

PRIVATE ACTS OF THE TWENTY-SIXTH CONGRESS

OF THE

UNITED STATES,

Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the second day of December, 1839, and ended on the twenty-first day of July, 1840.

MARTIN VAN BUREN, President; RICHARD M. JOHNSON, Vice President of the United States, and President of the Senate; ROBERT M. T. HUNTER, Speaker of the House of Representatives.

STATUTE I.

CHAP. VII. — *An Act for the relief of Alvarez Fisk and the legal representatives of Thomas P. Eskridge.*

April 10, 1840.

Moneys paid by them for lands not subject to private entry, to be refunded, with interest.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay to the legal representatives of Thomas P. Eskridge, out of any money in the treasury not otherwise appropriated, the sum of two thousand two hundred dollars, with six per cent. interest thereon, as follows, to wit: On one thousand dollars thereof from the twenty-first day of June eighteen hundred and thirty-three; on four hundred from the fourteenth day of October, eighteen hundred and thirty-three, and on eight hundred from the tenth of March, eighteen hundred and thirty-five, until the passage of this act. And that the said Secretary in like manner, pay to the said Alvarez Fisk, the sum of two thousand five hundred and fifty dollars and forty-five cents, with six per cent. interest thereon, as follows, to wit: On one thousand dollars from the twenty-first day of June, eighteen hundred and thirty-three; on one hundred and fifty dollars from the nineteenth of August, eighteen hundred and thirty-three; on two hundred dollars and forty-five cents from the eighth of October, eighteen hundred and thirty-three; and on eight hundred dollars from the tenth of March, eighteen hundred and thirty-five, until the passage of this act; said several sums being for moneys by the said Eskridge and Fisk paid to the United States, for land, by them respectively entered in township eight north, of range eight east, in the Batesville and Helena districts, in the Territory of Arkansas, and which entries are void, by reason of said lands not being subject to private entry.

APPROVED, April 10, 1840.

STATUTE I.

April 10, 1840.

Payment for services as inspector of the customs.

CHAP. VIII. — *An Act for the relief of John H. Jacobs.*

Be it enacted, &c., That there be paid to John H. Jacobs, out of any money in the treasury not otherwise appropriated, the sum of four hundred and thirty dollars, for services rendered as inspector of the customs at the port of New Haven, in the state of Connecticut, from the first of April, eighteen hundred and thirty-four, to the fifteenth of February, eighteen hundred and thirty-five.

APPROVED, April 10, 1840.

CHAP. IX.—*An Act for the relief of Suttén Stephens.*

Be it enacted, &c., That all the right, title, and interest which might accrue or revert to the United States to a certain tract of land in Jackson county, Alabama, reserved to Suttén Stephens under a treaty made and concluded between the United States and the Cherokee tribe of Indians, on the eighth day of July, eighteen hundred and seventeen, be, and the same are hereby, relinquished, and vested in the said Suttén Stephens and his heirs: *Provided,* That no conveyance or deed of the said tract of land shall be valid or effectual, until such conveyance or deed shall be submitted to one of the district attorneys of Alabama for his approbation; and if, after inquiry into the facts and circumstances attending the contract for the sale of said land, or any part thereof, he shall be satisfied that said contract is fair, and that the consideration paid or agreed to be paid therefor is adequate, he shall endorse his approbation on such deed or conveyance so approved, and thereafter the same shall be deemed valid and effectual.

APPROVED, April 27, 1840.

STATUTE I.
April 27, 1840.

Right, &c. of U. S. to a certain tract, relinquished to him, &c.

Proviso.

CHAP. X. — *An Act for the relief of the heirs and legal representatives of John Grimball, senior, deceased.*

Be it enacted, &c., That the heirs and legal representatives of John Grimball, senior, deceased, be, and they are hereby, authorized to locate two hundred and twenty-three and one-fourth acres, or one and a half quarter sections of land, not exceeding that quantity in the Opelousas land district, in the state of Louisiana, upon any unreserved and unappropriated land in said district.

APPROVED, May 2, 1840.

STATUTE I.
May 2, 1840.

Authorized to locate land.

CHAP. XI. — *An Act for the relief of James Brewer, of Ohio.*

Be it enacted, &c., That the Secretary of the Treasury pay, out of any money in the treasury not otherwise appropriated, to James Brewer, of Tuscarawas county, Ohio, or to his legal representatives, one hundred dollars, being the amount by him paid to the United States on the thirtieth day of January, anno Domini one thousand eight hundred and thirty-two, with interest from that date, at the land office in Zanesville, Ohio, for the west half of the south-west quarter of section number fourteen, in township number eight, range number three, in the Zanesville land district, and for which said land the United States cannot make the said James Brewer a title.

APPROVED, May 2, 1840.

STATUTE I.
May 2, 1840.

Payment for land to be refunded, with interest.

CHAP. XII. — *An Act to authorize James Alexander to relinquish certain land, and to locate other land in lieu thereof.*

Be it enacted, &c., That James Alexander be, and he is hereby, authorized to relinquish to the United States the east half of the south-east quarter of section number three, in township number nine north, in range fourteen west of the second principal meridian, in the Palestine land district, state of Illinois; and that he be permitted to enter, in lieu thereof, a like quantity of land within the limits of said district subject to private entry.

APPROVED, May 2, 1840.

STATUTE I.
May 2, 1840.

Authorized to relinquish certain land, and enter another tract.

CHAP. XIII.—*An Act for the relief of Nathan Levy.*

Be it enacted, &c., That the Secretary of the Treasury pay to Nathan Levy, American consul at the island of St. Thomas, out of any money

STATUTE I.
May 2, 1840.

Payment to him of a sum illegally received, &c.

not otherwise appropriated, three hundred and seventy-eight dollars; which sum he received of the master of the brig Falcon, of Boston, Massachusetts, and which he paid, one-third into the treasury of the United States, and the other two-thirds to the seamen composing the crew of said brig; said Levy having been compelled, by judgment of law, to pay back said sum to the owners of said brig, it having been illegally received and paid over by him as aforesaid.

APPROVED, May 2, 1840.

STATUTE I.

May 2, 1840.

CHAP. XIV.—*An Act for the relief of Robert Milnor and John Thompson.*

Payment for extra services as gaugers.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, directed to pay to Robert Milnor and John Thompson the sum of two thousand seven hundred and fifty-seven dollars and twenty-three cents, being the amount of fees equitably due to said Milnor and Thompson for extra service rendered by them as gaugers at the port of Philadelphia, after the passage of the act of the fourth of July, eighteen hundred and thirty-six, reducing the duties on wines, in regauging certain wines then in custom stores at said port, and coming within the provisions of said act; to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, May 2, 1840.

STATUTE I.

May 2, 1840.

CHAP. XV.—*An Act for the relief of George Willis.*

Payment for loss of a pilot boat.

Be it enacted, &c., That the Secretary of the Treasury be authorized and required to pay to George Willis the sum of eighty dollars, for the loss of a pilot-boat while piloting a revenue cutter over Ocracoke bar, out of any money in the treasury not otherwise appropriated.

APPROVED, May 2, 1840.

STATUTE I.

May 2, 1840.

CHAP. XVI.—*An Act for the relief of Meigs D. Benjamin and Company.*

Duties on leather gloves to be refunded.

Be it enacted, &c., That there be allowed and paid, out of any money in the treasury not otherwise appropriated, to Meigs D. Benjamin and Company, of the city of New York, two hundred dollars and forty-six cents, for duties paid by them on ten cases of leather gloves imported by them in the month of January, eighteen hundred and thirty-nine.

APPROVED, May 2, 1840.

STATUTE I.

May 2, 1840.

CHAP. XVII.—*An Act for the relief of Gamaliel E. Smith.*

Payment for labor and materials.

Be it enacted, &c., That the Secretary of the Treasury be, and hereby is, authorized to pay to Gamaliel E. Smith, out of any money in the treasury not otherwise appropriated, the sum of five hundred dollars, in full for labor performed under a contract made with the United States in the summer of eighteen hundred and twenty-nine, to build a light-house and dwelling-house on Mount Desert Rock, and for materials furnished by him, and used by his successor under said contract, to construct said building.

APPROVED, May 2, 1840.

STATUTE I.

May 2, 1840.

CHAP. XVIII.—*An Act for the relief of Thomas W. Taylor.*

Payment for a horse.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Thomas W. Taylor, out of

any money in the treasury not otherwise appropriated, the sum of one hundred and ten dollars, being the appraised value of a horse belonging to said Taylor, taken into the service of the United States in May, eighteen hundred and thirty-two.

APPROVED, May 2, 1840.

CHAP. XIX. — *An Act for the relief of Richard Booker and others.*

Be it enacted, &c., That the Secretary of War settle the claim for clothing of Richard Booker, and those composing the company under his command, called the Richmond Washington Volunteers, whose services were tendered and accepted, under the acts of February six and July six, eighteen hundred and twelve, said company having been called into the service on the sixth of June, eighteen hundred and thirteen, in which it remained until discharged on the thirty-first of December, eighteen hundred and thirteen; and that he allow said company so much as is due, under said acts for clothing, and that the allowance so made to each member be paid to him, or, if dead, to his legal representative, out of any money in the treasury not otherwise appropriated.

APPROVED, May 2, 1840.

STATUTE I.

May 2, 1840.

Claim for clothing to be settled.

Act of Feb. 6, 1812, ch. 21.

Act of July 6, 1812, ch. 138.

CHAP. XX. — *An Act relative to the iron steambot "The New Jersey," formerly called the Robert F. Stockton.*

Whereas the said steamer was built in England for the purpose of introducing a new improvement in this country in the navigation of canals and in the construction of tow-boats, and to serve as a model, and was navigated across the Atlantic at great hazard and expense: And whereas it is represented that a boat of the same model, and propelled in the same manner, could not have been built in the United States at the time she was constructed: And whereas the said steamer cannot be used in the United States for the purpose for which she was designed, without being enrolled and licensed according to the laws of the United States; therefore,

Be it enacted, &c., That it shall and may be lawful for the collector of any port in the United States, on the application of the owner or owners of the said iron steamer, to enrol and license the same, in the same manner and upon the same terms as if she had been built within the United States.

APPROVED, May 8, 1840.

STATUTE I.

May 8, 1840.

Preamble.

Lawful for collector of any port in U.S., on application, to enrol and license the iron steamer.

STATUTE I.

May 8, 1840.

CHAP. XXI. — *An Act for the relief of John T. Addoms, executor of John Addoms.*

Be it enacted, &c., That the Secretary of the Treasury pay to the legal representatives of John Addoms, one hundred dollars, out of any money not otherwise appropriated, for damages done in breaking the ground and building forts on his farm at Plattsburg, in the year eighteen hundred and fourteen, according to an appraisal made by persons selected on the part of the United States and the claimant, and approved by Colonel Smith, then commanding that post.

APPROVED, May 8, 1840.

Payment for damages to his property.

STATUTE I.

May 8, 1840.

CHAP. XXIV.—*An Act for the relief of William Wickham.*

Be it enacted, &c., That William Wickham, of Sodus, in the state of New York, his heirs and assigns, are hereby authorized and empowered to enjoy and improve the fishery established by him at Great Sodus Point on the shore of land conveyed to the United States by said Wick-

Empowered to improve, &c. a certain fishery.

ham for a site for a light-house, and to establish any other fishery on the shore of said lot, on the following condition, to wit: that the said Wickham and those who may hold under him shall not disturb the keeper of the light-house and his successors, in the free, full, and exclusive enjoyment by him and his successors, of the fishery established by said keeper, nor interfere with or interrupt the enjoyment of the lot aforesaid by the United States and any keeper that may have charge of the light-house: *Provided, however,* and the said Wickham and those who claim under him, if there is not, and cannot conveniently be provided, a way of ingress and egress to and from his said fishery, shall, from time to time, have a path assigned to him across the premises by the keeper, which he and they may enjoy, if they keep off the fences and do no unnecessary damage to the lot, nor interfere with the enjoyment of the same beyond the necessary right of way.

APPROVED, May 8, 1840.

STATUTE I.

May 27, 1840.

CHAP. XXVIII.—*An Act to confirm the title to a certain tract of land in the county of Mobile, in the state of Alabama.*

Land claim confirmed.

Be it enacted, &c., That the claim of William E. Kennedy, filed before William Crawford, commissioner, for the confirmation of the title to a piece of land claimed under Benjamin Dubroca, for eight hundred arpens, by virtue of a Spanish permit, dated the second of February, one thousand eight hundred and three, lying in the county of Mobile, and state of Alabama, and which claim is numbered one hundred and three, in the report numbered six, of said William Crawford, commissioner, and which claim was placed by said commissioner in the list of claims which "ought not to be confirmed," be recognized as a valid claim, and that the same be confirmed, and stand in the same situation precisely as if the said claim had not been reported upon unfavorably, but, on the contrary, had been reported as a claim which ought to be confirmed, and as if said claim had been placed by said commissioner on the list of those which ought to be confirmed, whereby the said claim would have stood confirmed by the act of Congress of the third day of March, one thousand eight hundred and nineteen, entitled "An act for adjusting the claims to land, and establishing land offices in the district east of the island of New Orleans;" and the said title is hereby confirmed accordingly for said land, for which a patent shall issue according to such survey thereof, as shall be approved by the Surveyor-General of the United States for the state of Alabama: *Provided, however,* That this act shall be so construed as to operate as a relinquishment of the title of the United States only.

APPROVED, May 27, 1840.

STATUTE I.

May 27, 1840.

CHAP. XXIX. — *An Act for the relief of John H. Sheppard, administrator of Abiel Wood.*

Satisfaction of a certain judgment against him to be entered.

Be it enacted, &c., That the attorney of the United States for the district of Maine be, and he hereby is, authorized to enter satisfaction of a judgment rendered in the first circuit court of the United States, in and for the district of Maine, to the use of the United States, in the name of Abraham F. Howe and Benjamin Howard, against John H. Sheppard, administrator of Abiel Wood, on a judgment recovered by the said Howe and Howard against Abiel Wood in January, eighteen hundred and twenty-one, in the Boston court of common pleas, in the state of Massachusetts, and assigned to the United States by the said Howe, with the assent and authority of the said Howard, on the twenty-second of September, eighteen hundred and thirty.

APPROVED, May 27, 1840.

CHAP. XXX.—*An Act for the relief of Joseph Cochran.*

STATUTE I.
May 27, 1840.

Be it enacted, &c., That Joseph Cochran be, and he is hereby, entitled to a preference in becoming the purchaser, according to the provisions of the third section of the act entitled "An act for the final adjustment of private land claims in Missouri," approved ninth July, one thousand eight hundred and thirty-two, of a certain tract of land, lying in the Palmyra district, Missouri, (for which proof of his right has heretofore been made by him to the land officers of said district, and his claim rejected by them on account of the conveyance to him by Albert Tison, the Spanish claimant, bearing date subsequent to the ninth July, one thousand eight hundred and thirty-two,) in the same manner, and under the same restrictions, as to quantity and location, as he would have been entitled to, had said conveyance been made preceding the date of said act: *Provided,* That the entry hereby authorized shall be made within one year from the date of this act: *And provided, further,* That this act shall be considered only as a relinquishment of the rights of the United States, and not to prejudice the rights of third persons.

Entitled to a preference in purchasing, according to act of July 9, 1832, ch. 180.

Proviso.
Proviso.

APPROVED, May 27, 1840.

CHAP. XXXI.—*An Act for the relief of A. G. S. Wight.*

STATUTE I.
May 27, 1840.

Be it enacted, &c., That the payment of two hundred and fifty-six dollars and sixty-three cents, together with the interest thereon, part of a judgment which was obtained December fourth, one thousand eight hundred and thirty-seven, for the sum of five hundred and ninety-nine dollars and twenty-seven cents principal, and eighty-seven dollars and twenty-five cents interest, against A. G. S. Wight, as surety of Samuel Smoker, late post-master at Galena, Illinois, be released, and shall not be collected, upon payment of the balance of said judgment, interest, and costs of suit.

Part of a judgment against him to be released, on payment of balance, &c.

APPROVED, May 27, 1840.

CHAP. XXXIII.—*An Act for the relief of James L. Cochran.*

STATUTE I.
June 1, 1840.

Be it enacted, &c., That James L. Cochran, of the state of Arkansas, be, and he is hereby, authorized to enter any vacant, unappropriated, and unoccupied quarter section of land in the Batesville land district, in the state of Arkansas, at one dollar and twenty-five cents per acre, in lieu of the land he now resides on, it being part of the sixteenth section of township eighteen, range thirteen west, in the county of Izard, of said state.

Authorized to enter certain land, in lieu of that on which he now resides.

APPROVED, June 1, 1840.

CHAP. XXXVIII.—*An Act for the relief of General Duncan L. Clinch.*

STATUTE I.
June 19, 1840.

Be it enacted, &c., That the Secretary of War be, and he is hereby, required to adjust all claims of General Duncan L. Clinch for the corn and sugar cane consumed or destroyed by the troops of the United States commanded by General Call, in the year eighteen hundred and thirty-six, during the period said troops were in possession of his plantation; and that the amount, when ascertained, shall be paid by the Secretary of the Treasury out of any money in the treasury not otherwise appropriated.

Claim for corn and sugar cane consumed, to be settled, &c.

APPROVED, June 19, 1840.

STATUTE I.

July 3, 1840.

CHAP. XL.—*An Act to continue the corporate existence of certain Banks in the District of Columbia, for certain purposes.*

Act of May 25,
1838, ch. 88,
extended to
them.

Be it enacted, &c., That the provisions, restrictions, and enactments of the Act of Congress of the twenty-fifth May, eighteen hundred and thirty-eight, entitled "An act to extend the charter of the Union Bank of Georgetown in the District of Columbia," be, and the same are hereby, extended to the Farmers and Mechanics Bank of Georgetown, the Bank of the Metropolis, the Bank of Washington, the Patriotic Bank of Washington, the Bank of the Potomac, and the Farmers Bank of Alexandria: *Provided,* That whenever in the original act the first of July eighteen hundred and thirty-eight occurs it shall be so construed as to mean the fourth of July eighteen hundred and forty; and whenever the first of July eighteen hundred and forty-two occurs it shall be construed to mean the fourth of July eighteen hundred and forty-four.

Proviso.

APPROVED, July 3, 1840.

STATUTE I.

July 4, 1840.

CHAP. XLV.—*An Act to refund a fine imposed on the late Matthew Lyon, under the sedition law, to his legal heirs and representatives.*

A certain fine,
with interest, to
be refunded.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the legal heirs and representatives of Matthew Lyon, out of any money in the treasury not otherwise appropriated, the sum of one thousand and sixty dollars and ninety-six cents, with interest thereon from the ninth day of February, seventeen hundred and ninety-nine, to the passing of this act.

APPROVED, July 4, 1840.

STATUTE I.

July 4, 1840.

CHAP. XLVI.—*An Act for the relief of John W. Monette.*

Land patent to
be issued.

Be it enacted, &c., That the President of the United States cause patents to be issued to John Wesley Monette, for lots numbered one, three, and four, in townships sixteen, of range twelve, east, in the district north of Red River, in the state of Louisiana, said lands having been duly entered and paid for by said John Wesley Monette.

APPROVED, July 4, 1840.

STATUTE I.

July 20, 1840.

CHAP. LV.—*An Act for the relief of Ichabod Beardsley, of New York.*

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

Be it enacted, &c., That the Secretary of War be, and he is hereby, authorized and required to place the name of Ichabod Beardsley on the roll of Revolutionary Pensioners, under the act of Congress passed the seventh day of June, one thousand eight hundred and thirty-two, and that he pay to the said Ichabod Beardsley, the pension of a private for the service of eighteen months under said law, from the fourth day of March, one thousand eight hundred and thirty-one, during his natural life.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LVI.—*An Act for the relief of Elizabeth Davidson, widow of John Davidson.*

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 Elizabeth Davidson on the revolutionary pension roll, at the rate of eighty dollars per annum during her life, to commence on the tenth day of September, eighteen hundred and thirty-four, the day of the death of her husband.

APPROVED, July 20, 1840.

STATUTE I.

CHAP. LVII.—*An Act granting a pension to Israel Parsons.*

July 20, 1840.

Be it enacted, &c., That the Secretary of War place the name of Israel Parsons, of the town of Granville, in the county of Hampden and state of Massachusetts, on the pension roll, under the act of June, eighteen hundred and thirty-two; and that he pay to him, as such pensioner, the sum of thirty dollars per annum, from the fourth day of September, in the year one thousand eight hundred and thirty-five, during his natural life, without deducting or retaining any part of such pension money on account of the receipt of any former pension by the said Parsons.

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

APPROVED, July 20, 1840.

STATUTE I.

CHAP. LVIII.—*An Act granting a pension to Phillip Hartman, of Virginia.*

July 20, 1840.

Be it enacted, &c., That the Secretary of War be required to place the name of Phillip Hartman, of Rockingham county, Virginia, on the roll of revolutionary pensioners, and pay him the sum of forty dollars per annum, commencing at the time that his name was stricken from the pension list.

To be placed on pension roll.

APPROVED, July 20, 1840.

STATUTE I.

CHAP. LIX. — *An Act for the relief of Medad Cook.*

July 20, 1840.

Be it enacted, &c., That the Secretary of War be directed to place Medad Cook, of Jefferson county, in the state of New York, on the pension-list, and to pay him at the rate of four dollars per month, commencing on the first day of January, eighteen hundred and thirty-nine, out of any moneys in the treasury not otherwise appropriated.

To be placed on pension list.

APPROVED, July 20, 1840.

STATUTE I.

CHAP. LX. — *An Act for the relief of Lyman Bristol.*

July 20, 1840.

Be it enacted, &c., That the Secretary of War is hereby directed to place Lyman Bristol, of the county of Columbia, state of New York, on the pension list, and to pay him a pension of eight dollars per month, commencing on the first day of January, eighteen hundred and thirty-nine, out of any moneys in the treasury not otherwise appropriated.

To be placed on pension list.

APPROVED, July 20, 1840.

STATUTE I.

CHAP. LXI.—*An Act for the relief of James Francher.*

July 20, 1840.

Be it enacted, &c., That the Secretary of War be directed to place upon the roll of revolutionary pensioners the name of James Francher, of Tennessee; and that he cause him to be paid at the rate of forty dollars per annum during his natural life; the said payment to commence on the fourth day of March, Anno Domini eighteen hundred and thirty-one.

To be placed on pension roll.

APPROVED, July 20, 1840.

STATUTE I.

CHAP. LXII.—*An Act for the relief of Seneca Rider.*

July 20, 1840.

Be it enacted, &c., That the Secretary of War be, and he is hereby, required to place the name of Seneca Rider, of Jefferson county, New York, on the list of United States pensioners, and to pay him at the rate of six dollars per month from the first day of May, one thousand eight hundred and thirty-eight; and to continue during his natural life.

To be placed on pension list.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXIII.—*An Act for the relief of William Bowman.*To be placed
on pension roll.

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

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXIV.—*An Act for the relief of Jacob Becker.*To be restored
to pension roll.

Be it enacted, &c., That the Secretary of War be, and he is hereby, directed to restore the name of Jacob Becker, of the state of New York, to the roll of revolutionary pensioners of that state; and to allow him thirty dollars per annum during his life, from the third day of March, eighteen hundred and thirty-six, the time payment of the former allowance was suspended.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXV.—*An Act for the relief of Peter W. Short, of Woodstock, Ulster county, New York.*To be replaced
on pension roll.

Be it enacted, &c., That the Secretary of War be, and he is hereby, authorized and directed to restore the name of Peter W. Short to the invalid pension roll of the United States, and to pay him at the rate of two dollars and sixty-six cents per month, from the time his pension was suspended, out of any money in the treasury not otherwise appropriated; and to continue during his natural life.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXVI.—*An Act for the relief of Daniel W. Going.*To be placed
on pension roll.

Be it enacted, &c., That the Secretary of War be, and he is hereby, directed to place Daniel W. Going on the pension roll, and to pay him the sum of four dollars per month, during his natural life, out of any moneys not otherwise appropriated, to commence from the first day of January, one thousand eight hundred and thirty-seven.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXVII.—*An Act for the relief of Erastus Pierson.*To be placed
on pension roll.

Be it enacted, &c., That the Secretary of War be directed to place the name of Erastus Pierson, of Essex county, New Jersey, upon the roll of revolutionary pensioners, and that he cause to be paid to him, the said Pierson, during his natural life, the sum of sixty dollars per annum, to commence on the fourth day of March, anno Domini eighteen hundred and thirty-one.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXVIII.—*An Act for the relief of Gideon Sheldon.*To be placed
on pension list.

Be it enacted, &c., That the Secretary of War be, and hereby is, directed to place the name of Gideon Sheldon, of the county of Rutland, state of Vermont, on the pension list of invalid pensioners of the United States; and that said Sheldon be entitled to receive a pension at the rate of eight dollars a month, to commence on the first day of January, eighteen hundred and thirty-eight, during his natural life, out of any money in the treasury not otherwise appropriated.

APPROVED, July 20, 1840.

CHAP. LXXIX.—*An Act for the relief of Jared Winslow.*

STATUTE I.
July 20, 1840.

Be it enacted, &c., That the Secretary of War be, and he is hereby, directed to place upon the roll of invalid pensioners, the name of Jared Winslow, of China, in the county of Genesee and state of New York, and pay him at the rate of eight dollars a month; commencing on the first day of January, eighteen hundred and thirty-eight; to continue during his natural life.

To be placed
on pension roll.

APPROVED, July 20, 1840.

CHAP. LXX.—*An Act for the relief of Peter A. Myers.*

STATUTE I.
July 20, 1840.

Be it enacted, &c., That the Secretary of War be, and he is hereby, directed to place the name of Peter A. Myers on the roll of invalid pensioners, and pay him the sum of four dollars per month, to commence on the first day of January, eighteen hundred and thirty-nine, and to continue during his natural life.

To be placed
on pension roll.

APPROVED, July 20, 1840.

CHAP. LXXI.—*An Act granting a pension to Chauncey Rice.*

STATUTE I.
July 20, 1840.

Be it enacted, &c., That the Secretary of War be required to place the name of Chauncey Rice, of Northampton county, Pennsylvania, on the pension-roll, and pay him eighty dollars per annum during life; to commence and be computed from the fourth of March, eighteen hundred and thirty-one; to be paid out of any moneys not otherwise appropriated.

To be placed
on pension roll.

APPROVED, July 20, 1840.

CHAP. LXXII.—*An Act for the relief of Sylvester Tiffany.*

STATUTE I.
July 20, 1840.

Be it enacted, &c., That the Secretary of War be directed to place the name of Sylvester Tiffany, of Genesee county and state of New York, upon the roll of invalid pensioners, and pay to him, from the first of January, eighteen hundred and thirty-seven, eight dollars per month, during his natural life, out of any money in the treasury not otherwise appropriated.

To be placed
on pension roll.

APPROVED, July 20, 1840.

CHAP. LXXIII.—*An Act for the relief of William Andrews, of the state of New York.*

STATUTE I.
July 20, 1840.

Be it enacted, &c., That the Secretary of War be, and he is hereby, directed to place the name of William Andrews, of the state of New York, on the pension roll, and to pay him sixty dollars per annum during life, instead of the pension now allowed him, and to commence at the time his pension was reduced.

To be placed
on pension roll.

APPROVED, July 20, 1840.

CHAP. LXXIV.—*An Act for the relief of Peter Warner, of Indiana.*

STATUTE I.
July 20, 1840.

Be it enacted, &c., That Peter Warner of Indiana, be, and he hereby is, authorized to enter with the register of the Winnamac land office, in that state, the south-east quarter of section one, in township thirty-two north, of range five east, of the public land in the said land district, at the rate of one dollar and twenty-five cents per acre.

Authorized to
enter certain
land.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXXV. — *An Act for the relief of the sureties and heirs and representatives of Melancton W. Bostwick, deceased, and for other purposes.*

Bond given by M. W. Bostwick to be cancelled.

Be it enacted, &c., That the Secretary of the Treasury be, and he hereby is, authorized and required to cancel and annul a bond given by Melancton W. Bostwick, John Taylor, Chauncey Belding, Caleb Holmes, and Samuel Belding, bearing date the sixth day of August, in the year of our Lord one thousand eight hundred and fourteen, in the penal sum of ten thousand dollars; conditioned for the faithful conduct of Melancton W. Bostwick, a purser in the navy of the United States, who perished in the brig *Epervier*.

Amount due A. R. Thompson to be ascertained and paid.

Sec. 2. And be it further enacted, That the Secretary of War ascertain what amount the late Lieutenant-Colonel Alexander R. Thompson might have received for extra services under any rule, regulation, or practice, of the department, existing at the time the service was rendered; also, the value of any horse or horses of his that may have been lost in, or turned over to, the public service; and the expense incurred in the transportation of the baggage, effects, and remains of the said late Lieutenant-Colonel Thompson from Tampa Bay to New York; and the respective sums so found due, shall be paid out of any money in the treasury not otherwise appropriated, to Mary W. Thompson.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXXVI. — *An Act for the relief of Oliver Welch.*

Authorized to correct a mistake in the purchase of certain land.

Be it enacted, &c., That Oliver Welch, of the county of Talladega, and state of Alabama, be, and he is hereby, authorized to surrender the certificate which issued to him from the land office at Mardisville, in said state, on the twenty-fifth day of February, eighteen hundred and thirty-five, for the north-east quarter of the north-west quarter of section nine, in township twenty, of range four east, in the Coosa 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 the surrender of his patent, and filing his relinquishment in said office, the said Oliver Welch shall be entitled to a certificate from the register and receiver of the said land office for the amount which was so paid by mistake; which shall be received in payment for any other tract of land in said land district which may be subject to private entry.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXXVII. — *An Act for the relief of Thomas Latham, and for other purposes.*

T. Latham released from a judgment against him as surety of Lewis Leroy.

Proviso.

Be it enacted, &c., That Thomas Latham be, and he is hereby, released from a judgment rendered against him by the United States, in the district court of the United States for the district of Pamlico, in the district of North Carolina, as surety of Lewis Leroy, on a bond to the United States to secure the payment of the sum of three hundred and sixty-one dollars and seven and a half cents, the amount of duties on a cargo imported by said Lewis: *Provided, however,* That nothing in this act contained shall be construed to release any other person or persons than the said Thomas Latham; nor shall it be so construed as to release him from the payment of the costs of rendering said judgment.

Payment to P. Starritt of a balance due on corn.

Sec. 2. And be it further enacted, That the Secretary of the Treasury be, and hereby is, authorized to pay to Preston Starritt, out of any moneys in the treasury not otherwise appropriated, the sum of five hundred and ninety-four dollars and thirty-five cents, in full for the balance due him for corn furnished the United States in the year eighteen hun-

dred and thirty-seven, under a contract made between said Starritt and Lieutenant A. Montgomery, acting assistant quartermaster in the United States army.

APPROVED, July 20, 1840.

CHAP. LXXVIII.—*An Act confirming the claim of Augustine Lacoste to a certain tract of land therein named.*

STATUTE I.
July 20, 1840.

Be it enacted, &c., That the claim of Augustine Lacoste, number eleven, certificate number eight, report number five, as shown by the records of the land office of St. Stephens, Alabama, to a certain tract of land situate on Bon Secour's river, in the county of Baldwin, state of Alabama, containing, as shown by a survey thereof, made second January, eighteen hundred and thirty, and approved third December, eighteen hundred and thirty-four, by James H. Weakley, surveyor of the United States lands in Alabama, six hundred and thirty-eight and forty hundredths acres, be, and the same is hereby confirmed.

Land claim confirmed.

SEC. 2. *And be it further enacted*, That the Commissioner of the General Land Office cause to be issued to the above-named Augustine Lacoste a patent for the aforesaid tract of land, known as section thirty-nine, township number eight, range number four, east.

Patent to be issued.

APPROVED, July 20, 1840.

CHAP. LXXIX. — *An Act for the relief of Gilbert A. Smith and Nathan Stark.*

STATUTE I.
July 20, 1840.

Be it enacted, &c., That the collector of customs for the district of New London, in Connecticut, is hereby authorized to pay to Gilbert A. Smith and Nathan Stark, owners of the fishing schooner, called the Lilly, of forty-six and eighty-hundredths tons burthen, and to the persons composing her crew, or their legal representatives, the bounty allowed to her by law, to be distributed according to law; said schooner having completed the full term of three and one-half months in the cod-fisheries, during the season prescribed by law; and having been fitted out with the stores and complement of ten men by law required.

Allowance of bounty to fishing schooner.

APPROVED, July 20, 1840.

CHAP. LXXX. — *An Act for the relief of Ebenezer Lobdell.*

STATUTE I.
July 20, 1840.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Ebenezer Lobdell, out of any money in the treasury not otherwise appropriated, the sum of one thousand and seventy-five dollars and thirty-nine cents, for extra labor in clearing out certain obstructions in the river Kennebec, not within the terms of a contract executed by him and Peter Grant, the agent of the United States, on the thirtieth day of May, eighteen hundred and twenty-nine.

Payment for extra labor in removing obstructions from Kennebec river.

APPROVED, July 20, 1840.

CHAP. LXXXI.—*An Act for the relief of John W. Faunce and Oliver Perrin.*

STATUTE I.
July 20, 1840.

Be it enacted, &c., That the Commissioner of Patents be, and he hereby is, authorized to issue a patent to John W. Faunce and Oliver Perrin, on their specification filed in the Patent Office on the first day of September, eighteen hundred and thirty-four, on their paying the sum of thirty dollars and depositing a model and drawing according to the existing laws: *Provided*, That, on examination, the Commissioner shall be satisfied that the said Faunce and Perrin were the original inventors of the machine described in their said specification.

Patent to be issued.

Proviso.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXXXII.—*An Act for the relief of John L. Bowman, and Enoch J. Noyes.*

Allowance to a fishing schooner lost at sea.

Be it enacted, &c., That the collector of the customs for the district of Passamaquoddy, in Maine, is hereby authorized to pay to John L. Bowman, and Enoch J. Noyes, owners of the fishing schooner called the George, of Eastport, in said district, of sixty-eight and thirty-eight ninety-fifths tons burthen, and to the persons composing her late crew, or their legal representatives, such allowance, to be distributed according to law, as they would have been entitled to receive if she had completed her fishing term; the said schooner having been totally lost in a gale, after having been employed more than two and a half months of the term required by law.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXXXIII.—*An Act for the relief of Pierre Molaison, the widow of Pierre Richoux, Alexander Comeau, Alice L. Foley, widow of John Foley, and François Martin, of the state of Louisiana.*

Land claim of P. Molaison confirmed.

Be it enacted, &c., That the claim of Pierre Molaison to a tract of land of one arpen and a half front, more or less, with forty arpens in depth, situate on the left bank of the bayou Lafourche, about three miles below the town of Thibodauxville, be, and the same is hereby confirmed.

Claim of P. Richoux confirmed.

SEC. 2. *And be it further enacted*, That the claim of the widow, Pierre Richoux, to a tract of land of one arpen and a half front, more or less, with forty arpens in depth, situate on the left bank of the bayou Lafourche, about three miles below the town of Thibodauxville, and bounded on the lower side by the land of Pierre Molaison, described in the first section of this act, be, and the same is hereby confirmed.

Claim of A. Comeau confirmed.

SEC. 3. *And be it further enacted*, That the claim of Alexander Comeau, to a tract of land of four arpens front, with forty arpens in depth, situate on the left bank of the bayou Lafourche, about four leagues and a half from the Mississippi, and designated as fractional section number fifty-eight, in township thirteen, range fourteen east, be, and the same is hereby, confirmed.

Claim of A. L. Foley confirmed.

SEC. 4. *And be it further enacted*, That the claim of Alice L. Foley, widow of John Foley, to a tract of land in the parish of Assumption, on the left bank of the canal leading to Lake Verit, and containing ten arpens front by forty arpens in depth, designated as sections numbers one hundred and forty and one hundred and eighty, of townships numbers fourteen and fourteen, in range numbers thirteen and fourteen east, be, and the same is hereby confirmed.

Claim of F. Martin confirmed.

SEC. 5. *And be it further enacted*, That the claim of François Martin to a tract of land in the parish of Assumption, on the right bank of the canal, to Lake Verit, containing one hundred and forty and sixty-three hundredths acres, be, and the same is hereby, confirmed: *Provided*, That none of the confirmations contained in this act shall amount to any thing more than a relinquishment of claim on the part of the United States.

Proviso.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXXXIV.—*An Act for the relief of certain settlers on the salt-lick reservation in the western district of Tennessee.*

Act of March 3, 1839, ch. 179, extended.

Be it enacted, &c., That the provisions of an act of Congress entitled "An act for the relief of certain settlers living on what is called the salt-lick reservation in the western district of Tennessee," approved

on the third day of March, eighteen hundred and thirty-nine, be, and the same are hereby, extended to the first day of June, eighteen hundred and thirty-nine.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXXXV.—*An Act for the relief of the widow and heirs-at-law of the late Lewis Grant Davidson, deceased.*

Be it enacted, &c., That it shall be the duty of Eliza Davidson, the widow of Lewis Grant Davidson, late of Georgetown, in the District of Columbia, deceased, and guardian of the infant heirs of the said Lewis to make out and return to the orphans' court of Washington county, in the said District, a full and complete list of all the real estate of which the said Lewis Grant Davidson died seized, lying and being in Washington county aforesaid, distinguishing on the said list such of the said real estate as is unimproved and unproductive, and such as is improved and productive; and it shall and may be lawful, and the said Eliza Davidson is hereby authorized, from time to time, to bargain and sell that part of the said estate which is unimproved and unproductive, or any portion thereof, on such terms as to her may seem most for the interest of the said infant heirs; and, immediately after any such sale, the said Eliza shall report the same, and the terms thereof, to the judge of the orphans' court aforesaid; and the same having been approved and ratified by the said judge, and the purchase-money having been paid, and not otherwise, the said Eliza Davidson is further authorized and empowered, by a deed of bargain and sale, to convey the premises by her sold to the purchaser or purchasers thereof in fee simple.

E. Davidson to make out and return a list of the real estate her husband died seized of, &c.

SEC. 2. *And be it further enacted*, That the judge of the orphans' court aforesaid shall have authority to allot and apportion to the said Eliza, out of the proceeds of such sales, an equivalent, or satisfaction in money, for her right of dower in the said premises sold and conveyed by her; and, also, a commission, not exceeding five per centum, on the proceeds of such sales; and to pass all such orders and decrees relative to the disposal and investment of such proceeds by the said Eliza, as to him shall seem proper for the preservation and improvement of the estate of the said infant heirs.

Her dower and commission.

SEC. 3. *And be it further enacted*, That the register of the orphans' court shall take and state an account of such sales as may be reported, and of such orders as may be made in the premises, under the direction of the said judge; and shall be paid therefor such fees as by law he is allowed to charge and receive in the settlement of other guardian accounts.

Register of the orphans' court to take an account, &c.

SEC. 4. *And be it further enacted*, That, as the said infant heirs-at-law of the said Lewis Grant Davidson arrive at lawful age, it shall be the duty of the said Eliza Davidson to account with them for the proceeds of the said real estate by her sold by virtue of this act, and to pay over to each of them the balance or portion severally due to them on such account; and, on her failing so to do, her bond, as guardian of the said infant heirs, may be put in suit, and the said balance or portion severally due the said heirs may be recovered thereon.

Portion due to heirs, how to be paid.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXXXVI.—*An Act for the relief of Thomas Bennett.*

Be it enacted, &c., That Thomas Bennett, of the state of New York, be placed on the pension roll at the rate of thirty dollars per annum during his natural life; to commence on the fourth day of March, eighteen hundred and thirty-one.

To be placed on pension roll.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXXXVII.—*An Act granting a section of land for the use of schools in St. Clair county, state of Illinois.*

Another section to be located in lieu of the 16th.

By whom to be located.

Be it enacted, &c., That one section of the public lands subject to private entry and sale in the state of Illinois, be located for the use and benefit of schools for the inhabitants of township one north, range ten west of the third principal meridian, in said state, in lieu of the sixteenth section, which has been appropriated by the Government for the use of private claims.

SEC. 2. *And be it further enacted*, That any person appointed by the county commissioners' court of the county of St. Clair, in the state of Illinois, be, and he is hereby, authorized to locate the said section named in this act for the purposes above-named.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXXXVIII.—*An Act for the relief of Captain John Downes.*

To be paid an amount with which he stands charged twice.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to allow to Captain John Downes, in the settlement of his account, the sum of seven hundred and twenty-three dollars and sixty cents with which he stands charged twice in his account at the treasury department, and cause the said sum of seven hundred and twenty-three dollars and sixty cents to be paid to the said Captain John Downes out of any money remaining in the treasury not otherwise appropriated.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. LXXXIX. — *An Act allowing further time to the Trustees of Centre College to dispose of the land heretofore granted to the Deaf and Dumb Asylum, in the state of Kentucky.*

Further time for the sale of lands allowed.

Be it enacted, &c., That the further time of two years, from and after the fifth day of April, one thousand eight hundred and forty, be, and the same is hereby, allowed to the trustees of Centre College, at Danville, in the state of Kentucky, to dispose of the lands heretofore granted to the Deaf and Dumb Asylum, in said state of Kentucky.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. XC. — *An Act granting two townships of land for the use of a University in the Territory of Iowa.*

Land granted for a university in Iowa when it becomes a state, &c.

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized to set apart and reserve from sale, out of any of the public lands within the Territory of Iowa, to which the Indian title has been or may be extinguished, and not otherwise appropriated, a quantity of land, not exceeding two entire townships, for the use and support of a university within the said Territory when it becomes a state, and for no other use or purpose whatsoever, to be located in tracts of not less than an entire section, corresponding with any of the legal divisions into which the public lands are authorized to be surveyed.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. XCI.—*An Act for the relief of the legal representatives of William Williams, senior, deceased.*

Authorized to relinquish and enter land.

Be it enacted, &c., That John Campbell, James Campbell, Hamilton C. Campbell, and Mary Williams, be, and they are hereby, authorized to relinquish to the United States, in such form as the Commissioner of the General Land Office shall prescribe, the south-west quarter

of section fifteen, of township ten north, range four east, in the tract appropriated (by the acts appropriating and granting land to the late army of the United States, passed on and since the sixth day of May, eighteen hundred and twelve) for military bounties in the Territory of Arkansas; and upon such relinquishment being made as aforesaid, and upon satisfactory proof being also made to the said Commissioner that the said John Campbell, James Campbell, Hamilton C. Campbell, and Mary Williams, are the only legal representatives of the said William Williams, deceased, the said John Campbell, James Campbell, Hamilton C. Campbell, and Mary Williams, shall be, and they are hereby, authorized to enter any other quarter section of land, in the state of Arkansas, which shall be liable to entry at private sale.

APPROVED, July 20, 1840.

Act of May 6,
1812, ch. 77.

STATUTE I.

July 20, 1840.

CHAP. XCII.—*An Act granting a pension to the heirs of Leonard Smith.*

Be it enacted, &c., That the Secretary of War cause to be paid to the heirs of Leonard Smith, late of the county of Orange, in the state of New York, the pay allowed to a lieutenant in the army of the revolution, for six months' service, under the act of Congress passed the seventh day of June, eighteen hundred and thirty-two; said pay commencing on the fourth day of March, eighteen hundred and thirty-one, and ending on the death of the said Leonard Smith.

APPROVED, July 20, 1840.

Allowed the pay of a lieutenant, under act of June 7, 1832, ch. 126.

STATUTE I.

July 20, 1840.

CHAP. XCIII.—*An Act for the relief of Cornelius Tiers.*

Be it enacted, &c., That the Secretary of the Treasury pay to Cornelius Tiers, out of any money in the treasury not otherwise appropriated, one thousand two hundred dollars; the amount of loss by him sustained in delaying to give him orders to make blocks, &c. for a ship of the line, frigate, and sloop of war, contrary to his contract with the United States.

APPROVED, July 20, 1840.

Payment for a certain loss sustained.

STATUTE I.

July 20, 1840.

CHAP. XCIV.—*An Act for the relief of Mary Perkins.*

Be it enacted, &c., That Mary Perkins, of the county of Williams, in the state of Ohio, be, and she is hereby, authorized to enter, within twelve months after the passage of this act, with the register and receiver of the land office at Lima, in said state, the following tract of land, to wit: the west fraction of the south-east quarter of section numbered twenty-one, in township numbered one, north of range five east, in the Lima land district, Ohio, she paying therefor, as other purchasers, the price of one dollar and twenty-five cents per acre.

APPROVED, July 20, 1840.

Authorized to enter certain land.

STATUTE I.

July 20, 1840.

CHAP. XCV.—*An Act for the relief of William Marbury, of Louisiana.*

Be it enacted, &c., That William Marbury, of the state of Louisiana, be, and he is hereby, authorized to enter, without payment, at the land office at St. Helena, a section of six hundred and forty acres of land, in township seven, range three east, in the land district of St. Helena, in the state of Louisiana, in lieu of and as a full equivalent for the same quantity of land to which he had a private claim, which was confirmed, under a certificate numbered seven hundred and sixteen, in October, in the year one thousand eight hundred and twenty-seven, and which tract of land was then required, by an order of survey from the land office at St. Helena, to be run out and allotted to him in the parish of St. Tammany, in the same land district, but which was not surveyed or allotted

Authorized to enter certain land, in lieu of land sold by U. S.

Proviso.

in pursuance of said order, and was returned as public land; the most valuable part of which has since been sold by the United States: *Provided*, That before a patent shall issue for the land, the entry of which is authorized by the provisions of this act, the said Marbury shall relinquish to the United States, in such manner as the Commissioner of the General Land Office may direct, all his interest to the land originally confirmed, which should have been run out and allotted to him in the parish of St. Tammany.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. XCVI.—*An Act for the relief of the children of Stephen Johnston, deceased.*

Land certificate to issue.

Be it enacted, &c., That upon the President being satisfied that the claim of the children of Stephen Johnston, named in the treaty made with the Pottawatomie tribe of Indians, near the mouth of the Mississinnewa, upon the Wabash, in the state of Indiana, on the sixteenth day of October, in the year one thousand eight hundred and twenty-six, to a certain half-section of land, in and by said treaty granted to them, the children of said Stephen Johnston, has been, or may have been, relinquished to the United States; or that the same never has been selected for, and accepted by them, he, the said President, is requested to cause the Commissioner of the General Land Office to issue to the children of the said Stephen Johnston, by their names Stephen Johnston, and Elizabeth Johnston, or to their heirs a certificate, receivable in payment at any land office in the United States, for any half-section of land, not subject to pre-emption.

This act to continue in force, how long.

SEC. 2. *And be it further enacted*, That this act shall continue in force and have effect until the fourth day of March, in the year one thousand eight hundred and forty-three, and no longer.

APPROVED, July 20, 1840.

STATUTE I.

July 20, 1840.

CHAP. XCVII.—*An Act for the relief of Boggs and Thompson, Robert and Thomas Hutchinson, and others.*

Certain drawbacks, not paid because of an omission to take the oaths, &c., to be paid.

Be it enacted, &c., That the collector of the port of New York or the collector of the port of Philadelphia, as the case may be, be, and they are hereby, respectively required to pay to the persons hereinafter mentioned, or their representatives, the drawback of duties on the importations of the goods and merchandise hereinafter mentioned, which said drawbacks were not paid when the same became due, because of the omission on the part of the exporters to take the oath and give the bond within ten days then limited by law, for taking oaths and giving bonds in cases of exportations for benefit of drawback: *Provided*, That the said collectors, respectively, shall be satisfied that the said goods were bona fide shipped for debenture, and actually landed in a foreign port, and that the omission to take the oath and give the bond aforesaid, was inadvertent or in consequence of misapprehension, viz:

Proviso.

To Boggs and Thompson, of New York, on one hundred boxes of claret wine, exported from New York to Port au Prince, on board the schooner General Andrew Jackson, Ashby, master, and on eighty boxes of claret wine exported from New York to Aux Cayes on board the schooner Favorite, Scoyen, master.

To Cotheal and Hoff, of New York, on eight pipes of gin, and one hundred and fifty gin cases, exported to the West Indies on board the schooner Sally, Dominick, master.

To Robert and Thomas Hutchinson, of New York, on twenty-one bales of cotton yarns, exported from New York to the Port of Greenock, on board the ship Annisquam, Watkinson, master.

To James Grant Forbes and Ralph B. Forbes, of New York, on sundry hogshheads, barrels, and seroons of merchandise, consisting of cocoa, coffee, sugar, gum, sarsaparilla, gum guyacum, seeds and bark, exported to Nantz, on board the ship Brutus, Pendergrast, master, and on nine bales cotton, exported to West Indies on board the brig Sussex, Lee, master.

To Joseph Simmons, of Philadelphia, on two hundred bags of coffee, exported on board the ship Golden Age, Nye, master, from Philadelphia to Hamburg.

To Jacob Ritter, Jr., of Philadelphia, on sixty-four canisters of sugar, exported on board the ship Fair American, from Philadelphia to Amsterdam.

To John Laval, of Philadelphia, on two cases of jewelry, exported on board the brig Molly, Lee, master, from Philadelphia to St. Pierre, in Martinique.

To Gray and Taylor, and Samuel Tagert, of Philadelphia, on one hundred and one chests of Congo tea, exported on board the ship Temperance, Captain Burrough, from Philadelphia to Hamburg.

APPROVED, July 20, 1840.

STATUTE I.

July 21, 1840.

CHAP. XCIX. — *An Act for the relief of Chastelain and Ponvert, and for other purposes.*

Be it enacted, &c., That the collector of the port of New York is hereby authorized to deduct from the amount of a bond given by Chastelain and Ponvert, for duties on merchandize imported in the schooner General Jackson, Hawes, master, from Neuvitas, in the island of Cuba, such duties as may have been charged on that portion of said merchandize, which was not landed in the United States, having been destroyed by fire in the harbor of New York, upon their producing proof, to the collector of New York, of the destruction of said merchandize.

Duties charged on goods destroyed by fire to be deducted from a bond.

SEC. 2. *And be it further enacted,* That the following sums to pay the balances of accounts for which no appropriations now exist, and which have been passed upon and allowed by the proper accounting officers of the Government, or are now before them for audit, and for the payment of which, appropriations are recommended by the heads of the proper departments, be, and the same are hereby appropriated, viz :

Appropriations for—

For an award made by the proper accounting officers of the treasury in favor of the owners of the Steamboats Stasca and Dayton, for services rendered under an agreement with Major Charles Thomas, Quartermaster, for the transportation of supplies, laborers and other things, for the use of the works at Fort Smith, Arkansas, in the year eighteen hundred and thirty-eight, thirteen thousand three hundred and fifty dollars.

Transportation by certain steamboats.

For payment of a balance due for supplies furnished to the Creek Indians, and medical services rendered to those Indians, after the commencement of the disturbances in the Creek country, and before and during the removal of the said Indians west of the Mississippi, which accounts were incurred under the direction of the proper officers or agents of the Government, seven thousand seven hundred and forty-one dollars and forty-four cents.

Supplies, &c. to the Creek Indians.

For the payment of the expenses of a division of the lands of the Brothertown Indians among the members of the tribe, in obedience to the act of Congress of the third of March, eighteen hundred and thirty-nine, entitled "An act for the relief of the Brothertown Indians in the Territory of Wisconsin" the duties having been performed and the accounts presented, one thousand eight hundred and thirty dollars.

Division of lands of Brothertown Ind's. Act of March 3, 1839, ch. 83.

For the payment of an account of Henry Lucas and A. P. King, of

H. Lucas and A. P. King, for teams and wagons.

the state of Alabama, for the loss and injury sustained by them by the impressment of their teams and wagons into the service of the United States by D. H. Baldwin, Quartermaster-General of the Florida militia, in the year eighteen hundred and thirty-six, a sum not to exceed six thousand and fifty dollars.

Hart and Bosworth, for arms and ammunition.

For the payment of an account of Hart and Bosworth, merchants of Irwinton, Alabama, and of John Hart, merchant of the same place, for stores, arms, and ammunitions, taken for the use of the troops in the service of the United States, by the order of General William Irwin, commandant of the fifth division of the Alabama militia, during the Creek campaign of May, eighteen hundred and thirty-six, a sum not to exceed two thousand three hundred and eleven dollars and ninety cents.

J. H. Craddock.

For the payment of an account of John H. Craddock, of Alabama, for property of his destroyed by the order of Colonel J. T. Lane, an officer in the service of the United States, in the month of September, eighteen hundred and thirty-six, the sum of one hundred and sixty-four dollars and sixty-three cents.

J. Mitchell and B. F. Fox.

For the payment of a balance due to John Mitchell and Benjamin F. Fox, contractors for the erection of the Branch Mint at New Orleans, as admitted by and recommended from, the accounting officers of the treasury, a sum not to exceed eight thousand five hundred and eighty-eight dollars and fifty-five cents.

Surveys.

For the payment of balances due for military and geographical surveys west of the Mississippi, and north of the state of Missouri, made under the direction of the War Department, and the accounts for which are now before the proper accounting officers for settlement, a sum not to exceed sixteen thousand dollars. For the payment of Charles Gordon agreeably to the certificate of the Committee on Public lands for services rendered by him in making maps, twenty-one hundred dollars.

C. Gordon, for making maps.

A. Davezac, Chargé d'Affaires at the Hague.

Sec. 3. *And be it further enacted*, That there be paid to Auguste Davezac, late Chargé d'Affaires of the United States at the Hague, out of any money in the treasury not otherwise appropriated, the sum of nine hundred and eighty-nine dollars and eight cents, it being the balance due to him, as acting Chargé d'Affaires, between the twenty-fourth day of May and the fifteenth day of October, one thousand eight hundred and thirty-one, after deducting therefrom the pay of Secretary of Legation during that period, which he has already received.

W. D. Jones, for diplomatic services at Mexico.

Sec. 4. *And be it further enacted*, That the sum of eleven thousand three hundred and sixty dollars and ninety-five cents be, and the same is hereby, appropriated, out of any unappropriated money in the treasury, to William D. Jones, in full for diplomatic services rendered to the United States at the Government of Mexico, from the twenty-eighth of December, eighteen hundred and thirty-six, to the seventh of July, eighteen hundred and thirty-nine.

N. Niles allowed the outfit, &c. of a Chargé d'Affaires, after deducting, &c.

Sec. 5. *And be it further enacted*, That there be paid to Nathaniel Niles, out of any money in the treasury not otherwise appropriated, the same outfit, salary, and allowances, as though he had been regularly commissioned as a Chargé d'Affaires to Sardinia, from the seventh day of June, one thousand eight hundred and thirty-seven, until the eighteenth of June eighteen hundred and thirty-nine, that being the termination of his special mission to Sardinia, during which period he negotiated the subsisting treaty between the United States and the King of Sardinia, deducting therefrom the amount of the salary and contingent expenses which he has already received during the same period, as special agent to Austria and Sardinia.

Payment to M. St. Clair Clarke and P. Force for the Documentary History.

Sec. 6. *And be it further enacted*, That the sum of twenty thousand dollars be, and the same is hereby, appropriated, in part payment for the expense incurred by Matthew St. Clair Clarke, and Peter Force, and for work done by them in publishing the second and third volumes of

the Documentary History of the American Revolution, and for collecting materials for publishing said history: *Provided*, That the sum hereby appropriated shall not be considered as giving any sanction whatever, by Congress, to any contract alleged to have been entered into between the said Clarke and Force, and Edward Livingston, the late Secretary of State, under the act of March second eighteen hundred and thirty-three, providing for the publication of said history: *And provided, further*, That the sum hereby appropriated shall not be regarded by Clarke and Force as any encouragement given to them for proceeding either in the collection of further materials, or in any way for continuing said history—but the sum so appropriated is made upon the expectation that Congress will, at its next session, resume the consideration of this subject, with a view to putting an end to any further publication of said history at the expense of the United States, agreeable to a joint resolution which has been adopted by Congress at its present session.

Proviso.

1833, ch. 78.
Proviso.

SEC. 7. *And be it further enacted*, That the third section of the act of July seven, eighteen hundred and thirty-eight, entitled "An act to provide for the support of the Military Academy of the United States for the year eighteen hundred and thirty-eight, and for other purposes," be, and the same is hereby revived and continued in force for the year eighteen hundred and forty, and until otherwise directed by law.

Act of July 7,
1838, ch. 169,
sec. 3, revived.

SEC. 8. *And be it further enacted*, That the following sums be, and the same are hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the use and repair of the public buildings; viz:

Appropriations
for repairs, &c.
of the Capitol.

For repairing two cupolas, on the north wing of the Capitol, three hundred dollars.

For removing two cupola sashes over the principal stairway and vestibule leading to the hall of the House of Representatives, three hundred and ninety-two dollars.

For preparing panels of the rotunda with curtains for the reception of the paintings, five hundred and forty-two dollars.

For repairing chimney stacks of the Capitol, two hundred and fifty dollars.

For cost of preparing suitable foundation for supporting the Colossal Statue of Washington, in the centre of the rotunda of the Capitol, two thousand dollars.

SEC. 9. *And be it further enacted*, That the Commissioner of Public Buildings, make to Congress, annually, at the commencement of the year, a report of the manner in which all appropriations for the public buildings and grounds have been applied.

Commiss'r of
public buildings
to report to
Congress, &c.

SEC. 10. *And be it further enacted*, That all the estimates of the public buildings and grounds, shall hereafter be submitted by the Commissioner of Public Buildings to the Committee on Public Buildings and Grounds to be examined and approved by them, before they are reported to the House.

Estimates, &c.
to be submitted
to the commit-
tee thereon.

SEC. 11. *And be it further enacted*, That it shall be the duty of the Commissioner of Public Buildings to form all the contracts and to disburse all the moneys for materials furnished or labor performed, for the public buildings, and that he shall receive for all his services, the same compensation, as is allowed by law, to the Commissioners of Patents.

Duties of com-
miss'r of public
buildings.

SEC. 12. *And be it further enacted*, That the sum of one thousand one hundred and twenty-six dollars and fifty-seven cents, out of any moneys in the treasury not otherwise appropriated, be, and the same hereby is, appropriated to defray the expenses of calling into service Captain Snodgrass's company of Alabama volunteers to serve as a guard

Appropriation
for expenses of
certain Alabama
volunteers.

in accompanying a party of emigrating Cherokees from Bellante to Waterloo, in the state of Alabama.

Appropriation to enable F. M. Gen. to comply with resolutions of 23d June 1840.

SEC. 13. *And be it further enacted*, That the sum of fifteen hundred dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to enable the Postmaster-General to comply with the resolutions of the House of Representatives passed twenty-third of June eighteen hundred and forty, which were reported on the twenty-fifth of May by the Committee on Post Office and Post Roads.

APPROVED, July 21, 1840.

STATUTE I.

July 21, 1840.

CHAP. C.—*An Act for the relief of Hyacinth Lassel.*

1844, ch. 152.

A certificate authorizing him to enter certain land, to issue.

Be it enacted, &c., That the Commissioner of the General Land Office shall issue to Hyacinth Lassel (named in the schedule of grants annexed to the treaty made with the Pottawatomie tribe of Indians, on the seventeenth day of October, in the year one thousand eight hundred and twenty-six, near the mouth of the Mississinniwa, upon the Wabash, in the state of Indiana) a certificate under the seal of said land office, authorizing him, the said Hyacinth Lassel, to locate five hundred and sixty acres of land in one tract, at any land office in the state of Indiana; he, the said Lassel, paying the minimum price fixed for such lands, for eighteen acres and forty-six hundredths of an acre, part and parcel of said tract of five hundred and sixty acres.

Such certificate to be receivable for land.

SEC. 2. *And be it further enacted*, That such certificate of the Commissioner of the General Land Office aforesaid, shall be receivable, from the said Hyacinth Lassel, at any land office in said state of Indiana, at any time prior to the fourth day of March, in the year one thousand eight hundred and forty-three, or from the heirs or assigns of the said Hyacinth Lassel, in payment, according to the provisions of the first section of this act: *Provided, however*, That the entry and location hereby authorized, shall not be made on any lands within the limits of the grant made to the state of Indiana for the Wabash and Erie Canal; nor on the alternate sections reserved to the United States in said grant; nor on any lands selected by the state of Indiana for the purposes of said Canal.

Proviso.

APPROVED, July 21, 1840.

RESOLUTIONS.

May 16, 1840.

No. 2. *Joint Resolution for the relief of Masterton and Smith, and for other purposes.*

Preamble.

Whereas, the contractors for furnishing the marble, and building the same in the erection of the new building now erecting for the use of the General Post Office Department, are unable to complete the said work within the time specified in their contract, owing to causes not now within their control, and

Whereas the public interest will be promoted by an extension of the time for the fulfilment of the contract by the contractors; therefore,

Certain contracts extended, &c.

Be it resolved, &c., That the contractors aforesaid have the time for completing their contracts extended until the first day of June, eighteen hundred and forty-one; and that all other contractors for material, or work for said Post Office building, have a proportional extension of time if the Postmaster-General shall deem it expedient or necessary:

Proviso.

Provided, That all contractors be liable to all penalties, restrictions and reservations provided for, and covenanted to be made and kept in their present contracts, except as to time, anything in this resolution to the contrary notwithstanding.

SEC. 2. *And be it further resolved,* That all the duties imposed upon, or required to be performed by the President, in the act of Congress approved third March, eighteen hundred and thirty-nine, entitled "An act providing for the erection of a fire-proof building for the use of the General Post Office Department," shall, hereafter, be performed by the Postmaster-General.

Duties imposed on the President by act of March 3, 1839, ch. 87, to be performed by P. M. Gen.

APPROVED, May 16, 1840.

No. 6. *A Resolution authorizing an examination and payment of the claims of the stone-cutters and other workmen upon the public buildings.*

July 20, 1840.

Be it resolved, &c., That the commissioners appointed by the President of the United States to superintend the prosecution of the work in the construction of the new Treasury building, and the Patent Office building, be, and they are hereby authorized to examine the claims of the stone-cutters and other workmen to indemnity for the loss of their time during the suspension of the work upon said buildings, by order of the superintendent of public buildings, in consequence of the want of the necessary means to carry on the said work; and that the said commissioners allow to such of said workmen, respectively, as were suspended from labor, under the assurance, that, upon an appropriation being made for the continuation of said work, their labor would again be required by the Government, and who, intermediately, had no opportunity of obtaining employment in the city of Washington, such reasonable indemnity for loss of wages for labor, during the suspension of the work, as, under the circumstances of their respective cases, justice and equity may require, not exceeding, however, in any case, the average rate of the earnings of said workmen in the employment of the Government for a like preceding period of time.

Examination of claims of certain workmen, &c.

APPROVED, July 20, 1840.