

A. D. OSTRANDER.

[To accompany bill S. No. 74.]

MARCH 21, 1836.

Read, and, with the bill, committed to a Committee of the Whole House to-morrow.

Mr. JARVIS, from the Committee on Naval Affairs, to which was referred the bill from the Senate (No. 74) for the relief of A. D. Ostrander, made the following

REPORT:

The Committee on Naval Affairs, to which was referred the bill from the Senate, (No. 74) for the relief of A. D. Ostrander, with his petition, &c. report:

That no report of the Committee on Naval Affairs of the Senate (by which the said bill was presented to that body) has been made, to show the reasons of the Senate in passing the bill. From the papers accompanying said bill, it appears that the petitioner was employed as purser's clerk or steward at the navy yard, New York, and for his services prior to 30th of April, 1825, he was paid the sum of \$32 50 per month, or \$390 per annum. After that period his pay was allowed at \$500 per annum, which sum he received until 30th of September, 1829. The payment of this amount was then stopped by the Fourth Auditor, as the regulations of the navy allowed only \$18 per month and one ration to persons acting in this capacity, equal to \$307 25. Mr. Ostrander appears to have insisted on the salary previously paid him, and his claim was in August, 1830, referred to the Secretary of the Navy, and the following is a copy of the reference and decision:

"Respectfully referred to the Secretary of the Navy. If the allowance claimed was ever made by the Secretary of the Navy, I have been unable to find any record of the fact, and therefore cut down the allowance to that of a steward."

"In other respects, Mr. Ostrander states the case fairly. A. K."

"August 7, 1830. The decision of the Auditor is in my opinion correct; I am therefore not disposed to disturb it. JNO. B."

Mr. Ostrander was in consequence allowed and paid from the 30th of September, 1829, the sum of \$307 25 per annum, until 30th of April, 1831, when after several ineffectual applications to obtain the amount formerly paid him, he relinquished his station. He now asks the difference between the sum of \$500 per annum from the 30th of September, 1829, to the 30th of April, 1831

\$791 66

And the amount actually received by him under the regulation, 483 45

Or, \$308 21

The compensation of the officer in question, is fixed by the Secretary of the Navy. If he had received more than was due according to the regulations of the Department, there was no reason that this amount should be continued after notice to the contrary. He received after 1829 the pay estimated by the Department and appropriated by Congress for the office which he held. He knew the pay he was to receive, and it would be unsafe as a precedent to allow more, on the ground that the estimates were not high enough.

The committee therefore recommend that the bill be rejected.

Read and with the bill, committed to a Committee of the Whole House to-morrow.

Mr. Jarvis, from the Committee on Naval Affairs, to which was referred the bill from the Senate (No. 74) for the relief of A. D. Osterhaus, made the following

REPORT

The Committee on Naval Affairs, to which was referred the bill from the Senate (No. 74) for the relief of A. D. Osterhaus, with his petition & report:

That no report of the Committee on Naval Affairs of the Senate by which the said bill was presented to that body has been made to show the reasons of the Senate in passing the bill. From the papers accompanying said bill it appears that the petitioner was employed as passenger clerk or steward at the navy yard, New York, and for his services prior to 30th of April, 1832, he was paid the sum of \$32 50 per month, or \$390 per annum. After that period his pay was allowed at \$500 per annum, which sum he received until 30th of September, 1832. The payment of this amount was then stopped by the 1st month of October, as the regulations of the navy allowed only \$18 per month and one ration to persons acting in this capacity, equal to \$207 50. Mr. Osterhaus appears to have insisted on the salary previously paid him, and his claim was in August, 1830, referred to the Secretary of the Navy, and the following is a copy of the response and decision:

"Respectfully referred to the Secretary of the Navy. If the allowance claimed was ever made by the Secretary of the Navy, I have been unable to find any record of the fact, and therefore can draw the allowance to that of a steward."

"On other respects, Mr. Osterhaus states the case fully. A. J. August 7, 1830. The decision of the Auditor is in my opinion correct; I am therefore not disposed to dissent. Mr. Osterhaus was in consequence allowed and paid from the 30th of September, 1832, the sum of \$307 50 per annum, until 30th of April, 1831, when after several ineffectual applications to obtain the amount he merely paid him, he relinquished his station. He now asks the difference between the sum of \$500 per annum from the 30th of September, 1832, to the 30th of April, 1831, and the amount actually received by him under the regulation."