

ENOCH G. WISE.

JUNE 21, 1836.

Read, and laid upon the table.

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

REPORT:

The Committee of Claims, to which was referred the claim of Enoch G. Wise, report:

That, by his deposition, and by a communication from Mr. Hagner to the honorable John Reynolds, it appears the claimant lost two horses during the Indian campaign of 1832; one by swimming the Illinois river, and the other from the want of forage, and a necessary abandonment, by which he was lost.

The papers were sent to the Third Auditor for information, by the honorable John Reynolds; his answer, under date of the 11th of February last, is among the papers and referred to.

It appears the horse lost for want of forage and abandonment, may be paid for without the interposition of Congress. The other horse was lost under such circumstances as do not impose the obligation on the United States to pay for him. The loss is one incurred at the risk of the owner.

The following resolution is submitted:

Resolved, The claim of Enoch G. Wise ought not to be provided for by law.

TREASURY DEPARTMENT,
Third Auditor's Office, February 11, 1836.

SIR: I have the honor to acknowledge the receipt of your letter of the 9th instant, wherein, after mentioning that you have been informed that I cannot allow the claim of Enoch Wise, for a horse drowned in swimming the Illinois river, you ask, in case I cannot allow it, for all the evidence so that you can present the claim and proof to Congress.

The claim in question is for remuneration for the loss of two horses and a saddle and bridle. A deposition of the claimant, and the roll of losses by members of Captain Thompson's company, wherein he served, were amongst the papers received from you yesterday.

Other testimony had been previously received from the honorable E. K. Kane, and on which, in connection with the evidence afforded by the roll of losses, an allowance can be made for one of the horses, and the amount allowable be paid to you, if you be authorized to receive it, or be remitted.

to the claimant direct, on your informing me of the place of his residence; but to enable me to make such allowance the papers will be needed. As to the saddle and bridle, the remark on the roll of losses evinces Captain Thompson's testimony to be "predicated on the proof of James Lively," and the production of that proof is, agreeably to the regulations necessary to justify an allowance for them. The remark, as to the loss sustained by Wise, on the muster roll of Captain Thompson's company, made out at the time of discharge, and certified by him, does not mention the loss of any equipage.

The horse of Wise's first lost is set down as having been of the value of \$30, and as having been lost on the 19th of June, 1832, and the entry on the roll of losses as to the manner in which the loss happened, is as follows: "Being compelled to swim the Illinois river, by order of the commanding officer, his horse was drowned without any fault or negligence on his part." The claim, as to this horse, is inadmissible by me on two grounds: first, because the loss happened before the company was mustered into the United States service: and next, because it occurred in a manner not provided for by law. The deposition of the claimant received from you is herewith transmitted, presuming that it, and the information herein communicated, will suffice for the object you have in view.

With great respect,

Your most obedient servant,

PETER HAGNER, *Auditor.*

The Honorable JOHN REYNOLDS,
House of Representatives.