

WILLIAM H. SPILLERS.

APRIL 6, 1836.

Read, and laid upon the table.

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

REPORT:

*The Committee of Claims, instructed by a resolution of the House of Representatives, on the 18th of February, among other things, to inquire into the expediency of allowing compensation to William H. Spiller, for a horse lost by him during the late Indian disturbances in Illinois, report:*

That it is stated while the mare of the claimant was in the service of the United States, between the Ouisconsin and Mississippi rivers, on the 21st July, 1832, he lost her in consequence of an injury in her, right fore ankle and knee, occasioned by a stone rolling from a mountain on the forced march in pursuit of the Indians, which fell against her and dislocated or broke both joints, so as to render her entirely unfit for any service, and in consequence of which she had to be left, and was totally lost to said claimant.

The United States have paid for horses killed in battle, or that have died of wounds received in battle, because such was the agreement between the United States, and those who have entered the service.

They have also paid in those cases where the agreement has been violated on the part of the United States from the force of circumstances, as where a person entered the service to serve on horseback, and it became necessary that he should be dismounted, and separated from his horse, to do duty on foot, and his horse was lost or died in consequence of such separation.

So they have paid where the United States have not performed their part of the agreement, and the claimant's horse died in consequence thereof; as where the United States agreed to furnish forage, but failed to do it, and the horse died, but all ordinary casualties and risks are run by the person owning the property: he receives a compensation commensurate with such risk.

The committee submit the following resolution:

*Resolved,* The claimant is not entitled to relief.