

PAY SEVEN COMPANIES GEORGIA MILITIA.

[To accompany bill H. R. No. 380.]

APRIL 12, 1842.

Mr. W. B. CAMPBELL, from the Committee on Military Affairs, submitted the following

REPORT:

*The Committee on Military Affairs, to whom was referred the claim of seven companies of Georgia militia, who served against the Florida Indians, under calls made by the Governor of said State, in the years 1840 and 1841, report:*

In the year 1840 the Governor of Georgia, being informed that a party of the Florida Indians had made an incursion into that State, and were committing outrages upon the frontier settlers, authorized General Hilliard to call out two companies of militia for the protection of that portion of the State. On the next day, additional information reached the Governor that the inhabitants in that region were exposed to much greater danger than was at first apprehended, and thereupon ordered General Nelson to take the command, and invested him with authority to embody a force of five hundred men for the defence of the frontier of the State. As soon as the Secretary of War was informed of these proceedings by the Governor, he immediately informed him of his approval of the call, and ordered Colonel Twiggs to have the two companies first called out mustered, and five companies of the second call mustered, making in all seven companies. It appears that, under the authority given by the Governor to Generals Hilliard and Nelson, nine companies were called out and organized, and were commanded respectively by Captains Jones, Knight, Henderson, North, Johnston, Sweat, Tracy, Clark, and Jarnigan. In the communications of the Governor to the Secretary of War, or of the Secretary to Colonel Twiggs, there is no indication of the kind of force to be mustered into the service; and as the Indians had returned south when the orders from the War Department reached Colonel Twiggs, he considered so large a mounted force unnecessary, and therefore did not deem it expedient to muster but two companies as mounted men. Colonel Twiggs was directed to have them mustered in the usual way, for the term of three months, unless sooner discharged; but General Nelson declined having any part of the force mustered as footmen, or for a longer period than thirty days, the time for which they were called out by authority of the Governor. The

companies of Captains Jones, Knight, Henderson, North, and Johnston, were discharged, by order of General Nelson, without having been mustered into the service of the United States at all, after having performed the service for which they were called out.

In the letter of the Secretary of War to the Governor of Georgia, dated the 30th of August, 1841, he says: "Of this fact, (that is, of the discharge of the above-named companies without their being mustered into the United States service,) and of the existence of claims growing out of the service of these companies, I was not aware, until the receipt of your letter, and no estimate was therefore presented to Congress for an appropriation for their payment; nor will it be in the power of the Department to present such an estimate, until the time that those companies served shall have been ascertained, and their muster rolls verified. An officer of the army will immediately be despatched to perform the duty." Accordingly, Captain J. Brown, of the 6th infantry, was directed to receive into the service the companies of Jones, Knight, Henderson, and North, "from the time they were raised by the authority of the Governor up to the time they were discharged by General Nelson." Captain Brown performed the duty enjoined upon him; and while thus engaged, he discovered that the company of Captain Johnston, which had been called out at the same time, and under the same circumstances, with the other companies, by some accidental omission had not been included in the orders given him by the War Department. The evidence was very satisfactory to Captain Brown that the company had been in service with the other companies named in his orders, and was discharged at the same time with them; he therefore received it into service, subject to the approval of the Secretary of War. Upon the receipt of a letter from Captain Brown, stating the reasons and evidence which induced him to receive this company, the War Department approved of his conduct, and recommended that this company of Captain Johnston be paid with the others similarly situated. The muster rolls of the five companies are now on file in the office of the Paymaster General, verified by testimony of the service of the companies as set forth in the rolls.

In the fall of the year 1841, the Governor of Georgia called out two companies, commanded by Captains Jarnigan and Sweat, for the protection of the frontier of that State against the incursions of the Florida Indians. These two companies were mustered into the service of the United States by order of Major General Scott, and afterwards discharged by order of Colonel Worth, commanding the army in Florida. The muster rolls of these two companies are on file in the office of the Paymaster General. The propriety of paying these companies is too apparent to need further comment.

The committee are satisfied that the seven companies, (to wit, Henderson's, Johnston's, Knight's, Jones's, and North's, mustered by Captain J. Brown, of the United States army, and Jarnigan's and Sweat's, mustered by Assistant Adjutant General W. W. S. Bliss, of the United States army,) rendered the service set forth in the muster rolls, and that they were called out in conformity with the constitution and laws, the call approved, and their services accepted by the War Department. The committee can see no reason why they should not be paid, and therefore report a bill directing their payment, under existing laws, as other militia, when regularly mustered and received into the service of the United States.