

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

2-9-1844

Report : Petition of J. Washington

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



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

Recommended Citation

S. Doc. No. 111, 28th Cong., 1st Sess. (1844)

This Senate Document 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 Law-LibraryDigitalCommons@ou.edu.

IN SENATE OF THE UNITED STATES.

FEBRUARY 9, 1844.

Submitted, and ordered to be printed.

Mr. FOSTER made the following

REPORT :

The Committee of Claims, to whom was referred the petition of John Washington, praying compensation for military services rendered by him against the Indians in 1790, report :

That, from the showing of the petitioner, he was a private in Captain Deal's company of militia, in the year 1790; that said company joined the army of General Harmar, in his memorable expedition against the Northwestern Indians in that year; that he was in the disastrous engagement which ended in the destruction of General Harmar's command; that he made his escape from the field, and was discharged, but, being poor and ill clad, and the season being very inclement, he did not reach home until the ensuing spring; that, when he returned to Pennsylvania, he found that the survivors of the expedition had been paid off, and that he never asked for and never has received any pay for his services.

It is in proof by one witness, who testifies that he was a fellow-soldier of petitioner, that the petitioner was on the expedition, and that, generally, the averments contained in the petition are true. The witness, however, only expresses a belief that the petitioner was never paid for his services. On inquiry at the Department of War, the committee learn that the rolls and accounts of the army for that early period have been destroyed, but that there are preserved some books "in which balances found due dead and discharged soldiers, on the settlement of the paymasters' accounts of that period, have been entered, and that the name of John Washington is not returned thereon as having any thing due him."

With these facts before them, the committee cannot recommend the prayer of the petitioner. If the sum asked for is small, the principle is important. It would be a dangerous precedent to charge the Government, after the lapse of half a century and more, and where, as in this case, all the evidence that could prove or contradict a claim has been lost and destroyed. The committee therefore move to be discharged from the further consideration of the claim.