

## REPORT

*Of the Committee of Claims, in the case of Ebenezer Averill, with a bill for his relief.*

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DECEMBER 29, 1824.

Read, and, with the bill, committed to a committee of the whole House to-morrow.

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The Committee on Claims, to which was referred the petition of Ebenezer Averill, present the following

### REPORT:

The petitioner claims pay for pasturing between forty and fifty horses, for three weeks, in a field of his near Buffalo, which was taken possession of by officers in the service of the United States, in the Fall of 1812, and occupied by a corps of artillery; and, also, for his fences used for fuel by the United States' troops. This claim has been heretofore presented to Congress, and the Committee on Claims has reported against its allowance in two instances, principally on the ground that the extent of the pasture was not proven, and that the commanding officer did not give any estimate of the probable benefit that the United States received from its occupation, and that it was not proven that the destruction of the fences was required by the necessities of the troops. At this session additional testimony is obtained, supplying the deficiency that existed heretofore. Col. N. Townson states that the pasturage was worth, in his estimation, fifty dollars, and the fuel twenty dollars; that they were necessary, no other having been furnished, and that the acting quartermaster was without funds, or the amount would have been paid at the time.

The committee, therefore, think that the petitioner is entitled to relief, and report a bill,

