

DEERIN FARRER.

JANUARY 28, 1845.

Read, and laid upon the table.

Mr. VANCE, from the Committee of Claims, made the following

REPORT :

*The Committee of Claims, to whom was referred the claim preferred to Congress by Deerin Farrer, a blacksmith employed to make hoes, axes, &c., for the New York Indians in Onondaga county, report :*

That it appears, from the affidavits of the petitioner, of his son Franklin Farrer, and John Spencer, that Deerin Farrer furnished hoes and axes to the New York Indians, by order of their agent, James Stryker, of Buffalo, New York, in the year 1835 to the amount of \$100, and in the year 1836 to the amount of \$112; that he sent his account for the year 1835, *receipted*, to the said Stryker; that the said Stryker returned the account, as being informal, and sent him a proper form; and that he at the same time advanced him \$75 upon his account. It also appears that at a subsequent day the petitioner sent his accounts, *receipted*, for the years 1835 and 1836, by his son Franklin Farrer, to the said James Stryker, and left the *receipted accounts with him, without having received the money* for which they called. Stryker gave the receipted accounts of Farrer to Major John Garland, who was the disbursing agent of the United States at Buffalo, and probably received in return the money due to Farrer upon them, but, under various pretexts, refused to pay it over to him. When the receipted accounts of Deerin Farrer, for the years 1837 and 1838, were presented to Mr. Stryker by John Spencer, Stryker told him if he "would leave them with him, he would get the money and forward it to Mr. Farrer; but this deponent refused to leave the receipts unless the money was paid; and, not receiving the money, this deponent returned the receipts to Mr. Farrer." The petitioner asks to have the amount of money obtained by James Stryker, the United States Indian agent for the New York Indians, of Major John Garland, disbursing officer of the United States (amounting to \$137) paid to him (the said Farrer) from the treasury of the United States; the said Stryker having become at once a defaulter and insolvent.

This claim the committee cannot recommend to the favorable consideration of the House. Major Garland, not Mr. Stryker, was the disbursing agent of the government; and the United States ought not to be made to suffer because Franklin Farrer, unlike John Spencer, chose to leave receipted accounts in the hands of James Stryker, without having received payment to the amount for which they called. If government employees choose to give credit to the officers thereof, without warrant of law, it is at their peril.

To guaranty or to insure the payment of sums of money thus credited to them by individuals, is not dictated by the public necessities, and would find no sanction in the maxims of prudence, or the usages of governments. The policy, therefore, cannot be recommended. *Practically* it would be, were the government in this case to repair the mischief of the unbusiness-like act of Franklin Farrer, and avert the pecuniary loss occasioned by James Stryker's deliberate breach of trust, by paying to Deerin Farrer \$137 out of the treasury. The case is a hard one, and bears heavily upon a mechanic whose worthy character is strongly attested by many respectable neighbors; but a sense of duty leaves no option, and requires the committee to offer the following resolution:

*Resolved*, That the prayer of the petition ought not to be granted.

*Mr. Farrer from the Committee of Claims, reads the following*

REPORT

The Committee of Claims, to whom was referred the petition of James Farrer, in relation to the account of the said Farrer, as agent for the New York Indians in Ontario county, reports:

That it appears from the affidavit of the petitioner, of the said Farrer, and John Spencer, that James Farrer purchased from and for the New York Indians by order of their agent James Stryker, of Buffalo, New York, in the year 1835 to the amount of \$100, and in the year 1836 to the amount of \$112; that he sent the account for the year 1835, amounting to the said \$112, to the said Stryker, who returned the account, as being correct, and sent him a paper thereon; and that he at the same time advanced him \$75 upon the account. It also appears that a statement was made by the petitioner and the account forwarded for the years 1835 and 1836, by the said Stryker, to the said James Stryker, and that the said Stryker gave the receipted account of Farrer to Major John Graham, who was the disbursing agent of the United States at Buffalo, and provided for the amount of money due to Farrer upon them, but, under various pretenses, refused to pay it over to him. When the receipted account of James Farrer, for the years 1835 and 1836, were forwarded to Mr. Stryker by John Spencer, Stryker told him it was a good one, and that he would forward it to Mr. Farrer; but the money was not forwarded; and that he would not forward the money unless the money was paid; and that he would not forward the money unless the money was paid; and that he would not forward the money unless the money was paid. The petitioner asks that the amount of money advanced by James Stryker, the United States Indian agent for the New York Indians of Major John Graham, the money advanced in the hands of James Stryker, and the said Stryker having been from the treasury of the United States; the said Stryker having been at once a defaulter and treasurer.

This claim the committee cannot recommend to the favorable consideration of the House. Major Graham, for the Stryker, was the disbursing agent of the government; and the money advanced to him in order to pay for James Farrer's Indian agent, and the money advanced to him to pay for the account in the hands of James Stryker, and the said Stryker, should have been paid to the amount for which they called. It is recommended that the amount be paid to the said Farrer, and that the said Stryker be held liable for the same.