

Mar. 3, 1883.

CHAP. 106.—An act for the relief of certain owners of the Steamer Jackson,

Steamer Jack-
 son, destroyed, etc.
 Relief of certain
 owners of.
 Preamble.

Whereas, the United States, on the eighteenth day of June, eighteen hundred and sixty five, chartered the steamboat Jackson to run on the Chattahoochee River in the service of the United States, and while so employed it was wholly destroyed by fire caused by unavoidable accident; and

Whereas the Secretary of the Treasury, on the application of Aaron Barnett and Daniel Fry for payment to them, as alleged owners of said steamboat, of the value of the same, adjudged and decided "that the Steamer Jackson was lost by unavoidable accident while in the military service of the United States by contract, and that the owners thereof were entitled to the payment of the value thereof under acts of March third, eighteen hundred and forty nine, and March third, eighteen hundred and sixty three"; and

Whereas the value of said Steamer was duly ascertained by the Treasury Department to be thirty six thousand one hundred and twenty five dollars, which was paid to the said Barnett and Fry, on the execution of the bond of said Barnett as principal and Louis G. Schiffer and Gabriel H. Schiffer as sureties, in the sum of twenty six thousand dollars, payable to the United States, and "conditioned that if the above bounden obligors their heirs, executors, administrators, or any of them, shall and do well and truly pay or cause to be paid unto any person or persons who shall establish a valid claim to any of the five fourteenths of the steamer Jackson the full amounts as paid by the United States to the said Barnett and Fry, or shall pay or cause to be paid unto the United States, or their assigns, the full amounts paid by the United States on account of said five fourteenths of the said steamer Jackson, with the legal costs and interest on such sum, without any defalcation or delay, then the said bond to be void", and so forth; and

Whereas John R. Ely, John B. Lockey, A. R. Godwin, S. and J. Irwin, Thomas M. White, surviving partner of T. and J. M. White, and Ellison and Hughs, partners or joint owners, claim that they are the owners of said five fourteenths of said steamer Jackson, in different number of shares, and entitled to their pro rata share of said thirty six thousand one hundred and twenty five dollars, amounting to twelve thousand nine hundred and one dollars and seventy eight cents, and have demanded payment of the same from the United States; and

Whereas Barnett and Fry deny the ownership of said claimants of said five fourteenths, and also claim that they (Barnett and Fry) have made payments and advances of large sums of money for and on account of repairs and materials for repairs of said steamer Jackson, which they are entitled to have deducted from any sum for which they may be liable on said bond, or on account of said payment to them of the said twelve thousand nine hundred and one dollars and seventy eight cents; Therefore for the purpose of having the real owners of said five fourteenths of said steamer Jackson legally ascertained, and to enable the said Barnett and Fry, in the event that said claimants, or any of them, shall establish their right to said five fourteenths or any part thereof, to show by legal proof what, if any, advances or payments they, or either of them, have made for and on account of any repairs of the said steamer, and legally chargeable against all the owners thereof.

Suit, etc., au-
 thorized to be
 brought in Court
 of Claims; court to
 have jurisdiction,
 etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John R. Ely, John B. Lockey, A. R. Godwin, S. and J. Irwin, partners or joint owners, and Thomas M. White, surviving partner of T. and J. M. White, and Ellison and Hughs partners or joint owners, be, and they are hereby authorized within six months and not thereafter, after the passage of this act to bring suit in their joint names in the Court of Claims against the United States, and that said Court of Claims shall have jurisdiction of said suit to hear and determine the same for the purposes aforesaid, and to try all issues joined between the parties thereto in relation to the owner-

ship of the five fourteenths of the said steamer Jackson, and determine the right of the said plaintiffs, or any of them, thereto, and to the said twelve thousand nine hundred and one dollars and seventy eight cents, the value thereof, and also to try and determine all issues in relation to any payments or advances made by Barnett and Fry, or either of them, for and on account of any debt legally created against said steamer Jackson, for repairs, material, clerk hire, or work and labor, for which the said steamer was liable in law or equity; and should the said plaintiffs, or any of them, establish their right to said five fourteenths, or the said value thereof, or any portion of the same, and should it be shown by legal proof that said Barnett and Fry, or either of them, have made payments or advances for repairs, materials, clerk hire, or work and labor, for which said steamer was chargeable in law or equity, the said Court shall render judgment against the United States and in favor of each of said claimants for so much of said twelve thousand nine hundred and one dollars and seventy eight cents as the proof may show each to be entitled, less the amount the proof may show the said Barnett and Fry, or either of them, have paid or advanced for and on account of said steamer as aforesaid; and the said Court shall cause notice in writing to be served in person upon said Aaron Barnett and Daniel Fry, in which shall be stated the commencement of said suit by said plaintiffs, and the cause thereof, and requiring them to appear at said court and establish, if they can, by legal proof, their ownership of said five fourteenths of said steamer Jackson, and also what payments or advances they, or either of them, have made, for and on account of repairs, material, or work and labor, for which said steamer was liable.

Approved, March 3, 1883.

CHAP. 107.—An act granting a pension to Miss Amanda Stokes.

Mar. 3, 1883.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll at the rate of fifteen dollars per month, subject to the provisions and limitations of the pension laws, the name of Miss Amanda Stokes, of Lebanon, Warren County, Ohio, to take effect from and after passage of this act.

Amanda Stokes.
Pension.

Approved, March 3, 1883.

CHAP. 108.—An act granting a pension to Margery Nightengale.

Mar. 3, 1883.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Margery Nightengale, widow of Michael Nightengale, late of Company D, Fifty-first Regiment New York Volunteer Infantry, upon the pension-roll, at the rate of eight dollars per month, and pay her said pension from and after the passage of this act.

Margery Night-
engale.
Pension.

Approved, March 3, 1883.

CHAP. 109.—An act granting a pension to Mrs Susan Bayard.

Mar. 3, 1883.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Susan Bayard, widow of Anthony W. Bayard, a soldier of the war of eighteen hundred and twelve.

Susan Bayard.
Pension.

Approved, March 3, 1883.