

University of Oklahoma College of Law
University of Oklahoma College of Law Digital Commons

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

1-6-1836

Reuben N. Bullard

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>

 Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

H.R. Rep. No. 88, 24th Cong., 1st Sess. (1836)

This House Report is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

REUBEN N. BULLARD.

JANUARY 6, 1836.

Read, and laid upon the table.

Mr. E. WHITTLESEY, from the Committee of Claims, made the following

REPORT :

The Committee of Claims to which was referred the petition of Reuben N. Bullard, report :

That this case was presented to Congress on the 18th of December, 1832, and a report made on it on the 4th of January, 1833, to which the committee refer and make the same a part of this report, and also, the committee refer to a report made on the 3d January, 1834. No new testimony is presented, and this committee, concurring in the former reports, recommend that the House come to the following resolution :

Resolved, That the petitioner is not entitled to relief.

JANUARY 5, 1835.

The Committee of Claims to which was referred the petition of Reuben N. Bullard, report :

That this petition was presented to Congress and referred to this Committee, December 18, 1832, and an unfavorable report made thereon, January 4, 1833, vol. 9, page 22, of the committee records.

No new evidence is adduced by the petitioner to remove the objections raised in that report.

The committee have again examined the claim, and, after due consideration, concur in that report and adopt it as part of this, and refer to it for the character of the claim and the facts to sustain it.

The committee recommend the adoption of the following resolution :

Resolved, That Reuben N. Bullard is not entitled to relief.

JANUARY 4, 1833.

The Committee of Claims to which was referred the petition of Reuben N. Bullard, report :

The petitioner states he was a substitute, during the late war, for one of his neighbors, in an expedition from Tennessee against the Creek Indians ;

that he was about 125 miles from the place of rendezvous, and rode a horse to the rendezvous worth three hundred dollars; was mustered into the infantry, and took his horse with him; that Major John C. Hicks, who was the adjutant, pressed his horse into the service, and what has become of him he does not know. The committee have made inquiries at the Third Auditor's Office, whether the claim has heretofore been presented for payment, and whether there exists any evidence in the Department that has any bearing on the claim. The answer of Mr. Hagner is referred to, and made a part of this report. It appears the claim has not been heretofore presented, nor do the returns furnish any evidence in relation to it.

Elias M. Fall and Jacob Bailey, testify they heard Major Hicks say he had pressed said horse; and saw him in his possession, and Jacob Bailey, who was a public blacksmith, shod the horse.

Having adopted the communication made by Mr. Hagner, as a part of this report, the committee refrain from commenting at large on the extraordinary delay in not presenting this claim before. In the absence of the best evidence to prove the case, as set forth in the petition, and on the general character of the claim, they do not think the petitioner is entitled to any relief, and recommend the adoption of the following resolution:

Resolved, The prayer of the petitioner ought not to be granted.

TREASURY DEPARTMENT,

Third Auditor's Office, Dec. 31, 1832.

SIR: I have the honor to acknowledge the receipt of your letter of the 26th inst. enclosing the petition and papers of Reuben N. Bullard. His petition represents that he became a substitute for one of his neighbors in a regiment commanded by Col. Pipkin, and having to join the regiment at Fayetteville, about 125 miles from his residence, he rode his horse, a stallion, that had cost him \$300, to that place; that he continued in service as one of the infantry, and had with him his horse; that, during the time he was in the service, John C. Hicks, who was the adjutant of the regiment, pressed his horse into the public service, and continued it therein so long, the petitioner remained in service, and whatever afterwards became of it he does not know; and that he had never received from the Government, or from said Hicks, or any other person, any compensation for it; and you inquire whether the claim has heretofore been presented to the Treasury Department for settlement, and whether there is any evidence in my possession that the horse was impressed, as stated by the petitioner. The papers, it will be seen, are none of them dated before October last, and no others are alleged to have been previously exhibited, or even procured. No claim of his can be found to have been presented to the late Commissioner of Claims, nor am I aware that any was ever offered to me. The petitioner admits himself to have been in the infantry service, and therein he was not entitled to have a horse with him. Forage for it could have been drawn only by an officer of the field and staff, and who, to enable him to do so, would probably have had the liberty of using it. Adjutant Hicks's account for his pay, &c. contains a charge for forage for two horses for the whole period of his service, deducting \$36 38 for forage received in kind. If the transaction was one of this nature, the Government, of course, incurred no liability to indemnify the owner. It was not regularly in the line of an adjutant's duty to im-

press or provide horses for express service; the purpose for which the impressment in this case is expressed, by one of the witnesses, to have been made; and I know of no source which can be resorted to in this office, with the least prospect of discovering evidence of that impressment. One of the witnesses has testified that he saw the horse in the possession of Adjutant Hicks several times, and the petitioner has sworn that the adjutant continued it in the service so long as he, the petitioner, remained therein. The petitioner, it is observed, has not attempted to account for his not obtaining a certificate of the impressment from Adjutant Hicks at the time, nor yet for his suffering the claim to remain dormant for nearly eighteen years. The papers are returned.

With great respect,
Your most obedient servant,
PETER HAGNER, Auditor.

The Hon. E. WHITTLESEY,
Chairman of the Committee of Claims,
House of Representatives.

That the petitioner was, in the fall of 1812, being the captain of a company, was directed to make a draft from his company to join a regiment of militia that was to rendezvous at Putnam, and from thence to march upon the army under the command of General Harrison; that he made a draft in the winter of the United States, consisting of a single horse and harness, which were valued by the appraisers at the sum of \$100; that he had no other horses and team, he expected to be necessary for other purposes of destination, but had procured from some private individuals, and some of them had taken or sold upon and wagon. He says, after his horse and harness were returned to the department of Putnam, he was ordered to the 10th of August day from the Government by the order of the War Department, to be discharged, and he returned to his own place in the State of Ohio, where he remained in waiting for the army, the horse and harness being not returned, or passed into the hands of the Government, and he delivered to him a certificate from the appraisers, in the name of the United States, for the horse and harness, which he never sold, but he submitted any other paper to him, and that he never received any compensation from the United States for his horse and harness, and he prays for a compensation.

That a certificate on the back of the petition, signed by several individuals, and the petitioner is a man of strict morality and integrity, and that he is a man of good character, he drove a team on the same expedition, which was commanded by General Phillips, which was paid near Canton, Ohio, for the use of the army, and he understood that Thomas Harrison had a horse and harness, which were procured for the use of the army. He says, that he is under oath, that he killed Hainard by day, near Putnam, in Canton, and that the team was passed to the Government, and he was discharged. He went after his team, and sold it at Putnam, Ohio, and he understood that Thomas Harrison had a horse and harness, which were procured for the use of the army.