

MARGARET A. SPENCER.

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MARCH 3, 1879.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. MACKEY, from the Committee on Revolutionary Pensions, submitted the following

REPORT:

[To accompany bill H. R. 2759.]

*The Committee on Revolutionary Pensions, to whom was referred the bill (H. R. 2759) granting a pension to Margaret A. Spencer, widow of Chester Root, captain of the Third Regiment of Artillery, United States Army, war of 1812, having had the same under consideration, respectfully submit the following report, to wit:*

It is in evidence that the said Chester Root was on the 25th day of April, 1812, a second lieutenant of the Third Artillery; that on the 30th of October, 1812, he was regimental paymaster; on the — day of March, 1813, he was promoted to first lieutenant; in 1814 he was aide-camp to Major-General Macomb; that on December 14th, 1814, he was brevetted a captain, for gallant and meritorious conduct at the battle of Plattsburgh, which occurred September 11, 1814, and retained in Artillery; on the 19th of March, 1815, he was promoted to a captaincy, and that on the 1st of June, 1821, the regiment was disbanded.

As the widow of the said officer, which fact is duly established by competent testimony, such as affidavits of parties who knew her from childhood and witnessed said marriage, she would, under existing laws of the United States, be entitled to a pension. But it is also in evidence that after the death of the said Chester Root, which occurred at Mobile, Ala., in the year 1854, she was again married, to wit, on or about the 3d day of October, 1855, to Richard Spencer, who was formerly a member of Congress from the State of Maryland.

It is in evidence, from the affidavit of the claimant, that when her husband Chester Root died, he left her in very dependent circumstances. It is also in evidence that her second husband, Richard Spencer, who died in the year 1868, left her in very dependent circumstances. The United States commissioner for the southern district of Alabama certifies that he has known her for a number of years, and that she is aged, infirm, childless, and without means of support, except so far as charity of friends provides. He also certifies that she is the daughter of Captain Thomas Dunn, an officer of volunteers, United States Army, who was massacred by Indians at Fort Mims in the Creek war of 1812-'13.

In view of the foregoing facts, of the distinguished service of her first husband during the war with Great Britain, and the loss of her father

in the Indian wars of 1812-'13, and also in view of the fact, well established, that her second husband dying left no property or income for her support, but that she is in an infirm and helpless condition, and is supported solely by charity, the committee are of opinion that she is entitled to relief, and therefore return the bill to the House and recommend the passage of the same.

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