

University of Oklahoma College of Law

University of Oklahoma College of Law Digital Commons

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

1-3-1833

Invalid pensioners [to accompany bill H. R. no. 128].

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indigenous, Indian, and Aboriginal Law Commons](#)

Recommended Citation

H.R. Rep. No. 122, 23rd Cong., 1st Sess. (1833)

This House Report is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact Law-LibraryDigitalCommons@ou.edu.

INVALID PENSIONERS.

[To accompany bill H. R. No. 128.]

JANUARY 3, 1833.

Mr. EVANS, from the Committee on Invalid Pensions, made reports in the following cases :

B. PORTER.

The petitioner states, on oath, that, in the year 1790, he served as a volunteer under General Harmar, against the Indians; and that while in said service, and during an engagement with the Indians, he received a wound by a musket ball in his left arm, producing a disability, which has continued to the present time; but that he neglected to make application for a pension until the last session of Congress, under an impression that the pension law extended only to those who served in the revolutionary war.

For the purpose of proving his disability, the petitioner has produced the sworn certificate of Samuel Adams and R. Adams Willson, surgeons, dated the 17th of February, 1832, who certify that, by satisfactory evidence, and accurate examination, it appears to them that the petitioner, while in the service of the United States, under General Harmar, and in an engagement with the Creek Indians, in the year 1790, "received a wound in his left arm by a musket ball passing transversely through the lower third of said arm, causing inability of the exterior muscles of said arm, and a partial paralysis of the third and fourth fingers of the left hand, the immediate cause of which appears to be the destruction of some tendons, fascia, a portion of muscle, and perhaps one of the nerves of said arm, or the singular manner in which the lips of the wound have healed, viz. uniting the muscles, tendons, fascia, and the integuments of the skin together." The said surgeons further certify that the petitioner is, by reason of said wound, three-fourths disabled from obtaining his subsistence by manual labor.

The petitioner states, on oath, the said Samuel Adams was a surgeon in the army at the time of his service, and assisted in dressing the wound above described; that, previous to his signing the above mentioned certificate, he had frequently conversed with the petitioner on the subject of his being wounded, and, at the time of signing, expressed his perfect recollection of the fact; that the petitioner being an unlettered man, and unacquainted with such proceedings, supposed that the said Adams had stated it as of his own personal knowledge, and that he has been informed, and

believes, that soon after he had given said certificate, which was done when he was confined to his bed by reason of the amputation of one of his legs, the said Adams died.

The petitioner produces the affidavit of his sister, Mary Cox, who states, of her own knowledge, that he went into the United States service against the Creek Indians in the year 1790, and that he was absent in said service about one year; that, during that time, Doctor Samuel Adams returned home from said service, and informed her that the petitioner was wounded in a battle with the Indians, at a place called Maumee town, by a shot in the left arm, and showed her a ball which he said he had extracted from her brother's arm; and that the petitioner returned from the service about one year after entering it, with his arm very much crippled with said wound.

It also appears, by the affidavit of James Winans, that he had heard the said Samuel Adams say, within a few years, that he had been in the United States service with the petitioner.

The committee are of opinion that the petitioner is entitled to relief, and report a bill.

FEBRUARY 15, 1832.

FRANCIS JACOBS.

The Committee on Invalid Pensions, to which was referred the petition of Francis Jacobs, report:

That the petitioner "was attached to the military family of General Washington, as a domestic and servant," during the war of the revolution; was at West Point, at Brandywine, at Monmouth, at Yorktown, and many other places memorable in the history of that period, with the commander in chief. He had an honorable discharge or certificate from General Washington as to his zeal and fidelity, which was made use of to procure him the situation of lock-tender on the New York canal, and which was subsequently mislaid by the commissioners of the canal, to whom it was submitted as evidence of the petitioner's character. Its contents are certified by one of the commissioners, in general terms. The testimony of John Foliard is produced, proving that the petitioner was attached to the household of General Washington, as has been stated; and of this there can be no doubt. Foliard's character is attested to be good by Archibald Bull, clerk of the county of Rensselaer, New York. The petitioner represents, upon oath, that, in the night previous to the battle of Brandywine, an alarm being given that the enemy were in motion, the commander in chief, with his staff, moved rapidly toward the point where it was supposed they were about to cross the river, taking the nearest route across fields and woods. The petitioner, with a guide, went before as pioneer; and, in attempting to leap a fence, a young sapling caught between his right leg and the stirrup-strap, and threw him to the ground, dislocating his right knee, and also his left ankle. From the effect of these injuries, it is sufficiently proved that he is now crippled, and disabled from procuring his subsistence. The circumstance of receiving this injury is

proved in no other way than by the petitioner's oath, except that Foliard testifies that he knew the petitioner in the army at Brandywine, and elsewhere, and understood that his injury was received in the night previous to that battle. The character of the petitioner for truth, integrity, and upright deportment, is strongly attested by several gentlemen of high standing; and the committee are of opinion that, under the peculiar circumstances of the case, he is entitled to belief; and, therefore, recommend that he be placed on the roll of invalid pensioners.

FEBRUARY 8, 1832.

ALFRED BALDWIN.

The Committee on Invalid Pensions, to which was referred the petition of Alfred Baldwin, report :

That, in the month of September, 1814, the petitioner, then being sixteen years of age, at a short distance from home with his father's team, was impressed into the service of the army of the United States, under General Izard, then on its march towards Sackett's Harbor; that he remonstrated against being compelled to go with his team, but in vain. He was not permitted to return to his father's house to procure clothing, or any thing else necessary for his comfort, and marched with the army to Sackett's Harbor. He was not furnished with rations or clothing, and the weather being cold and wet, the petitioner was much exposed, and when released, at the end of ten days, was too unwell to return home without assistance. Upon reaching home, he was immediately taken with a severe fever, which confined him four months, and finally resulted in ulcers upon his leg, which have continued more or less severe ever since. The leg is much withered and emaciated, and the general health of the petitioner enfeebled. These consequences are attributed, and, it is believed, justly attributed, to the exposure of the petitioner while under the restraint of the officers of the United States army, as above mentioned.

The committee are of opinion that the petitioner is justly entitled to an indemnity from the United States, and report a bill for his relief.