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**Deerin Farrer.**

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### Recommended Citation

H.R. Rep. No. 66, 28th Cong., 2nd Sess. (1845)

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DEERIN FARRER.

JANUARY 28, 1845.

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 claim preferred to Congress by Deerin Farrer, a blacksmith employed to make hoes, axes, &c., for the New York Indians in Onondaga county, report :*

That it appears, from the affidavits of the petitioner, of his son Franklin Farrer, and John Spencer, that Deerin Farrer furnished hoes and axes to the New York Indians, by order of their agent, James Stryker, of Buffalo, New York, in the year 1835 to the amount of \$100, and in the year 1836 to the amount of \$112; that he sent his account for the year 1835, *receipted*, to the said Stryker; that the said Stryker returned the account, as being informal, and sent him a proper form; and that he at the same time advanced him \$75 upon his account. It also appears that at a subsequent day the petitioner sent his accounts, *receipted*, for the years 1835 and 1836, by his son Franklin Farrer, to the said James Stryker, and left the *receipted accounts with him, without having received the money* for which they called. Stryker gave the receipted accounts of Farrer to Major John Garland, who was the disbursing agent of the United States at Buffalo, and probably received in return the money due to Farrer upon them, but, under various pretexts, refused to pay it over to him. When the receipted accounts of Deerin Farrer, for the years 1837 and 1838, were presented to Mr. Stryker by John Spencer, Stryker told him if he "would leave them with him, he would get the money and forward it to Mr. Farrer; but this deponent refused to leave the receipts unless the money was paid; and, not receiving the money, this deponent returned the receipts to Mr. Farrer." The petitioner asks to have the amount of money obtained by James Stryker, the United States Indian agent for the New York Indians, of Major John Garland, disbursing officer of the United States (amounting to \$137) paid to him (the said Farrer) from the treasury of the United States; the said Stryker having become at once a defaulter and insolvent.

This claim the committee cannot recommend to the favorable consideration of the House. Major Garland, not Mr. Stryker, was the disbursing agent of the government; and the United States ought not to be made to suffer because Franklin Farrer, unlike John Spencer, chose to leave receipted accounts in the hands of James Stryker, without having received payment to the amount for which they called. If government employees choose to give credit to the officers thereof, without warrant of law, it is at their peril.

To guaranty or to insure the payment of sums of money thus credited to them by individuals, is not dictated by the public necessities, and would find no sanction in the maxims of prudence, or the usages of governments. The policy, therefore, cannot be recommended. *Practically* it would be, were the government in this case to repair the mischief of the unbusiness-like act of Franklin Farrer, and avert the pecuniary loss occasioned by James Stryker's deliberate breach of trust, by paying to Deerin Farrer \$137 out of the treasury. The case is a hard one, and bears heavily upon a mechanic whose worthy character is strongly attested by many respectable neighbors; but a sense of duty leaves no option, and requires the committee to offer the following resolution:

*Resolved,* That the prayer of the petition ought not to be granted.

REPORT

The Committee of Claims, to whom was referred the petition of Deerin Farrer, presents the following report:

That it appears from the affidavit of the petitioner, of the one Farrer, and John Spencer, that Deerin Farrer furnished him and others New York funds by order of their agent James Stryker, of Buffalo, New York in the year 1832 to the amount of \$100, and in the year 1833 to the amount of \$112; that he sent his account for the year 1832, to the agent Stryker; that the said Stryker returned the account, as being correct, and was paid a proper sum; and that he at the time he returned the account, did not appear that it was a bill of exchange, but that the petitioner and his account covered for the years 1832 and 1833 by the one Farrer, to the said James Stryker, and for the amount of money which he received of Stryker for the said years 1832 and 1833, was the duplicate agent of the United States at Buffalo, and provided as to the amount of money due to Farrer upon them, but, under various pretexts refused to pay it over to him.

When the receipted account of Deerin Farrer for the years 1832 and 1833, were presented to Mr. Stryker by John Spencer, Stryker told him it was a bill of exchange, and that he would return the money to Farrer; but the petitioner, not believing the receipt, refused to accept the money, and not receiving the same, the petitioner returned the receipt to Mr. Farrer. The petitioner does not have the amount of money stated by James Stryker, the United States agent for the New York funds of Deerin Farrer, and the money does not appear in the hands of James Stryker, and the said Stryker having

received the money of the United States; the said Stryker having been at once a defaulter and traitor.

This claim the committee cannot recommend to the favorable consideration of the House. James Stryker, for the Stryker, was the defaulter of the government; and the money does not appear to be in the hands of James Stryker, and the petitioner should have presented his account in the hands of James Stryker, and not in the hands of Deerin Farrer, for which they could not be held. It is not proper to charge the amount to the treasury, when a defaulter and traitor has received the money.

Test at Buffalo, 28th May 1842.