

JAMES L. KENNER.

[To accompany bill H. R. No. 762.]

DECEMBER 22, 1836.

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

REPORT :

The Committee of Claims, to which was referred the petition of James L. Kenner, report :

The petitioner states he was a private in Captain S. C. Hargrave's company, South Carolina mounted volunteers, in the war against the Seminole Indians, in Florida, during the last spring; that he was mustered into the service of the United States at Lister's Ferry; that he marched from thence to St. Augustine, to Volusia, and to Tampa Bay, where he was taken sick, which rendered him unable to perform military duty, and was regularly discharged from the service, and was compelled to abandon his horse, which was ordered to be turned over to the Quartermaster's Department; that said horse was so turned over, and that he was worth and was appraised at seventy-five dollars. He prays that amount may be paid to him.

James J. Caldwell, Brigadier General 10th brigade South Carolina militia, certifies, under date of November 24th, 1836, that said horse was assessed at the sum of seventy-five dollars, by P. B. Ruff and John H. Hattin, appraisers, on oath, at Newbury Court-house, South Carolina, on the 11th of February, 1836.

General Eustis gave the following certificate :

FORT BROOKE, TAMPA BAY,
April 15, 1836.

This certifies that James L. Kenner, a private of Captain Hargrave's company South Carolina mounted volunteers, being sick, and ordered to proceed by water to his home, is compelled to abandon his horse, which is turned over to the Quartermaster's Department.

ABRM. EUSTIS,
Brig. Gen. U. S. Army.

The horse having been converted to the use of the United States by the order of Gen. Eustis, the committee think the petitioner is entitled to relief.

It does not appear that Gen. Caldwell was in the service at the time he gave his certificate, nor that he was officially informed of the appraisal. In order to establish the value of the horse, it is necessary the original appraisal should be produced, or that the depositions of the appraisers should be taken, as to the value at which they estimated said horse to be, if such proof can be obtained. The committee herewith report a bill granting relief, but referring the value of the horse to the accounting officers of the Treasury, to be ascertained by proof to be produced by the petitioner.