

ADAM HALL.

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 papers in support of the claim of Adam Hall, report :*

The claimant says, in his deposition, that in the year 1814, or thereabout, he contracted with General Johnson for the services of his wagon and team of four horses, to be used in the Creek war ; that by the terms of this contract he was to be paid for his horses provided they were lost in the service of the United States in the same manner as if they had been impressed into said service and lost. He also states that, being a blacksmith in the service, he was to be paid for his tools in the event of their loss. Claimant further says, that while thus in said service two of his horses were lost, and that they had been regularly appraised, but that the paper containing the appraised value of the horses was lost, with other papers in support of his claim.

There is no evidence to support the claim. It has not been the practice of the committee to receive the affidavit of a petitioner to support his memorial ; such affidavit is generally disregarded ; and the committee discover no circumstance which ought to distinguish this case from others that come before them. The committee are not aware of any authority possessed by officers of Government to enter into such contracts as that stated by the petitioner ; if, therefore, such contract was proven the committee think it ought not to bind the Government. The compensation allowed for the use of the horses, tools, &c., undoubtedly covered all risk of loss in consequence of the service in which they were employed. The committee think that said claim is not admissible on any principle recognised by Congress in such cases. (See Report No. 921, 2d sess., 25th Cong.) They therefore offer for the adoption of the House the following resolution :

*Resolved,* That the claimant is not entitled to relief.