

JAMES COLLIER.

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JANUARY 13, 1836.

[Read and laid upon the table.]

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

REPORT :

*The Committee, of Claims, to which was referred the petition of James Collier, report :*

That the petitioner asks compensation for his services as a spy in an expedition from Kentucky and Tennessee, in 1794, to the Tennessee river, now in the State of Alabama, against the hostile Indians. He says, he commenced the service on or about the 20th of August, and did not return until the 3d of October, and that during that time he furnished himself with rations, clothing, &c. He alleges, he has received no more than fifteen dollars for the time he was engaged with said expedition, and that, that sum was not paid to him before the year 1830.

The petition is accompanied with a letter from the Third Auditor to the Hon. Joseph Vance, late a member of Congress from the State of Ohio, dated on the 30th of March, 1830, to which the committee refer, and make the same a part of this report. The Third Auditor informs Mr. Vance, that it appears from an abstract of balances preserved, that James Collier served from the 6th to the 25th of September, 1794, as a spy, at seventy-five cents per day, and that the sum of fifteen dollars was due to him. He says the rolls have been destroyed, and that no other evidence whatever is to be found, on the subject of the petitioner's services. The petitioner admits he has received the amount which appears to be due.

There is no good reason apparent to the committee for distrusting the accuracy of the abstract of balances mentioned by the Third Auditor. It must have been made from the rolls, and there could have existed no motive for lessening the petitioner's term of service, or the amount of his compensation. The committee think, after this lapse of time, and when the rolls have been destroyed, it would be unsafe to rely on parol statements, when they conflict with written evidence, whose existence is traced to about the time the services were performed.

The committee submit the following resolution :

*Resolved,* That James Collier is not entitled to the relief he asks.