

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

2-25-1822

[Report : Petition of Holden W. Prout]

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. 49, 17th Cong., 1st Sess. (1822)

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 25, 1822.

The Committee of Claims, to whom was referred the petition of Holden W. Prout, administrator on the estate of Joshua W. Prout,
REPORT:

The petitioner states, that Joshua W. Prout, the deceased, in his life time, in the years 1815 and 1816, purchased the discharges of a number of soldiers, who served in the army of the United States, against the Creek Indians, under the command of General Andrew Jackson. That in the year 1817 the decedent died, without having received payment of those discharges; and the petitioner now prays that Congress would pass a law, authorizing the amount found due, upon equitable settlement, to be paid to him.

The petitioner produces the original discharges of the soldiers, with their several powers of attorney annexed, authorizing the said Joshua W. Prout, deceased, to draw their pay. The petitioner has presented these claims, with the evidence in support of them, to the Treasury Department for settlement, but has not been able to effect the same, for the following objections, as appears by a letter from the Third Auditor, communicated to the committee. "First, that such a length of time had elapsed since the execution of the powers of attorney, and there being no evidence that the persons who gave them are still alive. And, second, that the attorney is deceased, and the letters of attorney do not contain the power of substitution." The Third Auditor further states, "that an examination has been made in the several cases embraced in the petition, and it appears that the soldiers, with the exception of Luther Morgan, who is stated to have served by substitute, were regularly mustered on the rolls of the Mississippi militia." It does not appear that these soldiers have ever been paid, or that any claim for pay has been presented, either by themselves or any other person, except the petitioner. The committee are of opinion, that there would be no danger or hazard in passing a law, authorizing an equitable settlement of the accounts; they therefore report a bill for that purpose.