26th Congress, 1st Session. Rep. No. 357. Ho. of Reps.

WM. S. MERRIL.

[To accompany bill H. R. No. 336.]

April 4, 1840.

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

REPORT:

The Committee on Invalid Pensions, to whom was referred the petition of William S. Merril, report:

William S. Merril represents that he volunteered as a private in the company of Captain John C. Morrison, which company composed part of Colonel William Dudley's regiment in the northwestern campaign in 1813: that he was marched from Lexington, Kentucky, to Fort Defiance, and thence on their way to Fort Meigs; and a short distance before reaching Fort Meigs, they were ordered to land on the opposite side of the river, and to spike the British cannon then playing upon the fort: that they advanced, under the command of Colonel Dudley, to the British battery, and, while engaged in spiking one of the British cannon, he received a musket ball through his right arm near the elbow: that in a conflict with one of the enemy who rushed upon him, he received two sword wounds—one on the front of the left leg, a little below the knee; the other on the right leg, above the ankle joint; he was so much disabled by the wounds as to require the assistance of his comrades to get to the boats. His physician informed him that either of the wounds received upon his right leg, or his right arm, was sufficient to render him a cripple for life; the wound in the leg having divided the tendons, and that of the arm being so near the joint as to produce anchilosis or stiffness of the joint.

To all of which he is qualified by William Bradford, an acting justice of the peace for Fayette county, Kentucky.

The clerk of the court of Fayette county, Kentucky, certifies that Wm. Bradford was an acting justice of the peace.

James E. Davies, the acting clerk of the company to which said Merril belonged, says he well knew Merril; that he was in the battle above named, called Dudley's defeat. Witness was taken prisoner, knew nothing of Merril's wounds until after his exchange, when he was informed of the fact, and saw his wounds: he has no doubt of Merril's being wounded in the battle above named; he was not lame when he went into the action.

William Rumsey testifies that he was with Merril in the battle called Dudley's defeat; that Merril was wounded in the battle, and that he assisted Merril to the boats, and saw his wounds while in Fort Meigs after the battle.

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The certificates of two respectable physicians are appended, who rate the disability of Merril at two-thirds; all of which is sworn to before Justice Bradford, who is proved to be an acting magistrate by the certificate of the clerk of the court of Fayette county, Kentucky.

The committee report a bill, allowing the petitioner two-thirds pay for a private from and after the 1st day of January, 1838.