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Reuben N. Bullard.

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REUBEN N. BULLARD.

JANUARY 4, 1833.

Read, and laid upon the table.

Mr. E. WHITTLESEY, from the Committee of Claims, made the following

REPORT:

The Committee of Claims, to whom was referred the petition of Reuben N. Bullard, report:

The petitioner states he was a substitute, during the late war, for one of his neighbors, in an expedition from Tennessee against the Creek Indians; that he was about 125 miles from the place of rendezvous, and rode a horse to the rendezvous worth three hundred dollars; was mustered into the infantry, and took his horse with him; that Major John C. Hicks, who was the adjutant, pressed his horse into the service, and what has become of him he does not know. The committee have made inquiries at the Third Auditor's Office, whether the claim has heretofore been presented for payment, and whether there exists any evidence in the department that has any bearing on the claim. The answer of Mr. Hagner is referred to, and made a part of this report. It appears the claim has not been heretofore presented, nor do the returns furnish any evidence in relation to it.

Elias M. Fall and Jacob Bailey, testify they heard Major Hicks say he had pressed said horse, and saw him in his possession, and Jacob Bailey, who was a public blacksmith, shod the horse.

Having adopted the communication made by Mr. Hagner, as a part of this report, the committee refrain from commenting at large on the extraordinary delay in not presenting this claim before. In the absence of the best evidence to prove the case, as set forth in the petition, and on the general character of the claim, they do not think the petitioner is entitled to any relief, and recommend the adoption of the following resolution:

Resolved, The prayer of the petitioner ought not to be granted.

TREASURY DEPARTMENT,

Third Auditor's Office, 31st December, 1832.

SIR: I have the honor to acknowledge the receipt of your letter of the 26th inst. enclosing the petition and papers of Reuben N. Bullard. His petition represents that he became a substitute for one of his neighbors, in a regiment commanded by Col. Pipkin, and having to join the regiment at Fayetteville, about 125 miles from his residence, he rode his horse, a

stallion, that had cost him \$300, to that place; that he continued in service, as one of the infantry, and had with him his horse; that, during the time he was in the service, John C. Hicks, who was the adjutant of the regiment, pressed his horse into the public service, and continued it therein so long as the petitioner remained in service, and whatever afterwards became of it he does not know; and that he had never received from the Government, or from said Hicks, or any other person, any compensation for it; and you inquire whether the claim has heretofore been presented to the Treasury Department for settlement, and whether there is any evidence in my possession that the horse was impressed, as stated by the petitioner. The papers, it will be seen, are none of them dated before October last, and no others are alleged to have been previously exhibited, or even procured. No claim of his can be found to have been presented to the late Commissioner of Claims, nor am I aware that any was ever offered to me. The petitioner admits himself to have been in the infantry service, and therein he was not entitled to have a horse with him. Forage for it could have been drawn only by an officer of the field and staff, and who, to enable him to do so, would probably have had the liberty of using it. Adjutant Hicks's account for his pay, &c., contains a charge for forage for two horses for the whole period of his service, deducting \$36 38 for forage received in kind. If the transaction was one of this nature, the Government, of course, incurred no liability to indemnify the owner. It was not regularly in the line of an adjutant's duty to impress or provide horses for express service; the purpose for which the impressment in this case is expressed, by one of the witnesses, to have been made; and I know of no source which can be resorted to in this office, with the least prospect of discovering evidence of that impressment. One of the witnesses has testified that he saw the horse in the possession of adjutant Hicks several times, and the petitioner has sworn that the adjutant continued in it the service so long as he, the petitioner, remained therein. The petitioner, it is observed, has not attempted to account for his not obtaining a certificate of the impressment from adjutant Hicks at the time, nor yet for his suffering the claim to remain dormant for nearly eighteen years. The papers are returned.

With great respect,

Your most obedient servant,

PETER HAGNER, *Auditor.*

The Hon. E. WHITTLESEY,

*Chairman of the Committee of Claims,
House of Representatives.*