

IN SENATE OF THE UNITED STATES.

MARCH 23, 1846.

Submitted, and ordered to be printed.

Mr. PHELPS made the following

REPORT :

The Committee on Revolutionary Claims, to whom was referred the petition of Simon Hubbard, report :

That the petitioner claims, as executor of Simon Carew, the pay and allowances due to Cooper Polgreen, who is alleged to have served as a musician in the revolutionary war, by virtue of an assignment of the same by Polgreen to said Carew in his lifetime.

There is no evidence of said Polgreen's services before the committee ; and if there were, they are not prepared to admit the claim upon the government at this day. Great pains were taken by Congress, immediately after the close of the revolutionary war, to adjust all claims of this description ; and in 1794 they became barred by a statute of limitation, which Congress refused to extend. Since that refusal, most of the papers and documents connected with the adjustment of the accounts of the revolutionary army have been destroyed by the burning of the War office—once in 1800, and again in 1814. To admit the liability of the United States, at this day, upon mere proof of service, to pay the claim, or prove it paid, would be to open a settlement of at least fifty years' standing, and to remove the seals which Congress, at a very early day, very wisely placed upon these matters. To do so after the destruction of the vouchers upon which the government relied—the very contingency which called for the act of limitation—would be doing what, in the opinion of the committee, is demanded by neither justice nor expediency. They therefore submit the following resolution :

Resolved, That the prayer of the petitioner be rejected.

Ritchie & Heiss, print.

IN SENATE OF THE UNITED STATES:

MARCH 23, 1895.

Submitted, and ordered to be printed.

Mr. FARRER made the following

REPORT:

The Committee on Revolutionary Claims, to whom was referred the petition of Simon Hubbard, report:

That the petitioner claims as executor of Simon Carey, the pay and allowances due to Cooper Polgreen, who is alleged to have served as a musician in the revolutionary war, by virtue of an assignment of the same by Polgreen to said Carey in his lifetime.

There is no evidence of said Polgreen's services before the committee; and if there were they are not prepared to admit the claim upon the government at this day. Great pains were taken by Congress immediately after the close of the revolutionary war, to adjust all claims of this description; and in 1784 they became barred by a statute of limitation, which Congress refused to extend. Since that refusal, most of the papers and documents connected with the adjustment of the accounts of the revolutionary army have been destroyed by the burning of the War Office—once in 1809 and again in 1814. To admit the liability of the United States at this day upon mere proof of service to pay the claim, or prove it paid, would be to open a settlement of at least fifty years' standing, and to remove the seals which Congress at a very early day very wisely placed upon these matters. To do so after the destruction of the vouchers upon which the government rested—the very contingency which called for the act of limitation—would be doing what, in the opinion of the committee, is demanded by neither justice nor expediency. They therefore submit the following resolution:

Resolved, That the prayer of the petitioner be rejected.

Richard A. Hays, printer.