

STEPHEN RIGGS—HEIRS OF.

MAY 9, 1850.

Laid upon the table.

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

REPORT:

*The Committee on Revolutionary Pensions, to whom was referred the memorial of the heirs of Stephen Riggs, deceased, respectfully report :*

The said Stephen Riggs in his lifetime, to wit : on the 7th day of February, 1818, entered into the service of the United States, as second lieutenant, in a company commanded by Captain Michael Young, in the Seminole war in Florida, under General Andrew Jackson. While in said service, he contracted a disease that rendered him unfit for its duties, and he was honorably discharged therefrom on the 4th day of May, 1818. He returned to his family, and after languishing several days he died from the disease aforesaid. He left a widow, Rachel Riggs, and seven children, all under the age of sixteen years, in a very destitute condition. This family were supported by the charity of the church of which the said Rachel was a member, until the children were able by their industry to take said support upon themselves. The said Rachel Riggs deceased in the year 1842, having been supported during the latter part of her life by her children, who now present this memorial and ask that the benefits of the acts of July 21, 1848, and February 22, 1849, may be extended to them, and that they may receive a sum equal to half the monthly pay of the said Stephen Riggs for the term of five years.

Before the act of July 21, 1848, no widow or child of any officer or soldier of the army of the United States was entitled to the five years' half pay of such officer or soldier, unless the officer or soldier died *in consequence of a wound received while in service*. Inasmuch as the death of Lieutenant Riggs was not in consequence of a wound received while in service, his widow and children were not entitled to receive half his monthly pay for five years. The act of July 21, 1848, in extending the act of July 4, 1836, to the army which served in Mexico, contains this further provision : "or who may die during the war with Mexico from disease contracted while in the line of duty, shall be entitled to the same rate of pension," &c. These provisions are, by the act of February 22, 1849, still further extended to the widows and orphans of those who, having received an honorable discharge, have died from the same causes after their return to their homes. Had these provisions been in favor of and applicable to the army that served in the Seminole war at the time of the decease of Lieutenant Riggs, his widow, and upon her decease his orphan

children under sixteen years of age, would have been entitled to the five years' half pay of the said Riggs. The questions now presented by this case are, ought the provisions of the acts before recited, relating to the Mexican service, to be extended to all the wars in which the United States have heretofore been engaged? and if not, is there anything in the present case to make it an exception to the general rule? The committee are not prepared to recommend the passage of a law extending the existing provisions so as to embrace all cases like the one under consideration, nor do they believe the honor of the country requires it; nor can they see any peculiar equities in the present case to make it an exception to the general rule. The policy of the government held out no encouragement that the bounty now sought for would be bestowed until twenty years after the decease of Lieutenant Riggs, and not until long after his widow had deceased, and his children ceased to be minors. Had he entered the service under a reasonable expectation that in the event of his decease, his widow and children would receive half his monthly pay for five years, which they could not now receive by reason of some technical defect in the proof, the case would be different, and would have received the favorable consideration of the committee; but under existing circumstances, they are of opinion that the prayer of the memorialists should be denied, and would recommend that the memorial be laid upon the table.