

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

5-24-1844

John Robinson

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



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

Recommended Citation

H.R. Rep. No. 499, 28th Cong., 1st Sess. (1844)

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 Law-LibraryDigitalCommons@ou.edu.

JOHN ROBINSON.

MAY 24, 1844.

Read, and laid upon the table.

Mr. VANCE, from the Committee of Claims, made the following

REPORT:

The Committee of Claims, to whom was referred the petition of John Robinson, report:

That the petitioner claims remuneration from the Government of the United States for certain property alleged to have been destroyed on the Niagara frontier, on the 19th of December, 1813, by the British and Indians. The house and the other property destroyed, and for which payment is asked, were appraised, the petitioner affirms, at \$1,440.

Claims for remuneration for losses inflicted by a public enemy have been frequently presented, and the subject has become familiar to those who have been called upon to examine them. Certain principles, having their foundation in the great code of public law, have been established, which furnish precise and distinct rules by which cases of this description are to be examined and adjudged. By these principles, and by the practice of the Government, the doctrine that the nation is to compensate all losses sustained by the citizen from the public enemy, has been distinctly repudiated. No such obligation is imposed upon the Government by any system of law, and no nation has ever assumed its existence; the revenues of no considerable nation would prove adequate to defray the charges upon the national treasury, which the discharge of such an obligation would impose upon it during the continuance of a long and desolating war. In a public war, every citizen is an object of hostility to the common foe, and must submit to those inconveniences, losses, and dangers, to which he, in common with every other individual in the community, is exposed.

The committee, therefore, respectfully report to the House, for its adoption, the following resolution:

Resolved, That the prayer of the petition be rejected.

TREASURY DEPARTMENT,
Third Auditor's Office, February 1, 1844.

SIR: I have the honor to acknowledge the receipt of your letter of yesterday, wherein, after mentioning that you have received a petition from John Robinson, and that he states his papers to be on file in this office, you have requested me to enclose them to you, that you may exhibit them to the Committee of Claims.

Allow me to suggest that the usual course, in cases of this kind, is for the committee to whom the petition may be referred to call for the papers relating thereto, if it shall have occasion for them. The papers in this case are found to have been, on application of the Committee of Claims of the House of Representatives, twice transmitted thereto and returned to me, viz: in January, 1832, and March, 1836; and the Journal of the House shows that, on the 6th of April, in the latter year, an unfavorable report was made on it by the committee.

The claimant was one of the Niagara sufferers, and the report of my proceedings on their claims is printed in the Senate Documents of the 2d session, of the 19th Congress. The document is numbered 36, and the entry, as to Robinson's claim, appears on sheet No. 9 of the tabular statement.

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

Hon. WASHINGTON HUNT,
House of Representatives.

[Faint, illegible text, likely bleed-through from the reverse side of the page.]

[Faint, illegible text at the bottom of the page, possibly a postscript or additional address.]