REPORT

Of the Committee on Pensions and Revolutionary Claims, on the petition of William Johnston.

JANUARY 29, 1822.
Read, and ordered to lie on the table.

FEBRUARY 16, 1822.
Committed to a Committee of the whole on Bill No. 61, for the relief of Charles A. Swearingen.

DECEMBER 12, 1822.
Printed by order of the House of Representatives.

The Committee on Pensions and Revolutionary Claims, to whom, on the 24th January, 1822, was referred the petition and accompanying papers of William Johnston, of Hillsborough, in the state of New Hampshire, have had the same under consideration, and

REPORT THEREON:

The petitioner states, that, in the spring of the year 1775, he enlisted in the service of the United States, in the company commanded by Captain Elisha Woodward, in the regiment commanded by colonel John Stark; that he fought in the battle at Bunker’s Hill; that, in September following, he was voluntarily transferred to a company commanded by Captain Henry Dearborn; that he went with that company to Quebec, and fought in the battle in which General Montgomery fell; that Captain Dearborn, all his commissioned and non-commissioned officers, and most of the surviving privates, were captured and made prisoners; that he was then transferred to Captain Smith’s company of riflemen; that he continued to serve in that company until the first of June, 1776, a period of nine months; and states he received no pay, and he now prays for such relief as may be deemed expedient.

This committee further report that Captain Henry Dearborn, afterwards General Dearborn, was for several years Secretary of War under the present government of the United States, during which time it does not appear that the petitioner made any application to Congress for payment of any money alleged to be due to him for any services by him performed in time of the Revolutionary war; during a period of time when General Dearborn, who is presumed to have been acquainted with the petitioner, was Secretary of War, and could have aided him in establishing any such claim, he
might have had against the United States, and by neglecting to present his claim during that time, it is inferred that he has not any just claim against the United States. The petitioner states, that, after the battle in which General Montgomery fell, at Quebec, he was transferred to Captain Smith’s company of riflemen, where he continued to serve until the first of June, 1776, and it is presumed that he was returned by Captain Smith on his pay roll, and received his pay accordingly. On the 27th of June, 1775, James Warren, Esq. was elected by Congress Paymaster General, and it is presumed that Congress made ample provision for payment of all the troops in actual service under the authority of Congress. On the 31st of December, 1776, Congress was informed, by letter from General Schuyler, of an unsuccessful attempt made to gain possession of Quebec by storm, on the 31st of December, and of the death of General Montgomery. It is presumed that all the troops of Captain Dearborn’s company, who, with him, were made prisoners of war at Quebec, received all their pay due to them, as well before as after they were made prisoners of war at Quebec; and that the petitioner, having joined Captain Smith’s company after the attempt on Quebec, is presumed to have received his pay also, in consequence of his name being, as is presumed, returned on the pay roll of said Captain Smith; that, after a lapse of forty-five years, it is inexpedient to begin an investigation of such claims; and further, that all such claims are long since barred by statutes of limitation. This committee therefore submit the following resolution:

Resolved, That the prayer of the petitioner be not granted.