

JOHN HAMILTON.

[To accompany bill H. R. No. 181.]

JANUARY 18, 1854.

Mr. MACE, from the Committee of Claims, made the following

REPORT.

The Committee of Claims, to whom was referred the petition of John Hamilton, of Champaign county, Ohio, report:

That petitioner was in the battle of river Raisin, and was taken prisoner by the Indians, and remained with them as such prisoner for one year, during which time he was reported as dead. He claims that he is entitled to pay as follows:

To 12 months' service, at \$8 per month.....	\$96 00
365 rations, at 14 cents	51 10
Clothing one year.....	52 90
	<hr/>
	200 00

The committee append the proof in this behalf, which fully sustains the claim.

They report a bill for the relief of the petitioner, and recommend its passage.

To the Honorable the Senate and House of Representatives in Congress assembled:

Your petitioner, John Hamilton, a citizen of Champaign county, Ohio, respectfully represents: That some time in the summer of 1812, he enlisted as a private soldier in the service of the United States in her war with Great Britain, for the term of six months, and was attached to Capt. Brassfield's company, under the command of Col. William Lewis; that he served as such private soldier for about the term of six months, and until the battle of river Raisin, which was fought on the 22d day of January, 1813, in which he was engaged, and was taken a prisoner of war by the combined British and Indian forces, and was afterwards given up to the Indians and by them taken into the wilderness, now forming a part of the State of Michigan, some eight or ten days' travel from Detroit, the nearest white settlement;

that he was kept a prisoner among the savages, and exposed to all the privations and hardships of savage life, until the following January, when he, in company with several others, was surrendered to Col. Butler, of the United States army, at Detroit, whence he returned on foot, through the then wilds of northwestern Ohio, to his friends in Kentucky; that during the whole time of his captivity he received no rations, and has not since that time received anything in lieu thereof; nor has he at any time received any compensation for the privations, suffering, and the time thus held in captivity, which, by the time he reached his home, was about twelve months.

Your petitioner therefore prays that an act be passed, granting him such relief as he is equitably entitled to.

JOHN HAMILTON.

STATE OF OHIO, *Champaign county, ss.*

Before me, S. V. Baldwin, sole judge and clerk of the probate court within and for said county, personally came John Hamilton, the foregoing petitioner, who being duly sworn according to law, deposeth and saith that the facts set forth in said petition are true; and further saith not.

JOHN HAMILTON.

Subscribed and sworn to before me in open court. Witness my hand and the seal of said probate court, this 12th day of May, [L. S.] A. D. 1852.

S. V. BALDWIN,
Judge and Clerk as aforesaid.

STATE OF OHIO, *Champaign county, ss.*

On this 8th day of November, A. D. 1850, personally appeared before me, a justice of the peace within and for the county and State aforesaid, John Hamilton, aged sixty years, a resident of said county and State, who, being duly sworn according to law, declares, that he is the identical John Hamilton who was a private in the company commanded by Captain Brassfield, in Lewis's regiment of Kentucky volunteers, commanded by Colonel Wm. Lewis, in the war with Great Britain, declared by the United States on the 18th day of June, 1812. That he volunteered in the county of Clark, and State of Kentucky, about the month of June, A. D. 1812, and continued in actual service in said war until the battle of the river Raisin, fought on the 23d day of January, 1813, between the American and the combined British and Indian forces. That he was engaged in that battle under the command of General Winchester, and was taken a prisoner by the Indians, and taken by them to the territory now within the State of Michigan, and was kept in captivity by said Indians until the 1st day of January, 1814, when he was given up to Colonel Butler at Detroit, who was then in command at that point. That he received no written

Discharge, but was surrendered by the Indians, in company with four or five other prisoners, to Colonel Butler, and by him discharged. He makes this declaration for the purpose of obtaining the bounty land to which he may be entitled under the act granting bounty land to certain officers and soldiers who have been engaged in the military service of the United States, passed September 28, 1850.

JOHN HAMILTON.

Sworn to and subscribed before me the day and year as above written. And I hereby certify that I believe the said John Hamilton to be the identical man who served as aforesaid, and that he is of the age above stated.

NELSON RHODES, *J. P.*

STATE OF OHIO, *Champaign county, ss.*

I, Joseph C. Brand, clerk of the court of common pleas of said county, do hereby certify that Nelson Rhodes, before whom the within application appears to have been sworn to and acknowledged, was, at the time of subscribing the same, and now is, an acting justice of the peace in and for said county, duly commissioned and qualified, and that full faith and credit are due to all his official acts as such.

In testimony whereof, I, the clerk aforesaid, have hereunto set my hand and affixed the seal of the said court, at Urbana, in the said county, this eighth day of November, A. D. 1850.

JOSEPH C. BRAND, *Clerk.*

STATE OF OHIO, *Champaign county, ss.*

William Neil, of Columbus, Ohio, makes oath that he resided in Winchester, Clark county, Kentucky, in the year 1812, and was well acquainted with John Hamilton when he volunteered as a private in Captain Brassfield's company. This affiant continued to reside at said place until some time in December of said year, when he moved to Urbana, Champaign county, Ohio. Shortly after the battle of the river Raisin it was currently reported and believed that said John Hamilton had been killed at said battle, and this affiant believed said report until the said Hamilton came to affiant's store in said town, on his return from his captivity with the Indians in what now forms the State of Michigan, as he, the said Hamilton, then informed, and has frequently since informed, this affiant. This affiant further says, that he knows that the said John Hamilton, who volunteered in 1812, at Winchester, Clark county, Kentucky, as a private in the company of Captain Brassfield, was not killed; and that the same John Hamilton now resides in the town of Urbana, in the State of Ohio, and is now present at the signing of this affidavit.

WILLIAM NEIL.

Sworn to and subscribed before me this 16th day of June, A. D. 1851.

NELSON RHODES, *J. P.*

STATE OF OHIO, *Champaign county, ss.*

John D. Burnett makes oath that he prepared the application of John Hamilton for bounty land for services in the war of 1812, made out about the 8th of November, A. D. 1850, and that the said John Hamilton who made said application is the same John Hamilton referred to by Wm. Neil in the within affidavit, and who was present at the signing of the same.

JOHN D. BURNETT.

Sworn to and subscribed before me this 16th day of June, 1851.
NELSON RHODES, J. P.

STATE OF OHIO, *Champaign county, ss.*

I, Joseph C. Brand, clerk of the court of common pleas of said county, do hereby certify that Nelson Rhodes, before whom the within or foregoing affidavits appear to have been subscribed and sworn to, was at the time of subscribing the same, and now is, an acting justice of the peace in and for said county, duly commissioned and qualified; that full faith and credit are due to all his official acts as such, and that his signatures as written are genuine.

In testimony whereof, I, the clerk aforesaid, have hereunto set my hand, and affixed the seal of said court, at Urbana, in said county, this the 17th day of June, A. D. 1851.

JOSEPH C. BRAND, *Clerk.*

[No. 9932.]

TREASURY DEPARTMENT,
Third Auditor's Office, April 16, 1851.

It appears from documents on file in this office, that John Hamilton a private of Captains Brassfield and Kelly's company of Kentucky volunteers, entered the service on the 15th August, 1812, for six months and served till the 22d January, 1813. The rolls do not state that he was taken prisoner. The muster-rolls state him missing. The receipt rolls state him killed 22d January, 1813.

B. F. GALLAHER,
For Third Auditor.

COMMISSIONER OF PENSIONS,
Department of the Interior.

[No. 9932.]

TREASURY DEPARTMENT,
Third Auditor's Office, March 24, 1851.

It appears from documents on file in this office, that John Hamilton was a private of Captain William R. Brassfield's company of the Kentucky militia. He entered on the service 15th of August, 1812, and served till the 14th of October of the same year.

J. S. GALLAHER, *Auditor.*

COMMISSIONER OF PENSIONS,
Department of the Interior.

APRIL 19, 1851.

SIR: It appears from the certificate of the Third Auditor that John Hamilton, a private of Captain Brassfield's company, entered the service on the 15th August, 1812, for six months, and served till the 22d January, 1813, at which date the receipt roll states that he was killed in battle. It will therefore devolve on the applicant in this case to furnish satisfactory proof that he is the identical individual who performed the service above stated, and that the report of the rolls aforesaid is incorrect.

Very respectfully, your obedient servant,

F. S. EVANS,
For Commissioner.

JOHN D. BURNETT, Esq.,
Urbana, Champaign County, Ohio.

URBANA, CHAMPAIGN COUNTY, OHIO,

June 17, 1851.

SIR: Enclosed you will receive the affidavit of Wm. Neil and Wm. Flanagan, touching the application of John Hamilton for bounty land. Neil's is direct and positive, and I suppose is sufficient. I hope this will prove satisfactory, not only as to the identity of Mr. Hamilton, but, when taken in connexion with his oath, as to his captivity with the Indians, so as to entitle him to 160 acres. There is no doubt about this latter fact; yet, after the lapse of so many years, it would perhaps be impossible to prove anything more than a consistent narrative of his captivity, related by him after his return, and adhered to and repeated up to the present day. This is a meritorious claim of an honest old soldier, who suffered great privations in his captivity with the Indians.

J. D. BURNETT.

STATE OF KENTUCKY, *Clark county, ss.*

This day William Flanagan personally appeared before me, the undersigned, a justice of the peace in and for the county and State aforesaid, and being first duly sworn, declares, that in the year 1814 or 1815 he was personally acquainted with a man by the name of Hamilton who had gone out as a volunteer in one of the companies that went from Clark county, Kentucky, in the war declared in June, 1812; that he believes that his company was in the battle of the river Raisin. He then understood and believed that the said Hamilton was lost at the battle of the river Raisin. He further states that he saw the said Hamilton in the town of Winchester, Kentucky, in the house of this declarant's father, in the years 1814 and 1815, and that he heard the said Hamilton tell of his captivity with the Indians; and that the said Hamilton was recognised by the people of the said town as the Hamilton who had gone out in the war, and who had been believed to be dead or lost. That he then understood the said Hamil-

ton was a sadler by trade, and worked as a journeyman with one Robert Griffing, of the town of Winchester. The said Hamilton did not remain long in Winchester after his return from the army, and this declarant has never heard of him since. From his recollection of his appearance he thinks that if he is now alive, he is about sixty years of age. This declarant was about ten years of age when he last saw Hamilton. Robert Griffing boarded in the family of this declarant and he thinks it probable that Hamilton also boarded in the family, but of this he is not certain. He received a letter signed John Hamilton, postmarked Urbana, Ohio, May 15, 1821. The writer of that letter must have been acquainted in Winchester in 1814 or 1815, or have received information of others who were. This declarant has conversed with the orderly sergeant of Brassfield's company, and the said sergeant had forgotten that there was a man by the name of Hamilton in said company.

WILLIAM FLANAGAN.

Sworn and subscribed before me this 27th day of May, 1851.

ELLIS DEAN, J. P.

STATE OF KENTUCKY, *Clark county, ss.*

I, Cad. Jones, clerk of the county court for the State and county aforesaid, do hereby certify that Ellis Dean, esq., before whom the affidavit of William Flanagan, esq., was acknowledged, was and is a justice of the peace for said State and county, duly sworn and commissioned, and that the signature purporting to be his is genuine.

In testimony whereof, I have hereunto affixed the Clark county court seal. Done at Winchester this 28th day of May, 1851.

CADWALL JONES,

Clerk Clark County Court.

URBANA, CHAMPAIGN COUNTY, OHIO,

November 8, 1850.

DEAR SIR: Enclosed I send you the application of John Hamilton a soldier of the war of 1812, for bounty land. He is entitled to 160 acres, having been in actual service and captivity about eight months.

Please enclose his warrant to me at this place.

Respectfully,

JOHN D. BURNETT.

COMMISSIONER OF PENSIONS,

Washington, D. C.

PENSION OFFICE,
June 22, 1852.

I certify that the foregoing is a true copy of papers on file in this office, from one to ten pages.

F. F. C. TRIPLETT,
For Commissioner.

TREASURY DEPARTMENT,
Third Auditor's Office, February 11, 1852.

SIR: I have received your letter of the 22d ultimo, in relation to *John Hamilton*, who represents that, while a member of Captain Brassfield's company of Kentucky militia in the war of 1812, he was taken prisoner at the battle of the river Raisin, and was held in captivity eleven months and eight days, for which he claims pay, &c.; and, in reply, have the honor to inform you that, upon examination, he is found to have entered the service on the 15th of August, 1812, "for six months," and served till the 22d January, 1813. The rolls afford no evidence of his having been taken prisoner; the muster-rolls, however, report him "missing;" and the receipt-rolls report him "killed January 22, 1813." He is found to have been *paid in full* for six months' service, part to himself and part to his administrator, by Paymaster *Richard Blanton*.

Reference has been had to the papers on file in the Pension Office, upon which land was granted to him; but I should not consider them, in the absence of special authority from Congress, sufficient to warrant me in making any additional allowance.

It seems strange that, if he considered himself entitled to pay beyond what he had received, he should have allowed nearly forty years to have elapsed before making a demand for it.

With great respect, your obedient servant,
JOHN S. GALLAHER,
Auditor.

HON. B. STANTON,
House of Representatives.

TREASURY DEPARTMENT,
Third Auditor's Office, June 15, 1852.

SIR: In reply to your letter of the 10th instant, in relation to *John Hamilton*, who represents that, while a soldier of Captain Brassfield's company of Kentucky militia in the war of 1812, he was taken prisoner at the river Raisin, and held in captivity for eleven months and eight days, for which he now claims compensation, I have the honor to inform you that he is found to have entered the service on the 15th of August, 1812, for "six months," and served till the 16th of January, 1813.

The rolls afford no evidence of his having been taken prisoner; the muster-roll, however, reports him "missing;" and the receipt-roll reports

him "killed, January, 1813." He is found to have been *paid in full* for six months' service, part to himself and part to his administrator, by Paymaster Richard Blanton. With regard to your inquiry in relation to the pay and subsistence of a soldier for the period above mentioned I have to state that his monthly pay was \$8 per month, and his subsistence one ration per day, which at the contract cost was 14 cents per ration.

With great respect, your obedient servant,
JOHN S. GALLAHER,
Auditor.

Hon. B. STANTON,
House of Representatives.

12 months' service, at \$8.....	\$96 00
365 rations, at 14 cents	51 10
Clothing one year	52 90
	200 00
Amount claimed	200 00

B. STANTON.

ADJUTANT GENERAL'S OFFICE,
Washington, April 2, 1852.

SIR: In reply to your inquiry of the 31st ultimo, I have respectfully to inform you that the records of this office have been carefully examined, and no return of prisoners of war captured at "the battle of river Raisin," or of those who were exchanged at Detroit, has been discovered. Perhaps the information you desire respecting *John Hamilton*, a private of the Kentucky militia in the war of 1812-'15, can be found in the State Department, where the list of prisoners captured and exchanged in the late war with Great Britain would more likely be deposited.

I am, sir, very respectfully, your obedient servant,
R. JONES,
Adjutant General.

Hon. B. STANTON,
House of Representatives, Washington, D. C.