

JOHN McCLELLAN—SURETIES OF.

JULY 7, 1838.

Read, and laid upon the table.

Mr. HALL, of Vermont, from the Committee on the Post Office and Post Roads, made the following

**REPORT:**

*The Committee on the Post Office and Post Roads, to which was referred the claim of the sureties of John McClellan, late postmaster at Abingdon, Virginia, make the following report:*

It appears from the evidence submitted to the committee, that William Porter and Charles Tate were sureties in a bond executed to the Postmaster General for the faithful conduct of said McClellan as postmaster of Abingdon, Virginia; that they were sued on their bond, and judgment recovered against them, for over the sum of \$2,000, for the default of said postmaster; which judgment the said sureties or their representatives have paid to the Postmaster General, and which sum so paid they ask to have refunded them.

The committee are unable to discover any just claim against the Government for the return of the money thus collected of the sureties. The facts present the common case of a surety suffering by the default of his principal; and as the bond seems to have been required and executed to secure the Government against loss from such default, the committee are of opinion that the claim ought not to be allowed.

Thomas Allen, print.

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Thomas Allen, from