

June 2, 1864.

[No. 36.] *Joint Resolution to settle the Account of James Keenan, late Consul at Hong Kong, China.*

Account of
James Keenan to
be settled and
certain credits
allowed.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is directed to settle the account of James Keenan, late consul at Hong Kong, China, by allowing him two thousand eight hundred and one dollars and eighty-four cents, the amount of judgment in certain cases obtained against him and paid by him; and also to pay him the amount incurred by him in the exchange between the countries, whatever it may be, and charge him with any balance on the books of the treasury against him, and to pay him the balance, if any appears in his favor, out of any money in the treasury not otherwise appropriated.

APPROVED, June 2, 1864.

June 3, 1864.

[No. 37.] *Joint Resolution relative to the Claim and Letters-Patent of William Wheeler Hubbell.*

Claim of Wil-
liam Wheeler
Hubbell to be re-
ferred to court of
claims.

WHEREAS William Wheeler Hubbell claims compensation for the use of his patent for the thunderbolt shell and fuse, which he claims were patented by him, and have been used by the government, under a verbal contract, as he alleges, between him and the late George Bomford, colonel of ordnance of the United States, and for the use of his patent percussion apparatus for exploding shells, and said letters-patent are dated January twenty-two, eighteen hundred and fifty-six, reissued January nineteen, eighteen hundred and fifty-eight, for fourteen years for the shell, January seven, eighteen hundred and sixty-two, for seventeen years for the fuse, and January twenty-four, eighteen hundred and sixty, for fourteen years for the percussion device; and whereas the testimony in support of said claim submitted with said patents, and especially with regard to the validity of the same and the verbal contract aforesaid, is very voluminous, and the shells and fuses in the service, which said Hubbell claims, are made and used in great numbers by the government, and this committee feel that they have neither the time nor means for procuring witnesses and giving the case the careful legal investigation which its importance demands: Therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of William Wheeler Hubbell be referred to the court of claims, which is hereby vested with jurisdiction, and whose duty it shall be to investigate and determine —

Points to be
determined by
court.

First. Is William Wheeler Hubbell the original inventor of the shell and fuse and percussion device aforesaid, or either of them, and has he a just and equitable right to compensation for the same; and —

Second. What amount of compensation is he entitled to receive for the use of his inventions and patents, as claimed, up to the time of adjudication, and for a full and entire transfer of his patents to the United States.

Appeal to sup-
reme court.

Third. *And be it further resolved, That either party may appeal to the supreme court of the United States within ninety days, and the court of claims shall certify any judgment that may be rendered in favor of said William Wheeler Hubbell, his heirs or legal representatives in the same manner, and the same when presented to the Secretary of the Treasury shall have the same effect as now provided by law, and be paid out of any general appropriation in relation to judgments of said court, or for private claims: Provided, That the sum hereby authorized to be paid shall not exceed one hundred thousand dollars, which sum the claimant agrees to accept in full of all claims whatever by virtue of said patents and contract against the government. And the payment of such judgment shall vest the full and absolute right to said patents in the United States.*

APPROVED, June 3, 1864.