

use of any property so impressed while in said service where he may appear to have regained the same, and to have received no compensation for the use thereof.

Evidence, how  
receivable.

SEC. 2. *And be it further enacted*, That, in adjusting such claims, said accounting officers shall be governed by such rules, with regard to the species and degree of evidence to be adduced in proof of the fact of taking or impressing the property, the value thereof or compensation for the use of the same, and the use, removal, or destruction of the buildings, and the manner in which such evidence shall be taken and authenticated, as shall be prescribed by the Secretary of War, with the assent of the President of the United States; that whenever a difference of opinion shall arise between the accounting officers as to the extent of the allowance to be made on any claim under this act, the case shall be referred to the Secretary of War, whose decision shall be conclusive.

Appropriation.

SEC. 3. *And be it further enacted*, That the claims allowed under this act be paid out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1839.

STATUTE III.

March 2, 1839.

CHAP. LXV.—*An Act for the relief of Frederick Frey and Company.*

Allowance of  
drawback on  
playing cards.

*Be it enacted, &c.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the treasury not otherwise appropriated, to Frederick Frey and Company, of the city of New Orleans, the drawback of duties on two thousand two hundred and twenty packs of Spanish playing cards, imported by said Frey and Company from Hamburg, into the city of New Orleans, and exported by them to Mexico, on board the schooner Pearl, in November, eighteen hundred and thirty-five: *Provided*, satisfactory proof be furnished to the Secretary of the Treasury that the law relative to drawbacks has been complied with.

Proviso.

APPROVED, March 2, 1839.

STATUTE III.

March 2, 1839.

CHAP. LXVI. — *An Act for the relief of John Davlin.*

1843, ch. 162.  
On surrender-  
ing a patent for  
certain land,  
may enter an-  
other tract.

*Be it enacted, &c.*, That John Davlin, of Arkansas, or his legal representative, be, and he is hereby, authorized to surrender a patent to the United States, issued to him for three hundred and twenty acres of land, covering the south-west quarter of section thirty-five, and the south-east quarter of section thirty-four, in township two south, in range sixteen west of the fifth principal meridian, of which he is the rightful owner; and, when the said Davlin, or his representative, shall surrender the said patent, and reconvey the aforesaid quarter section to the United States, in such form as the Commissioner of the General Land Office shall designate, it shall be lawful for the said Davlin, or his legal representative, to enter, in lieu of the land by this act authorized to be surrendered, three hundred and twenty acres of any of the unappropriated lands subject to private entry, in the state of Arkansas: *Provided*, The selection is made within two years from the passage of this act.

Proviso.

APPROVED, March 2, 1839.

STATUTE III.

March 2, 1839.

CHAP. LXVII. — *An Act for the relief of certain heirs and legal representatives of James Wilson, late of [the] town of Alexandria, in the District of Columbia.*

Lien on a cer-  
tain lot in Alex-  
andria, released  
to proprietors of  
said lot.

*Be it enacted, &c.*, That the lien of the United States, derived from a deed of trust executed by J. C. Wilson upon a certain lot of ground lying in the city of Alexandria, in the District of Columbia, on which stood a house, consumed by fire in the year one thousand eight hundred and twenty-eight, which lien was given by James C. the son of the said