

THOMAS J. STONE.

JULY 10, 1840.

Read, and laid upon the table.

Mr. GIDDINGS, from the Committee of Claims, submitted the following

REPORT:

The Committee of Claims, to whom was referred the petition of Thomas J. Stone, report:

That the claimant sets forth in his petition that he was an ensign in Captain Giles Burdett's company of mounted gunmen, in the service of the United States, in 1814 and 1815; that, on their march from New Orleans through the Choctaw nation of Indians, he was detached to remain and wait on the sick at Brohear's, in said nation; that, while there, he lost his mule, valued at one hundred dollars, from sickness and, as he alleges, starvation. He also claims payment for a horse that died in the United States service during the attack on New Orleans by the British forces, as appears by the certificate of Captain Giles Burdett, and, as supposed by him, in consequence of fatigue arising from forced marches; and which horse was estimated to be worth seventy-five dollars at the time.

The petitioner entered the service of the United States with his horse and mule, by which he was, by the terms of the law, to receive a certain compensation; there was no stipulation by which the Government became the insurers of the property. The Government have refused compensation for losses under such circumstances, and they see no reason for a change of policy in this particular case. (See Rep. No. 921, 2d sess., 25th Congress.) The committee, therefore, recommend to the House the following resolution:

Resolved, That the claimant is not entitled to relief.