

HENRY GUTHRIE.

MARCH 24, 1836.

Read, and laid upon the table.

Mr. STORER, from the Committee on Revolutionary Pensions, made the following

REPORT:

*The Committee on Revolutionary Pensions, to which was referred the petition of Henry Guthrie, ask leave to report :*

That they find the petitioner claims a pension for several terms of service in the war of the revolution, having been a volunteer and drafted militia man for two years; the services, however, appear, on examination, to have been chiefly rendered as armorer, at several military posts where he was detained by order of his officers. There is no allegation, and no proof is furnished, that the petitioner was paid as a soldier, or that he was during his service regarded as under the immediate command of any officer. On this state of the case, the committee could not feel authorized to recommend a pension, even if there was proof to sustain the petition; but as there is no other evidence than the statement of the petitioner himself, and his unimpeached character, the committee do not think it consistent with their duty to change the established rule adopted at the Pension Department, which is, that the petition should be sustained by disinterested testimony, before its prayer is granted. In the absence of such testimony, as well as on the principle of the whole case, the committee ask to report the following resolution, and that they may be discharged:

*Resolved,* That the prayer of the petitioner ought not to be granted.

Blair & Rives, printers.

HENRY CUTHBERT

March 21, 1838

Mr. Speaker, from the Committee on Revolutionary Pensioners, made the following report:

REPORT

The Committee on Revolutionary Pensioners, to which was referred the petition of Henry Cuthbert, ask leave to report:

That they had the petitioner claim a pension for several terms of service in the war of the revolution, having been a volunteer and drafted soldier for two years; the services, however, appear on examination to have been chiefly rendered as armorer, at several military posts, where he was designated by order of his officers. There is no allegation and no proof furnished that the petitioner was paid as a soldier, or that he was during his service regarded as under the immediate command of any officer. On this state of the case, the committee could not feel authorized to recommend a pension, even if there was proof to sustain the petition; but as there is no other evidence than the statement of the petitioner himself, and his unimpeached character, the committee do not think it consistent with their duty to change the established rule adopted at the Pension Law, which is that the petition should be sustained by independent testimony, before its prayer is granted. In the absence of such testimony, as well as on the principle of the whole case, the committee ask to report the following resolution, and that they may be discharged:

Resolved, That the prayer of the petitioner ought not to be granted.

How a case comes