the boundaries of a tract of land, whereon he resides, which five acres were heretofore used for an encampment, for the troops of the United States, so soon as the same shall cease to be used for that purpose; the said five acres to be paid for at the same price, on the same terms and conditions, as are provided for lands granted by right of pre-emption in the Mississippi territory.

Right of pre-emption vested in Edwin Lewis.

SEC. 4. *And be it further enacted,* That Samuel Mims be, and he is

Title of Samuel Mims confirmed, &c.

Joseph Wilson authorized to enter certificate of pre-emption right, &c.

Act of March 3, 1803, ch. 27.

hereby confirmed in his title to a tract of land, containing five hundred and eighty-four acres, granted by the British government of West Florida, to William Clark, so as not to deprive the heirs of said Clark, or any other person or persons, of their legal remedy, if any they have, for the recovery of said land from said Mims, his heirs or assigns.

SEC. 5. *And be it further enacted*, That Joseph Wilson be, and he is hereby authorized to enter with the register of the land office his certificate of pre-emption right, granted to him by the board of commissioners, for the district east of Pearl river, in the Mississippi territory, for the quantity of four hundred and eighty acres of land, lying on the Tombigbee river in said territory; and that payment be made therefor, at the same price, and on the same terms and conditions, as are provided by law, for other lands granted in right of pre-emption in said territory.

APPROVED, March 3, 1811.

STATUTE III.

March 3, 1811.

CHAP. XLII.—*An Act concerning invalid pensioners.*

Secretary of War to place certain persons on the list of pensioners.
1806, ch. 25.

Pensioners and their rates.

Be it enacted, &c., That the secretary of war be, and he is hereby directed to place the following named persons, whose names have been transmitted to Congress, pursuant to the act of the tenth of April, eighteen hundred and six, on the pension list of invalid pensioners of the United States, according to the rates, and to commence at the times hereinafter mentioned, that is to say:

James Trowbridge, at the rate of three dollars and thirty-three cents per month, to commence on the fifth day of February, one thousand eight hundred and ten.

Samuel Mears, junr., at the rate of two dollars and fifty cents per month, to commence on the tenth day of December, one thousand eight hundred and ten.

Ebenezer Brown, at the rate of five dollars per month, to commence on the third day of January, one thousand eight hundred and eleven.

Elisha Capron, at the rate of two dollars and fifty cents per month, to commence on the first day of January, one thousand eight hundred and ten.

William Woodruff, at the rate of five dollars per month, to commence on the twenty-fourth day of October, one thousand eight hundred and ten.

Levi Tuttle, at the rate of one dollar and twenty-five cents per month, to commence on the seventh day of January, one thousand eight hundred and eleven.

Nathaniel Austin, at the rate of three dollars and seventy-five cents per month, to commence on the tenth day of April, one thousand eight hundred and ten.

Isaac Vincent, at the rate of five dollars per month, to commence on the twenty-second day of March, one thousand eight hundred and ten.

John Griggs, at the rate of two dollars and fifty cents per month, to commence on the seventh day of April, one thousand eight hundred and ten.

Patrick Hart, at the rate of three dollars per month, to commence on the thirtieth day of August, one thousand eight hundred and ten.

William Burke, at the rate of two dollars and fifty cents per month, to commence on the tenth day of October, one thousand eight hundred and eight.

John Long, at the rate of two dollars and fifty cents per month, to commence on the seventeenth day of April, one thousand eight hundred and ten.

Vincent Tapp, at the rate of two dollars and fifty cents per month

to commence on the sixth day of December, one thousand eight hundred and ten.

Pensioners.

James Batson, at the rate of three dollars per month, to commence on the thirteenth day of February, one thousand eight hundred and eleven.

John Brown, at the rate of two dollars and fifty cents per month, to commence on the first day of December, one thousand eight hundred and ten.

James Campin, at the rate of thirteen dollars thirty-three and one-third cents per month, to commence on the twenty-fifth day of March, one thousand eight hundred and nine.

Samuel Wells, at the rate of three dollars and seventy-five cents per month, to commence on the twenty-second day of July, one thousand eight hundred and seven.

Daniel M'Elduff, at the rate of thirteen dollars and thirty-three cents per month, to commence on the twenty-first day of July, one thousand eight hundred and eleven.

Edward Miller, at the rate of five dollars per month, to commence on the third day of May, one thousand eight hundred and nine.

Daniel Fielding, at the rate of three dollars and thirty-three cents per month, to commence on the nineteenth of September, one thousand eight hundred and nine.

SEC. 2. *And be it further enacted*, That the pensions of the following persons, already placed on the pension list of the United States, whose claims for an increase of pension have been transmitted to Congress, pursuant to the act aforesaid, be increased to the sums herein respectively annexed to their names; the said increase to commence at the times hereinafter mentioned, that is to say:

Of those whose pensions are to be increased.
Act of April 10, 1806, ch. 25.

John Lincoln, three dollars per month, to commence on the fifteenth day of June, one thousand eight hundred and ten.

Dan Culver, five dollars per month, to commence on the tenth day of June, one thousand eight hundred and ten.

Joseph Whittemore, ten dollars per month, to commence on the twelfth day of May, one thousand eight hundred and nine.

Peter Hemmenway, five dollars per month, to commence on the eighth day of March, one thousand eight hundred and ten.

Benjamin Mastic, five dollars per month, to commence on the eleventh day of May, one thousand eight hundred and nine.

Elisha Rice, five dollars per month, to commence on the thirty-first day of March, one thousand eight hundred and ten.

William Bailey, two dollars and fifty cents per month, to commence on the third day of July, one thousand eight hundred and ten.

Jared Knapp, five dollars per month, to commence on the nineteenth day of November, one thousand eight hundred and ten.

Solomon Reynolds, five dollars per month, to commence on the sixteenth day of January, one thousand eight hundred and eleven.

Samuel Loomis, three dollars and seventy-five cents per month, to commence on the seventh day of February, one thousand eight hundred and eleven.

Eleazar Hudson, three dollars and seventy-five cents per month, to commence on the fifteenth day of February, one thousand eight hundred and eleven.

Job Bartram, fifteen dollars per month, to commence on the twenty-fifth day of October, one thousand eight hundred and nine.

George Shell, five dollars per month, to commence on the nineteenth day of December, one thousand eight hundred and ten.

Isaac Richards, two dollars and fifty cents per month, to commence on the fourteenth day of March, one thousand eight hundred and ten.

James Patton, thirteen dollars and thirty-three cents per month, to

Pensioners.

commence on the sixth day of March, one thousand eight hundred and ten.

Robert Coddington, five dollars per month, to commence on the sixth day of March, one thousand eight hundred and ten.

Isaac Cotheall, five dollars per month, to commence on the sixth day of March, one thousand eight hundred and ten.

Seybert Odam, five dollars per month, to commence on the twenty-seventh day of October, one thousand eight hundred and ten.

Calhoun and
Blackburn to be
placed on the
pension list.

SEC. 3. *And be it further enacted*, That John Calhoun be placed on the said pension list, at the rate of fifteen dollars per month, to commence on the sixth day of February, one thousand eight hundred and ten; and that Benjamin Blackburn be placed on the pension list, at the rate of five dollars per month, from the first day of April, one thousand eight hundred and ten.

Appropriation
for arrears due
Abram Gamble.

SEC. 4. *And be it further enacted*, That there be paid, out of any moneys in the treasury not otherwise appropriated, to Abram Gamble, of the state of Maryland, who was placed on the pension list from the eighteenth day of January, one thousand eight hundred and nine, the sum of fifty-three dollars and seventy-five cents, for arrears of pension from the twenty-fifth day of January, one thousand eight hundred and eight, when he first completed his testimony under an irregular commission, to the said eighteenth day of February, one thousand eight hundred and nine, being ten months and twenty-three days.

APPROVED, March 3, 1811.