

JOSEPH WILLSON.

DECEMBER 26, 1836.

Read, and the resolutions therein contained concurred in by the House.

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

REPORT:

The Committee of Claims, to which was referred the petition of Joseph Willson, report:

The petitioner says, in the latter part of June, 1791, he enlisted into a company under the command of Captain William Faulkner, in the State of Virginia; that he rendezvoused at Pittsburg, and went with the army to Cincinnati, and to Fort Hamilton, then to Fort Jefferson, then to Fort Recovery; at which latter place General St. Clair was defeated by the Indians on the 4th of November, 1791. He states he was in the engagement, which lasted three hours and a quarter, and finally forced his way through the Indians and made his escape; that he was four days in getting to Cincinnati, during which time he had nothing to eat but slippery elm bark; that he remained at Cincinnati about two weeks, and not getting his discharge, nor pay, except one dollar, which he received at Pittsburg before the army started, and being out of money and unable to get home, he took up his winter quarters in Kentucky, where he remained until the fall of 1793, when he went back and was employed in driving pack-horses in the army under General Wayne, between two and three months, for which time he received his pay, by which he was enabled to get home.

He says he is poor, and depends on his children for support; that he is unable to labor, in consequence of the hardship he endured; and that his wife is declining with the consumption. He mentions the names of several officers who were known to him; but he says, being out much of the time on scouts, the officers were not generally known to him.

He prays that Congress will make some just and reasonable allowance to him, by way of pension or otherwise, as shall be most meet and proper, to make him and his wife and dependant family comfortable for the short period they may remain on earth.

The petition is accompanied by a statement numerously signed by Mr. Willson's neighbors, of great respectability, confirming his petition, so far as regards the condition of himself and family, and expressing it as their belief, from an impression long entertained, that he was in the service as he had alleged. John Logan, in a deposition attached to the petition, testifies to many circumstances to sustain the material allegations in the petition as to the service.

The petition and papers having been referred to this committee, a letter was addressed to the Secretary of War for such information as he could communicate, relative to the enlistment and service of the petitioner, and the amount of pay he might have received, or that might be now due. The letter having been referred to Mr. Hagner, his report, under date of December 24th, 1836, is received, and made a part of this report.

It appears that Mr. Willson has been paid the amount due to him for his services under the first enlistment. Although this proof is made by circumstantial evidence, in the opinion of the committee it should conclude the petitioner, after this lapse of time, without any demand having been made, and when the original papers have been unavoidably destroyed.

The subject of pay is only within the jurisdiction of this committee; and whether the petitioner should receive a pension, is within the cognizance of the Committee on Pensions.

The following resolutions are offered to the consideration of the House, and their adoption recommended:

Resolved, That, so far as the petition of Joseph Willson relates to pay due him for services rendered when under General St. Clair, he is not entitled to relief.

Resolved, That the Committee of Claims be discharged from so much of the petition of Joseph Willson as relates to a pension, and that the same be referred to the Committee on Pensions.

TREASURY DEPARTMENT,
Third Auditor's Office, December 24, 1836.

SIR: I have the honor to acknowledge the receipt of the letter of the Hon. E. Whittlesey, which you transmitted to this office yesterday, for a report; in which he enclosed the petition and accompanying papers of Joseph Willson, of Captain Faulkner's company of 1791, and asks, in behalf of the Committee of Claims, "whether the name of Joseph Willson is borne on the rolls for the service mentioned as set forth in the petition, and, if so, the committee desire to know whether the pay-rolls show that he was paid for such service, or any part of it; and if any thing is due to him, the committee desire to know how much." I have accordingly to state, that the pay and muster-rolls were destroyed in the burning of the public buildings; but from an abstract of the levies or six monthsmen, of General St. Clair's command, on file in this office, which has been preserved, it appears that Joseph Willson was a private of Captain Faulkner's company, having entered the service the 11th July, 1791, and served till the 26th November following, the expiration of the service, and is noted to have received the sum of \$2 55 on the march, (that being the sum generally stated to have been received by the men on the abstract,) leaving a balance of \$12 08 due to him at the expiration of the service. Subsequently to the rendition of the service, Captain Faulkner appears to have acted as paymaster to his company, as was generally the case at the time with that description of troops, and his accounts were settled and closed in 1802, and were also destroyed with the vouchers for the payments made by him. On the settlement, however, a list of such of the company as had not been paid by him, and had balances due them, were entered on the books of balances found due to dead and discharged soldiers on the settlement of the paymasters' accounts, on which the name of Joseph Willson is not returned as having any thing due to him; from which fact it is inferred that the balance due him on his discharge was paid either to himself or to his duly authorized attorney by Captain Faulkner. The letter of Mr Whittlesey, together with the petition and papers, are herewith returned.

With great respect, your obedient servant,

PETER HAGNER, Auditor.

The Hon. B. F. BUTLER,
Secretary of War.