

HANNAH MENZIES.

[To accompany bill H. R. C. C. No. 64.]

DECEMBER 15, 1857.—Referred to the Committee on Claims.

MARCH 5, 1858.—Ordered to be printed.

The COURT OF CLAIMS submitted the following

R E P O R T .

To the honorable the Senate and House of Representatives of the United States Congress assembled:

The Court of Claims respectfully presents the following documents as the report in the case of

HANNAH MENZIES *vs.* THE UNITED STATES.

1. The petition of the claimant.
2. Certificate of the Commissioner of Pensions, transmitted to the House of Representatives.
3. Opinion of the Court.
4. Bill for the relief of claimant.

By order of the Court of Claims.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, at Washington, this seventh day of December, A. D. 1857.

SAM'L H. HUNTINGTON,
Chief Clerk Court of Claims.

HANNAH MENZIES, *vs.* THE UNITED STATES.

To the honorable the Court of Claims of the United States:

Your petitioner, Hannah Menzies, of the county of _____ and State of Kentucky, respectfully represents, that she is the widow of Samuel P. Menzies, deceased, who was an officer in the war of the revolution, and who died prior to the 4th of March, 1848. She further states that she was married to the said Samuel P. Menzies subsequent to the 1st day of January, 1800, and has been allowed a pension at the rate of \$235 85 per annum, on account of the revolutionary services of her

said husband, under the second section of the act of Congress, approved February 3, 1853, entitled "An act to continue half-pay to certain widows and orphans;" which pension was made to commence, by the decision of the Secretary of the Interior, on the 3d day of February, 1853, whereas your petitioner insists it should have been made to commence on the 4th of March, 1848. And she now claims that, by virtue of said second section of the act of Congress aforesaid, she is entitled to arrears of pension, at the rate aforesaid, from said 4th of March, 1848, to said 3d of February, 1853, upon which claim she prays the judgment of this honorable Court. She further represents that she is the sole owner of said claim, no other person having any interest therein.

J. J. COOMBS,

Attorney for Petitioner.

DISTRICT OF COLUMBIA, }
Washington County, } ss.

Be it remembered, that on this — day of February, 1856, personally appeared before me, the undersigned, clerk of the Court of Claims, J. J. Coombs, who made oath, in due form of law, that all the facts stated in the foregoing petition are true, to the best of his knowledge and belief.

PENSION OFFICE, *February 23, 1857.*

I hereby certify that it appears from the records and files of this office, that Hannah Menzies, of the State of Kentucky, widow of Samuel P. Menzies, deceased, has been allowed a pension, at the rate of two hundred and thirty-five dollars and eighty-three cents per annum, commencing on the 3d day of February, 1853, under the second section of the act of that date, entitled "An act to continue half-pay to certain widows and orphans," on account of the services of her said husband in the revolutionary war, as a private, lieutenant and captain.

Also, that there is evidence on file in this office, that her husband, the said Samuel P. Menzies, died prior to the 4th of March, 1848.

GEORGE C. WHITING,
Commissioner.

IN THE COURT OF CLAIMS.

HANNAH MENZIES, }
vs. }
THE UNITED STATES. }

Chief Justice GILCHRIST delivered the opinion of the Court.

This case is similar in principle to the case of Jane Smith vs. The United States, and the decision in that case settles the right of the present claimant to recover.

The evidence is contained in a certificate from Mr. Whiting, Commissioner of Pensions, dated February 23, 1857, in which he states that there is evidence on file in the Pension Office that Samuel P. Menzies, her husband, died prior to the 4th of March, 1848, and that she has been allowed a pension at the rate of \$235 33 per annum, commencing on the 3d day of February, 1853, under the second section of the act of that date, entitled "An act to continue half-pay to certain widows and orphans."

We think the claimant is entitled to the arrears of her pension, from the 4th of March, 1848, to 3d of February, 1853, and we report a bill accordingly.

