

5-15-1846

## Report : Mr. Pennybacker

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IN SENATE OF THE UNITED STATES.

—  
MAY 15, 1846.

Submitted, and ordered to be printed.  
—

Mr. PENNYBACKER made the following

**REPORT :**

*The Committee of Claims, to whom was referred the " memorial of John Hulbert, asking compensation for certain services performed by him, under special instructions from the superintendent of Indian affairs, without the limits of the sub-agency of the memorialist, and constituting no part of his official duty as such agent," have had the same under consideration, and report :*

After a careful examination of this claim, your committee are of opinion that the memorialist is not entitled to relief, as it appears in evidence that he was told, at the time he was required to perform the duties in question, there would be no extra compensation. Had he thought the demand unreasonable, or inconsistent with his official engagements, he might have declined to obey, or have resigned his situation; but, having complied with the requisition, he has no right to ask for any extra remuneration. Apart from the specific understanding in this case, the 2d section of the act of March 3d, 1839, and 2d section of the act of August 23d, 1840, expressly provide that no extra allowance shall be made in cases such as the one under consideration. The committee therefore recommend the adoption of the accompanying resolution :

*Resolved,* That the memorialist is not entitled to relief.

Ritchie & Heiss, print.