

Report No. 217.

HOUSE OF REPRESENTATIVES.

PHINEAS RAYMOND.

FEBRUARY 9, 1848.

Laid upon the table.

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

REPORT:

The Committee on Revolutionary Pensions, to whom was referred the petition of Phineas Raymond for a pension, report:

That the petitioner's claim has been passed upon by the Commissioner of Pensions and by the Secretary of War, and has been rejected by both; that the reasons for its rejection are set forth in the letter of the secretary of the 24th January, 1846, which is hereunto annexed, and makes a part of this report; that they concur in the principles and reasons set forth in said letter; and, therefore, report adversely to the claim of the petitioner.

WAR DEPARTMENT, January 24, 1846.

SIR: By your letter of the 10th of February, 1845, and the report of the Commissioner of Pensions of the 19th instant, herewith transmitted, it appears that Phineas Raymond, in his declaration for a pension under the act of June 7, 1832, alleges a tour of three months' service in Captain Sparrow's company, in the year 1779, and this allegation is supported by the affidavit of Gideon Shurtliff, himself a pensioner. Raymond's name is not, however, borne upon the rolls of that company; and, in explanation of its absence, it is said he served as substitute for James Churchill, (now deceased,) whose name is on the rolls.

As two different pensions cannot be granted for the same service, Raymond must claim adversely to any—the widow or child—

dren—who may hereafter claim through Churchill. By law, pensions are proportioned to the pay of the soldier, and the pay-rolls have ever been considered the highest evidence of the pay received, and, consequently of the service rendered. Without undertaking to say what evidence would be deemed sufficient to discredit these pay-rolls, and entitle Raymond to a pension for the service which there appears to have been rendered by Churchill, I should not feel justified in making, on the word of the claimant, a decision adverse to the interests of parties who have the record in their favor, and thus barring their claims on ex parte testimony, and without a hearing.

Very respectfully, your obedient servant,

W. L. MARCY,
Secretary of War.

HON. J. COLLAMER, FEBRUARY 9, 1845
House of Representatives. (Laid upon the table)

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

REPORT

The Committee on Revolutionary Pensions, to whom was referred the petition of James Raymond for a pension report:

That the petitioner's claim has been passed upon by the Commissioner of Pensions and by the Secretary of War, and has been rejected by both; that the reasons for its rejection are set forth in the letter of the secretary of the 24th January, 1845, which is herewith annexed, and makes a part of this report; that they concur in the principles and reasons set forth in said letter; and, therefore, report adversely to the claim of the petitioner.

WAR DEPARTMENT, January 21, 1845.

Sir: By your letter of the 10th of February, 1845, and the report of the Commissioner of Pensions of the 4th instant, herewith transmitted, it appears that James Raymond, in his declaration for a pension under the act of June 7, 1832, alleges a tour of three months' service in Captain Sparrow's company, in the year 1778, and this allegation is supported by the affidavit of Gibson Shurt. Mr. Raymond's name is not, however, borne upon the rolls of that company; and, in explanation of this circumstance, it is said he served as substitute for James Churchill, (now deceased,) whose name is on the rolls.

As two different pensions cannot be granted for the same service, Raymond must claim adversely to any—the widow or child—