28th Congress, 2d Session.

Rep. No. 113.

Ho. of Reps.

JANE BAKER.

February 7, 1845.

Read, and laid upon the table.

Mr. Atkinson, from the Committee on Naval Affairs, made the following

REPORT:

The Committee on Naval Affairs, to whom was referred the petition and memorial of Jane Baker, widow of Captain Thomas Baker, and which was presented by the Hon. David Levy, have had the same under consideration, and beg leave to report:

That the memoralist represents that the said Thomas Baker, at the age of sixteen years, was an apprentice to Captain Gustavus Conyngham, and accompanied him in all his daring and bold enterprises in the war between the United States and Great Britain, which resulted in the glorious independence of the American people. The brilliant services of Captain Baker are portrayed by the memorialist in a manner well calculated to excite the liveliest interest in behalf of his respected widow; and did the committee not feel themselves bound by rules and precedents that they are not at liberty to disregard,—did they feel themselves at liberty to bestow the public funds in the exercise of that charity which would do credit to a benevolent man having no restraint but his ability to bestow, the relief sought by the memorialist could not be refused. But your committee regard the Congress of the United States as bound by a written constitution, which, in their opinion, does not authorize an expenditure of the finances of the government for purposes of charity, however meritorious may be the person on whom it is sought to be bestowed. Mrs. Baker's case does not fall under the provisions of any of the pension laws. It is represented by the memorialist that her husband did receive from the United States half pay for his life, after the year 1802, and that he lived until 1820. Therefore, notwithstanding the merit of the petitioner, and the forcible manner in which her claim has been pressed before your committee, they are reluctantly forced to adopt a resolution that the relief sought ought not to be granted.

Blair & Rives, printers.

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