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Thomas Wheatley.

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THOMAS WHEATLEY.

DECEMBER 24, 1828.

Mr. WHITTLESEY from the Committee of Claims, to which was referred the case of Thomas Wheatley, made the following

REPORT:

The Committee of Claims, agreeably to the resolution of the House, passed on the 19th instant, report a bill for the relief of Thomas Wheatley.

So many of the members of the committee as served on it at the last session, and who now in part compose it, think it is due to themselves to say, that the testimony of Captain Allen, of the date of November 21st, 1816, and his explanatory testimony of the date of August 31st, 1817, were not before them when the report was drawn and agreed on in the committee.

United States of America to Thomas Wheatley Dr.

Oct. 1812. To one horse lost in the service of the United States; upon the expedition under the command of General Samuel Hopkins, in the year 1812, valued at, agreeably to his recollection, - - - - - \$ 45 00

Thomas Wheatley states, upon oath, that, in the service of the United States, as stated in the foregoing account, he lost his horse, as stated, without his inattention, and not by his negligence, by the want of provisions which the United States failed to furnish. And that he has not, either directly or indirectly, received from the Government, or any of its agents, compensation for the same.

THOMAS WHEATLEY.

KENTUCKY, ss.

December 23d, 1827.

Sworn to before me, the subscriber, a Justice of the Peace for Breckenridge county, in the State aforesaid.

VIVION DANIEL, Justice of the Peace
for Breckenridge county, and State of Kentucky.

Joseph Allen states, upon oath, that he was the captain in whose company the said Thomas Wheatley served as aforesaid, in the expedition or campaign as above stated; and he states that the said Thomas Wheatley lost his horse, as stated in his affidavit; he does not at this time recollect the price to which the horse was valued, but agreeably to the present im

pression of this affiant, it was about forty or forty-five dollars ; but it may be seen by the muster roll, if the same has been forwarded to the War Department. Given under my hand, this 23d day of December, 1827.

JO. ALLEN.

KENTUCKY, ss.

Sworn to before me, this 23d day of December, 1827, as a justice of the peace of Breckenridge county, Kentucky.

VIVION DANIEL, J. P. B. C.

John Sterett states, upon oath, that he was the lieutenant in said company, and the affidavit of Joseph Allen, above stated, is true, agreeably to my present recollection, this 23d December, 1827.

JOHN STERETT.

Sworn to before me, this 23d day of December, 1827.

VIVION DANIEL, *Justice of the Peace
for Breckenridge county, Kentucky.*

KENTUCKY, *Breckenridge County, ss.*

I do certify, on oath, that Thomas Wheatley served as a private in a company of mounted volunteers, which I commanded, on an expedition up the Wabash against the Indians, in the late war; which expedition was commanded by Major General Samuel Hopkins, in the Fall of the year 1812 : and that the said Thomas Wheatley was regularly mustered into the service of the United States, and honorably discharged, having faithfully performed the term of service for which he entered ; and that the said Thomas Wheatley lost his horse without any fault of his, to the best of my knowledge. And that the said loss was occasioned by a failure, on the part of the United States; or their agents, to furnish the necessary forage allowed by law ; and that his horse was worth forty-five dollars ; nor do I know or believe that the said Wheatley has ever received any other horse, money, or any compensation, from the United States, in lieu thereof. In testimony whereof, I hereunto set my hand and seal, this 21st day of November 1816.

JO. ALLEN. [L. S.]

Captain sd R. M. V. Ky. M.

This day came the above named Joseph Allen before me, the subscriber, one of the Commonwealth's justices of the peace in and for the county aforesaid, and made oath to the truth of the facts stated in the above certificate. Given under my hand, date above written.

SAMUEL McCLARTY, J. P. B. C. *Ky.*

Breckenridge County, Kentucky, ss.

This day came Thomas Wheatley, the person spoken of in the within certificate, and made oath before me, one of the Commonwealth's justices of the peace in and for said county, that he has never received any pay or compensation from the United States, in any wise, for the property lost, as stated in the within certificate ; and that he had never before given any such certificate ; and that the foregoing is the best evidence he can procure,

agreeably to the provision made by law to pay for such property lost, to obtain his just and equitable rights. Sworn to before me, this 21st of November, 1816.

SAMUEL McCLARTY, *J. P. B. C. Ky.*

In a certificate I gave to Thomas Wheatley, a private in a company of mounted volunteer Kentucky militia, under my command on the Wabash, in the Fall of the year 1812, under Major General Samuel Hopkins, it is stated, amongst other things, that the said Wheatley lost his horse, owing to the United States failing to furnish the necessary forage; and it is stated to me that the certificate is defective, because it is not stated that the horse *died for want of forage.*

I can only state, in addition to what I have stated in my other certificate, that the said Wheatley's horse became reduced by starving, the United States having failed to furnish the necessary forage, so that the horse tired, and was from necessity left in the wilderness above fort Harrison, on the N. W. side of the Wabash; and that the horse was lost to the said Wheatley, as above stated. Given under my hand this 31st August, 1817,

JO. ALLEN, *Capt. 3d Reg. Ky. M. V. M.*

KENTUCKY, ss.

The above certificate was duly sworn to before me, the subscriber, a justice of the peace in and for Breckenridge county, this 31st Aug. 1817.

ROBERT HUSTON.