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Albion T. Crow

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H.R. Rep. No. 22, 25th Cong., 2nd Sess. (1837)

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ALBION T. CROW.

[To accompany bill H. R. No. 34.]

DECEMBER 14, 1837.—Reprinted.

MARCH 25, 1836.

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

REPORT:

The Committee of Claims, to which was referred the petition of Albion T. Crow, report:

That the petitioner presents two claims against the United States; one of them is as follows:

"The United States to A. T. Crow

DR.

"July 24, 1832. For one stable burnt, while occupied by the mounted rangers belonging to the 27th regiment of Illinois militia \$315 20."

When this claim was first presented, it was accompanied by a certificate of Col. Strode, stating that the stable was accidentally burnt down on the night of the 24th of July, 1832, while it was occupied by the mounted volunteers attached to the 27th regiment of Illinois militia, and that the charge was reasonable and just.

The claimant accompanied a duplicate of the account with his own affidavit, stating the occupation of the building, its destruction, and value, and that he had not received any remuneration for its loss, and that the amount charged was reasonable.

Two master carpenters certified, and one stated under oath, that they were acquainted with the building, and believed the amount charged was reasonable and fair. The evidence was not as explicit or particular as had been required in other cases; and, to obtain further information as to the occupation of the building, under whose order, and for what purpose, how the destruction happened, with other attending circumstances, the committee addressed a letter to the honorable Mr. May, who presented the petition, pointing out the defects in the testimony. This he communicated to Col. Strode, whose deposition has since been given, removing, in the opinion of the committee, the objections that were formerly taken. It is proven that the stable was necessarily used by the order of Colonel Strode; that he was standing at the door of his quarters during the evening of the 24th of July, and heard a noise proceeding from the stable, of a horse in distress; that he ordered sergeant major William M. Stewart to procure a candle, and go with him to the stable; that they found it locked, and entered it by a window; found a horse being choked with a rope halter, which one of them cut; the horse could not rise, and, in as-

sisting it in getting up, Mr. Stewart raised his hand in which he had the candle so high as to set the hay on fire in the loft, whereby the stable was consumed. Two horses, the property of Thomas Brophy and Freeman Williams, mounted volunteers, were burnt with the stable.

Col. Strode thinks the valuation was low: he gives the dimensions of the stable, and the manner in which it was finished.

The committee think the stable should be paid for, and report a bill accordingly.

The other claim is for the following account:

"The United States to Albion T. Crow,

DR.

"May and June, 1832. For spoliation in the destruction of garden vegetables, ornamental and fruit trees, and shrubbery in garden and yard attached to the house, used and occupied as barracks in the stockade in Galena, - - - - - \$150"

To sustain this claim, the affidavit of the claimant is annexed.

Z. C. Palmer, captain of the 6th infantry, and William Hempstead, acted as commissioners in receiving the claims against the United States, arising from the defence of the Illinois frontiers during the Black Hawk war, on the back of the account, made and subscribed the following statement, to wit:

"COMMISSIONERS' OFFICE,

"Galena, March 5, 1833.

"All the evidence in possession of the commissioners accompany this claim; it does not belong to any particular class of claims; the nature of it, and the evidence under oath, renders the opinion of the commissioners in a degree unnecessary. The claim, however, appears exorbitant, and one that not more than one-half or two-thirds could, under any circumstances, be recommended.

"Z. C. PALMER, Capt. 6th Infty.

"WM. HEMPSTEAD,

"Commissioners."

Col. Strode, in his deposition referred to, says nothing about this claim. The committee had required the commanding officer's testimony to be taken in this case; from not giving it, the committee presume he knew nothing in favor of the claim.

The claim is thought by the committee not to be admissible.