

8-4-1846

Report : Mr. Pearce

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IN SENATE OF THE UNITED STATES.

AUGUST 4, 1846.

Submitted, and ordered to be printed.

Mr. PEARCE made the following

REPORT :

[To accompany bill H. R. No. 338.]

The Committee on Pensions, to whom was referred House bill (No. 338) for the relief of Catharine Fulton, report :

That the testimony in this case is not at all satisfactory, and, indeed, is contradictory. One of the witnesses, who swears most positively to the military services of Captain Fulton, states, that he was a captain in the regular army, at Philadelphia, in the spring of 1780, and marched south with the army a few weeks afterwards ; that he served in the south, under General Morgan and General Greene, in 1780 and 1781, and commanded his company in several battles, including that at King's mountain and Guilford ; whereas it appears from extracts from the pay rolls and arrangement of the York county militia, that Captain Fulton, in June, 1780, was arranged as captain of the 5th company of the 8th battalion of Pennsylvania militia, and that his term of service was from 12th of August, 1781, to the 12th of October in the same year.

In the battle of King's mountain the Americans engaged were all militia. It was fought in October, 1780, while that of Guilford court-house was fought 15th March, 1781.

James Proudfoot swears that Fulton came to York county, Pennsylvania, from Northumberland, where he had been engaged in a war with the Indians. This was, he says, in the year 1779 or 1780.

This service on the Susquehanna, if performed, was manifestly not such military service as to entitle him or his wife to a pension.

Another witness states that he came to York county in 1776 or 1777.

Sam. Kerr, another witness, who knew Fulton in the year 1800, says that Fulton told him he was a captain, but he cannot remember any service that he mentioned, except certain skirmishes with the Indians on the Susquehanna river.

Margaret Andover states that Fulton went out with the army in August 1777, as a captain ; but she evidently has no personal knowledge of the period of his service. She speaks of his being engaged in battles in 1777, which did not take place in that year.

It is possible that he may have been in the army at the battle of Brandywine, as stated by the petitioner, and in the battle on Staten island, in August, 1777, as stated by Margaret Andover ; but there is no sufficient proof of such a term of military service as would entitle his widow to a pension.

The committee recommend that the bill be indefinitely postponed.