

IN THE SENATE OF THE UNITED STATES.

JULY 13, 1854.—Ordered to be printed.

Mr. DAWSON made the following

REPORT

(To accompany bill S. 453.)

*The Committee on Military Affairs to whom was referred the memorial of Brevet Brigadier General John B. Walbach of the United States army, having had the same under consideration, report:*

That the memorialist presents a claim for extra services performed by him while aid-de-camp to General Wilkinson during the making of the treaties with the Cherokee, Chickasaw, Choctaw and Creek Indians in the far west, in the years 1801-'02, and for the value of a horse lost by him in that service, and for extraordinary expenses incurred by him at the same time.

The committee in investigating this case find the facts to be as General Walbach states them. "That in 1801 Brigadier General Wilkinson was appointed a joint commissioner on behalf of the United States, to treat with the several tribes of Indians east of the Mississippi river, that your memorialist accompanied General Wilkinson as his sole aid-de-camp, and attended him on said commission, a service extraneous to his duty as a military officer."

During this service General Walbach was necessarily exposed to all the inclemencies of the winter, and the parching heats of summer, travelling over four thousand miles on horseback. His horse died of excessive fatigue, and he being by the nature of his service separated from the commission, he was obliged to procure subsistence at his own expense.

These facts are fully supported by a letter from Major General Macomb, who states, in addition, that General Wilkinson was paid for these extra services a per diem of eight dollars per day, and he (Macomb) himself, who was secretary to the commission, received an extra allowance of four dollars per day.

In view of all the circumstances of this case, and in order that justice may be done to a faithful officer who was as well entitled to extra pay as those who did receive it, the committee report a bill for his relief.

This claim was presented to Congress in 1804, when no final action was had upon it, and General Walbach, supposing it to be continuously before Congress, did not call attention to it. It has been now again presented to Congress, and the committee regarding it as equitable and just, recommend the passage of the bill.