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6-13-1850

Anthony Walton Bayard. (To accompany bill H.R. no. 157).

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Recommended Citation

H.R. Rep. No. 141, 31st Cong., 1st Sess. (1850)

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ANTHONY WALTON BAYARD.

[To accompany bill H. R. No. 157.]

MARCH 13, 1850.

Mr. LEFFLER, from the Committee on Invalid Pensions, made the following

REPORT:

The Committee on Invalid Pensions, to whom was referred the case of Anthony Walton Bayard, have had the same under consideration, and beg leave to report:

That they have examined the petition, certificates, and affidavits herewith submitted, and also the action had by the 29th and 30th Congresses in this case, and find that a favorable report was made on two occasions, and a bill reported on each occasion—to wit: one on the 26th of February, 1846, and the other on the 4th January, 1848—providing for the payment of arrearages of pension to A. W. Bayard.

Said reports set forth the following facts:

That it appears, from the papers of the petitioner, that he is entitled to a pension in consequence of several wounds received, whilst in the service of the United States, during the last war with Great Britain; and that he was accordingly placed on the pension roll, at the rate of eight dollars per month, his pension to commence on the — day of March, 1844. The petitioner states that at the time of his discharge he knew that he was entitled to a pension; but, being at that time possessed of some property, he declined making an application for it, supposing that in case his circumstances should ever render it necessary, he would be entitled to receive all arrearages. He further states that he has now become poor, that he is very helpless and decrepit; and inasmuch as no existing law will make him any allowance for arrearages of pension, he therefore prays for the passage of a special act authorizing him to receive such sum of money as will be equal to ninety-six dollars per year from the day of his discharge from the service up to the commencement of his present pension. The committee, in all ordinary cases, have declined recommending the passage of any law providing for the payment of arrearages of pension; but the petitioner insists that he is entitled to it, in consequence of the number and severity of his wounds; and the importance of the services rendered his country. He states that, at the time of the battle with the Indians at Fort Harrison, the enemy had succeeded in setting fire to one of the block-houses, from which the fire was communicated to the roof of the soldiers' barracks; that the commanding officer called for volunteers to mount the roof and extinguish the fire, which was within point-blank shot of the enemy's rifles; that the petitioner and another soldier volunteered, and

mounted the burning roof; that his companion was immediately shot down, and he severely wounded; but that he succeeded in extinguishing the fire, and thus saving a large amount of valuable property to his country, at the imminent peril of his life. He further states that, while in the line of his duty, he upon one occasion received a rifle ball through his leg, below the knee; that upon another he had his jawbone and his skull fractured; and that upon a third a splinter from a shot cut his abdomen completely open for some six inches in length; and that the combined effect of all these wounds renders him wholly incompetent to support himself and family. The committee, from the certificate of the surgeon and his commanding officer, are satisfied that the above statement contains the simple truth. The committee, therefore, deem this a case which will warrant a departure from general rules, and accordingly recommend the passage of a bill for his relief.

The bill then reported not being reached, and the committee agreeing with the views set forth in said report, again recommend the passage of a bill for the relief of Anthony Walton Bayard, granting to him an increase of pension, which, including the amount now received as regular pension, will amount to the sum of three hundred dollars per year; said additional pension to commence on the first day of January, 1850, and continue during his natural life.