

Bethon, hospital stewards, United States Army, asking for the passage of Senate bill 1119—to the Committee on Military Affairs.

Also, memorial of the Civil Service Reform Association, against certain provisions of the legislative appropriation bill before the House—to the Committee on Appropriations.

By Mr. GOFF: Petition of L. C. Powell and 372 citizens of West Virginia, for an appropriation to erect fish-ladders on the dams in the Monongahela River—to the Committee on Rivers and Harbors.

By Mr. D. B. HENDERSON: Resolutions of Gordon Granger Post, No. 64, Grand Army of the Republic, of Grinnell, Iowa, favoring the passage of Senate pension bill 1886—to the Committee on Invalid Pensions.

Also, paper from F. P. Anderson, of Iowa, opposing the proposed abolition of paleontological work by the Government—to the Select Committee on Signal Service, Geological Surveys, Coast and Geodetic Survey, and the Hydrographic Office of the Navy Department.

By Mr. HOUK: Petition of Henry Hull, administrator, of Jefferson County, Tennessee, asking that his war claim be referred to the Court of Claims—to the Committee on War Claims.

By Mr. F. A. JOHNSON: Petition of William S. Barber and 26 others, of Post Randall, No. 460, Grand Army of the Republic, of Bolton, N. Y., for the passage of Senate bill 1886, for the relief of soldiers and sailors of the late war—to the Committee on Invalid Pensions.

By Mr. LANHAM: Petition of citizens of Shackelford and Throckmorton Counties, Texas, for the removal of the Federal court from Graham to Cisco, Tex.—to the Committee on the Judiciary.

By Mr. MCOMAS: Petition of 34 farmers and dairymen to have a tax placed upon the manufacture of oleomargarine butter—to the Committee on Agriculture.

Also, petition of Margaret South, of John Shifler, of Elizabeth Elliot, of Ezra and Jonas E. Beachly, executors of David South, of Washington County, Maryland, asking that their war claims be referred to the Court of Claims—to the Committee on War Claims.

Also, petition of George Hering, of Alleghany County, Maryland, for payment of war claim—to the same committee.

By Mr. MCKINLEY: Resolutions of the Mahoning Valley Wool-Growers' Association, in favor of the tariff act of 1867—to the Committee on Ways and Means.

Also, joint resolution of the Ohio Legislature, relative to building a memorial structure at Marietta, Ohio—to the Committee on Appropriations.

By Mr. MITCHELL: Petition of the Indian Rights' Association of Middletown, Conn., in favor of Senate bill 54—to the Committee on Indian Affairs.

By Mr. O'DONNELL: Petition of C. O. Loomis Post, No. 2, Grand Army of the Republic, Quincy, Mich., for the passage of Senate bill 1886—to the Committee on Invalid Pensions.

By Mr. O'FERRALL: Petition of Andrew Cornwell and of Mrs. M. E. Weston, widow of Charles E. Weston, deceased, of Warren County; of Noah C. Wenger, and of N. W. Allen and Eliza F. Elam, administrators of Sarah Allen, deceased, of Rockingham County; and of Amelia A. Griffith, widow of John Griffith, deceased, of Page County, Virginia, asking that their war claims be referred to the Court of Claims—to the Committee on War Claims.

By Mr. J. J. O'NEILL: Petitions of employés of the navy-yard at New York, and at Norfolk, Va., in favor of Senate bill 2268—to the Committee on Labor.

By Mr. PERKINS: Petition of A. M. Ledman and 125 others, citizens of Elk City and Montgomery County, Kansas, asking for the passage of Senate bill 1886, relating to pensions—to the Committee on Invalid Pensions.

By Mr. RANDALL: Petition of R. E. Rudolph and E. R. Wilfong, for the passage of bill embodying recommendations of the national pension committee of the Grand Army of the Republic—to the same committee.

By Mr. RIGGS: Petition of A. J. Jones and others, of Athensville, Ill., for the passage of pension bill—to the same committee.

By Mr. ST. MARTIN: Papers relating to the claim of Mary Heinn, of Orleans Parish, Louisiana—to the Committee on War Claims.

By Mr. SPRINGER: Petition of Trades Assembly of Western Pennsylvania against the oleomargarine taxation—to the Committee on Agriculture.

By Mr. STEELE: Petition of Eel River band of Miami Indians, by Jesse T. Hutchins, asking that the principal sum be paid to them at once—to the Committee on Indian Affairs.

By Mr. VAN SCHAICK: Memorial of the Waterloo (Wis.) Grange, Patrons of Husbandry, on the subject of interstate commerce—to the Committee on Commerce.

By Mr. WHEELER: Petition of Solomon G. Grimmitt, administrator of Valentine Cage, deceased, and of W. P. James, asking that their war claims be referred to the Court of Claims—to the Committee on War Claims.

By Mr. WINANS: Remonstrance of John Gilluly Post, Grand Army of the Republic, of Fowlerville, Mich., against appropriating money by the United States for a home for indigent ex-rebel soldiers—to the Committee on Military Affairs.

By Mr. WORTHINGTON: Petition of the Women's Silk-Culture Association of Illinois, praying for relief—to the Committee on Agriculture.

## SENATE.

SATURDAY, June 5, 1886.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.  
The Journal of yesterday's proceedings was read and approved.

## DIPLOMATIC AND CONSULAR APPROPRIATIONS.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a communication from the Secretary of State to the chairman of the Committee on Foreign Relations as to amendments to the diplomatic and consular appropriation bill. As that bill is now pending, the Chair will ask that the letter be printed, with the accompanying papers, in the RECORD, and be referred to the Committee on Foreign Relations. That order will be made, there being no objection.

The letter is as follows:

DEPARTMENT OF STATE, Washington, June 4, 1886.

SIR: I have the honor to acknowledge the receipt of your letter of yesterday's date, asking, on behalf of the Committee on Foreign Relations, the views of the Department of State upon three amendments intended to be proposed to the bill (H. R. 6392) making appropriations for the diplomatic and consular service for the next fiscal year, providing respectively for an "envoy extraordinary and minister plenipotentiary" to, and "secretary of legation" in, the Argentine Republic; and a "clerk to the minister resident in Sweden and Norway."

With respect to the proposed increase of rank in our mission at Buenos Ayres, I may observe that I have long been of the opinion that the position of the United States in the family of American nations makes it fitting that they should be represented at every American capital by an envoy of the plenipotentiary grade. I have, however, refrained from proposing, in the departmental estimates, an increase of rank for the missions to the Argentine Republic, Bolivia, Hayti, Santo Domingo, Paraguay and Uruguay, and Venezuela, and the consulate-general in Ecuador, because it seemed inexpedient to recommend enlargement of the responsibilities and functions of those offices without a corresponding increase of salary, which I was unprepared to suggest. The recent elevations of the resident missions in Central America, Colombia, and Turkey to the plenipotentiary grade were attended by an increase of the respective salaries to \$10,000, which the statute, section 1675, Revised Statutes, assigns as the minimum.

The proposed amendment contemplates making the Argentine legation a plenipotentiary mission, without increase of salary over the present rate of \$7,500. It also omits the additional title of consul-general, thus abandoning the anomaly of uniting diplomatic and consular functions and prerogatives in one office. This is a proper change, since the bill provides, lines 199-200, for a consul at Buenos Ayres, thus obviating any necessity for a consul-general at the same post. Under all the circumstances I favor the proposed amendment, and would be pleased to see the same principles applied wherever practicable.

I also favor the second amendment, which proposes a secretary of legation at Buenos Ayres. The advantage of having a qualified officer on the spot to continue diplomatic intercourse in the event of a vacancy is obvious. A secretary of legation is a usual and proper adjunct to every plenipotentiary mission.

The employment, as suggested by the third amendment, of a clerk to the legation in Sweden and Norway, is in its present form open to some objection. The legation is not provided with a secretary, and the clerk, although receiving a salary nearly equal to that of a regularly commissioned secretary, would have no diplomatic standing whatever and could not act as *chargé d'affaires* in case of the minister's death or absence. The only present employment of an authorized clerk is at Madrid, where there is a secretary of legation and where the onerous labors of the office make additional clerical aid indispensable, without any occasion, however, for attaching diplomatic privilege to the employment.

Our relations with Sweden and Norway are important, and that government maintains a plenipotentiary mission at Washington. If it be desired to increase the working force at Stockholm, I would suggest raising the mission to the plenipotentiary grade without increase of salary, and assigning a secretary of legation at a salary of \$1,500.

By raising the missions at Buenos Ayres and Stockholm to the plenipotentiary grade, a convenient principle might be established in assigning \$7,500 as the minimum salary of an envoy, and it might be well to consider the advisability of raising the grade also of the other resident missions having that salary attached, to wit, Belgium, Hawaii, Netherlands, and Venezuela. The specification of \$7,500 as the salary of such offices would not conflict with section 1675, Revised Statutes, if the appropriation were so worded as to appear distinctly to be "a different compensation \* \* \* prescribed by law." In the recent case of Mr. Langston, lately minister resident at Hayti, the judgment of the Court of Claims in his favor rested, not on that provision, but on the unrevoked and continuing statute, section 1683, Revised Statutes, which fixed the salary at that particular mission.

I have the honor to be, sir, your obedient servant,

T. F. BAYARD.

Hon. JOHN SHERMAN,

Chairman of the Committee on Foreign Relations, Senate.

## PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented the petition of Thomas F. Luers, John O. Humphrey, and 21 other citizens, of Cleveland, Ohio, praying for the better legal protection of young girls in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. BLAIR presented a petition of the Woman's Christian Temperance Union of Philadelphia, officially signed, representing three hundred members, praying for the better legal protection of young girls in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CULLOM presented the memorial of John W. Smith, president of the Trades and Labor Assembly of Springfield, Ill., remonstrating against the passage of the oleomargarine bill; which was referred to the Committee on Agriculture and Forestry.

Mr. HOAR. I present the petition of A. W. Loyering, missionary of the Presbyterian Board of Foreign Missions to the Chinese in Cali-

fornia, and several other gentlemen engaged in like missionary work, praying for the enactment of a law to enforce the rights of the Chinese under the treaties with the United States. I move the reference of the petition to the Committee on Foreign Relations.

The motion was agreed to.

Mr. INGALLS presented the petition of Elizabeth M. Drescher, Sarah B. Brotherton, and 93 other citizens of Philadelphia, praying for the better legal protection of young girls in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of citizens of Woodson County, Kansas, praying for certain pension legislation; which was referred to the Committee on Pensions.

Mr. WILSON, of Iowa, presented the petition of H. B. Edmonson and other wool-growers of Pittsburg, Iowa, and five other petitions of citizens of the same place, praying for the restoration of the duty on wool as fixed by the tariff of 1876; which were referred to the Committee on Finance.

Mr. HAWLEY presented a memorial of Knights of Labor of Bridgeport, Conn., recommending liberal appropriations for works of internal improvement and especially for the Hennepin Canal; which was referred to the Committee on Commerce.

Mr. DOLPH presented a resolution adopted by citizens of Idaho Territory at a mass meeting held at Pierre City, Shoshone County, favoring the annexation of North Idaho to Washington Territory; which was referred to the Committee on Territories.

He also presented a memorial of citizens of Idaho County, Idaho Territory, praying the annexation of North Idaho to Washington Territory; which was referred to the Committee on Territories.

Mr. LOGAN presented a memorial of the Commercial Exchange of Chicago protesting against the imposition of a tax on oleomargarine and butterine; which was referred to the Committee on Agriculture and Forestry.

He also presented a letter signed by a number of business firms of Chicago protesting against the passage of the bill imposing a tax on oleomargarine and butterine; which was referred to the Committee on Agriculture and Forestry.

He also presented a protest of William Smith, president of the Trade and Labor Assembly of Springfield, Ill., and a resolution of the Amalgamated Association of Iron and Steel Workers of Joliet, Ill., against the passage of the oleomargarine bill; which were referred to the Committee on Agriculture and Forestry.

Mr. PALMER presented the petition of the Women's Christian Union of Grand Rapids, Mich., praying for legislation for the protection of young girls in the District of Columbia and Territories governed by the United States; which was referred to the Committee on the District of Columbia.

Mr. HALE presented the petition of M. E. Jordan, Mary A. Milliken, and 66 other citizens of Saco, Me., asking for the better legal protection of young girls in the District of Columbia; which was referred to the Committee on the District of Columbia.

#### REPORTS OF COMMITTEES.

Mr. MAHONEY, from the Committee on Appropriations, to whom was referred the bill (H. R. 7481) making an appropriation for the Department of Agriculture for the fiscal year ending June 30, 1887, and for other purposes, reported it with amendments.

#### AMENDMENTS TO THE SUNDRY CIVIL APPROPRIATION BILL.

Mr. SHERMAN, from the Committee on Foreign Relations, reported an amendment intended to be proposed to the sundry civil appropriation bill, making an appropriation of \$106,100 for the inauguration of the statue of "Liberty Enlightening the World;" which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BLAIR. By direction of the Committee on Education and Labor I report an amendment intended to be proposed to the sundry civil appropriation bill "to aid in the establishment of a school in the Territory of Utah, to be under the direction of the Industrial Christian Home Association of Utah, and to provide employment and means of self-support for the dependent classes in that Territory, with a view to aid in the suppression of polygamy therein," accompanied by certain documents and a report; which I ask may be printed and the whole referred to the Committee on Appropriations.

The PRESIDENT *pro tempore*. The Senator from New Hampshire reports an amendment intended to be proposed to the sundry civil appropriation bill, which, with the accompanying documents, will be printed and referred to the Committee on Appropriations.

#### BILLS INTRODUCED.

Mr. INGALLS introduced a bill (S. 2600) to authorize the commissioners of the District of Columbia to make police regulations for the government of the District; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HAWLEY introduced a bill (S. 2601) for the relief of George Hill, jr.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2602) for the relief of Beaufort Lee and

others; which was read twice by its title, and referred to the Committee on Claims.

Mr. DAWES (by request) introduced a bill (S. 2603) for the relief of the owners and crews of the American whaling vessels Midas, Progress, Lagoda, Daniel Webster, and Europa; which was read twice by its title, and referred to the Committee on Claims.

Mr. LOGAN introduced a bill (S. 2604) granting a pension to William P. Hill; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2605) granting a pension to Margaret J. Cash; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2606) granting a pension to Frederick Robertson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2607) granting a pension to Caroline M. Norton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HARRIS introduced a bill (S. 2608) for the relief of the estate of Daniel Lake, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

#### EMILY C. STANNARD.

Mr. EDMUNDS. Mr. President, I present the memorial of myself, as a citizen of Vermont, praying Congress to pass a bill granting a pension of \$100 a month to Mrs. Emily C. Stannard, the widow of the late General George J. Stannard, a brevet major-general and full brigadier-general of volunteers, whose conspicuous strategy and gallantry at Gettysburg turned the fortunes of war at that time, and who afterward at Harrison's Landing, on the Potomac, in the operations before or toward Richmond, lost an arm at the shoulder from a cannon-shot of the enemy, and who, after he came home, drew a pension at the rate of \$18 a month. He was entirely broken up by his war service, and his widow and two grown-up daughters are left in very necessitous circumstances, the widow having been for many years a helpless invalid.

I ask the Committee on Pensions therefore to give this matter very early consideration, for I think that among the volunteer soldiers of the war or among any soldiers of the war there was no man who did more for his country than General Stannard did, and notably on this occasion at Gettysburg, where I think, and a great many other people think, and nobody denies it, that his skill and readiness and quickness and ability and comprehension of the situation turned the tide of war when Pickett's division, I believe it was, charged upon the center and key of our position.

I myself knew this gentleman personally and intimately for twenty-five years, and therefore, testifying as a layman, I can say to the committee and to the Senate that I know that his health was broken down by his service and by the loss of his arm at or near the shoulder, and that his death, which finally resulted here in a humble position in the House of Representatives which his poverty compelled him to accept on the soldiers' roll of doorkeepers, although it resulted immediately from pneumonia from taking a cold within the week last past, terminated fatally only because of his weakened and enfeebled constitution occasioned by his military service. But whether it did or not, I think this is one of the cases where Congress may gratefully and gladly for such conspicuous service as he rendered provide for the comfort during the remaining years of her life of his helpless and invalid widow. I ask that the memorial be referred to the Committee on Pensions.

The motion was agreed to.

Mr. EDMUNDS. Now I ask leave to introduce a bill in accordance with the memorial.

The bill (S. 2609) granting a pension to Emily C. Stannard, was read twice by its title, and referred to the Committee on Pensions.

#### PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. HAWLEY, it was

Ordered, That the memorial of Arnold A. Rand and Albert Ordway be taken from the files of the Senate and referred to the Committee on Military Affairs, no adverse report having been made thereon.

#### AMENDMENTS TO RIVER AND HARBOR BILL.

Mr. BROWN and Mr. CALL submitted amendments intended to be proposed by them respectively to the river and harbor appropriation bill; which were referred to the Committee on Commerce, and ordered to be printed.

#### SUSPENSION OF PUBLIC-LAND LAWS.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the resolution submitted yesterday by the Senator from Kansas [Mr. INGALLS], which comes over under objection, and which will be read.

The Chief Clerk read the resolution, as follows:

Resolved, That the Secretary of the Interior be, and is hereby, directed to inform the Senate whether the Commissioner of the General Land Office has, with the approval of the Secretary of the Interior, issued a circular in the following words:

"Circular.

"DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,  
Washington, D. C., June 2, 1886.

"To registers and receivers United States land offices:

"GENTLEMEN: The repeal of the 'pre-emption, timber-culture,' and 'desert-

land' laws being now the subject of consideration by Congress, all applications to enter lands under said laws are hereby suspended from and after this date until the 1st day of August, 1886, and you are hereby directed to receive no filings or new applications for entry under said laws during said time.

WM. A. J. SPARKS, *Commissioner*.

Approved.

L. Q. C. LAMAR, *Secretary*.

And if such circular has been issued, to inform the Senate by what act it is claimed that Congress has delegated to the Commissioner of the General Land Office, or to the Secretary of the Interior, or to those officers acting jointly, the power to suspend by executive order the operation throughout the United States of the pre-emption, the timber-culture, and the desert-land acts, and to deny to citizens of the United States their rights under said statutes.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. BECK. Yesterday when that resolution came up, as the RECORD shows, I rose and said, "I should like to have it lie over until to-morrow." I did not make that request because I desired to oppose the resolution or because I desired to smother any investigation that might be called for. On the contrary I desire that it be made as full as possible, and I think that is the feeling of the Secretary of the Interior.

Yesterday morning early, at 9 o'clock, I happened to meet the Secretary of the Interior, and he said to me that on reflection he thought the order was a mistake and that he would withdraw the assent he had given to it. I supposed that was done by 12 o'clock yesterday, but I was not sure at the time the resolution was offered, and therefore asked that it go over. I ascertained afterward that yesterday morning some time the Secretary did withdraw his assent from that order, and I understand that it was rescinded very promptly yesterday so far as the Secretary could rescind it.

I only desire to say now that the reason why I requested that the resolution lie over was because I was advised by the Secretary himself quite early yesterday morning that that would be the fact. I want the fullest investigation. I want to look into the matter, and to have the resolution pass. I only rose now to explain why I asked that the resolution should go over yesterday morning.

Mr. WALTHALL. The order referred to in the resolution submitted by the honorable Senator from Kansas yesterday was revoked, and I hold in my hand a copy of the order of revocation.

I chance to know that very soon after the issuance of that order the Secretary of the Interior came seriously to doubt the legal authority of the order and determined to revoke it. Yesterday, some hours before the meeting of the Senate, I saw and read the original draught of the order of revocation. When the honorable Senator from Kansas submitted the resolution yesterday I was not absolutely certain that the order of revocation had been promulgated. If I had been, I should have called attention to that fact at the time, though I supposed it had.

Immediately after the resolution was introduced I communicated with the Secretary of the Interior and asked him to send me a copy of the order of revocation which I had seen some hours before. Soon afterward in response I received a copy of the order of revocation, which I will ask the Chief Clerk to read.

The PRESIDENT *pro tempore*. The paper will be read.

The Chief Clerk read as follows:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,  
Washington, D. C., June 4, 1886.

To registers and receivers United States land offices:

GENTLEMEN: Based upon satisfactory evidence that an unusual number of entries under the pre-emption, timber-culture, and desert-land laws are at this time being made anticipating the action of Congress repealing said laws, and following numerous precedents of this office and Department deemed to be in substantial harmony therewith, the following order, approved by the Secretary, was on the 2d instant issued to you:

"The repeal of the 'pre-emption, timber-culture, and desert-land' laws being now the subject of consideration by Congress, all applications to enter lands under said laws are hereby suspended from and after this date until the 1st day of August, 1886, and you are hereby directed to receive no filings or new applications for entry under said laws during said time."

Now, in view of serious question as to the existence of sufficient absolute legal authority therefor, the same is hereby revoked.

WM. A. J. SPARKS, *Commissioner*.

Approved.

L. Q. C. LAMAR, *Secretary*.

Mr. INGALLS. Mr. President, the complaint is not that this order has been revoked, but that it was in the first place issued and then revoked, issued by the Commissioner of the General Land Office and revoked after approval by the Secretary of the Interior.

The order of revocation is an avowed justification of the original order issued on the 2d day of June. It declares that it followed "numerous precedents" of the office, and that the Department deemed those precedents "to be in substantial harmony therewith," and closes by stating in mild phrase that, "in view of serious question as to the existence of sufficient absolute legal authority therefor, the same is hereby revoked."

I affirm that in the Department of the Interior there is not and never has been any precedent in substantial harmony with the order of the 2d day of June issued by the Commissioner of the General Land Office. If the Secretary of the Interior had contented himself with withdrawing his approval of the order of the 2d of June, that would have been enough; but when he bases his withdrawal upon a statement that seems to justify the original order I feel called upon to say that his reasons for the revocation are not satisfactory.

The Constitution of the United States makes it the duty of the President of the United States to "take care that the laws be faithfully executed." The President of the United States is responsible for the acts of his subordinate executive officers. While I do not assume that President Cleveland on the 2d day of June, or at any day since the 2d day of June, has been in a condition either to approve or disapprove of the act of this subordinate, and while I exonerate the Secretary of the Interior from any active intervention in this matter, the radical difficulty lies in the fact that the Executive has placed vast national interests in the hands of subordinate officers who assume, not to see that the laws are faithfully executed, but that valid and subsisting laws of the United States are suspended over a vast area of the public domain, and that many thousands of the citizens of this country are denied their rights under statutes of the United States.

The advent of the Commissioner of the General Land Office into his position was signalized by the immediate suspension of one hundred and twenty-six thousand entries of public lands on the domain of the United States. He assumed that every one of those claimants under the homestead, pre-emption, timber-culture, and desert-land acts was engaged in a fraudulent attempt to rob and plunder the United States. He suspended those entries in mass and directed that patents should not issue, and thereafter sent out a vast horde of inquisitors and spies instructed to find evidence to support his suspicions that frauds were being perpetrated.

Up to this time that same policy has been pursued, and so great has been the injustice, the hardship, and the oppression, that the Secretary of the Interior has already been called upon to revoke several prior orders of the Commissioner of the General Land Office upon the ground that they were not consonant with precedent nor warranted by the evidence presented.

The Commissioner has lately made a report in response to a resolution offered by my colleague [Mr. PLUMB] on the 16th day of February, "requesting information as to the number of special agents employed by the Department," from which I read.

Mr. COCKRELL. What document are you reading from, please?

Mr. INGALLS. I read from a letter addressed by the Commissioner of the General Land Office to the Secretary of the Interior on the 6th day of May, 1886.

Mr. COCKRELL. What is the document stated to be on the outside?

Mr. BECK. What is the number?

Mr. COCKRELL. What is the number of the document?

Mr. INGALLS. I do not read from the print of an executive document. I am reading the report that the Commissioner of the General Land Office made to the Secretary of the Interior in response to a Senate resolution.

Mr. COCKRELL. I should like to know whether it is a private paper or a paper published by the authority of the Senate. If it is a report it is a report of such a number, and so if it is an executive document or a Senate document.

Mr. INGALLS. If the Senator denies the authenticity of the document from which I read, or suspects that in any way whatever I shall tamper with the text of the Commissioner's letter, let him send to the document-room and obtain the report, which is already in print, and verify my reading.

Mr. COCKRELL. Will the Senator yield?

Mr. TELLER (handing a document to Mr. INGALLS). Here is the Senate print of the document.

Mr. INGALLS. It is Executive Document No. 134, Forty-ninth Congress, first session.

The Commissioner states:

There were, on February 16, 1886, 31,583 final entries requiring examination by the board of review. Of this number about 8,000 were final homestead entries. The operations of the board have heretofore been confined principally to final homesteads, and of this class it has been found necessary to direct the investigation by special agents of about 37 per cent. of the cases examined.

He proceeds:

There are now in the service 31 agents of this class, and at the rate of examination stated above, namely, 9 per month for each agent, the 18,000 entries could hardly be examined by them in less than 5 years.

Therefore upon a suspicion that all these entries are fraudulent, upon a surmise that all homestead settlers on the public domain of the United States are engaged in a combined effort to plunder and deplete, the Commissioner of the General Land Office has suspended them *en masse*, and proceeds to send out a corps of inquisitors to verify his suspicions, and declares that before he can get through with the cases that are now upon the list, to say nothing about those that are to be entered hereafter, five years at least will have expired.

Mr. President, my mails come to me burdened with complaints and lamentations of an afflicted people. I had this morning two letters from homestead settlers in one of the northwestern counties in my own State. One of them, a stranger, said to me that he had taken a homestead upon the public lands in the Oberlin land district; that he had made permanent, lasting, and valuable improvements thereon; that his family were living there; that he had broken the sod for planting corn and grain; and being without money to support his family while his crop was growing he went away from the homestead every Monday

morning to an adjoining town, and there he worked as an artisan at day wages until Saturday night, when he returned to his family upon his homestead; and that claim has been reported for cancellation for a violation of the public-land laws of the United States upon the report made by these hired agents of the Interior Department sent out to verify the suspicions of the Commissioner of the General Land Office that this settler is attempting to perpetrate a fraud upon the homestead system of the United States because he has not continuously resided thereon for the period required by law.

I had another letter not long since from a clergyman, a classmate of mine in college thirty years ago, a humble, God-fearing man, who for that long interval has been engaged in preaching the gospel as a minister in the Methodist Church. He went into Dakota to locate a homestead. He left his family there upon his acres. He built a home for them. His whole family was there. He had made the necessary improvement upon the land that he occupied, and day by day and week by week he went off into the neighboring towns and villages for the purpose of preaching the gospel; but one of these paid agents of the Interior Department, because this man had not lived continuously on his homestead every day and every week and every month of the year, reported his entry for cancellation.

I am not complaining of the President of the United States; I am not complaining of the Secretary of the Interior, who I doubt not has been imposed upon, whose action was improvident, whose instincts are just, whose sympathies can not be with this man who prefers indictments against entire communities. My complaint, sir, is with the agency that is administering this system in opposition to the interests of a great many thousand of my constituents and a great many thousand other honest and industrious people who are endeavoring to build communities and States upon the plains of the West—men who have conquered the frontier and obliterated the desert, who are our friends, our relatives, our kinsmen, who are not aliens nor enemies, and who are as incapable of committing fraud or depredation upon the public domain as any of those who now hear me.

In their name I feel called upon to say that no greater invasion of public right, of constitutional law, of the prerogatives of freemen was ever committed in any age or in any time than this order of the 2d day of June, 1886, suspending the operation of valid and subsisting laws of the United States. It is an offense which, had it been committed by the Secretary of the Interior and sanctioned by the President of the United States, would have justified their impeachment and removal from office.

I am very glad, indeed, that the Secretary of the Interior has seen fit early and promptly to disavow it, and I regret that his disavowal has been accompanied by an apparent justification which is not warranted by the facts, and which was intended, I fear, as an aspersion upon the administration of that Department by his predecessor.

Mr. DOLPH. Mr. President, I desire to call the attention of the Senate to the bill reported by the Committee on Public Lands, and passed by the Senate at the last Congress, "to repeal all laws providing for the pre-emption of the public lands and the laws allowing entries for timber culture." On the motion of the Senator from Kansas [Mr. INGALLS], I think, there was inserted in that bill a proviso that the repeal of the pre-emption law should not "affect any valid rights heretofore accrued or accruing under said laws, but all *bona fide* claims lawfully initiated before the 1st day of July, 1885, may be perfected, upon due compliance with the law." The same provision in substance was inserted in the section repealing the timber-culture act.

The same proposition is contained in the bill which was reported by the Senate Committee on Public Lands at the present session to repeal those acts. The 1st day of July, 1886, is fixed as the date at which the repeal of these laws is to take effect. If the idea is carried out, as we are now approaching that date so nearly, it will be necessary to still further extend the time. But so far as the Senate is concerned there has been no proposition to cut off pre-emption settlers by the repeal of the law without giving an opportunity to do so to those who are making preparations to take up land.

Mr. BECK. I stated a few minutes ago that the Secretary of the Interior, observing no doubt that I had made objection to the consideration of the resolution, has advised me that he not only did not desire that I should oppose it, but in substance he has said—and I received this in the last minute—that he desired every facility to be given to the passage of the resolution and desired the fullest inquiry possible in regard to the subject, so that the causes which led to the order and the object in view should all be fully explained.

I only rose to say that in addition to the action of the Secretary of the Interior in rescinding the order promptly yesterday he now advises me that he desires that we shall pass promptly the resolution and then whatever of precedents there may be of course will be given in his answer.

I believe that the order issued on the 2d day of June was without authority of law, and I am very glad that the Secretary of the Interior rescinded it as promptly as he did; but now, since the resolution will be passed, I hope by unanimous consent, as it certainly sets forth the facts so as to obtain whatever may have been the practice of the office, perhaps it would be as well then to see whether some action ought not

to be taken to prevent a repetition of an assumption of authority if it has grown into a practice. Until the answer comes in, however, I shall not say anything further in regard to the matter.

Mr. TELLER. It is very certain that there can be no precedent for this order. I will venture to make the assertion now that no precedent can be found in the history of this Government for the order of June 2, 1886.

I have no disposition myself to criticise any official. I know something of the duties of the Secretary of the Interior. I know something of the temper and disposition of the present Secretary, for whom I have the highest possible regard. I know very well how the Secretary of the Interior could be induced to approve such an order as this, without any observation or thought upon the subject. With the multiplicity of duties placed upon the Secretary of the Interior, it is physically impossible that he should investigate and study every order that he signs. It is a fact that if the Secretary of the Interior would seat himself at his table at 9 o'clock in the morning he could not at 5 o'clock in the evening have read all the papers that are presented for his signature.

So it is physically impossible, I say, that he should study all these matters and know of them. He must rely upon his subordinate officers. He must rely upon the Commissioner of the General Land Office for land matters, he must rely upon the Commissioner of Patents for patents, and he is justified in supposing that a man who is competent to fill such a position knows what he presents for his signature. In a majority of cases the signature is given without reading or without thought, and sometimes even without having the purpose stated.

I have not any idea that the present Secretary of the Interior would for a moment assume that the right existed in any public officer, big or little, no matter how commanding his position might be, to suspend a statute unless there was a positive statutory permission to do so.

I have no criticism to make upon the Secretary of the Interior, and do not intend to make any. I think he did well in promptly rescinding the order. I only regret that, probably for the purpose of relieving the Commissioner of the General Land Office, he should allow his approval to a statement that is calculated to mislead the public and seriously to reflect not simply upon that Department of the Government but to reflect seriously upon the administration of government in the United States, by an assertion that it can be supposed to be a serious question whether it is within the power of any living man to suspend a statute unless he can find the clear and positive direction of law.

Mr. President, this is a country of law. This is a country where every official has his duties defined to him, and the distinction between the legislative department of the Government and the executive and the judicial departments is so clearly marked and so distinct that there ought to be no possible danger of misunderstanding. If this can be done in this case, every other statute may be nullified.

I venture to say that the Secretary of the Interior will not contend that there are precedents, nor will he contend that there ought to be authority of that kind. There is not in that Department—and I only speak as to that—anything which can possibly be tortured into an excuse for the order of June 2, 1886. There is nothing that is analogous to it, and nothing will come here from the Department to show that any officer of that Department at any time has ever undertaken hitherto to suspend a statute, to deny to the citizen a right given to him by the very plain and explicit terms of the law, a privilege that forty-eight thousand of the citizens exercised last year under one statute alone—the right to file their pre-emptions. Under existing law the settler is required first to make his settlement. Having made his settlement, he is then required within a given time—in some cases thirty days, and in some ninety—to go to the land office and file. Otherwise the land is open to the next occupant, the next taker. He is required also within three months to prove up the actual residence upon the land. Otherwise it is open to the next taker.

If the Commissioner of the General Land Office can suspend a statute for two months, he may for twelve; if he can for twelve he may for twenty-four; and he may thus put it out of the power of the settler to initiate his claim as the law requires he should, or to complete his claim as the law requires that he should, and thus he would be deprived of his property rights by an order of the Commissioner of the General Land Office.

Mr. President, there may be frauds, there are frauds being committed in this office as we know from the reports of the Commissioner for the last five years; but it would be better that all the frauds which have been practiced should be duplicated and doubled than that the settler who has gone out on the public lands should be deprived of the privilege of making his title as the law requires that he should, for the law requires that he shall if he expects to make his title—it is not a privilege given to him—go and file; he must file if he is to make his title.

Now, sir, I have no intention to reflect upon anybody, and I think if it had not been for the words in this order saying that it was deemed to be in harmony with the precedents of the Department I should have said nothing. I know that it is delicate to interfere with an Executive Department by this body, and I am not very much in love with resolutions calling upon the different Departments for information except in clear cases; but I did think that such an order as this actu-

ally suspending three statutes for two months was such an extraordinary proceeding that it would not do for the legislative department to overlook it.

Mr. COCKRELL. Mr. President, I would thank the President to have the resolution read.

The PRESIDENT *pro tempore*. The resolution will be again read.

The Chief Clerk read the resolution, as follows:

*Resolved*, That the Secretary of the Interior be, and is hereby, directed to inform the Senate whether the Commissioner of the General Land Office has, with the approval of the Secretary of the Interior, issued a circular in the following words:

"Circular.

"DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,  
Washington, D. C., June 2, 1886.

"To registers and receivers United States land offices:

"GENTLEMEN: The repeal of the 'pre-emption, timber-culture,' and 'desert-land' laws being now the subject of consideration by Congress, all applications to enter lands under said laws are hereby suspended from and after this date until the 1st day of August, 1886, and you are hereby directed to receive no filings or new applications for entry under said laws during said time.

"WM. A. J. SPARKS, Commissioner.

"Approved.

"L. Q. C. LAMAR, Secretary."

And if such circular has been issued to inform the Senate by what act it is claimed that Congress has delegated to the Commissioner of the General Land Office, or to the Secretary of the Interior, or to those officers acting jointly, the power to suspend by executive order the operation throughout the United States of the pre-emption, the timber-culture, and the desert-land acts, and to deny to citizens of the United States their rights under said statutes.

Mr. COCKRELL. That resolution has never passed as yet.

The PRESIDENT *pro tempore*. It has not yet passed.

Mr. COCKRELL. It is up for consideration and action?

The PRESIDENT *pro tempore*. It is pending now.

Mr. COCKRELL. A resolution asking for information whether certain things have been done, and, if so, why they have been done. I was not here when the resolution was introduced yesterday, and I was not here when it was called up this morning, but I have heard that there was a circular presented by the Senator from Mississippi [Mr. WALTHALL] which was read. I would thank the Secretary to read that.

The PRESIDENT *pro tempore*. The Secretary will read the circular.

The Chief Clerk read as follows:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,  
Washington, D. C., June 4, 1886.

Registers and receivers United States land offices:

GENTLEMEN: Based upon satisfactory evidence that an unusual number of entries under the pre-emption, timber-culture, and desert-land laws are at this time being made, anticipating the action of Congress, repealing said laws, and following numerous precedents of this office and Department deemed to be in substantial harmony therewith, the following order, approved by the Secretary, was on the 2d instant issued to you:

"The repeal of the 'pre-emption,' 'timber-culture,' and 'desert-land' laws being now the subject of consideration by Congress, all applications to enter lands under said laws are hereby suspended from and after this date until the 1st day of August, 1886, and you are hereby directed to receive no filings or new applications for entry under said laws during said time."

Now, in view of serious question as to the existence of sufficient absolute legal authority therefor, the same is hereby revoked.

WILLIAM A. J. SPARKS, Commissioner.

Approved.

L. Q. C. LAMAR, Secretary.

Mr. COCKRELL. Has that been communicated formally to the Senate by the Secretary of the Interior?

The PRESIDENT *pro tempore*. It has not been.

Mr. WALTHALL. It has not been otherwise than through me. I do not know that the Secretary, until the resolution passes, is in any position to communicate officially with the Senate on the subject. I can state that the order has been promulgated, and was yesterday telegraphed to the various land offices.

Mr. COCKRELL. I want simply to get at the situation.

Mr. WALTHALL. The circular was presented by me. I stated while the Senator was out that I happened to know that very soon after the order complained of and referred to in the resolution of the Senator from Kansas had been issued the Secretary of the Interior came to doubt seriously as to the legal authority for that order without reference to the matter of precedents, and that he had determined to revoke it; and that yesterday, some hour or more before the Senate met, two or three hours before the resolution was introduced, I saw and read the original draught of the order revoking it, and had a conversation with the Secretary on the subject. I learned from him that there was very great doubt as to the legality of it, and he had determined to revoke it, whatever the precedents might be. Yesterday, when the resolution was introduced, I was unable to say that that order which I had seen an hour or two before had been promulgated, and I sent to the Secretary of the Interior, after the resolution was introduced, a copy of the resolution and asked him to send me the order which I had seen in his possession an hour or two before, and this which has just been read came to me in response to that request.

While I am up, if the Senator from Missouri will allow me, I would like to add a word which perhaps had better be said pending this inquiry.

Mr. COCKRELL. I yield to the Senator from Mississippi.

Mr. WALTHALL. I agree with the conclusion reached by the Sec-

retary that there is very grave doubt, to say no more, as to the legal authority for the issuance of the order recited in the resolution; but as it has been stated very broadly and very unqualifiedly that there are no precedents for the issuance of such an order, I desire to say that in failing to take issue with that statement at this time I do not wish to be understood as agreeing to the correctness of that statement. It is probable that precedents in cases somewhat analogous in the past history of that Department may be produced; and the fact that it is not done at this time I do not desire to be taken as evidence of the fact that we concede the correctness of the statement that there are no such precedents in the Department.

I make no reference to the precedents at this time for the simple reason that we are all anxious that the resolution should pass, and as the Senator from Kentucky [Mr. BECK] has already said he has been requested by the Secretary of the Interior to facilitate its passage, and I suppose, as it calls for a report, when the report comes in those precedents will be referred to at that time and that that will be the proper time to discuss them. I make no reference to the precedents now.

Mr. COCKRELL. When I came out of the committee-room on Appropriations this morning into the Senate Chamber I found the Senator from Kansas discussing some resolutions. I walked to the Secretary's desk and discovered that resolution and did not know of any explanation that had been made by the Senator from Mississippi and did not know that there had been any response to the resolution. I inquired particularly if the resolution had been passed, and I saw it was only a resolution of inquiry, and when the Senator from Kansas commenced reading from a document which I supposed was a public document necessarily, I asked a question as to what the document was, because I had seen no report. If the Secretary had made a report in response to the resolution, as a matter of course I desired to see it.

Now, Mr. President, it is a very strange speech that the Senator from Kansas should have made upon a simple resolution asking for information. It is unusual that a Senator shall introduce a resolution calling upon a Department for information and to know if a certain act has been done why the act has been done, and then make a speech denouncing the act and proclaiming that there can be no reason for it.

A great deal has been said in regard to these land entries. That question is not now before the Senate upon this resolution. The question whether the Commissioner of the General Land Office or the Secretary of the Interior has followed the law or not is not before the Senate upon this resolution. The question on this resolution is whether the Senate will call upon the Secretary to inform this body whether that order was issued, and, if so, why. That is the question. It is a legitimate question, and I am heartily in favor of it; but why an attack should have been made upon the Commissioner of the General Land Office and upon the Secretary of the Interior is more than I can conceive. It may have been inspired by that gallant, chivalrous, invincible character and disposition of the distinguished war chief from Kansas. It may have been prompted by the same feeling that inspired the attack upon the crippled, disabled, and limp soldier at the head of the Pension Office—

Mr. INGALLS. Totally disabled, mentally and physically.

Mr. COCKRELL. When he was not here in the Senate Chamber and was unable to respond. I can only attribute to that same fearless and dauntless spirit of the war chief from Kansas this attack upon Commissioner Sparks.

Mr. CALL. Mr. President, as one member of the Senate I wish to say that I think there is no warrant for this attack upon the Commissioner of the General Land Office. It may be that this action may have been taken without the intent of suspending a statute of the United States. The statute gives the right to the citizen to make pre-emption and timber-culture entries, but the means by which it is to be done and the regulation of the matter is within the Interior Department, and very often entries are suspended for cause. Congress session after session under the recommendation of the Committee on Public Lands, in considering questions of fraudulent entries, especially in timber-culture cases which have been reported and urged upon the Senate, time and again suspends action. Whether there was a sufficient cause for suspending these applications remains to be seen. The suspension is not of the right to enter, but of the immediate consideration of the cases, which is a very different thing from suspending the operation of a statute.

Again, there is no reason to impeach the honesty or the zeal in the public service of the Commissioner of the General Land Office. There has been no fact stated by the Senator from Kansas which can be the foundation of such an impeachment as that.

I wish for one to say that, while there may be many things in which my judgment would differ from that of the Commissioner of the General Land Office, I think the country recognizes that in the endeavor to prevent fraudulent entries to the detriment of the people of the United States who wish to obtain homes upon the public lands he has discharged his duty and earned the commendation of the people to a large extent. I know in my own State the people who desire to have homes upon the public land have been injured by the lax administration of that Department; and while I do justice to the distinguished Senator from Colorado [Mr. TELLER] and to his zeal in the public

service while he was Secretary of the Interior, I have reason to know that there were frauds committed in the administration of that Department which did require of the present Commissioner and would have required of the former Secretary if he had remained in office the diligent and zealous exercise of the powers intrusted to him in the interest of the people who ought to have the right to have homes upon the public lands.

Mr. TELLER. Mr. President, the Senator from Florida says that he knows there have been frauds perpetrated in the past. I suppose he will not deny that they are being perpetrated at this time. It is because, as I understand this explanation, frauds are being now perpetrated that the Commissioner got up this circular.

The honorable Senator says perhaps nobody will apply. The Commissioner says the people are applying in unusual numbers to enter lands.

Mr. CALL. No, I did not say that.

Mr. TELLER. The Commissioner says that.

Mr. CALL. I did not say it was because no one was applying. I say you may suspend an application without suspending the statute; and I say it has been the custom of the Department always for cause to suspend applications.

Mr. TELLER. If the Senator from Florida is not able to distinguish between the suspension of a claim that is already initiated for the purpose of enabling the Department to determine whether it was properly initiated and whether it has been properly proceeded with after it was initiated, and an order which declines to allow a settler to initiate his claim at all, it will be impossible for me or anybody else to enlighten him upon that subject. Surely such a question as that needs not to be discussed in the American Senate. The suspension of a claim and the reservation of the land from settlement are entirely different things from denying to the settler the provision given him by the plain words of the statute.

I did not speak unadvisedly when I said that there will be no precedent produced here, and it will be to the credit of the Democratic party if they stand up and admit that if there had been a precedent of that kind it would be no justification for this order. If there were a thousand precedents they would be no justification for it. It is forbidding the settler to go before the Department and initiate his claim in the way that the statute declares he must within a certain time or forfeit his right to the lands.

I am making no attack upon anybody. I am making no attack upon the Secretary; and none has been made upon him this morning that I know of. I am making no attack upon the Commissioner. I do not doubt his zeal in the interest of the public service. I doubt his judgment. It does seem to me that an order of that kind for the credit of the nation ought never to have found its way to the files of any administration of any Department of the Government. It may seem to the Senator from Florida that the declaration by the executive department of the Government of a right to nullify statutes is a matter of no great concern. There has been a time when an assertion of that kind in this country would have made a revolution. There has been a time when nobody on this floor would have been found to excuse it upon the ground of precedent or anything else. And it would be to the credit of the Interior Department to-day to say that it was an inadvertence; that it escaped the observation of the proper officers of the Government; and that is what I have no doubt was the actual fact.

I am not claiming—it is not possible that the head of that Department would seriously contemplate that he or anybody had the right to nullify a statute. I said when I spoke before that I had not any doubt that his attention was not called to this order before its issuance. From what I regard good authority I understand that the minute his attention was called to the effect of the order he determined in his own mind that it was improperly made and that it ought to be revoked, and proceeded as hastily as he could to revoke it on the following day.

Mr. BECK. The Senator from Colorado will allow me a word. I said a while ago that I desired the passage of this resolution and hoped it would be unanimously adopted. While I did not have in my hands any precedent to warrant this character of action when I spoke, I telephoned at once at 12 o'clock and have just received a paper containing what purports to be quite a number of precedents. I do not say that they are correct, but they are here, and while I do not want to go into them now, I would like that just one of importance be read.

Mr. TELLER. Certainly.

Mr. BECK. I am not going to quote any of them but one:

In addition to the foregoing, withdrawal of indemnity lands where no withdrawals were authorized by law have been made from time to time as the several roads were located, in anticipation of losses within granted limits. Withdrawals of this character, covering many millions of acres, have been made for about seventy roads. The largest withdrawals of this class are those for the Northern Pacific Railroad Company, which were made at various dates between 1871 and 1884, and are still maintained. Said withdrawals were from sale, location, entry, and claim of any kind, and embraced at least ten or twelve millions of acres, including unsurveyed as well as surveyed lands. In the Territory of Dakota alone about two million four hundred thousand acres of indemnity lands are withdrawn, while the records of the General Land Office show that the losses within the granted limits in said Territory do not exceed thirty thousand acres.

Then a number of others are taken up which I do not propose to present now. I have received this hurriedly prepared statement.

Mr. TELLER. There is not the slightest analogy between the action of the Department in withdrawing lands from the operation of the pre-emption laws and the present action of the Department of June 2, 1886. The right of the executive department to withdraw land from settlement is a right recognized by the Supreme Court many years ago, but it must be for a specific purpose and not generally. The Supreme Court settled it years ago, and I have a case in my desk which if it was worth while to go into it this morning I could cite. That is one of the rights which the President exercises independent of any statute except inferentially. The Supreme Court refers to the fact that in 1830 the first pre-emption law provided that all lands should be subject to pre-emption except such as were reserved by the President, and the act of 1841 contains a similar provision not quite so plain and so explicit; and under those laws the Supreme Court of the United States has held that the President might withdraw lands from the operation of the law, but they must be specifically designated and the withdrawal must be for a specific purpose.

Here is a direction to public officers, the register and receiver, to decline to execute a duty which is imposed upon them by law. It is a direction to them to decline to execute the law which they are sworn to execute, and it is an inhibition upon the settler from making his application or proving it up after he has made the application.

I knew that what has just been read would be substantially what would come here if anything came at all in the way of defense in the shape of precedent; and that is the nearest they can get to it, that land has been withdrawn from the operation of the settlement laws for the purpose of enabling a railroad company to take the lands granted to it, land which the Attorney-General declared it took *in presenti* in the first instance if it was within the grant, and in the next it took by selection if it was within the indemnity limits.

Mr. President, allusion has been made to the fact that a large area of country was withdrawn for railroads. I did not intend to go into any general discussion, but I should like to say just a word on that subject.

In the very early history of legislative grants, which commenced in 1839, or indeed in 1827, when grants were made for canals, railroads, and other purposes, the Department invariably withdrew the land at once without waiting for the definite line of location. That was done for many years. When Mr. Hendricks was Commissioner of the General Land Office the records will show that he withdrew from the operation of the settlement laws lands that had not yet been granted to any railroad company, in view of the fact that a bill was pending making the grant, and in another case on the same day that the act passed, without any definite location. But that right of reservation is an entirely different right from the one sought to be exercised in this order of June 2, and there is no analogy between the two. I shall be ready to meet any alleged precedent when it comes here. I repeat, not only for the administration that I was connected with, but for all time, even under Democratic administrations that preceded the war, none of them ever attempted to do this thing, and I do not believe now that the head of the Department will sit down seriously and send us anything justifying him in an attempt to nullify a statute.

Mr. CALL. Mr. President, I do not desire to discuss this question at all, nor did I intend to make any imputation upon any one in reference to the discharge of his duties connected with the public lands, but simply as one member of the Senate I rose to say a word in defense of the Commissioner of the General Land Office against what I conceive to be an improper imputation upon him without any facts which would justify such a charge as has been made.

Now the Senator from Colorado says it is possible to make a distinction. I wish to say that is no argument, that is no method of reasoning. It gives no dignity or force to a man to assail another one, but, as the logicians state, it is an evidence of weakness to engage in a reflection upon another. The Senator from Colorado may feel sure that he is correct, and yet he may be mistaken in his proposition. He may declare to the Senate as often as he will, but I will not make an imputation on him that he is deficient in intellectual capacity or intelligence.

Mr. TELLER. The Senator certainly misunderstood what I said. I said if the Senator himself could not draw the distinction between the cases I could not say anything that would enable him to do so. That is all I did say. I did not say the Senator could not do it.

Mr. CALL. Very well; the imputation rests; and all I wish to say is that it adds nothing to the force of the argument.

The instance cited by the Senator from Kentucky involves the principle of a control over the provisions of an act of Congress to some extent, not to deny but to suspend operations under it for the moment. The cause why, the justification of it, is another and a different question. The act of Congress confers rights, but it leaves the machinery, the mode by which those rights are to be attained, within the power of the Interior Department; and that general proposition is one which may not be denied, for I have the act here, and it simply confers the naked right and does not provide the method by which that right shall be exerted, and that method has been uniformly left to be exercised by the rules and methods of proceeding in the Department within the control of the Department. Time and again cases have been suspended, even in the

initiation, as was done in the withholding of railroad lands, because every such reservation is the withholding of land from the right of pre-emption and of homestead positively guaranteed under the law to every citizen. Therefore I say there is no question here of a claim of power in the Executive Department to suspend a statute, and the question is not in any way affected by the statute.

Mr. WALTHALL. I should like to ask the Senator from Colorado a question for my own information, knowing that he is entirely familiar with everything connected with the Department of the Interior. Did I understand the Senator to say that there was no precedent in that Department for the withdrawal of lands to prevent them from being entered pending a bill making a disposition of those lands but before the passage of that bill?

Mr. TELLER. Oh, no, Mr. President, I did not say that.

Mr. WALTHALL. Is not that the fact?

Mr. TELLER. I said that there was a precedent for the withdrawal of lands. I instanced the fact that Mr. Hendricks, when Commissioner of the General Land Office did not wait until the act became a law, but he withdrew the land before. He withdrew it by telegraph in one instance. That is a very different thing. He designated what lands should be withdrawn.

Mr. WALTHALL. Still he withdrew the lands pending the passage of the bill and before the bill had become a law.

Mr. TELLER. He did that. That never has been done since 1861.

Mr. WALTHALL. Had it not been repeatedly done before?

Mr. TELLER. It had been done several times before.

Mr. WALTHALL. That is what I wanted to know, because those precedents, if we wished to go into the discussion of that subject now (which seems to me to be premature), bear on the matter.

Mr. TELLER. When the time comes I shall be prepared to go into that matter. I am quite ready to discuss it at any time with the Senator.

Mr. GEORGE. I desire to ask the Senator from Colorado a question also for my information and for the information of the country. I have heard, and I want to know whether my information is correct, that under the timber-culture act and pre-emption act so many frauds are being perpetrated on the Government and upon those laws that the Department of the Interior and the General Land Office for some years have been in favor of repealing those laws. Is that the fact or not?

Mr. TELLER. I will say that the records of the Government show that at least for the last five years the Commissioner has, with the approval of the Secretary, recommended the repeal of the pre-emption and timber-culture laws.

Mr. GEORGE. Upon the ground that they were being abused and that fraudulent entries were being made under them?

Mr. TELLER. Partially for that reason. So far as I may be allowed to speak for myself, I would say that I have had for many years an idea that no lands ought to be parted with by the Government except the desert lands, which stand upon a different footing—that no lands upon which a pre-emption claim can be initiated ought to be parted with except under the homestead law; and very early after my advent into this body I introduced a bill to that effect. When the Commissioner of the General Land Office complained to me as Secretary that great frauds were being perpetrated, that together with the fact that I had been for several years hostile to the law, believing that it was frequently abused, not always, I recommended the repeal, as I think, though I am not quite certain, that my predecessor had before me.

Mr. GEORGE. In administration circles, especially in the Interior Department, is it not a fact well recognized and well understood that these two laws, the timber-culture law and the pre-emption law, are so frequently perverted by fraudulent means from the purposes for which the acts were passed that it has been the opinion and judgment of that Department for five years that they ought to be repealed. I would like the Senator to answer that question.

Mr. TELLER. I think I have answered that question.

Mr. INGALLS. May I make a suggestion? I understand it is the opinion in the Cabinet and in administration circles that the continued coinage of the silver dollar is a fraud on the finances of this country and is hostile to its best interests. Would that justify the Secretary of the Treasury in directing the suspension of the coinage of the silver dollar?

Mr. GEORGE. Mr. President, one thing at a time.

Mr. INGALLS. Yes.

Mr. GEORGE. We are on this question now, and I should like to have an answer to the inquiry I have propounded to the Senator from Colorado.

Mr. TELLER. If the Senator is not satisfied with my answer I will repeat it.

Mr. GEORGE. Very well; if you are satisfied with it I am. That is all.

Mr. TELLER. The Commissioner of the General Land Office several times recommended, and I believe in each instance with the approval of the Secretary, the repeal of the pre-emption law. Whether it was wholly and entirely because of frauds I am not quite prepared to say, but that great frauds have been perpetrated under it nobody doubts. The files of the Senate are full of the reports sent here by the late Sec-

retary of the Interior calling the attention of the Senate to the necessity of either a repeal or a modification of the pre-emption and timber-culture laws; but the Department never entertained an opinion at any time that it had the power to suspend the execution of those laws, hostile as the Secretary was to them, hostile as he had been for years on the record while he was in the Senate as a member of it, and everywhere else. He never supposed for a moment that he had the right to say to a man, "You can not initiate your claim, you can not start in under this law, whether you are a *bona fide* or a dishonest pre-emptor." The right to file was one given by statute, and it could not be denied as long as the land was in the category of land open to settlement; it could not be denied by any Department of the Government; and the files will show that the Secretary said repeatedly we are unable to cure these frauds and prevent them, and we are unable to detect all the fraudulent entries; there is no machinery under the law to do it; and therefore the law itself ought to be repealed. There was no attempt at nullification.

Mr. GEORGE. Mr. President, then "the head and front" of the "offending" of the Commissioner of the General Land Office is this, as I understand, that he may have committed a technical violation of law, and this violation, if it be a violation, was in favor of preserving the rights of the Government and the people of the United States to the public domain against fraudulent entries.

The PRESIDENT *pro tempore*. The question is on the adoption of the resolution.

The resolution was agreed to.

Mr. COCKRELL. I wish simply to correct the Senator from Colorado in regard to the withdrawal of lands. He said that none were withdrawn after 1860. I think he will find that withdrawals were made beginning in 1854 and continuing up to 1866 in regard to land grants.

The PRESIDENT *pro tempore*. The resolution has passed.

Mr. TELLER. The Senator misunderstood me. I did not say withdrawals were not made, but they were not made until the statutes passed.

Mr. COCKRELL. They were in anticipation of the passage of the acts.

Mr. TELLER. I think not.

#### HOUSE PENSION BILLS.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 1649) granting a pension to Pöcbe H. Meech;

A bill (H. R. 4407) granting a pension to Christopher C. White;

A bill (H. R. 6087) granting a pension to Patrick Murphy;

A bill (H. R. 7163) granting a pension to Peter Adams;

A bill (H. R. 7221) granting a pension to Thomas B. Walsh; and

A bill (H. R. 8333) granting a pension to Lucinda Sawyer.

The above six pension bills were severally read twice by their titles, and referred to the Committee on Pensions.

#### BUTTER AND OLEOMARGARINE.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 8328) defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine, was read twice by its title.

Mr. MORRILL. In the absence of the Senator from New York [Mr. MILLER], who takes a deep interest in this bill, I move that it lie on the table for the present.

The motion was agreed to.

Mr. BLAIR. I move that the Senate now proceed to the consideration of special pension bills favorably reported and not objected to.

Mr. BECK. Before that is done, I rise, if I may be allowed, to a parliamentary inquiry. The bill known as the oleomargarine bill came from the House of Representatives and went to the table. I believe it is there now. There will be a contest as to the committee to which it shall go. I for one insist that it shall go to the Committee on Finance. I understand others desire that it shall go to the Committee on Agriculture. I would like some notice to be given so that gentlemen on both sides can be here; that it will not be taken from the table and referred *pro forma* to either committee.

Mr. MORRILL. I understand the Senator from New York [Mr. MILLER] will not be back until next week, and I think it would be unfair to have any action upon it until his return. Therefore I moved to have it remain on the table.

Mr. BECK. I desire that some previous notice shall be given before the time when it is to be referred, so that the chairman of the Committee on Agriculture as well as the chairman of the Committee on Finance will be advised as to when it is to come up.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills:

A bill (S. 342) granting a pension to Marrilla Parsons, of Detroit, Mich.;

- A bill (S. 1016) granting an increase of pension to Abel Comstock;
- A bill (S. 1192) granting a pension to Alfred Denny;
- A bill (S. 1288) granting a pension to Robert Holsey;
- A bill (S. 1382) for the relief of Lydia O. Hutchings;
- A bill (S. 1383) granting a pension to Harriet Welch;
- A bill (S. 1400) granting a pension to William H. Beck;
- A bill (S. 1466) granting an increase of pension to Stephen R. Smith;
- A bill (S. 1467) granting a pension to Mrs. Margaret Smith;
- A bill (S. 2005) granting a pension to Mary J. Nottage; and
- A bill (S. 2025) granting a pension to James Butler.

The message also announced that the House had passed the following bills, with amendments; in which it requested the concurrence of the Senate:

A bill (S. 206) to provide for the erection of a public building in the city of Zanesville, Ohio; and

A bill (S. 763) for the erection of a public building at Sioux City, Iowa.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled joint resolution (H. Res. 112) for the relief of the estate of the late James G. Wintersmith, late Doorkeeper of the House of Representatives; and it was thereupon signed by the President *pro tempore*.

CONSIDERATION OF PENSION BILLS.

Mr. BLAIR. I renew my motion to proceed to the consideration of special pension bills favorably reported and not objected to.

The PRESIDENT *pro tempore*. The Senator from New Hampshire moves that the Senate proceed to the consideration of special pension bills favorably reported from the Committee on Pensions in their order. Is there objection? The Chair hears no objection, and that order will be made. The first pension bill on the Calendar will be stated.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. ALLISON. Before the Senator from New Hampshire proceeds,

I desire to say to the Senate that on Monday morning, immediately after the morning business, I shall ask the Senate to resume the consideration of the diplomatic and consular appropriation bill; and in the mean time I ask leave now to present to the Senate certain comparative tables respecting the appropriations of last year as compared with the estimates of the present year, that they may be printed in the RECORD. I also ask leave to submit a letter of the Secretary of State, addressed to me as chairman of the Committee on Appropriations, dated the 29th of May, and the accompanying memoranda respecting the consular and diplomatic bill, and ask that they may be printed in the RECORD. I will say to Senators that the accompanying memoranda as to page and line refer to the bill as printed as it came from the House and not the bill as printed with the amendments of the Committee on Appropriations.

The PRESIDENT *pro tempore*. If there be no objection the papers referred to will be printed in the RECORD. The Chair hears no objection.

The papers are as follows:

DIPLOMATIC AND CONSULAR SERVICE.	
Amount of estimates for 1887.....	\$1,604,961 60
Amount of House bill.....	1,299,655 00
Increase made to House bill by the Senate committee.....	49,700 00
Amount as reported.....	1,349,355 00
Amount of act for fiscal year 1886.....	1,242,925 00
The bill as reported is less than the estimate.....	255,596 60
The bill as reported exceeds the act for 1886.....	106,440 00
The items of increase made by the Senate committee are as follows:	
For chargés d'affaires ad interim and diplomatic officers abroad.....	\$5,000 00
Salary of interpreter at Bangkok, Siam.....	300 00
For legation buildings at Seoul, Corea.....	5,000 00
For rent of legation buildings at Tokio, Japan.....	3,400 00
For emergencies arising in the diplomatic and consular service.....	35,000 00
Salary of consul-general at Halifax.....	500 00
Salary of consul at Apia.....	500 00
Total increase.....	49,700 00

DIPLOMATIC AND CONSULAR SERVICE.

Comparative statement showing the appropriations for 1886, the estimates for 1887, the amounts of House bill, and the amounts recommended by the Senate Committee on Appropriations for 1887.

Object.	Appropriations, 1886.	Estimates, 1887.	House bill, 1887.	Senate committee, 1887.
SALARIES OF MINISTERS.				
Great Britain, France, Germany, and Russia, at \$17,500 each.....	\$70,000 00	\$70,000 00	\$70,000 00	\$80,000 00
Japan, China, Spain, Austria, Italy, Brazil, and Mexico, at \$12,000 each.....	84,000 00	84,000 00	84,000 00	84,000 00
Chili and Peru, at \$10,000 each.....	20,000 00	20,000 00	20,000 00	20,000 00
Guatemala, Costa Rica, Honduras, Nicaragua, and Salvador.....	10,000 00	10,000 00	10,000 00	10,000 00
Turkey.....	10,000 00	10,000 00	10,000 00	10,000 00
United States of Colombia.....	7,500 00	7,500 00	7,500 00	7,500 00
Belgium, Netherlands, Hawaiian Islands, Sweden and Norway, Venezuela, and Argentine Republic, at \$7,500 each.....	45,000 00	45,000 00	45,000 00	45,000 00
Liberia, Switzerland, Denmark, Portugal, Siam, Persia, Corea, Hayti, and Bolivia, at \$5,000 each.....	45,000 00	45,000 00	45,000 00	45,000 00
Roumania, Servia, and Greece.....	6,500 00	6,500 00	6,500 00	6,500 00
Cairo, agent and consul-general.....	5,000 00	5,000 00	5,000 00	5,000 00
Congo Association, agent and consul-general.....	5,000 00	5,000 00	5,000 00	5,000 00
Congo Association, expenses.....	5,000 00	5,000 00	5,000 00	5,000 00
Paraguay and Uruguay, chargé d'affaires.....	5,000 00	5,000 00	5,000 00	5,000 00
Chargé d'affaires ad interim and diplomatic officers abroad.....	12,000 00	20,000 00	15,000 00	20,000 00
Total, ministers.....	330,000 00	328,000 00	323,000 00	328,000 00
SALARIES OF SECRETARIES TO LEGATIONS, ETC.				
London, Paris, Berlin, and St. Petersburg, secretaries, at \$2,625 each.....	10,500 00	10,500 00	10,500 00	10,500 00
China and Japan, secretaries, at \$2,625 each.....	5,250 00	5,250 00	5,250 00	5,250 00
Spain, Turkey, Austria, Italy, Brazil, and Mexico, secretaries, at \$1,800 each.....	10,800 00	10,800 00	10,800 00	10,800 00
Chili and Peru, secretaries, at \$1,500 each.....	3,000 00	3,000 00	3,000 00	3,000 00
London, Paris, and Berlin, second secretaries, at \$2,000 each.....	6,000 00	6,000 00	6,000 00	6,000 00
Japan and China, second secretaries, at \$1,800 each.....	3,600 00	3,600 00	3,600 00	3,600 00
Spain, clerk to legation.....	1,200 00	1,200 00	1,200 00	1,200 00
Bogota, secretary to legation and consul-general.....	2,000 00	2,000 00	2,000 00	2,000 00
Central American States, secretary of legation and consul-general at Guatemala.....	2,000 00	2,000 00	2,000 00	2,000 00
Four secretaries of legation-at-large, at \$1,800 each.....	7,200 00	7,200 00	7,200 00	7,200 00
Traveling and other expenses of same.....	2,000 00	2,000 00	2,000 00	2,000 00
Total, secretaries to legations.....	44,350 00	53,500 00	44,350 00	44,350 00
SALARIES OF INTERPRETERS TO LEGATIONS.				
China, interpreter to legation.....	3,000 00	3,000 00	3,000 00	3,000 00
Japan and Turkey, interpreters to legation, at \$2,500 each.....	5,000 00	5,000 00	5,000 00	5,000 00
Corea, interpreter to legation.....	1,000 00	1,000 00	1,000 00	1,000 00
Persia, interpreter to legation and consulate-general.....	1,000 00	1,000 00	1,000 00	1,000 00
Bangkok, interpreter to legation and consulate-general.....	500 00	800 00	500 00	800 00
Total, interpreters to legations.....	10,500 00	10,800 00	10,500 00	10,800 00
CONTINGENT AND MISCELLANEOUS EXPENSES, DIPLOMATIC SERVICE.				
Contingent expenses, foreign missions.....	75,000 00	150,000 00	105,000 00	105,000 00
Loss by exchange, diplomatic service.....	2,000 00	3,000 00	2,500 00	2,500 00

DIPLOMATIC AND CONSULAR SERVICE.

Comparative statement showing the appropriations for 1886, the estimates for 1887, &c.—Continued.

Object.	Appropriations, 1886.	Estimates, 1887.	House bill, 1887.	Senate committee, 1887.
Hire of steam-launch for legation at Constantinople.....	\$1,000 00	\$1,000 00	\$1,800 00	\$1,800 00
Rent of buildings, &c., for legation at Peking, China.....	3,100 00	3,100 00	3,100 00	3,100 00
Repair of legation buildings at Tangier.....	2,500 00			
Purchase of legation buildings at Seoul, Corea.....		5,000 00		5,000 00
Erection of legation buildings, &c., at Tokel, Japan.....		25,000 00		
Rent of legation buildings at Tokio, Japan.....				3,400 00
Repairing legation buildings, &c., at Bangkok, Siam.....		3,000 00		
Annual expenses of Cape Spartel and Tangier light.....	325 00	325 00	325 00	325 00
Expenses of bringing home criminals.....	5,000 00	5,000 00	5,000 00	5,000 00
Expenses in extradition cases.....	5,000 00	5,000 00	5,000 00	5,000 00
Rescuing shipwrecked American seamen.....	4,500 00	4,500 00	4,000 00	4,000 00
Expenses under the neutrality act.....		25,000 00	15,000 00	
Emergencies arising in the diplomatic and consular service.....	25,000 00	50,000 00		50,000 00
Allowance to widows or heirs of diplomatic and consular officers dying abroad.....	5,000 00	5,000 00	5,000 00	5,000 00
Transporting remains of ministers and consuls to their homes for interment.....	10,000 00	10,000 00	10,000 00	10,000 00
International bureau of weights and measures.....	2,270 00	2,270 00	2,270 00	2,270 00
International boundary survey between the United States and Mexico.....	(a)	100,000 00		
Payment of balance under award by French and American Claims Commission.....	(b)	15,639 16		
Expenses of Haytian Arbitration Commission.....		4,077 44		
<b>Total, miscellaneous and contingent, diplomatic service.....</b>	<b>140,695 00</b>	<b>416,911 60</b>	<b>158,965 00</b>	<b>202,395 00</b>
<b>SALARIES OF CONSULS-GENERAL.</b>				
London, Paris, Havana, and Rio de Janeiro, at \$5,000 each.....	24,000 00	24,000 00	24,000 00	24,000 00
Calcutta and Shanghai, at \$5,000 each.....	10,000 00	10,000 00	10,000 00	10,000 00
Melbourne.....	4,500 00	4,500 00	4,500 00	4,500 00
Kanagawa.....	4,000 00	5,000 00	4,000 00	4,000 00
Panama.....	4,000 00	5,000 00	4,000 00	4,000 00
Berlin, Montreal, and Honolulu, at \$4,000 each.....	12,000 00	12,000 00	12,000 00	12,000 00
Halifax.....	3,000 00	4,000 00	3,000 00	3,500 00
St. Petersburg, Frankfort, Vienna, Constantinople, Rome, and in Ecuador, at \$3,000 each.....	18,000 00	18,000 00	18,000 00	18,000 00
Mexico.....	2,500 00	2,500 00	2,500 00	2,500 00
<b>Total, consuls-general.....</b>	<b>82,000 00</b>	<b>85,000 00</b>	<b>82,000 00</b>	<b>82,500 00</b>
<b>CONSULAR SERVICE, ETC.</b>				
Consuls, vice-consuls, and commercial agents.....	330,000 00	342,500 00	333,000 00	333,500 00
Thirteen consular clerks.....	14,600 00	14,400 00	14,400 00	14,400 00
Clerks at consulates specified.....	48,889 00	51,700 00	50,320 00	50,320 00
Clerks at consulates not otherwise provided for.....	10,000 00	10,000 00	10,000 00	10,000 00
Consular officers not citizens of the United States.....	6,000 00	6,000 00	6,000 00	6,000 00
Interpreters to consulates in China and Japan.....	12,000 00	15,000 00	12,000 00	12,000 00
Marshals for consular courts in Japan, China, and Turkey.....	7,000 00	8,000 00	8,000 00	8,000 00
Boat and boat's crew for use of consul at Hong-Kong.....	500 00	500 00	500 00	500 00
Interpreters and guards at consulates at Constantinople, Smyrna, Cairo, Jerusalem, and Beirut.....	4,000 00	5,000 00	4,000 00	4,000 00
Loss on bills of exchange, consular service.....	3,000 00	4,000 00	4,000 00	4,000 00
Expenses of prisons at Bangkok, Siam.....	1,000 00	1,000 00	1,000 00	1,000 00
Expenses of prison at Shanghai, China.....	1,550 00	1,550 00	1,550 00	1,550 00
Expenses of prison at Kanagawa, Japan.....	1,550 00	1,550 00	1,550 00	1,550 00
Expenses of keeping prisoners in China, Japan, Siam, and Turkey.....	9,000 00	9,000 00	9,000 00	9,000 00
Rent of prisons for American convicts in Turkey and wages of keepers.....	1,000 00	1,500 00	1,500 00	1,500 00
Relief and protection of American seamen.....	50,000 00	50,000 00	50,000 00	50,000 00
Contribution to foreign hospital at Panama.....	200 00	500 00	500 00	500 00
Expenses of consular and commercial reports.....	20,000 00	20,000 00	20,000 00	20,000 00
Expenses of search of French records, &c., relating to French spoiliations.....	5,000 00			
Expenses of revising the consular regulations.....			3,000 00	3,000 00
Inspectors of consulates, 2, at \$4,000.....		8,000 00		
Traveling expenses of inspectors.....		10,000 00		
Contingent expenses, consular service.....	110,000 00	150,000 00	150,000 00	150,000 00
<b>Total, consular service.....</b>	<b>635,380 00</b>	<b>710,700 00</b>	<b>680,820 00</b>	<b>681,320 00</b>
<b>Total, diplomatic and consular service.....</b>	<b>1,242,925 00</b>	<b>1,604,961 60</b>	<b>1,299,665 00</b>	<b>1,349,365 00</b>

a The sum of \$100,000, for international boundary survey between the United States and Mexico, was appropriated in the sundry civil act for 1886.  
 b The sum of \$594,288.04, for payment of final award of French and American Claims Commission, was appropriated in the sundry civil act for 1886.

CONTINGENT EXPENSES—FOREIGN MISSIONS.

Statement showing the estimates, the amounts recommended by the House of Representatives and the Senate, and the amounts appropriated for the following fiscal years:

1886.		1882.	
Estimates.....	\$90,000	Estimates.....	\$85,000
House.....	75,000	House.....	80,000
Senate.....	75,000	Senate.....	80,000
Law.....	75,000	Law.....	80,000
1885.		1881.	
Estimates.....	90,000	Estimates.....	85,000
House.....	15,500	House.....	80,000
Senate.....	80,000	Senate.....	80,000
Law.....	80,000	Law.....	80,000
1884.		1880.	
Estimates.....	90,000	Estimates.....	85,000
House.....	80,000	House.....	80,000
Senate.....	85,000	Senate.....	80,000
Law.....	85,000	Law.....	80,000
1883.		1879.	
Estimates.....	85,000	Estimates.....	110,000
House.....	85,000	House.....	135,000
Senate.....	85,000	Senate.....	80,000
Law.....	85,000	Law.....	80,000

CONTINGENT EXPENSES, UNITED STATES CONSULATES.

Statement showing the estimates, the amounts recommended by the House of Representatives and the Senate, and the amounts appropriated for the following fiscal years:

1886.		1882.	
Estimates.....	\$150,000	Estimates.....	\$140,000
House.....	110,000	House.....	135,000
Senate.....	110,000	Senate.....	135,000
Law.....	110,000	Law.....	135,000
1885.		1881.	
Estimates.....	150,000	Estimates.....	140,000
House.....	84,000	House.....	125,000
Senate.....	125,000	Senate.....	125,000
Law.....	110,000	Law.....	125,000
1884.		1880.	
Estimates.....	150,000	Estimates.....	130,000
House.....	100,000	House.....	115,000
Senate.....	135,000	Senate.....	115,000
Law.....	110,000	Law.....	115,000
1883.		1879.	
Estimates.....	140,000	Estimates.....	125,000
House.....	135,000	House.....	115,000
Senate.....	135,000	Senate.....	115,000
Law.....	135,000	Law.....	115,000

DEPARTMENT OF STATE, Washington, May 29, 1896.

MY DEAR SIR: Thanking your committee for the opportunity given me yesterday to give reasons for the amendments I suggested to the diplomatic and consular appropriation bill (H. R. 6392), I now inclose, in accordance with your request of yesterday, a copy of the bill as it passed the House, with interlineations of the amendments I deem wise, and numerical references in the margin to each amendment.

The bill is accompanied by a copy of a letter I addressed to the chairman of the House committee by whom the bill was reported, and whose printed report you have already, and which can properly be reviewed by you in connection with the present action of your committee.

I do not desire to obtrude my opinions upon your independent judgments, but I believe your committee will agree with me that no real economy is effected by making appropriations piecemeal and supplementing insufficient sums by subsequent deficiency appropriations.

Indeed I may say that the public service is promoted by the ability to pay for a thing when it is most needed, and that this mode of payment is in the end most productive of economy. If official responsibility is directly annexed to the power and discretion of expense, abuse of such power is best guarded against, and so far as I am concerned I am ready to accept the trust on such terms.

I dwelt yesterday with emphasis upon the wisdom of providing a reasonable fund for unforeseen emergencies, and I venture to repeat those views. In the absence of Congress, the prompt employment of special envoys may become essential, and the want of means for their employment should be guarded against. The development of our commercial interests in the hitherto unknown regions of the North and South Pacific, where they encounter the rival enterprise of European powers; questions still awaiting permanent settlement in the long continuous boundaries on our northern and southern frontiers—all join in counseling wise provisions for expenses proportionate to the importance of the subjects to which they relate.

I believe the letter to which I have just referred, and of which a copy is sent you, will reasonably account for my recommendations.

All of which I submit with high respect, and am,  
Very truly, yours,

T. F. BAYARD.

Hon. W. B. ALLISON, U. S. Senate.

## Memorandum of amendments requested by the Secretary of State.

No. 1.—Line 11, page 1, "and China." (See page 13 of letter to chairman of Committee on Foreign Affairs.)

No. 2.—Line 14, page 2, strike out "China."

No. 3.—Line 17, page 2, insert "Belgium." (See letter from Mr. Tree.)

No. 4.—Line 28, page 2, strike out "Belgium."

No. 5.—Line 46, page 3, insert "\$20,000," instead of "\$15,000." (See "letter, &c.," page 1.)

No. 6.—Line 54, page 3, insert "Belgium."

(This being new legislation, the House committee would not consider it under their construction of the new House rules.)

No. 7.—Line 86, page 4, insert "eight" instead of "five." (See "letter, &c.," page 2.)

No. 8.—Line 99, page 5, insert "\$150,000" instead of "\$105,000." (See "letter, &c.," page 3.)

No. 9.—Line 102, page 5, insert "\$3,000" instead of "\$2,500." (See "letter, &c.," page 4.)

No. 10.—Line 126, page 6, insert "\$25,000" instead of "\$15,000." (See "letter, &c.," page 6.)

No. 11.—After line 127, page 6, insert, "To enable the President to meet unforeseen emergencies arising in the diplomatic and consular service, and to extend the commercial and other interests of the United States, \$25,000." (See "letter," page 6.)

No. 12.—Line 161, page 7, insert "four" instead of "three."

(Mr. Bayard stated reasons for the increase to committee; having no diplomatic representative in Canada, we require at Halifax a consul of more than usual ability.)

No. 13.—After line 175, page 8, insert "consul at Antwerp, Belgium, \$3,500." (See "letter," page 7.)

No. 14.—Line 207, page 9, strike out "and Antwerp, at," and, in line 208, "each, \$5,000."

No. 15.—After line 254, page 11, insert "Friendly and Navigator's Islands: Consul at Apia, \$2,000." (See "letter," page 8.)

No. 16.—Lines 303 and 304, page 13, strike out "Friendly and Navigator's Islands: Consul at Apia, \$1,500."

No. 17.—Line 392, page 17, insert "\$15,000" instead of "\$12,000." (See "letter," page 10.)

No. 18.—Line 403, page 17, insert "\$5,000" instead of "\$4,000." (See "letter," page 11.)

No. 20.—Line 454, page 19, insert "traveling expenses of consular clerks." (This merely includes an enumerated charge.)

No. 21.—Line 457, page 19, insert: "And no expense charge shall be allowed hereafter in the accounts of any consular officer except upon a certificate of approval of the Secretary of State, which certificate shall be conclusive upon the accounting officers of the Treasury, and be deemed by them a sufficient voucher for the expenditure it covers."

The embarrassments of a divided discretion in executive duties are obvious. The impossibility of even defining by name the miscellaneous expenses of a Department proves the equal impossibility of defining the specific amount made necessary for each such expense; and as the total expenditure is carefully estimated and limited by Congress and the accounts in detail are carefully recorded and audited in the State Department under orders of the President, it is unnecessary to have such essential Executive discretion submitted to the revision of the accounting officers of the Treasury, who can not possess the knowledge requisite for the performance of the business of another Department of the Government.

I therefore consider the guards upon allowance or expense are fully furnished in the amendment I have submitted, and that much useless friction can be saved by its adoption.

## ADDITIONAL NOTES.

No. 19.—Lines 448 and 449: "Expense of revising the Consular Regulations by the Department of State, \$3,000."

Reasons for the necessity of revising and re-editing the Consular Regulations:

- (1) The edition is exhausted and now there are no copies on hand.
- (2) The present arrangement is confused and in many instances obsolete. It was published five years ago. Careful examination by the Solicitor of the Department, confirmed by the personal supervision of the Secretary, justifies the statement that the present edition is inaccurate and exceedingly imperfect.
- (3) As it is the hand-book and official guide for the service the necessity for fullness and accuracy is apparent.

See page 6 of "letter, &c.," for reasons for placing the appropriations for (1) French claims, (2) Mexican boundary, (3) Haytian arbitration, on this bill. It is obvious that this is the proper bill to contain these items.

Mr. CONGER. I understood unanimous consent was given yesterday

that Monday and Tuesday next should be devoted entirely to the Calendar. The Senator himself understood that, but whether he wishes to take up that time in an appropriation bill was not stated. I should like to know about that.

Mr. ALLISON. I will say to the Senator from Michigan that so far as I am concerned personally I am quite willing that whatever time on Monday is devoted to the consideration of the consular and diplomatic appropriation bill shall be carried over on Wednesday and devoted to the consideration of the Calendar; but I think it is important that as rapidly as the appropriation bills are ready they should be passed and sent to the House for concurrence in our amendments.

Mr. CONGER. I called attention to it so that it might be understood that the unanimous consent given in the Senate assigning two days next week to the Calendar should not be interfered with without giving the equivalent time on the next day as the Senator has suggested.

Mr. ALLISON. I will say to the Senator that I had hoped to finish the consular and diplomatic bill last night; but a very interesting debate arose on the bill, so that it was impossible to conclude the bill then.

## PUBLIC BUILDING AT SIOUX CITY, IOWA.

Mr. WILSON, of Iowa. I ask the Senate to take from the table the bill providing for the erection of a public building at Sioux City, Iowa, which has been returned from the House of Representatives with an amendment.

The PRESIDENT *pro tempore*. The Chair will lay before the Senate the bill (S. 736) for the erection of a public building at Sioux City, Iowa, returned from the House of Representatives with an amendment.

Mr. WILSON, of Iowa. I move concurrence in the amendment of the House, which I ask may be read.

Mr. BLAIR. I must object to anything that will take time.

Mr. WILSON, of Iowa. It will not take time.

Mr. ALLISON. It will take but a moment.

Mr. BLAIR. Very well.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 9, after the word "dollars," the House of Representatives inserted:

Nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury, and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of \$100,000.

The amendment was concurred in.

## PUBLIC BUILDING AT ZANESVILLE, OHIO.

The PRESIDENT *pro tempore*. The Chair also lays before the Senate the bill (S. 206) to provide for the erection of a public building in the city of Zanesville, Ohio, returned from the House of Representatives with amendments. The amendments will be reported.

The CHIEF CLERK. The amendments of the House of Representatives are, in line 10 to strike out "and fifty," and in line 13 to strike out "and fifty;" so as to read:

The site, and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of \$100,000; and the site purchased shall leave the building unexposed to danger from fire in adjacent buildings by an open space of at least 50 feet, including streets and alleys; and for the purposes herein mentioned the sum of \$100,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury.

The amendments were concurred in.

## ANDREW T. McREYNOLDS.

Mr. BLAIR. I call for the regular order.

The PRESIDENT *pro tempore*. The first pension bill on the Calendar will be stated.

The bill (S. 2217) for the relief of Andrew T. McReynolds was announced as first in order.

Mr. COCKRELL. I think there was some motion pending on that bill.

The PRESIDENT *pro tempore*. A motion to recommit. Does the Senator ask for a vote on the question?

Mr. COCKRELL. Unless that bill is recommitted to the committee for further examination I must object to its consideration. I prefer having it recommitted and let the attention of the committee be called to it.

Mr. BLAIR. I do not think the committee would take different action. Suppose it be passed over informally for the present.

The PRESIDENT *pro tempore*. That course will be taken unless there be objection.

Mr. CONGER. That is a bill in which I feel an interest for a constituent of mine. Are these bills to be passed over by an objection only?

The PRESIDENT *pro tempore*. They are taken up in their order, open to amendment, and subject to vote.

Mr. BLAIR. This bill may as well be disposed of, if the Senator from Michigan desires. I have no objection to its being disposed of now. It can be discussed on its merits now.

Mr. CONGER. The report is favorable.

Mr. BLAIR. Yes; but the Senator from Missouri has made a motion to recommit, and that is the pending motion.

Mr. CONGER. Is there any object in recommitting?

Mr. BLAIR. There is no object in recommitting. The committee examined the case and reported it upon its merits, and the Senate may as well dispose of it on its merits now as at any time.

Mr. COCKRELL. We are acting, as I understand, under Rule VIII.

The PRESIDENT *pro tempore*. Subject to five minutes' debate.

Mr. COCKRELL. Subject to five minutes' debate and subject to objection.

Mr. CONGER. I should like to understand whether that statement of the Senator is the understanding of the Chair and of the Senate.

Mr. COCKRELL. The Chair so announced it.

Mr. CONGER. If that is so, I do not insist upon taking the bill up now because there is objection. I do not want any misunderstanding about it. If there is any reason why the bill should go over, or any objection under Rule VIII, I do not move to take it up now, because I think we should go through with the unobjected cases; but whenever the proper time comes I desire to say a word myself in behalf of this Colonel Reynolds, or if the bill goes over without prejudice I have no objection.

The PRESIDENT *pro tempore*. The Chair understands that by unanimous consent these cases are taken up under Rule VIII, but without limitation as to the hour of 2 o'clock. They will continue on during the whole of this day, but are considered under Rule VIII, so that a single objection will carry a bill over.

Mr. CONGER. Then I ask that it may keep its place on the Calendar without prejudice.

Mr. COCKRELL. I have no objection to that.

Mr. CONGER. And on some other opportunity when there is a less number of these cases to be considered we will take it up.

The PRESIDENT *pro tempore*. The bill will be passed over.

PATRICK M'KEAN.

The bill (H. R. 7329) granting a pension to Patrick McKean was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Patrick McKean, formerly of Company K, Eighth Regiment New Hampshire Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES E. GOTT.

The bill (S. 2258) to increase the pension of James E. Gott was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James E. Gott, late a private in Company A, Fourteenth Maine Volunteers, at the rate of \$50 per month, in lieu of the present pension he now receives.

Mr. COCKRELL. Let the report be read in that case.

The Chief Clerk read the following report, submitted by Mr. BLAIR May 10, 1886:

The Committee on Pensions, to whom was referred the bill (S. 2258) to increase the pension of James E. Gott, have examined the same, and report:

The claimant, James E. Gott, was a private of Company A, Fourteenth Maine Volunteers. He was pensioned under the provisions of the general laws at the rate of \$8 per month from May 4, 1863; this was increased to \$12 from July 16, 1873; again increased to \$18 from December 28, 1875; again increased to \$24 from March 3, 1883, for anchylosis of lower jaw. He applied for a further increase on the ground of abscess of left maxillary bone, result of scurvy, &c.; but this application was rejected November 10, 1885. Upon his examination September 2, 1885, he was rated by the board of surgeons as of second grade, "unable to perform any manual labor."

A memorial is presented to us, the truth of which is averred by a large number of respectable signers, and from other sources, as the basis of the present claim for \$50 per month. It represents that in consequence of the flesh of the inside of claimant's mouth adhering or growing to the jaw, he is unable to open his mouth, rendering it impossible for him to take into his mouth any solid food of any description, and that he is in consequence a great sufferer and unable to labor.

The following affidavit of the claimant also shows his present condition:

DEER ISLE, MAINE, April 21, 1886.

I, James E. Gott, was enrolled on the 7th day of December, 1861, in Company A, Fourteenth Maine Volunteers, and was discharged from the service of the United States the 4th day of March, 1863, by reason of surgeon's certificate of disability, at the marine hospital at New Orleans, La. I was taken sick at Camp Williams, near New Orleans; we were on guard and our tent was full of prisoners, and we had to lie on the ground and get wet and cold, and the next day I was taken sick; that was the last of October, 1862, and I was taken to the hospital the 1st day of November, 1862, and have not seen a well day since. I have pain in my face most all of the time; it is so hard for me to eat it keeps my face sore all of the time; I can not open my mouth any, and all I can eat is what I suck through my mouth, and all I have to live on is my pension and what my friends help me. I could get extracts of different kinds of food if I had the means to get them, and the most of my teeth is affected, and I can not have them taken out because I can not open my mouth. I have not done any work for a long time. I can not get any wages because I can not stand it, so I can not earn anything.

Very respectfully,

JAMES E. GOTT.

Personally appeared James E. Gott and acknowledged the above instrument to be true.

Sworn to before me this 22d day of April, 1886.

[SEAL.] S. B. THURLOW, Notary Public.

No. pension 81065, \$24 per month.

In view of all the facts in this case your committee feel justified in recommending the increase asked for in this bill, and therefore report it back with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES F. WARD.

The bill (H. R. 5643) granting an increase of pension to Charles F. Ward was considered as in Committee of the Whole. It proposes to pay to Charles F. Ward, formerly of the ship Vermont, United States Navy, a pension of \$24 a month, in lieu of the pension now received by him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NOAH B. BROOKSHIRE.

The bill (H. R. 4644) granting a pension to Noah B. Brookshire was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Noah B. Brookshire, late a private in Company B, Third Regiment of North Carolina Mounted Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRIETTA FISHER.

The bill (H. R. 3954) granting a pension to Henrietta Fisher was considered as in Committee of the Whole. It proposes to put the name of Henrietta Fisher, widow of Thaddeus S. Fisher, deceased, late of Company B, Fourth United States Colored Troops, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL F. GARRETT.

The bill (H. R. 1840) granting a pension to Samuel F. Garrett was considered as in Committee of the Whole. It proposes to place the name of Samuel F. Garrett, late a private in Company I, Thirty-ninth Ohio Volunteers, on the pension-roll.

Mr. COCKRELL. Let the report be read in that case.

The Chief Clerk read the following report, submitted by Mr. SEWELL May 11, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 1840) granting a pension to Samuel F. Garrett, have examined the same, and report as follows:

This soldier entered the service July 4, 1861, and was honorably discharged July 9, 1865. Through exposure and hard service he claims to have contracted chronic diarrhea and inflammatory sore eyes, while in the line of duty, and in November, 1879, applied for pension. This claim was rejected in January, 1884, upon the ground "that there has been no pensionable disability from alleged causes since discharge."

An examination of the papers in the case, however, discloses the evidence to be abundant that the claimant was, and is, greatly disabled. His father's family physician testifies to his robust health and entire freedom from disease prior to his enlistment, and the War Department records show that he was treated for the disabilities alleged in the Government hospitals.

The following brief extracts from the report of the House Committee on Invalid Pensions set forth other and undisputed testimony to the same effect, while the Department examiner, R. G. Charles, gives his recommendation for allowing the claim:

"His officers and comrades testify to his having chronic diarrhea in November, 1861, and sore eyes in 1863, and that he never recovered from either disability during his service. His neighbors, who have known him from boyhood, testify to the continuance of the diseases from the time of discharge, in 1865, up to the present. Drs. Grinnell, Graham, Stephenson, and Connell, skillful and reputable physicians, bear positive testimony to his disabled condition from the causes alleged.

"Notwithstanding the rejection of this claim by the Department, the Department examiner, R. G. Charles, recommended its allowance in the following words:

"From my examination of all the evidence in this case, I am of the opinion that the claim should be admitted for chronic diarrhea and inflammation of eyes. I think that claimant has been disabled for performing manual labor during the years from 1863 to 1882, in degree one-half."

"All of the witnesses testifying in support of the claim are of the highest character and best standing, and all of them have lived in the same community with the claimant since his birth."

This committee think the facts and evidence sufficient to warrant the claim, and therefore recommend the passage of the bill.

Mr. COCKRELL. This claim for increase was rejected in January, 1884, and it does not seem that there has been any application for a reconsideration of it, and it appears to have been rejected on the ground that there has been no pensionable disability from the alleged cause since discharge. The application for pension was not made until 1879, while the soldier was discharged in 1865, and in 1884 the Commissioner of Pensions rejected the claim on the ground that there is no pensionable disability; that is, that there is no disability for manual labor in a pensionable degree; the injury or the disease produced no disability practically for manual labor. It is two years and a half nearly since this claim was rejected; and if the disability has increased the Pension Office can readily reopen the case and pass upon any additional evidence and determine whether the disability is now in a pensionable degree. It does seem to me that in cases where so much time has elapsed since the rejection the applicant ought to be required to pursue his remedy before the proper office according to law. I think the bill had better lie over.

The PRESIDING OFFICER (Mr. CULLOM in the chair). The Senator objects to the consideration of the bill.

Mr. BLAIR. Will the Senator be willing to let it go over informally?

Mr. COCKRELL. Yes, without prejudice.

Mr. BLAIR. The Senator from New Jersey [Mr. SEWELL], who reported it, is not present.

Mr. COCKRELL. That is why I would not object to its consideration.

The PRESIDING OFFICER. The bill will retain its place on the Calendar.

JAMES CARROLL.

The bill (H. R. 4642) granting a pension to James Carroll was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James Carroll, late a private in Company B, Third Regiment of North Carolina Mounted Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT M'ALEXANDER.

The bill (H. R. 464) granting a pension to Robert McAlexander was considered as in Committee of the Whole. It proposes to put the name of Robert McAlexander on the pension-roll, he being a soldier in the Union Army in the late war, and member of Company F, Eighty-seventh Indiana Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. CATHERINE M'CARTY.

The bill (H. R. 5603) granting a pension to Mrs. Catherine McCarty was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Catherine McCarty, widow of John McCarty, late a private in Company B, First Regiment Missouri State Militia Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY S. COHN.

The bill (H. R. 5881) for the relief of Henry S. Cohn was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Henry S. Cohn as second lieutenant of Company C, One hundred and sixth Ohio Volunteer Infantry, according to the degree of his disabilities, in lieu of the pension he now receives as sergeant of Company G, One hundred and sixth Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH ANN MURPHY.

The bill (H. R. 5882) granting a pension to Sarah Ann Murphy was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sarah Ann Murphy, widow of James Murphy, late a private in Company K, Twentieth Kentucky Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SALLIE ANN BRADLEY.

The bill (H. R. 5394) granting a pension to Sallie Ann Bradley was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sallie Ann Bradley, widow of Thomas J. Bradley, late a private in Company D, Twenty-fourth Ohio Volunteers.

Mr. COCKRELL. I should like to hear the report in that case.

The PRESIDING OFFICER. The report will be read.

The Chief Clerk read the following report, submitted by Mr. SEWELL May 11, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 5394) granting a pension to Sallie Ann Bradley, have examined the same, and report as follows:

That they find a report was made on this case by the House Committee on Invalid Pensions during the Forty-eighth Congress, and that the bill granting the claimant a pension was passed by the House, but did not reach the Senate in time for action. The committee herewith present said report and adopt it as part of their own, as follows:

"Sallie Ann Bradley is the widow of Thomas J. Bradley, who served as a private in Company D, Twenty-fourth Ohio Volunteers, from June 13, 1861, to October 9, 1865. He was pensioned on account of shell wound of back received at Murfreesborough, Tenn., January 2, 1863, and died October 21, 1882. His death is not entirely chargeable to his military service, and consequently his widow has no title before the Pension Office.

"A petition signed by nearly three hundred of the best citizens of the county in which she resides, some of whom have known her and her deceased husband for many years before the late war, sets forth that she is seventy years of age, is as helpless as an infant, and left without means of support, or friends able to assist her.

"Having been left destitute by the death of her husband, who served faithfully for more than four years in the defense of his country, and who, while in such service, contracted a disability which necessarily impaired his ability to provide for himself and wife a comfortable support in their declining years, your committee are clearly of opinion that she should not now be abandoned to the charity of the world, but be, in a measure at least, provided for in her old days, and therefore report favorably on the bill and ask that it do pass."

An examination of the papers in the case verifies the foregoing statements, and the claim is strengthened, in the opinion of the committee, by the fact that four of the claimant's sons followed their father in the war for the Union, two dying on the field of battle, and the other two returning home cripples for life through wounds received.

The committee believing this to be a very worthy case, recommend the passage of the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNA WRIGHT.

The bill (S. 2210) granting a pension to Anna Wright was considered as in Committee of the Whole. It proposes to place the name of Anna Wright, dependent mother of Silas Wright, late a private in Company A, Twenty-third New Jersey Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MRS. MARGARET DUNLAP.

The bill (S. 2167) granting a pension to Mrs. Margaret Dunlap was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Margaret Dunlap, mother of James F. Dunlap, late a private in Company H, Seventh Missouri Cavalry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ISAAC HARTER.

The bill (S. 1802) for the relief of Isaac Harter was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Isaac Harter, of Herkimer, N. Y., late of Company C, New York Heavy Artillery.

Mr. COCKRELL. Let the report be read.

The Chief Clerk read the following report, submitted by Mr. SAWYER May 11, 1886:

The Committee on Pensions, to whom was referred the bill (S. 1802) granting a pension to Isaac Harter, have examined the same, and report:

The petitioner in this case is Isaac Harter, who enlisted August 8, 1862, as a private in Company C, Tenth New York Heavy Artillery, and was discharged June 23, 1865. His claim for a pension is chronic rheumatism, and the Pension Office rejects him on the ground of "no disability."

In his declaration the claimant alleges the incurrence of the disease while on picket duty in a severe storm, on which he served forty-eight continuous hours without relief; that he has suffered from it more or less ever since, and that he is at times disabled from doing any manual labor; that he was not treated in hospital, but by the regimental surgeon.

The report of the Adjutant-General says:

"The records of this office do not show the disability alleged."

They seldom do, and if the soldiers depended only on record proof there would be few pensions granted. The evidence procured by the Pension Office from its examining surgeons sustains its decision of "no disability;" which is conclusive, but, in the opinion of the committee, too sweeping. Dr. Cyrus Kay, jr., of Herkimer, N. Y., says he has known claimant ten years, and he knows that he has been and is a great sufferer from rheumatism, abdominal and muscular.

Isaac Doxtator, a citizen of Herkimer, makes affidavit in these words:

"I have been acquainted with Isaac Harter for about forty-seven years. He came to live with me when about ten years old, and up to the time of his enlistment he was not troubled with rheumatism; but since he came out of the Army he has had it a great deal. I remember one time in particular I was at his house visiting, and he had it so bad I was up with him most all night."

And he adds that it increases with the years.

The facts in this case are not, apparently, as well developed as they might have been; but, with the proof at hand, the committee find that this man served through his term of enlistment, with a good record as to the quality of his service; that he was sound when he entered upon the hard duty of a soldier; that he is far otherwise now. His own statement, made under oath, inasmuch as he is a man well vouched for as to his integrity, should have some weight, and it seems to the committee that from his own plain description of his exposure he may very readily have incurred a permanent and pensionable disability. The committee can not undertake to account for the contradictory testimony of the Pension Office examiners and that of the attending physician. Such contradictions are common; but in this case the evidence given by the doctor who has for many years attended the man is corroborated by one who has known him from boyhood.

This bill is reported favorably, with a recommendation that it do pass.

Mr. COCKRELL. According to that report there is no disability in a pensionable degree existing in this case, and I must therefore object to the consideration of the bill.

The PRESIDING OFFICER. The Senator objects to its consideration. It will go over without losing its place on the Calendar.

Mr. BLAIR. The Senator has his right to object, but I think he makes his statement altogether too sweepingly. The finding of the committee, like that of a jury on a question of fact, is to the contrary of the Senator's statement.

Mr. COCKRELL. The report has been read.

The PRESIDING OFFICER. The bill has been passed over without prejudice.

JOHN PARKINSON.

The bill (S. 2326) granting a pension to John Parkinson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Parkinson, late a private in Company G, Third United States Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NANCY MASON.

The bill (S. 2325) to grant a pension to Nancy Mason was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Nancy Mason, widow of William A. Mason, formerly a private in Company K, Third Wisconsin Cavalry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHANNA SOFIA ENLIND.

The bill (S. 2061) granting a pension to Johanna Sofia Enlind was considered as in Committee of the Whole. It proposes to place the name of Johanna Sofia Enlind, mother of Alexander Enlind, deceased, late a private in Company I, Thirteenth Connecticut Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## RHODA WILLIAMS.

The bill (S. 2181) granting a pension to Rhoda Williams was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Rhoda Williams, widow of John M. Williams, late of the First Iowa Battery Light Artillery Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ALEXANDER TRIMBLE.

The bill (S. 1897) granting a pension to Alexander Trimble was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Alexander Trimble, late a member of Company H, Seventeenth Regiment of Iowa Infantry Volunteers.

Mr. COCKRELL. I want the report read in that case.

The Chief Clerk read the following report, submitted by Mr. SAWYER May 11, 1886:

The Committee on Pensions, to whom was referred the bill (S. 1897) granting a pension to Alexander Trimble, have examined the same, and report:

The claimant was a private in Company H, Seventeenth Iowa Infantry. He enlisted in 1862, and was discharged in 1865. He claims disability, permanent and acute, from chronic dyspepsia. There is no record testimony of his having been sick in the service, and he says the physician who treated him is dead, and he finds it impossible to procure the testimony required. The Adjutant-General's report, however, does show that he was several months a prisoner in the South, which is very strong circumstantial evidence that he may have incurred not only chronic dyspepsia, but almost any other disease to which the soldier is liable. His record as a soldier from the beginning to the end of his service is excellent, and his reputation as a man is of the best. His neighbors, quite a number of them, certify to his physical depreciation, and to his inability to do manual labor more than a small portion of the time. The examining surgeon testifies that he is ill from the cause specified by him; that he is reduced in strength; that his heart is affected, and his respiration at times difficult; and he adds that he has personal as well as professional knowledge of his disabled condition.

The committee are of opinion that the claimant is entitled to the relief he claims and needs, notwithstanding his inability to furnish the full amount of testimony required. The bill is therefore reported favorably, with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## EMILY M. SWIFT.

The bill (S. 2203) granting a pension to Mrs. Emily M. Swift, of Dexter, Mich., was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Emily M. Swift, of Dexter, Mich., dependent mother of James C. Swift, late a lieutenant of Company B, First Regiment Alabama Union Cavalry.

Mr. COCKRELL. Let the report be read.

The Chief Clerk read the following report, submitted by Mr. SAWYER May 11, 1886:

The Committee on Pensions, to whom was referred the bill (S. 2203) granting a pension to Mrs. Emily M. Swift, have examined the same, and report:

The petitioner applies for a pension as dependent mother of James C. Swift, first lieutenant of Company B, First Alabama Cavalry, and who died at Glendale, Miss., November 3, 1863, of wounds received in battle. The soldier's identity, service, and death are not questioned, and the proof is ample to show that he was the only son of the claimant. The pension is denied by the Pension Office on the ground of non-dependence at the time of his death. The facts are that the mother was living with her second husband, William Stephens, in the village of Dexter, Washtenaw County, Michigan, when her son enlisted, which was also the home of the latter. It is in evidence that the relations between the husband and wife were not pleasant; that the son gave his mother his bounty-money and afterward sent her portions of his pay, thus recognizing her dependence upon him independent of the fact that his mother had a husband who was under obligations to support her. It is also in evidence that the husband not only did not maintain her, but that he converted to his own use all the personal property she had; that he treated her with cruelty; that he procured from the estate of the soldier's father money that belonged to the son, converted it to his own use, and that the mother had no benefit from it. Also that the petitioner has been granted a divorce from her said husband, William Stephens, and that she is now sixty-seven years of age, in poor health, and dependent upon her relatives for support; and that she has resumed the name of Emily M. Swift.

In the opinion of the committee this is a case demanding relief that may properly be given. The bill is therefore reported favorably with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ALLEN P. JACOBS.

The bill (H. R. 5622) granting a pension to Allen P. Jacobs was considered as in Committee of the Whole. It proposes to place the name of Allen P. Jacobs, a soldier of the war of 1812, on the pension-roll at the rate of \$25 a month.

Mr. COCKRELL. Let the report be read in that case to show why this old soldier has not received a pension before.

The Chief Clerk read the following report, submitted by Mr. SAWYER May 11, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 5622) granting a pension to Allen P. Jacobs, have examined the same, and adopt the report of the House of Representatives, and report with recommendation that the bill do pass.

That Allen P. Jacobs, of Owen County, Kentucky, before he was sixteen years of age was sent by his father to attend his sick brother, Elijah —, Jacobs, who was a soldier in Captain Williams's company, Colonel Whistler's regiment, in the war of 1812; that upon his arrival at Dayton, Ohio, where the United States troops were then located, he, the said Allen P. Jacobs, finding that his brother had recovered from his sickness, joined Col. R. M. Johnson's regiment in its pursuit of the Indians and the British, and that on the 5th day of October, 1813, this command was engaged with the enemy at the battle of the River Thames; that young Allen P. Jacobs was conspicuous for his bravery in said battle, in which

he was severely wounded by a bullet shot through the thigh, about midway between the hip joint and the knee. It does not appear from the records of the War Department that he was regularly mustered into the service of the United States, and therefore the Pension Office have not acted upon his application for pension; but that as a boy he volunteered, served gallantly in the field with the United States Army, and was severely wounded, as above stated, is clearly shown by the testimony filed with the papers in the case and examined by the committee.

This veteran is now nearly eighty-nine years of age; he is almost helpless and still a great sufferer from the wound he received in his country's service seventy-three years ago, and now in his old age he is compelled to live on the charity and kindness of friends.

Your committee recommend that the bill do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## THOMAS T. SMITHERS.

The bill (H. R. 427) for the relief of Thomas T. Smithers was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Thomas T. Smithers, late a private in Company D, Twenty-eighth Regiment Illinois Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ALBERTINE COCKRUM.

The bill (H. R. 116) for the relief of Albertine Cockrum was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Albertine Cockrum, widow of E. B. Cockrum, late a captain in the Missouri Home Guards.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## SARAH CASTEEL.

The bill (H. R. 6795) for the relief of Mrs. Sarah Casteel was considered as in Committee of the Whole. It proposes to place the name of Mrs. Sarah Casteel, widow of Abram C. Casteel, late a private in Company F, Twelfth Regiment Missouri State Militia Cavalry, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## SAMUEL W. BOWLING.

The bill (H. R. 6797) to place the name of Samuel W. Bowling on the pension-roll was considered as in Committee of the Whole. It proposes to place the name of Samuel W. Bowling, late a private in Company D of the Eleventh Regiment of Kansas Volunteer Cavalry, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## CATHARINE WHITESSELL.

The bill (H. R. 6590) granting a pension to Catharine Whitesell was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Catharine Whitesell, widow of Dr. George L. Whitesell, as if Dr. George L. Whitesell had been mustered into the military service of the United States during the war of the rebellion, and to have her paid the pension of the widow of an assistant surgeon.

Mr. COCKRELL. I should like to call the attention of the Senator in charge of that bill to the language of it. It reads:

As if the said Dr. George L. Whitesell had been mustered into the service of the United States during the war of the rebellion.

Might not that language carry with it arrears?

Mr. BLAIR. I think the bill itself says that the pension is to be paid her on and after the passage of this act.

Mr. COCKRELL. No.

Mr. BLAIR. I move to insert that.

Mr. COCKRELL. Would it not be better to strike out the words I have named, so as to read:

The name of Catharine Whitesell, widow of Dr. George L. Whitesell, and pay her the pension of the widow of an assistant surgeon.

That is all that is necessary, striking out the other words.

Mr. BLAIR. The form of the bill is not before me.

Mr. COCKRELL. I move to strike out all of lines 7 and 8 and line 9 down to and including the word "rebellion," as follows:

As if the said Dr. George L. Whitesell had been mustered into the military service of the United States during the war of the rebellion.

Mr. BLAIR. That leaves the lady properly described.

Mr. COCKRELL. Let the bill be read as amended.

The CHIEF CLERK. As proposed to be amended the bill would read:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Catharine Whitesell, widow of Dr. George L. Whitesell, and pay her the pension of the widow of an assistant surgeon.

Mr. BLAIR. Add:

From and after the passage of this act.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. BLAIR. Does the bill as now amended contain a description of the organization in which the service was rendered?

The PRESIDING OFFICER. It does not.

Mr. COCKRELL. It is not necessary. He was an assistant surgeon. Mr. BLAIR. But as it is a question of identity, the woman should be described as the widow of one who rendered service in some particular organization. It should retain the words descriptive of her as the widow of the man who was in the organization. Let the bill be passed over for the present until it be amended.

The PRESIDING OFFICER. The bill will be passed over without losing its place on the Calendar.

Mr. BLAIR. It can be called up at another time.

BRIDGET M. CULLEN.

The bill (H. R. 6183) for the relief Bridget M. Cullen was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Bridget M. Cullen, widow of Patrick Cullen, late a private in Company B, Nineteenth New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT H. STAPLETON.

The bill (H. R. 4797) granting a pension to Robert H. Stapleton was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Robert H. Stapleton, late colonel of the Third Regiment New Mexico Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY A. SHANNON.

The bill (H. R. 1766) granting a pension to Mary A. Shannon was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary A. Shannon, widow of Criner C. Shannon, late a private in Company G, One hundred and eighteenth Regiment Ohio Volunteer Infantry.

Mr. COCKRELL. Let the report be read in that case.

The Chief Clerk read the following report, submitted by Mr. SAWYER May 11, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 1766) granting a pension to Mary A. Shannon, have carefully examined the same, and adopt the report of the House and report in favor of the passage of the bill.

The claim of this widow was rejected in the Pension Office on the ground that her husband died of a disease which originated after discharge.

The committee concede that the erysipelas which caused the soldier's death did not originate in the service, but we think it is clearly shown that the erysipelas did result from diseased eyes contracted while in the service and for which he was receiving a pension at the time of his death.

In support of this view of the case we quote the evidence of Dr. Watson, who testifies that he attended the soldier in his last illness for about one week prior to his death; that the immediate and remote cause of soldier's death was inflammation of the eyes, during the progress of which erysipelas set in, and resulted in his death; that the disease of eyes was the immediate cause of the inflammation. In a subsequent affidavit Dr. Watson states that the inflammation in the eyes took an acute form, probably from exposure, and was so great as to cause much redness of the eyes, and while in this condition erysipelas set in and spread all over the face and reached the throat, causing his death in about six days after erysipelas commenced.

The only material question involved in this case is, did erysipelas result from inflamed eyes? Your committee think it did, and recommend the passage of the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. M. A. LEWIS.

The bill (H. R. 5174) granting a pension to Mrs. M. A. Lewis was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. M. A. Lewis, mother of Thomas Lewis, late of Company L, Second Regiment Illinois Volunteer Cavalry, as dependent relative.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LENFORD ROSE.

The bill (H. R. 2976) granting a pension to Lenford Rose was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lenford Rose, son of George W. Rose, late a lieutenant of Company I, Fifth Michigan Infantry, and to pay to his legally constituted guardian, for his benefit, a pension of \$15 a month.

Mr. COCKRELL. Let the report be read.

The Secretary read the following report, submitted by Mr. SAWYER May 11, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 2976) granting a pension to Lenford Rose, have carefully examined the same, and adopt the report of the House of Representatives, and report in favor of the passage of the bill.

That Lenford Rose is the son of George W. Rose, who enlisted as a private, Company I, Fifth Regiment Michigan Infantry, August 27, 1861, was promoted to second lieutenant May 23, 1862, and to first lieutenant July 22, 1862, and captain June 23, 1863; died May 24, 1864, of wounds received in action at the battle of the Wilderness, Virginia, May 5, 1864. He left two children, Lenford and Benjamin F. Rose. Benjamin F. is poor; not worth a dollar; supports himself and family by day's labor. Lenford is now thirty-one years of age; is deaf and dumb, and was so from birth. He has no use of his left arm and hand, it being withered and drawn out of shape by contraction of the muscles. George W. Rose left no property whatever at the time of his death, and the pension given the children till they were sixteen was used up in their support. Lenford Rose, on account

of his infirmity, is entirely unable to earn his support, and is living on the charity of friends and neighbors, having no relatives able to give him a home.

No soldier has a better military history than George W. Rose. Had he lived, his unfortunate son would not now be a homeless waif. He gave his life to his country, and this unfortunate orphan should be that country's ward.

We think this is a legitimate case for Congressional relief, and recommend the passage of the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SOLOMON MESSER.

The bill (H. R. 3166) granting a pension to Solomon Messer was considered as in Committee of the Whole. It proposes to place the name of Solomon Messer, late of Nathaniel Kelsey's company, North Carolina troops, in removing the Cherokee Indians, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL M'GRAYEL.

The bill (H. R. 5975) granting a pension to Michael McGrayel was considered as in Committee of the Whole. It proposes to increase the pension of Michael McGrayel, late of Company B, Ninety-eighth Illinois Volunteers, to \$36 per month, in lieu of the pension now received by him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARIA KILE.

The bill (H. R. 4145) granting a pension to Maria Kile was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Maria Kile, mother of Nathaniel Kile, late a member in Company K, Fifty-sixth Regiment New York Volunteers.

Mr. COCKRELL. Let the report be read.

The Secretary read the following report, submitted by Mr. SAWYER May 11, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 4145) granting a pension to Maria Kile, have carefully examined the same, and adopt the report of the House, and report in favor of the passage of the bill.

Nathaniel Kile enlisted as a private in Company K, Fifty-sixth Regiment New York Volunteers, on the 23d day of October, 1861, and died while in the service September 25, 1862, leaving no widow or child surviving.

His mother, Maria Kile, filed her claim for a pension, and it was rejected April 17, 1883, on the ground that she was not dependent upon the soldier for her support at the time of his death.

The evidence on file in the Pension Bureau gives rise to a serious doubt as to the correctness of this rejection. It appears that at the time of the soldier's death (1862) Simeon Kile, the father, was in the occupation of some rugged land in the wilds of Sullivan County, New York. It was stony, unproductive, and poor enough. He did not own it. He leased it. The Hon. H. R. Low, at present a senator of the State of New York, testifies that he was the owner of the land in question and leased it to Kile; that Kile could not and did not pay the rent, small as it was.

On this so-called farm he had a half dozen cows, a few sheep, and a team of horses. But even these were mortgaged to one Cyrus Gray, who testifies that the chattel mortgage was given in 1862, and after four annual renewals he was, in 1866, obliged to foreclose and sell out the property.

The evidence plainly shows that the son, before he went to the war, was in the habit of working for his parents on the farm, and when employed elsewhere he contributed to their support by bringing his earnings home. It also appears that he sent money to his parents while he was in the Army. His mother is now seventy-four years old, feeble, childish, and in very destitute circumstances.

Your committee is of opinion that she should be placed upon the pension-roll, and therefore recommend that the bill do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. NEVIL.

The bill (H. R. 3623) granting a pension to William H. Nevil was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William H. Nevil, late of Company A, One hundred and ninety-eighth Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ERDMUTHE KIRCHNER.

The bill (H. R. 5931) granting a pension to Erdmuthe Kirchner was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Erdmuthe Kirchner, dependent mother of Carl Kirchner, late a private in Company G, Twenty-fourth Regiment Illinois Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES WOLFE.

The bill (H. R. 1768) granting a pension to James Wolfe was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James Wolfe, late a private in Company F, Second Pennsylvania Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. BARBARA FUCHS.

The bill (H. R. 6489) granting a pension to Mrs. Barbara Fuchs was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Barbara Fuchs, stepmother of John Fuchs, late of Company H, Sixth Regiment of Wisconsin Infantry Volunteers.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDING OFFICER (Mr. HOAR in the chair). The report will be read.

The Secretary read the following report, submitted by Mr. SAWYER May 11, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 6489) granting a pension to Mrs. Barbara Fuchs, have carefully examined the same, and adopt the report of the House of Representatives, and report in favor of the passage of the bill.

The claimant filed her application for pension as the dependent stepmother of John Fuchs, late private of Company H, Sixth Regiment Wisconsin Infantry Volunteers, and who was killed in action June 19, 1864, at Petersburg, Va. Soldier was never married. Claim was rejected on the ground that there is no title in claim, she not being the natural mother of soldier.

M. Feelder and Jacob Blum testify that they knew claimant as the stepmother of soldier; that soldier at the time of his father's (Sebastian Fuchs) marriage with said claimant was a child of about three years of age.

John G. Steiger and Phillip Eder testify that claimant's husband, at soldier's death, was feeble and unable to support her.

Michael Feelder and Jacob Blum further testify that claimant has not remarried since the death of soldier's father April 5, 1867. He was a laboring man, sickly and unable to support his family. He used to mend shoes and had no income from his real estate. Since his death claimant has supported herself by selling the real estate she owned. They owned some real estate in Fountain City, Wis., worth about \$2,000, and she has sold the most of it to support herself. Soldier worked for his parents prior to his enlistment, and gave all his earnings to them, and did this for three years before his enlistment.

In soldier's letter to parents bearing date February, 1864, at Camp Washburn, he sends for their support \$60 out of his bounty of \$75; he also sent them his certificate of muster, to enable them to draw the bounty given by the town, with instructions to use it for their support.

The applicant at the death of her husband (soldier's father) was left with four girls to support, the oldest being seventeen and the youngest two and one-half years of age. The soldier's letter written but a few months before his death, and his sending a large portion of his earnings to the support of his parents, strengthened with other testimony showing that prior to and at the time of his enlistment he felt it his duty to contribute to the support of his father's family, evidence the fact that had he lived he would have cared for her who cared for him in his infancy in her now poor and helpless condition.

Your committee therefore recommend the passage of the bill.

Mr. COCKRELL. I think the bill had better be passed over.

The PRESIDING OFFICER. The bill will be passed over.

ELIZA A. WEEKS.

The bill (H. R. 2975) granting a pension to Eliza A. Weeks was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Eliza A. Weeks, widow of David P. Weeks, late a private in Captain Crosby's company, Second United States Dragoons.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET MADDEN.

The bill (H. R. 4143) for the relief of Margaret Madden was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Margaret Madden, of Long Island City, N. Y., widow of Christopher Madden, late a private in Company B of the Eighty-fourth Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM J. HEADY.

The bill (H. R. 5635) granting a pension to William J. Heady was considered as in Committee of the Whole. It proposes to place the name of William J. Heady, as captain, on the pension-roll for gallant and meritorious services in the Mexican war.

Mr. COCKRELL. Let the report be read in that case.

The Secretary read the following report, submitted by Mr. SAWYER May 11, 1886:

The Committee on Pensions to whom was referred the bill (H. R. 5635) granting a pension to William J. Heady, have examined the same, and report:

That an examination of the proofs in this case has satisfied the committee that the report of the Committee on Invalid Pensions of the House of Representatives is correct. It is adopted, and is as follows:

"That William J. Heady, of Kentucky, was a captain in the Army of the United States during the war with Mexico. That just previous to the battle of Buena Vista he was sent with a small detachment on a dangerous reconnaissance, and was captured and carried to the City of Mexico, and kept a prisoner until that city was captured by General Scott.

"He was a brave, prompt, intelligent, and efficient officer. He is now very old, poor, and in very bad health, and in some measure resulting from hard usage as a prisoner, being now wholly unable to do any kind of work, and has been an inmate of a public hospital.

"Your committee recommend the passage of the bill." The bill is herewith reported to the Senate with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LARKIN G. MEAD.

The bill (H. R. 5283) granting a pension to Larkin G. Mead was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Larkin G. Mead, late assistant surgeon of the Eighteenth Wisconsin Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOUISA C. BEEZELY.

The bill (H. R. 576) for the relief of Louisa C. Beezely was considered as in Committee of the Whole. It proposes to place on the pen-

sion-roll the name of Louisa C. Beezely, widow of Nathaniel Beezely, deceased, formerly a member of Company B, Second Indiana Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELANDER M. MOONEYHAN.

The bill (H. R. 6801) granting a pension to Elander M. Mooneyhan was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elander M. Mooneyhan, widow of Thomas J. Mooneyhan, of Company I, Twenty-fourth Regiment Missouri Volunteers.

Mr. COCKRELL. Let the report be read.

The Chief Clerk read the following report, submitted by Mr. SAWYER May 11, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 6801) granting a pension to Elander M. Mooneyhan, have examined the same, and report:

That an examination of the proofs in this case has satisfied the committee that the report of the Committee on Invalid Pensions of the House of Representatives is correct. It is adopted, and is as follows:

"The evidence in this case establishes beyond question the following facts: Claimant's husband enlisted in Company I, Twenty-fourth Missouri Volunteers, August 11, 1861. On the 20th of August, 1861, he was elected first lieutenant of that company, and immediately took command, drilling them until October 10, 1861, when he was taken sick with typhoid fever, and died October 23, 1861. On the next day the company was regularly mustered into service. The widow's claim was rejected on the ground that the soldier had not been mustered into service. That he served two months and incurred the disease from which he died is clearly proven. The rule of this committee has been to rate pensions according to rank from time of muster under a commission. As this soldier at time of death held no commission, your committee recommend that the bill be passed."

The bill is herewith reported to the Senate with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DELLIAH VANDEVENDER.

The bill (S. 2196) granting a pension to Dilliah Vandevender was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, to strike out the name "Dilliah Vandevender" and insert "Delilah Vandevender;" and in line 7, to strike out "Vandevender" and insert "Vandevender;" so as to make the bill read:

*Be it enacted, &c.* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Delilah Vandevender, dependent father of Jacob Vandevender, late of Company D, One hundred and forty-ninth Regiment Indiana Volunteers.

Mr. HARRISON. There is some confusion in the names. The amendment proposed by the committee to strike out "Dilliah" and insert "Delilah" should be agreed to; but the name "Vandevender" is correct, and therefore the amendment to strike out "Vandevender" and insert "Vandevender" should be rejected. I move to amend the amendment of the committee by striking out the word "Vandevender," as proposed by them, and restoring "Vandevender;" so as to read "Delilah Vandevender."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HARRISON. The committee have failed to make a correction. They changed the name, as will be seen, to the mother instead of the father, but left the word "father" standing. In line 7, I move to strike out the word "father" and insert "mother;" so as to read "dependent mother of Jacob Vandevender."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Delilah Vandevender."

DANIEL H. ROSS.

The bill (S. 524) granting a pension to Daniel H. Ross was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Daniel H. Ross, late a private in Company B, First Regiment Mississippi Marine Brigade.

Mr. COCKRELL. I move to strike out the second section of the bill, in the following words:

SEC. 2. That this act shall take effect from and after its passage.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM L. McCALL.

The bill (H. R. 4632) granting a pension to William L. McCall was considered as in Committee of the Whole. It proposes to place the name of William L. McCall, late a private in Company D, Ninth Tennessee Cavalry, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELEANOR FOUST.

The bill (H. R. 5100) granting a pension to Eleanor Foust was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Eleanor Foust, widow of James Foust, deceased, late a private in Company H, Thirteenth Regiment Tennessee Volunteer Cavalry.

Mr. COCKRELL. Let the report be read.

The PRESIDING OFFICER. The report will be read.

The Chief Clerk read the following report, submitted by Mr. WHITTHORNE May 11, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 5100) granting a pension to Eleanor Foust, having examined the same, beg leave to report: That the testimony which was before the Commissioner of Pensions was fully examined, and being satisfied that the report of the House committee (first session, Forty-ninth Congress No. 787), who also examined this claim, is sustained by the proof in the case, do adopt the said report as herein set forth as a part hereof:

"James Foust enlisted as private in Company H, Thirteenth Regiment Tennessee Cavalry, September 24, 1863, and was honorably discharged on the 5th day of September, 1875, and died December 4, 1875.

"Eleanor Foust, his widow, filed claim for pension March 25, 1880, which was rejected on the ground that disabilities of which the soldier died were not incurred while in line of duty.

"The proof shows that claimant's husband was sound and free from disease at time of enlistment, and that he was at time of discharge afflicted with disease of leg and thigh, from which he afterward died.

"The only question which the Pension Office could make on this case is that of the incurrence of the fatal disabilities in line of duty. On this point the proof shows that the first symptoms of the disease were obvious when the soldier returned to his command from a trip home on furlough, and that he attributed the disease at that time to overexertion in attempting to evade capture by a band of confederate soldiers which he encountered while returning to his command.

"The disease appears from the medical testimony to have been physical prostration from profuse and protracted suppuration of the deep-seated structures of the thigh, apparently resulting from extensive periostitis, which his attending physicians during his last illness agree was the cause of his death, and that such disease would naturally result from overexertion.

"The soldier served fifteen months after the first development of disease, and engaged in active service and battles until said disease developed to such an extent as to render him unable to perform hard service. He returned from the Army a physical wreck, and was never able to perform any kind of manual labor thereafter.

"Soldier and this claimant were married to each other March 9, 1854.

"Your committee recommend the passage of the bill."

And accordingly recommend the passage of the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES B. RUSSELL.

The bill (H. R. 5692) for the relief of James B. Russell was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James B. Russell, late first lieutenant of Company H, Second Regiment East Tennessee Cavalry.

Mr. COCKRELL. I must ask that that bill shall lie over. The claimant resides in my State, and I have information that the disabilities were not incurred in the line of service or in the line of duty, but long since the war. This information comes from a Union soldier. I have communicated it to the Commissioner of Pensions and have requested that he send a special examiner to make a thorough examination into the case and make a report. Until that report is received I desire that the case shall remain upon the Calendar and not be acted upon. I want equal and exact justice done. If the claimant is fairly and properly entitled to a pension he should have it and I shall favor it, and if he is not he ought not to have it.

Mr. WHITTHORNE. Speaking for myself, I am perfectly willing that that shall be done, but from an examination of the record as presented to the committee I was thoroughly satisfied myself that it is a meritorious case. However, upon an allegation of the kind now made, it is just alike to the claimant and the Government that a further examination should be made.

Mr. BLAIR. I call attention to the fact that this is a case where it would seem that if there is conflicting evidence the soldier might well be entitled to the benefit of the doubt. The report says:

The evidence shows him to have been intensely loyal to the Government and very active in its support.

He is now seventy-two years of age, poor, and unable to do anything for his support.

Your committee recommend the passage of the bill.

Mr. COCKRELL. The question of present disability and present pecuniary condition are also controverted.

Mr. BLAIR. The question is really whether it is a case of fraud or not.

Mr. COCKRELL. I furnished the Commissioner of Pensions a copy of the report and all the information. I do not know any of the parties, and I do not know the gentleman who gave me the information, except that he is considered a reliable gentleman.

Mr. BLAIR. The bill is to go over informally, I understand.

Mr. COCKRELL. Oh, yes.

Mr. WHITTHORNE. If the Pension Office is to make an examination, it is proper that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

JOHN D. KREHBIEL.

The bill (H. R. 6519) granting a pension to John D. Krehbiel was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John D. Krehbiel, late captain of Company I, Forty-first Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN ARTHUR.

The bill (H. R. 5058) granting a pension to John Arthur was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Arthur, late of Company K, One hundred and sixtieth Regiment Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW J. WILSON.

The bill (H. R. 7108) granting a pension to Andrew J. Wilson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Andrew J. Wilson, late a private in Company F, Ninety-sixth Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CATHARINE KENNEDY.

The bill (H. R. 6639) granting a pension to Catharine Kennedy was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Catharine Kennedy, mother of John Moriarty, deceased, late of Company K, One hundred and fifty-eighth New York Volunteers.

Mr. COCKRELL. Let the report be read in that case.

The Secretary read the following report, submitted by Mr. BLAIR May 11, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 6639) granting a pension to Catharine Kennedy, have examined the same, and report:

Your committee have examined the facts of this case, and adopt the statement thereof in the report hereto annexed of the Committee on Invalid Pensions of the House of Representatives (House Report No. 1200), and recommend the passage of the bill.

That Catharine Kennedy is the mother of John Moriarty, late of Company K, One hundred and fifty-eighth New York Volunteers; that soldier enlisted August 17, 1862, and was killed while on picket duty at Hatcher's Run, Va., March 31, 1865.

Father of soldier died in 1845, and mother remarried in 1847 to Thomas Kennedy, but he had his hip broken in 1850, from which he has been disabled since and unable to do a full day's work. In consequence, both Mrs. Kennedy and her husband have had a constant strife to earn their support. Mother's claim for pension was rejected on the ground that she was not dependent on soldier for support.

Thomas Wreckless, auditor of Scott County, Iowa, March 23, 1881, testifies that Thomas Kennedy owns a house and lot in Davenport, Iowa, assessed at \$115, which he purchased in 1876, and that he owns no other property.

Edward Russell, postmaster at Davenport, Iowa, on February 12, 1881, certifies that Mrs. Catharine Kennedy is quite poor; she was wholly dependent upon her son, John Moriarty, for support; her husband is sixty years of age and is in poor health.

Thomas Mahony testifies that he has known claimant for forty-nine years; that he knew her son, John Moriarty; that before he entered the service he worked in a brush factory and gave his earnings to his mother and his stepfather until he enlisted; that he knew he sent them money from the Army.

The Second Auditor of the Treasury certifies that arrears of pay and bounty were paid to mother of the soldier.

It is also in proof that soldier was never married, and that although past his majority when he enlisted, yet he acknowledged his duty and desire to assist in the support of his mother by making contributions both before and after his entering the service. She has struggled along through the years without aid, but now she is old and in need, and is entitled to some relief from a Government to which in the hour of peril she gave the life of her first-born.

Your committee therefore recommend that the bill do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM J. HUDSON.

The bill (H. R. 4850) for the relief of William J. Hudson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William J. Hudson.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LURENA WAGES.

The bill (H. R. 6668) granting a pension to Lurena Wages was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lurena Wages, widow of Jackson Wages, late a private in Company E, Seventh Regiment Kentucky Volunteers.

Mr. COCKRELL. Let the report be read.

The Secretary read the following report, submitted by Mr. BLAIR May 11, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 6668) granting a pension to Lurena Wages, have examined the same, and report:

Your committee have examined the facts in this case, and concur in the report hereto annexed of the Committee on Invalid Pensions of the House of Representatives (House Report No. 1861), and report back the bill with a recommendation that it do pass.

The claimant was married to one James Jackson prior to 1845. They lived together a short time and separated. They both filed petitions for divorce from each other in the circuit court of Clay County, Kentucky, in the year 1845. Claimant at the time resided a considerable distance from the county seat, and did not attend the trial of the cause.

She testifies that a short time after the term of the court at which the suit for divorce was set for trial the said James Jackson passed by her place of residence on his return from said term of court, and exhibited to her an instrument of writing, which he represented as being a bill of divorcement dissolving their said marriage, and that she in good faith believed that they were lawfully divorced from each other.

The said James Jackson testifies that he and claimant were by a decree of the proper court of Clay County, Kentucky, divorced from each other.

The said James Jackson was married to another woman in the same neighborhood where claimant lived, in the year 1845, and claimant was married to Jackson Wages, also of the same neighborhood, in the year 1848. The said Jackson Wages enlisted as a private in Company E, Seventh Regiment Kentucky Volunteers, on the 11th day of March, 1862; was discharged therefrom on the 10th day of March, 1865, and died July 26, 1881, of chronic diarrhea, which he contracted while in the service aforesaid, and in the line of duty. Claimant filed application for pension January 25, 1882, which was rejected December 5, 1884, on the ground that claimant was not the lawful widow of the soldier, she having a husband living from whom she was not legally divorced at the time of her marriage to the soldier.

The clerk of the circuit court of Clay County, Kentucky, certifies to the existence of record in his office of the pleadings and papers in the suit for divorce as aforesaid, but does not find a judgment of divorce in said case of record, and gives it as his opinion that the allegations and grounds for divorce were amply sufficient to justify a decree dissolving the marriage contract, and attributes the absence of the record of the divorce to the carelessness of the officers of the court. The deposition of divers citizens of the neighborhood in which claimant and the soldier lived together as husband and wife for more than thirty years shows that the fact of claimant's being divorced from her former husband was never questioned by any one to their knowledge until the question was raised by the Pension Office, which said witnesses are certified in the record as being of good character.

Your committee have been called upon by the citizens of Clay County, Kentucky, to consider in connection with this case a petition numerously signed by the leading citizens and representative men of the locality in which claimant has resided for more than forty years, setting forth the good moral character of claimant and the universally accepted belief of the legality of her marriage with the said soldier, and the fact of their living continuously together as husband and wife in good faith for more than thirty years. The character of these petitioners and their standing in society entitled them to the very highest consideration.

While your committee think that there may have been some legal impairment to claimant's marriage with said soldier, yet they do not for a moment believe that any legal barrier to the marriage was known to or suspected by either claimant or the said soldier. They therefore recommend the passage of the bill herewith reported.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH TUTTLE.

The bill (H. R. 7109) granting a pension to Joseph Tuttle was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Joseph Tuttle, father of Charles Tuttle, deceased, late a private in Company F, Second Michigan Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. WALTERS.

The bill (H. H. 3860) granting a pension to John H. Walters was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John H. Walters, late a private in Company A, First Regiment Kentucky Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS J. SLAYTON.

The bill (H. R. 5169) to increase the pension of Thomas J. Slayton was considered as in Committee of the Whole. It proposes to increase the pension of Thomas J. Slayton, late a private in Company H, Thirtieth Regiment Vermont Volunteers, from \$4 to \$15 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM FIELD.

The bill (H. R. 4808) granting a pension to William Field was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William Field, late a private in Company A, Thirty-ninth Regiment of Massachusetts Volunteers, at the rate of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSIAH FOCHT.

The bill (H. R. 5408) granting a pension to Josiah Focht was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Josiah Focht, late a private in Company D, Thirty-seventh Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EUPHEMIA R. SMITH.

The bill (H. R. 6150) for the relief of Euphemia R. Smith was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Euphemia R. Smith, widow of Garrett Smith, late of Company A, One hundred and ninth Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOUIS WHORLEY.

The bill (H. R. 2963) granting a pension to Louis Whorley was con-

sidered as in Committee of the Whole. It proposes to place on the pension-roll the name of Louis Whorley, late of Company F, Fifth Regiment United States Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT E. STEPHENS.

The bill (H. R. 5525) granting increase of pension to Robert E. Stephens was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Robert E. Stephens, late of Company K, Seventy-first Regiment Indiana Volunteers (afterward Sixth Indiana Cavalry), at the rate of \$28 per month, in lieu of \$24 per month heretofore allowed him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD M. HARRINGTON.

The bill (H. R. 6648) for the relief of Edward M. Harrington was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, to strike out "New Jersey" and insert "New York;" so as to make the bill read:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Edward M. Harrington, formerly a member of Company —, Ninth Regiment New York Cavalry Volunteers.

The amendment was agreed to.

Mr. COCKRELL. I move to insert "C," in line 7, after the word "Company;" so as to read "Company C." There ought to be some company named in the bill.

Mr. BLAIR. Does the report show that he was in Company C?

Mr. COCKRELL. "Edward M. Harrington enlisted in Company C, Ninth New York Cavalry."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Missouri.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ELIZABETH M'KAY.

The bill (H. R. 4782) granting a pension to Elizabeth McKay was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 5, to strike out "Rawley" and insert "Rowley;" so as to make the bill read:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Elizabeth McKay, widow of Rowley S. McKay, deceased, subject to the provisions and limitations of the pension laws.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WALTER A. DONALDSON.

The bill (S. 1459) granting a pension to Walter A. Donaldson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty-five;" so as to make the bill read:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Walter A. Donaldson, late captain of Company F, Seventy-first Regiment New York State Volunteers, at the rate of \$35 per month, in lieu of the pension which he is now receiving.

Mr. COCKRELL. Let the report be read.

The Secretary read the following report, submitted by Mr. BLAIR May 11, 1886:

The Committee on Pensions, to whom was referred the bill (S. 1459) granting an increase of pension to Walter A. Donaldson, have examined the same, and report:

The claimant, Walter A. Donaldson, enlisted June 21, 1861, as captain of Company F, Seventy-first New York Volunteers, and served until discharged, November 4, 1863. He applied for a pension November 12, 1863, which was allowed at the rate of \$5 per month. This was based on a cut on left leg by his horse falling on him at second Bull Run, August 29, 1862; gunshot wound of neck at battle of Chancellorsville, May 3, 1863; gunshot wound of right thigh at battle of Gettysburg, July 2, 1863; and bleeding piles from hard marching.

This amount was increased to \$10 from May 4, 1870. Another application for increase was rejected December 5, 1873. His application for arrears was also rejected, but another application for increase was allowed at \$15 from September 21, 1877. This was increased to \$20 from November 26, 1881. It does not appear that any application has been made since for further increase.

The affidavit of Charles F. Russell, M. D., dated April 16, 1886, is presented, which details at length the present condition of this soldier, and shows that he is now unable to perform any manual labor whatever, and the letter of claimant and other papers are also filed.

Your committee, after a careful consideration of this case, think that the evidence warrants an increase of the pension, and therefore report back the bill

with the recommendation that it do pass, with an amendment: Strike out the word "fifty" and insert the words "thirty-five," in the eighth line.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN A. ORNDORFF.

The bill (H. R. 4685) for the relief of John A. Orndorff was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, to strike out "Orndorff" and insert "Orndorff;" so as to make the bill read:

*Be it enacted, &c.*, That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of John A. Orndorff, late of Company I, Two hundred and fifth Regiment Pennsylvania Volunteers.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of John A. Orndorff."

PHILIP RAIGER.

The bill (H. R. 5406) granting a pension to P. E. Raiger was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment: In line 6, before "Raiger," to strike out "P. E." and insert "Philip;" so as to make the bill read:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Philip Raiger, late of Company F, Fourth Pennsylvania Volunteer Cavalry.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Philip Raiger."

DR. WILLIAM H. SHEFFIELD.

The bill (H. R. 4163) granting a pension to Dr. William H. Sheffield was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William H. Sheffield, late volunteer acting assistant surgeon of the One hundred and seventh Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM B. JACOBS.

The bill (H. R. 4199) granting a pension to William B. Jacobs was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William B. Jacobs, late a member of the Fifty-ninth Regiment Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLOTTE BUCK.

The bill (H. R. 3614) granting a pension to Charlotte Buck was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charlotte Buck, dependent stepmother of James Buck, deceased, late of Company A, Sixteenth United States Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WASHINGTON T. OTEY.

The bill (H. R. 4892) granting a pension to Washington T. Otey was considered as in Committee of the Whole. It proposes to place the name of Washington T. Otey, late a lieutenant of Company F of the Sixty-second Regiment Illinois Infantry Volunteers, on the pension-roll at the rate of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FERDINAND KOEHLER.

The bill (H. R. 6770) granting a pension to Ferdinand Koehler was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ferdinand Koehler, late of Company C, Second Regiment Missouri Artillery.

Mr. COCKRELL. Let the report be read.

The Secretary read the following report, submitted by Mr. SAWYER May 12, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 6770) grant-

ing a pension to Ferdinand Koehler, have carefully examined the same, and adopt the report of the House of Representatives, and report in favor of the passage of the bill.

It appears from the files in this case that claimant enlisted in Company C, Second Missouri Cavalry, November 22, 1861, and was discharged March 16, 1863, upon surgeon's certificate of disability. In March, 1870, he applied for a pension, alleging internal bleeding hemorrhoids. This application was rejected on ground of no record and no medical treatment in service. He claims that he was treated in regimental hospital, and no records of that regiment are on file. The certificate upon which he was discharged says he was unfit for duty six months before discharged.

Dr. Edward Mayer and several neighbors testify that claimant was an unusually sound man when he enlisted. The former also testifies that claimant was very sick while the regiment was stationed at Saint Louis.

Sergeant Pousch, of the same company, testifies to his sickness in service, and that at the time of his discharge he was suffering from his back and spells of bleeding at his bowels, and that he testifies to this from personal knowledge. Christian Ott, a comrade, corroborates this.

Dr. Mayer testifies that he became his family physician when he returned from the Army, and that from the time of his discharge to the present claimant has been a diseased and disabled man.

B. Warsenger, Wilson Mills, and Andrew Frasier testify as to continuance. Dr. L. Dyer testifies as to treatment for hemorrhoids in 1865. The examining board of surgeons report him totally disabled with hemorrhoids and asthma. His inability to procure medical evidence in service at or immediately after discharge seems to have been the cause of rejection. He served sixteen months, entering the service an unusually strong man, and came out completely broken down. The existence of the disease in the service soon after discharge and ever since seems to be established.

Your committee recommend the passage of the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

H. L. KYLER.

The bill (H. R. 1818) granting a pension to H. L. Kyler was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of H. L. Kyler.

Mr. COCKRELL. Let the report be read.

The Secretary read the following report, submitted by Mr. SAWYER May 12, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 1818) granting a pension to H. L. Kyler, have carefully examined the same, and adopt the report of the House of Representatives, and report in favor of the passage of the bill.

H. L. Kyler was a private in Company A, One hundred and sixty-seventh Ohio Volunteers, and was pensioned for neuralgia affecting the eyesight incurably. His pension was revoked in 1882 on the ground that the disability existed prior to enlistment.

Upon a special examination by the agent of the Pension Bureau, it was developed that Dr. J. M. Saunders, of Oxford, Ohio, had complained to the Department and requested Mr. Kyler's pension to be revoked. Dr. Saunders is reported by the special examiner to be a personal enemy to Kyler, and to evidently be animated by ill-will and hatred. The examiner also reports Kyler to be a man of the highest standing and integrity. The truth is that Kyler is marshal of Oxford, and had incurred the enmity of Dr. Saunders while discharging his official duty in a matter wherein Dr. Saunders was culpable. Under these circumstances Dr. Saunders' testimony is entitled to no consideration. On the other hand, eleven witnesses, one of them assistant surgeon of the regiment, swear to Kyler's soundness and exemption from affection of the eyes at enlistment.

We are utterly unable to concur with the Pension Bureau in its suspension of Kyler's certificate. We therefore recommend the passage of the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM P. CARLETON.

The bill (H. R. 7074) granting a pension to William P. Carleton was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William P. Carleton, late of Company B, Second Regiment Illinois Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY MANES.

The bill (H. R. 2800) granting a pension to Mary Manes was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary Manes, mother of William Manes, late a member of Company D, Fourth Regiment of Wisconsin Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH A. ROBBINS.

The bill (H. R. 426) granting a pension to Elizabeth A. Robbins was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth A. Robbins, mother of William Henry Robbins, deceased, late a private in Company E, Seventh Regiment Iowa Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTIN J. REYNOLDS.

The bill (H. R. 6453) granting a pension to Martin J. Reynolds was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Martin J. Reynolds, late a private in Company K, Third Regiment Iowa Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BRUNO SCHULTZ.

The bill (H. R. 6774) granting a pension to Bruno Schultz was con-

sidered as in Committee of the Whole. It proposes to place on the pension-roll the name of Bruno Schultz, late of Company F, Twenty-second Regiment Illinois Volunteers.

Mr. COCKRELL. Let the report be read.

The Secretary read the following report, submitted by Mr. SAWYER May 12, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 6774) granting a pension to Bruno Schultz, have examined the same, and report:

An examination of the proofs in this case has satisfied the committee that the report of the Committee on Invalid Pensions of the House of Representatives is correct. It is adopted, and is as follows:

"The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6774) granting a pension to Bruno Schultz, submit the following report:

"Claimant was a private in Company F, Twenty-second Illinois Volunteers, having enlisted on June 25, 1861, and was discharged July 7, 1864. He alleges in his declaration for pension that he was ruptured in right side, caused by falling over a stump at night about January 17 or 18, 1864, while on the retreat from Dandridge to Loudon, Tenn. His claim was rejected because there was no record of his disability in the service. Claimant is shown to have been a stout, healthy young man prior to enlistment, a cooper by trade. The circumstances of his injury as alleged are shown by the testimony of Lieutenant Scheurmann and comrades John Kimich and Conrad Steffman; and three persons, among them his employer, testify to his showing his rupture within eight days after his return from the service. The report of the medical board of examiners in 1876 shows "right scrotal hernia of large size and difficult of retention," and that the disability is permanent. The last evidence, filed in July, 1884, shows claimant disabled for work at least one-half the time.

"It would seem from this evidence that the injury was incurred in the service and line of duty, and therefore recommend the passage of the bill."

The bill is herewith reported to the Senate with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES D. COTTON.

The bill (H. R. 6117) granting a pension to James D. Cotton was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James D. Cotton, father of Thomas J. Cotton, deceased, late a private in Company H, Twenty-first Missouri Volunteer Infantry.

Mr. COCKRELL. Let the report be read.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read the following report, submitted by Mr. SAWYER May 12, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 6117) granting a pension to James D. Cotton, have examined the same, and report:

An examination of the proofs in this case has satisfied the committee that the report of the Committee on Invalid Pensions of the House of Representatives is correct. It is adopted, and is as follows:

"The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6117) granting a pension to James D. Cotton, submit the following report:

"The claimant is the father of Thomas J. Cotton, late a private in Company H, Twenty-first Missouri Volunteers, who was killed in battle April 6, 1862, at Pittsburg Landing, Tenn. There is some evidence to show that the soldier, who was eighteen years old when killed, had prior to enlistment worked for his father, who was a blacksmith of small means. The assessment rolls show that he was taxed on a valuation of \$200. In 1868 he bought (and now owns) a small farm, which is assessed at \$350. He is now sixty-five years of age, and unable to perform manual labor. The soldier's mother died a few days after his birth. The Pension Department, in investigating the case, ascertained that the son did not contribute to his father's support at the time of his death, and could not therefore allow the claim.

"Your committee recommend the passage of the bill."

The bill is herewith reported to the Senate with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NANCY R. BROWN.

The bill (H. R. 1997) granting a pension to Nancy R. Brown was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Nancy R. Brown, widow, mother of Robert M. Brown, late a lieutenant of Company K, One hundred and forty-fifth Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN T. PENNINGTON.

The bill (H. R. 2940) granting a pension to John T. Pennington was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John T. Pennington, late a private in Company B, Fiftieth Regiment East Missouri Militia Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NANCY FRANKLIN.

The bill (H. R. 7365) for the relief of Nancy Franklin was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Nancy Franklin, of Madison County, North Carolina, dependent mother of Balis Norton and James Norton, late of the Second Regiment North Carolina Volunteers, United States Army, and Josiah Norton, late of the Third North Carolina Regiment, United States Volunteers, all of whom were killed in fight on Laurel, North Carolina, September, 1864.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEWIS W. SCANLAND.

The bill (H. R. 3043) granting a pension to Lewis W. Scanland was

considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lewis W. Scanland, late of Col. John Thomas's regiment, Captain Barnsback's company, of Illinois volunteers in the Black Hawk war.

Mr. COCKRELL. Let the report be read.

The Chief Clerk read the following report, submitted by Mr. SAWYER May 13, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 3043) granting a pension to Lewis W. Scanland, have examined the same, and report:

That an examination of the proofs in this case has satisfied the committee that the report of the Committee on Invalid Pensions of the House of Representatives is correct. It is adopted, and is as follows:

"The Committee on Pensions, to whom was referred the bill (H. R. 3043) for the relief of Lewis W. Scanland, submit the following report:

"It appears that petitioner enlisted April 18, 1832, for service in the Black Hawk war; that he served about thirty-eight days, and was honorably discharged with his comrades May 28, 1832. On March 14, 1884, petitioner filed his application for pension, alleging the incurrence of chronic diarrhoea during the service above mentioned.

"There is no record of his disability or treatment therefor, nor does claimant allege to have been treated while in the service. There is no mention of his disability at discharge.

"Claim was rejected on ground of no record, short service, and claimant's inability to furnish satisfactory evidence to connect the alleged disability with his military service. To substantiate claimant's testimony in regard to alleged disability we have the affidavit of his comrade, S. W. Gaskell, who has known claimant since he was ten years old; enlisted with him, served and been discharged with him; knew that he was attacked with chronic diarrhoea while in the aforesaid service; that he suffered severely with it after discharge, and upon the route home, and that he suffered with it continually up to 1872, when affiant moved from the vicinity of claimant. Said Gaskell is the only member of his company whom claimant knows to be now living.

"We also find the evidence of Col. John Thomas, of Bellevue, Ill., who says that from the best of his remembrance claimant was attacked with diarrhoea while in said service, and that a great many in that service were similarly attacked. Colonel Thomas also testifies to his belief in the truthfulness and uprightness of claimant.

"Claimant testifies that the physician who treated him immediately upon his return home died many years ago. Other medical treatment of claimant is testified to by the following physicians: Henry L. Strong, who was his family doctor for ten years after September 9, 1848, and he knows him to have been troubled with chronic weakness of bowels both before and after September, 1848. Samuel Willard, who, for a few years about 1856, was claimant's family doctor, testifies:

"Claimant was subject to chronic diarrhoea. He had several severe attacks, in which I was obliged to be up all night with him."

"J. L. R. Wadsworth, who treated claimant in 1871 and 1872, testifies that he was subject to chronic diarrhoea.

"Also, affidavit of True Blake, who was a near neighbor of claimant from 1872 to 1883 and knew that he was subject to chronic diarrhoea.

"James Purviance also makes affidavit that he has known claimant for sixty years; was his neighbor before and after his service in Black Hawk war, and from the time of his discharge up to 1872, when claimant moved from his vicinity, it was common report that he was suffering from chronic diarrhoea.

"Claimant is unable to produce evidence of any one except Gaskell and Purviance as to his condition at discharge, and all his old neighbors are dead or moved to parts unknown.

"We recommend the passage of the bill."

The bill is herewith reported to the Senate with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUSAN MALONE.

The bill (H. R. 6670) granting a pension to Susan Malone was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Susan Malone, widow of William Malone, late a sergeant in Company H, One hundred and tenth Regiment United States Colored Troops, who died during the war of 1861 to 1865.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD HERRIGAN.

The bill (H. R. 6120) for the relief of Richard Herrigan was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Richard Herrigan, at the rate per month which the medical examination entitles him to, by reason of rupture received while a member of Company A, Sixty-third Regiment New York Volunteers; and this pension is to be in addition to the one he is now receiving for another disability.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMANTHA A. SMITH.

The bill (H. R. 6452) granting a pension to Samantha A. Smith was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Samantha A. Smith, widow of Lewis Y. Smith, late of Company C, Sixteenth Regiment Indiana Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. STARR.

The bill (H. R. 6718) granting a pension to William H. Starr was considered as in Committee of the Whole. It proposes to place the name of William H. Starr, late a private in Company D, Eighth Illinois Infantry Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JAMES W. SANFORD.

The bill (H. R. 6135) granting a pension to James W. Sanford was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James W. Sanford, late of Company G, Second Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## HEZEKIAH TILLMAN.

The bill (H. R. 7614) granting an increase of pension to Hezekiah Tillman was considered as in Committee of the Whole. It proposes to grant an increase of pension to Hezekiah Tillman, late of Company B, Sixth Indiana Infantry Volunteers, to \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARY S. WOODSON.

The bill (H. R. 7073) granting a pension to Mary S. Woodson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary S. Woodson, widow of Henry B. Woodson, late a private in Company E, Twenty-sixth Regiment Missouri Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ORSON W. SEARS.

The bill (H. R. 7075) granting a pension to Orson W. Sears was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Orson W. Sears, of Macon County, Missouri, late a private in Company B, One hundred and twenty-eighth Regiment Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## CALLIE WEST.

The bill (H. R. 7222) granting a pension to Callie West was considered as in Committee of the Whole. It proposes to place the name of Callie West, widow of Burriss C. West, late of Company G, Sixty-sixth Regiment Illinois Infantry, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARY MURPHY.

The bill (H. R. 4730) for the relief of Mary Murphy was considered as in Committee of the Whole. It proposes to place the name of Mary Murphy, widow of Thomas Murphy, late private of marines, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## EDWARD R. SHUBRICK.

The bill (S. 2355) granting a pension to Edward R. Shubrick was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Edward R. Shubrick, late a midshipman in the United States Navy.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## HENRY BROOKS.

The bill (H. R. 5472) to increase the pension of Henry Brooks was considered as in Committee of the Whole. It proposes to increase the pension of Henry Brooks, late of Company E, Fifth Vermont Volunteers, to \$18 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## SYLVESTER ROOT.

The bill (H. R. 3054) granting a pension to Sylvester Root was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sylvester Root, late of Company E, Twenty-seventh Regiment Massachusetts Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## CAROLINE STURTZ.

The bill (H. R. 4023) granting a pension to Caroline Sturtz, widow of Jacob Sturtz, deceased, late of Company G, Twentieth Maryland Volunteers, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Caroline Sturtz, widow of Jacob Sturtz, deceased, late of Company G, Twentieth Maryland Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ELIAS SHEADS.

The bill (H. R. 5438) for the relief of Elias Sheads was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elias Sheads, dependent father of four sons, all of whom were killed in battle or died from wounds or disease contracted in line of duty.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## DANIEL B. RANDALL.

The bill (H. R. 4501) granting a pension to Daniel B. Randall was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Daniel B. Randall, late of Company A, One hundred and second Illinois Volunteers.

Mr. COCKRELL. Let the report be read.

The Chief Clerk read the following report, submitted by Mr. CAMDEN May 18, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 4501) granting a pension to Daniel B. Randall, respectfully submit the following report:

The claimant enlisted in Company A, One hundred and second Illinois Volunteers, on July 28, 1862, and was discharged June 6, 1865. His application for pension was filed on the 18th day of July, 1879, alleging fracture of limbs (sustained in the line of duty), which caused epilepsy (about November 15, 1862). The claimant states that he can not furnish proof of comrades, because those who were with him were strangers, and the surgeon who treated him died (as he is informed) soon after the war. Proof of soundness at date of enlistment is established by the evidence of his family physician and several of his neighbors.

The claimant's captain testifies that "claimant was away at hospital, and returned between September 26 and November 15, 1862, and upon his return the accident was reported. He further states that he knew nothing about the case except that claimant suffered from frequent fits of epilepsy from that time until his discharge."

The claim was rejected upon the ground that there is no evidence that alleged disability (injury to side and resulting epilepsy) was received in line of duty. The claimant's reason for not producing this evidence is found in the fact that the men under his charge at the time were strangers to him. Evidence of the continuance of the disease from date of discharge to the present time is conclusive.

Your committee recommend that the bill pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## CHARLES T. REBER.

The bill (H. R. 3831) granting a pension to Charles T. Reber was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charles T. Reber, late surgeon of the Forty-eighth Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JAMES DUNBAR.

The bill (H. R. 3836) granting a pension to James Dunbar was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James Dunbar, late a private in Company I, Second Regiment of Delaware Volunteers.

Mr. COCKRELL. Let the report be read in that case.

The Chief Clerk read the following report, submitted by Mr. WILSON, of Maryland, May 18, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 3836) granting a pension to James Dunbar, have carefully examined the same, and report:

"That the soldier enlisted in Company I, Second Regiment Delaware Volunteers, on the 8th day of October, in the year 1861, and was discharged from service July 14, 1862, his certificate of discharge stating that it was based upon the ground of "deafness, under which he labored before he was mustered into the service." He again enlisted on the 19th of September, 1864, in Company C, Eighth Regiment Delaware Volunteers. He avers that during the period of his first enlistment, in the winter of 1861, at Camp Wharton, in Maryland, and in the line of his duty, his ears were frozen, and he contracted a severe cold, which first caused a loss of hearing. He also declares that when he the second time enlisted, as above stated, he made known to the officers the fact of his deafness, but was told by them it would make no difference in his case, as he would be employed in cooking; that during such second service, in the winter of 1864, at City Point, Va., his deafness was increased by exposure then incurred in the service, and he was taken first to Harewood Hospital, Washington, D. C., and then to Tilton General Hospital, Delaware, from the last of which he was discharged May 16, 1865.

The Pension Office rejected this soldier's application for a pension upon the ground that the alleged disability of deafness existed prior to his enlistment. Of this allegation there is no proof in the case except the recital of the surgeon's certificate, upon which the discharge was granted. The claimant is a very ignorant man, incapable of writing his name, and unless the certificate of discharge was read to him he could not have known what facts were stated in it. It is not fair even to presume his acquiescence in the truth of such facts from the possession by him of such certificate, taking it for granted that a copy of the same was handed to him.

How the surgeon came by his knowledge of the time of the incurrance of deafness is not stated. In view of the accumulated evidence to the contrary, derived from the affidavits of some half-dozen witnesses, neighbors, and friends who knew the claimant just before his enlistment, we conclude that this allegation of disability prior to enlistment was a mere inference drawn by the surgeon of what the soldier's condition was at the time of enlistment, judging from what it was at the time of discharge.

The severity of exposure to which the soldier was subjected soon after entering into the service, and the great bodily suffering ensuing therefrom, render it exceedingly probable that the alleged deafness then had its origin. From that time his neighbors and friends date the beginning of his affliction. The captain of his company testified that soon after the first enlistment it was officially reported to him that this soldier had become deaf from such exposure. It is further proved that he was extremely deaf at the time of his final discharge; that shortly after his return from the war the inside of his head gathered, and filthy humor constantly ran from his ears, causing almost total deafness in both ears; and that he has been a constant sufferer from pains in the head and deafness, and greatly incapacitated for work, being rendered dependent upon others, in a measure, for support.

It further appears that the original declaration in the case was filed January 8, 1863, and that the claimant is over sixty years of age and very poor.

Your committee therefore report favorably upon this bill, and recommend the passage of the same.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## SARAH M. SHEARER.

The bill (H. R. 1061) for the relief of Sarah M. Shearer was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sarah M. Shearer, widow of Cranford W. Shearer, late lieutenant-colonel of the — Maryland Volunteers.

The PRESIDENT *pro tempore*. There is a blank in the bill.

Mr. BLAIR. Let the clerks see if there is anything in the report to indicate with what it should be filled.

Mr. COCKRELL. I do not see the name of the organization mentioned anywhere.

Mr. EDMUNDS. That is the widow of a lieutenant-colonel. The pension would be \$30 a month.

Mr. BLAIR. But the organization is not shown.

Mr. COCKRELL. There is nothing in the papers to show the organization in which he served.

The PRESIDENT *pro tempore*. If there be no objection the bill will be passed over, without losing its place on the Calendar.

Mr. COCKRELL subsequently said: I understand that the Senator from Maryland [Mr. WILSON] has the name of the regiment in the Shearer case.

Mr. WILSON, of Maryland. Yes, it was the Third Maryland Regiment. As the bill came from the House the name of the regiment was omitted. The bill will have to be amended.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 7 insert the word "third;" so as to read, "late lieutenant-colonel of the Third Maryland Volunteers."

Mr. EDMUNDS. I understand the Senator from Maryland to say that that is a correct description.

Mr. WILSON, of Maryland. That is the correct name of the regiment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

## LEVI M. STARNE.

The bill (H. R. 6020) granting a pension to Levi M. Starne was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Levi M. Starne, late a private in Company B, Eighty-sixth Indiana Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MRS. CLARISSA TAFT.

The bill (H. R. 5351) granting a pension to Mrs. Clarissa Taft was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Clarissa Taft, widow of Hiram Taft, jr., late of Company C, One hundred and twenty-third Regiment of New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARY A. MYKINS.

The bill (S. 158) granting a pension to Mary A. Mykins was considered as in Committee of the Whole. The bill was reported from the Committee on Pensions with amendments, in line 7, to strike out the words "second lieutenant" and insert "captain;" in the same line, after the word "company," to strike out "A" and insert "E;" and, before the word "regiment," to strike out "one hundred and seventy-sixth" and insert "one hundred and seventieth;" so as to make the bill read:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Mykins, widow of Daniel J. Mykins, late captain of Company E, One hundred and seventieth Regiment of New York Volunteers, and pay her a pension from and after the passage of this act.

The amendments were agreed to.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read the following report, submitted by Mr. ALDRICH May 18, 1886:

The Committee on Pensions, to whom was referred the bill (S. 158) granting a pension to Mary A. Mykins, have examined the same, and report:

That David J. Mykins enlisted as a private in Company E, One hundred and seventieth Regiment of New York Volunteers, on the 28th of August, 1862. He was promoted through the several grades until at the time of his discharge he was captain and brevet lieutenant-colonel. He was wounded at Petersburg July 16, 1864; received a gunshot wound in the forehead, crushing the frontal bone, and a flesh wound in the neck. For the first of these wounds, which unfitted him for manual labor, causing intense pain, dizziness, and deafness, he was pensioned by certificate issued in 1881. Two intelligent and respectable witnesses, who knew the soldier intimately for several years prior and at the time of his death, which occurred on the 4th day of April, 1882, state that they had ample opportunities to observe him during his last illness, and that from such observation they believe his death was the result of the wounds received in the manner indicated.

The committee recommend the passage of the bill.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## MARY M'MAHON.

The bill (S. 2372) for the relief of Mary McMahon was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary McMahon, widow of Peter McMahon, late a private in Company E, Second Regiment Rhode Island Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## JOSEPHINE D. WHITTED.

The bill (S. 2341) granting a pension to Josephine D. Whitted was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Josephine D. Whitted, widow of George W. Whitted, late of Company G, Seventy-seventh Indiana Volunteers, or Fourth Indiana Cavalry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## WILLIAM BARDEN.

The bill (S. 2353) granting a pension to William Barden was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William Barden, father of Henry D. Barden, a private of Company E, First Regiment of Wisconsin Cavalry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## HIRAM MORRIS.

The bill (S. 2310) granting a pension to Hiram Morris was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Hiram Morris, formerly of Company B, Twenty-third Regiment Missouri Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ALBERT C. KELLEY.

The bill (S. 2286) for the relief of Albert C. Kelley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "cavalry," to strike out the words "at the rate of \$50 per month;" so as to make the bill read:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the limitations and provisions of the pension laws, the name of Albert C. Kelley, late a private in Company B, Fifth Regiment of Michigan Cavalry.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## ANNA M. MARSHALL.

The bill (S. 2393) granting a pension to Anna M. Marshall, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, to strike out the words "twenty dollars per month, the pension allowed the widow of a captain in the military service," and to insert "twelve dollars a month;" so as to make the bill read:

*Be it enacted, &c.*, That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Anna M. Marshall, widow of Capt. Patterson S. Marshall, on the pension-roll as a pensioner, at the rate of \$12 a month, subject to the provisions and limitations of the pension laws.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## ANTHON EITAPENCE.

The bill (S. 2330) for the relief of Adam Eitapence was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the name "Eitapence," to strike out "Adam" and insert "Anthon;" so as to make the bill read:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws the name of Anthon Eitapence, of Utica, N. Y., father of Adam Eitapence, late of Company H, of the One hundred and forty-sixth Regiment New York Volunteers.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read:

A bill for the relief of Anthon Eitapence.

## HENRY LAFNER.

The bill (S. 2308) granting a pension to Henry Lafner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amend-

ment, in line 6, to strike out "Lafuer" and insert "Lafner;" so as to make the bill read:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pensions laws, the name of Henry Lafner, formerly a private in Company A, One hundred and eighty-first Regiment Ohio Infantry Volunteers.

The amendment was agreed to.

Mr. COCKRELL. Let the report be read.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read the following report, submitted by Mr. SAWYER May 18, 1886:

The Committee on Pensions, to whom was referred the bill (S. 2308) granting a pension to Henry Lafner, have examined the same, and report:

The petitioner was a private in Company A, One hundred and eighty-first Regiment Ohio Volunteers. He made application for a pension, alleging total blindness in both eyes, the result of exposure in the service, which was rejected on the ground of insufficiency of testimony.

In reference to this case, the captain of the company says:

"He was quite a boy, and did his duty as a good soldier. I have since learned that he was blind; in fact, he was led into my office, and I know he is blind. He stated that it was caused by exposure in the service. I know he was subjected to a great deal of hardship and exposure."

In an affidavit, the captain testifies to his activity and efficiency as a soldier, notwithstanding his youth; that during the winter of 1864-'65 and the spring of 1865, in consequence of exposure and unusual bad weather, he contracted a cold, which affected his eyes, causing inflammation and a blood-shot appearance, and symptoms of granulation, which continued until after discharge and return to Ohio.

Fred. McDonough, who also was in command of the company, testifies that the soldier was thoroughly examined; that he passed a good examination; that he was a faithful, active soldier, and that the command experienced great hardships and exposures during the winter of 1864-'65 and the early spring following.

The certificate of an examining surgeon pronounces him totally blind. In his petition the soldier says that his peculiar disability prevents him from prosecuting his claim with any hope of success in procuring such testimony as is required to complete his case, and he appeals to Congress for the relief which he can not hope to obtain but by the passage of a special bill. The committee regard this as a very hard case, in which there is no appearance of fraud and in reference to which the witnesses are evidently convinced of more than they can certify under oath. There is evidence to show that the inflammation commenced before he was discharged. No proof has been offered disparaging his reputation or questioning his claim. It is a case of sad necessity, to which relief can only be extended by Congress, which, in the opinion of the committee, may properly be done. The bill is reported with an amendment changing the name "Lafuer" to "Lafner" wherever it occurs, with a recommendation that it do pass.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Henry Lafner."

RACHEL ANN PIERPONT.

The bill (S. 2452) granting a pension to Rachel Ann Pierpont was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Rachel Ann Pierpont, dependent mother of Thomas W. Bailey, late a private in Company C, Twenty-second Kentucky Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. PEAVEY.

The bill (S. 2453) granting a pension to George W. Peavey was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of George W. Peavey, late first lieutenant of Company D, Fifty-seventh United States Colored Infantry, and a sergeant of Company B, First New York Cavalry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES S. FURNISS.

The bill (S. 2454) granting a pension to James S. Furniss was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James S. Furniss, late a private in Company E, Seventy-fourth New York Volunteers, who enlisted May 5, 1862, and was discharged May 30, 1865.

Mr. COCKRELL. Let the report be read.

The Chief Clerk read the following report, submitted by Mr. SAWYER May 18, 1886:

The Committee on Pensions, to whom was referred the bill granting a pension to James S. Furniss, have examined the same, and report:

The claimant enlisted in the Seventy-fourth Regiment New York Volunteers, July 25, 1861; was honorably discharged April 10, 1862; re-enlisted September 5, 1862, and was honorably discharged in May, 1865. His application is for disabilities that include chronic diarrhea, disease of kidneys, and from typhoid fever, hemorrhage of right lung; and his rejection is on the ground of his failure to prove "origin."

The claimant makes a connected statement covering the time from his entering the service until his discharge, giving the dates of his admission to hospital and his transfer from one to another. The Surgeon-General's report corroborates his statement, and names typhoid fever as one of the diseases for which he was treated.

The report of the Adjutant-General verifies his service and his sick-furloughs, but adds, "Nature of sickness not stated; regimental hospital records not on file;" and the report of the Surgeon-General closes with the remark that "the records of the general and field hospital, Third Army Corps, are not on file bearing on this case." The absence of a connected history of treatment from the record is one of the discouragements encountered by nearly every suitor for a pension. While it should be the reliable source of information as to the origin

of disease, it furnishes little that is satisfactory, so that the soldier is thrown upon his own resources for such evidence as is exacted by the Pension Bureau.

In this case the files contain the best quality of evidence as to the soldier's soundness and as to his exemplary character prior to enlistment.

Two of his neighbors, who knew him before and after his service, who lived near, and were intimate with him—and one of whom is vouched for as entirely reliable—testify to his broken-down condition immediately after his return; to his kidney disease, chronic diarrhea, and hemorrhages of lung; to his continued suffering and almost total incapacity to perform light labor. Dr. Cramton, of Colchester, Vt., testifies that he commenced treating claimant in 1871; found him in a debilitated condition, suffering with pain and soreness over region of kidneys and liver, torpid condition of liver, and irritation of kidneys; that he is not able to do half the work of an able-bodied man.

The medical board before whom the claimant was ordered to appear by the Commissioner of Pensions report affection of right lung, severe cough, respiration hurried, diarrhea troublesome. At the date of the examination, April 5, 1882, they say, "He is now entirely incapacitated for manual labor. The disease has been of gradual progress, and may have originated from typhoid fever."

"The question as to 'origin' of disease must be settled on this testimony, which is partly circumstantial. He can not obtain that of comrades, as the Pension Office requires, because, as he says, his regiment was composed of different nationalities, who dispersed to various localities. Furthermore, he was a musician, by reason of which, and his frequent illness, he was separated from intimate association with members of his regiment. It would seem that, inasmuch as he went in the service in a healthy condition, was for months sick and under treatment in hospital, returned to his home in a broken-down condition, and has traced the progress of his disabilities to a period when he is apparently very near the end of his mortal career, the 'origin' of his illness must have connection with his service.

So convinced are the committee of this fact that the accompanying bill is reported for his relief, with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD D. PATCHIN.

The bill (S. 2455) granting a pension to Edward D. Patchin was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Edward D. Patchin, son of Bernard Patchin, late a private in Company B, Forty-first Regiment Ohio Volunteers.

Mr. COCKRELL. I must ask that that bill be passed over. The Senator from Wisconsin [Mr. SAWYER] who reported it is not here, and the report is not at all satisfactory. It is the introduction of a new class of pensions. I ask that the bill may retain its place on the Calendar and be passed over.

The PRESIDENT *pro tempore*. The bill will go over under objection.

MARGARET S. DAVIS.

The bill (H. R. 5656) granting a pension to Margaret S. Davis was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Margaret S. Davis, widow of Dr. J. E. Davis, late assistant surgeon of the Twenty-seventh Regiment of Michigan Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. DOWNING.

The bill (H. R. 3737) granting a pension to John H. Downing was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John H. Downing, late of Company I, First Pennsylvania Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIET PEAK.

The bill (H. R. 2968) granting a pension to Harriet Peak was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Harriet Peak, widow of Urias Peak, deceased, late of Company E, Tenth Regiment Michigan Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW G. HILLBERG.

The bill (H. R. 7066) for the relief of Andrew G. Hillberg was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Andrew G. Hillberg, late a private in Company A, Sixth Regiment Minnesota State Volunteers, and to grant him a pension for varicose veins in addition to the pension he is now receiving for partial deafness.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M. MATTINGLY.

The bill (H. R. 5951) granting a pension to John M. Mattingly was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John M. Mattingly, late a private in Company A, Tenth Regiment Kentucky Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REBECCA ALLEN.

The bill (H. R. 5645) granting a pension to Rebecca Allen was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Rebecca Allen, widow of John E. Allen, deceased, late a landsman on the United States steamer Atlanta.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JAMES STOBAUGH.

The bill (H. R. 7660) granting a pension to James Stobaugh was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James Stobaugh, late of Company B, Third Regiment Arkansas Cavalry Volunteers.

Mr. COCKRELL. Let the report be read in that case.

The Secretary read the following report, submitted by Mr. SAWYER May 18, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 7660) granting a pension to James Stobaugh, have examined the same, and report:

That an examination of the proofs in this case satisfies the committee that the House report is correct. It is adopted, and is as follows:

"James Stobaugh enlisted June 1, 1862, in Company B, First Arkansas Infantry, and was discharged with his company at expiration of service, December 31, 1862. He re-enlisted in Company B, Third Arkansas Cavalry, September 23, 1863, and was discharged therefrom May 22, 1865.

"In his application for pension he alleges that about September 20, 1863, while performing service as a soldier, he with several others were attacked at Lewisburg, Ark., while there recruiting, and he was wounded in the right shoulder; says that captain and lieutenant are both dead, but the fact is well established by the testimony of several comrades who were present.

"His claim was rejected because the date of receiving wound is alleged by claimant and comrades three days before the date of his enrollment as shown by the records in the War Department.

"The records in the War Department give date of enrollment as September 23, 1863, and date of muster October 23, 1863. It does not seem probable that claimant would have been accepted and enrolled three days after receiving the wound; and as the claimant and comrades fix the date about the 20th, it is not a violent presumption to assume that it was after the enrollment, since this soldier would have been very likely to have enrolled his own name before recruiting others. But even if his wound was received three days before his enrollment it is proven satisfactorily that he was on duty, and his six months' previous and nearly two years' subsequent service clearly entitle him to the relief sought.

"The official examination finds a present disability from the wound. So, in view of all the facts, your committee recommend that the bill do pass." The bill is herewith reported to the Senate with a recommendation that it pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## HENRY N. HUGGINS.

The bill (H. R. 1678) for the relief of Henry N. Huggins was considered as in Committee of the Whole. It proposes to place the name of Henry N. Huggins, dependent father of Andrew P. Huggins, deceased, late a private in Company K, Twenty-fourth Regiment New York Volunteer Infantry, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## FANNIE E. EVANS.

The bill (H. R. 4426) granting a pension to Fannie E. Evans was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Fannie E. Evans, widow of George S. Evans, late colonel of the Second Regiment California Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## FRANCIS DEMING.

The bill (H. R. 2971) granting a pension to Francis Deming was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Francis Deming, late of Company F, Ninth Regiment Michigan Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARY KARSTETTER.

The bill (H. R. 2043) to place Mary Karstetter on the pension-roll was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report be read. That is a bill of remarkable phraseology.

The Secretary read the following report, submitted by Mr. SAWYER May 18, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 2043) to place Mary Karstetter on the pension-roll, have examined the same, and report:

That an examination of the proofs in this case satisfies the committee that the House report is correct. It is adopted, and is as follows:

"Jacob Karstetter, husband of claimant, was in receipt of a pension previous to and at the time of his death of \$18 per month for gunshot wound of left hand, received in action. He died August 21, 1874, of gastritis, alleged to be the consequence of broken constitution, the result of exposure and injuries received in the service. His widow's claim for pension was rejected 'because death resulted from gastritis and congestion of kidneys, due to unknown causes not medically established.'

"The evidence all shows that the soldier was over 6 feet in height, and engaged in farming in the mountains of Pennsylvania at the time of his enlistment; that his health was of the most rugged character; that he returned home wounded and broken down in health; that he never recovered, and that he finally died from some disease, which, as is claimed by the Pension Department, could not be medically established.

"James F. Berry, neighbor, testifies:

"When he came home he was broken down and not able to do manual labor. He complained a good deal after he came home, and was frequently sick and laid up. Saw him often in his last sickness; he was much worn down and very feeble."

"F. H. Van Valzah, M. D., testifies:

"From June, 1870, to 1871 saw soldier almost daily. In months of November and December, 1870, I attended him in an attack of pleuro-pneumonia, brought on by exposure and the broken-down condition of his system. The above trouble was in the left side and lung; he always complained of a weakness in this lung, from some injury received in the service. Affiant thinks a horse ran

against him in the Seven Days fight, injuring him and leaving an enlargement or tumor in the left side, which no doubt has been the starting point of his lung trouble."

"Dr. J. A. Houtz testifies:

"Knew Jacob Karstetter from December, 1871, to date of his death. Do not know anything about his condition before enlistment. He never was under affiant's treatment except during his last illness, which lasted about four weeks. His illness was caused by gastritis and congestion of kidneys. Death was caused by gastritis. Although soldier never consulted affiant before his last illness, affiant frequently heard him say he was not the same man physically he had been before he was in the service. He did very little hard labor during the time affiant knew him."

"From the evidence of these physicians, who attended soldier during his last and a previous severe illness, it is apparent that his broken-down constitution, the result of exposure and service in the Army, predisposed him to several attacks of sickness, the last of which proved fatal.

"Your committee are clearly of the opinion that death can be traced in this case to soldier's service in the Army with very nearly the same degree of certainty (notwithstanding the fact that it cannot be medically established) as if it had been the direct result of a gunshot wound. They therefore report favorably, and recommend that the bill do pass."

The bill is herewith reported to the Senate with a recommendation that it pass.

Mr. COCKRELL. The bill reads as follows:

That Mary Karstetter, widow of Jacob Karstetter, a soldier in the volunteer service of Pennsylvania, be placed on the pension-roll, and receive an allowance of pension as the widow of a soldier.

I think there ought to be some company and regiment stated there.

Mr. EDMUNDS. So there ought. That is very loose indeed.

Mr. BLAIR. Let the bill be passed over.

The PRESIDENT *pro tempore*. The bill will be passed over.

## JESSE B. SCUDDER.

The bill (H. R. 421) granting a pension to Jesse B. Scudder was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Jesse B. Scudder, of Industry, Ill., of Company I, Seventy-eighth Illinois Regiment.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## GILBERT A. PHILIPS.

The bill (H. R. 918) granting a pension to Gilbert A. Philips was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Gilbert A. Philips, of Louisville, Ky., who was appointed a quartermaster in the Army in 1861 by order of General William Nelson.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## LOUISA WEITZEL.

The bill (H. R. 3601) to increase the pension of Louisa Weitzel, widow of Godfrey Weitzel, late a major-general of United States volunteers, was considered as in Committee of the Whole. It proposes to increase to \$50 per month the pension of Louisa Weitzel, widow of Godfrey Weitzel, late a lieutenant-colonel in the Corps of Engineers, United States Army, and a major-general of United States volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## NELSON MONROE.

The bill (H. R. 6088) granting an increase of pension to Nelson Monroe was considered as in Committee of the Whole. It proposes to increase the pension of Nelson Monroe to \$40 per month, in lieu of the pension now received by him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## SAMUEL SHULER.

The bill (H. R. 6237) for the relief of Samuel Shuler was considered as in Committee of the Whole. It proposes to increase the pension of Samuel Shuler, late a private in Company E, Sixty-first Regiment Pennsylvania Volunteers, to \$10 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARIAH E. A. B. NOWELL.

The bill (H. R. 1148) granting a pension to Mariah E. A. B. Nowell was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mariah E. A. B. Nowell, and to pay her a pension during her life of \$12 a month, for her important services to the country during the late civil war.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## THOMAS TEGAN.

The bill (H. R. 3047) granting a pension to Thomas Tegan was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Thomas Tegan, late a private in Company I, Thirty-seventh New York Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ANNIE BAGLEY.

The bill (H. R. 1627) granting a pension to Annie Bagley was considered as in Committee of the Whole. It proposes to place on the pen-

sion-roll the name of Annie Bagley, widow of Robert F. Bagley, late a sergeant of Company F, Fifty-first New York Volunteers, as though her husband had contracted the disability of which he died in the military service of the United States.

Mr. COCKRELL. I do not see the necessity of having in the bill the words, "as though her said husband had contracted the disability of which he died in the military service of the United States." I do not think they are necessary, and I move to strike them out. They might bring up some question of intricacy.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Missouri [Mr. COCKRELL].

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### MEXICAN WAR PENSIONS.

The bill (H. R. 807) granting a pension to the soldiers and sailors of the Mexican war was announced as the next pension bill in order on the Calendar.

Mr. BLAIR. That is a general bill which I should be glad to see passed, but I suppose it is hardly proper to press it now.

The PRESIDENT *pro tempore*. The bill will be passed over.

#### MARGARET J. REIGHTER.

The bill (H. R. 5761) granting a pension to Margaret J. Reighter was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Margaret J. Reighter, widow of Andrew J. Reighter, late of Company H, First Regiment Pennsylvania Reserve Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### SARAH ANN WILLIAMS.

The bill (H. R. 6919) granting a pension to Sarah Ann Williams was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sarah Ann Williams, dependent mother of Kneeland Badger, late a sergeant of Company K, Fourth Vermont Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### CHARLES A. CHASE.

The bill (H. R. 6372) to pension Charles A. Chase was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charles A. Chase, of Fairfield, Me., late of Company C, Thirteenth Maine Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ALICE KELLEY.

The bill (S. 2382) granting a pension to Alice Kelley was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Alice Kelley, a volunteer nurse during the late war, at the rate of \$25 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MARY ANDERSON.

The bill (H. R. 7436) to grant a pension to Mary Anderson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary Anderson, widow of Richard Anderson, late a private in Company I, Seventeenth Regiment Wisconsin Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### HENRY I. CARTIN.

The bill (H. R. 6566) granting a pension to Henry I. Cartin was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Henry I. Cartin, late a private in Company C, One hundred and forty-eighth Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### JOSEPH GUY.

The bill (H. R. 7253) for the relief of Joseph Guy was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Joseph Guy, formerly a member of Company C, One hundred and twenty-first Regiment Ohio Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MAYBERRY VANCE.

The bill (H. R. 6247) granting a pension to Mayberry Vance was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mayberry Vance, of Danville, Pa., late a private in the marine service of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ABNER MOREHEAD.

The bill (H. R. 3304) to restore the name of Abner Morehead to the pension-roll was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of Abner Morehead, late of Company K, One hundred and fifteenth Indiana Volunteers.

Mr. COCKRELL. Let the report be read in that case.

The Secretary read the following report, submitted by Mr. SAWYER May 19, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 3304) to restore Abner Morehead to the pension-roll, have examined the same, and report:

That an examination of the proofs in this case satisfies the committee that the House report is correct. It is adopted, and is as follows:

"The claimant enlisted as a private in Company K, One hundred and fifteenth Indiana Volunteers, August 13, 1863, and was discharged March 27, 1864, and filed his application for a pension September 25, 1866, alleging the incurrence of disability of loss of eyesight resulting from hardship and exposure incident to camp life and field duty. He contracted fever in severe form at Greeneville, Tenn., and before entirely recovering contracted a heavy cold, which settled in his eyes, causing ulceration of the eyes, almost destroying his sight, which has continued up to the present time, rendering him unable to perform any manual labor by reason of loss of sight and general debility resulting from said disability. He was treated in hospital at Knoxville, Tenn., and Indianapolis, Ind."

"Prior to and up to time of enlistment he was a stout, able-bodied man, wholly free from any disease whatever. He was granted a pension November 16, 1867, at the rate of \$8 for disability for loss of sight of right eye and partial loss of the sight of left eye. He was also granted an increase to \$15 per month December 15, 1869, upon the statement of Examining Surgeon Barnes. His pension was discontinued September 26, 1876, upon the statement of a claim agent and special examiner, alleging existence of disability prior to enlistment."

"Claimant made application for restoration February 17, 1882; the Department rejecting the same upon statement of special examiner, as above stated."

"Your committee having made a thorough and complete examination of the very voluminous papers now on file with the Pension Office, and believing this case to be a just and meritorious one, submit the following strong array of evidence in support of claimant's bill:

"Captain George Beauchamp, of claimant's company and regiment, testifies that while in the line of duty at Greeneville, Tenn., about November 1, 1863, soldier took a severe fever, and before recovering took cold from exposure, which settled in his eyes, causing ulceration of the eyes and injury to the sight."

"Claimant's neighbors, B. F. Hart, Dr. Osgood, Dr. Worden, Rev. Hamilton Hays, testify that they had known claimant for years prior to the time of enlistment, and that his eyesight was good."

"John Smith, James South, Thomas Keeling, and John P. Brown, all members of the same company and regiment, swear they enlisted at the same time, and know claimant was free from said disability at the time of his entering the service."

"William Kelley, George C. Massey, and Thomas C. Baker, his neighbors, testify that they worked with claimant in a pork house for a year or more prior to his entering the Army, and that claimant was free from said disability at the time of his enlistment, and that he is now totally blind."

"Therefore your committee, in view of the abundant evidence in claimant's favor and his extreme helplessness and old age, report the bill favorably, with the recommendation that it do pass."

The bill is herewith reported to the Senate with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ANNA KESSINGER.

The bill (H. R. 504) granting a pension to Anna Kessinger was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Anna Kessinger, widow of Daniel F. Kessinger, late a private in Company A, Sixth Regiment Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### JAMES T. IRWIN.

The bill (H. R. 3640) granting a pension to James T. Irwin was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James T. Irwin, late of Company K, Eleventh Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### WILLIAM J. BARKER.

The bill (H. R. 1177) granting a pension to William J. Barker was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William J. Barker, late of Company A, Eleventh Regiment Michigan Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### JAMES H. DARLING.

The bill (H. R. 7257) granting a pension to James H. Darling was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James H. Darling, late of Company G, Seventy-third Regiment Ohio Infantry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### REBECCA REESE M'KEE.

The bill (H. R. 6323) granting a pension to Rebecca Reese McKee was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Rebecca Reese McKee, the widow of Capt. John McKee, a soldier of the war of 1812, at the rate of \$25 per month.

Mr. RIDDLEBERGER. Let the report in that case be read.

The Secretary read the following report, submitted by Mr. SAWYER May 19, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 6323) granting a pension to Rebecca Reese McKee, have carefully examined the same, and adopt the report of the House of Representatives, and report in favor of the bill and recommend its passage.

The claimant, Rebecca Reese McKee, was married to John McKee, of Iredell County, North Carolina, on the 23d day of December, 1838, and she is now over ninety years of age. On the 19th day of March, 1880, she made application to the Commissioner of Pensions for a pension as the widow of said John McKee, on account of his services as a captain of the Detached Militia of North Carolina, war of 1812, but the application was rejected on the ground that there was no record or other evidence of the service of said soldier. There has been submitted to your committee a printed copy of the—

"Muster-rolls of the soldiers of the war of 1812 detached from the militia of North Carolina in 1812 and 1814, published in pursuance of the resolution of the General Assembly of January 28, 1851, and a resolution of the General Assembly of February 25, 1873, under the direction of the adjutant-general."

The adjutant-general of North Carolina, under date of March 6, 1873, certifies these rolls to be a true copy of the records of his office, and they show that John McKee was captain of the Iredell County company of the Sixth Regiment of the Detached Militia of North Carolina, commanded by Lieut. Col. Richard Allison. Satisfactory evidence has been filed with the committee showing that John McKee, the husband of the claimant, is the same person who was captain of said Iredell County company.

To correct a mistake in the names of the claimant and her husband your committee recommend that the bill do pass.

Mr. RIDDLEBERGER. It is far from any purpose of mine to oppose the pension. I simply want to call the attention of the Senate to the fact that we are pensioning soldiers, or the widows of soldiers, and now we are getting down to the widows of soldiers of the war of 1812 married many years after the close of that war. I only call attention to it.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. ALICE E. TRAVERS.

The bill (H. R. 6753) granting a pension to Mrs. Alice E. Travers was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Alice E. Travers, widow of John Travers, late of the Third Michigan Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARIA CUNNINGHAM.

The bill (H. R. 5414) granting a pension to Maria Cunningham was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Maria Cunningham, widow of William H. Cunningham, deceased, late of Company K, One hundred and twelfth Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CUMMINS PORTER.

The bill (H. R. 8086) granting a pension to Cummins Porter was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Cummins Porter, late a private in Company F, Second Regiment Ohio Volunteer Heavy Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY HAWHE.

The bill (H. R. 5232) for the relief of Mary Hawhe, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary Hawhe, widow of Arthur J. Hawhe, late lieutenant-colonel of the Forty-ninth Indiana Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZA NEWMAN.

The bill (H. R. 5492) granting a pension to Eliza Newman, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Eliza Newman, widow of Lazarus Newman, late a private in the One hundred and forty-ninth New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. M. AUGUSTA BARNES.

The bill (S. 1932) granting a pension to Mrs. M. Augusta Barnes was considered as in Committee of the Whole.

The Committee on Pensions reported an amendment, in line 8, after the words "rate of," to strike out "fifty" and insert "forty;" so as to make the bill read:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. M. Augusta Barnes, widow of Surgeon Norman S. Barnes, late of the Twenty-seventh New York Volunteers, at the rate of \$40 per month, in lieu of the pension she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CECELIA C. M'KENNA.

The bill (H. R. 7509) granting a pension to Cecelia C. McKenna was

considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Cecelia C. McKenna, mother of John H. McKenna, late a private in the United States Marine Corps, at the rate of \$25 per month, in lieu of the pension now received by her.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMOS C. WERTZ.

The bill (H. R. 5434) granting a pension to Amos C. Wertz was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Amos C. Wertz, late a sergeant of Company L, Second Regiment United States Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL J. BINGMAN.

The bill (H. R. 3501) granting a pension to Daniel J. Bingman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Daniel J. Bingman, late of Company H, Fifth Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET MAYHAM.

The bill (H. R. 6176) granting a pension to Margaret Mayham was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Margaret Mayham, widow of William Mayham, late lieutenant of Company A, One hundred and forty-fourth Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES FOREMAN.

The bill (H. R. 6193) granting a pension to Charles Foreman was considered as in Committee of the Whole. It proposes to place the name of Charles Foreman, late a private in Company G, Thirty-sixth United States Colored Troops, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN F. CHASE.

The bill (H. R. 4382) granting a pension to John F. Chase was considered as in Committee of the Whole. It proposes to increase the pension of John F. Chase, late of the Fifth Maine Battery, to \$46 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN BUTLER.

The bill (H. R. 5411) granting a pension to John Butler was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Butler, late of Company E, Fourteenth Regiment Pennsylvania Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SOPHRONIA WITHAM.

The bill (H. R. 7641) granting a pension to Sophronia Witham was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sophronia Witham, widow of Robert McGill, late a private in Company A, Twelfth Regiment Maine Volunteers.

Mr. COCKRELL. Let the report be read.

The Secretary read the following report, submitted by Mr. BLAIR May 19, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 7641) granting a pension to Sophronia Witham, have examined the same, and report:

Your committee concur in the report of the Committee on Invalid Pensions of the House of Representatives (House Report No. 1530) hereto annexed, and report back the bill with a recommendation that it do pass.

The petition in this case, which we append, is supported by several affidavits and discloses the following facts: The petitioner was pensioned as widow of Robert McGill, a private in Company A, Twelfth Maine Regiment, who died from wounds received while on picket before Port Hudson, La., May 26, 1863. Subsequently she was married to one Aaron Witham, and her pension ended. Witham died in 1882, leaving no property. Mrs. Witham is now very poor and entirely destitute. She has depended upon charity for the last two years, and, unless her pension is renewed, must go to the poor-house. She has no relatives upon whom she can call for aid. Two of her brothers, as well as her first husband, were killed in the Army. She has suffered from a paralytic shock and can perform no labor. Congress has in several instances granted relief under like circumstances, and your committee accordingly report the accompanying bill for her relief, with recommendation that it pass.

PETITION OF SOPHRONIA WITHAM.

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

The undersigned, a resident of the town of Lebanon, in the county of York and State of Maine, respectfully represents that her husband, Robert McGill, was a soldier in the service of the United States during the late war, and was killed while in the service; that at the time of his death she had three daughters who were dependent upon her for support; that a pension was granted to her, and with that she was unable to support herself and daughters; that on the 2d day of May, 1870, she was married to one Aaron Witham, of Acton, Me., who lived on a good farm and represented to her that he was the owner thereof and had a good property. By reason of these representations, and in order that she might more comfortably support her children—who were, respectively, aged nine, twelve, and fifteen—she was induced to be married. Aaron Witham died on the 5th of April, A. D. 1882, leaving no property, and I am entirely destitute and not able to do anything to support myself, having had a paralytic shock,

and must become chargeable as a pauper unless I can have my pension restored. I therefore pray your honorable body for the passage of an act of Congress restoring me to the pension-list, and that I may be paid my pension from May 2, 1870. I am now fifty-two years of age.

her  
SOPHRONIA + WITHAM.  
mark.

LEBANON, December, 1883.

Witness:  
WILLIAM EMERY.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JEREMIAH M. FITGER.

The bill (H. R. 1945) granting a pension to Jeremiah M. Fitger was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Jeremiah M. Fitger.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PHILIP ARNER.

The bill (H. R. 6266) granting a pension to Philip Arner was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Philip Arner, late first lieutenant of Company E, Sixty-second Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FREDERICK MARION.

The bill (H. R. 6147) granting a pension to Frederick Marion was considered as in the Committee of the Whole. It proposes to place on the pension-roll the name of Frederick Marion, late of Company K, Thirty-first Regiment Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL KITZMILLER.

The bill (H. R. 4226) for the relief of Samuel Kitzmiller was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Samuel Kitzmiller, father of John Kitzmiller, deceased, late of Company B, One hundred and thirty-eighth Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID L. McDERMOTT.

The bill (H. R. 5435) granting a pension to David L. McDermott was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of David L. McDermott, late a private in Company K, One hundred and seventh Regiment Pennsylvania Volunteers.

Mr. COCKRELL. Let the report be read.

The Secretary read the following report, submitted by Mr. BLAIR May 19, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 5435) granting a pension to David L. McDermott, have examined the same, and report:

Your committee have considered the facts in this case, which are stated in the annexed report (House Report 1583), and recommend the passage of the bill.

[House Report No. 1583, Forty-ninth Congress, first session.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5435) granting a pension to David L. McDermott, respectfully report:

David L. McDermott was enrolled on the 23d day of February, 1862, in Company K of the One hundred and seventh Regiment of Pennsylvania Volunteers, and was discharged on the 7th day of June, 1862.

He claims a pension on the following basis: While a member of the organization aforesaid, in the service, and in the line of his duty, at Washington, D. C., on or about the 4th day of March, 1862, he was in the act of harnessing a mule and was kicked on the left leg above the ankle, causing a fracture of the said limb. That since he received the said injury several bones have come out of the leg, and it is now open and become a chronic sore, depriving him of the use of it, and having to use two crutches.

The Pension Office has notified claimant that his claim can not be further considered until certain evidence is furnished. As claimant can not possibly at this late day comply with the requirements of the Department, the claim stands almost a rejected one; hence his appeal to Congress.

The board of examining surgeons of Harrisburg, Pa., in report dated September 21, 1881, state:

"In our opinion the said applicant is total two grade incapacitated for obtaining his subsistence by manual labor from fracture of left leg caused by kick of mule. It is our opinion that the said disability did originate in the service in the line of duty, and the disability is permanent. At present the leg is one mass of disease, due to carious bone. The whole tibia seems to be involved, as the fistulous openings extend from knee to ankle-joint."

The assistant surgeon-general, United States Army, states "there are no records of the regiment named within on file in this office," in reply to the usual letter of inquiry from the Commissioner of Pensions.

As to the soldier having incurred the sore leg in the Army service, Adam Bloom, comrade, testifies:

"That he has been personally acquainted with claimant for about thirty-five years. That he enlisted with him in Company K, One hundred and seventh Regiment Pennsylvania Volunteers; that he, in company with claimant, was detailed to post duty at Washington, D. C., in the capacity of driver or teamster; that on the morning of March 4, 1862, deponent and claimant, in the line of duty, were driving Government teams through the said city of Washington, D. C., and somewhere along Twenty-second street claimant was in the act of hitching up or harnessing a mule, to be substituted for one that was disabled in his team, and the mule becoming refractory and unmanageable kicked and knocked claimant down and trampled him in a frightful manner. Deponent, assisted by others, carried claimant back to his tent, and upon examination found his left leg badly bruised from the ankle to the knee. Two weeks after he saw claimant again in the hospital, in bed, unable to stir or walk. In June, 1862, deponent took soldier from hospital and hauled him home; he was still seriously disabled

and totally unable to walk. He has frequently been with claimant since discharge, and knows that he (claimant) was always unable to do any hard physical labor by reason of his sore leg."

David Miller testifies to substantially the same as above quoted. Thompson Anderson also testifies similarly.

From the evidence as above detailed it appears that this soldier received an injury to his leg while in line of duty; that this injury was of great severity at the time of its occurrence, and has continued ever since in an increasing degree. The board of examining surgeons state that the leg is in a very bad condition from the caries of the bone, portions of which are discharged from time to time, and eventually its amputation may become necessary. The case was delayed in the Pension Bureau for lack of evidence as to the incurrence of the injury as claimed. The claim was grossly neglected by reason of want of diligence on the part of the person having it in charge, otherwise it is clear that the soldier would have long since been in receipt of the pension to which it is the opinion of your committee he is justly entitled. The lacking evidence has been furnished this committee, duly certified to, as quoted above.

They therefore, deeming this to be a meritorious case, recommend the passage of the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH BROOKS.

The bill (H. R. 3645) granting a pension to Sarah Brooks was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sarah Brooks, mother of William Brooks, jr., deceased, late a private in Company D, Sixty-first Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY BOLLMAN.

The bill (H. R. 3366) granting a pension to Henry Bollman was considered as in Committee of the Whole. It proposes to place the name of Henry Bollman, late of Company L, Fourteenth Regiment Pennsylvania Cavalry, and now a resident of Harwood, Wayne County, Iowa, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET LUCAS.

The bill (H. R. 6812) granting a pension to Margaret Lucas was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Margaret Lucas, widow of Samuel Lucas, late a private in Company M, Second Regiment New York Heavy Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. CRAMBLETT.

The bill (H. R. 6000) granting a pension to George W. Cramblett was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of George W. Cramblett, dependent father of John C. Cramblett, late of Company G, Ninety-seventh Ohio Volunteers.

Mr. WILSON, of Iowa. That is an adverse report. I wish to state that since it was made I have received information of the death of Mr. Cramblett, for whose relief the bill was introduced, and in justice to this aged man I wish to read the concluding paragraph of the report of the House committee, which is as follows:

Affidavit after affidavit has been filed from county officers and citizens of highest character, showing conclusively that the claimant was very poor at date of soldier's death, and has been so continually since; has been an object of charity much of the time; is now an inmate of the almshouse; is seventy-five years old. It is further clearly shown that he has always been a man of sobriety, of good habits and character. In view of all which, and the further fact that his first born, upon whom he had a right to expect to lean in his old age, was shot down while battling for his country's honor and preservation, your committee believe that the country should place him on its pension-roll as a dependent father, and therefore recommend the passage of the bill.

Inasmuch as this old gentleman has passed beyond the relief proposed by this bill, I now move that it be indefinitely postponed.

Mr. RIDDLEBERGER. Was he in the Army?

Mr. WILSON, of Iowa. The son was in the Army, and this bill is a bill for the relief of the dependent father.

The bill was postponed indefinitely.

ELIZA M. FERRIS.

The bill (S. 2427) for the relief of the legal representatives of Eliza M. Ferris was considered as in Committee of the Whole. It proposes to pay to Reuben D. Smart, administrator of Eliza M. Ferris, deceased, the sum of money to which she would have been entitled by pension-certificate 220860, which was not issued until four days after her death.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET A. POLAND.

The bill (H. R. 5154) granting a pension to Margaret A. Poland was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "dollars," to strike out "eight" and insert "twelve," and after the word "month," in the same line, to strike out the following words:

and continue during the term of her natural life, and Alexander Poland having been killed by armed soldiers of the late Confederate States Government on that date, for feeding Union soldiers, furnishing supplies to the United States

Army, and because of his devotion to the Union, which pension shall be paid quarterly at the pension agency nearest to Washington, D. C., the arrears to be paid the date of the first quarterly payment of United States pensioners occurring after the passage of this act.

So as to make the bill read:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Margaret A. Poland, widow of Alexander Poland, late of Leesburg, Loudoun County, State of Virginia, at the rate of \$12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

LOUIS A. WOLLENWEBER.

The bill (H. R. 6248) granting a pension to Louis A. Wollenweber was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Louis A. Wollenweber, father of Louis A. Wollenweber, deceased, late a private in Company K, Ninetieth Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEVI L. TONGUE.

The bill (H. R. 7437) to increase the pension of Levi L. Tongue was considered as in Committee of the Whole. It proposes to increase the pension of Levi L. Tongue, late a private in Company I of the Sixth Regiment of Wisconsin Volunteer Infantry, to \$20 per month, in lieu of the pension he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SPENCER W. TRYON.

The bill (H. R. 7249) to pension Spencer W. Tryon was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Spencer W. Tryon, late a private in Company E, Fourteenth Regiment Illinois Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CYRUS DUBBS.

The bill (H. R. 7407) granting a pension to Cyrus Dubbs was considered as in Committee of the Whole. It proposes to place on the pension-roll, at the rate of \$12 per month, the name of Cyrus Dubbs, the poor, blind brother of Hiram N. Dubbs, late of Company F, Fourth Pennsylvania Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILHELM NOLTE.

The bill (H. R. 7688) granting a pension to Wilhelm Nolte was considered as in Committee of the Whole. It proposes to place the name of Wilhelm Nolte, late a private in Company A, Twenty-second Regiment Indiana Volunteers, on the pension roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWIN R. PARKS.

The bill (H. R. 7843) granting a pension to Edwin R. Parks was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Edwin R. Parks, late a sergeant of the Thirtieth Regiment of United States Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GREEN CHAMBERS.

The bill (H. R. 7299) for the relief of Green Chambers was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Green Chambers, late a private in Company H, One hundred and fifteenth United States Colored Troops.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL MILLER.

The bill (H. R. 7401) granting a pension to Samuel Miller was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Samuel Miller, late a private in Company C, Eleventh Regiment Pennsylvania Reserves.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH HARBAUGH.

The bill (H. R. 6895) granting a pension to Sarah Harbaugh was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sarah Harbaugh, widow of George F. Harbaugh, late a private in Company C, Sixty-first Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET D. MARCHAND.

The bill (H. R. 2060) granting a pension to Margaret D. Marchand was announced as next in order.

The PRESIDING OFFICER (Mr. CULLOM in the chair). The Chair calls attention to the fact that this bill has been passed already by both Houses as a Senate bill.

Mr. McMILLAN. Let it be passed over.

The PRESIDING OFFICER. The Chair is informed that the Senate bill has been passed by the House—a bill similar to this.

Mr. COCKRELL. This bill ought then to be indefinitely postponed.

Mr. BLAIR. This is a House bill.

The PRESIDING OFFICER. The Chair is informed that the Senator from New Jersey [Mr. SEWELL] notified the Clerk of the Senate that the Senate bill had been passed by the House, and that this bill should be indefinitely postponed when reached.

Mr. BLAIR. Let it be indefinitely postponed.

The bill was postponed indefinitely.

WILLIAM DERMODY.

The bill (H. R. 1505) granting a pension to William Dermody was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William Dermody, late a private in Company E, Fifth Regiment New Jersey Infantry, and in Company H, Seventh Regiment New Jersey Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD L. HILL.

The bill (H. R. 5333) granting a pension to Edward L. Hill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Edward L. Hill, late of Company G, Fifteenth Regiment New Jersey Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROXANA V. ROWLEY.

The bill (H. R. 5306) granting a pension to Roxana V. Rowley was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Roxana V. Rowley, of Winona, Minn., widow of the late Franklin Rowley, first lieutenant of Company D, One hundred and ninety-fourth Regiment Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JULIA CONNELLY.

The bill (H. R. 6257) for the relief of Julia Connelly was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Julia Connelly, widow of Thomas Connelly, late a private in Company G, Seventy-ninth Regiment Pennsylvania Volunteer Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES L. M'CLARRAN.

The bill (H. R. 1943) granting a pension to James L. McClarran was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James L. McClarran, late of Company H, Twenty-third Regiment of Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH PROST.

The bill (H. R. 5307) granting a pension to Lieut. Joseph Prost was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Joseph Prost, late a lieutenant of Company E, Fifty-fifth Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY ANIN.

The bill (H. R. 5334) granting a pension to Henry Anin was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Henry Anin, late a private in the Forty-first Regiment United States Colored Troops.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACKSON STEWARD.

The bill (H. R. 7979) granting a pension to Jackson Steward was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Jackson Steward, late a member of Companies C and E of the Sixth Kansas Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. MARGARET A. JACOBY.

The bill (H. R. 5021) granting a pension to Mrs. Margaret A. Jacoby was considered as in Committee of the Whole. It proposes to place on

the pension-roll the name of Mrs. Margaret A. Jacoby, widow of Sanford Jacoby, late of Company F, Seventieth New York Volunteers.

Mr. EDMUNDS. That does not show the rank the soldier held. It says "late of Company F." Was he an officer or a private? I think the report had better be read to let us see whether that is correct in point of form.

The Secretary read the following report, submitted by Mr. SAWYER on the 25th of May, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 5021) granting a pension to Mrs. Margaret A. Jacoby, have examined the same, and report:

That an examination of the proofs in this case satisfies the committee that the House report is correct. It is adopted, and is as follows:

"That Sanford Jacoby, the husband of the claimant, enlisted April 20, 1861, in Company F, Seventieth Regiment New York Volunteers, and was discharged July 1, 1864. The soldier's claim for pension was submitted for admission December 1, 1884, and approved for total deafness and chronic diarrhoea, granting him a pension for \$5 per month, commencing July 1, 1864, and ending September 7, 1875, date of soldier's disappearance. The widow's application was filed July 17, 1885, and rejected by the Department August 6, 1885, upon the ground that fact, date, and cause of soldier's death not shown, and inability of applicant to furnish the necessary proof.

"The basis of the claim is that while the soldier was engaged in the battle of Gettysburg, Pa., July 2, 1863, by reason of concussion from discharge of artillery, he was rendered almost totally deaf, and also contracted chronic diarrhoea, by reason of which he was totally disabled for military duty; that he never recovered, but has been totally deaf in right ear ever since, and afflicted with chronic diarrhoea.

"Claimant testifies that when her husband returned from the Army in 1864 he was suffering from chronic diarrhoea and deafness contracted while in the service; that while residing with deponent at Greene, Chenango County, New York, on or about the 7th day of September, 1875, he left and has never been heard from since; that she made diligent search and inquiry for him, and that she has been unable to ascertain or learn anything about him, and that she verily believes he is now deceased; that he had been sick for a week before he left and had done no work; that he was despondent by reason of his said disabilities and did not seem to be in his right mind; that he was not then able to support deponent, and that she has not received any support from him since.

"Dr. Charles M. Lawrence, of Port Jervis, N. Y., testifies that he treated soldier upon his discharge and return from the Army for chronic diarrhoea and deafness, and has treated him at frequent intervals for said disabilities up to 1873, when he removed to Greene, Chenango County, New York, and that said diseases were likely to prove fatal.

"Dr. Marcus M. Wood, of Greene, Chenango County, New York, testifies that he treated soldier for deafness and chronic diarrhoea at intervals from 1873 to 1875, and that the diarrhoea laid him up about half the time until the summer of 1875, when he left town. He was then suffering from both of those disabilities, which probably have proven fatal before this date (August 20, 1885). Have no doubt that his complaints were caused by exposure while in the service.

"Jane Brown testifies that she is a sister of soldier's wife; has always lived near her said sister during her residence at Port Jervis, N. Y., which has been continuous since her marriage, except for six or seven years, when she lived at Greene, Chenango County, New York, during which time she was deserted by her husband, and since that time her sister has resided at Port Jervis, N. Y.

"Adela Cunningham, Murates Beach, Henry P. Bates, and Lucius P. Clark all testify that the said Sanford Jacoby disappeared in 1875, and have never seen him since.

"The decision of the Secretary of the Interior, regarding the presumption of death, is as follows:

"That cases arise in which it is impossible to obtain positive proof of the soldier's death, but the presumption of his death from causes connected with the service is so strong as to justify the allowance of a claim for pension made on behalf of his widow, children, or dependent relatives.

"The presumption of common law is that a person who has been absent and not been heard from for seven years is dead. The presumption may properly be accepted under the pension law, and if, when last heard from, soldier was suffering from serious disease contracted or injury received in the line of duty in the service, it may be presumed that his death occurred from such cause if there is nothing in the circumstances to rebut such presumption.

"Your committee are of the belief that the proofs, with the fact that the soldier has not been paid his pension since the date of his disappearance, justify the presumption that the soldier is dead, and that his death was the result of disease contracted while in service in the line of duty, and recommend that the bill do pass."

The bill is herewith reported to the Senate with a recommendation that it do pass.

Mr. EDMUNDS. Ought not the bill to state that he was a private?

Mr. COCKRELL. It will not hurt it, but it is not very material.

Mr. BLAIR. He is described expressly by his company.

Mr. EDMUNDS. But there may be a technical difficulty very possibly.

Mr. COCKRELL. He will be taken to be a private unless specified as an officer.

Mr. EDMUNDS. On the statement of the Senator from Missouri that that is the law, of course I have no observation to make. It is rather a loose way of doing the thing, I think.

Mr. WILSON, of Iowa. The rank of a soldier is determined by the papers on file in the Pension Office. Of course those will be examined by the Commissioner of Pensions in determining what pension to grant.

Mr. EDMUNDS. But in all those bills, rightly, as I suppose, it is stated, except in this one, what rank the person held. Here is one that does not state what rank he held.

Mr. COCKRELL. I do not believe there is any doubt about the law. Unless the papers show to the contrary he will be taken to be a private or a non-commissioned officer.

Mr. EDMUNDS. Suppose he happened to be a captain?

Mr. COCKRELL. Then the papers will have to show that in the office before he will get the pension.

Mr. WILSON, of Iowa. The discharge or muster-out will show that.

Mr. EDMUNDS. Of course the papers would show; but then that

would go to prove that all these provisions in the special laws which describe the status of the person are entirely unnecessary and we might in those bills merely say, "You are to put this person," of such a regiment, in order to identify who he was, "on the pension-roll."

Mr. WILSON, of Iowa. This is not an unusual form, however.

Mr. EDMUNDS. I think it is from my listening here during the day.

Mr. TELLER. "Subject to the limitations of the pension laws" is all that is necessary.

Mr. EDMUNDS. Then there is a good deal that is unnecessary in describing what the person was in all these bills.

Mr. TELLER. That is for the purpose of identity only; there can be no other purpose.

Mr. EDMUNDS. Yielding to the Senators who know so much more about it, I make no objection.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LUCY G. DUTCHER.

The bill (H. R. 6430) granting a pension to Lucy G. Dutcher was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lucy G. Dutcher, widow of Nathaniel Dutcher, late of Company D, Twelfth Regiment Wisconsin Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. ADALINE P. LOY.

The bill (S. 2479) granting a pension to Mrs. Adaline P. Loy was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Adaline P. Loy, widow of Joseph F. Loy, late captain of Company H, Fourth Regiment Wisconsin Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZA WILKINS.

The bill (S. 2459) granting a pension to Eliza Wilkins was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Eliza Wilkins, widow of Orrin Wilkins, late a private in Company A, First Regiment of Iowa Cavalry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SIDNEY DENTON.

The bill (S. 2420) granting a pension to Sidney Denton was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sidney Denton, late a private in Company F, Thirteenth Regiment Wisconsin Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN G. WARREN.

The bill (S. 2391) granting a pension to John G. Warren was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John G. Warren, late a private in the Eighth Regiment Wisconsin Light Artillery.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALONZO RAYMOND.

The bill (S. 2388) granting a pension to Alonzo Raymond was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Alonzo Raymond, father of Platt Green Raymond, late a private in Company E, Fifth Regiment Wisconsin Volunteers, at \$12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH GARAGHTY.

The bill (S. 2366) granting a pension to Elizabeth Garaghty was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth Garaghty, widow of Michael Garaghty, late of Company A, Forty-fourth Wisconsin Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARCEL GAGNON.

The bill (S. 2363) granting a pension to Marcel Gagnon was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Marcel Gagnon, late of Company A, Hatch's battalion Minnesota cavalry, at the rate of \$10 per month, in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SARAH C. WRIGHT.

The bill (S. 1614) granting a pension to Sarah C. Wright was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sarah C. Wright, widow of John W. Wright, late of Company D, Seventy-seventh Regiment Enrolled Militia of Missouri, and who was pensioned by special act of Congress approved January 31, 1885.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES F. HILDRETH.

The bill (H. R. 4124) granting a pension to Charles F. Hildreth was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charles F. Hildreth, late surgeon of the Fortieth Massachusetts Regiment.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARIA A. BIRNEY.

The bill (H. R. 7156) to increase the pension of Antionette Birney, widow of Maj. Gen. David B. Birney, was considered as in Committee of the Whole.

The Committee on Pensions reported to amend the bill, in line 4, by striking out the name "Antionette" and inserting "Maria A.;" so as to make the bill read:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Maria A. Birney, widow of Maj. Gen. David B. Birney, from \$30 to \$50 a month, subject to the provisions and limitations of the pension laws.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to increase the pension of Maria A. Birney, widow of Maj. Gen. David B. Birney."

JOHN WINES.

The bill (S. 2478) granting a pension to John Wines was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Wines, father of Rufus H. Wines, late a private in Company E, Twenty-sixth Regiment Michigan Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARTHA M'ILWAIN.

The bill (H. R. 7162) granting a pension to Martha McIlwain was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Martha McIlwain, widow of Robert J. McIlwain, late a sergeant of Company K, Eighth Regiment Pennsylvania Reserves.

Mr. EDMUNDS. I would like the Senator from New Hampshire to state what the term "Pennsylvania Reserves" means. Does it seem to imply necessarily that these people were in the war? I dare say they were in fact; but for the benefit of the record I should like to have the Senator state about that.

Mr. BLAIR. The Pennsylvania Reserves were among the best drilled and bravest and most efficient of the troops on the Union side in the late war. They participated with great distinction in the battle of Gettysburg.

Mr. EDMUNDS. Were they United States troops, or only State troops?

Mr. BLAIR. They went by that name, but they were in the service of the United States. I do not know but they may properly be said to have been the crack troops of Pennsylvania.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS A. ROWLEY.

The bill (H. R. 6250) to increase the pension of Thomas A. Rowley was considered as in Committee of the Whole. It provides that Thomas A. Rowley, late a brigadier-general of volunteers, shall be entitled to receive an increase of pension of \$10 per month in addition to the allowance heretofore paid to him.

Mr. EDMUNDS. How much was the previous allowance? Let us hear the report.

The Secretary read the following report, submitted by Mr. SAWYER May 26, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 6250) granting a pension to Thomas A. Rowley, have examined the same, and report:

That an examination of the proofs in this case satisfies the committee that the report of the House is correct. It is adopted, and is as follows:

Thomas A. Rowley was colonel of the One hundred and second Regiment Pennsylvania Volunteers; promoted to be brigadier-general. He is now in receipt of \$15 per month for injuries received at the battle of Fair Oaks, Va., which disabilities are described as follows by the examining surgeons:

"There is a cicatrix 1 inch to the left of crest of occipital bone over inferior curved line. The cicatrix is tender, with considerable thickening of periosteum. He complains of pain radiating from cicatrix over left side of head. He states that seven pieces of bone have been removed and discharged from site of wound. He also states that since receipt of injury he has had frequent attacks of hemiparesis. We think the present rating too low—disability one-half."

"General Rowley's disabilities have very considerably increased since the above examination. He is now seventy-seven years of age, is partially paralyzed, and in indigent circumstances."

"Your committee, considering the serious nature of the wound received in the battle, his helpless condition at present time, which is clearly shown, together with his extreme age and poverty, recommend the passage of the bill."

The bill is herewith reported to the Senate with a recommendation that it do pass.

Mr. EDMUNDS. Is that a House bill?

The PRESIDING OFFICER. It is.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REBECCA ROBERTS.

The bill (H. R. 8111) granting a pension to Rebecca Roberts was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Rebecca Roberts, widow of Clark Roberts, who was lately surgeon of the One hundred and first Regiment Illinois Volunteers, at the rate provided by the pension laws for widows of surgeons in volunteer regiments.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

K. G. BILLINGS.

The bill (H. R. 2242) restoring to the pension-roll the name of K. G. Billings was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of K. G. Billings, of Lancaster County, South Carolina, formerly a soldier in the Mexican war.

Mr. EDMUNDS. Let us hear the report. What is the trouble about that Mexican veteran?

Mr. BLAIR. There is no trouble about it. We are restoring him, putting him on the roll again.

Mr. EDMUNDS. I should like to hear the report.

The Secretary read the following report, submitted by Mr. SAWYER May 26, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 2242) granting a pension to K. G. Billings, have examined the same, and report:

That an examination of the proofs in this case satisfies the committee that the House report is correct. It is adopted, and is as follows:

"The Committee on Pensions, to whom was referred the petition of Kennedy G. Billings, asking to be restored to the pension-rolls, and for back pension, submit the following report:

"The committee, after examination, find that at the outbreak of the war with Mexico Kennedy G. Billings enlisted as a lieutenant in Captain Cauty's company of the regiment of South Carolina volunteers, and served with distinction during that entire war, and, as is shown by the affidavit of T. J. Mackey, filed in this case, he fought with great bravery, doing honor to himself and his country, and at the time when his company became reduced, by casualties in battle, from one hundred and fifteen to but nine or ten men fit for duty, he voluntarily entered the ranks with a musket and fought at the battles of Chapultepec and at the Garita de Belen in the capacity of a private soldier."

"That on the 10th day of January, 1854, a pension was granted said Billings for services rendered his country in said war, at the rate of \$17 per month, payable semi-annually on the 4th of March and the 4th of September, at the Charleston agency. That the pension so granted him was paid regularly up to the 4th day of September, 1860, when, without assigning any reason, the agent declined to pay him anything more, and he has received no payment on account of said pension since said last-mentioned date."

"Your committee are of the opinion that said Billings should be restored to the pension-rolls at the rate of \$17 per month, and to that end report the accompanying bill, with recommendation that it do pass."

The bill is herewith reported to the Senate with a recommendation that it do pass.

Mr. EDMUNDS. I should like to hear that bill read again.

The PRESIDING OFFICER. The bill will be again read.

The bill was read.

Mr. EDMUNDS. Would that bill as it stands give this person an allowance for the twenty-five years or over that have passed since he got his pay? And perhaps the acting chairman of the committee can tell us what this person was engaged about during the four years from 1861 to 1865. We ought to deal fairly with all these cases and all alike upon some fair principle. If the present state of the law is as I suppose—I do not at this moment remember, though I think it is—that those who were on the pension-roll and went into the rebellion lost their right to a pension, to take out this particular person would be invidious. I do not say whether I would not vote to restore all, beginning from now, for their old services; but that is quite another question. To take out this particular person and put him on the pension-roll and leave everybody else off would seem to require some explanation. I would like to hear from my friend from New Hampshire on this point.

Mr. BLAIR. I ask that that case be passed over informally. I am anxious to get through with the rest of the pension bills to-day. The Senator from Wisconsin [Mr. SAWYER] reported the case, and is more familiar with it than I am.

The PRESIDING OFFICER. The bill will be passed over.

LYDIA HADLOCK.

The bill (H. R. 1142) granting a pension to Lydia Hadlock was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lydia Hadlock, of Lexington, Mass., widow of Colburn Hadlock, who served three months in the war of 1812.

Mr. COCKRELL. I move to strike out, beginning in line 5, the words "act of Congress approved March 9, 1878 (twentieth Statutes at Large, page 27)," and then, after the words "widow of Colburn Hadlock," to strike out the words "who served three months in the war of 1812," and say, "widow of Colburn Hadlock, late a soldier of the war of 1812."

Mr. EDMUNDS. On that point I should like to hear the report.

The PRESIDING OFFICER. The report will be read.

Mr. RIDDLEBERGER. I ask to have the bill read again.

The PRESIDING OFFICER. The bill will be read, and the report. The Secretary read the bill.

Mr. HOAR. Let me ask the Senator from Missouri what is his objection to the bill?

Mr. COCKRELL. We never pass a bill referring to any special act which is the law. This says, according to a certain act. There is no necessity for that, for the act named is a general pension law. Then it says "who served three months in the war of 1812." This man never was an enlisted soldier, but was a teamster, and the record shows that. Let the report be read.

Mr. EDMUNDS. I asked to have the report read.

Mr. WILSON, of Iowa. The report also shows that he discharged the duties of a soldier in the artillery.

Mr. HOAR. I know this old lady very well. She lives in Lexington, Mass., now, and lived formerly in the town where I was born, Concord. I was not aware of this application; it has come through somebody else than me; but I know very well that Mr. Hadlock received a bounty as a soldier.

Mr. COCKRELL. A land-warrant?

Mr. HOAR. Yes; a land-warrant.

The PRESIDING OFFICER. The report will be read.

The Secretary read the following report, submitted by Mr. SAWYER May 26, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 1142) granting a pension to Lydia Hadlock, have examined the same, and report:

That an examination of the proofs in this case satisfies the committee that the House report is correct. It is adopted, and is as follows:

"Lydia Hadlock, ninety-two years of age, is the widow of Colburn Hadlock, who served in the war of 1812, and whose name was carried on the rolls as a teamster. He served less than a year, but during his time of service was attached to the artillery, and performed his duties as other soldiers did to the close of the war. He received a land-warrant, as appears from the records of the Interior Department.

"In view of these facts of actual service as a soldier your committee recommend the passage of the bill."

The bill is herewith reported to the Senate with a recommendation that it do pass.

Mr. WILSON, of Iowa. This is a House bill; and while its recitals may be somewhat unusual, yet it seems to me they are not sufficiently so to justify an amendment and sending the bill back to the House.

Mr. COCKRELL. I withdraw my motion to amend.

Mr. WILSON, of Iowa. The lady can get a pension under this bill as well as under any other form.

Mr. EDMUNDS. I am inclined to think on looking at the act referred to in the House bill that it is wise and necessary to have it in, because it is by force of that act and not the general pension laws that this pension can be defined.

Mr. COCKRELL. That is a general pension law.

Mr. EDMUNDS. It is possibly, but I think the House were rather wise in putting it in.

The PRESIDING OFFICER. The amendment is withdrawn.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ANNA A. PROBERT.

The bill (H. R. 7703) granting a pension to Anna A. Probert was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Anna A. Probert, widow of George C. Probert, late a first lieutenant in the Third Ohio Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### CLARK DOON.

The bill (H. R. 7931) increasing the pension of Clark Boon was considered as in Committee of the Whole. It proposes to increase the pension of Clark Boon, late a member of Company H, Thirty-third Regiment of Iowa Volunteers, to \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### DAVID M. RENNOE.

The bill (H. R. 7914) to increase the pension of David M. Rennoe was considered as in Committee of the Whole. It proposes to increase the pension of David M. Rennoe, late a private in Company H of the Twenty-ninth Regiment Indiana Volunteers, to \$30 per month, in lieu of the pension now received.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### STEPHEN D. MEAD.

The bill (S. 2460) granting a pension to Stephen D. Mead was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Stephen D. Mead, late a private in Company B, Seventh Regiment Michigan Cavalry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### FRANCES MOSHER.

The bill (H. R. 7965) for the relief of Frances Mosher was considered as in Committee of the Whole. It proposes to place on the pension-

roll the name of Frances Mosher, widow of Hiram A. Mosher, late a private in Company F, Tenth Minnesota Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ARLANTA T. TAYLOR.

The bill (H. R. 7310) granting a pension to Mrs. Arlanta T. Taylor was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Arlanta T. Taylor, widow of John T. Taylor, who was a private in Company B, First Engineers Missouri Volunteers.

Mr. COCKRELL. I must ask that that bill be passed over informally.

The PRESIDING OFFICER. The bill will be laid aside, retaining its place on the Calendar.

#### JOHN H. HUNTER.

The bill (H. R. 5324) granting a pension to John H. Hunter was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John H. Hunter, late a private in Company B, One hundred and forty-third Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MARY F. BLAKE.

The bill (H. R. 1520) granting an increase of pension to Mary F. Blake was considered as in Committee of the Whole. It proposes to increase the pension of Mary F. Blake, widow of the late Commodore Homer Crane Blake, United States Navy, from \$30 to \$50 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### LYDIA S. JOHNSON.

The bill (H. R. 8078) for the relief of Lydia S. Johnson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lydia S. Johnson, of Yates, Orleans County, New York, a nurse in the Army during the late civil war, at \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ISAAC FOSSETT.

The bill (H. R. 5261) granting a pension to Isaac Fossett was considered as in Committee of the Whole. It proposes to place the name of Isaac Fossett, late a private in Company K, First Minnesota Cavalry, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### C. K. HUGHES.

The bill (H. R. 2144) granting a pension to C. K. Hughes was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of C. K. Hughes, late major of the One hundred and forty-third Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ELLEN CORCORAN.

The bill (H. R. 1815) granting a pension to Ellen Corcoran was considered as in Committee of the Whole. It proposes to place the name of Ellen Corcoran, sister of Eugene Corcoran, late chaplain of the Fiftieth Regiment Ohio Volunteer Infantry, on the pension-roll, at \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MARY SULLIVAN.

The bill (H. R. 308) granting a pension to Mary Sullivan was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary Sullivan, widow of Michael Sullivan, late a private in Company K, Ninety-third Regiment Illinois Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### JOHN H. WESTERHOUSE.

The bill (H. R. 6721) granting a pension to John H. Westerhouse, late of Company F, First Regiment Potomac Home Brigade (Thirteenth) Maryland Volunteers, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John H. Westerhouse, late of Company F, First Regiment Potomac Home Brigade (Thirteenth) Maryland Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ALFRED M. OWEN'S CHILDREN.

The bill (H. R. 4689) for the relief of the children of the late Surgeon Alfred M. Owen and to increase their pensions was considered as in Committee of the Whole. It proposes to allow to Alfred C. Owen, Christine Q. Owen, Kathleen D. B. Owen, and Albert T. Owen, minor children of the late Surgeon Alfred M. Owen, United States Navy, a pension of \$15 each per month, to continue until each child shall respectively attain the age of sixteen years, in lieu of the pension now paid them.

Mr. COCKRELL. Let the report be read.

The Secretary read the following report, submitted by Mr. BLAIR June 1, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 4689) for the relief of the children of the late Surgeon Alfred M. Owen, and to increase their pensions, have examined the same and report:

Your committee have carefully considered the facts of this case, and concur in the annexed report of the House Committee on Invalid Pensions (House Report No. 934) and recommend the passage of the bill.

The naval career of the deceased officer, which began in May, 1869, was one of exceptional credit, and was made conspicuous by an unusually wide range of duties by sea and land. From his entry into the service until his death he was constantly employed, exercising professional attainments of a very high order, and that he dignified every duty assigned him by the zeal, courage, fidelity, and intelligence displayed in its execution is the testimony of all who knew him.

He was always conscientious, earnest, skillful, kind, and courteous, commanding thereby the affection and confidence of the sick, and the respect and admiration of his superiors.

In February, 1882, he reported for duty at the navy-yard, Pensacola, and a few months later was combating the much-dreaded yellow fever. By his judicious sanitary provisions and personal force and courage he established a cordon of environment which preserved the naval station from the plague which devastated the neighboring city. At the height of the epidemic, when the physicians of Pensacola had been cut off by the fell disease, he bravely volunteered to go into the city to attend the afflicted.

In the following summer (1883) he was without medical assistance, performing the quadruple duty of surgeon of the navy-yard, surgeon of the naval hospital, surgeon of the reservation, and quarantine officer of the lower bay.

A return of the fever was looked for. Every officer who could be spared was permitted to leave, and this brave officer could have been detached upon application, but he scorned the thought.

August 14, 1883, the fever reappeared. Overexertion and exposure to the sun had caused Surgeon Owen a partial sunstroke in July, and while yet suffering from this, he was, on August 16, himself seized with the fever. For two days there was no one on land to treat the hero, and on the 22d he died. His faithful wife was untiring in her efforts at his bedside, and within a day or so after his death she was stricken with the same disease; at midnight of the 29th she was buried by his side.

They left behind them four children, between the ages of three months and eight years, each of whom and their nurse also had the fever.

The committee therefore recommend that the amounts named in the bill be allowed to the four children of the deceased.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. BLAIR. The Senate has passed a bill allowing \$100 instead of \$60. This is the House bill. The Senate bill has been held in the House committee, and I now move that the House be requested to return the Senate bill.

The PRESIDING OFFICER. It will be so ordered unless objection be made.

Mr. RIDDLEBERGER. Does not this bill mean that if a man served in the Army and did not die and did not get killed and did not get wounded, and if after the war he died of yellow fever we will pension his family? Does not the bill mean just that and nothing else?

The PRESIDING OFFICER. There is no bill before the Senate. The Secretary will read the next bill.

MARY A. VAN ETTEN.

The bill (H. R. 6170) granting a pension to Mary A. Van Etten was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary A. Van Etten, widow of James F. Van Etten, late of Company A, Thirteenth Regiment of New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUSAN SMITH.

The bill (H. R. 4552) for the relief of Susan Smith was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Susan Smith, widow of Michael Smith, late first lieutenant of Company I, One hundred and eighty-fourth Regiment Pennsylvania Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

H. D. HOBBS.

The bill (S. 2463) granting a pension to H. D. Hobbs was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of H. D. Hobbs, late a private in Company G, Second Regiment District of Columbia Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LOUISE PAUL.

The bill (S. 2502) granting a pension to Louise Paul was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Louise Paul, widow of Brig. Gen. Gabriel R. Paul, deceased, late of the United States Army, at the rate of \$50 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LUCY E. ANDERSON.

The bill (S. 2301) granting a pension to Lucy E. Anderson was considered as in Committee of the Whole.

The bill was reported from the committee with an amendment, which was, in line 7, after the word "Anderson," to insert:

Late first lieutenant and adjutant Twentieth Indiana Volunteers, afterward

captain, and appointed major of volunteers by brevet for gallant and meritorious services in the campaign terminating in the capture of Petersburg and the surrender of the insurgent army of Northern Virginia.

So that the bill as amended will read:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitation of the pension laws, the name of Lucy E. Anderson, widow of Maj. William A. Anderson, late first lieutenant and adjutant Twentieth Indiana Volunteers, afterward captain, and appointed major of volunteers by brevet for gallant and meritorious services in the campaign terminating in the capture of Petersburg and the surrender of the insurgent army of Northern Virginia, and pay her a pension at the rate of \$25 per month from and after the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HORACE W. BROWNELL.

The bill (S. 2570) granting a pension to Horace W. Brownell was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Horace W. Brownell, late a second lieutenant in the Sixth Vermont Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY HOWARD FARQUHAR.

The bill (H. R. 1201) for the relief of Mary Howard Farquhar was considered as in committee of the Whole. It proposes to place on the pension-roll the name of Mary Howard Farquhar, widow of the late Maj. and Bvt. Lieut. Col. Francis V. Farquhar, Corps of Engineers, United States Army, and daughter of the late Maj. Gen. Alpheus S. Williams, United States volunteers, at the rate of \$40 per month, in lieu of the pension which she now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM F. CLARK.

The bill (H. R. 4386) granting an increase of pension to William F. Clark was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William F. Clark, formerly of the First Connecticut Cavalry, at the rate of \$45 per month, in lieu of the pension now received by him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET LUCY.

The bill (H. R. 7511) granting a pension to Margaret Lucy was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Margaret Lucy, dependent mother of George W. Lucy, late a private in Company G, Nineteenth Regiment Massachusetts Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELVIRA BLISS SHELTON.

The bill (S. 2029) granting an increase of pension to Elvira Bliss Sheldon was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "of," to strike out the word "forty" and insert "thirty;" so as to make the bill read:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Elvira Bliss Sheldon, an ex-Army nurse and widow of Joel S. Sheldon, late a commissary and lieutenant of volunteers, and pay her a pension at the rate of \$30 per month, in lieu of the pension now received by her.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. This concludes the pension bills.

Mr. EDMUNDS. I respectfully move that the Senate do now adjourn.

The motion was agreed to; and (at 4 o'clock and 52 minutes p. m.) the Senate adjourned until Monday, June 7, 1886, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

SATURDAY, June 5, 1886.

The House met at 11 o'clock a. m.

The Journal of yesterday's proceedings was read and approved.

ADDITIONAL CLERK IN TREASURY DEPARTMENT.

The SPEAKER laid before the House a letter from the acting Secretary of the Treasury, transmitting a communication from the disbursing clerk of the Department recommending that provision be made in the legislative, executive, and judicial appropriation bill for an addi-