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Report : Petition of W. Lockhart

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IN THE SENATE OF THE UNITED STATES.

APRIL 4, 1882.—Ordered to be printed.

Mr. SLATER, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 886.]

The Committee on Pensions, to whom was referred the bill (S. 886) granting a pension to William Lockhart, have had the same under consideration, and report thereon as follows:

The claimant, William Lockhart, states in his declaration, filed in the Pension Office August 12, 1875, that he enlisted in Captain Hollingsworth's company, Fourth Regiment Illinois Volunteers, on the 25th day of May, 1832, and was honorably discharged August 5, 1832; that while in the service and in the line of his duty on Rock River, at General Stillman's defeat, he received a gunshot wound in his left leg, below the knee; that at the time of his wounding he was under Capt. Abraham Lincoln; that he was in hospital at Rock Island, Ill.; that he is still lame from the effects of said wound, and unable to earn a living by manual labor by reason of said disability. States his age at 73 years.

From the Second Auditor's Office, under date of February 8, 1881, the Commissioner of Pensions was informed that "William Lockhart, private in Capt. Moses G. Wilson's company, Fourth Regiment Illinois Mounted Volunteers, was enlisted April 23, 1832, and discharged May 28, 1832. No record of wounds or disabilities on file in this office."

In support of his claim he filed the affidavit of George Tethrow, who says that he was a private in Captain James's company of volunteers, in the war known as "the Black Hawk war," in the year A. D. 1832, Second Regiment, commanded by Colonel Fry, of Bond County, State of Illinois. He was personally acquainted with William Lockhart, who was a private in Captain Samuel Hollingsworth's company, of the Fourth Regiment, of Schuyler County, Illinois, under Col. M. G. Wilson, but is silent as to any wound or disability of Lockhart. Upon application to Second Auditor's Office for information respecting Tethrow, the Pension Office was informed that—

George Dethero, private in Captain Benjamin James's company Illinois Mounted Volunteers, enlisted in Bond County, April 17, 1832, and was discharged May 28, 1832.

The Adjutant-General's Office reports that—

On muster-out roll of Captain Benjamin James's company, Second Illinois Mounted Volunteers, dated May 28, 1832, George Dethero is reported mustered out at mouth of Fox River, Illinois, May 28, 1832; "enrolled April 17, 1832, Bond County, Illinois, to serve 60 days." Name of George Tethero not borne. No records of Captain Hollingsworth's company, Illinois militia, on file in this office.

Claimant Lockhart also states under oath that to the best of his information and belief, all the officers acting under commissions, both

regimental and company officers of the Fourth Illinois Volunteers, Col. M. G. Wilson commanding, in the Black Hawk war, are long since dead, and that he knows of no living commissioned officer by whom he can prove the origin of his disability in the service in his line of duty, and that there is no person to his knowledge who served with him in said war.

The claim was rejected by the Pension Office "for the reason that the proof was not sufficient to show that the alleged disability originated in the line of duty."

It is quite probable that Lockhart is the same individual of that name borne on the rolls of Capt. Moses G. Wilson's company, and that Tethero is the Dethero borne on the rolls of Captain James's company, Illinois Mounted Volunteers, Second Regiment; but, granting this, there is an entire want of evidence to show that the wound complained of was received in the line of duty except the statements of the claimant, and there is no evidence as to the extent or character of the disability; from which your committee conclude that there are no equities requiring that the decision of the Pension Office should be disturbed, and therefore recommend that the bill do not pass.

C