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### Report : Mr. Allen

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S. Rep., No. 128, 33rd Cong., 1st Sess. (1854)

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IN THE SENATE OF THE UNITED STATES.

FEBRUARY 23, 1854.—Ordered to be printed.

Mr. ALLEN made the following

**REPORT.**

[To accompany act H. R. 181.]

*The Committee on Pensions, to whom was referred H. R. bill No. 181, for the relief of John Hamilton, report :*

That the petition accompanying said bill sets forth that John Hamilton, in 1812, was a private soldier in Colonel Wm. Lewis's regiment, enlisted for the term of six months; that he served until the battle of the river Raisin, in 1813, in which he was engaged and taken prisoner by the British and Indian forces, was given up to the Indians, and by them detained a prisoner until January after the battle—about one year—when he was surrendered to Colonel Butler, of the United States army, at Detroit. His claim is for pay for the term of his alleged captivity, and for such further compensation as Congress may see fit to give.

In the opinion of your committee the evidence in the case is very defective—not the least proof of captivity being offered, except his own declaration. The muster-rolls report him “killed or missing;” and no evidence of the alleged “surrender,” or exchange, at Detroit, is found on record, or among the papers. The petitioner was, in 1851, informed by the proper officer that his claim could not be allowed until he furnished satisfactory proof that he was the identical individual shown by the records to have served, and reported killed or missing at the battle of the river Raisin, and proof of his alleged captivity. This the petitioner has failed to do; and, in the opinion of your committee, the bill of the House for his relief ought not to pass.