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### Report : Memorial of E. Lomax

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IN SENATE OF THE UNITED STATES.

MAY 24, 1850.

Submitted, and ordered to be printed.

Mr. BORLAND made the following

REPORT:

[To accompany bill S. No. 240.]

The Committee on Pensions, to whom was referred the memorial of Mrs. Elizabeth V. Lomax, widow of Major Mann Page Lomax, late of the ordnance corps, United States army, having examined the subject, submit, as their report, the memorial, together with the accompanying statements of Doctors Carmichael and Adams, and a letter from the Adjutant General United States army, which establish the facts set forth in the memorial, and show the claim of the memorialist to be well founded, and strongly commended to the favorable and prompt consideration of Congress; and, in conformity with this view, the accompanying bill is recommended.

*To the Senate and House of Representatives of the United States in Congress assembled:*

The memorial of the undersigned, widow of Mann Page Lomax, late major in the ordnance corps of the army, respectfully represents, that he entered the public service at an early period of life, in the year 1807, and she believes it is not questioned that in all seasons and under all circumstances, to the last moment, he faithfully discharged his duty to the country. Having served through the war with England, declared in 1812, upon the announcement of the appalling massacre of the force under Dade, he volunteered for Florida, was ordered to Georgia, and from that time to the close of the campaign (with the exception of a few weeks in the summer of 1836, when he was under orders to recruit at Providence, Rhode Island) he endured all the hardships and privations that follow in the train of an Indian war, amidst the swamps of that region. He returned to Fredericksburg, Virginia, in May, 1838, with a shattered constitution and health so impaired, he was unable to walk without assistance. His medical attendant, (who, as he states, had been long acquainted with Major Lomax, and thoroughly familiar with his health and constitution, as friend and physician,) after a careful examination of his condition and symptoms, did not hesitate to express the opinion that his disease was brought on by severe and continued exposure dur-

ing the Florida campaign; and that before that time he was a man of great endurance of fatigue, and never exhibited the slightest indication of bad health. From Florida he was ordered to Watertown arsenal, Massachusetts; and going at an unfavorable season (autumn,) his malady was considerably aggravated and confirmed by transition from a mild to a cold climate. After serving five and thirty years without being court-martialed, receiving a furlough, or ever disobeying an order, *he died a victim to great exposure, and of disease contracted while in the line of his duty*, as the accompanying papers (your memorialist is persuaded) will clearly show. He left a large family of helpless children entirely dependant upon the unaided exertions of your memorialist, who has toiled assiduously and incessantly for their support, and now ventures to hope that the relief which she is advised has been beneficently extended to others will not be withheld from the claim which she feels in duty bound to present to the consideration of the legislature. The father of your memorialist was an officer in the revolutionary war, and was compelled to retire before its close from the effects of a severe wound in the bridle arm, disabling him as a cavalry officer, and thereby depriving him of the provision made by law for others, who passed through the contest *without* wounds or disabilities.

How far laws granting relief in such cases are sustained by the principles of justice and sound policy, it is not for your memorialist to offer an opinion. It is enough that almost at every session of Congress, in some form or another, either by special or general acts, *provision is made*. She cannot believe, therefore, that *her* case is to stand as an exception to what, in a humane spirit, would appear to be the settled course of legislation. The measure of relief to which she may be entitled she submits with abiding confidence to your wisdom and sense of even-handed justice, earnestly deploring the necessity she is under of making this appeal to the bounty of the government. It is a hard alternative forced upon her by the pleadings of humanity, in behalf of those who can look to her alone in their destitution and bereavement.

ELIZABETH V. LOMAX,  
Norfolk, Va.

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RICHMOND, October 23, 1849.

In May, 1838, Major Mann Page Lomax returned from the Florida war thoroughly broken down in health, laboring under pulmonary consumption, growing out of great exposure during the period of his confinement to that country. I had been long acquainted with Major Lomax, and thoroughly familiar with his health and constitution as friend and physician; and I would not hesitate to say that the disease of which he died sprang from that campaign. Indeed, he was before that time a man of great endurance of fatigue, and never exhibited the slightest bad health.

EDWARD H. CARMICHAEL, M. D.

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WALTHAM, November 2, 1849.

MY DEAR MRS. LOMAX: Your letter of September 27, requesting my opinion as to the effect produced on the health of your late husband, Major Lomax, by the exposures he underwent in the Florida campaign,

was duly received; but causes entirely beyond my control have till now prevented me from replying to it.

There can be no doubt the exposures which Major Lomax endured while in Florida, if they did not (and I am by no means prepared to say they did not) lay the foundation of the disease which terminated his existence, they certainly caused a much more rapid development of it than would have taken place under more favorable circumstances. On his return from Florida he was very much emaciated, and was troubled with a dry, hacking cough, from which he never entirely recovered. After a few weeks' rest he improved somewhat, which led his friends to hope that the disease in his lungs would be permanently arrested, and that his health would soon be restored; but this improvement was of short duration, and it very soon became apparent that the disease was too deeply seated ever to be eradicated. It was very gradual in its development, as is usual in persons of his age, but was steadily progressive till it terminated his existence. There can be no question that the disease, to say the least, was aggravated, and, in all probability, his death hastened, by the exposures in question.

With my kindest regards to your family, I am, very respectfully and truly, yours,

H. ADAMS,

*Acting Assistant Surgeon at United States Arsenal,  
Watertown, Massachusetts.*

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ADJUTANT GENERAL'S OFFICE,  
*Washington, May 23, 1850.*

SIR: I have read the memorial presented to the Senate by the widow of Major *Mann Page Lomax*, and have reason to believe that the facts are correctly stated; and I have no doubt that exposure and hardship which he encountered in the Florida service, while in the line of his duty, greatly induced the disease which terminated his life.

Major Lomax died at Watertown, Massachusetts, on the 27th of March, 1842.

I am, sir, very respectfully, your obedient servant,

R. JONES, *Adjutant General.*

To Hon. GEO. W. JONES,  
*Senate United States, Washington.*