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

Approved, June 7, 1838.

Statute II.
June 7, 1838.

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

Claim for damages to be examined.

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

Appropriation.

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

Approved, June 7, 1838.

Statute II.
June 12, 1838.

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

Payment for making swords.

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the same; upon condition that said Robert Keyworth deliver to the Secretary of War, for the time being, the sword originally made under said contract, but which was not approved, and which the said Secretary is authorized and directed to cause to be sold at auction, giving reasonable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

Approved, June 12, 1838.

Statute II.
June 12, 1838.

Chap. CIII.—*An Act for the relief of John Spitfathom.*

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

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

Approved, June 12, 1838.

Statute II.
June 12, 1838.

Chap. CIV.—*An Act for the relief of the heirs of William Coggswell.*

Five years' full pay of a captain allowed.

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

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