

GRIFFIN KELLY.

[To accompany bill H. R. No. 350.]

MARCH 27, 1846.

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

REPORT :

*The Committee on Invalid Pensions, to whom the petition of Griffin Kelly was referred, having considered the same, report :*

That it appears from the petition itself, and the proof accompanying it, that the petitioner was a draughted soldier in the wars between the United States and the Indians in 1790 ; and that, in one of the battles with the Maumee Indians in that year, and known as Harmar's defeat, he was wounded by a ball over the left eye, which, from the statement of the surgeons, (Drs. B. W. Dudley and J. M. Bush,) caused a fracture of the skull, and has now produced a total disability. His alleged reason for failing to apply for the benefit of the pension laws is, general negligence, and the belief that a law would before this have been passed extending the revolutionary pension laws, to include the soldiers who were engaged in the Indian wars at the close of the Revolution. In consequence of the death of all the commissioned and non-commissioned officers, it is now impossible, by their proof, to establish the service and wound of the petitioner—which proof is, by the technical rule of the department, rendered necessary.

The committee are of opinion that, though the proof of the officers is not had, yet other and sufficient evidence is furnished, which carries conviction with it that the petitioner was a soldier in the service of the country, and, in 1790, as such engaged in the battles of the Maumee towns, and was there wounded, and that such wound has produced total disability ; and believing that thus he has manifested his claim to the relief sought, beg leave to report a bill.