

PRIVATE ACTS OF THE NINTH 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 first day of December, 1806, and ended the third day of March, 1807.

THOMAS JEFFERSON, President; GEORGE CLINTON, Vice President of the United States, and President of the Senate; SAMUEL SMITH, President of the Senate pro tempore, on the 3d day of March, 1807; NATHANIEL MACON, Speaker of the House of Representatives.

STATUTE II.

CHAP. IV. — *An Act for the relief of George Little.*

Jan. 17, 1807.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers liquidate and adjust with George Little the account of damages, interest and charges, in the case of the brig Flying Fish, captured by him while commander of the frigate Boston, in the service of the United States, during the year one thousand seven hundred and ninety-nine, and afterwards libelled in the district court of the United States, for the district of Massachusetts; in which case judgment was ultimately rendered by the circuit court, in pursuance of a decision of the supreme court of the United States; and that so much as may be necessary for satisfying the same, be paid out of any moneys in the treasury not otherwise appropriated.

Damages in the case of the Flying Fish allowed to him.

2 Cranch, 170.
1 Cond. Rep. 378.

APPROVED, January 17, 1807.

STATUTE II.

CHAP. VI. — *An Act for the relief of Seth Harding, late a captain in the navy of the United States.*

Feb. 6, 1807.

Be it enacted, &c., That the secretary of the navy be, and hereby is directed to place upon the navy list of invalid pensioners of the United States, Seth Harding, late a captain in the navy of the United States, who has been so disabled in the line of his duty, while in service, that he is unable to support himself by labor; and who shall be entitled to receive one half his monthly pay of a captain in the navy, to commence from the first day of January, one thousand eight hundred and four, agreeably to the provisions contained in the act, entitled "An act for the better government of the navy of the United States."

A pension allowed.

Act of April 23, 1800, ch. 33.

APPROVED, February 6, 1807.

STATUTE II.

CHAP. VII. — *An Act for the relief of the sufferers by fire, in the town of Portsmouth, New Hampshire.*

Feb. 10, 1807.

Be it enacted, &c., That all persons, who, being indebted to the United States for duties on merchandise, have given bond therefor, with

Sufferers by the late fire in Portsmouth allowed a further time for the payment of bonds for duties.

one, or more sureties, payable to the collector for the district of Portsmouth, in the State of New Hampshire, or to the collector of the district of Boston and Charlestown, and who have suffered a loss of property by the late conflagration at Portsmouth, shall be and hereby are allowed to take up, or have cancelled, all bonds heretofore given for duties as aforesaid, upon giving to the said collector or collectors new bonds, with one or more sureties, to the satisfaction of the said collector or collectors, for the sums of their former bonds respectively, payable in twelve months from and after the day of payment specified in the bonds to be taken up and cancelled, as aforesaid; and the said collectors are hereby authorized to give up or cancel all such bonds, upon the receipt of others, as described in this act; which last mentioned bonds shall be proceeded with, in all respects, like other bonds which are taken by collectors for duties due to the United States: *Provided, however,* That nothing in this act contained shall extend to bonds which had fallen due prior to the twenty-fourth day of December last.

APPROVED, February 10, 1807.

Proviso.

STATUTE II.

Feb. 10, 1807.

CHAP. X.—*An Act for the relief of Edmund Briggs.*

Collector to pay him or his agent the amount of bounty found due to him.

Be it enacted, &c., That the collector for the district of Newport be, and he hereby is directed to pay to Edmund Briggs, owner of the schooner Phebe, or his agent, the amount of bounty, or allowance arising on a fishing voyage, which was made in the said vessel, in the year one thousand eight hundred and two, upon satisfactory proof being exhibited to the said collector, that the said schooner was employed during the four months of the fishing season.

Repeal of a section of the law relating to Robert Patton, &c.

SEC. 2. *And be it further enacted,* That so much of the act, intituled "An act for the relief of Robert Patton, and others," passed on the third day of March, one thousand eight hundred and five, as is contained in the second section thereof, be, and the same hereby is repealed.

Act of March 3, 1805, ch. 46.

APPROVED, February 10, 1807.

STATUTE II.

Feb. 10, 1807.

CHAP. XI.—*An Act for the relief of William Hearn.*

Sec. Treas. to cause inquiries to be made into his pecuniary circumstances, and to give him a certificate.

Be it enacted, &c., That the secretary of the treasury be, and he is hereby authorized to inquire, by himself, or by some trusty agent whom he may appoint for the purpose, into the pecuniary circumstances of William Hearn, now imprisoned, by virtue of a writ of execution, in favor of the United States, in the prison of Washington county, district of Columbia; and if said Hearn shall assign and convey to the secretary aforesaid, all the estate, of every kind and description, which he may own, or be entitled to, in possession, remainder, or reversion, to the proper use and benefit of the United States; or if he, the said Hearn, shall prove to the satisfaction of the secretary, or agent aforesaid, that he has no estate, and has not transferred all or any part of his property, with intent to avoid the payment of the sum for which he is imprisoned, or to defraud the United States; then the secretary of the treasury shall give to said Hearn, a certificate, stating what he has done in the premises: and upon said Hearn producing such certificate to the marshal of the district of Columbia, he shall discharge said Hearn from his imprisonment: *Provided,* in case the certificate shall specify that the said Hearn has satisfied the secretary, or agent aforesaid, that he had no estate, and of course has made no assignment, then the said Hearn shall either pay, or execute to the marshal, his obligation, payable to the United States, for all fees and expenses, which have arisen in consequence of his, said Hearn's imprisonment, before he be discharged as aforesaid: *And provide,* That nothing in this act shall be construed, to discharge any other person from any liability to the payment of,

Upon which the marshal, &c. is authorized to discharge him.
Proviso.

Proviso.

(or from any liableness to be imprisoned by virtue of the execution aforesaid,) nor to release any estate, which the said Hearn may hereafter acquire, from a liableness to satisfy said execution.

APPROVED, February 10, 1807.

CHAP. XXIV.—*An Act for the relief of Oliver Pollock.*

Be it enacted, &c., That the proper accounting officers of the treasury be, and they are hereby authorized to liquidate and settle the account of Oliver Pollock, formerly commercial agent for the United States at New Orleans, and that they allow him for his expenses of detention at the Havanna; for the sum paid Thomas Patterson, as his hostage; for gunpowder furnished; for commission on the sum paid for gunpowder, and for commission on the sum of seventy-four thousand and eighty-seven dollars, at the rate of two and one half per cent. with interest until paid, and that the same be paid out of any moneys in the treasury, not otherwise appropriated: *Provided,* The said Pollock shall, upon the receipt of the sums directed to be paid by this act, execute, in consideration thereof, a discharge to the United States of all demands whatsoever, and lodge the same with the register of the treasury.

APPROVED, March 3, 1807.

STATUTE II.

March 3, 1807.

Account of commercial agent.

CHAP. XXVI.—*An Act authorizing the settlement of the accounts between the United States and William Eaton.*

Be it enacted, &c., That the proper accounting officers be, and they hereby are authorized and directed to liquidate and settle the accounts subsisting between the United States and William Eaton, late consul at Tunis, upon just and equitable principles, under the direction of the secretary of state.

APPROVED, March 3, 1807.

STATUTE II.

March 3, 1807.

Accounts of late consul at Tunis.

CHAP. XXVII.—*An Act for the relief of Stephen Sayre.*

Be it enacted, &c., That the accounting officers of the treasury be, and they are hereby authorized to settle the account of Stephen Sayre, as secretary of legation to the American commissioner at the court of Berlin, in the year one thousand seven hundred and seventy-seven, and that they allow him not exceeding four months pay, at the rate of one thousand pounds sterling per annum, and the compensation usually made for returning home, with interest on the whole sum until paid: *Provided,* The said Sayre shall, upon the receipt of the sum directed to be paid by this act, execute in consideration thereof a discharge to the United States, of all demands whatsoever, and lodge the same with the register of the treasury.

APPROVED, March 3, 1807.

STATUTE II.

March 3, 1807.

Allowance of secretary of legation.

CHAP. XXXII.—*An Act making compensation to Messrs. Lewis and Clarke, and their companions.*

Be it enacted, &c., That the secretary of war be, and he is hereby directed to issue land warrants to Meriwether Lewis and William Clarke, for one thousand six hundred acres each; to John Ordway, Nathaniel Prior, the heirs or legal representatives of Charles Floyd deceased, Patrick Gass, William Bratton, John Collins, John Colter, Pier Cruzatte, Joseph Field, Reuben Field, Robert Frasier, Silas Goodrich, George Gibson, Thomas P. Howard, Hugh Hall, Francis Labuiche,

STATUTE II.

March 3, 1807.

Warrants for land to be issued to Capt. Lewis and his companions.

Hugh M'Neal, John Shields, George Shannon, John Potts, John Baptist Le Page, John B. Thompson, William Werner, Richard Windsor, Peter Wisner, Alexander Willard, Joseph Whitehouse, George Drulyard, Tousaint Charbono, Richard Worlington, and John Newman, for three hundred and twenty acres each: which several warrants may, at the option of the holder or possessor, be located with any register or registers of the land offices, subsequent to the public sales in such office, on any of the public lands of the United States, lying on the west side of the Mississippi, then and there offered for sale, or may be received at the rate of two dollars per acre, in payment of any such public lands.

Double pay allowed.

SEC. 2. *And be it further enacted*, That double pay shall be allowed, by the secretary of war, to each of the before named persons, agreeably to the time he or they may have served, in the late enterprise to the Pacific ocean, conducted by Messrs. Lewis and Clarke, and that the sum of eleven thousand dollars be and the same hereby is appropriated to discharge the same, out of any moneys in the treasury not otherwise appropriated.

Sum appropriated.

APPROVED, March 3, 1807.

STATUTE II.

March 3, 1807.

CHAP. XXXIII.—*An Act for the relief of Daniel S. Dexter.*

To be discharged from his imprisonment.
On what conditions.

Be it enacted, &c., That Daniel S. Dexter, of Providence, and State of Rhode Island, be discharged from his imprisonment upon a judgment obtained against him in favor of the United States: *Provided, however*, That he shall first assign and convey all the estate, real and personal, which he may now own or be entitled to, to some person or persons, for the use and benefit of the United States, under the direction of the secretary of the treasury: *Provided also*, That the said judgment shall remain in full force against any estate which the said Daniel S. Dexter may hereafter acquire; and that process may at any time be thereon issued against the same: *And provided*, That nothing contained in this act shall be construed to discharge the late supervisor of the district of Rhode Island from any legal liability for not taking bonds of the said Dexter, for the faithful discharge of his duty.

Supervisor not to be discharged from his liability.

APPROVED, March 3, 1807.

STATUTE II.

March 3, 1807.

CHAP. XXXVIII.—*An Act for the relief of John Chester.*

Accounts of late supervisor of the public moneys.

Be it enacted, &c., That on the settlement of the accounts of John Chester, former supervisor of the internal revenues and direct tax, for the district of Connecticut, there be passed to his credit, the sum of three hundred seventeen dollars and ninety cents, being the amount of the direct tax, assessed and collected in the State of Connecticut, beyond the quota of said state: *Provided* the said State assent thereto. And also, the further sum of two hundred thirty-three dollars and thirty-four cents, for the contingent expenses of the office, in addition to the provision heretofore made by law.

APPROVED, March 3, 1807.

STATUTE II.

March 3, 1807.

CHAP. XLII.—*An Act authorizing the discharge of Gilbert Drake from his imprisonment.*

Discharge from imprisonment.

Be it enacted, &c., That the marshal of the district of New York be authorized and directed to discharge Gilbert Drake, late a collector of the direct tax, in said district, from his imprisonment, upon a warrant of distress issued against him by the supervisor of said district: *Provided*, That he take, before any judge of the United States, or any judge of the supreme court of the State of New York, or court of common pleas of

the county in which he is imprisoned, so much of an oath imposed upon persons imprisoned for debt, by the second section of the act, entitled "An act for the relief of persons imprisoned for debt," as relates to his not having transferred his property with intent to defraud the United States: *And provided*, That he shall assign, and convey all the estate, real and personal, which he may own or be entitled to, to some person for the use and benefit of the United States, under the direction of the secretary of the treasury: *Provided also*, That any estate, real or personal, which the said Gilbert Drake may hereafter acquire, shall be liable to be taken and sold in the same manner as if he had never been imprisoned and discharged, as aforesaid.

Act of Jan. 6,
1800, ch. 4.

APPROVED, March 3, 1807.

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

STATUTE II.

March 3, 1807.

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

Secretary of
War to place
sundry persons
on pension list.
Act of April
10, 1806, ch. 25.

Persons
named.

Richard Fairbrother, at the rate of three dollars per month, to commence on the twenty-sixth day of May, one thousand eight hundred and six; John De Voc, at the rate of two dollars and fifty cents per month, to commence on the first day of August, one thousand eight hundred and six; Peter Demarest, at the rate of three dollars and seventy-five cents per month, to commence on the first day of August, one thousand eight hundred and six; Stephen Ogden, at the rate of two dollars and fifty cents per month, to commence on the twenty-fifth day of August, one thousand eight hundred and six; John Berry, at the rate of five dollars per month, to commence on the second day of September, one thousand eight hundred and six; John King, at the rate of four dollars per month, to commence on the eighteenth day of October, one thousand eight hundred and six; Robert Ames, at the rate of five dollars per month, to commence on the eighteenth day of October, one thousand eight hundred and six; Charles Gowin, at the rate of two dollars and fifty cents per month, to commence on the thirty-first day of October, one thousand eight hundred and six; Francis L. Slaughter, at the rate of three dollars per month, to commence on the fifteenth day of November, one thousand eight hundred and six; William Re Beck, at the rate of four dollars per month, to commence on the twenty-second day of November, one thousand eight hundred and six; Spafford Ames, at the rate of five dollars per month, to commence on the eleventh day of December, one thousand eight hundred and six; Josiah Jones, at the rate of four dollars per month, to commence on the twenty-second day of December, one thousand eight hundred and six; Samuel Dowdney, at the rate of two dollars and fifty cents per month, to commence on the twenty-seventh day of December, one thousand eight hundred and six; Eliphalet Easton, at the rate of five dollars per month, to commence on the thirty-first day of December, one thousand eight hundred and six; Joseph Ligon, at the rate of three dollars per month, to commence on the eighth day of January, one thousand eight hundred and seven; John Hubbard, at the rate of three dollars per month, to commence on the eighth day of January, one thousand eight hundred and seven; Daniel Guard, at the rate of two dollars and fifty cents per month, to commence on the twenty-third day of January, one thousand eight hundred and seven; Elisha Forbes, at the rate of three dollars per month, to commence on the twenty-fourth day of January, one thousand eight hundred and seven; Alexander Simonton, at the rate of three dollars per

Pensions.

month, to commence on the ninth day of January, one thousand eight hundred and seven; Noah Robinson, at the rate of ten dollars per month, to commence on the twenty-third day of October, one thousand eight hundred and six; Charles Mynn Thruston, at the rate of twenty dollars per month, to commence on the fourteenth day of July, one thousand eight hundred and six; Jonas Farnsworth, at the rate of ten dollars per month, to commence on the second day of September, one thousand eight hundred and six; Benoni Hathaway, at the rate of ten dollars per month, to commence on the sixth day of September, one thousand eight hundred and six; Thomas Marshal Baker, at the rate of ten dollars per month, to commence on the twenty-ninth day of September, one thousand eight hundred and six; James Dysart, at the rate of ten dollars per month, to commence on the eighteenth day of December, one thousand eight hundred and six; Henry Ten Eyck, at the rate of ten dollars per month, to commence on the eighth day of January, one thousand eight hundred and seven; John Little, at the rate of twenty dollars per month, to commence on the thirteenth day of January, one thousand eight hundred and seven; Thomas Harris, at the rate of fifteen dollars per month, to commence on the third day of October, one thousand eight hundred and six; Daniel Ball, at the rate of ten dollars per month, to commence on the seventeenth of February, one thousand eight hundred and seven.

Of those whose pensions are to be increased.

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

Seth Wyman, four dollars per month, to commence on the sixteenth day of June, one thousand eight hundred and six; George Bradford, five dollars per month, to commence on the fifteenth day of August, one thousand eight hundred and six; Abel Furney, five dollars per month, to commence on the twenty-ninth day of August, one thousand eight hundred and six; Charles Scott, five dollars per month, to commence on the first day of September, one thousand eight hundred and six; Ephraim Bailey, five dollars per month, to commence on the fourth day of September, one thousand eight hundred and six; Asa Ware, five dollars per month, to commence on the ninth day of September, one thousand eight hundred and six; Daniel Hickey, five dollars per month, to commence on the twenty-fourth day of September, one thousand eight hundred and six; Daniel Nutting, two dollars per month, to commence on the seventh day of October, one thousand eight hundred and six; Abel Woods, five dollars per month, to commence on the tenth day of October, one thousand eight hundred and six; Joseph Morril, five dollars per month, to commence on the twenty-fourth day of October, one thousand eight hundred and six; William Neley, five dollars per month, to commence on the twenty-fourth day of October, one thousand eight hundred and six; Elisha Frizzle, three dollars and seventy-five cents per month, to commence on the third day of November, one thousand eight hundred and six; William Burritt, five dollars per month, to commence on the third day of November, one thousand eight hundred and six; Benjamin Smith, five dollars per month, to commence on the third day of November, one thousand eight hundred and six; George Pittman, five dollars per month, to commence on the first day of February, one thousand eight hundred and seven; Gustavus Aldrich, three dollars and thirty-three cents and one third of a cent per month, to commence on the twenty-first day of November, one thousand eight hundred and six; Jabez Pembleton, two dollars and fifty cents per month, to commence on the twenty-seventh day of De-

ember, one thousand eight hundred and six; Wiat Hinkley, five dollars per month, to commence on the twenty-eighth day of December, one thousand eight hundred and six; Edward Evans, five dollars per month, to commence on the fifteenth day of January, one thousand eight hundred and seven; Moses Wing, five dollars per month, to commence on the twenty-fourth day of December, one thousand eight hundred and six; John Cavenough, three dollars per month, to commence on the seventeenth day of January, one thousand eight hundred and seven; Richard Hardin, five dollars per month, to commence on the eleventh day of September, one thousand eight hundred and six; Jonathan Holton, ten dollars per month, to commence on the eighth day of September, one thousand eight hundred and six; Jonathan Willard, five dollars per month, to commence on the eighth day of September, one thousand eight hundred and six; Thomas Pearson, thirteen dollars thirty-three cents and one third of one cent per month, to commence on the twenty-eighth day of July, one thousand eight hundred and six; John Maynard, six dollars per month, to commence on the twenty-fifth day of July, one thousand eight hundred and six; Thomas Avery, sixteen dollars sixty-six cents and two-thirds of one cent per month, to commence on the third day of October, one thousand eight hundred and six; Ebenezer Coe, twenty dollars per month, to commence on the thirty-first day of July, one thousand eight hundred and six; Ebenezer Bancroft, six dollars per month, to commence on the thirty-first day of October, one thousand eight hundred and six; William Worthington, fifteen dollars per month, to commence on the nineteenth day of November, one thousand eight hundred and six; David Hawley, ten dollars per month, to commence on the eighth day of December, one thousand eight hundred and six.

SEC. 3. *And be it further enacted*, That the pension of Benjamin Bartlett, of Massachusetts, who was employed in the service of the United States as an escort, spy and guide, at the pay of one dollar per day during hostilities with certain Indian tribes, in the year one thousand seven hundred and ninety-four, and was disabled by being wounded whilst in said service, be increased to five dollars per month.

SEC. 4. *And be it further enacted*, That the pensioners becoming such in virtue of this act shall be paid in the same manner as invalid pensioners are paid, who have heretofore been placed on the pension list of the United States, under such restrictions and regulations in all respects as are prescribed by the laws of the United States, in such cases provided.

APPROVED, March 3, 1807.

Pensions.

Pension of Benjamin Bartlett increased.

Pensioners by virtue of this act to be paid as invalid pensioners have been paid heretofore.