

GENERAL JAMES HOGAN—HEIRS OF.

FEBRUARY 6, 1838.

Read, and laid upon the table.

MR. MUHLENBERG, from the Committee on Revolutionary Claims, made the following

REPORT:

The Committee on Revolutionary Claims, to which was referred the petition of the heirs of General James Hogan, report:

This case was examined at the first session of the twenty-fourth Congress, and an unfavorable report made thereon; in which report the committee concur, and adopt it as part of this. It may be found in the manuscript reports of the Committee on Revolutionary Claims, vol. 3, p. 48.

General Hogan was a brigadier general in the army of the Revolution, and died in service during the war. His heirs have received the seven years' half pay to which the widow or children of officers dying in the service were entitled under the resolutions of August 24, 1780. They now ask for the bounty land to which an officer of General Hogan's rank was entitled. Congress promised a bounty in land only to those officers who served to the end of the war, or became supernumerary at some period thereof, and to the heirs of such as were "slain by the enemy." The committee, therefore, again resolve that the prayer of the petitioners cannot be granted.

JUNE 15, 1836.

Certain individuals, in the character of heirs of General James Hogan, petition for bounty land for his military services in the war of the Revolution. It appears that General Hogan was taken prisoner by the enemy at the capture of Charleston, and died while in captivity. The resolutions promising bounty land to the officers of the revolutionary army do not embrace the case. It is insisted, however, that this ought to be an exception, and that Congress should grant the prayer of the petitioners, because the death of General Hogan was probably occasioned by his sufferings while in captivity, and hence it should be viewed in the same light as though he had been "slain by the enemy," which would have entitled his heirs to bounty land. The representatives of General Hogan received the seven years' half pay which they were entitled to under the resolutions of Congress, in consequence of his dying in the service, and the committee

perceive no good reason for enlarging the provisions of those resolutions so as to provide for cases not embraced by them. They cannot foresee the extent to which the exception, if made, might carry us. Our attention has been called to two bills passed in 1825, one for the relief of Francis Wright's heirs, and the other for the relief of Thomas Williams. The first act only supplies the loss of a land warrant, and the last authorizes the issuing of a warrant to the soldier himself, and in neither can we find a precedent for favoring the petition in the present case.

The committee recommend the adoption of the following resolution :
Resolved, That the prayer of the petitioners ought not to be granted.

Mr. MONTGOMERY, from the Committee on Revolutionary Claims, made the following

REPORT:

The Committee on Revolutionary Claims, to which was referred the petition of the heirs of General James Hogan, report:

The case was examined at the first session of the Senate, January, 1825, and an unfavorable report made thereon; in which report the committee stated, and about it as part of this. It may be found in the manuscript reports of the Committee on Revolutionary Claims, vol. 5, p. 47.

General Hogan was a brigadier general in the army of the Revolution, and died in service during the war. His heirs have received the bounty pay to which the widow or children of officers dying in the service were entitled under the resolutions of August 24, 1783. The bounty was not paid to which an officer of General Hogan's rank was entitled. Congress provided a bounty to land only to those officers who served to the end of the war or became supernumerary at some period thereof, and to the heirs of such as were " slain by the enemy." The committee therefore again resolve that the prayer of the petitioners cannot be granted.

June 16, 1856.

Certain individuals in the character of heirs of General James Hogan petition for bounty land for his military services in the war of the Revolution. It appears that General Hogan was taken prisoner by the enemy at the capture of Gibraltar, and died while in captivity. The resolutions of Congress provide bounty land to the officers of the revolutionary army who did not accompany the case. It is insisted, however, that this ought to be an exception, and that Congress should grant the prayer of the petitioners because the death of General Hogan was probably occasioned by his suffering while in captivity, and hence it should be viewed in the same light as though he had been slain by the enemy, which would have entitled his heirs to bounty land. The representatives of General Hogan received the bounty pay which they were entitled to under the resolutions of Congress, in consequence of his dying in the service, and the committee