

# PRIVATE ACTS OF THE TWENTY-FIFTH CONGRESS

OF THE

## UNITED STATES,

*Passed at the second session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the fourth day of December, 1837, and ended on the ninth day of July, 1838.*

MARTIN VAN BUREN, President; RICHARD M. JOHNSON, Vice President of the United States, and President of the Senate; WILLIAM R. KING, President of the Senate, pro tempore, from the second day of July; JAMES K. POLK, Speaker of the House of Representatives.

### STATUTE II.

Feb. 2, 1838. CHAP. VI.—*An Act to authorize the Commissioner of the Patent Office to issue a patent to James Smith.*

Patent to issue for a self-acting mule.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioner of the Patent Office be, and he is hereby, authorized to issue, on application therefor at any time within six months from the passage of this act, a patent to James Smith, a British subject, being of the county of Perth, in Scotland, for his invention of certain improvements in the self-acting mule for spinning cotton and other fibrous materials, for which said Smith took out letters patent in England, sealed the twentieth day of February, one thousand eight hundred and thirty four, notwithstanding the lapse of more than six months since the publication of the said letters patent; the said Commissioner being governed in all other respects, in issuing such patent, by the provisions of the existing general laws relating to the granting and issuing of patents for new inventions and discoveries. And said patentee and his assigns shall have and possess the same rights by virtue of such patent, if any shall be granted, as he would have and possess if the said original letters patent had not been issued and published, and no other: *Provided, however,* That such patent shall be limited to the time for which said original letters patent were granted: *And provided, also,* That the same shall not interfere with, or affect the rights of any person, acquired by purchasing, constructing, or using said invention, prior to the granting of the patent herein authorized.

PROVISO.

PROVISO.

APPROVED, February 2, 1838.

### STATUTE II.

Feb. 15, 1838. CHAP. VII.—*An Act for the relief of the administrators of Edward W. Duval.*

To be credited with amount expended on an Indian reservation taken from him.

*Be it enacted, &c.,* That the Secretary of the Treasury be, and he hereby is, authorized and required to admit to the credit, on the books of the treasury, of Edward W. Duval, in the settlement of his account, the sum of one thousand four hundred and fifty-seven dollars and seventy-five cents, in consideration, in full, for that amount expended by him on an Indian reservation purchased by him from the government, in or about the year eighteen hundred and twenty-six, and subsequently, that is, in April, eighteen hundred and thirty-two, taken from the said Duval

by the government; and after deducting from the aforesaid amount, which is to be credited to the said Duval, as on the twenty-sixth day of April, eighteen hundred and thirty-two, the sum of one thousand eighty-five dollars and twenty-eight cents, the amount of a judgment obtained against the said Duval in the United States court in Pennsylvania, the Secretary of the Treasury shall, out of any money in the treasury not otherwise appropriated, pay over the balance of three hundred and forty-two dollars and twenty-seven cents, to the administrators of E. W. Duval; and thereupon the said administrators shall stand fully discharged from the further force and effect of the aforesaid judgment against them.

APPROVED, February 15, 1838.

STATUTE II.

CHAP. VIII.—*An Act to amend the act entitled "An act for the relief of James Steel," approved twenty-eighth June, eighteen hundred and thirty-six.*

Feb. 15, 1838.

Act of June 28,

1836, ch. 172.

E. Steel to receive the pension granted to her father.

*Be it enacted, &c.*, That Elizabeth Steel, daughter of James Steel, be, and she is hereby, authorized and empowered to claim and receive for, and in behalf of, him, the said James Steel, the pension granted to him by the act to which this is an amendment, on furnishing satisfactory proof of the identity and residence of the said James Steel and Elizabeth his daughter.

APPROVED, February 15, 1838.

STATUTE II.

CHAP. IX.—*An Act for the relief of Jesse E. Dow.*

Feb. 22, 1838.

Payment of a moiety of the proceeds of a criminal prosecution.

Act of April 30, 1790, ch. 9.

*Be it enacted, &c.*, That the Secretary of the Treasury pay to Jesse E. Dow, out of any money not otherwise appropriated, one hundred dollars, being one moiety of the money paid to the United States, by reason of criminal proceedings against A. Baker, alias William A. Chelsey, in the United States district court in the district of Massachusetts, on the complaint and prosecution of the said Jesse E. Dow, for violating the act of April thirtieth, seventeen hundred and ninety, entitled "An act for the punishment of certain crimes against the United States."

APPROVED, February 22, 1838.

STATUTE II.

CHAP. X.—*An Act for the relief of John B. Perkins.*

Feb. 22, 1838.

Payment for a horse lost.

*Be it enacted, &c.*, That the Secretary of the Treasury pay to John B. Perkins ninety-five dollars compensation for a horse lost for want of forage, on the fourth of May, eighteen hundred and eighteen, while engaged in the service of the United States, in the Seminole campaign, out of any money in the treasury not otherwise appropriated.

APPROVED, February 22, 1838.

STATUTE II.

CHAP. XI.—*An Act for the relief of the legal representatives of John McCarty, deceased.*

Feb. 22, 1838.

Payment for a house destroyed.

*Be it enacted, &c.*, That the Secretary of the Treasury pay to the legal representatives of John McCarty, deceased, out of any money in the treasury not otherwise appropriated, one thousand dollars, in full payment for his house, burnt by the enemy, at Farnham, Virginia, in the year eighteen hundred and fourteen, in consequence of said house having been occupied as a place of deposite for military stores and ammunition during the late war.

APPROVED, February 22, 1838.

## STATUTE II.

March 2, 1838. CHAP. XVI.—*An Act to amend and extend the charter of the Franklin Insurance Company.*

Investment of surplus funds.

Deeds of trust or mortgages may be taken.

Act of April 9, 1818, ch. 44, continued for 20 years.

Proviso.

Proviso.

*Be it enacted, &c.*, That the president and directors of said company be authorized to invest the surplus funds of said company in such funds and securities as may to them from time to time appear expedient.

SEC. 2. *And be it further enacted*, That the president and directors of said company may take deeds of trust and mortgages of real property, of an appraised value, of at least double the amount to be secured, in lieu of the endorsed notes required to be given by the stockholders for the unpaid part of the capital stock.

SEC. 3. *And be it further enacted*, That the act entitled "An act to incorporate a Fire Insurance Company in the city of Washington," approved on the ninth day of April, eighteen hundred and eighteen, as hereby amended, shall continue in force for and during the term of twenty years from and after the ninth day of April next: *Provided, always*, that Congress may, at any time during the said term that it shall see fit, amend or repeal the same; *And provided further*, That the holders of a majority of the stock in the said company shall sign a paper signifying their acceptance of this supplementary act, and have the same recorded in the office of the clerk of the Circuit Court of the District of Columbia, before the first day of July next.

APPROVED, March 2, 1838.

## STATUTE II.

March 2, 1838.

CHAP. XVII.—*An Act for the relief of Albion T. Crow.*

Payment for property destroyed.

*Be it enacted, &c.*, That the Secretary of the Treasury pay to Albion T. Crow, out of any money not otherwise appropriated, three hundred and fifteen dollars twenty cents, the value of a stable occupied by the mounted Illinois volunteers while in the military service of the United States, in July, eighteen hundred and thirty-two, by order of Colonel Strode, and accidentally burnt while in said occupation, and in consequence thereof.

APPROVED, March 2, 1838.

## STATUTE II.

March 2, 1838.

CHAP. XVIII.—*An Act for the relief of Robert Dickey, of New York.*

Payment of amount of debenture on certain wine.

Proviso.

*Be it enacted, &c.*, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the treasury not otherwise appropriated, to Robert Dickey, of New York, the amount of the debenture on fifty casks of claret wine, exported from the port of New York on board the brig Generous Friends, Gardner, master, to Cuba, in February, eighteen hundred and seven, for which a certificate was not issued, in consequence of an omission to sign the export bond within ten days, as prescribed by the then existing law: *Provided*, That the Secretary of the Treasury shall be satisfied that the other provisions of the debenture law have been complied with.

APPROVED, March 2, 1838.

## STATUTE II.

March 2, 1838.

CHAP. XIX.—*An Act for the relief of Joseph Hall.*

Patent fees to be refunded.

*Be it enacted, &c.*, That the Secretary of the Treasury pay to Joseph Hall, out of any money in the treasury not otherwise appropriated, thirty dollars, that sum having been paid into the treasury by the said Joseph Hall, for a patent for a water-wheel, which on examination was found to have been patented to others, and not taken out by him.

APPROVED, March 2, 1838.

CHAP. XX.—*An Act for the relief of Benjamin Mooers.*

*Be it enacted, &c.,* That the Secretary of the Treasury pay to Benjamin Mooers, out of any money not otherwise appropriated, sixty-one dollars, for hay, corn, potatoes, and rails, necessarily taken by the troops in eighteen hundred and thirteen; and for buckwheat necessarily destroyed by encamping on the ground of the said Mooers.

APPROVED, March 7, 1838.

STATUTE II.  
March 7, 1838.

Payment for  
hay, corn, &c.,  
taken.

CHAP. XXI.—*An Act for the relief of Eli Horton.*

*Be it enacted, &c.,* That the Secretary of the Treasury pay to Eli Horton, out of any money in the treasury not otherwise appropriated, thirty dollars, being the amount he paid into the treasury for a patent which he has not taken out and abandons his intention to do so.

APPROVED, March 7, 1838.

STATUTE II.  
March 7, 1838.

Patent fees to  
be refunded.

CHAP. XXII.—*An Act for the relief of John M. Oliver.*

*Be it enacted, &c.,* That the Secretary of the Treasury be, and he hereby is, authorized and required to cause a credit to be given to John M. Oliver, on the books of the treasury, for the sum of nine hundred and ninety-one dollars and thirty-nine cents, in satisfaction of that amount now to his debit on the said books, for an alleged deficiency of work done and executed by the said John M. Oliver on a section of the Cumberland road.

SEC. 2. *And be it further enacted,* That the Solicitor of the Treasury be, and he is hereby, instructed to discontinue the suit instituted and now depending against the aforesaid John M. Oliver, to recover from him the aforesaid sum of nine hundred and ninety-one dollars and thirty-nine cents.

APPROVED, March 7, 1838.

STATUTE II.  
March 7, 1838.

A credit al-  
lowed him.

Suit against  
him to be dis-  
continued.

CHAP. XXIII.—*An Act for the relief of Frances Gardiner.*

*Be it enacted, &c.,* That the Secretary of War ascertain what property of the late Captain Gardiner was in the military occupation of the United States at Fort Brook, and destroyed in consequence of such occupation, and its value; also, if not destroyed, the damage the same sustained; also, what was destroyed by order of an officer, for military purposes, and its value; also, what was detained by order of an officer, and prohibited from being removed, and was destroyed in consequence thereof, and its value; and the respective sums so found due shall be paid out of any money in the treasury not otherwise appropriated, to Frances Gardiner.

APPROVED, March 7, 1838.

STATUTE II.  
March 7, 1838.

Secretary of  
War to ascer-  
tain what prop-  
erty of the late  
Capt. Gardiner  
was occupied  
by U. S., &c.

CHAP. XXIV.—*An Act for the relief of Thomas J. Lawler and Smith M. Miles.*

*Be it enacted, &c.,* That the Secretary of the Treasury pay to Thomas J. Lawler, out of any money in the treasury not otherwise appropriated, four hundred and ninety-one dollars and seventy-three cents, for maintaining four negroes from the fourteenth of April, eighteen hundred and thirty-three, to March eighteenth, eighteen hundred and thirty-four, which were delivered to him and kept in confinement under the acts of April twentieth, eighteen hundred and eighteen, and March third, eighteen hundred and nineteen, prohibiting the slave trade; and for maintaining Martin Lee one hundred and two days, under a charge of

STATUTE II.  
March 7, 1838.

T. J. Lawler  
to be paid for  
maintaining ne-  
groes, under  
acts of April 20,  
1818, ch. 91,  
and March 3,  
1819, ch. 101.

robbing the mail, who was turned out of the prison in the western district of Louisiana, from its being abandoned on account of the cholera.

Payment to S. M. Miles for medical services.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury pay to Smith M. Miles, out of any money in the treasury not otherwise appropriated, ninety-one dollars and fifty cents, for attending on the negroes mentioned in the preceding section, as a physician, during their sickness, when so confined, and furnishing them medicine.

APPROVED, March 7, 1838.

STATUTE II.

March 7, 1838.

CHAP. XXV.—*An Act for the relief of Presley N. O'Bannon.*

Payment for a horse lost.

*Be it enacted, &c.*, That the Secretary of the Treasury pay, out of any unappropriated money, to Presley N. O'Bannon, eighty-six dollars, the value of a horse furnished by him to Landy Sumner, a mounted Kentucky volunteer under the command of Governor Shelby, in the year eighteen hundred and thirteen, in the expedition into Canada, which horse died or was lost by reason of his rider being dismounted and separated from said horse.

APPROVED, March 7, 1838.

STATUTE II.

March 7, 1838.

CHAP. XXVI.—*An Act for the relief of Allen R. Moore.*

Payment for use of his store, &c.

*Be it enacted, &c.*, That the Secretary of the Treasury pay, out of any unappropriated money, to Allen R. Moore, twenty-eight dollars, in full for the use of his store in the village of Champlain, in the state of New York, by the troops of the United States, as barracks, in March, one thousand eight hundred and fourteen, and for damage done to said store during such occupancy.

APPROVED, March 7, 1838.

STATUTE II.

March 7, 1838.

CHAP. XXVII.—*An Act for the relief of Edward Burgess.*

Payment for certain expenses incurred.

*Be it enacted, &c.*, That the Secretary of the Treasury pay to Edward Burgess, out of any money not otherwise appropriated, thirty dollars, for expenses incurred and paid by him as a captain of a company of New York militia in the service of the United States during the late war, for quarters, fuel, and maintaining the teamster and team employed in transporting the baggage of said company, when on the march from Marcellus to Smith's mills, a distance of one hundred and forty miles.

APPROVED, March 7, 1838.

STATUTE II.

March 7, 1838.

CHAP. XXVIII.—*An Act for the relief of Abraham Lansing.*

Account to be examined, &c.

*Be it enacted, &c.*, That the Secretary of the Navy be authorized to examine the account of Abraham Lansing for services performed as assistant in the naval recruiting service at Boston, and for services as master's mate at the same station; and, if the said Lansing performed said services, the same shall be paid, as is allowed for like services, out of any money not otherwise appropriated, notwithstanding the certificate of Commodore Bainbridge to said account was not given before his decease.

APPROVED, March 7, 1838.

STATUTE II.

March 7, 1838.

CHAP. XXIX.—*An Act for the relief of Sarah Murphy.*

Payment for cleansing Arch street prison.

*Be it enacted, &c.*, That the Secretary of the Treasury pay to Sarah Murphy, out of any money in the treasury not otherwise appropriated, eighty dollars, for services performed in whitewashing and cleansing the Arch street prison, in Philadelphia, in the year eighteen hundred and fifteen, after the same had been used and occupied by the United States

as a hospital and as a depot for the British prisoners, and as barracks for a company under the command of Captain Patterson.

APPROVED, March 7, 1838.

CHAP. XXX.—*An Act for the relief of John Krepps.*

*Be it enacted, &c.,* That the Secretary of the Treasury be authorized, and he is hereby required, to cause a credit to be entered in favor of John Krepps on the books of the treasury, for the sum of two thousand and forty-nine dollars and fifteen cents, erroneously charged to John Krepps for an alleged deficiency to that amount of work done by him as contractor on the Cumberland road, under Josias Thompson, superintendent; and if suit has been instituted by the United States, to recover from John Krepps the aforesaid sum ascertained to have been erroneously charged to him on the books of the treasury, the Secretary of the Treasury shall cause the same to be dismissed, and to release the said John Krepps from the effects thereof.

SEC. 2. *And be it further enacted,* That this act shall be in force from the passage thereof.

APPROVED, March 7, 1838.

STATUTE II.

March 7, 1838.

A credit to be allowed him, &c.

Act when to be in force.

CHAP. XXXV.—*An Act for the relief of Benjamin H. Mackall.*

*Be it enacted, &c.,* That the Secretary of the Treasury pay to the legal representatives of Benjamin H. Mackall, formerly of Calvert county, Maryland, two hundred and ten dollars, the amount claimed by his heirs for a certain house or out-house destroyed by the British about the first of August eighteen hundred and fourteen, which house was in the military occupation of the United States at the time of its destruction, and destroyed in consequence of such occupation.

APPROVED, March 19, 1838.

STATUTE II.

March 19, 1838.

Payment for a house destroyed.

CHAP. XXXVI.—*An Act for the relief of James Baker.*

*Be it enacted, &c.,* That the Secretary of the Treasury pay to James Baker, out of any money not otherwise appropriated, two hundred dollars, the appraised value of a wagon and a horse and two sets of harness, taken into the military service of the United States in the Black Hawk war, and lost or destroyed in said service, without any fault on the part of the owner.

APPROVED, March 19, 1838.

STATUTE II.

March 19, 1838.

Payment for a wagon, horse, &c., lost.

CHAP. XXXVII.—*An Act for the relief of Jonathan Davis.*

*Be it enacted, &c.,* That the Secretary of the Treasury pay, out of any money in the treasury not otherwise appropriated, to Jonathan Davis, two hundred and forty-five dollars, in full compensation for three horses and one cow, the property of said Davis, taken near Fort Erie, in August, eighteen hundred and thirteen, by direction of an officer of the United States troops, for the benefit of the friendly Indians.

APPROVED, March 19, 1838.

STATUTE II.

March 19, 1838.

Payment for horses, &c., taken by U. S.

CHAP. XXXVIII.—*An Act for the relief of Robert Peebles and John Graham.*

*Be it enacted, &c.,* That the Secretary of the Treasury pay Robert Peebles and John Graham, out of any money not otherwise appropriated, one thousand and ten dollars and fifty-seven cents, which sum was incorrectly debited on their account, and deducted from money due them as army contractors, in the year one thousand eight hundred and thirty-five.

APPROVED, March 19, 1838.

STATUTE II.

March 19, 1838.

Payment of amount due to them as army contractors.

## STATUTE II.

March 28, 1838.

CHAP. XXXIX.—*An Act for the relief of Philip Riviere and his legal representatives.*

Land claim confirmed.

Proviso.

*Be it enacted, &c.,* That the claim and title of Philip Riviere and his legal representatives to a tract of land containing about four hundred and fifty arpens, French measure, situated in the county of St. Louis, state of Missouri, formerly granted to said Philip Riviere and his heirs, by the Spanish Government, by concession, bearing date the fourteenth of October, eighteen hundred, and located and surveyed by virtue of and under said concession, on the thirtieth of November, eighteen hundred, as appears by said survey, duly recorded in the office of the Surveyor-General at St. Louis, in the "Register d'Arpentage A," page thirty-nine, be, and are hereby, confirmed to said Philip Riviere and his legal representatives: *Provided,* That this confirmation does not interfere with any right or title arising under any grant, concession, or survey, made by the authority of the former Spanish or French Governments in Upper Louisiana, and heretofore confirmed by Congress, or with any right or title to said land, or any part thereof, acquired by any individual or individuals by entry and purchase, in the land office of the United States, or which the United States may have acquired by purchase under any sale held in pursuance of any order of court, or decree in chancery; and that a re-survey be made of the land hereby confirmed, subject to the above proviso, under the order and direction of the Surveyor-General of the United States, at St. Louis, and at the expense of the said Philip Riviere, or his legal representatives.

APPROVED, March 28, 1838.

## STATUTE II.

March 28, 1838.

CHAP. XL.—*An Act for the relief of Hannah Budlong.*

Allowance of five years' half pay to widow of E. Hyde.

*Be it enacted, &c.,* That the Secretary of the Treasury pay to Hannah Budlong, formerly the widow of Elias Hyde, out of any money not otherwise appropriated, two hundred and forty dollars, being the amount of half pay for a militiaman or volunteer in the military service of the United States for five years; Elias Hyde, then the husband of said Hannah, having voluntarily joined a company of riflemen in the military service of the United States, on the twenty-second of February, one thousand eight hundred and thirteen, for the defence of Ogdensburg, and having been shot by the enemy when in the performance of his duty, of which wound he died on the seventeenth of March thereafter.

APPROVED, March 28, 1838.

## STATUTE II.

March 28, 1838.

CHAP. XLI.—*An Act for the relief of Samuel Sanderson.*

Payment for taking Africans from a Spanish vessel.

*Be it enacted, &c.,* That the Secretary of the Treasury pay to Samuel Sanderson, out of any money not otherwise appropriated, the sum of three thousand and twenty-five dollars, in full compensation for all the costs, services, and charges of taking one hundred and twenty-one Africans from the Spanish brig Guerrero, on the Florida reef, and delivering them to the collector at Key West, in the month of December, one thousand eight hundred and twenty-seven.

APPROVED, March 28, 1838.

## STATUTE II.

March 28, 1838.

CHAP. XLII.—*An Act for the relief of Daniel Davis.*

Payment for a mare lost.

*Be it enacted, &c.,* That the Secretary of the Treasury pay to Daniel Davis, out of any money not otherwise appropriated, fifty-five dollars, the value of a mare he lost when in the military service of the United States, by reason of his being dismounted and separated from her, by order of his commanding company officer.

APPROVED, March 28, 1838.

CHAP. XLIII.—*An Act for the relief of James J. Pattison.*

STATUTE II.  
March 28, 1838.

*Be it enacted, &c.,* That the Secretary of the Treasury pay, out of any money in the treasury not otherwise appropriated, to James J. Pattison, the sum of four thousand two hundred dollars, for his house and property on the Patuxent, in Calvert county, Maryland, destroyed by the British troops in June one thousand eight hundred and fourteen.

APPROVED, March 28, 1838.

Payment for property destroyed.

STATUTE II.  
March 28, 1838.

CHAP. XLIV.—*An Act for the relief of the legal representatives of Thomas W. Bacot, late of Charleston, South Carolina, deceased.*

*Be it enacted, &c.,* That the Secretary of the Treasury pay out of any money in the treasury not otherwise appropriated, the sum of five hundred and ninety-six dollars and fifty-six cents, to the legal representatives of Thomas W. Bacot, late of Charleston, South Carolina, deceased, in full compensation for moneys paid and expended by said deceased, in erecting and completing a post-office in the custom-house in said city of Charleston; said custom-house and post-office being the property of the United States.

APPROVED, March 28, 1838.

Payment for moneys expended in erecting a post-office.

STATUTE II.  
March 28, 1838.

CHAP. XLV.—*An Act for the relief of the heirs of Joseph Nibert, deceased.*

*Be it enacted, &c.,* That certain lots of land, numbered nineteen, twenty, and twenty-one, in township number twenty, range number thirteen east, containing four hundred and eighty-eight acres and sixty hundredths, in the district north of Red river, in the state of Louisiana, which has been heretofore sold, and paid for by Job Bass, deceased, be, and the same is hereby, authorized to be patented to the heirs and legal representatives of Joseph Nibert, deceased, assignee of said Job Bass, in the same manner as other lands granted to purchasers from the United States, upon condition that the Secretary of the Treasury shall first cause to be surveyed in said district, for the use and benefit of schools in said township, lands equal in value to the above described tracts of land sold to the said Job Bass, deceased.

APPROVED, March 28, 1838.

Authorized to patent certain land.

STATUTE II.  
April 4, 1838.

CHAP. XLVII. — *An Act to authorize the Secretary of the Treasury to correct a mistake in relation to the payment of money into the treasury awarded to Fortesque Whittle, surviving partner of the firm of Conway and Fortesque Whittle, under the late treaty of indemnity with France.*

*Be it enacted, &c.,* That the Secretary of the Treasury be, and he is hereby authorized and directed to correct any mistake which may have occurred in the payment into the treasury, to the credit of the United States, of the first, second, third and fourth instalments of money due to Fortesque Whittle, surviving partner of Conway and Fortesque Whittle, by the award of the commissioners appointed to carry into effect the convention with France of the fourth day of July, one thousand eight hundred and thirty-one, the said instalments having been considered as the private property of the said Fortesque Whittle, and paid into the treasury to satisfy debts due from the said Fortesque Whittle individually to the United States, whereas the said moneys were the property of the late firm of Conway and Fortesque Whittle, and as such were first liable for the payment of the debts of the said firm: And the said Secretary is hereby authorized to pay out of the treasury to the person or persons, legally entitled to receive the same, the sum of eleven thousand four hundred and fourteen dollars and fifteen cents, that being the amount

Any mistakes which may have occurred, to be corrected.

Amount mistakenly paid to be refunded, &c.



so received upon the said instalments and mistakenly paid into the treasury; and in case the said amount, or any part thereof, has been credited upon the books of the department, to be endorsed or otherwise applied upon, the bonds of the said Fortesque Whittle, due to the United States, then the said Secretary is hereby further authorized and directed to recharge the said amount to the said Fortesque Whittle, or otherwise to cancel the credit given to him for such payment.

APPROVED, April 4, 1838.

STATUTE II.

April 4, 1838.

CHAP. XLVIII.—*An Act for the relief of Michael Cassel.*

May surrender a land certificate, and enter other land.

*Be it enacted, &c.,* That Michael Cassel, of Laporte county, in the state of Indiana, be, and he is hereby, authorized to surrender the certificate issued to him from the land office at Laporte, in said state, for lots numbered one and two, or the east part of section thirty-five, township thirty-seven north, of range one west, which was entered by him through mistake; and, on filing his relinquishment to all right and title thereto, the said Michael Cassel is hereby authorized to enter in said land office at Laporte an equal quantity of any of the public land remaining unoccupied and subject to private entry in the Laporte land district, with that for which he has paid and shall relinquish, and be entitled to a certificate for the same.

APPROVED, April 4, 1838.

STATUTE II.

April 6, 1838.

CHAP. XLIX.—*An Act for the relief of William Eadus.*

Payment for a house burnt by the enemy.

*Be it enacted, &c.,* That the Secretary of the Treasury pay, out of any unappropriated money, to William Eadus, two thousand dollars, in full, for his house burnt by the British at Sodus, New York, in June, eighteen hundred and thirteen.

APPROVED, April 6, 1838.

STATUTE II.

April 6, 1838.

CHAP. L.—*An Act for the relief of Isaac Wellborn, junior, and William Wellborn.*

Right, &c. of U. S. to a certain reservation of land, relinquished to them.

*Be it enacted, &c.,* That there shall be, and is hereby, relinquished to Isaac Wellborn, jr., and William Wellborn, their heirs and assigns, all the right, title, and interest which may have accrued or reverted, or might hereafter accrue or revert, to the United States, to a certain reservation of six hundred and forty acres of land, made to a certain Thomas Harrison, the head of an Indian family of the Cherokee tribe, under treaties made between said tribe and the Government of the United States, on the eighth of July, eighteen hundred and seventeen, and the twenty-seventh of February, eighteen hundred and nineteen, which tract of land is situated in Jackson county, Alabama, and bounded as follows: Beginning at two post oaks and a red oak; thence west three hundred and twenty poles to a stake near the top of a steep rocky mountain; thence south three hundred and twenty poles to a white oak and red oak on the top of a ridge; thence east three hundred and twenty poles to a stake; a Spanish oak, chinquepin oak, mulberry, and two hickories, marked as pointers; thence north three hundred and twenty poles to the beginning: *Provided,* That nothing herein contained shall be construed to impair or lessen the right or title of any individual claiming under the said Thomas Harrison, and who may not have fairly or legally transferred his or her interest in the said tract of land.

Proviso.

APPROVED, April 6, 1838.

CHAP. LI.—*An Act for the relief of Samuel Milligan.*

*Be it enacted, &c.,* That the collector of the District of Champlain, in the state of New York, be, and he is hereby, directed to permit Samuel Milligan, of Montreal, to export, with the benefit of drawback, certain merchandise imported by him into the district aforesaid from the Province of Lower Canada, upon his complying with the forms and regulations required by existing laws relating to the exportation of merchandise with the benefit of drawback.

APPROVED, April 6, 1838.

STATUTE II.

April 6, 1838.

Drawback on certain merchandise allowed to him.

CHAP. LII.—*An Act for the relief of William R. Taylor, administrator of Jonathan Taylor, deceased.*

*Be it enacted, &c.,* That the Secretary of the Treasury be, and he is hereby, directed to settle the claim of William Rufus Taylor, administrator of Jonathan Taylor, deceased, for interest on a liquidated demand in favor of the said Jonathan Taylor, and James Morrison, and Charles Wilkins, who were lessees of the United States, of the salt works in the state of Illinois, upon the same principles that the interest of the said demand was settled with the legal representatives of James Morrison, deceased, pursuant to the act of Congress approved the first of May, one thousand eight hundred and thirty-four; and that the proportion of interest ascertained to be due to the said William Rufus Taylor, administrator as aforesaid, be paid out of any money in the treasury not otherwise appropriated.

APPROVED, April 6, 1838.

STATUTE II.

April 6, 1838.

Claim for interest on a liquidated demand to be settled.

Act of May 1, 1834, ch. 35.

CHAP. LIII.—*An Act for the relief of Doctor David H. Maxwell.*

*Be it enacted, &c.,* That the proper accounting officers of the treasury settle the claim of Doctor David H. Maxwell for services performed by him as physician and surgeon for a company of mounted rangers, under the command of Captain Williamson Dunn, and other companies of rangers, volunteer militia, and United States' infantry, from the thirteenth day of April, eighteen hundred and thirteen, until the sixteenth day of March, eighteen hundred and fourteen, inclusive; and also his claim for medicines, furnished at his own cost, for said companies; also, any damages he may have sustained, by injury to his surgical instruments, when in said service; and allow him the same pay and emoluments he would have been entitled to had he been regularly commissioned a surgeon's mate; deducting from the amount to be settled and ascertained, the pay he has heretofore received as a private mounted ranger; as also the sum of one hundred and fifty dollars repaid him by the officers and men of said Captain Dunn's company.

SEC. 2. *And be it further enacted,* That the money so found to be his due, be paid to him out of any money in the treasury not otherwise appropriated.

APPROVED, April 6, 1838.

STATUTE II.

April 6, 1838.

Claim for medical services to be settled.

Appropriation.

CHAP. LVIII.—*An Act for the benefit of the Levy Court of Calvert county, in the State of Maryland.*

*Be it enacted, &c.,* That the Secretary of the Treasury is hereby authorized and required to pay, to any one duly authorized by the levy court of Calvert county, in the state of Maryland, out of any money in the treasury not otherwise appropriated, the sum of three thousand dollars, in full satisfaction for the destruction of the court-house of said county by the enemy during the late war with Great Britain, while the same was in the military occupancy of the United States, and in consequence thereof destroyed by fire.

APPROVED, April 20, 1838.

STATUTE II.

April 20, 1838.

Sec. Treas. to pay \$3000 in satisfaction for the destruction of the court-house of Calvert co. Md. by the British.

STATUTE II.  
April 20, 1838.

CHAP. LX.—*An Act for the relief of John Wilson.*

Payment to  
inspector general  
for services.

*Be it enacted &c.*, That the proper accounting officer pay, out of any unappropriated money in the treasury, to John Wilson, such pay and emoluments as he is entitled to for twenty-eight days' service as inspector-general of division in the Missouri militia, then in the service of the United States, which service was performed by said Wilson between the twenty-second of July and the twenty-second of October, one thousand eight hundred and thirty-two.

APPROVED, April 20, 1838.

STATUTE II.  
April 20, 1838.

CHAP. LXI.—*An Act for the relief of H. W. Russel.*

Payment for  
forage pur-  
chased.

*Be it enacted, &c.*, That the Secretary of the Treasury pay to H. W. Russel, late acting assistant quartermaster at Tallassee, out of any money not otherwise appropriated, one thousand four hundred and ninety-six dollars and fifty-eight cents, for forage purchased by him at Tallassee, and issued for the benefit of the military service, between the fourth of May and the thirtieth of June, 1836.

APPROVED, April 20, 1838.

STATUTE II.  
April 20, 1838.

CHAP. LXII.—*An Act for the relief of James L. Kenner.*

Payment for a  
horse.

*Be it enacted, &c.*, That the Secretary of the Treasury pay, out of any money not otherwise appropriated, to James L. Kenner, late a private in Captain Hargrave's company of South Carolina mounted volunteers, in the service of the United States, in Florida, the value of a horse, of which he was owner, and had in said service; but which horse, by the order of Brigadier-General Eustis, was turned over to the quartermaster at Tampa Bay, in April, eighteen hundred and thirty-six; which value shall be ascertained when said Kenner shall produce to the accounting officers of the treasury the original appraisal, or the affidavits of the appraisers as to the value they adjudged said horse to be.

APPROVED, April 20, 1838.

STATUTE II.  
April 20, 1838.

CHAP. LXIII.—*An Act for the relief of Freeman Brady.*

Payment for  
work done on  
Cumberland  
road.

*Be it enacted, &c.*, That the Secretary of the Treasury pay to Freeman Brady, out of any money not otherwise appropriated, eighty-two dollars and seventeen cents, money due for work done on the Cumberland road east of the Ohio.

APPROVED, April 20, 1838.

STATUTE II.  
April 20, 1838.

CHAP. LXIV.—*An Act for the relief of James Callan.*

Payment for  
services as  
draughtsman.

*Be it enacted, &c.*, That the Secretary of the Treasury pay to James Callan out of any money not otherwise appropriated, for his services as draughtsman in the General Land Office for the month of May, eighteen hundred and thirty-four, such compensation as he received for the same services in the month of June following.

APPROVED, April 20, 1838.

STATUTE II.  
April 20, 1838.

CHAP. LXV.—*An Act for the relief of Ann W. Johnston.*

Payment for a  
horse killed.

*Be it enacted, &c.*, That the Secretary of the Treasury pay to Ann W. Johnston out of any money in the treasury not otherwise appropriated, one hundred and fifty dollars, the value of a horse killed in an engagement with the enemy, during the late war, at St. David's in Upper Canada, the property of her late husband, a lieutenant in a company of light dragoons in the service of the United States.

APPROVED, April 20, 1838.

CHAP. LXVI.—*An Act for the relief of D. W. Haley.*

STATUTE II.  
April 20, 1838.

*Be it enacted, &c.,* That the Postmaster-General of the United States issue his warrant for four hundred dollars in favor of D. W. Haley, for apprehending, and surrendering for trial, two slaves charged with having robbed the United States mail, in eighteen hundred and twenty-seven; one of whom was convicted before the district court of the United States in Mississippi, and sentenced to hard labor, and the other broke jail before trial, and escaped; and the Treasurer of the United States is directed, on the presentation of said warrant, to pay said sum of four hundred dollars, out of the moneys paid into the treasury for the service of the Post Office Department.

Payment for arresting mail robbers.

SEC. 2. *And be it further enacted,* That the Postmaster General ascertain the reasonable expenses the said D. W. Haley paid in apprehending and delivering said slaves to jail for trial, and that he issue his warrant for said sum, in favor of D. W. Haley; and the Treasurer of the United States is directed, on the presentation of a warrant, to pay the sum so found, out of the moneys paid into the treasury for the service of the Post Office Department.

His reasonable expenses to be ascertained and paid.

APPROVED, April 20, 1838.

CHAP. LXVII.—*An Act for the relief of Hugh McDonald.*

STATUTE II.  
April 20, 1838.

*Be it enacted, &c.,* That the Secretary of the Treasury pay Hugh McDonald, out of any money in the treasury not otherwise appropriated, one hundred dollars, for a horse taken from him by Lieutenant Pennell, of the United States navy, to go express from Baltimore to St. Leonard's creek, on public business relative to the flotilla under the command of Commodore Barney; which horse, from ill usage and starvation, died.

Payment for a horse taken for public use.

APPROVED, April 20, 1838.

CHAP. LXVIII.—*An Act for the relief of Melancthon T. Woolsey.*

STATUTE II.  
April 20, 1838.

*Be it enacted, &c.,* That the accounting officers of the Navy Department settle the accounts of Melancthon T. Woolsey, on the principle of justice and equity, subject to the supervision of the Secretary of the Navy.

Accounts to be settled.

APPROVED, April 20, 1838.

CHAP. LXIX.—*An Act for the relief of Thomas Tyner, and others.*

STATUTE II.  
April 20, 1838.

*Be it enacted, &c.,* That the Secretary of War pay to Thomas Tyner, Harry Pierson, John Walker, Morris Pierson, and Nathaniel Teal, the money withheld from them for work actually done on the Cumberland road in Indiana, under a contract made for grading a section of said road, on the twenty-ninth of August, eighteen hundred and thirty-three, they not having forfeited said contract by their own act; the said money to be paid out of any money not otherwise appropriated.

Payment for work on Cumberland road.

APPROVED, April 20, 1838.

CHAP. LXX.—*An Act for the relief of Alexander G. Morgan.*

STATUTE II.  
April 20, 1838.

*Be it enacted, &c.,* That the accounting officers of the treasury settle the claim of Alexander G. Morgan, for military services performed as first lieutenant in a company of Illinois mounted volunteers, in the Indian campaign, in eighteen hundred and thirty-two, from the thirteenth to the twenty-sixth of June, inclusive, and as extra aid-de-camp to General Brady, from the twenty-seventh of June, eighteen hundred and thirty-two, inclusive, to the termination of his service, and to allow him the same pay and emolument he would have been entitled to if his appointments in said offices had been regular.

Claim for military services to be settled.

Appropriation.

SEC. 2. *And be it further enacted*, That the money so found his due be paid out of any money in the treasury not otherwise appropriated.  
APPROVED, April 20, 1838.

STATUTE II.

April 20, 1838.

CHAP. LXXI.—*An Act for the relief of Jonathan Eliot.*Payment for  
hay, grain, &c.

*Be it enacted, &c.*, That the Secretary of the Treasury pay, out of any unappropriated money, to Jonathan Eliot, the sum of four hundred and forty-four dollars and forty cents, in full, for hay, grain, and other articles furnished by him to the American troops under General Hampden, in Canada, in the month of October, eighteen hundred and thirteen.  
APPROVED, April 20, 1838.

STATUTE II.

April 20, 1838.

CHAP. LXXII.—*An Act for the relief of the heirs of Nathan, Peter, and William Adams, deceased.*Duplicates of  
certain bounty  
land warrants  
to be issued,  
&c.

*Be it enacted, &c.*, That the Secretary of War cause to be issued duplicates of the following military bounty land warrants, to wit: Bounty land warrant number three hundred and seventy-one, for three hundred acres, issued on the fifteenth day of December, one thousand eight hundred and seven, to John Adams, one moiety, and to Elizabeth, Ann, Sarah, and Levin Adams, deceased, the remaining moiety, they being the legal heirs of Nathan Adams, deceased, who was a captain in the Delaware line; also warrant number three hundred and seventy-two, for four hundred and fifty acres, issued at the same date, to the same parties, and in the same proportions as those named in warrant number three hundred and seventy-one, they being the legal heirs of Peter Adams, deceased, who was a lieutenant-colonel in the Maryland line; also, warrant number three hundred and seventy-three, for two hundred acres, issued on the same date, to the same parties, and in the same proportions as those in warrants numbered three hundred and seventy-one, and three hundred and seventy-two, they being the legal heirs of William Adams, deceased, who was a lieutenant in the Maryland line; which said warrants have been lost to the said heirs, or to their legal representative or representatives; and the said duplicates shall be located and proceeded upon in the same manner as if they were the original warrants, and the said original warrants are hereby declared void.  
APPROVED, April 20, 1838.

STATUTE II.

April 20, 1838.

CHAP. LXXIII.—*An Act for the relief of Joseph Deshields.*Amount of a  
certain forfeit-  
ure to be re-  
funded.

*Be it enacted, &c.*, That the Secretary of the Treasury is hereby authorized and directed to pay to Joseph Deshields, of the state of Virginia, out of any moneys in the treasury not otherwise appropriated, the sum of fifty dollars, being the amount of a forfeiture incurred by the said Joseph Deshields, and by him paid to the collector for the district of Norfolk, in the year eighteen hundred and twenty-two.  
APPROVED, April 20, 1838.

STATUTE II.

April 20, 1838.

CHAP. LXXIV.—*An Act for the relief of Thomas Cushing.*Allowance of  
bounty to fish-  
ing schooner.

*Be it enacted, &c.*, That the collector of the customs for the district of Boston and Charlestown, in the state of Massachusetts, be, and he is hereby, directed to pay to Thomas Cushing, who was, in the year eighteen hundred and thirty-five, owner of the fishing schooner "German-town, of Boston," of forty and six ninety-fifths tons burden, such sum as said vessel would have been entitled to for being engaged in the cod fishery more than four months in that season, if the same had returned into the port of Boston, instead of the port of Ellsworth; which said sum the owner shall distribute according to law.  
APPROVED, April 20, 1838.

CHAP. LXXV.—*An Act for the relief of Winthrop Sears and others.*

*Be it enacted, &c.,* That the collector at the port of Barnstable, in the state of Massachusetts, be authorized and directed to pay to Winthrop Sears, and the late owners, officers, and crew of the fishing schooner "Laban," of eighty-seven and fourteen ninety-fifth tons burden, which sailed from Yarmouth, in said state, on the twenty-sixth day of May, eighteen hundred and thirty-five, on a fishing voyage to the Grand Banks, and which was stranded on Sable Island about the sixth day of June of the same year, by which said schooner and all the salt on board were lost, the same she would be entitled to receive by law, as a bounty or drawback, for having been employed five months in the cod fisheries, and using foreign salt on which the duties had been paid; which said sum shall be distributed as the law respecting bounties provides.

APPROVED, April 20, 1838.

STATUTE II.  
April 20, 1838.

Allowance to a fishing schooner lost at sea.

CHAP. LXXVI.—*An Act for the relief of James McMahon.*

*Be it enacted, &c.,* That the Secretary of the Treasury pay to James McMahon three hundred and twenty-one dollars and fifteen cents, out of any money not otherwise appropriated, in full payment of his advances for costs and expenses of several suits arising out of the arrest and prosecution of Charles B. Rouse, formerly a postmaster at Mayville, New York.

APPROVED, April 20, 1838.

STATUTE II.  
April 20, 1838.

Payment for expenses in prosecuting C. B. Rouse.

CHAP. LXXVII.—*An Act for the relief of Elias Johns.*

*Be it enacted, &c.,* That the Secretary of the Treasury pay to Elias Johns seventy-five dollars, the value of a mare lost by him for want of forage, in eighteen hundred and fifteen, while engaged in the service of the United States, out of any money in the treasury not otherwise appropriated.

APPROVED, April 20, 1838.

STATUTE II.  
April 20, 1838.

Payment for a mare lost.

CHAP. LXXVIII.—*An Act for the relief of Philip Marshal, and the legal representatives of John Marshal.*

*Be it enacted, &c.,* That the Secretary of the Treasury make such further allowance to Philip Marshal for his rations as lieutenant on board of a revenue cutter at the Baltimore station, from the first day of April, one thousand eight hundred and nineteen, until the twenty-fifth of February, one thousand eight hundred and twenty, as will, with what has heretofore been paid to him, make an amount equal to what other lieutenants were entitled who were duly commissioned.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury make such further allowance to the legal representatives of John Marshal, for the rations of the said John Marshal, as lieutenant on board of a revenue cutter at the Baltimore station, from the first of October, one thousand eight hundred and eighteen, to the twenty-fifth of February, one thousand eight hundred and twenty, as will, with what has heretofore been paid to the said John Marshal, make an amount equal to what other lieutenants were entitled, who were duly commissioned.

SEC. 3. *And be it further enacted,* That each of said sums be paid out of any money not otherwise appropriated.

APPROVED, April 20, 1838.

STATUTE II.  
April 20, 1838.

Allowance to P. Marshal for his rations as lieutenant, &c.

Further allowance to representatives of J. Marshal.

Appropriation.

## STATUTE II.

April 20, 1838.

CHAP. LXXIX. — *An Act for the relief of Curtis Grubb.*

Payment for  
occupation of  
his farm, &c.

*Be it enacted, &c.,* That the Secretary of the Treasury pay to Curtis Grubb, out of any money not otherwise appropriated, five hundred dollars, for the use and occupation of the farm at Gray's Ferry, on the Schuylkill, during the late war, for military purposes, and for the crops and fences destroyed, and for the expense of levelling a redoubt constructed thereon.

APPROVED, April 20, 1838.

## STATUTE II.

April 20, 1838.

CHAP. LXXX. — *An Act for the relief of Christopher Clark.*

Payment for  
provisions fur-  
nished, &c.

*Be it enacted, &c.,* That the Secretary of War liquidate the claims of Christopher Clark, now presented against the United States, for provisions furnished recruits and troops in the service of the United States during the late war, and for money expended in hiring boats, and for other purposes necessary for the public service; and that the amount so found due be paid out of any money in the treasury not otherwise appropriated.

APPROVED, April 20, 1838.

## STATUTE II.

April 20, 1838.

CHAP. LXXXI. — *An Act to extend the time for selling the land granted to the Kentucky asylum for teaching the deaf and dumb.*

Further time  
allowed for the  
sale of lands.

*Be it enacted, &c.,* That the further time of two years, from and after the fifth day of April, one thousand eight hundred and thirty-eight, be, and the same is hereby allowed the trustees of the Kentucky asylum for teaching the deaf and dumb, to sell the land heretofore granted by Congress to said institution.

APPROVED, April 20, 1838.

## STATUTE II.

May 21, 1838.

CHAP. LXXXIII. — *An Act directing the Postmaster-General to settle the claim of Hard and Longstreet.*

Accounts for  
mail transporta-  
tion to be set-  
tled, &c.

*Be it enacted, &c.,* That the Postmaster-General is hereby directed to settle with Benjamin F. Hard and Gilbert Longstreet for carrying the mail over the direct route from Charleston, in South Carolina, to Augusta in Georgia, from the second November, eighteen hundred and twenty-four, to the thirty-first December eighteen hundred and twenty-six, and to allow them therefor what they are entitled to receive, upon principles of equity and justice, and the amount so found due shall be paid out of the revenue of the Post-Office department.

APPROVED, May 21, 1838.

## STATUTE II.

May 25, 1838.

CHAP. LXXXVI. — *An Act for the relief of the heirs of Doctor Thomas Carter deceased.*

Further allow-  
ance to them.

Act of July 5,  
1832, ch. 173.

*Be it enacted, &c.,* That in addition to the half pay allowed and paid to the heirs of Doctor Thomas Carter, deceased, surgeon in the Virginia state line of the continental army, in the revolutionary war, under the act of July fifth, eighteen hundred and thirty-two, there be allowed and paid to the said heirs, the sum of two hundred and four dollars, the amount of half pay from the ninth of February, seventeen hundred and eighty-three, to the third of September, in the same year, out of any moneys in the treasury not otherwise appropriated.

APPROVED, May 25, 1838.

CHAP. LXXXVII.—*An Act for the relief of James Witherell.*

*Be it enacted, &c.,* That the proper accounting officers of the treasury do settle the account of James Witherell, and allow him five years' full pay as an ensign of infantry of the revolutionary army, in the Massachusetts line on continental establishment, and that the said sum of money be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 25, 1838.

STATUTE II.  
May 25, 1838.

Account to be settled, and allowance made.

CHAP. LXXXIX.—*An Act granting a pension to David Gilmore.*

*Be it enacted, &c.,* That the Secretary of War place the name of David Gilmore on the roll of revolutionary pensioners, and pay him a pension at the rate of twenty dollars a year, from the fourth day of March, eighteen hundred and thirty-one, during his life.

APPROVED, May 31, 1838.

STATUTE II.  
May 31, 1838.

To be placed on pension list.

CHAP. XC.—*An Act authorizing the commissioner of the Patent Office to issue patents to Angier March Perkins and to John Howard Kyan.*

*Be it enacted, &c.,* That the Commissioner of the Patent Office be, and he is hereby, authorized, on application at any time within six months from the passage of this act, to issue a patent to Angier March Perkins, for his invention of an improved method of warming buildings and heating and evaporating fluids, for which said Perkins took out letters patent in England, on the thirtieth day of July, one thousand eight hundred and thirty-one; and also to John Howard Kyan, for his invention of an improved method of preserving vegetable substances from decay, for which letters patent were granted in England to said Kyan, on the thirty-first day of March, one thousand eight hundred and thirty-two, notwithstanding the lapse of more than six months from the publication of the aforesaid letters patent respectively; the said Commissioner being governed, in all other respects, in considering such applications and issuing said patents, by the provisions of the existing general laws relating to granting and issuing patents for new inventions and discoveries; and the said patents so granted shall confer the same rights and privileges as are conferred by patents granted under the general law aforesaid, and no other, excepting as herein mentioned: *Provided, however,* That the said patents shall be limited respectively to the term of fourteen years from the time of the publication of said original letters patent: *And provided, also,* That the same shall not be construed to deprive any person of the right to use, or vend to others to be used, the mechanism or apparatus invented and employed in the practice or use of the said improved methods respectively, which may have been made, constructed or purchased for the purpose or purposes aforesaid, prior to the passage of this act.

APPROVED, May 31, 1838.

STATUTE II.  
May 31, 1838.

Patents to issue, on application within six months, for certain inventions.

Proviso.

Proviso.

CHAP. XCIV.—*An Act for the relief of William Tharp.*

*Be it enacted, &c.,* That the Secretary of War is hereby authorized and required to examine the claim of William Tharp to the reimbursement of a fee, alleged by the said Tharp to have been paid by him to an attorney to defend a suit against him, instituted about the year eighteen hundred and eight, in the superior court at New Orleans, to recover from him, (the said Tharp,) as endorser, the amount of a draft for eleven hundred and sixty-three dollars and ninety-two cents, drawn by Lieutenant James Reed on the Secretary of War, and protested;

STATUTE II.  
June 7, 1838.

Claim for reimbursement of a certain fee to be examined, &c.



and whatever sum the Secretary shall ascertain to have been so paid, he shall cause to be paid to William Tharp out of any money in the treasury not otherwise appropriated.

APPROVED, June 7, 1838.

STATUTE II.  
June 7, 1838.

CHAP. XCV.—*An Act for the relief of John P. Austin and Edward N. Tailer.*

Claim for damages to be examined.

*Be it enacted, &c.,* That the Secretary of War shall examine the claim of John P. Austin and Edward N. Tailer, acting under the firm of Austin and Tailer, for damages which they allege they sustained in the execution of a contract entered into by them, in eighteen hundred and thirty-two, for the delivery of a quantity of stone in the harbour of Charleston, South Carolina; that he procure such further testimony as to him may appear necessary; that he adjust and settle said claim, allowing them such sum as may be justly their due; and that he certify such sum as he shall so find to be due to the Secretary of the Treasury.

Appropriation.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury pay, out of any unappropriated money, to John P. Austin and Edward N. Tailer, such sum as the Secretary of War may certify to him, as is provided in the first section of this act, to be due to said Austin and Tailer.

APPROVED, June 7, 1838.

STATUTE II.  
June 12, 1838.

CHAP. CII.—*An Act for the relief of Robert Keyworth.*

Payment for making swords.

*Be it enacted, &c.,* That the Secretary of the Treasury be, and he hereby is, authorized to pay to Robert Keyworth, of the District of Columbia, out of any money in the treasury not otherwise appropriated, the sum of one thousand seven hundred and forty-seven dollars and ninety-two cents, in full satisfaction of his claim for making six swords, under a contract with General Alexander Macomb, executed the ninth of May, one thousand eight hundred and thirty-five, authorized by resolution of Congress, passed the thirteenth of February, one thousand eight hundred and thirty-five, and for all extra work, materials found, and machinery employed, in making the same; upon condition that said Robert Keyworth deliver to the Secretary of War, for the time being, the sword originally made under said contract, but which was not approved, and which the said Secretary is authorized and directed to cause to be sold at auction, giving reasonable notice thereof, for the benefit of the United States.

APPROVED, June 12, 1838.

STATUTE II.  
June 12, 1838.

CHAP. CIII.—*An Act for the relief of John Spifathom.*

Account to be settled, and allowance made for pay as ensign.

*Be it enacted, &c.,* That the proper accounting officers of the treasury be, and they are hereby, required to settle and adjust the account of John Spifathom, and allow him five years' full pay as an ensign of infantry of the revolutionary army in the Virginia line, without interest; which five years' full pay is the commutation of his half pay for life; to be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, June 12, 1838.

STATUTE II.  
June 12, 1838.

CHAP. CIV.—*An Act for the relief of the heirs of William Coggsell.*

Five years' full pay of a captain allowed.

*Be it enacted, &c.,* That the proper accounting officers of the treasury be, and they are hereby, required to settle the account of William Coggsell, now deceased, who was a hospital surgeon of the army, during the war of the revolution, and to allow to the heirs at law of the said William Coggsell, five years' full pay as a captain in the army of

the revolution; which five years' full pay is the commutation of the half pay for life, to which said William Coggswell was entitled under the resolution of the Continental Congress, of the twenty-second march, seventeen hundred and eighty-three; and that the same be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 12, 1838.

STATUTE II.  
June 12, 1838.

CHAP. CV. — *An Act for the relief of the heirs of Lieutenant William Russwurm, deceased.*

*Be it enacted, &c.,* That the proper accounting officers of the treasury be, and they are hereby, required to settle the account of William Russwurm, deceased, and allow to his heirs five years' full pay as a lieutenant in the North Carolina line, on continental establishment; which five years' full pay, is the commutation of his half pay for life, to be paid to the heirs of the said William Russwurm, deceased, out of any money in the treasury not otherwise appropriated.

Five years' full pay of a lieutenant to be allowed.

APPROVED, June 12, 1838.

STATUTE II.  
June 12, 1838.

CHAP. CVI. — *An Act for the relief of Moses Van Campen.*

*Be it enacted, &c.,* That the proper accounting officers of the treasury do settle the account of Moses Van Campen, and allow him five years' full pay as a lieutenant of infantry in the Pennsylvania line on continental establishment; and that the said five years' full pay be paid out of any money in the treasury not otherwise appropriated.

Five years' full pay of a lieutenant to be allowed.

APPROVED, June 12, 1838.

STATUTE II.  
June 12, 1838.

CHAP. CVII. — *An Act for the relief of Captain Samuel Warren.*

*Be it enacted, &c.,* That the proper accounting officers of the Treasury Department be, and they hereby are, directed to settle the account of Samuel Warren, of South Carolina, and to allow him five years' full pay, as a captain in the army of the Revolution; which five years' full pay is the commutation of his half pay for life; and that such sum as may be found due, be paid to him out of any money in the treasury not otherwise appropriated.

Five years' full pay of a captain allowed.

APPROVED, June 12, 1838.\*

STATUTE II.  
June 12, 1838.

CHAP. CVIII. — *An Act for the relief of the legal representatives of Henry Morfit, deceased.*

*Be it enacted, &c.,* That the proper accounting officers of the Treasury Department be, and they are hereby, directed to settle the account of Henry Morfit, deceased, and allow to his legal representatives five years' full pay as a lieutenant in the Pennsylvania line on continental establishment, without interest; which five years' full pay is the commutation of his half pay for life; to be paid to the said legal representatives of Henry Morfit, deceased, out of any money in the treasury not otherwise appropriated.

Five years' full pay of a lieutenant allowed.

APPROVED, June 12, 1838.

STATUTE II.  
June 12, 1838.

CHAP. CIX. — *An Act for the relief of Moses Merrill, and the fishermen of the schooner Fortune.*

*Be it enacted, &c.,* That the collector of customs for the district of Newburyport, in the Commonwealth of Massachusetts, be, and hereby is, authorized and directed to pay to Moses Merrill, the agent of the schooner Fortune, of ninety-one tons and thirty-two ninety-fifths of a ton burden, upon his showing sufficient authority from each person

Allowance to a fishing schooner lost at sea.

interested, such a sum of money as said vessel would have been entitled to if she had been engaged in the cod-fisheries for the term of four months or more; to be distributed, five-eighths to the fishermen, and three-eighths to the owners, as the law provides; said schooner having been accidentally lost while engaged in that business during the fishing season of eighteen hundred and thirty-five.

APPROVED, June 12, 1838.

STATUTE II.

June 12, 1838.

CHAP. CXI.—*An Act for the relief of the heirs of Major Peter Helphenstein, deceased.*

Seven years' half pay of a major allowed.

*Be it enacted, &c.*, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay to the heirs of Peter Helphenstein, deceased, who was a major in the Virginia continental line of the army of the Revolution, and died in the service of the United States, the aggregate amount of seven years' half pay of a major of infantry, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 12, 1838.

STATUTE II.

June 13, 1838.

CHAP. CXII.—*An Act for the relief of the legal representatives of Daniel Duval, deceased.*

Five years' full pay of a captain allowed.

*Be it enacted, &c.*, That the proper accounting officers of the treasury be, and they are hereby, required to pay to the legal representatives of Daniel Duval, deceased, who was a captain in the Virginia line, on the continental establishment, during the Revolutionary war, the aggregate amount of five years' full pay of the said decedent, as a captain of sappers and miners in said service without interest: which five years' full pay is the commutation for the half pay for life of said decedent, and is to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 13, 1838.

STATUTE II.

June 13, 1838.

CHAP. CXIII.—*An Act for the relief of the legal representatives of Patrick McGibbony.*

Five years' full pay of a lieutenant allowed.

*Be it enacted, &c.*, That the proper accounting officers of the treasury shall adjust and settle the account of Patrick McGibbony, deceased, late of the state of North Carolina, allowing him five years' full pay as a lieutenant in the continental service during the revolutionary war; and pay the amount thereof to his legal representatives, out of any money in the treasury not otherwise appropriated, in full satisfaction of his half pay for life.

APPROVED, June 13, 1838.

STATUTE II.

June 22, 1838.

CHAP. CXX.—*An Act for the relief of Ann S. Heileman.*

Allowed half the monthly pay of a major for five years.

*Be it enacted, &c.*, That the Secretary of War be, and he is hereby, directed to pay out of any money in the treasury not otherwise appropriated, to Ann S. Heileman, the widow of Julius F. Heileman, late a major in the second regiment of the United States artillery, half the monthly pay to which her husband was entitled at the time of his death, during the term of five years from the twenty-seventh day of June, eighteen hundred and thirty-six: *Provided*, That, in the event of her death or marriage before the expiration of said five years, the half pay aforesaid, for the remainder of the time, shall go to the children of said Major Heileman.

APPROVED, June 22, 1838.

Proviso.

CHAP. CXXI.—*An Act for the relief of Jehu Hollinsworth.*

STATUTE II.  
June 28, 1838.

*Be it enacted, &c.,* That Jehu Hollinsworth, of Blount county, Alabama, be, and he hereby is, authorized to surrender the certificate of purchase or patent which heretofore issued to him from the land office at Huntsville, in said state, for the south-west quarter of the north-west quarter of section number two, of township eleven, in range three east, which was entered by said Hollinsworth by mistake; and upon such surrender of said certificate, or relinquishment filed, of said patent, if one has issued, with the register of said land office, the said Jehu Hollinsworth shall be entitled to a certificate from the said register for the amount paid for said land entered by mistake; which certificate shall be receivable in payment at said office for any other land in that district subject to entry: *Provided,* That said tract of land so entered shall not have been sold and transferred, or shall not be subject to be disposed of by execution for the payment of the debts of the said Hollinsworth.

May surrender land certificate, and receive another therefor.

Proviso.

APPROVED, June 28, 1838.

CHAP. CXXII.—*An Act for the relief of William James Aarons.*

STATUTE II.  
June 28, 1838.

*Be it enacted, &c.,* That William James Aarons, of Blount county, Alabama, be, and he hereby is, authorized to surrender the certificates which heretofore issued to him from the land office at Huntsville, in said state, for the south-west quarter of the north-east quarter, and the south-east quarter of the north-west quarter of section thirty-two, in township ten, range four east of the basis meridian of said land district, which were purchased by him through mistake; and upon such surrender of said certificates, or, if patents shall have issued for said tracts of land, then upon the surrender of such patents, and filing his relinquishment thereof before the register of said land office, the said William James Aarons shall be entitled to a certificate from said register for the amount paid for said tracts of land so entered by mistake, which shall be received in payment for any other land in said district subject to private entry: *Provided,* That said tract of land so entered shall not have been sold and transferred, or shall not be subject to be disposed of by execution for the payment of the debts of the said Aarons.

May surrender land certificate, and receive another therefor.

Proviso.

APPROVED, June 28, 1838.

CHAP. CXXIII.—*An Act for the relief of William Walker.*

STATUTE II.  
June 28, 1838.

*Be it enacted, &c.,* That William Walker, of Jackson county, Alabama, be, and he hereby is, authorized to surrender the certificate which heretofore issued to him from the land office at Huntsville, in said state, for the west half of the south-east quarter of section thirty-three, in township four, and range five east of the basis meridian of said land district, which was purchased and paid for by him through mistake; and upon such surrender of said certificate, or, if a patent shall have issued for said tract of land, upon his surrender of his patent, and filing his relinquishment in said land office, the said William Walker shall be entitled to a certificate from the register and receiver of said land office, for the amount which was so paid by mistake; which shall be received in payment for any other tract in said land district which may be subject to private entry; *Provided,* That said tract of land so entered shall not have been sold and transferred, or shall not be subject to be disposed of by execution for the payment of the debts of the said Walker.

May surrender land certificate, and receive another therefor.

Proviso.

APPROVED, June 28, 1838.

## STATUTE II.

June 28, 1838.

CHAP. CXXIV.—*An Act for the relief of Joel Chandler.*

May surrender  
land certificate,  
and receive an-  
other therefor.

*Be it enacted, &c.,* That Joel Chandler is hereby authorized to surrender and return to the United States, before the register of the land office at Huntsville, Alabama, a patent which issued to him for the east half of the south-east quarter of section twenty-four, in township twelve, of range four east, which said Chandler paid for by mistake at said land office. And upon such surrender and return, by said Joel Chandler, his heirs or assigns, a certificate shall be issued by the said register for the amount paid on said land in favor of said Chandler, his heirs or assigns; which shall be received in payment for any other tract of land subject to private entry in that land district: *Provided,* That said tract of land so entered shall not have been sold and transferred, or shall not be subject to be disposed of by execution for the payment of the debts of the said Chandler.

Proviso.

APPROVED, June 28, 1838.

## STATUTE II.

June 28, 1838.

CHAP. CXXV.—*An Act for the relief of James A. Williams.*

May surrender  
land certificate,  
and receive an-  
other therefor.

*Be it enacted, &c.,* That James A. Williams, of Blount county, Alabama, be, and he hereby is, authorized to surrender the certificate which heretofore issued to him from the land office at Huntsville, in said state, for the east half of the north-west quarter of section twenty-one, in township eleven, of range two, west of the basis meridian of said land district, which was entered and paid for by him through mistake; and upon such surrender of said certificate, or, if a patent shall have issued for said land, upon surrendering the same, and filing his relinquishment in said land office, the said James A. Williams shall be entitled to a certificate from the register of said land office for the amount which was paid thereon; which shall be received in payment for any other land in said land district, subject to private entry: *Provided,* That said tract of land so entered shall not have been sold and transferred, or shall not be subject to be disposed of by execution for the payment of the debts of the said Williams.

Proviso.

APPROVED, June 28, 1838.

## STATUTE II.

June 28, 1838.

CHAP. CXXVI.—*An Act for the relief of Abraham Woodall.*

May surrender  
land certificate,  
and receive an-  
other therefor.

*Be it enacted, &c.,* That Abraham Woodall, of St. Clair county, Alabama, be, and he is hereby, authorized to surrender the certificate which heretofore issued to him, for the north-east quarter of the north-east quarter of section eighteen, township fourteen, range one east of the basis meridian of the Huntsville land district in said state, which was purchased and paid for by him through mistake; and upon such surrender by him of said certificate, or, if a patent shall have issued therefor, upon the surrender of such patent, and filing his relinquishment in said land office, the said Abraham Woodall shall be entitled to a certificate for the amount paid for said land, from the officers in said land office; which shall be received in payment for any land which may be subject to private entry in said land district: *Provided,* That said tract of land so entered shall not have been sold and transferred, or shall not be subject to be disposed of by execution for the payment of the debts of the said Woodall.

Proviso.

APPROVED, June 28, 1838.

## STATUTE II.

June 28, 1838.

CHAP. CXXVII.—*An Act granting a pension to Niel McNeil.*

To be placed  
on pension list.

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, authorized and required to place the name of Niel McNeil, of the county

of Herkimer, in the state of New York, upon the list of revolutionary pensioners, and to pay him the sum of thirty-one dollars and ninety-seven cents per annum, commencing on the fourth day of March, eighteen hundred and thirty-one, and to continue during his natural life.

APPROVED, June 28, 1838.

CHAP. CXXVIII.—*An Act for the relief of Amos Thompson.*

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, authorized and required to place the name of Amos Thompson, of Mansfield, in the state of Connecticut, on the roll of revolutionary pensioners, and to pay him the sum of twenty dollars per annum, during his natural life, commencing on the fourth day of March, one thousand eight hundred and thirty-one.

APPROVED, June 28, 1838.

STATUTE II.

June 28, 1838.

To be placed on pension roll.

CHAP. CXXIX.—*An Act for the relief of Solomon Ketcham.*

*Be it enacted, &c.,* That the Secretary of War cause the name of Solomon Ketcham to be restored to the roll of revolutionary pensioners, and that he be paid all arrears due him for his pension since he was last paid; and that he be paid, for and during his natural life, pension at the rate of twenty-four dollars per annum.

APPROVED, June 28, 1838.

STATUTE II.

June 28, 1838.

To be restored to pension roll, and receive arrears due him.

CHAP. CXXX.—*An Act for the relief of Anna West, of the state of Massachusetts.*

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, directed to place the name of Anna West, of Beverly, in the county of Essex, Commonwealth of Massachusetts, on the pension roll, and to allow her a pension of twenty-six dollars and sixty-seven cents per year, during life, to commence on the fourth day of March, in the year one thousand eight hundred and thirty-one; the same to be paid to her guardian, Josiah West, or any other person legally authorized to receive it, for her use.

APPROVED, June 28, 1838.

STATUTE II.

June 28, 1838.

To be placed on pension roll.

CHAP. CXXXI.—*An Act granting a pension to Frederick Hill.*

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, directed to place the name of Frederick Hill, of the county of Bedford, in the state of Pennsylvania, on the roll of revolutionary pensioners, and to pay to him at the rate of thirty-six dollars per annum, commencing on the fourth day of March, eighteen hundred and thirty-one, and to continue during his natural life.

APPROVED, June 28, 1838.

STATUTE II.

June 28, 1838.

To be placed on pension roll.

CHAP. CXXXII.—*An Act for the relief of Christopher Dennison.*

*Be it enacted, &c.,* That the Secretary of War be directed to place upon the roll of revolutionary pensioners, Christopher Dennison, of Vermont, and to pay him the sum of thirty-seven dollars and fifty cents per annum during his natural life; the said payment to commence on the fourth day of March, anno Domini one thousand eight hundred and thirty-one.

APPROVED, June 28, 1838.

STATUTE II.

June 28, 1838.

To be placed on pension roll.

## STATUTE II.

June 28, 1838.

CHAP. CXXXIII. — *An Act for the relief of Josiah Clark.*To be placed  
on pension list.

*Be it enacted, &c.*, That the Secretary of War be, and he is hereby, required to place the name of Josiah Clark on the list of revolutionary pensioners, and to pay him a pension at the rate of twenty dollars per annum, to commence and be computed from the fourth day of March, one thousand eight hundred and thirty-one, and to continue during his natural life.

APPROVED, June 28, 1838.

## STATUTE II.

June 28, 1838.

CHAP. CXXXIV. — *An Act granting a pension to Thomas West, of Alabama.*To be placed  
on pension roll.

Proviso.

*Be it enacted, &c.*, That the Secretary of War be required to place the name of Thomas West, of Limestone county, Alabama, upon the roll of revolutionary pensioners of the United States, and pay him forty dollars per annum during his natural life; to commence and take effect on the fourth of March, eighteen hundred and thirty-one: *Provided*, That the said Thomas does not already receive a pension from the United States.

APPROVED, June 28, 1838.

## STATUTE II.

June 28, 1838.

CHAP. CXXXV. — *An Act granting a pension to Bradley True Jipson.*To be placed  
on pension roll.  
1839, ch. 5.

*Be it enacted, &c.*, That the Secretary of War be directed to place Bradley True Jipson on the pension roll, at the rate of six dollars per month during his natural life; to commence on the first day of January, one thousand eight hundred and thirty-six.

APPROVED, June 28, 1838.

## STATUTE II.

June 28, 1838.

CHAP. CXXXVI. — *An Act for the relief of Daniel Rardon.*Pension to be  
increased.

*Be it enacted, &c.*, That the Secretary of War be, and he is hereby, authorized and required to pay to Daniel Rardon, pensioner, an increase of pension, at the rate of two dollars per month, commencing on the first day of January, one thousand eight hundred and thirty-seven, out of any money in the treasury not otherwise appropriated.

APPROVED, June 28, 1838.

## STATUTE II.

June 28, 1838.

CHAP. CXXXVII. — *An Act granting a pension to Seth Whitney, of Delaware county, New York.*To be placed  
on pension list.

*Be it enacted, &c.*, That the Secretary of War be required to place the name of Seth Whitney, of the town of Delhi, in the county of Delaware and state of New York, upon the roll of revolutionary pensions, and pay him twenty-six dollars and sixty-seven cents per annum during life, to commence and take effect from and after the fourth of March, eighteen hundred and thirty-one.

APPROVED, June 28, 1838.

## STATUTE II.

June 28, 1838.

CHAP. CXXXVIII. — *An Act granting a pension to Catharine Rollins, otherwise called Catharine Mosely.*To be placed  
on pension roll.

*Be it enacted, &c.*, That the Secretary of War be, and he is hereby, directed to place the name of Catharine Rollins, otherwise called Catharine Mosely, of the county of Herkimer, in the state of New York, on the roll of revolutionary pensioners, and to pay her at the rate of eighty dollars per annum, during her natural life, to commence on the fourth day of March, anno Domini eighteen hundred and thirty-one.

APPROVED, June 28, 1838.

CHAP. CXXXIX.—*An Act for the relief of Primus Hall, alias Trask.*

*Be it enacted, &c.,* That the Secretary of War cause the name of Primus Hall, alias Trask, of Massachusetts, a free coloured man, to be placed on the roll of revolutionary pensioners, and that he be paid at the rate of sixty dollars per annum during his natural life; the first payment to commence on the fourth day of March, anno Domini eighteen hundred and thirty-one.

APPROVED, June 28, 1838.

STATUTE II.  
June 28, 1838.

To be placed  
on pension roll.

CHAP. CXL.—*An Act for the relief of James McFarland.*

*Be it enacted, &c.,* That the Secretary of War be, and he hereby is, authorized and directed to pay to James McFarland, out of any money in the treasury not otherwise appropriated, an arrearage of pension at the rate now received by him; to commence the first of January, eighteen hundred and twenty-three, and to terminate at the time he was placed on the pension roll.

APPROVED, June 28, 1838.

STATUTE II.  
June 28, 1838.

Payment of  
arrears of pen-  
sion.

CHAP. CXLI.—*An Act granting a pension to Robert Casey.*

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, authorized and directed to place the name of Robert Casey, of St. Lawrence county, in the state of New York, on the roll of invalid pensioners of the United States; and that he pay him, out of any money in the treasury not otherwise appropriated, at the rate of eight dollars per month, during his natural life, to commence from and after the twenty-first day of April, eighteen hundred and thirty-seven.

APPROVED, June 28, 1838.

STATUTE II.  
June 28, 1838.

To be placed  
on pension roll.

CHAP. CXLII.—*An Act for the relief of Eli Eastman.*

*Be it enacted, &c.,* That the Secretary of War be directed to pay to Eli Eastman, of Vermont, the sum of sixty-seven dollars per annum, during his natural life, as a pension for his services as a revolutionary soldier; the said payment to commence on the fourth day of September, anno Domini eighteen hundred and thirty-four, at which time the pension previously granted to said Eastman, as a revolutionary soldier, was suspended.

APPROVED, June 28, 1838.

STATUTE II.  
June 28, 1838.

A pension  
granted to him.

CHAP. CXLIII.—*An Act for the relief of Leonard Loomis.*

*Be it enacted, &c.,* That the Secretary of War be directed to place the name of Leonard Loomis on the list of invalid pensioners; and that there be paid to said Loomis a pension at the rate of six dollars a month, commencing on the first day of January, anno Domini eighteen hundred and thirty-seven.

APPROVED, June 28, 1838.

STATUTE II.  
June 28, 1838.

To be placed  
on pension list.

CHAP. CXLIV.—*An Act to amend an act entitled "An act for the relief of Raphael Paine and Elias Arnold," approved March second, eighteen hundred and thirty-three.*

*Be it enacted, &c.,* That the Secretary of the Treasury be, and he is hereby, authorized to issue the scrip in said act named to the said Paine and Arnold, or their assignee, in lieu of lot thirty-three, instead of lot thirty-nine, as therein mentioned.

APPROVED, June 28, 1838.

STATUTE II.  
June 28, 1838.

Act of March  
2, 1833, ch. 132.

Land scrip to  
issue in lieu of,  
&c.



STATUTE II.  
June 28, 1838.

Land patent to  
issue to him.

CHAP. CXLV.—*An Act for the relief of J. A. Fleming.*

*Be it enacted, &c.,* That the Commissioner of the General Land Office cause a patent to be issued to J. A. Fleming for the west half of the south-west quarter and the south-east quarter of the north-west quarter of section ten, in township six, range four east, in the St. Stephen's land district, in Alabama, according to duplicate receipts issued to him by the receiver of public moneys of said land district.

APPROVED, June 28, 1838.

STATUTE II.  
June 28, 1838.

Right of pre-emption granted  
to him.

CHAP. CXLVI.—*An Act for the relief of James Barrett.*

*Be it enacted, &c.,* That James Barrett be, and he is hereby, entitled to a preference in becoming the purchaser, at private sale, of the east half of the south-west quarter of section seven, the east half of the south-east quarter of section six, and the east half of the north-west quarter of section eighteen, all in township eleven north, in range eleven east, within the limits of the Batesville district, in Arkansas, on the same terms and conditions as are provided by law for the other public lands in the said district at private sale; and on the presentation of the receiver of public moneys in said district for the purchase money thereof, to the Secretary of the Treasury, the said James Barrett shall be entitled to patents from the United States.

APPROVED, June 28, 1838.

STATUTE II.  
June 28, 1838.

Quantity and  
value of grants to  
A. Shane, and L.  
Godfroy, to be  
reported to Con-  
gress.

CHAP. CXLIX.—*An Act directing the Commissioner of the General Land Office to ascertain the quantity of land covered by grants made to Anthony Shane and to Louis Godfroy, in section sixteen, township four south, range two east, in Lima district, Ohio, and its value.*

*Be it enacted, &c.,* That the Commissioner of the General Land Office ascertain the quantity of land contained in section sixteen, township four south, range two east in Lima district, Ohio, and the quantity covered by each grant made by the United States to Anthony Shane and to Louis Godfroy, in said section; and that he cause the land so granted to be appraised by two judicious and disinterested freeholders, under oath, without regard to the improvements made thereon; and that he make report of the proceedings here directed to Congress as soon as the same shall be had.

APPROVED, June 28, 1838.

STATUTE II.  
June 28, 1838.

To be replaced  
on pension roll.

CHAP. CLI.—*An Act for the benefit of Charles Coffin.*

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, directed to place the name of Charles Coffin, of the state of Maine, upon the roll of invalid pensioners, as a pensioner, at the rate of one hundred and twenty dollars per annum; pension to commence from the first day of January, eighteen hundred and thirty-seven; and to continue during his natural life.

APPROVED, June 28, 1838.

STATUTE II.  
June 28, 1838.

To be placed  
on pension roll.

CHAP. CLII.—*An Act for the relief of Simeon Smith of the state of New Hampshire.*

*Be it enacted, &c.,* That the Secretary of War be and he is hereby directed to place the name of Simeon Smith, of the state of New Hampshire, on the revolutionary pension roll, and to allow him a pension of twenty dollars per annum during life, and to commence on the fourth day of March, one thousand eight hundred and thirty-one.

APPROVED, June 28, 1838.

CHAP. CLV.—*An Act for the relief of Jacob Brown, confirming his purchases of certain land in Arkansas.*

STATUTE II.  
July 5, 1838.

*Be it enacted, &c.,* That the entries of the following described tracts or parcels of land permitted to be made by the registers and receivers of the Little Rock and Helena land districts, under the belief that said tracts of land had been proclaimed and offered at public sale, and under circumstances which satisfied said officers that said tracts of land were in market, and legally liable to be so entered, to wit: The east fractional half of the south-east quarter of section thirty-six; the south-east quarter of the north-east quarter of section thirty-six; the north-east quarter of section thirty-six; the west half of the south-east quarter of section thirty-six; the south-east quarter of section twenty-five, and the north-east quarter of section twenty-five, of fractional township ten, south of range one west, in the state of Arkansas, be, and the same are hereby, confirmed; and patents shall issue to the purchasers as in other cases, any law to the contrary notwithstanding.

Land entries confirmed, and patents to issue.

APPROVED, July 5, 1838.

CHAP. CLVI.—*An Act for the relief of Richard Cravat, Hardy Perry, and Beley Cheney.*

STATUTE II.  
July 5, 1838.

*Be it enacted, &c.,* That the Register and Receiver of the Land Office at St. Stephens, Alabama, be, and they are hereby, authorized and required to issue to Richard Cravat, Hardy Perry and Beley Cheney, each, a certificate for the quantity of land to which said individuals were, respectively, found to be entitled under the provisions of "An act for the relief of John McGrew, Richard Cravat, Hardy Perry, and Beley Cheney," approved on the eighth of May, eighteen hundred and twenty; the land to which said Cravat, Perry, and Cheney were entitled having been sold by the United States, according to the several reports of said register and receiver, dated September twenty-ninth, eighteen hundred and thirty-six; and said certificates shall authorize the said Richard Cravat, Hardy Perry, and Beley Cheney, respectively, to enter a like quantity of public land, subject to private entry, in any land office in the said state of Alabama, free from charge.

Land certificates to issue.

Act of May 8, 1820, ch. 74.

APPROVED, July 5, 1838.

CHAP. CXCIV.—*An Act for the relief of Isaac Gale.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, directed to place the name of Isaac Gale on the pension list of invalid pensioners of the United States; and that the said Isaac Gale be entitled to receive a pension, at the rate of six dollars a month, from the first of January, eighteen hundred and thirty-eight.

To be placed on pension list.

APPROVED, July 7, 1838.

CHAP. CXCVI.—*An Act for the relief of Miller Francis.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the Secretary of War be directed to place the name of Miller Francis, of Nashville, in the state of Tennessee, on the roll of invalid pensioners, and pay him at the rate of fifteen dollars per month, to commence from and after the first day of January, in the year of our Lord 1837, during his natural life.

To be placed on pension roll.

APPROVED, July 7, 1838.

CHAP. CXCVII.—*An Act for the relief of Benjamin B. Dowd.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the Secretary of War be, and hereby is, directed to place the name of Benjamin B. Dowd, of Connecticut, upon the pension roll, and pay him the sum of six dollars per month during life; commencing the first day of January, 1838.

To be placed on pension roll.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

To be placed  
on pension roll.CHAP. CXCVIII.—*An Act for the relief of Oliver Dorsett.*

*Be it enacted, &c.,* That the Secretary of War be authorized and directed to place the name of Oliver Dorsett on the roll of invalid pensioners, and to cause him to be paid at the rate of eight dollars per month; to commence on the first day of January, in the year of our Lord one thousand eight hundred and thirty-eight.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

Pension to be  
increased.CHAP. CXCIX.—*An Act for the relief of Moses Eldred.*

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, directed to pay to Moses Eldred, an invalid pensioner, the sum of two dollars and sixty-six cents per month, (in addition to what he now receives,) to commence on the first of January, eighteen hundred and thirty-eight, and to continue during his life, out of any money in the treasury not otherwise appropriated.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

To be credited  
with amount of  
judgment against  
David Gelston.CHAP. CC.—*An Act for the relief of M. Gelston, executor of David Gelston.*

*Be it enacted, &c.,* That the Secretary of the Treasury credit, on the account of David Gelston, the amount of a judgment recovered against him in the state of New York, in favor of Charles Baldwin, as of the time said judgment was so recovered; the same being for a debt incurred by the said David Gelston, by direction of the Secretary of the Treasury, in defending the suit of Gould Hoit, for seizing his vessel called the American Eagle; and that the said Secretary further credit on said account such reasonable sum as the said David Gelston may have paid, or have been liable to pay, in consequence of defending said suit in favor of said Baldwin, by order of the Secretary of the Treasury.

Costs paid by  
D. Gelston to be  
allowed, &c.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury allow to said executor, on the account of said David Gelston, such costs as the said David Gelston paid in prosecuting a suit in favor of the United States against Henry K. Toler; and the costs so credited being deducted from the money collected of said Toler, or from any debt assigned by him to the United States, the proportion of the balance of said money, so collected, (subject only to reasonable costs and charges for collection,) whether the same has been paid into the Treasury, or is in the hands of the attorney who received it, which by law belongs to the estate of said David Gelston, shall be credited by said Secretary on the account of said Gelston, as of the time the costs were paid, and as of the time the money was so collected of said Toler, or on any debt assigned by him.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

Payment for  
certain expenses.CHAP. CCI.—*An Act for the relief of Daniel T. Patterson.*

*Be it enacted, &c.,* That the Secretary of the Treasury pay to Captain Daniel T. Patterson, of the navy of the United States, out of any money not otherwise appropriated, three thousand three hundred and ninety-one dollars, for extraordinary expenses incurred when he commanded the United States' squadron in the Mediterranean, in the years eighteen hundred and thirty-two, eighteen hundred and thirty-three, eighteen hundred and thirty-four, and eighteen hundred and thirty-five, in receiving and entertaining on board of his ship the head officers of the governments of the countries where the presence of said squadron was required for the general protection of the commercial interests of his government, and for his extraordinary expenses in visiting the courts of those governments.

APPROVED, July 7, 1838.

CHAP. CCII.—*An Act for the relief of Gratia Ray.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That a pension of two hundred and sixteen dollars, for the term of five years, from the sixth day of January, in the [year] one thousand eight hundred and thirty-four, be allowed, and paid in half-yearly payments, out of the navy pension fund, to Gratia Ray, widow of William Ray, late a quartermaster in the navy of the United States: *Provided, however,* That such pension shall be deemed to continue only during the life and widowhood of the said Gratia Ray.

A pension granted to her.

Proviso.

APPROVED, July 7, 1838. \_\_\_\_\_

CHAP. CCIII.—*An Act for the relief of William A. Whitehead.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the Fifth Auditor of the Treasury credit fifty dollars on the account of William A. Whitehead, collector of the customs at Key West, and superintendent of light-houses within his district, he having necessarily expended that sum in re-establishing a light in the light-house at Cape Florida, in January, eighteen hundred and thirty-six, after the said house was abandoned by the keeper on account of Indian hostilities.

To be credited with expenses for light-house at Cape Florida.

APPROVED, July 7, 1838. \_\_\_\_\_

CHAP. CCIV.—*An Act for the relief of the heirs of Lieutenant-Colonel Richard Campbell.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the proper accounting officers of the treasury be, and they are hereby, required to pay to the heirs of Richard Campbell, a lieutenant-colonel in the Virginia continental line of the army of the revolution, killed in the service of the United States at the battle of the Eataw Springs, the aggregate amount of seven years' half pay of a lieutenant-colonel of infantry, to be paid out of any money in the treasury not otherwise appropriated: *Provided, however,* That the amount paid the widow of said Campbell by the state of Virginia on account of the said half pay, being three years three months and twenty-five days, be first deducted, and no interest allowed.

To be paid the proper amount of seven years' half pay of a lieutenant-colonel.

Proviso.

APPROVED, July 7, 1838. \_\_\_\_\_

CHAP. CCV.—*An Act for the relief of the representatives of Colonel Anthony Walton White.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the Secretary of the Treasury cause to be paid, out of any money in the treasury not otherwise appropriated by law, to the representatives of Anthony White, late a colonel of the first regiment of light dragoons, of the Virginia continental line of the army of the revolution, the sum of three thousand seven hundred and fifty dollars, being the specie value, at the rate of forty for one, of one hundred and fifty thousand dollars, continental currency, advanced by Colonel White, on the fourth day of July, seventeen hundred and eighty, for the use of his regiment.

Payment of specie value of continental money advanced by A. White.

APPROVED, July 7, 1838. \_\_\_\_\_

CHAP. CCVI.—*An Act for the relief of the children and heirs of Lieutenant-Colonel Henry Irwin, deceased.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the treasury not otherwise appropriated, to the surviving children of Henry Irwin, deceased, formerly lieutenant-colonel of the fifth North Carolina regiment on continental establishment, and who was mortally wounded at the battle of Germantown, and died in the service of the United States, and to the legal representatives of the deceased children of the said Henry

Allowed seven years' half pay of a lieutenant-colonel.

Irwin, deceased, the seven years' half pay allowed by the resolution of Congress, passed August twenty-fourth, one thousand seven hundred and eighty.

APPROVED, July 7, 1838. \_\_\_\_\_

STATUTE II.  
July 7, 1838.

CHAP. CCVII.—*An Act for the relief of the legal representatives of Doctor William Johonnot, deceased.*

Allowed five years' full pay of a hospital surgeon.

*Be it enacted, &c.*, That the proper accounting officers of the treasury be, and they are hereby directed and required to allow the legal representatives of Doctor William Johonnot the five years' full pay of a hospital surgeon, being the commutation of half pay for life of said Johonnot, as assistant apothecary of the hospital department of the revolutionary army; and that the same be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 7, 1838. \_\_\_\_\_

STATUTE II.  
July 7, 1838.

CHAP. CCVIII.—*An Act for the relief of the legal representatives of Captain Charles Snead, deceased.*

Allowed five years' half pay of a captain.

*Be it enacted, &c.*, That the proper accounting officers of the treasury be, and they are hereby, required to adjust and settle the account of the late Captain Charles Snead, of the Virginia line on continental establishment, and allow his legal representatives five years' full pay of a captain of infantry, in commutation of half pay for life, promised by the resolutions of Congress, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 7, 1838. \_\_\_\_\_

STATUTE II.  
July 7, 1838.

CHAP. CCIX.—*An Act for the relief of the heirs at law of Joshua Fanning, deceased.*

Allowed seven years' half pay of a first lieutenant of a frigate.

*Be it enacted, &c.*, That the proper accounting officers of the treasury be, and they are hereby, required to pay to the heirs at law of Joshua Fanning, an officer in the navy, killed in the service of the United States during the revolutionary war, the aggregate amount of the half pay of a first lieutenant of a frigate, for seven years, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 7, 1838. \_\_\_\_\_

STATUTE II.  
July 7, 1838.

CHAP. CCX.—*An Act for the relief of the legal representatives of Henry Fisher, deceased.*

Account to be settled, and allowance made.

*Be it enacted, &c.*, That the proper accounting officers of the treasury be, and they are hereby, authorized and required to settle the account of the legal representatives of Henry Fisher, late of Delaware, deceased, and to allow and pay them the sum of one thousand nine hundred and ninety-five dollars and eleven cents; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 7, 1838. \_\_\_\_\_

STATUTE II.  
July 7, 1838.

CHAP. CCXI.—*An Act for the relief of Mary A. Patrick.*

Account to be settled, and allowance made.

*Be it enacted, &c.*, That the proper accounting officers of the treasury be, and they hereby are, required to settle the account of Captain Matthew Alexander Patrick, late captain first regiment United States artillery, and to allow to Mary A. Patrick, his widow, the pay and emoluments of a captain, from the eleventh of August, eighteen hundred and thirty, to the fourth of February, eighteen hundred and thirty-three, to be paid to the said Mary A. Patrick, out of any money in the treasury not otherwise appropriated.

APPROVED, July 7, 1838.

CHAP. CCXIII.—*An Act in favor of Lewis Hatch.*

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, directed to place the name of Lewis Hatch, of the state of New York, on the roll of revolutionary pensions, and to pay him twenty dollars per annum, during his natural life, commencing on the fourth day of March, eighteen hundred and thirty-one.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

To be placed on pension roll.

CHAP. CCXIV.—*An Act for the relief of Crawford Johnson.*

*Be it enacted, &c.,* That the Secretary for the Department of War be, and he is hereby, authorized and directed to issue a duplicate military bounty land warrant to Crawford Johnson, a soldier of the North Carolina line of the army of the Revolution, for one hundred acres of land, numbered one thousand two hundred and eighty-four, the original warrant having been lost or mislaid: *Provided,* That the said Crawford Johnson shall first give bond, with approved security, to indemnify the United States in case it shall hereafter appear that the original warrant has been sold or disposed of by him.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

A duplicate military bounty land warrant to be issued.

Proviso.

CHAP. CCXV.—*An Act for the relief of the legal representatives of William Hooker Smith, deceased.*

*Be it enacted, &c.,* That the proper accounting officers of the treasury be, and they are hereby, required to settle the account of William Hooker Smith, deceased, heretofore an acting surgeon in the army of the United States during the War of the Revolution, and to allow to his legal representatives five years' full pay of a captain, the same to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

Allowed five years' full pay of a captain.

CHAP. CCXVI.—*An Act for the relief of the legal representatives of John B. Ashe, deceased.*

*Be it enacted, &c.,* That the proper accounting officers of the Treasury Department be, and they are hereby, directed to allow and pay to the legal representative or representatives of the late John Baptiste Ashe, the commutation of half pay for life of said Ashe, as lieutenant-colonel in the line of the continental army during the war of the revolution; and that the same be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

Allowed commutation of half pay for life.

CHAP. CCXVII.—*An Act for the relief of the children and heirs at law of John Chilton, deceased.*

*Be it enacted, &c.,* That the proper accounting officers of the treasury be, and they are hereby, directed and required to pay to the children and heirs at law of John Chilton, deceased, who was a captain in the Virginia line on continental establishment, during the war of the Revolution, and who was slain in the battle at Brandywine, in September, seventeen hundred and seventy-seven, the aggregate amount of the half pay of a captain of infantry for seven years, to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

Five years' half pay of a captain of infantry allowed to them.

## STATUTE II.

July 7, 1838.

CHAP. CCXVIII.—*An Act for the relief of the administrator of Wharton Quarles, deceased.*

Payment of  
balance of a  
judgment for  
revolutionary  
services.

*Be it enacted, &c.,* That the Secretary of the Treasury of the United States be authorized to pay, out of any money in the treasury not otherwise appropriated, to the administrator of Wharton Quarles, deceased, late a lieutenant in the second Virginia state regiment in the revolutionary war, the sum of three hundred and forty-six dollars and sixty-six cents, the balance of a judgment obtained by the administrator of said Wharton Quarles in the courts of the state of Virginia, for half pay for revolutionary services; which said judgment was assumed by the United States, by the act of the fifth of July, eighteen hundred and thirty-two.

1832, ch. 173.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCXIX.—*An Act for the relief of James H. Bradford.*

To be placed  
on pension roll.

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, authorized and directed to place the name of James H. Bradford, of the state of Massachusetts, on the roll of invalid pensioners; who shall be entitled to receive a pension at the rate of fifteen dollars per month, from the first day of January, eighteen hundred and thirty-eight, and to continue during his natural life.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCXX.—*An Act for the relief of Joseph Prescott.*

Allowed five  
years' full pay  
of a surgeon.

*Be it enacted, &c.,* That the proper accounting officers of the treasury be, and they are hereby, required to adjust and settle the account of Doctor Joseph Prescott, late a surgeon of the army of the United States on continental establishment, and allow him five years' full pay of a surgeon of the army, in commutation of the half pay for life promised by the resolutions of Congress; and that the same be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCXXI.—*An Act for the relief of John McClellan.*

To be placed  
on pension roll.

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, directed to place the name of John McClellan, of the state of Maine, on the roll of revolutionary pensioners, and to pay him at the rate of forty dollars per annum during his natural life, commencing on the fourth day of March, in the year one thousand eight hundred and thirty-one.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCXXII.—*An Act granting a pension to Johan Jost Dietz, of New York.*

To be placed  
on pension roll.

*Be it enacted, &c.,* That the Secretary of War be directed to place the name of Johan Jost Dietz, of Albany county, New York, on the pension roll, and pay him forty dollars per annum, for and during his natural life-time, the same to commence and take effect at and from the time his name was dropped from the pension roll.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCXXIII.—*An Act for the relief of James Boyd.*

To be placed  
on pension roll.

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, authorized and directed to place the name of James Boyd, of Monroe county, state of Virginia, on the roll of revolutionary pensioners of the

United States, and pay to him the sum of forty dollars per annum, the same to be computed from the fourth day of March, one thousand eight hundred and thirty-one, and to continue during his natural life.

APPROVED, July 7, 1838.

CHAP. CCXXIV.—*An Act for the relief of Sarah Pemberton.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the Secretary of War cause to be paid to Sarah Pemberton, the widow of John Pemberton, a soldier of the Revolution in the Delaware regiment, the sum of eighty dollars per annum during the continuance of her widowhood; the first payment of which sum shall commence on the fourth day of March, anno Domini one thousand eight hundred and thirty-one.

A pension granted to her.

APPROVED, July 7, 1838.

CHAP. CCXXV.—*An Act for the relief of Joseph Salmonds.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, directed to place the name of Joseph Salmonds, of Charlotte county, in the state of Virginia, on the roll of invalid pensioners, and that he be allowed a pension at the rate of six dollars per month, from the first day of January, eighteen hundred and thirty-eight, to continue during his natural life.

To be placed on pension roll.

APPROVED, July 7, 1838.

CHAP. CCXXVI.—*An Act for the relief of William Collins.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the Secretary of War be, and he hereby is, directed to place the name of William Collins on the list of invalid pensioners, and that the said Collins receive a pension at the rate of eight dollars a month, to commence on the first day of January, eighteen hundred and thirty-seven.

To be placed on pension list.

APPROVED, July 7, 1838.

CHAP. CCXXVII.—*An Act for the relief of Letitia Crane.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, authorized to place the name of Letitia Crane, on the roll of revolutionary pensioners, and pay her the full pension to which her deceased husband would be entitled for his services as a lieutenant in the army of the Revolution, to commence and be computed from the fourth of July, eighteen hundred and thirty-six.

To be paid the pension her deceased husband would have been entitled to, &c.

APPROVED, July 7, 1838.

CHAP. CCXXVIII.—*An Act for the relief of Nicholas Verplast.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the Secretary of the Navy be, and he is hereby, authorized and required to place the name of Nicholas Verplast on the navy pension list, at the rate of six dollars per month, payable from the twenty-fourth day of June, one thousand eight hundred and thirty-five.

To be placed on pension list.

APPROVED, July 7, 1838.

CHAP. CCXXIX.—*An Act for the relief of Samuel Potter and James Cassidey, of Wilmington, North Carolina.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That there shall be issued, under the direction of the Secretary of the Treasury, a register for the barque called the Calypso, built in England, but now owned by Samuel Potter and James Cassidey, citizens of the United States, and lying at the port of Wil-

A register to issue for the barque Calypso.



mington, North Carolina, unseaworthy, whenever the said Potter and Cassidey shall furnish the Secretary of the Treasury with satisfactory proof that the said barque has been repaired in the United States, and that the cost of repairing her by her present owners exceeds three-fourths of the original cost of building a vessel of the same tonnage in the United States.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

CHAP. CCXXX. — *An Act to refund to the Georgia Railroad and Banking Company certain duties paid upon railroad iron.*

Duties on two importations of spikes to be refunded.

Proviso.

Act of July 1, 1836, ch. 233.

*Be it enacted, &c.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to refund to the Georgia Railroad and Banking Company, for the use of the said company, the duties paid by the said company, upon two several importations of spikes, to be used in the construction of their railroad, the one made into the port of Savannah, Georgia, on the twenty-first day of February, eighteen hundred and thirty-seven, and the other into the same port, on the eighteenth day of May, of the same year, the whole amount of duties paid and to be refunded upon both importations being three thousand three hundred and sixty-one dollars and forty-two cents: *Provided*, That, before any repayment of the said duties shall be made, the said company shall furnish proof, to the satisfaction of the said Secretary, that their orders upon England for the said spikes were made and transmitted before the passage of the act of the first day of July, eighteen hundred and thirty-six, entitled "An act explanatory of the act entitled 'An act to release from duty iron prepared for, and actually laid on, railways and inclined planes,'" that it was out of the power of the said company, after the passage of the said act, to countermand their orders for the said spikes, and that the said spikes have been actually used in the construction of the railways or inclined planes for which they were ordered and imported.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

CHAP. CCXXXI. — *An Act for the relief of Henry Barton.*

To be placed on pension roll.

*Be it enacted, &c.*, That the Secretary of War be required to place the name of Henry Barton on the roll of invalid pensioners, and pay him at the rate of two dollars and sixty-six cents per month, to commence on the first day of January, one thousand eight hundred and thirty-eight, in addition to the pension he now receives.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

CHAP. CCXXXII. — *An Act to authorize the Commissioner of Pensions to cause the unpaid pension of Captain Robert Laird, of the state of Georgia, to be paid to his executor.*

Amount due R. Laird at the time of his death to be paid.

*Be it enacted, &c.*, That the Commissioner of Pensions be, and he is hereby, authorized to cause to be paid over to the executor of Captain Robert Laird, deceased, for the use and benefit of the legatees to whom the same was bequeathed, late of Clark county, in the state of Georgia, the amount which was due him, the said Captain Robert Laird, at the time of his death, any law to the contrary notwithstanding.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

CHAP. CCXXXIII. — *An Act for the settlement of the accounts of Richard Harrison, late consular agent of the United States in Spain.*

*Be it enacted, &c.*, That the proper accounting officers of the Treasury Department be, and they are hereby, directed to audit and settle

according to the resolutions of Congress of the third of June, seventeen hundred and eighty-four, for the settlement of public accounts, the accounts of Richard Harrison, formerly consular agent of the United States at Cadiz, in Spain, and to allow him the interest on the money advanced, under agreement with the minister of the United States in Spain, for the relief of destitute and distressed American seamen, and for their passages to the United States, from the time the advances respectively were made, to the time at which the said advances were reimbursed; and for the expenses of employing an interpreter and clerk in the service of the United States, the sum of one thousand dollars per year for the time he acted as agent, viz: from seventeen hundred and eighty to seventeen hundred and eighty-five; and the sum found due shall be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 7, 1838.

Accounts to be settled according to resolutions of June 3, 1784; and interest on money advanced to be paid, &c.

CHAP. CCXXXIV. — *An Act for the relief of Charles Vattier.*

STATUTE II.

July 7, 1838.

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, directed to place the name of Charles Vattier, of Cincinnati, in the state of Ohio, on the roll of invalid pensioners, and that he be entitled to receive the sum of eight dollars per month, during his natural life, from the first day of January, eighteen hundred and thirty-eight.

APPROVED, July 7, 1838.

To be placed on pension roll.

STATUTE II.

July 7, 1838.

CHAP. CCXXXV. — *An Act to authorize the payment of the seven years' half pay due on account of the revolutionary services of John McClelland, deceased.*

*Be it enacted, &c.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the treasury not otherwise appropriated, the full amount of seven years' half pay of a first lieutenant of infantry in the army of the revolution, to such person or persons as may be entitled to the same under the resolution of Congress of the twenty-fourth of August, seventeen hundred and eighty, on account of the services of John McClelland, late a first lieutenant in the army of the revolution, who died in the service.

APPROVED, July 7, 1838.

Seven years' half pay of a first lieutenant of infantry, allowed.

STATUTE II.

July 7, 1838.

CHAP. CCXXXVI. — *An Act for the relief of the heirs of Deborah Gannett, a soldier of the revolution, deceased.*

*Be it enacted, &c.,* That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the treasury not otherwise appropriated, to the heirs of Deborah Gannett, a revolutionary soldier, and late the wife of Benjamin Gannett, of Sharon in the state of Massachusetts, now deceased, the sum of four hundred and sixty-six dollars and sixty-six cents, being an equivalent for a full pension of eighty dollars per annum, from the fourth day of March, eighteen hundred and thirty-one, to the decease of Benjamin Gannett in January, eighteen hundred and thirty-seven, as granted in certain cases to the widows of revolutionary soldiers by the act passed the fourth day of July, eighteen hundred and thirty-six, entitled "An act granting half pay to widows or orphans where their husbands or fathers have died of wounds received in the military service of the United States in certain cases, and for other purposes."

APPROVED, July 7, 1838.

Payment to them as an equivalent for a pension.

Act of July 4, 1836, ch. 362.

## STATUTE II.

July 7, 1838.

CHAP. CCXXXVII.—*An Act to authorize William Delesdernier, to draw the arrearages of pension due the late Lewis F. Delesdernier at the time of his death.*

Authorized to draw arrears of pension due L. F. Delesdernier.

*Be it enacted, &c.,* That the Commissioner of Pensions be, and he is hereby, authorized to cause to be paid over to William Delesdernier, of Calais, in the county of Washington, in the state of Maine, as the late guardian of Lewis F. Delesdernier, late of said Calais, deceased, the amount which was due him, the said Lewis F. Delesdernier, at the time of his death, any law to the contrary notwithstanding.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCXXXVIII.—*An Act for the benefit of the widow of Noah Chittendon.*

Payment to her.

*Be it enacted, &c.,* That there be paid, out of any money in the treasury not otherwise appropriated, to the widow of Noah Chittendon, the sum of ninety-six dollars.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCXXXIX.—*An Act for the benefit of Tandy Walker.*

To be placed on pension list.

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, directed to place the name of Tandy Walker on the list of invalid pensioners, at the rate of eight dollars per month, to commence on the first day of January, eighteen hundred and twenty-eight, and to continue during his natural life.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCXL.—*An Act granting a pension to Coffin Sanborn.*

To be placed on pension roll.

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, directed to place the name of Coffin Sanborn on the invalid pension-roll, and pay him at the rate of six dollars and sixty-six cents per month; to commence on the first day of January, in the year of our Lord one thousand eight hundred and thirty-eight, and to continue during his natural life.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCXLI.—*An Act granting a pension to Phebe Champe, of Franklin-county, Ohio.*

To be placed on pension list.

*Be it enacted, &c.,* That the Secretary of War be, and he hereby is, directed to place the name of Phebe Champe, widow of Sergeant John Champe, deceased, on the list of revolutionary pensioners, and pay her, during her natural life, one hundred and twenty dollars annually; the same to commence and take effect at and from the fourth day of March, anno Domini eighteen hundred and thirty-one.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCXLII.—*An Act granting a pension to Sarah Barney, widow of Samuel Barney, late of Connecticut.*

To be placed on pension roll.

*Be it enacted, &c.,* That the Secretary of War be required to place the name of Sarah Barney, widow of Samuel Barney, late of New Haven, Connecticut, deceased, on the pension roll, and pay her forty dollars per annum, during her natural life-time, the payment thereof to commence and take effect on the fourth of March, eighteen hundred and thirty-one.

APPROVED, July 7, 1838.

CHAP. CCXLIII.—*An Act granting a pension to John M. Jewell.*

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, required to place the name of John M. Jewell, of Windsor, Vermont, upon the roll of invalid pensioners, and to pay him at the rate of four dollars per month, during his natural life, commencing on the first day of January, one thousand eight hundred and thirty-seven.

APPROVED, July 7, 1838.

STATUTE II.  
July 7, 1838.

To be placed  
on pension roll.

CHAP. CCXLIV.—*An Act granting a pension to Daniel H. Crockett.*

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, authorized and directed to place the name of Daniel H. Crockett, of Oxford county, in the state of Maine, upon the list of invalid pensioners; and that there shall be paid him, out of any money in the treasury not otherwise appropriated, at the rate of six dollars per month; to commence on the fourth day of March, eighteen hundred and thirty-eight, and to continue during his natural life.

APPROVED, July 7, 1838.

STATUTE II.  
July 7, 1838.

To be placed  
on pension list.

CHAP. CCXLV.—*An Act granting a pension to Thomas Frazer.*

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, directed to place the name of Thomas Frazer, of the county of Oxford, state of Maine, on the roll of invalid pensioners, and pay to him the sum of two dollars and sixty cents per month, during his natural life, commencing on the first day of January, eighteen hundred and thirty-eight.

APPROVED, July 7, 1838.

STATUTE II.  
July 7, 1838.

To be placed  
on pension roll.

CHAP. CCXLVI.—*An Act granting a pension to James M. Edwards.*

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, required to place the name of James M. Edwards, of Henderson county, Kentucky, upon the roll of invalid pensioners, and to pay him at the rate of six dollars per month, during his natural life, commencing on the first day of January, one thousand eight hundred and thirty-seven.

APPROVED, July 7, 1838.

STATUTE II.  
July 7, 1838.

To be placed  
on pension roll.

CHAP. CCXLVII.—*An Act granting a pension to James Sayre.*

*Be it enacted, &c.,* That the Secretary of War place the name of James Sayre, of Southampton, in the state of New York, on the roll of revolutionary pensioners, under the act of the seventh of June, eighteen hundred and thirty-two; and that he pay to him the pension to which a corporal is entitled under the said act for six months service in the war of the revolution; such pension to commence from the fourth day of March, in the year one thousand eight hundred and thirty-one.

APPROVED, July 7, 1838.

STATUTE II.  
July 7, 1838.

To be placed  
on pension roll.  
Act of June 7,  
1832, ch. 126.

CHAP. CCXLVIII.—*An Act granting a pension to Benjamin Durfee.*

*Be it enacted, &c.,* That the Secretary of War be required to place the name of Benjamin Durfee, of Fall river, Massachusetts, on the roll of revolutionary pensioners; and pay him the sum of thirty dollars per annum during life; to commence and take effect from the day upon which his former pension was suspended: the same to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 7, 1838.

STATUTE II.  
July 7, 1838.

To be placed  
on pension roll.

## STATUTE II.

July 7, 1838.

CHAP. CCXLIX. — *An Act for the relief of the legal representatives of Timothy Feely, deceased, late a lieutenant in the army of the revolution.*

Allowed five years' full pay of a lieutenant.

*Be it enacted, &c.*, That the proper accounting officers of the treasury be, and they are hereby, required to adjust and settle the account of Timothy Feely, late a lieutenant of the Virginia continental line of the army of the revolution, and, out of any money in the treasury not otherwise appropriated, to pay to his legal representatives the amount of five years' full pay of a lieutenant of infantry.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCL. — *An Act for the relief of the legal representatives of Daniel Williams, deceased.*

Allowed five years' full pay of a captain.

*Be it enacted, &c.*, That the proper accounting officers of the treasury be, and they are hereby, required to adjust and settle the accounts of Captain Daniel Williams, late of the North Carolina line on continental establishment, and allow his legal representatives five years' full pay as a captain of infantry, being the commutation of half pay for life promised by the resolutions of Congress, and that the same be paid out of any money in the treasury not otherwise appropriated.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCLI. — *An Act for the relief of the heirs of William B. Bunting.*

Allowed seven years' half pay of a lieutenant.

*Be it enacted, &c.*, That the proper accounting officers of the treasury, out of any money in the treasury not otherwise appropriated, pay the full amount of seven years' half pay of a lieutenant of infantry in the army of the revolution, to such person or persons as may be entitled to the same under the resolution of Congress of the twenty-fourth of August, one thousand seven hundred and eighty, on account of the services of William B. Bunting, late a lieutenant in the army of the revolution, and who died while in the service.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCLII. — *An Act for the relief of the legal representatives of Sawney York, deceased.*

Amount due S. York at the time of his death to be paid to them.

*Be it enacted, &c.*, That the Secretary of War pay to the legal representatives of Sawney York, late a pensioner of the United States, now deceased, the sum of one hundred and eighty-four dollars, being the amount due the said York at the time of his death, at the rate of eight dollars per month.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCLIII. — *An Act to authorize the payment of the seven years' half pay due on account of the revolutionary services of Thomas H. Boyles, deceased.*

Allowance of seven years' half pay of a major.

*Be it enacted, &c.*, That the proper accounting officers of the treasury, out of any money in the Treasury not otherwise appropriated, pay the full amount of seven years' half pay of a major of infantry in the army of the revolution, to such person or persons as may be entitled to the same, under the resolution of Congress of the twenty-fourth of August, seventeen hundred and eighty, on account of the services of Thomas H. Boyles, late a major in the army of the revolution, who died in the service.

APPROVED, July 7, 1838.

CHAP. CCLIV.—*An Act for the relief of Henry Challer.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the Secretary of War be required to place the name of Henry Challer, of New York, on the roll of invalid pensioners, and pay him at the rate of eight dollars per month; to commence from and after the first day of January, in the year of our Lord one thousand eight hundred and thirty-eight, in addition to the pension now received by the said Challer.

Pension to be increased.

APPROVED, July 7, 1838.

CHAP. CCLV. — *An Act to authorize Charles Day, James R. Butts, William W. Frye, George Whitman, Laurent Millandon, and Gassaway B. Lamar to import free of duties iron steamboats suited to the navigation of rivers.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That Charles Day, William W. Frye, George Whitman of the state of Alabama, Laurent Millandon of New Orleans, and James R. Butts be, and each of them are hereby, authorized to import, free of duty, the materials ready prepared for an iron boat, to be employed as a steamboat, with the tools and implements necessary to construct and put together the same, and to make them complete, so far as any tools or implements peculiar to this service or the navigation and repair of such boats are necessary; but this act shall not be so construed as to authorize the importation of steam engines.

Certain persons authorized to import materials for an iron steamboat, free of duty.

Steam engines not included.

SEC. 2. *And be it further enacted,* That Gassaway B. Lamar, of Savannah, in the state of Georgia, be allowed to import free of duty, iron materials for the construction of two iron steamboats: *Provided,* That the said iron shall be imported within one year from the passage of this act.

G. B. Lamar allowed to import, free of duty, iron materials, &c. Proviso.

SEC. 3. *And be it further enacted,* That the duty for the payment of which, bonds have been given by the Iron Steamboat Company of Georgia, on iron imported by said Company for the construction of an iron steamboat, be, and the same is hereby remitted, but this act shall not be so construed as to extend to steam engines, whole or in part.

Duties on iron imported by the Iron Steamboat Co. of Georgia, remitted.

APPROVED, July 7, 1838.

CHAP. CCLVI.—*An Act to refund certain duties upon railroad iron, paid by the New York and Harlaem Railroad Company.*

STATUTE II.  
July 7, 1838.

*Be it enacted, &c.,* That the Secretary of the Treasury be, and he is hereby, directed to pay to the president of the New York and Harlaem Railroad Company, for the use of the said Company, out of any money in the treasury not otherwise appropriated, the sum of nine hundred and five dollars and sixty-three cents, that being the sum paid by the said company, to the collector of the port of New York, as the duty upon six hundred and ninety-two bars or rails of iron, imported by them for the use of their railroad, on the thirteenth day of August, one thousand eight hundred and thirty-three, and, in consequence of unforeseen and unanticipated obstacles to the construction of the said road, not actually laid down thereupon until after the thirteenth day of August, one thousand eight hundred and thirty-six, so as to entitle them to an exemption from duty under the act of the fourteenth of July, one thousand eight hundred and thirty-two.

Duties on railroad iron to be refunded.

Act of July 14, 1832, ch. 250.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCLVII.—*An Act to remit or refund duties to the Baltimore and Susquehanna Railroad Company, upon certain importations of iron made by them for the use of their railroad.*

Entitled to benefits of act of July 14, 1832, ch. 250, as to certain importations made since the passage of act of July 1, 1836, ch. 233.  
Proviso.

*Be it enacted, &c.,* That it shall be, and is hereby made, the duty of the Secretary of the Treasury to extend to the Baltimore and Susquehanna Railroad Company all the benefits of the act of the fourteenth day of July, one thousand eight hundred and thirty-two, entitled "An act to release from duty iron prepared for and actually laid on railways and inclined planes," as to any importations of fastenings for the rails upon the road of the said company, made since the passage of the act of the first day of July, one thousand eight hundred and thirty-six, explanatory of the act last above mentioned: *Provided,* That the said company shall first prove, to the satisfaction of the said Secretary, that the orders for the importation of the said iron, so imported for fastenings, were given prior to the passage of the said act of the first day of July, one thousand eight hundred and thirty-six, that the same had been sent out of the country before the passage of the said act; that they could not be countermanded without detriment and loss to the said company; and that the said company shall further comply with all the provisions, requisitions, and conditions of the said act of the fourteenth day of July, one thousand eight hundred and thirty-two.

APPROVED, July 7, 1838.

## STATUTE II.

July 7, 1838.

CHAP. CCLVIII.—*An Act to refund to the New Castle and Frenchtown Turnpike and Railroad Company certain duties paid by them upon iron imported for the construction of their railroad.*

Duties on two importations of spikes, &c., to be refunded.

Proviso.

*Be it enacted, &c.,* That the Secretary of the Treasury be, and he hereby is, directed to refund to the New Castle and Frenchtown Turnpike and Railroad Company the duties paid by them to the collector of the customs for the port of Wilmington, in the state of Delaware, upon two several importations of spikes, clamps, and bolts, or other fastenings for the rails upon the railroad of the said company, the one made on the twelfth day of October, eighteen hundred and thirty-six, in the ship Kutuzoff, and the other on the twenty seventh day of February, eighteen hundred and thirty-seven, in the ship Isaac Hicks, the duties to be refunded amounting, upon both importations, to the sum of two thousand and three dollars and eighty-three cents: *Provided,* That the said company shall first prove to the satisfaction of the said Secretary, that the said duties were properly chargeable to and paid by the said company, and were not covered by their contract with their agents, A. and G. Ralston and Company, for the purchase and importation of the said iron; that the amount of money above named was paid upon spikes, clamps, and bolts, or other fastenings, for the rails upon the road of the said company; that the orders for the said spikes, clamps, and bolts, or other fastenings, were given and transmitted beyond their reach before the passage of the act of the first of July, eighteen hundred and thirty-six, in relation to railroad iron; that it was not in the power of the said company, after the passage of the said last mentioned act, to countermand their said orders without detriment and loss to the company; and that the spikes, clamps, and bolts, or other fastenings, upon which the duties are to be refunded by virtue of this act, have been actually used in the construction of their railroad.

APPROVED, July 7, 1838.

Act of July 1, 1836, ch. 233.

STATUTE II.

July 7, 1838.

CHAP. CCLIX. — *An Act to revive with amendments, an Act to incorporate the Medical Society of the District of Columbia.*"

*Be it enacted, &c.,* That Frederick May, M. D., Alexander McWilliams, Henry Hunt, M. D., N. P. Causin, M. D., William Jones, Richmond Johnson, Thomas Sewall, M. D., George W. May, M. D., Nicholas W. Worthington, M. D., James Reily, M. D., James S. Gunnell, M. D., Harvey Lindsley, M. D., James C. Hall, M. D., Thomas Miller, M. D., James Borrows, M. D., Alexander McD. Davis, M. D., Benjamin King, M. D., Noble Young, M. D., H. F. Condict, M. D., W. B. Magruder, M. D., Perry Warfield, M. D., J. B. Blake, M. D., and such other persons as they may, from time to time, elect, and their successors, are hereby declared to be a community, corporation, and body politic, for ever, or until Congress shall by law, direct this charter to cease and determine, by and under the name and title of the Medical Society of the District of Columbia; and by and under the same name and title they shall be able and capable in law to purchase, take, have, and enjoy, to them and their successors, in fee or for lease, estate or estates, any land, tenements, rents, annuities, chattels, bank stock, registered debts, or other public securities within the District, by the gift, bargain, sale, demise, or of any person, or persons, bodies politic, or corporate, capable to make the same, and the same, at their pleasure, to alien, sell, transfer, or lease, and apply, to such purposes as they may adjudge most conducive to the promoting and disseminating medical and surgical knowledge, and for no other purpose whatever: *Provided, nevertheless,* That the said society or body politic shall not at any one time, hold or possess property real, personal, or mixed, exceeding in total value the sum of six thousand dollars per annum.

F. May and others incorporated as the Medical Society of the District of Columbia.

Proviso.

Stated meetings.

Officers.

SEC. 2. *And be it further enacted,* That the members of the said society above designated shall hold in the city of Washington two stated meetings in every year, viz: on the first Monday in January and July; the officers of the society to consist of a President, two Vice-Presidents, one Corresponding Secretary, one Recording Secretary, one Treasurer, and one Librarian, who shall be appointed on the first Monday in July, one thousand eight hundred and thirty-eight, and on the annual meeting in January for ever thereafter, and who shall hold their offices for one year, and until others are chosen in their stead, (not less than seven members being present at such meeting;) and the society may make a common seal, and may elect into their body such medical and chirurgical practitioners, within the District of Columbia, as they may deem qualified to become members of the society; it being understood, that the officers of the society now elected are to remain in office until the next election after the passage of this act.

Society may elect a board of examiners, &c.

SEC. 3. *And be it further enacted,* That it shall and may be lawful for the said medical society, or any number of them attending, (not less than seven,) to elect by ballot five persons, residents of the District of Columbia, whose duty it shall be to grant licenses to such medical and chirurgical gentlemen as they may, upon a full examination, judge qualified to practise the medical and chirurgical arts, or as may produce a diploma from some respectable medical college or society, each person so obtaining a certificate to pay a sum not exceeding ten dollars, to be fixed on, or ascertained, by the society.

Admission of persons to practice.

SEC. 4. *And be it further enacted,* That any three of the examiners shall constitute a board for examining such candidates as may apply, and shall subscribe their names to each certificate by them granted, which certificate shall also be countersigned by the President of the society, and have the seal of the society affixed thereto by the Secretary, upon paying into the hands of the Treasurer the sum of money to be



ascertained as above by the Society; and any one of the said examiners may grant a license to practise, until a board, in conformity to this act, can be held: *Provided*, That nothing herein contained shall authorize the said corporation in any wise, to regulate the practice of medical or chirurgical attendance on such persons as may need those services, nor to establish or fix a tariff of charges or fees for medical attendance or advice, or to interfere, in any way, with charges or fees for medical attendance or advice.

Proviso.

Persons not allowed to practise, &c., without a license or diploma.

SEC. 5. *And be it further enacted*, That after the appointment of the aforesaid medical board, no person, not heretofore a practitioner of medicine or surgery within the District of Columbia, shall be allowed to practise within the said district, in either of said branches, without first having obtained a license, testified as by this law directed, or the production of a diploma from a respectable medical college or board of examiners established by law: *Provided*, That the professors in such college, or the examiners in such board, be men regularly instructed in medicine and surgery, and the collateral branches of medical education, anatomy, chemistry, under the penalty of fifty dollars for each offence, to be recovered in the county court, where he may reside, by bill of presentment and indictment; one-half for the use of the society, and the other for that of the informer.

Proviso.

New members to pay not exceeding \$10 on admission.  
Powers of the society.

SEC. 6. *And be it further enacted*, That every person who, upon application, shall be elected a member of the medical society, shall pay a sum not exceeding ten dollars, to be ascertained by the society.

SEC. 7. *And be it further enacted*, That the medical society be, and they are hereby, empowered, from time to time, to make such by-laws, rules and regulations, as they may find requisite; which by-laws, rules and regulations, shall, in their application and operation, be exclusively confined to said society, as a society or body corporate, and not to its members individually, when not acting in a corporate character; to break, or alter their common seal; to fix the times and places for the meetings of the board of examiners, filling up vacancies in the medical board, and to do and perform such other things as may be requisite for carrying this act into execution, and which may not be repugnant to the constitution and laws of the United States: *Provided, always*, That it shall and may be lawful for any person resident as aforesaid, and not prohibited as aforesaid, when specially sent for, to come into any part of this district and administer or prescribe medicine, or perform any operation for the relief of such, to whose assistance he may be sent for: *And provided, also*, That nothing in this act contained shall be so construed as to prevent any person, living within or without said district, from administering medicine, or performing any surgical operation, with the consent of the person or the attendants of the person to whom such medicine is administered, or upon whom such surgical operation is performed, without fee or reward, nor to prevent the giving advice or assistance in any way to the sick, or afflicted, upon charity and kindness, nor to prevent the receipt of reward for the same, if voluntarily tendered or made, nor to extend to midwifery by females; and any person, so administering medicine, or performing any surgical operation, not authorized to practise physic and surgery agreeably to the provisions of this act, shall be prohibited from collecting any fee or reward for the same, by any process at law. *And be it further provided*, That no person shall be admitted to an examination, until he shall produce satisfactory evidence that he has studied physic and surgery three years, including one full course of medical lectures as usually taught at medical schools, or four years without such a course of lectures.

Proviso.

Proviso.

Proviso.

Congress may alter or annul this act.

SEC. 8. *And be it further enacted*, That Congress may, at any time, alter, amend, or annul, this act of incorporation of said society at pleasure,

APPROVED, July 7, 1838.

CHAP. CCLX.—*An Act for the relief of A. Quartier and Albert, of New Orleans.*

*Be it enacted, &c.,* That A. Quartier and Albert, of New Orleans, are hereby authorized to export, with the benefit of drawback, a package of Spanish playing cards, which was imported into that port in November last, in the ship Alexander Toussin, from Havre, and now remaining in the public stores: *Provided,* That all the regulations relating to the exportation of merchandise, with the benefit of drawback, shall be complied with.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

Drawback allowed on playing cards.

CHAP. CCLXI.—*An Act for the relief of Richard Frisby.*

*Be it enacted, &c.,* That the Secretary of the Treasury pay, out of any unappropriated money, to Richard Frisby, two thousand dollars, in full, for property destroyed at Farlie, so called, in Kent county, Maryland, by the British forces, in the year eighteen hundred and fourteen, when in the military service of the United States, and in consequence thereof.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

Payment for property destroyed.

CHAP. CCLXII. — *An Act for the relief of John A. Peterson, executor of the last will and testament of John H. Peterson, deceased.*

*Be it enacted, &c.,* That there be paid, out of any money in the treasury not otherwise appropriated, to John A. Peterson, executor of the last will and testament of John H. Peterson, deceased, the sum of two thousand one hundred and eight dollars and thirty cents, being the amount of salary due the said John H. Peterson at the time of his death, as surveyor of the district of Petersburg, in Virginia.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

To be paid the amount of salary due J. H. Peterson at the time of his death.

CHAP. CCLXIII. — *An Act for the relief of Aaron Tucker.*

*Be it enacted, &c.,* That the Secretary of War be, and he is hereby, authorized and directed to place the name of Aaron Tucker, of the state of Maine, on the roll of invalid pensioners, and that he be allowed a pension of eight dollars a month, from the first day of January, eighteen hundred and thirty-eight, to continue during his natural life.

APPROVED, July 7, 1838.

STATUTE II.

July 7, 1838.

To be placed on pension roll.

## RESOLUTION.

No. 3. *Resolution for the relief of Vespasian Ellis.*

May 18, 1838.

Whereas Vespasian Ellis and Henry A. Wise, on the eighteenth of August, eighteen hundred and thirty-six, deposited in the Treasury of the United States the sum of four thousand dollars in gold, in compliance with the second section of the act making further provision for the sale of the public lands, approved twenty-fourth of April, eighteen hundred and twenty, and received from the Treasurer of the United States forty receipts or certificates, of one hundred dollars each, dated eighteenth of August, eighteen hundred and thirty-six, and numbered from forty to seventy-nine inclusive; and whereas, the said Henry A. Wise, on the thirteenth day of May, eighteen hundred and thirty-

Preamble.

Act of April 24, 1820, ch. 49.

seven, assigned and conveyed his title and interest in and to said receipts or certificates for valuable consideration to said Ellis, supposing the same to be assignable; and whereas, the said section of the act aforesaid is so construed by the treasury department that the said receipts or certificates are not available to said Ellis under said assignment.

Receivers of the land offices to receive the said receipts, &c. in payment for lands.

*Be it therefore resolved, &c.*, That the several receivers of the land offices be authorized and required to receive the said receipts or certificates from the said Vespasian Ellis, in payment for any lands which said Ellis may locate, and which are liable to private entry, or from the assignee or assignees of said Ellis when endorsed by the Commissioner of the General Land Office as hereinafter directed, for any such lands they may locate, in the same manner as though said receipts or certificates had been originally assignable.

Commissioner of the General Land Office to endorse said receipts, &c. as receivable.

*And be it further resolved*, That the Commissioner of the General Land Office be directed to endorse upon the said receipts or certificates that the same are receivable as aforesaid, from said Vespasian Ellis, or from his assignee or assignees.

APPROVED, May 18, 1838.