

Second Lieut. Percival Greene Lowe, Eighteenth Infantry, to be first lieutenant.
Second Lieut. John Moore Sigworth, Tenth Infantry, to be first lieutenant.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Lieut. Samuel E. Maguire, of Louisiana, to be a captain.
Second Lieut. James H. Brown, of the District of Columbia, to be a first lieutenant.

REGISTER OF THE LAND OFFICE.

Edwin E. Sluder, of Santa Fe, N. Mex., to be register of the land office at Las Cruces, N. Mex.

POSTMASTERS.

Patrick H. McGrath, to be postmaster at Ronceverte, in the county of Greenbrier and State of West Virginia.
William J. Flynn, to be postmaster at Staples, in the county of Todd and State of Minnesota.
Lois Martin, to be postmaster at Pella, in the county of Marion and State of Iowa.
Michael J. Toher, to be postmaster at Owatonna, in the county of Steele and State of Minnesota.
Thomas M. Ryan, to be postmaster at Anoka, in the county of Anoka and State of Minnesota.
Duncan G. Campbell, to be postmaster at Rockford, in the county of Floyd and State of Iowa.
John W. Irwin, to be postmaster at New Sharon, in the county of Mahaska and State of Iowa.
L. S. Kennington, to be postmaster at Newton, in the county of Jasper and State of Iowa.
E. F. Bogert, to be postmaster at Wilkesbarre, in the county of Luzerne and State of Pennsylvania.
Thomas H. Tulley, to be postmaster at Silverton, in the county of San Juan and State of Colorado.
Charles L. Pohe, to be postmaster at Catawissa, in the county of Columbia and State of Pennsylvania.
William H. Klie, to be postmaster at Cambridgeboro, in the county of Crawford and State of Pennsylvania.
Herman A. Kohuke, to be postmaster at Hammond, in the county of Tangipahoa and State of Louisiana.
Landrum Padgett, to be postmaster at Pelzer, in the county of Anderson and State of South Carolina.
James A. Crow, to be postmaster at Plano, in the county of Collin and State of Texas.
John T. Baldwin, to be postmaster at Hennessey, in the county of Kingfisher and Territory of Oklahoma.
Richard H. Smith, jr., to be postmaster at Scotland Neck, in the county of Halifax and State of North Carolina.

WITHDRAWALS.

Executive nominations withdrawn May 6, 1896.

Capt. Allen V. Reed, to be a commodore in the Navy.
Commander Francis A. Cook, to be a captain in the Navy.
Lieut. Commander Charles T. Hutchins, to be a commander in the Navy.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 6, 1896.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 491) granting an increase of pension to Francis Walsh, of Stockham, Nebr.;
A bill (H. R. 152) granting a pension to Mary Ann Tracy;
A bill (H. R. 577) granting a pension to Lydia A. Taft;
A bill (H. R. 5254) granting an increase of pension to Ebenezer G. Howell, late a private of Company F, One hundred and sixtieth New York Volunteers;
A bill (H. R. 1139) granting a pension to Caroline D. Mowatt;
A bill (H. R. 3018) to amend an act approved March 3, 1891, granting the right of way upon the public lands for reservoir and canal purposes;
A bill (H. R. 4887) granting a pension to Sarah G. Ives; and
A bill (H. R. 4968) granting a pension to Helen A. Jackman, dependent daughter of Lieut. William Jackman, late of Company I, Fourteenth Regiment of Maine Volunteers.
The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 673) granting a pension to Joseph R. West, brigadier and brevet major general, United States Army Volunteers, asked a conference with

the House on the bill and amendment; and had appointed Mr. GALLINGER, Mr. SHOUP, and Mr. ROACH as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the concurrent resolution authorizing the chairman of the Committee on the Library of the Senate and the chairman of the Committee on the Library of the House of Representatives and one other member of the Joint Committee on the Library, etc., to sit during the recess of Congress for the purpose of inquiring into the condition of the Congressional Library, etc.

The message also announced that the Senate had passed bills and resolutions of the following titles; in which the concurrence of the House was requested:

A bill (S. 2746) to remove the political disabilities of Col. John Taylor Wood;
A bill (S. 1741) to authorize the Muscogee, Oklahoma and Western Railroad Company to construct and operate a line of railway through Oklahoma and the Indian Territory, and for other purposes;
A bill (S. 581) for the relief of the legal representatives of Hiram Somerville;
A bill (S. 122) granting a pension to Jerusha Sturgis, widow of Brig. Gen. Samuel D. Sturgis;
A bill (S. 2828) granting an increase of pension to Samuel E. Liscom;
A bill (S. 2829) granting a pension to Plumy E. Marden;
A bill (S. 2787) granting a pension to Simpson Everett Stilwell;
A bill (S. 2790) for the relief of Sophronia S. Stowell;
A bill (S. 1883) to grant a pension to Charlotte O. Van Cleve, widow of Gen. Horatio P. Van Cleve;
A bill (S. 2542) granting a pension to Stephen Maines;
A bill (S. 536) granting an increase of pension to Samantha Barnes;
A bill (S. 527) for the relief of Margaret C. McKay, widow of the late Dr. William C. McKay, of Oregon;
A bill (S. 2430) granting a pension to James W. Whitney;
A bill (S. 2428) granting an increase of pension to Jacob P. Fletcher;
A bill (S. 2341) granting a pension to George E. Tuttle;
A bill (S. 2158) granting a pension to Abraham Rhodes;
A bill (S. 2441) granting a pension to George D. Noble;
A bill (S. 2077) granting a pension to Richard T. Seltzer;
A bill (S. 1465) granting an increase of pension to Elijah A. Gilbert;
A bill (S. 2822) to increase the pension of Theodore V. Purdy;
A bill (S. 1857) granting a pension to Nathan Mitchell;
A bill (S. 2729) granting a pension to Emma Weir Casey; and
A bill (S. 2601) granting a pension to Ambrose B. Carlton.

The message also announced that the Senate had passed with amendments the bill (H. R. 5819) to provide for the examination and classification of certain lands in the State of California, asked a conference with the House on the bill and amendments; and had appointed Mr. DUBOIS, Mr. PETTIGREW, and Mr. PASCO as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendment bills of the following titles; in which the concurrence of the House was requested:

A bill (H. R. 5490) to license billiard and pool tables in the District of Columbia, and for other purposes;
A bill (H. R. 4804) to amend subdivision 10 of section 2238 and to repeal subdivision 12 of section 2238 of the Revised Statutes of the United States; and
A bill (H. R. 3426) granting an increase of pension to Eugenia R. Sweeney, widow of Brig. Gen. Thomas W. Sweeney, deceased.

The message also announced that the Senate had passed with amendment the bill (H. R. 3013) to amend section 4131 of the Revised Statutes of the United States, to improve the merchant marine engineer service, and thereby also to increase the efficiency of the Naval Reserve, asked a conference with the House on the bill and amendment; and had appointed Mr. FRYE, Mr. SQUIRE, and Mr. GORMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring). That there be printed and bound in one volume the proceedings in Congress upon the acceptance of the statue of James Shields, 16,500 copies, of which 5,000 copies shall be for the use of the Senate and 10,000 for the use of the House of Representatives, and 500 each for use and distribution by the governors of Illinois, Minnesota, and Missouri; and the Secretary of the Treasury is hereby directed to have printed an engraving of said statue, to accompany said proceedings, said engraving to be paid for out of the appropriation for the Bureau of Engraving and Printing.

SENATE BILLS AND RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, the following Senate bills and resolutions were taken from the Speaker's table and referred by the Speaker as follows:

A bill (S. 2542) granting a pension to Stephen Maines—to the Committee on Invalid Pensions.

A bill (S. 2601) granting an increase of pension to Ambrose B. Carlton—to the Committee on Pensions.

A bill (S. 536) granting an increase of pension to Samantha Barnes—to the Committee on Invalid Pensions.

A bill (S. 1465) granting an increase of pension to Elijah A. Gilbert—to the Committee on Invalid Pensions.

A bill (S. 1857) granting a pension to Nathan Mitchell—to the Committee on Pensions.

A bill (S. 2077) granting a pension to Richard T. Seltzer—to the Committee on Invalid Pensions.

A bill (S. 2158) granting an increase of pension to Abraham Rhodes—to the Committee on Invalid Pensions.

A bill (S. 2341) granting a pension to George E. Tuttle—to the Committee on Invalid Pensions.

A bill (S. 2428) granting an increase of pension to Jacob P. Fletcher—to the Committee on Invalid Pensions.

A bill (S. 2430) granting a pension to James W. Whitney—to the Committee on Invalid Pensions.

A bill (S. 2441) granting a pension to George D. Noble—to the Committee on Invalid Pensions.

A bill (S. 2829) granting a pension to Plumy E. Marden—to the Committee on Pensions.

A bill (S. 2828) granting an increase of pension to Samuel E. Liscom—to the Committee on Invalid Pensions.

A bill (S. 2221) for the relief of settlers on the Northern Pacific Railroad indemnity lands—to the Committee on the Public Lands.

A bill (S. 1367) for the relief of the heirs of Jacob R. Davis—to the Committee on Claims.

A bill (H. R. 5819) to provide for the examination and classification of certain lands in the State of California, with Senate amendments—to the Committee on the Public Lands.

Concurrent resolution—

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound in one volume the proceedings in Congress upon the acceptance of the statue of James Shields; 16,000 copies shall be for the use of the Senate, and 10,000 for the use of the House of Representatives, and 500 each for use and distribution by the governors of Illinois, Minnesota, and Missouri; and the Secretary of the Treasury is hereby directed to have printed an engraving of said statue, to accompany said proceedings, said engraving to be paid for out of the appropriation for the Bureau of Engraving and Printing—
To the Committee on Printing.

FINAL ADJOURNMENT OF CONGRESS.

Mr. DINGLEY. By instruction of the Committee on Ways and Means, I present a privileged resolution relative to final adjournment.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Monday, the 18th day of May, at 2 o'clock p. m.

[Applause.]

Mr. DINGLEY. On that resolution I move the previous question.

Mr. WHEELER. Mr. Speaker, is not this question debatable?
Mr. DINGLEY. I have felt that under the circumstances, this day having been set apart for the business of another committee, I ought to move the previous question.

Mr. WHEELER. Will not my colleague on the committee consent to put off action on this resolution until to-morrow, and then have debate upon it? There is, I think, great division of opinion upon this subject.

Mr. DINGLEY. I think there is a practically unanimous desire that there should be no debate.

The previous question was ordered.

The SPEAKER. The question is now on agreeing to the resolution.

Mr. WHEELER. Mr. Speaker, the previous question having been ordered, is it not true that under the rule a debate of twenty minutes is allowed on each side?

The SPEAKER. The Chair has the impression that, strictly speaking, debate has been had between the gentleman from Alabama [Mr. WHEELER] and the gentleman from Maine [Mr. DINGLEY].

Mr. WHEELER. I simply asked that the resolution lie over until to-morrow. Under the rules, Mr. Speaker, we are entitled to debate. I should like, as a member of the committee, to occupy a few minutes.

The SPEAKER. The Chair does not like to rule very sharply upon such a question as this, although it has been ruled once or twice, upon less debate than has occurred in this case, that the previous question cut off further debate. The Chair hopes that the gentleman from Alabama will not press the point.

Mr. WHEELER. I will not insist upon twenty minutes, but should like to have five minutes.

Mr. DINGLEY. In view of the fact that this day has been set apart by a special rule for the business of another committee, I have felt that we ought not to occupy any time with debate on this resolution. But I ask unanimous consent that the gentleman from Alabama [Mr. WHEELER] be allowed five minutes.

There was no objection.

Mr. WHEELER. Mr. Speaker, during the canvass of November, 1894, the Republican party most solemnly pledged that if intrusted with power they would enact all necessary legislation to relieve the people from the depression under which the country was suffering.

Mr. MILLIKEN. Caused by the Democratic party being in power.

Mr. WHEELER. No, sir; the four years of unbridled Republican rule, which terminated on March 4, 1893, bequeathed to Mr. Cleveland's Administration a prostrate country, an empty Treasury, and a discreditable public service.

The country was like a drunkard after a long debauch.

On March 4 Mr. Cleveland suddenly checked this condition, and as withholding stimulant from the slave to drink is followed by lassitude, so a somewhat similar effect followed the halt called by Mr. Cleveland in the practices which had characterized the administration of affairs since he left the helm of state on March 4, 1889.

Mr. Cleveland found \$117,927,395 of net gold in the Treasury in March, 1885, and in four years of Democratic silver-coinage administration we increased the net gold in the Treasury to \$218,818,253, which Mr. Cleveland turned over to President Harrison on March 4, 1889, and when Mr. Cleveland relieved President Harrison, in March, 1893, he found the net gold was only \$103,284,219.

Under a silver-coinage Democratic Administration gold steadily flowed to our country, and under the Republican silver-demonetizing Administration which succeeded the tide was turned and gold flowed from our country to the four corners of the earth.

Mr. Cleveland left a balance of profitable trade in our favor, and he found, after four years of Republican rule, the balance of trade and the tide of prosperity turned fearfully against us.

He left a tariff which taxed the people 47 per cent, and he found one which increased the tax to an average of 60 per cent and a tax of 120 per cent on the necessaries of life which the wage worker is compelled to buy. He left a country in the boom of prosperity, the result of his wise Administration from 1885 to 1889, and in 1893, after four years of Republican rule, he found it in poverty and distress, shrinking commerce, falling prices, reduced revenues, and paralyzed industries.

Before Mr. Cleveland had fairly taken the reins of Government the Republican party commenced the exercise of all its power to attribute the existing evils to Mr. Cleveland and his Administration.

This was the battle cry in the campaign of 1894, and they promised, if intrusted with the control of Congress, that every evil would be remedied, prosperity restored, and the country again made happy.

Under this pledge the people gave them a majority of 150 in the House and a decided plurality in the Senate.

The question before the American people is, Has that promise been redeemed?

I reply that the history of the world does not show another instance of such utter disregard of the promises by virtue of which a party was intrusted with position and power.

You have not the poor, threadbare excuse that you were obstructed in your efforts by filibustering Democrats, because no such action in a single instance has been even attempted.

You can not say that as the session advanced your wisdom admonished you that it would not be sagacious to comply with your pledges to the people, because the first utterance of your great, your distinguished, trusted, and worshiped leader announced that nothing would be done, and this was certainly an announcement and a confession that all of the promises made by the Republican party would be violated.

In his inaugural address when Congress convened, in his first utterance as to the proposed Republican policy, Speaker REED said:

If we do something which for the moment seems inadequate, it may be that time, which has justified itself of us on many occasions, may do so again.

This expression was understood to mean that nonaction on the part of a majority of this House would be approved by the people, and this was corroborated by the following expression, which was widely published as his utterance:

If we received the applause of the country for what we did in the Fifty-first Congress, we may receive applause for what we do not do in this Congress.

I hold in my hand a newspaper account of the Republican caucus of April 11. It seems very clear from its statements that the Republicans were quite unanimous in their determination not to allow the enactment of any general legislation. The newspaper account says:

Speaker REED was not present, but Mr. DINGLEY spoke, outlining the views upon general legislation held by the leaders of the House.

The account then says:

The general tendency of his (DINGLEY'S) advice was that the Republicans should use every endeavor to bring about an early adjournment of Congress; to adjourn, if possible, within a month, as soon as the appropriation bills could be passed by both Houses.

This shows that the first day the House met your greatest leader announced that the policy of the Republican party was not to enact legislation.

It shows that prior to April 11 the Republican leaders had determined upon an early adjournment, to adjourn as soon as the appropriation bills could be passed; and that determination on the part of the leaders has been repeatedly manifested, and not a semblance of honest effort has been made to enact legislation for the benefit of the people.

Mr. Speaker, is not this policy the grossest violation of the pledges made by the Republicans to the people in the election two years ago? With no legislation accomplished for the benefit of the people, with bills introduced and pending which should be considered by the House and which would give relief to the people, the great Republican majority propose to abandon their post, to fly from their duty, and to escape in this way the just responsibility which rests upon their heads. Is not this action like that of soldiers who fly from the field of battle? Is it not like sentinels guarding important trusts abandoning their duty? In my opinion, not a single honest effort has been made by the Republican majority to relieve the people from the thralldom under which they are suffering. Instead of reducing taxes you have used your best efforts to raise them.

Every measure you have presented to the House upon this question has been to raise taxation and sorely add to the people's burdens.

I read from the Scriptures the fate of the raiser of taxes. I find in Daniel xi, 20, that—

Then shall stand up in his estate a raiser of taxes, * * * but within a few days he shall be destroyed.

That, Mr. Speaker, will be the fate of a party who desert their posts and are false to the people. They will receive the execration of the people, as a soldier who runs from battle or a sentinel who leaves the post at which he has been placed intrusted with the honor and defense of the people. I hope that every member of this House who loves the people, who feels the responsibility of his obligation, who feels that his pledges are to be kept, will, when this question is brought up, vote "no," and pledge himself to stay here until Congress has legislated for the people. [Applause.]

Mr. Speaker, it has been suggested that some efforts have been made by the Republican majority toward relief legislation.

It is true that on December 26 the premier of the House, Mr. DINGLEY, thrust a tariff bill upon us. I hold the bill in my hands. It was dated December 26. It was introduced and printed that day and, as I said in my speech, while the ink was still wet its consideration was forced upon the House and it was crammed down the throats of the subservient followers of the proud leader whose friends delight in giving him the appellation, the American Czar—the imperial captain-general of the Republican party.

This unwise measure sought to exact and collect burdensome taxes from the people in the face of the report of the Secretary of the Treasury that he already had (I read from page 53) a balance of \$177,406,888.62 in the Treasury, and that there was—

No reason to doubt the ability of the Government to discharge all its current obligations during the present fiscal year, and have a large cash balance at its close, without imposing additional taxation in any form upon the people.

Mr. Carlisle also told you in his report (page 52) that while the kind of bill you proposed would place unnecessary burdens upon the people, the probable tendency of such a bill would be to paralyze industries and decrease rather than increase revenues. He said:

The revenue derived from customs during the fiscal year 1895 exceeded the revenue derived from the same source in 1894 by the sum of \$20,340,086.83.

Now, as the principal items of the Wilson bill went into operation January 1, 1895, we see by these figures that the low-tariff Wilson bill gave more revenue than the high-tariff McKinley bill.

Unwise, impolitic, and unnecessary as was any measure of this character, it was exceeded by the unwisdom and impolicy of its proposed methods and provisions.

1. The largest increase of tax was on many articles which are of necessity used by laboring people.

2. The bill was a horizontal bill; a kind of bill which Presidential Candidate Mr. McKinley said was—

A confession upon its face of absolute incapacity to grapple with the great subject.

He also said:

It gives no evidences of the expert's skill. It is the invention of indolence.

He repeats:

It is not only the invention of indolence, but it is the mechanism of a botch workman.

For two years the Republican party have vehemently denounced the wise Democratic tariff bill which was enacted by the last Congress, and in asking for votes at the last Congressional election they solemnly pledged that if placed in power they would immediately enact tariff legislation of the most approved character. The people gave them 150 majority, and they now propose to adjourn without any further fulfillment of their pledges and

promises than the attempted enactment of a measure which their leading Presidential candidate denounces as—

The mechanism of a botch workman—the invention of indolence.

Another evil feature of this bill was the badly concealed and finally admitted purpose to enable and finally compel the Secretary of the Treasury to use the money thus collected from the people to pay running expenses and withhold and hoard all Treasury notes and thus fearfully contract the volume of money and still further cripple enterprises which employ labor and encourage progress and prosperity.

If this had been accomplished you would, no doubt, have held Mr. Cleveland's Administration responsible for the distress which of necessity would have followed, and thus seek to add to the chances of a Republican victory in the coming election.

The exposure of the bill's fearful infirmities and deformities by the little band of Democrats sent the measure limping on crutches to the other side of the Capitol, where it was promptly disposed of by the Senators without regard to party affiliations.

The leader in the assault and the first to thrust his javelin into its bleeding breast was the distinguished field marshal of the Republican hosts—its greatest leader, the chairman of the executive committee of that organization.

On December 27, in the same way, you forced through the House what was called a currency bill, the atrocities of which were so fully exposed by the few tried and true Democrats who remain in this body that, like the tariff bill, it dragged its limping form to the Senate Chamber, where, amidst its dying groans, that body, by a decided majority, transformed it into a silver-coinage bill, and in that condition sent it back for our consideration.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. WHEELER. I hope that every man here will vote against the resolution reported by the gentleman from Maine.

The question being taken, the resolution submitted by Mr. DINGLEY was agreed to. [Loud applause.]

On motion of Mr. DINGLEY, a motion to reconsider the last vote was laid on the table.

CONTESTED ELECTION—YOST VS. TUCKER.

Mr. McCALL of Massachusetts. Mr. Speaker, on behalf of Elections Committee No. 3, I present the report of the contested-election case of Yost against Tucker. I ask that the report be printed, and also that the minority of the committee, who desire to file their views, may have leave to do so during the present week, and that they be printed with the report of the committee.

The SPEAKER. In the absence of objection, that order will be made.

There was no objection.

CONTESTED ELECTION—THOMPSON VS. SHAW.

Mr. MILLER of West Virginia. Mr. Speaker, on behalf of Elections Committee No. 2, I desire to present the report of the committee in the contested-election case of Thompson against Shaw, from the Third Congressional district of North Carolina. This is the unanimous report of the committee.

The SPEAKER. Does the gentleman desire immediate action?

Mr. MILLER of West Virginia. Yes, Mr. Speaker. I move the adoption of the resolution.

The SPEAKER. The resolution will be read.

The Clerk read as follows:

Resolved, That Cyrus Thompson was not elected a Representative in the Fifty-fourth Congress from the Third Congressional district of North Carolina, and is not entitled to a seat therein.

Resolved, That John G. Shaw was elected a Representative in the Fifty-fourth Congress from the Third Congressional district of North Carolina, and is entitled to retain his seat therein.

The resolutions were agreed to.

On motion of Mr. MILLER of West Virginia, a motion to reconsider the last vote was laid on the table.

CONTESTED ELECTION—JOHNSON VS. STOKES.

Mr. McCALL of Massachusetts. Mr. Speaker, in the case of Johnson against Stokes, considered by Elections Committee No. 3, I ask that the minority have leave to file their views to-day, and that they be printed with the report of the committee.

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

Mr. PICKLER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the consideration of bills on the Private Calendar under special order fixed for to-day, and pending that motion will yield to the gentleman from New Mexico [Mr. CATRON], who desires to make a request.

Mr. CATRON. Mr. Speaker, I move that House bill 4052, in relation to the issue of certain bonds by the Territory of New Mexico, be set for consideration immediately after the approval of the Journal on next Tuesday.

The SPEAKER. The Chair understood that the consent was to be asked for to-morrow morning.

Mr. DOCKERY. I hope the gentleman will defer that request for the present. My colleague [Mr. HALL] has some objection to this bill.

Mr. LACEY. I think the gentleman from Missouri has no objection to the consideration of the matter, but desired to be heard when it came up.

Mr. DOCKERY. My understanding was that he objected to the consideration of the matter. Did he consent to its consideration?

Mr. LACEY. That is my understanding. He did not want it done by unanimous consent.

The SPEAKER. The gentleman from New Mexico asks unanimous consent—

Mr. CATRON. I will modify the request, and ask that it be taken up to-morrow morning after the Journal is read.

The SPEAKER. The gentleman asks unanimous consent that to-morrow, after the reading of the Journal, the bill indicated by him may be taken up for consideration. Is there objection?

Mr. MOODY. I object.

Mr. DOCKERY. I hope that request will go over for the present.

The SPEAKER. Objection has been made.

The motion of Mr. PICKLER was then agreed to.

CONSIDERATION OF PRIVATE PENSION BILLS, ETC.

The House accordingly resolved itself into Committee of the Whole House, Mr. PAYNE in the chair.

The CHAIRMAN. The Clerk will report the special order fixed for to-day.

The Clerk read as follows:

The Committee on Rules, to whom was referred House resolution No. 288, having had the same under consideration, ask leave to report the following substitute therefor:

"Resolved, That on Wednesday, May 6, 1896, and Wednesday, May 13, 1896, immediately after the reading of the Journal on each day, the House shall resolve itself into Committee of the Whole House for the consideration of such bills as are in order on the sessions of Friday evenings; and that in the consideration of such bills under this resolution ten minutes' debate shall be allowed on each bill, with the amendments thereto, such time to be divided equally between those favoring and those opposing the bill: *Provided, however*, That nothing in this resolution shall be construed as interfering with general appropriation bills and conference reports thereon."

HIRAM P. PAULEY.

The first business on the Private Calendar was the bill (H. R. 986) for the relief of Hiram P. Pauley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Hiram P. Pauley, late a private in the Morgan raid militia of Seventh Indiana Legion, and to pay him a pension, subject to the provisions and limitations of the pension laws, for injuries received in what was known as the Morgan raid in Indiana.

The Committee on Invalid Pensions recommended the adoption of the following amendment:

Strike out the words, in the seventh and eighth lines, "subject to the provisions and limitations of the pension laws, for injuries received in what was known as the Morgan raid in Indiana," and insert "at the rate of \$12 per month."

The amendment was agreed to.

Mr. ERDMAN. Mr. Chairman, I perceive that the other side does not want to have the report read in this case. According to the policy adopted on yesterday, in accordance with the gag law applied yesterday, we are not to know what we are passing on. We are to take for granted everything, without question, that appears on the face of these bills, and pass upon them without an opportunity of comment or examination.

The other side is afraid this country will know what they are doing. They are afraid the country will see the flimsy ground on which the bills are based.

I see that they do not propose to have the report read if they can help it. This is a new class—militiamen who are to be pensioned for disease—and I ask to have the report read in my time.

The report (by Mr. KIRKPATRICK) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 986) for the relief of Hiram P. Pauley, submit the following report:

The affiant, Hiram P. Pauley, was a member of Capt. Marion Blair's company of what was known as the Indiana Legion, a militia organization of the State of Indiana. During the Morgan raid the company was ordered to Indianapolis to prepare to meet the invading army. It went to the United States arsenal to secure arms, and the affiant among others was ordered to open the boxes containing arms for the company, and while so engaged, in lifting a box of guns, received a serious injury producing hernia of a serious character. From this injury the claimant has never since recovered, and by reason thereof is rendered totally incapable of performing manual labor. He is now old and destitute. He can not be pensioned under the existing law for the reason that he was never mustered into the United States service.

Your committee believe that inasmuch as the claimant received his injury while in an organized company preparing to defend the country against an invading army he has just claims on that country for relief. They therefore report the bill back to the House with the recommendation that it be amended by striking out all after the word "pension," in line 6, and adding the words "at the rate of \$12 per month," and that the bill as amended do pass.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

HATTIE A. BEACH.

The next business on the Private Calendar was the bill (H. R. 4903) for the relief of Hattie A. Beach, child of Erastus D. Beach, late a private in Company H, One hundred and forty-third New York Volunteers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to grant a pension, under the provisions of the act of Congress approved June 27, 1890, to Hattie A. Beach, the helpless child of Erastus D. Beach, late private Company H, One hundred and forty-third New York Volunteers; that this pension shall be at the rate fixed by the said act of June 27, 1890, so far as said act relates to the pensioning of permanently helpless children, and that said pension shall be granted from the date of the filing of the original application for pension under the aforesaid act, to wit, on or about December 27, 1890.

The Committee on Invalid Pensions recommended the following amendment:

Strike out all after the word "pension," in line 4, and insert the following: "At the rate of \$12 a month to Hattie A. Beach, child of Erastus D. Beach, late private of Company H, One hundred and forty-third Regiment New York Infantry Volunteers."

The amendment recommended by the committee was agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

LAMBERT L. MULFORD.

The next business on the Private Calendar was the bill (H. R. 4753) granting an increase of pension to Lambert L. Mulford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Lambert L. Mulford, late of Company A, Second New Jersey Cavalry, and first lieutenant Third United States Cavalry, to the sum of \$50 per month, the same to be in lieu of the pension now drawn by him under certificate No. 856371.

The Committee on Invalid Pensions recommended the following amendment:

In line 7 strike out the word "fifty" and insert the word "thirty," and strike out all after the word "him" in line 8.

The amendments recommended by the committee were agreed to. The CHAIRMAN. The question is, Shall this bill be laid aside to be reported to the House with a favorable recommendation?

Mr. DINGLEY. I think the report ought to be read, so that we may know what the facts are.

The CHAIRMAN. The Clerk will read the report.

The report (by Mr. POOLE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4753) granting an increase of pension to Lambert L. Mulford, late of Company A, Second New Jersey Cavalry Volunteers, and first lieutenant Third United States Cavalry, respectfully report as follows:

Soldier enlisted August 28, 1863, as second lieutenant Company K, Second New Jersey Cavalry; promoted to captain Company A of same regiment September 1, 1864, and mustered out with company November 1, 1865. He was appointed second lieutenant Third United States Cavalry February 23, 1866; promoted to first lieutenant December 24, 1866, and honorably discharged January 1, 1871, after eight years of almost continuous service.

He filed claim for pension June 28, 1894, alleging rheumatism from exposure in frontier service and resulting paralysis of right side, totally incapacitating him for any kind of manual labor. He has a hospital record in service for rheumatism and a number of other disabilities, and Dr. B. A. Waddington, of the highest professional standing, testifies to treating him for rheumatism ever since discharged, and that the same is the direct and undoubted cause of his present helplessness from paralysis. He says:

"His rheumatism is of a chronic nature and peculiar, in that it produces cramps, always leaving an echymosed condition of the areola tissue of the parts affected. On the night of November 2, 1891, he had an attack of these cramps, and getting up to bathe himself, he fell upon the floor with hemiplegia. I saw him in an hour after with partial loss of speech, motion, consciousness, etc., from which he has never recovered, and his rheumatism continues in spite of treatment, rendering him entirely unfit to make a livelihood, and rendering him, in my opinion, deserving a liberal pension from the Government."

The medical examinations by pension boards show that he is so disabled by paralysis that he can walk only by the aid of a cane and assistant, and that he is totally incapacitated for performing manual labor, and that he will gradually grow worse.

He is pensioned at \$12 under act of June 27, 1890, his claim under the general law being rejected on the ground that his paralysis can not be accepted as the result of rheumatism.

Your committee is of opinion that the claim is meritorious and should have been allowed, and that from the evidence the paralysis is a result of disabilities contracted in service, as no other cause is shown, and claimant's habits are temperate and exemplary. The claimant is poor, helpless, and requires a constant attendant.

Your committee therefore recommend that the bill be amended by striking out the word "fifty," in line 7, and inserting "thirty" in lieu thereof, and by striking out all after the word "him," in line 8, and as amended that the bill do pass.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ELIZABETH SADLER.

The next business on the Private Calendar was the bill (H. R. 3421) to grant a pension to Elizabeth Sadler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$12 per month, subject to the provisions and limitations of the pension laws, the name of Elizabeth Sadler, dependent sister of James Sadler, deceased, formerly of Company G, Forty-second Regiment Illinois Volunteers, and Company K, Fourth Regiment United States Cavalry.

Mr. DINGLEY. Mr. Chairman, I ask unanimous consent that the report be printed in the RECORD.

Mr. McCLELLAN. I object.

The CHAIRMAN. Objection is made. It can be read in the time of the gentleman.

Mr. DINGLEY. Let it be read in my time then.

The report (by Mr. WOOD) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3421) granting a pension to Elizabeth Sadler, submit the following report:

The committee, having carefully examined the evidence in support of this bill, find the following undisputed and uncontradicted facts:

James Sadler was enrolled September 12, 1861, in Company G, Forty-second Illinois Volunteers; was discharged to join Fourth United States Cavalry, in which he served until August 20, 1864. On the muster rolls of Fourth United States Cavalry for November and December, 1864, he is dropped as "Missing in action since August 20, 1864; supposed to be dead." No record of desertion or dishonorable conduct is against him. He has not been heard from since August 20, 1864.

Elizabeth Sadler was the only sister of James Sadler; parents both dead. She was dependent on James Sadler, her only brother, for her support before the war and during the war. He sent her money regularly during his service. Since the war she has been so broken down in health that she is unable to labor, and is dependent upon friends—she has no relatives—for her entire support. She has no means or property. At the date of soldier's death she was 19 years old. The soldier left no widow, child, or children.

She made application for pension, but it was rejected on the ground that then she was not pensionable—that she was 19 years old at date of soldier's death.

The committee, on these facts, recommend the passage of the bill.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ARMINDA WHITE.

The next business on the Private Calendar was the bill (H. R. 2958) for the relief of Arminda White, widow of Israel White.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Arminda White on the pension roll, and that she be paid a pension at the legal rate as the widow of Israel White, captain of Twenty-fifth Ohio Infantry, from the date of her application for pension as appears on the files of the Pension Office.

The Committee on Invalid Pensions recommended the following amendments:

In line 5 strike out the word "legal" and in line 6 insert the words "of \$20 per month." Also in lines 7 and 8 strike out the words "from the date of her application for pension as appears on the files of the Pension Office" and insert in lieu thereof the words "said pension to terminate should the soldier be found to be alive."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ORDER OF BUSINESS.

Mr. COX. Mr. Chairman, I ask unanimous consent to take up the bill on the Calendar, No. 980, and to make this statement about it—

The CHAIRMAN. The gentleman from Tennessee [Mr. Cox] asks unanimous consent to take up the bill, Calendar number 980, for present consideration. Is there objection?

Mr. BAKER of New Hampshire and Mr. ALLEN of Utah objected.

Mr. COX. Mr. Chairman, will the gentlemen permit me to make a statement?

Mr. HOPKINS. Regular order.

The CHAIRMAN. The Clerk will report the next bill on the Calendar.

HELEN M. JACOB.

The next business on the Private Calendar was the bill (S. 149) granting a pension to Helen M. Jacob.

The bill was read, as follows:

Be it enacted, etc., 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 Helen M. Jacob, of Rochester, Ind., widow of Benjamin Oden West, deceased, late private in Company C of Mounted Riflemen, in the war with Mexico, and pay her a pension of \$16 per month.

The Committee on Pensions recommended an amendment striking out the word "sixteen" and inserting the word "twelve" in line 9.

The amendment recommended by the committee was agreed to.

The CHAIRMAN. The question is, Shall the bill be laid aside to be reported to the House with a favorable recommendation?

Mr. DINGLEY. Mr. Speaker, I ask that the report be read.

The report (by Mr. HARDY) was read, as follows:

The Committee on Pensions, to whom was referred the bill (S. 149) granting a pension to Helen M. Jacob, have examined the same and respectfully report as follows:

The facts, as sworn to by John C. Williams, a resident of Cleveland, Ohio, are as follows:

"Helen M. Jacob was married to Benjamin Oden West December 12, 1850; said Benjamin Oden West enlisted January 23, 1847, in the Mexican war, at Washington, D. C., and he was honorably discharged on or about November 6, 1847; said Benjamin Oden West deceased December 3, 1857, and he (Williams) was informed and has always understood that it was from the disease contracted while in service in the Mexican war; he left surviving him his widow, Helen M. West, and two children, Benjamin West and Helen West; said Helen M. West drew a pension as his widow from the date of his death to her marriage to William W. Jacob, when her pension ceased; said William W. Jacob died on or about October 18, 1872, at Washington, D. C., and left surviving him his said widow, Helen M. West Jacob, and left nothing for her support; she is now residing at Rochester, Ind., and is entirely dependent for her support upon what is given her by others; she has no income or no property to this affiant's knowledge, and she is 65 years of age, and further affiant saith not."

The above facts are also corroborated by William J. Craign, a physician in active practice for fifty-seven years:

"He knows and has been acquainted with Mrs. Helen M. Jacob during the past thirty-five years or longer; he knew her when she was the wife of Ben-

jamin Oden West, and knows that the said Benjamin Oden West is now deceased, and knew she married William W. Jacob, and said William W. Jacob is now deceased. He also knows that prior to her marriage to William W. Jacob she was without means of support and was dependent on her own exertions for the support of herself and family, and also knew that said William W. Jacob died, leaving her dependent and without means of support for herself and children. He further knows she is now a widow without means of support, and that she is dependent on her children for a livelihood. She has always been active and industrious, energetic and faithful in her maternal duties while rearing two families of children, and he can truly say she now merits the attention and support of her country as the widow of one of its defenders who succumbed to disease contracted in the line of his military duties. The remarriage of the claimant occurred April 17, 1861."

The committee therefore recommend the passage of the bill with an amendment fixing the rate of pension at \$12 per month.

Mr. ERDMAN. Mr. Chairman, I must protest against this consumption of time by the leader of the other side. There is no necessity for it. [Laughter.] According to the newspaper declaration we are going to remain in continuous session until the saturnalia is over. What is the use? The country does not want to know. Gentlemen on the other side do not want to know. They have never defeated, they have never amended, they have never changed a single bill, and never will. Now, what is the use? I suggest to the leader on the other side that he ought not needlessly to consume the time of the House by having the reports read.

Mr. PICKLER. Mr. Chairman, I ask unanimous consent that the reports be printed in the RECORD.

Mr. ERDMAN. To that I object, Mr. Chairman.

Mr. PICKLER. Oh, I thought you wanted to have the reports go in.

Mr. ERDMAN. If the gentleman wants to pass his bills en bloc, let them be passed in that way.

Mr. PICKLER. Mr. Chairman, I think this bill is right. I think these bills are all right.

Mr. WILLIAM A. STONE. We ought to have the knowledge contained in the reports. How do we know what a pension claim is about? I do not see any reason why the gentleman from Maine should be charged with obstructing legislation by insisting upon the reading of the reports. They are all short. They only consume a few moments' time. It gives us some knowledge of what they are about.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ELIZA SANDFORD.

The next business on the Private Calendar was the bill (S. 1189) granting a pension to Eliza Sandford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Eliza Sandford, permanently helpless and destitute daughter of William Sandford, a sergeant under Captains Huntington, Wheeler, Squire, and Gilman, in the years 1777, 1778, 1779, 1780, and 1781, in the Army of the Revolution, and pay her a pension of \$25 per month.

Mr. DALZELL. Mr. Chairman, let us have the report read.

The CHAIRMAN. The Clerk will report the amendment recommended by the committee.

The amendment was read, as follows:

In line 11, strike out the words "twenty-five" and insert in lieu thereof the word "twelve."

The report (by Mr. COFFIN) was read, as follows:

The Committee on Pensions, to whom was referred the bill (S. 1189) granting a pension to Eliza Sandford, respectfully submit the following report:

Eliza Sandford is the daughter of William Sandford, of Captain Williams's company, Colonel Van Courtland's regiment, New Jersey Volunteers, war of the Revolution. The soldier's entire service covered the period of two years and seven months. He received a pension under certificate No. 9814, beginning March 4, 1831, at the rate of \$120 per year, which pension ceased March 4, 1842, the date of his death. His widow was subsequently pensioned until February 12, 1864, when she died.

The papers accompanying the bill show that Eliza Sandford was born in 1816; that she has supported herself during her long life by her own exertions in the profession of a nurse until 1893, when she became disabled by reason of her advanced years. It is also shown that she has no near relatives to whom she can apply for a support, and is now entirely destitute and likely to become a public charge.

Miss Sandford is an excellent and worthy woman, and has always enjoyed the respect of her neighbors and acquaintances. The facts are shown by a memorial of the Daughters of the American Revolution of New Jersey, and also by the sworn statement of the claimant and of Horace Dodd, an aged resident of Essex County, N. J., who has known her for more than fifty years.

There are several precedents for the proposed legislation, and your committee recommend that the bill do pass, with an amendment to pay her a pension at the rate of \$12 per month.

[Cries of "Vote!" "Vote!"]

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MRS. VIRGINIA E. TURTLE.

The next business on the Private Calendar was the bill (H. R. 3264) to increase the pension of Mrs. Virginia E. Turtle, of the District of Columbia.

The bill was read, as follows:

Be it enacted, etc., 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. Virginia E. Turtle, of Washington, D. C., widow of Maj. Thomas Turtle, Corps of Engineers, United States Army, and pay her a pension of \$50 per month, the same to be in lieu of the pension now drawn by her.

Mr. SPALDING. Read the report.

The report (by Mr. COFFIN) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 3264) granting an increase of pension to Virginia E. Turtle, have considered the same and respectfully report as follows:

Mrs. Turtle is the widow of Maj. Thomas Turtle, Corps of Engineers, United States Army, who died in the service, and from causes originating in the line of his duty, September 18, 1894. The soldier's service began as a cadet at the Military Academy July 1, 1863, and he subsequently passed through all the grades, until he finally attained the grade of major May 18, 1893.

His services, as certified to by the War Department, were of a most active and valuable character, and covered altogether the long period of thirty-one years.

After his death Mrs. Turtle was granted a pension of \$25 a month under the general laws, and this sum, together with \$2 additional for each of two minor children, is practically all that she has on which to depend for a support.

She married the soldier August 23, 1876, and his brother officers certify that, being a man of regular and careful habits, he would have been able to have made better provision for his family if it were not for the fact that he was obliged to assist his parents, they being in very moderate circumstances.

Mrs. Turtle is now about 53 years old, with three young children dependent upon her for a maintenance.

There are several precedents for the allowance of an increased rating to widows of officers of this rank, and, in view of the facts stated above, your committee recommend the passage of the bill with an amendment, striking out the word "fifty," in line 8, and substituting therefor "forty"; so as to allow a pension of \$40 per month.

The amendment recommended by the committee was read, as follows:

In line 8, strike out the word "fifty" and insert in lieu thereof the word "forty."

Mr. ERDMAN. Mr. Chairman, I must again protest against this blocking of pensions for the old soldier. Whenever I have stood here on a Friday night and asked for the reports of the committees to be read, I have been charged with blocking pensions. This is blocking pensions now. Why, at this rate, you would not begin to pass your bills in twice twenty-four hours. [Cries of "Vote!"]

Mr. HULICK. Mr. Chairman, I would like to inquire what pension this lady is getting?

Mr. COFFIN. Twenty-five dollars a month. [Cries of "Vote!"]

The amendment recommended by the committee was agreed to. The question was taken on ordering the bill to be laid aside with a favorable recommendation, and the Chairman announced that the ayes seemed to have it.

Mr. MILNES. Division.

The committee divided; and there were—ayes 73, noes 1.

So the bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH W. SUTHERLAND.

The next business on the Private Calendar was the bill (S. 1420) granting an increase of pension to Elizabeth W. Sutherland.

The bill was read, as follows:

Be it enacted, etc., 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 Elizabeth W. Sutherland, widow of the late Charles Sutherland, deceased, formerly Surgeon-General of the United States Army, at the rate of \$100 per month, which rate of \$100 per month shall be in lieu of the pension she is now receiving.

Mr. DINGLEY. Mr. Chairman, I ask that the report be read.

Mr. HOOKER. I ask that the report be printed in the RECORD.

Mr. DINGLEY. I think we ought to have it read where a pension of \$75 a month is given.

The Clerk proceeded to read the report, as follows:

The Committee on Pensions, to whom was referred Senate bill 1420, granting an increase of pension to Elizabeth W. Sutherland, have considered the same, and respectfully report as follows:

Said bill is accompanied by Senate report No 172, this session, and the same, fully setting forth the facts, is adopted by your committee as their report, and the bill is returned with a favorable recommendation.

[Senate Report No. 172, Fifty-fourth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 1420) granting a pension to Elizabeth W. Sutherland, have examined the same, and report:

Mrs. Sutherland is the widow of the late Brig. Gen. Charles Sutherland, who served as Surgeon-General of the United States Army with distinguished ability, and whose death occurred May 10, 1895. The widow was left with eight children, their ages ranging from 20 to 8 years.

The following is the record of the military services of Dr. Sutherland: Appointed assistant surgeon August, 1852; after examination served as an acting assistant surgeon for ten months prior to being commissioned.

First service was at Fort Monroe, Va., and remained there six months, 1851 and 1852.

In the spring of 1852 served at Jefferson Barracks, Mo. While stationed there an epidemic of cholera prevailed.

In summer of same year on duty with a military exploring party that located the present site of Fort Riley, Kans., and shortened the wagon trail to Santa Fe, N. Mex.

Served in the Department of New Mexico for five years, and stationed during that time at Forts Webster, Fillmore, Craig, Stanton, and Santa Fe. Took part at times with troops serving in that department in engagements with Apache and Comanche Indians. Transferred to the Department of Texas, and served there two years and a half. Stationed at Forts Davis and Duncan. Was serving at the latter post when the State of Texas seceded from the Union. Left the State without being captured, and reported at Washington March, 1861. Sailed one week after by command of General Scott on a secret expedition to Fort Pickens and Santa Rosa Island, Florida. The troops composing this expeditionary force were among the first to take an active part in the war, sailing from New York and arriving at their destination prior to the first call for volunteers issued by President Lincoln. Remained at Fort Pickens one year on hospital duty. While there participated in two bombardments between United States troops and the enemy on the

mainland; also in an attack made by Confederates on United States volunteers near hospital.

Commended for conduct and services on those occasions in the reports made by General Brown, commanding, since published in Official Records of the Rebellion.

Commissioned as surgeon, with the rank of major, April, 1862.

Relieved from duty at Fort Pickens and ordered to Fort Warren, Boston Harbor. This fort contained several hundred Confederate officers as prisoners, and was garrisoned by a regiment of volunteers.

In summer of same year ordered again to the field, and reported to General Halleck, in command at Corinth, Miss.

Was selected to act as medical purveyor for the armies then concentrated near that center of military operations.

Subsequently, at Columbus, Ky., fitted out large warehouses for the storing and distribution of medical supplies for 200,000 men, the estimated strength of the army under General Halleck.

At Memphis, Tenn., established and organized a second large depot for distributing supplies.

Mr. ERDMAN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. ERDMAN. In whose time is this report being read?

The CHAIRMAN. In the time of a gentleman who was recognized.

Mr. ERDMAN. How much time has he?

The CHAIRMAN. He had five minutes, and has two minutes remaining.

The Clerk resumed the reading of the report, as follows:

At the same place fitted out 9 general hospitals, capable of containing 3,000 patients, for the accommodation of the sick and wounded serving on the Mississippi River.

Assisted in equipping a floating hospital capable of holding over 800 beds for the use of the army under General Grant, stationed at Millikens Bend, near Vicksburg. Was attached to the headquarters of General Grant and selected as assistant medical director and also as inspector of camps and transports of the Army of the Tennessee, and continued on that duty until the surrender of Vicksburg, July, 1863.

Was engaged in the battles of Jackson and Champion Hill and assisted in locating the field hospitals.

During siege, actively engaged in examining camps, transferring wounded to transports for Northern hospitals, and also in keeping departments supplied with medicines and stores. General Grant, in the first volume of his personal memoirs, alluding to his campaign against Vicksburg in the winter of 1862 and 1863, writes that it was one of great hardship to all engaged in it:

"Troops could scarcely find dry ground on which to pitch tents. Malarial fevers broke out among the men. Measles and smallpox also attacked them. The hospital arrangements and medical attendance were so perfect, however, that the loss of life was much less than might have been expected."

After surrender of Vicksburg, appointed medical director of the Department of Virginia and North Carolina, under the command of General Foster, at Fort Monroe, Va. In this department, besides troops in the field, had supervision of five large general hospitals.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DALZELL. I ask for the reading of the balance of the report in my time.

Mr. ERDMAN. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ERDMAN. Does the gentleman oppose this bill?

Mr. DALZELL. Yes, sir; I am recognized for that purpose.

Mr. ERDMAN. If the gentleman is in the position of opposing the bill, I have nothing further to say.

The Clerk resumed the reading of the report, as follows:

Owing to change of commanders a new staff was created; transferred to Annapolis, Md., and appointed medical director of hospitals and parole camp located in and near that city.

Member of retiring board at Wilmington, Del.

When General Grant moved with the Army of the Potomac, in the spring of 1864, was specially detailed by the Secretary of War to act as medical purveyor to supply that command, as well as the hospitals located in the city of Washington. There were 20 general hospitals, capable of holding over 30,000 patients. The Army of the Potomac was composed of at least 150,000 men. The supplying of these large establishments and the army in the field was faithfully maintained for over a year and until the close of the war. Spacious buildings in the city were kept filled with medical supplies of every description ready for immediate use, and a large force employed for prompt distribution of the same. Disbursed when on this duty over \$4,000,000 without loss to the Government and to the satisfaction of the accounting officers.

For these services when surgeon and major, without solicitation on his part, and on the recommendation of General Grant, then Commanding General of the Army, as well as of Surgeon-General Barnes, was appointed (by President Johnson assistant medical purveyor with the rank of lieutenant-colonel to fill an original vacancy. Four other medical officers were similarly appointed, the present Surgeon-General being one of the number. This office was held until June, 1876, when it was vacated by receiving the appointment of surgeon with the rank of colonel.

Member of retiring board convened in consequence of a reduction of the Army.

Served as medical director of the division of the Pacific at San Francisco, Cal., for five years.

President of a board of medical officers selected from the Army, Navy, and staff marine service, by direction of President Arthur, to designate a proper site for a quarantine station at San Francisco, Cal.

An act of Congress, session 1884, directed that all medical officers of the Army should take place in their several grades on the Army Register according to date of commission. This prevented any application for the position of Assistant Surgeon-General, to which the senior surgeon was, under the usual custom, entitled, and which was vacant at that time. If Dr. Sutherland had received the appointment and not promotion (being already a colonel) in accordance with this law he would have been transferred from the head of the list of colonels and lowered in rank four files, and instead of being the ranking colonel would be occupying an anomalous and degrading place at the foot. This law destroyed the value of the office of Assistant Surgeon-General as a promotion or as a stepping place to the higher grade of Surgeon-General, and bestowed only a title to any who should receive it, with no privileges or importance attached thereto. The vacancy was subsequently filled by promoting the senior lieutenant-colonel of the corps, and the War Department, recognizing the provisions of the law, placed the office at the foot of the list, where it belonged.

Served as medical director of the division of the Atlantic.

Was brevetted twice during the rebellion—lieutenant-colonel for services

in the campaign and siege of Vicksburg, and colonel for diligent discharge of duties in the war.

Was appointed Surgeon-General, with rank of brigadier-general, in 1890 (being then the ranking officer of his corps); served in that capacity until his retirement for age.

[Extract from indorsement by General Grant, when Commanding General of the Army, to President Johnson, January 7, 1866, recommending Surgeon Sutherland for the appointment of assistant medical purveyor with the rank of lieutenant-colonel, for services rendered during the war.]

As to Dr. Sutherland, I know of my own knowledge that he has performed satisfactorily about the most important and responsible duties in the field and out of it that it has been possible for any officer of his corps to render during the rebellion.

U. S. GRANT, General.

[Extract of letter from Surg. Gen. J. K. Barnes, U. S. A., to Senator E. Cowen, of Pennsylvania.]

WASHINGTON, D. C., January, 1866.

During the war Colonel Sutherland disbursed millions of money; was medical purveyor in the field to the great Army of the Southwest, and subsequently had charge of the great depot of the Army of the Potomac.

His qualifications are eminent, and his character, both public and private, unimpeachable.

He has served as surgeon, inspector, purveyor, and medical director. His duties have been of the most extensive character, as well as of vast responsibility.

J. K. BARNES,
Surgeon-General, U. S. A.

[Letter of Surg. Madison Mills, afterwards medical inspector-general, United States Army, on file in Surgeon-General's Office.]

ST. LOUIS, Mo., March 8, 1866.

Surg. Charles Sutherland was my principal assistant during the entire campaign—Vicksburg—and was constantly under fire in the discharge of his duties in the field, superintending the removal of the wounded as fast as they fell—

Mr. ERDMAN. Mr. Chairman, I would like to inquire how much time is being consumed?

The CHAIRMAN. The Chair does not know; and the reading can not be interrupted for such an inquiry as that.

Mr. PICKLER. A parliamentary inquiry. Have not the ten minutes been exhausted on this bill?

The CHAIRMAN. The time has not been consumed.

Mr. BAKER of New Hampshire. Mr. Chairman—

The CHAIRMAN. The Clerk will proceed with the reading of the report.

The Clerk read as follows:

I beg leave to recommend him for a brevet of lieutenant-colonel, to date from the 16th May, 1863, the battle of Champion Hill, when he was eight hours under fire in the discharge of his duties. I would also recommend him for the brevet of colonel, to date the 4th of July, 1863, the surrender of Vicksburg.

MADISON MILLS,
Surgeon, U. S. A., Medical Director, Army of the Tennessee.
SURGEON-GENERAL UNITED STATES ARMY,
Washington, D. C.

[From General Sherman.]

ST. LOUIS, Mo., June 27, 1866.

DEAR SUTHERLAND: I have received your letter of the 23d instant, and assure you of my hearty sympathy in your claim to the vacancy soon to occur in the office of Surgeon-General by reason of the retirement of my good old friend Dr. Murray.

The CHAIRMAN. The gentleman's time has expired. Time for debate upon this bill has expired.

Mr. BAKER of New Hampshire. I wish to offer an amendment. I move to strike out the words "seventy-five" and insert the word "fifty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MRS. WILLIAM LORING SPENCER.

The next business on the Private Calendar was the bill (H. R. 4020) granting a pension to Mrs. William Loring Spencer, as widow of George E. Spencer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to place upon the pension roll the name of Mrs. William Loring Spencer, as widow of George E. Spencer, late of ———, and pay to her a pension of \$100 per month, in lieu of the pension which she now receives.

Mr. STEWART of New Jersey. Mr. Chairman, I ask unanimous consent to substitute the Senate bill for the bill just read.

The CHAIRMAN. The gentleman from New Jersey [Mr. STEWART] asks consent that the Senate bill for the same purpose be substituted for the House bill.

Mr. DINGLEY. Let the Senate bill be read.

A MEMBER. What is the request?

The CHAIRMAN. The House bill has been read, and consent has been asked by the gentleman from New Jersey to substitute the Senate bill.

Mr. HULL. I object.

The CHAIRMAN. Objection is made. The question is on the amendment recommended by the committee.

The amendment recommended by the Committee on Invalid Pensions was agreed to, as follows:

Strike out, in lines 6, 7, and 8, the words "of, and pay to her a pension of \$100 per month, in lieu of the pension which she now receives," and insert "colonel First Cavalry Volunteers, and pay her a pension of \$90 per month, in lieu of the pension which she now receives."

Mr. STEWART of New Jersey. Mr. Chairman, I desire to speak upon this bill. No more meritorious pension case has ever come before this House. Mrs. Spencer now, in her old age, is in absolute destitution in the city of San Francisco, attempting to get employment as a typewriter, or in other fields where she has the capacity to serve. Her right hand is partially paralyzed. General Spencer served his country in the State and in the field, and for gallant and meritorious conduct on the field of battle he was brevetted as major-general. He raised the first white regiment of Union troops from the State of Alabama. These circumstances should appeal to this House when his widow, in her age and her poverty, asks for this insignificant pension, and I submit that the Senate bill should be substituted and passed without a dissentient voice.

Mr. HULL. Mr. Chairman, I do not like to object to anything in the pension line, but I know something about this case, and it seems to me that my friend from New Jersey is entirely mistaken when he pleads the old age of this lady. She is about 40 years of age, and two years ago she was the personification of good health. She married Mr. Spencer while he was in the United States Senate, and there is no more reason for giving her a high pension than there is for giving such a pension to the widow of every United States Senator. They were married fifteen or twenty years after the war, and while I am willing to let this bill go at \$90 a month, as recommended by the House committee, I am not willing to sit here and see the Senate bill pass.

Mr. HULLICK. What is she now receiving?

Mr. STEWART of New Jersey. Eight dollars a month—the widow of a United States Senator and a distinguished soldier, promoted for gallantry on the field of battle. She is now paralyzed—

Mr. HULL. When did she become paralyzed?

Mr. STEWART of New Jersey. She can not use the typewriter.

Mr. HULL. I do not think she ever knew how to use it. She was an actress when she married Senator Spencer.

Mr. STEWART of New Jersey. I have received typewritten letters from her.

Mr. HULL. That may be, but it does not follow that she wrote them herself.

Mr. STEWART of New Jersey. I do not suppose the gentleman imputes untruth or want of veracity to this lady?

Mr. HULL. I am not so certain about that. I want to say to this committee that Spencer received his first commission as colonel of an Alabama regiment. He never served in any other capacity than as a hotel keeper until he was commissioned colonel of that regiment. He was married to this lady long after the war, and as to the plea of age, she can not be more than 40 years old.

Mr. STEWART of New Jersey. I ask for the reading of the Senate report, which will show the record of this distinguished soldier.

The CHAIRMAN. It can be read in the time of the gentleman from New Jersey.

The Clerk read the Senate report in part, as follows:

The Committee on Pensions, to whom was recommended the bill (S. 1699) granting a pension to William Loring Spencer, have carefully reexamined the same and beg leave to report as follows:

Your committee are of opinion that the bill should be amended by striking out the word "fifty," in line 8, and substituting therefor the word "seventy-five," and that as thus amended the bill should pass.

The facts in this case were substantially embodied in the committee's former reports, made to the Fifty-third and the present Congress, it appearing that the claimant is the widow of Gen. George E. Spencer, late colonel First Regiment Alabama Cavalry, and for twelve years a Senator of the United States. Inquiry reveals the fact that applicant was christened "William," so that the name is correct as printed in the bill. The following letter from Mrs. Spencer will explain the grounds upon which she asks for increased pension, and it also sets forth her necessities:

"AUSTIN, NEV., February 2, 1894.

"MY DEAR SIR: This, I trust, will be presented to you by one whose name and influence will incline you to kindness; for while I believe I am asking only justice, yet justice is cold without mercy.

"My husband, George E. Spencer, was a brave and gallant soldier. His record you will find satisfactory, and I have asked that the letters of Sherman, Dodge, and Kilpatrick regarding his services be sent you. Unfortunately for me, I did not know General Spencer until the war was over for some time. But when I did know him I found him a sufferer from two maladies, one malaria, contracted during the fatigues of different campaigns, the other rheumatism, associated with a wound in his leg, which, as years went on, increased, there coming with it an added discoloration of the bone near the wound.

"I asked him why, like other men, he did not have a pension. He answered what he had done for his country had been done with all his heart, and he would do it over again and never ask for a money reward. He was cast in a heroic mold, and I felt the nobility of his thought too much to press the matter further. As he became more ill, I changed my thought, and said that for his child's sake he should apply for a pension, and he promised he would when he was better; but he died. His widow and his young son are left penniless, and the world is hard for a woman, and an ill woman, to make a way to support herself and educate her child.

"It is in this position I come to you. I ask of the country for which my husband fought and suffered the pension of \$75 a month. This much I ask, for with strict economy I can with it educate my son and support us both until I, in some measure, regain my strength. I would not have more, for nothing but poverty, absolute poverty, could make me a pensioner, even of the Government. I do not ask less, for with less I do not believe my purpose could be accomplished. Senator PALMER, I leave my case in your hands.

"Very respectfully, yours,

"Mrs. GEORGE E. SPENCER.
"W. LORING SPENCER.

"Hon. Senator PALMER."

Mr. GROW. Mr. Chairman, I rise to a parliamentary inquiry. What is the present status of this question? Has the committee amended the House bill?

The CHAIRMAN. The amendment to the House bill, recommended by the Committee on Invalid Pensions, has been adopted, and the question is upon laying the bill aside to be reported to the House with a favorable recommendation.

Mr. GROW. The amendment fixes the pension at what rate?

The CHAIRMAN. The amendment fixes the pension at \$30 per month.

Mr. PICKLER. Mr. Chairman, I ask unanimous consent that the remainder of the report be printed in the RECORD.

Mr. ERDMAN. I object.

Mr. PICKLER. Mr. Chairman, I hope that the gentleman from Iowa [Mr. HULL] will withdraw his objection and will let the Senate bill be taken up, that the House may take such action upon it as it desires.

The CHAIRMAN. Debate on this bill is exhausted except three minutes controlled by the gentleman from Iowa [Mr. HULL].

Mr. HULL. I will simply say, Mr. Chairman, that I shall not withdraw my objection, for the reason that if we take up the Senate bill and amend it it will go back to the Senate, and the next thing we know this pension will be \$75 a month. I am willing that this lady shall have \$30 a month, and I think that if we pass the House bill at that figure we shall be able to keep it at that figure.

Mr. FAIRCHILD. Mr. Chairman—

A MEMBER. The time is up.

Mr. FAIRCHILD. I believe, Mr. Chairman, I can be recognized in my own time.

The CHAIRMAN. Debate is exhausted upon this bill except two minutes remaining to the gentleman from Iowa.

Mr. FAIRCHILD. Do I understand that the gentleman from Iowa controls the whole of the time on this bill?

The CHAIRMAN. The time in opposition to the bill.

Mr. HULL. I am perfectly willing that a vote shall be taken now.

Mr. STEWART of New Jersey. Mr. Chairman, I move to amend the House bill so as to make the amount \$50 instead of \$30 a month.

The CHAIRMAN. The amount has been already passed upon by the committee.

Mr. FAIRCHILD. I move to reconsider the vote by which the amendment was adopted.

The CHAIRMAN. A motion to reconsider is not in order in Committee of the Whole.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JAMES LOYD YOUNG.

The next business on the Private Calendar was the bill (H. R. 358) granting a pension to James Loyd Young, of Company A, Sixth Regiment Kentucky Volunteers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to grant a pension to James Loyd Young, late of Company A, Sixth Regiment Kentucky Volunteers, for injury to right hip, in addition to the pension by him now received.

The amendment reported by the committee was read, as follows:

Add at the end of the bill the following:

"So that he shall receive \$17 per month, in lieu of the pension now received."

Mr. DALZELL. Let us have the report read.

The report (by Mr. ANDERSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 358) granting a pension to James Loyd Young, late of Company A, Sixth Regiment Kentucky Volunteers, having examined all the facts and circumstances in evidence, submit the following report:

James Loyd Young enlisted July 21, 1861, and was discharged to date July 22, 1862. He claimed pension for rheumatism and resulting disease of heart; and also for an injury of right hip incurred at the battle of Pittsburg Landing, Tenn., April 7, 1862, by being struck with a piece of timber from Shiloh church. His claim was admitted for rheumatism and resulting heart disease, and he was pensioned at \$4 from July 23, 1862; at \$8 from August 11, 1866, and at \$12 from May 7, 1890; but the claim for injury to hip was rejected after special examination on the ground of no record and no satisfactory proof of incurrence of injury to right hip in service.

The record in the War Department shows he was admitted on hospital steamer *Silver Moon* at Pittsburg Landing, Tenn., May 16, 1862, with rheumatism, and to No. 1 General Hospital, Louisville, Ky., May 20, 1862, with rheumatism, and remained there until July 22, 1862, when he was furloughed to await discharge from service. He returned to the hospital in August, 1862, but what disposition was made of him is not stated, and he was discharged by the War Department in 1878, to date July 22, 1862.

Newton Hicks, a comrade of good reputation, testifies that he saw Young in a wagon, injured, just after the battle of Pittsburg Landing and he said the injury was in the side, and he heard members of company say he was injured near Shiloh church.

John Coffey testifies that he saw Young struck with a piece of flying timber near Shiloh church, and he fell forward on his face and was lying there with the piece of timber on him when affiant last saw him. The special examiner was unable to locate or cross-examine this witness, but the adjutant-general reports him present with the company at that time. His reputation is reported variable, from "good" to "unreliable."

James G. Lindsay, whose reputation is good, testifies that when Young returned from the Army, in 1862, he was crippled and disabled so that he was obliged to walk with a cane.

Mrs. A. D. Deegan testifies substantially to the same.

The board of examining surgeons at Covington, Ky., which examined him May 7, 1890, rate him ten-eighths for rheumatism and resulting disease of heart, and eight-eighths for injury to hip.

Your committee believe that the injury to hip was incurred as alleged, and recommend that the bill do pass, granting him a pension at \$17 a month in lieu of the pension he is now receiving, and that the bill be amended by adding after the word "received," in line 7, the words "so that he shall receive \$17 per month in lieu of the pension now received."

Mr. PICKLER. The Senate has passed a bill granting the same amount of pension, \$17 a month, as this House bill. I ask unanimous consent that the Senate bill be substituted for the House bill.

There was no objection.

The Senate bill was read, as follows:

A bill (S. 2175) granting a pension to James Loyd Young, late of Company A, Sixth Regiment Kentucky Volunteers.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to grant a pension to James Loyd Young, late of Company A, Sixth Regiment Kentucky Volunteers, for injury to right hip, in addition to the pension by him now received, so that he shall receive \$17 per month in lieu of the pension he is now receiving.

There being no objection, the Senate bill was laid aside to be reported favorably to the House.

The CHAIRMAN. Without objection, the House bill will be reported to the House with the recommendation that it be laid on the table.

There was no objection.

SILAS S. WHITE.

The next business on the Private Calendar was the bill (H. R. 4547) granting a pension to Silas S. White.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and instructed to place the name of Silas S. White, late a private in Company G, Seventy-seventh Regiment New York Infantry Volunteers (and also a soldier in the Seminole Indian war in Florida), on the pension roll at the rate of \$50 per month, the same to be in lieu of the pension now received by him.

The amendment reported by the committee was read, as follows:

In line 8 strike out "fifty" and insert "thirty"; so as to make the amount of the pension \$30 per month.

The amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported favorably to the House.

HARRIET C. GREGG.

The next business on the Private Calendar was the bill (H. R. 2006) to increase the pension of Harriet C. Gregg, widow of Col. John Irvin Gregg, from \$30 to \$50 per month.

The bill was read, as follows:

Be it enacted, etc., That the pension of Harriet C. Gregg, widow of John Irvin Gregg, late colonel of the Eighth Regiment of United States Cavalry, be, and the same is hereby, increased from \$30 per month to \$50 per month, and the Secretary of the Interior be, and is hereby, authorized and directed to place her name on the pension roll at the rate of \$50 per month, subject to the provisions and limitations of the pension laws.

Mr. MILNES. Let us have the report read.

Mr. PICKLER. I ask that in reading the report the military record of the soldier be omitted and that the report proper, which was prepared by the gentleman from Pennsylvania [Mr. ERDMAN], be read.

The CHAIRMAN. The Clerk will read that portion of the report called for by the gentleman from South Dakota.

The Clerk read as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2006) granting a widow's pension to Harriet C. Gregg, submit the following report:

Mrs. Harriet C. Gregg, the claimant in this case, is the widow of Gen. John Irvin Gregg, who died on the 6th day of January, 1892. The widow has had a pension granted to her at the rate of \$30 per month, her case having been made special by the following order filed in the Pension Office: "Mrs. Gregg is in destitute circumstances. The Commissioner directs that in view of this fact the proper calls be made in the case and action had thereon without delay."

The following is the entire record of the military service of General Gregg:

The said Mrs. Gregg submitted to the whole committee her own affidavit and also that of two of her neighbors, showing that she has no means of support and has no property whatever, and her dependence rests entirely on a pension.

General Gregg's long service, embracing not only the Mexican war and war of the rebellion, but also on the Western plains during frontier troubles with the Indians, ought to give the application of this widow for this increase of pension special consideration, and the committee therefore recommend the passage of the bill.

The bill was laid aside to be reported favorably to the House.

MARTHA LINDSAY.

The next business on the Private Calendar was the bill (H. R. 126) for the relief of Martha Lindsay.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the limitations and provisions of the act of Congress approved June 27, 1890, the name of Martha Lindsay, widow of William Lindsay, late of Company F, Second Regiment Pennsylvania Volunteers.

The amendment reported by the committee was read, as follows:

Strike out, in lines 5 and 6, the words "act of Congress approved June 27, 1890" and insert "general pension laws."

Mr. PICKLER. I ask that the report in this case be inserted in the RECORD without reading.

Mr. LOUD. I object. If we have not time to hear a report read, I object to its insertion in the RECORD.

The report (by Mr. ERDMAN) was read, as follows:

The Committee on Invalid Pensions have considered the bill (H. R. 126) to pension Martha Lindsay, and submit the following report:

The petitioner is the widow of William Lindsay, who served in Company F, Second Pennsylvania Reserve Corps, from February 12, 1864, to March 27, 1864, when he was accidentally killed in camp by the explosion of an old shell which he was handling.

It is duly shown by evidence on file in the Pension Bureau that the widow is 74 years of age and has no property or other source of income. She was married to the soldier January 26, 1853, and had four children at the date of his death. Her claim, filed June 20, 1864, was rejected on the ground that soldier's death was not incurred in line of duty. She can not be pensioned under the act of June 27, 1890, because he did not serve ninety days.

Two witnesses testify that she has not remarried since the soldier's death. The ground of rejection of the claim under the old law is purely technical. There is nothing to show the circumstances of his death, except the statement on records of War Department, as quoted above. It was clearly through no conscious fault of his own that he met his death. His conduct may have been imprudent, but it was not even, strictly speaking, "contributory negligence."

Your committee recommend that the bill do pass, after being amended by striking out the words "act of Congress approved June 27, 1890," in lines 5 and 6, and inserting in lieu thereof the words "general pension laws." The effect of this change will be to give her \$12 per month instead of \$8, as would be the rate in the present form of the bill.

A similar bill for this woman was favorably reported by this committee in the Fifty-third Congress, and the above is the language used in their report. The bill died on the Calendar of that Congress.

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

EMILY B. MUNCEY.

The next business on the Private Calendar was the bill (S. 705) granting a pension to Emily B. Muncey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension rolls the name of Emily B. Muncey, Topeka, Kans., widow of Leonard B. Muncey, late private in G Company of the Forty-eighth Regiment of Illinois Volunteer Infantry, and pay her a pension of \$12 per month.

Mr. LACEY. I ask for the reading of the report.

The Clerk proceeded to read the following report (by Mr. BAKER of Kansas):

The Committee on Invalid Pensions, to whom was referred the bill (S. 705) granting a pension to Emily B. Muncey, have carefully considered the matter in evidence, and they hereby adopt the following from the Senate report in this case and make it their own:

"The evidence fully shows that Leonard D. Muncey enlisted as a private in Company G of the Forty-eighth Regiment Illinois Volunteers, on the 1st day of September, 1861, and was honorably discharged on the 31st day of August, 1864, the expiration of his term of service.

"John Willman testifies that 'said soldier had the measles at Camp Butler, Ill., some time in November, 1861, and that he, said soldier, was moved to Cairo, Ill., and there took a relapse and was left either at Cairo or Mound City, not being able to follow the regiment on foot.'

"David S. Hill testifies that 'he served with Leonard D. Muncey in Company D, Forty-eighth Regiment Illinois Volunteers, and knows of his own personal knowledge that said Muncey had the measles while they were at Camp Butler, Illinois, and was sent to the hospital, which was so crowded that he was sent out in camp too soon and caught a severe cold and had a very severe cough, so that he was not able to do hard duty, and he was detailed to do light work in the quartermaster's department. There was such a rush of patients, principally with measles, that they would send them out from the hospital as soon as possible to make room for others.'

"Peter Cotton testifies that 'he served in the same company and regiment as the soldier, and was with him when he contracted the measles at Camp Butler, in November, 1861; that he himself contracted the measles from said soldier; knows that said soldier was discharged too soon from hospital, and that he contracted cold which settled on his lungs, and that he was assigned to duty in the quartermaster's department on account of his not being fit for duty.'

"Ezekiel Bass testifies that 'he was personally acquainted with Leonard D. Muncey, and served in the same company and regiment with him, and remembers wrestling and scuffling with him before he took the measles and knew him to be stout and robust. We were in the hospital together at Camp Butler, Illinois, and to the best of my recollection said Muncey was in a squad of about 15 of us, all sick with measles, and were moved some time in November, 1861, from Camp Butler, Illinois, to Cairo, Ill., through a snowstorm, and most of us took relapse, and, as best I remember, said Muncey was with me in hospital in Cairo, Ill., and I well remember of looking out the window and seeing our regiment—the Forty-eighth Illinois Infantry—pass along the street, going on what was called the Kentucky scout. The last time I remember of seeing said Muncey was somewhere in Tennessee, and he was then very pale and thin, scarcely able to walk.'

"The records of the War Department show that said Muncey was treated in hospital from November 9 to 23, 1861, and returned to duty in his company and regiment December 11, 1861.

"J. A. Muncey testifies that 'he was personally acquainted with Leonard D. Muncey previous to his enlistment in the Army, and that he was a man of robust health and good physical condition; that he has known him since his discharge from the Army, and knows from personal knowledge that his health and physical condition were entirely changed, and that he was suffering from a severe lung trouble, attended with a cough.'

"John W. Ingersoll, late Lieutenant Company G and Lieutenant-colonel Forty-eighth Regiment Illinois Volunteers, testifies that 'he was acquainted with L. D. Muncey, and knows that the said L. D. Muncey is the identical person who enlisted as a private in Company D, Forty-eighth Regiment Illinois Volunteers, and was discharged by reason of expiration of term of service.

"That said Leonard D. Muncey, while in line of his duty at or near Camp Butler, in the State of Illinois, did, on or about the 9th day of November, 1861, become disabled in the following manner, viz: Was taken with measles at Camp Butler, Illinois, and for want of proper care took cold, which settled on his lungs. The regiment received marching orders, went to Cairo, Ill., where we did not have at the proper time sufficient quarters to protect the men from the inclement weather, and Muncey, having first left hospital, was exposed to the bad, stormy weather, took cold, and his lungs became affected, which left him with a hacking cough up to the time of his leaving the regi-

ment. He further states that said Muncey frequently complained of lung trouble, and did not reenlist in consequence thereof. He further states that his knowledge of the foregoing is from being with him—served in the same company, enlisted at the same time; that he has no interest in the claim.'

"W. H. Murray, who was lieutenant of said Leonard D. Muncey's company and regiment, testifies that 'said soldier was a man of sober and temperate habits, and when he enlisted was in good health and strength, and that said soldier was ruptured in the abdomen from overstrain or exertion in tearing up and destroying the railroad track at Jackson, Miss., on or about the 17th day of January, 1863, so that soldier had to be placed in hospital, and afterwards detailed as a clerk in the quartermaster's department on account of his disability for military duty.'

"Said soldier testified that 'he was examined by a United States surgeon when he enlisted; that he was stripped and particularly examined by said surgeon as to rupture by his pressing his finger firmly in the region of the groin, and was pronounced by said surgeon a sound and healthy man, and accordingly was mustered in the service.'

"Several witnesses testify that they knew said soldier ever since the time he left the Army, and that he had a hacking cough and had lung trouble, which he said he had contracted while in the Army, and that he had never been entirely well since he left the Army. Said soldier died April 13, 1889. The credibility of the witnesses is fully established.

"Emily B. Muncey, the widow of said soldier, is a very worthy woman, but in poor circumstances. She made application to the Pension Office for a pension as the widow of said soldier, but being unable to furnish all the evidence required by the Pension Bureau to show that the soldier had not before he entered the service contracted the disease of which he died, her claim was rejected.

"Having carefully considered all the evidence in the case, your committee recommend the passage of the bill."

[Before the reading of the report was concluded the hammer fell.]

Mr. LACEY. I ask unanimous consent for the reading of the residue of the report.

Mr. PICKLER. I object.

Mr. DALZELL. I ask that the remainder of the report be read in my time.

Mr. PICKLER. All these reports are printed in the RECORD over in the Senate; and at any rate they are just as much a part of the records of the House, whether they are in the CONGRESSIONAL RECORD or not.

Mr. LACEY. But how can we tell what they are unless we hear them read?

Mr. PICKLER. Many gentlemen do not listen to them.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. DALZELL] has been recognized, and asks that the remainder of the report be read in his time.

The Clerk resumed and concluded the reading of the report.

The bill was laid aside to be reported favorably to the House.

THOMAS BREWER.

The next business on the Private Calendar was the bill (H. R. 3857) granting a pension to Thomas Brewer.

The bill was read, as follows:

Be it enacted, etc., 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 Thomas Brewer, late of Companies I and F, Thirty-first Regiment Enlisted Missouri Militia.

The amendment reported by the committee was read, as follows:

In lines 4 and 5, strike out the words "subject to the provisions and limitations of the pension laws," and at the end of the bill add "at the rate of \$12 per month."

The report (by Mr. CROWTHER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3857) granting a pension to Thomas Brewer, late private Companies I and F, Thirty-first Regiment Enrolled Missouri Militia, respectfully submit the following:

His discharge certificate shows that Thomas Brewer enlisted August 10, 1862, and was discharged December 8, 1862; but he alleges he was enlisted June 1, 1861, and discharged May 8, 1863.

He filed claim for pension under general law November 12, 1889, for varicocele of left testicle, incurred at or near St. Joseph, Mo., October 21, 1862, caused by being thrown upon the pommel of his saddle.

This claim was rejected April 15, 1890, on the ground that the organization to which claimant belonged was not shown to have been in the military service of the United States, and no title to pension under general laws.

He filed claim under act June 27, 1890, on October 23, 1890, alleging "epilepsy, varicocele, disease of kidneys, and hernia."

The proof on file in his claim shows that his horse fell with him while on a march, throwing him on pommel of saddle, and mashed his left testicle and unfitted him for further service.

The testimony of physicians and neighbors shows that he has been unfit for manual labor since he came home from the Army, the physicians certifying that the injury to testicle caused hypochondria, fits, sensory illusions, and a train of diseases entirely disqualifying him for the performance of manual labor.

He was examined by the board of examining surgeons at Albany, Mo., March 25, 1891, which rated him at eight-eighths for hernia, two-eighths for varicocele, two-eighths for epilepsy, and four-eighths for heart disease.

In view of the facts and circumstances in evidence in this case, your committee earnestly favor the passage of this bill when amended to strike out, in lines 4 and 5, the words "subject to the provisions and limitations of the pension laws," and add, after the word "Militia," in line 7, the words "at the rate of \$12 per month."

Mr. CROWTHER. The question, as I understand, is now upon the amendment of the committee.

The CHAIRMAN. The Clerk will report that amendment, if the gentleman desires.

The amendment of the committee was again read.

Mr. OWENS. As I understand from the reading of the report, this man was not in the military service of the United States at all.

Mr. CROWTHER. He was in the military service of the United States, but the organization to which he belonged was not properly mustered into the service.

Mr. OWENS. As I understand, he was simply willing to be in the service, but did not get in.

Mr. CROWTHER. The statement of the report is that he did serve in that branch of the Army.

Mr. OWENS. What branch?

Mr. CROWTHER. The cavalry branch.

Mr. OWENS. But the report states that the Department refused to place him on the roll because he was not in the service of the United States.

Mr. CROWTHER. Because he was not properly mustered into the service. That organization was not mustered into the service by the proper mustering officer.

Mr. OWENS. Then he was not in the service.

Mr. CROWTHER. Certainly he was in.

Mr. OWENS. As I understand, the report states that he was willing to enter the service; was loafing about ready to go in, but he did not in fact go in.

Mr. CROWTHER. That may be the gentleman's idea of the record of this soldier.

Mr. OWENS. The report says that he was not in.

Mr. CROWTHER. He was not technically in the service—

Mr. OWENS. I was quite sure I caught the reading correctly.

Mr. CROWTHER. According to the records of the War Department, he was not in the service.

Mr. OWENS. Then where do you get your information, except from the records of the War Department?

Mr. CROWTHER. The records of the military organization to which he belonged.

Mr. OWENS. But he was not in the military service of the United States.

Mr. BRODERICK. If the gentleman from Missouri will allow me I would like to ask a question.

The CHAIRMAN. The gentleman from Kentucky is entitled to the floor.

Mr. OWENS. I do not care about objecting to this thing. I only wanted to understand the status of it; to find out exactly what we are going to do. I have down in my country a large number of such people, and have had a great many inquiries. They are anxious to get on the rolls, but I have hesitated to ask Congress to put them there. If, however, you are going to adopt that principle, I will have to take up their cases. I merely want to understand the status of the thing.

Mr. CROWTHER. We have no men from Missouri who are anxious to get on the rolls, unless they are entitled to it.

Mr. OWENS. You seem to be trying to get one on now. I do not know where he is from, but I suppose from Missouri.

Mr. CROWTHER. But you see he was performing service for the country.

Mr. OWENS. But outside of the service of the United States.

Mr. PICKLER. If the gentleman will permit me, this man was practically, although not technically, in the military service of the United States. He performed military duties under the command of United States officers.

It is not a new case, I will state to the gentleman. Pensions of this kind have been granted heretofore. I have no doubt that he would have been pensionable under the act of 1874—

Mr. OWENS. But he was not in the service at all.

Mr. PICKLER. Oh, yes; this is simply an exceptional case. He performed military service, and such pensions have been granted heretofore.

Mr. OWENS. When was he in the service; during the war, or afterwards?

Mr. PICKLER. During the war, of course. Our committee does not have jurisdiction except of cases arising out of the late war.

Mr. OWENS. He came in contact with a saddle, I believe, and was hurt?

Mr. PICKLER. Well, he got hurt.

Mr. OWENS. Well, I merely wanted to understand the merits of the case.

Mr. PICKLER. Does the gentleman think there is no danger in a saddle?

Mr. OWENS. I do not know; I wanted to find out.

Mr. BRODERICK. If the gentleman will allow me, I would like to ask the gentleman from Missouri this question: If it is not true that some of these militia organizations in his State and mine were called out by the governors of the State about the time of the Price raid, and that after they got into the field they went into the regular service; that is, they were under the command of United States officers, and were engaged in some of the battles, during the war, along the border?

Mr. CROWTHER. That is true. There were several such regiments from my own State, and I know in certain instances the men were not mustered into the United States service, but they

performed military duty under United States officers. This case is one where the performance of duty was in 1862.

Mr. BRODERICK. And these regiments called out in that way for State service served under United States officers and performed duty in the United States service under the command of army officers?

Mr. PICKLER. Yes; and perhaps saved the States from going out of the Union.

I ask a vote, Mr. Chairman.

The amendment was agreed to.

Mr. CROWTHER. There is a typographical error in the seventh line of the bill, which should be amended. I move to strike out the word "enlisted," in that line, and insert "enrolled" in lieu of it.

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with favorable recommendation.

CYRUS THOMAS.

The next business on the Private Calendar was the bill (H. R. 4910) granting a pension to Cyrus Thomas.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to Cyrus Thomas a pension at the rate of \$75 per month from and after the passage of this act, in lieu of the pension which he now receives, and subject to the limitations and provisions of the pension laws.

Mr. MILNES. I ask for the reading of the report.

The report (by Mr. WOOD) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4910) granting a pension to Cyrus Thomas, submit the following report:

Cyrus Thomas enlisted August 7, 1862, and served as sergeant and second lieutenant in Eleventh Vermont Infantry and Battery B, First Vermont Heavy Artillery, until June 24, 1865. He was promoted to first lieutenant for meritorious conduct, but seems not to have been mustered, being absent on account of wounds received in battle. His discharge and record is honorable.

He was twice wounded in battle. At Cedar Creek, Virginia, he received a slight scalp wound. At Petersburg he was wounded in left leg by piece of shell. For this last wound he is now receiving a pension of \$11.25 per month.

It conclusively appears that claimant, while in service and in line of his duty at Monocacy, Va., on July 31, 1864, received a sunstroke. This appears from the affidavits of his captain and two comrades. He is now in feeble health, partially paralyzed, subject to dizziness, and totally unfit for physical labor. His trouble in the head causes forgetfulness to such an extent that he is totally unfit for mental labor, and he has been obliged, on account of such disabilities, to abandon his profession, that of a minister of the Baptist Church. He is 60 years of age, and requires a nurse or attendant from one-third to one-half of the time. He has little power over his muscles and can not dress himself alone.

The evidence examined by the committee is voluminous. Besides the statement of claimant, the evidence on file in the Pension Office, there are 40 affidavits, which have been carefully considered. The committee believe that the condition of the claimant is from disabilities of service origin. His captain, on account of lapse of time and lack of memoranda, can only state the fact of the sunstroke. Neither he nor the comrades can state the effect of this injury or how it affected him, although both state the fact, and one at the time wet the claimant's head. Claimant was soon after wounded and went to hospital, which reasonably accounts for this lack of evidence, which, if it could be obtained, would secure him an increase through the Pension Office. As it is, he is without remedy there.

Claimant is poor. His only income is \$11.25 per month pension and \$3 per week which his daughter earns. It is entirely insufficient for his support under his present condition.

The committee recommend the passage of the bill with an amendment striking out the word "seventy-five" and inserting "fifty"; also insert after the word "Thomas," in line 4, the words "late second lieutenant Battery B, First Vermont Heavy Artillery, and sergeant Company B, Eleventh Vermont Infantry."

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

ELIZABETH E. DONAHOE.

The next business on the Private Calendar was the bill (S. 746) granting a pension to Elizabeth E. Donahoe.

The bill was read, as follows:

Be it enacted, etc., 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 Elizabeth E. Donahoe, widow of the late Col. Michael T. Donahoe, of the Tenth New Hampshire Volunteer Infantry and brevet brigadier-general of volunteers, at the rate of \$30 per month.

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

The report (by Mr. SULLOWAY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 746) granting a pension to Elizabeth E. Donahoe, adopt as their own the Senate report, as follows:

"Mrs. Donahoe is the widow of Col. Michael T. Donahoe, of the Tenth New Hampshire Volunteer Infantry, and brevet brigadier-general of volunteers. The following certificate from the adjutant-general of New Hampshire gives the military record of the soldier:

"THE STATE OF NEW HAMPSHIRE,
"ADJUTANT-GENERAL'S OFFICE,
Concord, November 26, 1895.

"I certify that the following is a correct abstract from the official records of this office:

"Michael T. Donahoe, born Lowell, Mass.; age, 22; residence, Manchester, N. H.; enlisted August 1, 1861, as private in Company C, Third Regiment New Hampshire Volunteers; appointed captain August 22, 1861; mustered into service as captain August 23, 1861; discharged July 31, 1862; to accept promotion; appointed colonel Tenth Regiment New Hampshire Volunteers August 6, 1862; mustered as colonel September 5, 1862; wounded September

29, 1864, Fort Harrison, Va.; mustered out June 21, 1865, brevet brigadier-general United States Volunteers, for gallant conduct in the field, to date from March 13, 1865.

"A. D. AYLING,

"Adjutant-General State of New Hampshire.

"At the age of 22, and almost at the beginning of the war, Mr. Donohoe raised a full company for the Third New Hampshire Regiment, which he served with and commanded until promoted to the colonelcy of the Tenth Regiment from that State. He commanded a brigade at the close of the war. He was severely wounded at the battle of Fort Harrison, Va., in September, 1864, being confined in hospital at Hampton and Fortress Monroe for many weeks. In consequence of this wound Colonel Donohoe could have been placed on the pension roll at the close of the war, but he preferred not to accept aid from the Government while he was able to take care of himself and family. Had he accepted a pension he would have doubtless drawn from the Treasury more money than will be paid to his widow during her natural life under the provisions of this bill.

"General Donohoe was a brave, loyal, true Irish-American soldier and an upright, honored citizen. He was twice named by the Democratic party of New Hampshire as their candidate for railroad commissioner (in those days the second name on the ticket), and was twice honored in Massachusetts as the party candidate for secretary of state. During the three years 1891, 1892, and 1893 he served as aid-de-camp on the personal staff of Governor Russell, of Massachusetts. During the later years of his life he served as secretary to the department of public institutions of Boston, and a few months previous to his death he was promoted to the superintendency of the Reformatory for Boys at Bainsford Island, Boston Harbor.

"General Donohoe died on the 26th day of May, 1895, of cerebral hemorrhage, leaving no property whatever. This not being a disease of service origin, the widow is barred from receiving the pension of \$30 per month, the grade of a colonel, under the general law. Her only means of relief is either by special act or by securing a pension of \$8 per month under the act of June 27, 1890.

"In view of the fact that General Donohoe served with distinction for almost four years; that he declined to apply for pension in consequence of a severe wound, and the destitute condition of his widow, your committee recommend favorable action on the bill after it has been amended by substituting 'Donohoe' for 'Donahoe' in lines 6 and 7 and also in the title of the bill."

Mr. MILNES. Mr. Chairman, I move to strike out "fifty" and insert "thirty"; so that it will read "thirty dollars a month" instead of fifty.

I have but just a word or two to say about the amendment. If this soldier had actually been killed in the service of the United States his widow could not have received a pension of over \$30 a month under the law. Now, there are in the United States tens of thousands of widows of private soldiers and noncommissioned officers who are absolutely unable to receive a pension of over \$8 a month, and I do not think that we ought to go on paying large pensions to the widows of officers, but should distribute the pensions a little more generally and uniformly.

Therefore, I favor cutting down the amount carried by this bill to \$30 per month.

Mr. CURTIS of New York. Mr. Chairman, I hope the amendment of my friend will not prevail. It was my good fortune to have known and served for some time with Michael Donohoe. I knew him and his regiment. I had an opportunity to see him after the war and to know something of his services to the States of New Hampshire and Massachusetts. But this bill relates to pensioning his widow, and I desire to speak simply in that regard, with the desire to call the attention of the House to the fact that he was a very deserving man. This lady cared for him in the years of his affliction and suffering from wounds. She is entitled to high consideration. I trust it will not be the purpose of any member of this House to raise an objection against the continuing of the practice which has been established in respect to these meritorious officers and the widows of those who served in the war in the capacity and with the fidelity and ability of General Donohoe.

Mr. MILNES. Mr. Chairman, this widow is now drawing, as I understand, \$8 a month. If my amendment is adopted it will give her \$30 a month, all she could possibly get under the law, even if her husband had died by being killed in battle. Now, why should we go on and pay \$50 a month to these widows of officers while there are thousands and tens of thousands of widows of soldiers just as gallant as this soldier who can not get to exceed \$8 a month? I do not believe it is right, and I do not believe the old soldiers of this country, of whom I am one, are in favor of that kind of pension legislation. If I know anything about the wishes of the soldiers of this country—and I have been as intimately connected with them as any man on this floor—they are opposed to that kind of legislation. Therefore I hope this amendment will prevail.

Mr. SULLOWAY. I hope this amendment will not prevail. There is no reason why it should. None has been given. I notice when a gentleman arises on this floor to oppose a pension he always says he does it in the name of the old soldier. He always has great love and sympathy and pity for the private; but I never knew one of them to arise here and propose to do anything for the private, not one of them. I have watched that during this session, and there has not been an instance.

Now, this is the widow of as brave a man as ever stood under that flag. He stood under it on many a bloody field, when its stripes were torn, its stars shot away, its staff splintered, and its folds stained with blood. I ask that his widow be treated as widows of other generals have been treated; not as well, because we have voted to some \$100, to some \$75; but for this one we ask only \$50. I ask it for the very best reason in the world, that this

general was one of the most successful killers of rebels, at a time when that was the best use you could make of them, that the North produced. [Applause on the Republican side.] She is drawing no pension whatever, not a penny. I ask that she be given \$50 a month.

Mr. POOLE. Mr. Chairman—
The CHAIRMAN. The time for debate is exhausted. The question is on the amendment of the gentleman from Michigan [Mr. MILNES].

On a division (demanded by Mr. SULLOWAY and Mr. BAKER of New Hampshire) there were—ayes 25, noes 50.

Accordingly the amendment of Mr. MILNES was rejected.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

HANNAH NEWELL BARRETT.

The next business on the Private Calendar was the bill (H. R. 3239) for the relief of Hannah Newell Barrett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Hannah Newell Barrett, eldest daughter of Noah Harrod, late a soldier in Colonel Shephard's regiment and Captain Webb's company of Massachusetts troops in the war of the Revolution, and pay her a pension at the rate of \$20 per month from and after the passage of this act.

The Committee on Pensions recommended an amendment striking out the word "twenty," in line 8, and inserting the word "twelve."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CELESTIA R. BARRY.

The next business on the Private Calendar was the bill (H. R. 1891) granting a pension to Celestia R. Barry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place upon the pension roll the name of Celestia R. Barry, widow of Claudius C. Barry, deceased, late a private in Captain Conner's company, Bell's regiment, Mexican war volunteers, and to allow the said Celestia R. Barry a pension at the rate of \$12 a month.

The Committee on Pensions recommended an amendment striking out the word "twelve," in line 8, and inserting in lieu thereof the word "eight."

Mr. SPALDING. Let us have the report read.

The report (by Mr. BLACK of Georgia) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 1891) granting a pension to Celestia R. Barry, have considered the same and respectfully report as follows:

The claimant is the widow of Claudius C. Barry, late a private of Captain Conner's company of Texas Mounted Volunteers in the war with Mexico. The records of the War Department show that he enlisted May 5, 1848, and was discharged with the company December 31, 1848. The rolls further show that the regiment was called into service for the protection of the frontier against hostile Mexicans and Indians, and it is also shown that casualties occurred in the regiment December 1, 1848, at Brazos River, and December 30, 1848, at Austin, Tex.

The soldier was allowed a pension under the Mexican war act of January 29, 1857, but when his widow made application after his death (which occurred May 4, 1894) the rulings of the Pension Bureau had changed, and her claim was rejected "on the ground that the soldier did not serve the requisite sixty days in the war with Mexico, as said war closed May 30, 1848."

Mrs. Barry is now 56 years old, and the testimony filed at the Pension Bureau fully establishes her widowhood and that she has no property or income, but is dependent upon others for support. It is also shown that she is so disabled by rheumatism as to incapacitate her from earning a maintenance by her own labor.

The soldier's service, notwithstanding the fact that the Pension Bureau holds that the Mexican war ended May 30, 1848, was of an arduous and dangerous character and extended far beyond the date named. As stated above, casualties occurred in the regiment as long as six months subsequent to May 30, 1848.

Your committee believe that the claimant is deserving of relief, and the passage of the bill is therefore recommended with an amendment striking out the word "twelve," in line 8, and substituting therefor the word "eight"; so as to allow a pension of \$8 per month.

Mr. DINGLEY. As I understand, this is a proposition to pension the widow of a soldier who did not serve the sixty days required by the general law.

Mr. PENDLETON. Mr. Chairman, this is a proposition to pension Celestia R. Barry, widow of C. C. Barry, who was a soldier in the Mexican war. When General Black was Commissioner of Pensions he gave C. C. Barry a pension. After his death Celestia R. Barry applied for a pension, and the Pension Office refused to grant it, for the reason that the ruling of the Pension Office had been changed.

Barry enlisted in the Army on the 5th of May, 1848. He was discharged from the Army on the 31st day of December, 1848. General Black decided that the war had ended on the 4th of July, 1848, at the date of the President's proclamation declaring peace between the two countries, and therefore gave Barry a pension. After his death, when Mrs. Barry applied for a pension, the Pension Office decided that the date when hostilities ceased between the United States and Mexico was not the 4th of July, 1848, but the 30th of May, 1848, when Congress passed an act declaring peace. The entire question is whether peace was declared by the act of Congress or by the proclamation of the President.

Mr. MILNES. I understand that the soldier enlisted May 10, 1848?

Mr. PENDLETON. May 5.

Mr. MILNES. And the war was declared at an end—

Mr. PENDLETON. On the 4th of July, 1848, making the soldier's service just sixty days exactly.

Mr. MILNES. I understood the report to say he enlisted May 10.

Mr. PENDLETON. No; May 5. General Black gave the soldier a pension, deciding that the date of the cessation of hostilities was the 4th of July, the date of the President's proclamation.

Now, the soldier served eight months, lacking four days, in the Army of the Republic, and he served sixty days before the proclamation of the President, but only twenty-five days before Congress passed a resolution declaring peace between the two countries. General Black, when he was Commissioner of Pensions, decided that it was the day of the President's proclamation, and gave her husband a pension; but the present Commissioner of Pensions refuses to grant her a pension because he has decided that it was the 30th day of May and not the 4th of July that the war was ended.

Mr. DINGLEY. Is the amount provided for in the bill the same as she would have received under the law?

Mr. PENDLETON. The same exactly. The amount I wished her to have was \$12.

Mr. DINGLEY. The general law is \$8 a month, and that is what is provided for here.

Mr. PENDLETON. That is what is provided; but in her indigent condition I think she ought to have had more.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LYDIA BOYNTON FERRIS.

The next business on the Private Calendar was the bill (H. R. 1511) for the relief of Lydia Boynton Ferris.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Lydia Boynton Ferris, daughter of John Boynton, who was a soldier in the war of 1812 in Capt. Joseph Morrill's company, Vermont Militia, from September 12 to November 30, 1812, on the pension roll and pay her a pension of — dollars per month.

Mr. SPALDING. I call for the reading of the report.

The report (by Mr. HOWE) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 1511) granting a pension to Lydia Boynton Ferris, have considered the same and respectfully report as follows:

The claimant is the daughter of John Boynton, who served as a corporal in Capt. Joseph Morrill's company of Vermont Volunteers from September 12 to November 30, 1812, in the war of that year with Great Britain. It is also shown that she is the granddaughter of Isaac Boynton, who is shown by the records of the War Department to have served for a period of three years in the war of the Revolution. John Boynton, the claimant's father, was, at the time of his death, a pensioner at \$8 per month on account of his service in the war of 1812.

Her relationship to the above-named soldiers is shown by the sworn statements of James Owens, Alonzo L. Boynton, Laura Hayes, M. L. Staib, Minnie Miller, and Sophia B. Frary.

The claimant swears that she is 63 years old, a resident of 287 Normal avenue, Buffalo, N. Y., and that she is the widow of Joshua C. Ferris, who died in 1882, leaving her comparatively penniless. She further swears that by the accidental breaking of her arm in 1884 she has been rendered permanently unable to provide for herself, and that she is now without any means of support whatever.

The truthfulness of the claimant's statement is certified to by B. W. Green, of Emporium, Pa., in a letter addressed January 12, 1895, to Hon. Charles Daniels, M. C.

The soldier, in his application for pension, certified that his wife (the claimant's mother) was deceased.

There are precedents for the proposed legislation (one of them being the case of Delia Stewart Parnell, pensioned in the Fifty-first Congress as the daughter of an officer in the war of 1812), and in view of the claimant's necessities, the passage of the bill is recommended with an amendment fixing the rate of pension at \$12 per month.

Mr. ERDMAN. Mr. Chairman, I dislike very much to see the time of the committee taken up by the useless proceeding of reading the report, and I am very much annoyed that there is no continual wailing of "Vote!" "Vote!" on the other side when reading the report. Has the leader of the House cast his spell over them? Something is the matter with them. I should like very much to hear an explanation of the reason why we must have these reports read and why pensions are blocked by it. It would be very interesting!

Mr. DINGLEY. Mr. Chairman, as this is the second statement the gentleman has made in this line, I think it is appropriate that some response should be made. The gentleman from Pennsylvania [Mr. ERDMAN] on Friday evening sessions, up to the last one, has occupied a large part of the time in making speeches and repeating them, occupying hours, I understand, talking, not for the purpose of ascertaining whether the bill should pass or not, but for the purpose of blocking the passing of bills.

Now, to-day he has changed his course of procedure. He desires now that the bills shall be considered without even the reading of the report and without any knowledge respecting them. I think it is entirely appropriate that this House, at any time,

whether on Friday evening session or any other, should have enough said, either by the reading of the report or by a statement of some gentleman, that members should know what the character of the bill is and its merits, and I think it is entirely appropriate to have the report read. [Applause]. But now a change has come over the gentleman from Pennsylvania. The House should proceed in no other way than to deliberately consider each bill as it comes up, and ascertain from the report or some statement of some gentleman exactly what the merits of the bill are. We should not swing from one extreme to the other, as the gentleman from Pennsylvania seems to have swung, but should consider each bill upon its merits. I have nothing more to say.

Mr. ERDMAN. Does the gentleman think that five minutes is sufficient time to discuss and deliberately consider any bill?

Mr. DINGLEY. Ordinarily I will say that five minutes for and five minutes against a bill, where there is simply a question as to whether a person should be pensioned or not, is sufficient. Now and then there may come up a bill where more time is needed; but ordinarily, in most of these bills, especially referring to privates, five minutes on one side and five on the other clearly acquaint the House with the facts.

Mr. ERDMAN. Did not the gentleman see that five minutes for and five minutes against it were exhausted by the reading of a report and was not sufficient for the reading of the report itself?

Mr. DINGLEY. Yes; and the gentleman objected.

Mr. ERDMAN. I did.

Mr. DINGLEY. Undoubtedly we have been compelled to resort to this procedure for the purpose of doing business that ought to have been done at the Friday night sessions, and the gentleman is responsible. [Applause on the Republican side.]

Mr. ERDMAN. I point to the RECORD, which will show that I did not occupy more than fifteen or twenty minutes' time on any Friday night.

Mr. COLSON. Which was fifteen minutes too much. [Laughter.]

The CHAIRMAN. The question is on the amendment.

Mr. LOUD. Unless the time is exhausted, I would like to say one word on this bill.

The CHAIRMAN. The Chair thinks there are two minutes remaining.

Mr. LOUD. I will confine myself to the bill. I would like to ask some gentleman, in regard to this bill, whether this lady is to be pensioned because her grandfather was in the Revolutionary war or because her father was in some other war?

Mr. DANIELS. It was intended to put it on both grounds; but the committee concluded it would be shorter to put it on the ground that her grandfather served in the Revolutionary war.

Mr. LOUD. I would like to discover how far removed by blood a person must be before a pension shall not be granted. You have gotten to granddaughters now. I do not know why we should not go down the whole list to cousins.

Mr. DANIELS. She is the granddaughter of a soldier of the Revolutionary war who served three years.

Mr. PICKLER. We are more lenient to those who served in the Revolutionary war than others.

Mr. DANIELS. There are very few of them.

Mr. LOUD. But there are lots of cousins and granddaughters left.

The amendment recommended by the committee was agreed to. The bill as amended was ordered to be laid aside with a favorable recommendation.

KATHERINE ZEIGENHEIM.

The next business on the Private Calendar was the bill (H. R. 2359) granting a pension to Katherine Zeigenheim, of Louisville, Ky.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place upon the pension roll of the United States, subject to the provisions and limitations of the pension laws, the name of Katherine Zeigenheim, widow of Frank J. Zeigenheim, late private of Third Regiment of United States Dragoons, Mexican war, at the rate of \$8 per month from and after the passage of this bill.

The report (by Mr. COLSON) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 2359) granting a pension to Katherine Zeigenheim, have considered the same and respectfully report as follows:

The claimant is the widow of Francis J. Zeigenheim, who served from May 16, 1848, to July 14, 1848 (a period of sixty days), as an unassigned recruit in the Third United States Dragoons. The records of the War Department show that he enlisted at Louisville, Ky., for the Mexican war and was forwarded to Jefferson Barracks, Mo., where he remained on post duty until discharged.

The soldier made application for a pension under the Mexican war act approved January 29, 1887, and the same was allowed, but after his death, which occurred January 5, 1892, his widow's claim was rejected because he did not serve in Mexico, on the coast or frontier thereof, or en route thereto, as required by the act in question.

The claimant is now about 61 years old, in poor health, and without any means of support aside from what she earns as a janitress of a furniture store. These facts are sworn to by the claimant and by Sebastian Wetterer

and Edward Duerr, citizens of Louisville, Ky. Her status as the soldier's widow is fully established by the proof on file at the Pension Bureau.

In view of the fact that the soldier enlisted in good faith for service in the war with Mexico and was actually en route thereto until assigned to other duty at St. Louis, your committee believe that Congress can very properly grant the relief prayed for, and the passage of the bill is therefore recommended.

Amend by changing the spelling of soldier's Christian name to "Francis."

The amendment recommended in the last paragraph of the report was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

NANCY B. PRINCE.

The next business on the Private Calendar was the bill (H. R. 1827) granting a pension to Nancy B. Prince, widow of Elbert Prince.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy B. Prince, widow of Elbert Prince, late private of companies commanded by Captains Christmas and Spirey, Georgia Volunteers, Indian war of 1836, and that he pay her a pension of \$8 per month from and after the passage of this act, and to continue during her widowhood.

Mr. HARRISON. Mr. Chairman, the facts in this case are very simple. This lady is the widow of a soldier who actually served sixty days in the Indian war, but served in two companies. On the widow's application for pension, the Department could only find record of service of the soldier for about eighteen days in one company, and therefore the application was denied; but the facts as shown establish a service of about sixty days in the two companies. The old lady is now about 86 and entirely dependent upon others for support, and I trust there will be no objection to the passage of this bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

HENRY PRINCE.

The next business on the Private Calendar was the bill (H. R. 1826) granting a pension to Henry Prince.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Prince, late private in companies commanded by Captains Christmas and Spirey, Georgia Volunteers, Indian war of 1836, and that he pay him a pension of \$8 per month from and after the passage of this act.

Mr. HARRISON. Mr. Chairman, this is a similar case to the last. The applicant in this case is a brother of the soldier to whose widow the last bill grants a pension. The Princes were brothers and served in the same company.

Mr. MILNES. Mr. Chairman, I ask for the reading of the report.

The report (by Mr. STALLINGS) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 1826) granting a pension to Henry Prince, beg leave to submit the following report: The claimant declares that he enlisted about May 1, 1836, and served until the last of June, 1836, as a private in Captain Christmas's company of Georgia volunteers in the Creek Indian war, and his allegations as to length of service are borne out by the sworn statements of Linson Pickard and John H. Blalock, aged residents of Lee County, Ala., who knew him at the time of his service. The records, however, fail to show the service except from May 21, 1836, to June 7, 1836; and it further appears that no travel-time allowance is included within that period. His claim, under the Indian war act of July 27, 1862, was disallowed because of inability to find a record except of eighteen days' service.

The claimant is now 80 years old, in feeble health, and without property or income upon which to depend for a support. The facts are shown by the certificate of the gentleman who introduced the bill in the House, and also by the sworn statement of three residents of Lee County, Ala.

The passage of the bill is respectfully recommended.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

GEN. JAMES C. PARROTT.

The next business on the Private Calendar was the bill (H. R. 5226) to give increased pension to Gen. James C. Parrott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of James C. Parrott, late colonel of the Seventh Iowa Infantry in the war of 1861, and pay him pension at the rate of \$72 per month in lieu of that he is now receiving.

The Committee on Pensions recommended amendments as follows:

Line 6, strike out the words "in the war of 1861."
Line 7, strike out "seventy-two," before the word "dollars," and insert "fifty."

Mr. PERKINS. Mr. Chairman, this bill was introduced by my colleague [Mr. CLARK], who is absent. General Parrott is 85 years of age. He was a soldier in the Regular Army for a period between 1830 and 1840. He was 50 years of age when he enlisted in the Seventh Iowa Infantry in the late war. He has a distinguished record as a soldier, and he is now in a helpless condition, due, to some extent, to his advanced years. I believe there can be no possible objection from any quarter to this bill. Investiga-

tion of the case will simply serve to show its highly meritorious character.

Mr. HENDERSON. Mr. Chairman, I know Colonel Parrott well. He entered the Army as a private and was elected captain by his company. He was baptized at Belmont, and his gallantry was recognized by General Grant in a letter which he wrote urging him to go home to recuperate. He was at Fort Henry, at Donelson, at Shiloh, and at Corinth. He was severely wounded at Donelson and at Corinth. He was in the battle before Atlanta. He marched with Sherman to the sea, and was mustered out at the end of the war. He is a man of beautiful character. He is now stricken down by paralysis, absolutely prostrated; he is 85 years of age, and is without a dollar on which to live. I believe the case is wisely and well put by the committee when they say in their report that they "unanimously and cordially" recommend the passage of this bill, and I want to thank them for that assurance.

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

CAROLINE E. PURDUM.

The next business on the Private Calendar was the bill (H. R. 6134) granting an increase of pension to Caroline E. Purdum.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Caroline E. Purdum, widow of Elijah F. Purdum, late private in Company F, Thirtieth Regiment, and assistant surgeon Eighty-ninth Regiment, Ohio Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of the pension she is now receiving.

Mr. ANDREWS. Mr. Chairman, the report in that case is brief, and I ask that it be read.

The report (by Mr. ANDREWS) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6134) granting an increase of pension to Caroline E. Purdum, have considered the same and report as follows:

Five different pension certificates were issued to the soldier because of disease contracted in the service.

One of the disabilities mentioned in his last certificate was "disease of heart" for which disability he was rated at eight-eighths.

After the soldier's death his widow, the said Caroline E. Purdum, applied for a pension under the general law.

The declaration alleged that the soldier's death resulted from "heart disease."

The claim was approved by the medical examiner in the Pension Office and submitted for admission by the present "medical referee."

The re-reviewer raised some question of doubt, and a special examination was subsequently ordered.

In the course of that special examination Dr. B. B. Baker, who had been the soldier's advisory physician for several years and was his attending physician during his final illness, testified that "the immediate cause of his death was chronic valvular disease of the heart."

The report of the special examiner concludes with the following statement:

"I think the claim could be fairly admitted under the positive medical testimony of Dr. B. B. Baker that the heart disease was undoubtedly due to the typhoid fever and its resulting disease of the circulatory system."

Nevertheless, the claim was rejected. But the facts cited, which are corroborated by other testimony, lead your committee to believe that the widow is clearly entitled to a pension under the general law, and we therefore recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

FRANCES E. HELFENSTEIN.

The next business on the Private Calendar was the bill (H. R. 979) granting a pension to Frances E. Helfenstein.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension rolls, subject to the provisions and limitations of the pension laws, the name of Frances E. Helfenstein, widow of George W. Helfenstein, late first lieutenant and adjutant of the One hundred and seventy-third Ohio Volunteer Infantry.

The committee recommended an amendment, adding, after the word "Infantry," the words "at the rate of \$17 per month."

The report (by Mr. KERR) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 979) granting a pension to Frances E. Helfenstein, widow of George W. Helfenstein, late first lieutenant and adjutant of the One hundred and seventy-third Ohio Volunteer Infantry, have examined the same, and report:

The claimant is the widow of George W. Helfenstein, who was first lieutenant of Company D, One hundred and seventy-third Ohio Volunteer Infantry, and afterwards adjutant of the same regiment. The soldier entered the service August 10, 1864, for one year. He was appointed first lieutenant of Company D, One hundred and seventy-third Ohio Volunteer Infantry, September 17, 1864, and adjutant of the same regiment December 21, 1864. He was discharged May 30, 1865, for disability, the regiment itself being mustered out June 28, 1865. He was married January 28, 1863, to Frances E. Spry, and she, as his widow, now prosecutes this claim.

The evidence in the case is voluminous, but the main facts are as follows:

In the service, about October, 1864, the officer was sent out on a long detail, or scout, in which he rode horseback. In that time he bruised his scrotum and caught cold. When he returned to camp his scrotum was swollen and painful, and a case of orchitis or sarcocoe was set up. He was sent to the officers' hospital at Nashville, Tenn., treated for it, and returned to the regiment. There was a recurrence of the disease, and he was returned to the hospital, where his right testicle was extirpated. He was granted sick leave, and sent home in March, 1865.

He returned to the regiment, but on May 30, 1865, he was again found in the hospital and was discharged, as of that date, by virtue of a general order discharging all officers in hospital at that date.

The soldier applied for pension on account of the disability arising in the service in March, 1879, and was allowed for \$3.50, dating from January 5 1882. He applied for an increase of pension and was allowed it to the amount of \$12.75, October 7, 1887, which he was receiving on June 5, 1892, the date of his death.

In August, 1892, Frances E. Helfenstein, the widow, applied for pension on the ground that the soldier died of the disability on account of which he was pensioned.

On September 10, 1894, the claim was rejected on the ground that the soldier's death was not the result of the disability originating in the service.

The whole case turns upon this one point. There is no doubt but that the soldier received the disability in the service, and was pensioned for it, and that claimant is the widow, and the only question is, Did the soldier die of the disability received in the service?

Upon this point there are five medical witnesses. Dr. Morris, late first assistant surgeon of the One hundred and seventy-third Ohio Volunteer Infantry, and Dr. F. B. Mussey, both of whom treated the soldier in the service for the disability incurred there, the latter physician treating him on down until 1881. Then there are Drs. Fulton, McClure, and Halderman, who treated the soldier from 1881 until his death.

Each physician states his own knowledge of the case, and then gives his opinion on his own evidence and on that of the other four. All of these physicians stand high in their profession. All arrive at the same conclusion, namely, that the disease of which the soldier died is traceable to the sarcocele which originated in the service and on account of which he was pensioned.

The Pension Office physicians refuse to draw these conclusions from the evidence of the five physicians, and say that the soldier did not die of the disease on account of which he was pensioned. If this case had been submitted to a court on the evidence of the five physicians, and the court had been bound to accept their evidence as experts, then it would have been bound to have allowed the pension, for their evidence establishes the right to a pension.

Your committee think that this evidence was competent, and that when given the Department was bound to receive it, and to follow what it proved. We do not believe that the medical staff of the Department can or should arbitrarily say that they will not accept as proven what the evidence clearly proves.

The facts in the case warrant the allowance of a pension, and we therefore recommend the passage of the bill with an amendment adding to line 8, after the word "Infantry," the words "at the rate of \$17 per month."

Mr. DINGLEY. What is the rate provided for in the amendment?

The CHAIRMAN. Seventeen dollars per month.

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ABRAM H. PARKER.

The next business on the Private Calendar was the bill (H. R. 5946) granting an increase of pension to Abram H. Parker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Abram H. Parker, late of Company A, Forty-fifth Regiment Kentucky Mounted Infantry, on the pension roll of the United States at the rate of \$50 per month in lieu of the pension he is now receiving.

Mr. PUGH. Mr. Chairman, in order to correct an error in this bill I ask that "Abraham" be inserted instead of "Abram."

The CHAIRMAN. In the absence of objection that correction will be made.

There was no objection.

Mr. PUGH. Mr. Chairman, the beneficiary named in this bill entered the Army at the age of 15 and made as true and brave a soldier as ever flashed a saber or shouldered a musket. Although entitled many years ago to a pension, he never asked this aid from the Government so long as he could get along without it; and he would now scorn to receive the increase he asks if it were not due to him as an act of justice in every sense of the word. He is in an utterly helpless condition and requires the almost constant care of an attendant. I personally presented this claim before the committee; and when the facts were there heard and considered the committee openly expressed the opinion that this claimant is entitled to and should receive \$72 a month. But fearing that to ask such an amount might jeopardize the passage of the bill, I have sought to secure for him a pension of only \$50 per month, and this amount the committee recommends. I hope the recommendation will be adopted.

Mr. PICKLER. I move to amend by inserting, after the word "late," in line 5, the word "private." I will state that this man requires the attendance of another person a large portion of the time; and his case brings him within the class of pensioners who receive from the Pension Office \$50 a month.

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

MARY PRINCE.

The next business on the Private Calendar was the bill (H. R. 1825) granting a pension to Mary Prince, widow of Ellis Prince.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Prince, widow of Ellis Prince, late corporal of company commanded by Captain Christmas, Georgia Volunteers, and late member of company commanded by Captain Spirey, Georgia Volunteers, both of Indian war of 1836, and that he pay her a pension of \$8 per month from and after the passage of this act, and to continue during her widowhood.

Mr. SPALDING. I call for the reading of the report.

The report (by Mr. STALLINGS) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 1825) entitled "A bill granting a pension to Mary Prince, widow of Ellis Prince," beg leave to submit the following report, and recommend that said bill do pass:

This is a bill enacting that Mary Prince be granted a pension because of the service of her deceased husband, Ellis Prince, in Captains Christmas's and Spirey's companies of Georgia Volunteers in the Indian war of 1836.

Such rolls as are on file show that Ellis Prince served from May 31 to June 7, 1836, in Captain Christmas's company, but no allowance was made on account of time spent in travel. No rolls of Captain Spirey's company can be found, but parole evidence is furnished to show that the soldier's service covered a period of nearly sixty days.

The claimant's application at the Pension Bureau under the Indian war act of July 27, 1892, was disallowed because of inability to find a record of more than the eighteen days of service appearing on the above-named roll.

Ellis Prince died November 1, 1874, and his widow, who is now about 76 years old, is in a very needy and dependent condition.

The facts as to dependence are shown by the statement of the gentleman who introduced the bill in the House and by the affidavits of three citizens of Lee County, Ala.

The bill was laid aside to be reported favorably to the House.

MRS. F. E. MARSHALL.

The next business on the Private Calendar was the bill (H. R. 4090) granting an increase of pension to Mrs. F. E. Marshall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to increase the pension of Mrs. Frances E. Marshall, widow of Gen. Humphrey Marshall, an officer in the Mexican war, from \$8 per month to \$25 per month, to take effect from the passage of this bill.

The amendment reported by the Committee on Pensions was read, as follows:

In line 7 strike out "twenty-five" and insert "thirty."

Mr. COLSON. Mr. Chairman, I wish to make a statement which, while it gives me no pleasure, will, I have no doubt, afford a great deal of satisfaction to at least one gentleman on this floor. The widow of that distinguished soldier Humphrey Marshall is dead; and I ask leave to withdraw this bill which was introduced for the benefit of his widow.

The CHAIRMAN. In the absence of objection, the bill will be withdrawn.

SARAH WEEDON.

The next business on the Private Calendar was the bill (H. R. 1178) granting a pension to Sarah Weedon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Sarah Weedon, widow of John H. Weedon, deceased, who was a sergeant in Company I, Fourth United States Infantry, in the Mexican war, and to pay her a pension at the rate of \$5 per month.

The amendments reported by the committee were read, as follows:

In line 5, after "Weedon," insert "Jones, former."

In the last line of the bill strike out "twenty-five" and insert "eight"; so as to make the pension \$8 a month.

Amend the title so as to read: "A bill granting a pension to Sarah Weedon Jones."

Mr. VAN VOORHIS. I ask that the report be read.

The report (by Mr. HARDY) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 1178) granting a pension to Sarah Weedon, have considered the same, and respectfully report as follows:

The claimant was formerly the widow of John H. Weedon, who served as a sergeant in Company I, Fourth United States Infantry, and as such participated in the war with Mexico.

The exact date of the soldier's death is not known, but the Pension Bureau reports that he was discharged at the City of Mexico November 23, 1847, on a surgeon's certificate of disability, and he directed that his pension certificate should, when issued, be sent to Zanesville, Ohio. This certificate was issued to him in May, 1848, sent to Zanesville and returned uncalled for, and it is now on file in the Pension Bureau.

The testimony filed in the widow's pension application shows that it was understood that he received a wound at Molino del Rey, Mexico, September 8, 1847, and died soon after from the effects of same. The widow remarried to one Enoch Jones, who died September 23, 1891.

The claimant's application at the Pension Bureau, filed January 30, 1890, was rejected March 8, 1890, "on the ground of no pensionable period, application not having been filed within three years subsequent to soldier's death nor prior to remarriage May 13, 1849."

As stated above, the claimant is again a widow, and as shown by her sworn statement, she reared two sons by the soldier, both of whom served through the late war in the Union Army, one of whom died several years ago from the effects of the service, and the other is still surviving, though a wounded invalid.

The claimant is now 85 years old, and it is shown by the sworn statement of several citizens of Guernsey County, Ohio, that her sole property consists in a dower interest in a small piece of real estate in North Salem, Ohio, worth not over \$100, and is dependent upon others not legally bound for her support.

The passage of the bill is respectfully recommended with an amendment changing the title of the bill so as to read: "A bill granting a pension to Sarah Weedon Jones"; also by inserting the words "Jones, former" after the words "Sarah Weedon," in line 5, and striking out the word "twenty-five," in line 8, and inserting in lieu thereof the word "eight"; so as to fix the rate of pension at \$8 per month.

The CHAIRMAN. The question is on agreeing to the amendments reported by the committee.

Mr. DINGLEY. I should like to make an inquiry about this bill. It proposes, as I understand, to pension a widow who has remarried. I should like to know whether this bill conforms to the principle which I understand has been established by the Committee on Invalid Pensions that where a widow has remarried and

the second husband has died, the widow is not pensioned unless she was the wife of the soldier during the time of his service? We do not wish to adopt with reference to soldiers of the Mexican war a rule which is not made applicable to other soldiers.

Mr. LOUDENSLAGER. This lady did not marry the soldier until after his service.

Mr. DINGLEY. I understood that the Committee on Invalid Pensions had steadily refused to report a pension in any case where the widow has remarried unless she was the wife of the soldier during his service.

Mr. PICKLER. Perhaps I stated a little too broadly, or the gentleman from Maine understood a little too broadly, what had been done by our committee. The committee has sought to hold itself down to the rule he states; but there may have been a case or two in which it has been departed from.

Mr. DINGLEY. I think we should not establish with reference to soldiers of the Mexican war a principle which we would not apply to soldiers of the late war.

Mr. PICKLER. That is the principle we have adopted in the general bill which we have reported.

Mr. LOUDENSLAGER. This lady is the widow of the soldier.

Mr. DINGLEY. Then this comes within the principle.

Mr. TALBERT. I did not hear the reading of the report. Is this the case of a widow who has remarried?

Mr. VAN VOORHIS. Yes, sir.

Mr. TALBERT. What is the amount of pension proposed?

Mr. VAN VOORHIS. Eight dollars a month. Her husband was a soldier in the Mexican war.

The question being taken on the amendment reported by the committee, it was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

WILLIAM F. SONGER.

The next business on the Private Calendar was the bill (H. R. 4193) to correct the military record of William F. Songer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion standing against William F. Songer, late a private of Company B, Forty-second Regiment of Indiana Volunteers, on the records of the War Department, and to issue to said Songer a certificate of honorable discharge.

Mr. TALBERT. I should like to hear the report.

The report (by Mr. WOOLMER) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 4193) entitled "A bill to correct the military record of William F. Songer," beg leave to submit the following report, and recommend that said bill do pass:

This is a bill enacting that William F. Songer, private Company B, Forty-second Regiment Indiana Volunteers, be relieved of the charge of desertion. The evidence shows that he served faithfully during his first enlistment; that in October, 1864, nine months after his second enlistment, he deserted, returning to his home to visit his wife, who was sick, and she remained sick a long time thereafter.

In consideration of his faithful service for three years, the committee are of opinion that this bill should pass.

Mr. TALBERT. Mr. Chairman, I would ask that this bill be laid aside with an unfavorable report. It has no merit. Let us pass meritorious bills or none. I move that it be laid aside with an unfavorable report.

The motion was rejected.

The CHAIRMAN. The question is on laying the bill aside with a favorable recommendation.

The question was taken; and on a division (demanded by Mr. TALBERT) there were—ayes 66, noes 1.

Mr. TALBERT. No quorum.

The CHAIRMAN (Mr. DALZELL in the chair) (having counted the committee). One hundred and thirteen members are present, a quorum.

So the bill was laid aside to be reported to the House with a favorable recommendation.

WILLIAM WALDRUP.

The next business on the Private Calendar was the bill (H. R. 4001) to reinstate William Waldrup on the pension roll.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be instructed to reinstate William Waldrup, of Maddox, Tenn., late of Company F, Sixth Regiment Tennessee Cavalry, on the pension roll of the United States at the rate he was drawing when dropped from the roll.

Mr. SPALDING. Let us have the report.

The report (by Mr. ANDERSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4001) to reinstate William Waldrup, late of Company F, Sixth Tennessee Cavalry Volunteers, on the pension roll at the rate he was drawing when dropped from the roll, having carefully examined all the facts and circumstances in evidence, respectfully report:

William Waldrup enlisted as private in Company F, Sixth Tennessee Cavalry Volunteers, September 21, 1862, and served faithfully until honorably discharged July 23, 1865.

He applied for pension October 2, 1885, for chronic bronchitis and chronic diarrhea contracted in service, but being poor and unable to furnish satisfactory proof of origin, his claim was rejected June 29, 1888, under order No. 62.

He filed a claim under act of June 27, 1890, on July 15, 1890, for disease of

bowels, liver, kidneys, and bronchitis, and was pensioned thereunder at \$12 per month for "disease of liver, diarrhea, and bronchitis."

He was dropped from the pension roll October 18, 1894, on the ground of "not ratably disabled for earning a support by manual labor under act of June 27, 1890."

Drs. L. E. and J. B. Covey filed affidavit November 22, 1890, that claimant "came under our care in 1882. Since that time he has been suffering from enlargement of liver, inflammation of bowels, and kidney trouble. He has not been able to do any manual labor since that time. His wife and daughters have supported the family."

The board of examining surgeons at Savannah, Tenn., which examined him December 17, 1890, rate him six-eighths for disease of liver, four-eighths for diarrhea, and two-eighths for chronic bronchitis. Another board, which examined him May 9, 1894, declined to rate him; but said, "There is a history of diarrhea, but health not impaired, and "he is totally blind in right eye, the pupil closed, caused by a stroke in the eye followed by iritis."

Thirty-three neighbors certify to the committee that—

"To our personal knowledge he is not able to perform manual labor; he is 55 years old and has had chronic diarrhea and bronchitis ever since the war, and his wife and daughters have to make their living by working in the field."

This certificate is indorsed by Dr. James B. Covey, his family physician, who is thoroughly reputable, who says he has been his family physician for fifteen years and knows that he is badly afflicted and not able to labor.

Your committee believe this applicant justly entitled to the small pension he was receiving, and earnestly recommend the passage of this bill.

The bill was laid aside to be reported to the House with a favorable recommendation.

ISAAC H. WHETSEL.

The next business on the Private Calendar was the bill (H. R. 4720) granting an increase of pension to Isaac H. Whetsel, of Louisville, Ky.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to increase the pension of Isaac H. Whetsel, a soldier in the war of the rebellion, now drawing a pension under certificate No. 72027 of \$12 per month, to \$25 per month, to take effect from the passage of this act.

Mr. DINGLEY. What is the present pension in this case?

Mr. PICKLER. He was pensioned at \$4 a month from the date of his discharge until April, 1889, and at \$12 since that date, for gunshot wound in the right thigh. The ratings put him up to the amount fixed in the bill.

Mr. ERDMAN. I suggest that we let in the report in this case.

Mr. EVANS. I suggest that we dispense with the reading of the report in this case, and let it be inserted in the RECORD.

Mr. ERDMAN. I have no objection to dispensing with the reading of the report, but I object to printing it in the RECORD unless it is read.

The CHAIRMAN. The Clerk will report the amendment recommended by the committee.

The Clerk read as follows:

The committee recommend that the bill be amended by striking out all after the word "Whetsel," in line 5, and inserting the following: "Late private in Company B, Second Regiment United States Cavalry, to \$16 per month for gunshot wound of right thigh and callouses of buttocks, in lieu of the pension which he now receives."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

SARAH ANN WIBLE.

The next business on the Private Calendar was the bill (H. R. 5311) granting a pension to Sarah Ann Wible.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to place upon the pension roll the name of Sarah Ann Wible, dependent mother of John Wible, deceased, late of Company B, Twenty-first Regiment Indiana Infantry, also First Indiana Heavy Artillery, at \$12 per month.

Mr. DINGLEY. Let the report be read.

The report (by Mr. CROWTHER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5311) granting a pension to Sarah Ann Wible, dependent mother of John Wible, late of Company B, Twenty-first Regiment Indiana Infantry Volunteers, and also of First Indiana Heavy Artillery, at \$12 per month, having considered all the facts and circumstances in evidence, respectfully submit the following report:

John Wible served in Company B, First Indiana Heavy Artillery, from July 6, 1861, to January 10, 1866, having an honorable and exemplary record. He was pensioned at \$6 per month from April 2, 1888, for rheumatism and disease of lungs. He was killed by accident in 1892, a loaded sled upsetting upon him.

His mother, Sarah Ann Wible, applied for pension under both the general law and the act of June 27, 1890, both of which were rejected on the ground that the soldier's death was not in any manner due to his army service.

The petition of 167 reputable citizens of Nodaway County, Mo., represent and show that she is 84 years old, respectable and deserving in every particular, and that she has no property and was wholly dependent upon her son, John Wible, for her support and maintenance, and has no one legally bound to support her.

From the facts presented your committee believe the Government should provide for her in her old age, and therefore recommend that the bill be amended by adding after the word "authorized," in line 4, the words "and directed," and by striking out all of line 6 after the letter "B," and by striking out the word "also" in line 7, and, as amended, that the bill do pass.

The amendment recommended by the Committee on Invalid Pensions was agreed to.

Mr. ERDMAN. Mr. Chairman, I just want to call the attention of gentlemen on the other side who say we are discussing

these matters intelligently to what is done as shown in this report. This soldier was killed by a sled. Now, does the House determine that that was due to his army service? I want to ask the gentlemen on the other side whether we are to have that established now as a new principle in the granting of pensions?

Mr. CROWTHER. I would like to answer the gentleman from Pennsylvania by stating that the soldier in this case was pensioned for rheumatism, and that by reason of his rheumatic affliction he was unable to get out of the way of a loaded sled, and by indirection the result of his death was due to his army service.

Mr. ERDMAN. There is nothing in the report to show it.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

MRS. F. E. MARSHALL.

Mr. DALZELL. Mr. Chairman, a short time ago the House bill (No. 4090) granting an increase of pension to Mrs. F. E. Marshall was withdrawn by the gentleman from Kentucky [Mr. COLSON], he stating that the claimant had deceased. No motion was made at the time; and that bill, unless otherwise disposed of, will remain on the Calendar. I move, therefore, that it be laid aside with the recommendation that it lie on the table.

Mr. PICKLER. I do not know whether the gentleman from Kentucky has the power or authority to do that. The committee authorized him to withdraw the bill. He can do that.

Mr. SPALDING. The bill has been already withdrawn.

Mr. PICKLER. I have no objection to the suggestion of the gentleman from Pennsylvania.

The CHAIRMAN. If there be no objection, this bill will be laid aside to be reported to the House with the recommendation that it lie on the table.

There was no objection.

DR. HARRISON WAGNER.

The next business on the Private Calendar was the bill (H. R. 6789) granting a pension and for the relief of Dr. Harrison Wagner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Harrison Wagner, and pay him a pension of \$40 per month.

Mr. TALBERT. I would like to have the report read.

The report (by Mr. KERR) was read, as follows:

The evidence in this matter is very voluminous, and only the substance of it can be set forth in this report. In 1862 the beneficiary was an advanced medical student in the State of Maryland, and on the 27th day of September, 1862, he enlisted in the Union service as a hospital nurse at General Hospital No. 1, Frederick, Md.

Soon after his enlistment as nurse he was examined with a view to utilizing his services as a physician and surgeon. He passed the examination, and was assigned to duty as an assistant surgeon in said hospital. Soon after his assignment to duty, as aforesaid, smallpox broke out in the hospital, and he was assigned to attend and treat the patients afflicted with this disease. His services in this regard were faithfully performed, and were so laborious and constant that his health was completely ruined.

The evidence shows that upon his enlistment he was a strong, healthy, and able-bodied man, but since the expiration of his service his health has constantly grown worse, until in 1875 he was compelled to give up his practice as a physician, and since that time has been unable to do any kind of labor, and for long periods he is confined to bed from bleeding hemorrhoids and general weakness.

The evidence is clear, and it may be said to be conclusive, that his disabilities were contracted during his service in the hospital. While he was thus engaged he was attacked with indigestion and constipation and internal bleeding hemorrhoids, and with them he has been afflicted ever since.

The petition of the claimant sets out fully the facts of this, and these statements are fully sustained by the evidence of Dr. William H. Wagner, Dr. Luther M. Zimmerman, W. H. Myers, Mrs. Amelia J. Anders, Mrs. Mary Myers, Mrs. Mary Alcott, Elizabeth Flemming, Mrs. Esther Beck, Mrs. Mary Barrock, Benjamin Smith, James Woods, William Wilson, William Grimes, Henry Working, Samuel Myers, Jacob Hyder, George Gilbert, William Nort, Enoch Watz, Henry Hinea, Levi Pipping, and others.

Besides this claimant's service and his disabilities, there are some special circumstances entitling him to especial consideration. In 1863 he was residing at Woodsboro, Md., and gave the Union forces, upon the eve of the battle of Gettysburg, some very valuable information. The sentiment in the community at that time was almost wholly Confederate, and the claimant's sympathy with the Union cause and his services brought upon him many persecutions from the Confederate sympathizers, and to such an extent was he persecuted that he was compelled to give up his home and seek a new one elsewhere.

A bill for claimant's benefit and granting a pension of \$25 per month passed both House and Senate in the first session of the Fifty-first Congress, but it failed, with other bills, for lack of time to receive the Executive signature.

Since that time his condition has grown much worse in that he is now confined to bed or to the house for periods and requires the attendance of others at times.

He was honorably discharged, as the records show, on the 12th day of April, 1863.

The committee therefore recommend the passage of the following substitute, granting the claimant a pension of \$40 per month:

A bill granting a pension and for the relief of Dr. Harrison Wagner.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Harrison Wagner and pay him a pension of \$40 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

GEORGE HAGER.

The next business on the Private Calendar was the bill (H. R. 4888) for the relief of George Hager.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to revoke the order of the Commissioner of Pensions of the date of April 10, 1895, to recover from George Hager, late a private of Company B, Ninety-ninth Regiment Ohio Volunteer Infantry, in the late war of the rebellion, by withholding from his current pension (certificate numbered 222172) the sum of \$2 per month from July 29, 1863, to September 14, 1881, inclusive.

Sec. 2. That said George Hager shall not, in any manner, be required to refund or repay to the United States said sum of \$2 per month, or any part thereof; and the Secretary of the Interior is hereby authorized and directed to pay said George Hager the pension provided for in his certificate of pension bearing date April 10, 1895 (No. 222172), and all additional pension that may hereafter be allowed him, if any, without deducting therefrom said sum of \$2 per month referred to in the first section hereof or any part thereof.

Mr. DALZELL. Let the report be read.

The report (by Mr. LAYTON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4888) for the relief of George Hager, having examined the evidence in the case with great care, report as follows:

George Hager enlisted in Company B, Ninety-ninth Ohio Volunteer Infantry, August 12, 1862. He was taken prisoner at Murfreesboro, Tenn., December 31, 1862; paroled at City Point, Va., February 9, 1863; reported at Camp Parole, Md., February 11, 1863; admitted to hospital at Annapolis, Md., February 11, 1863, and discharged July 28, 1863, for phthisis pulmonalis, with extreme debility, contracted (as he states) while in prison at Richmond. While in hospital at Annapolis, Md., he was treated for catarrh as well as for the disease for which he was discharged.

On March 6, 1866, he filed a claim for pension, alleging that he was rendered partially insane by abuse and hardship while a prisoner of war, and that by reason of said sickness he had not been able to labor any after leaving the service. For some unexplained reason he was not examined medically on that application.

On September 15, 1881, he filed another declaration, in which he alleged typhus fever, causing pains in his neck, which affected his eyes, and also chronic catarrh in right breast. On December 11, 1882, a certificate was issued, allowing him \$2 per month for disease of eyes from July 29, 1863, the date of his discharge. On November 30, 1887, his pension was increased for same cause to \$8 per month, which he continued to draw until March 4, 1895. Recently it has been discovered that in his declaration, filed in 1866, he did not distinctly name disease of eyes as a cause of disability entitling him to pension, and on that account a reissue has been made to change the date of commencement of pension for disease of eyes from the date of his discharge to September 15, 1881, the date of filing the declaration distinctly setting forth disease of eyes, and directing the withholding of his pension to recover the amount paid from discharge to September 14, 1881. While this may have been correct action from a strict technical point of view, we feel that in view of the mental condition of the soldier at the time of making his first claim, as shown in the declaration itself, he should not have been held to an accurate statement of his disabilities, but should be allowed pension for the disabilities established as of service origin.

The evidence on file in the Pension Office, all of which your committee has carefully examined, shows clearly and satisfactorily that prior to his entering the service Mr. Hager was a strong and healthy man, and that his eyes and eyesight were good. It is further shown that immediately after his return home from the Army, and from thence until the present, his eyes were sore and diseased, and the eyesight badly affected, and that he was otherwise diseased, injured, and disabled.

These facts are clearly shown by the sworn testimony, on file in the office, of George McDams, William Hager, William Haruff, James Haruff, John Grassley, John Neff, Frederick Boyer, and Darius McIntire, all of whom served with him in the same company and regiment and were also neighbors and knew him well before, during, and after his service. The last named, Darius McIntire, was also captured by the Confederates and confined in Libby Prison with Mr. Hager.

Christian Neff, Daniel Grassley, Godfried Klenk, Charles Mack, Isaac Zerkel, and Jacob Shaffer, near neighbors of Mr. Hager, also testify as to the physical condition (injury of eyes) of Mr. Hager before and after his army service.

The files of the Pension Department further show that all the witnesses are good and credible men.

It thus clearly appearing that the disease of the eyes was of service origin, and that claimant made application for pension in March, 1866, as above stated, in which he alleged general disability (which would fairly include disease of the eyes), your committee is of the opinion that he should not be deprived thereof simply because he failed to set forth in his application the specific disease or disability, to wit, disease of the eyes, for which pension was afterwards granted, and that the pension paid him should not be recovered by withholding any part of his pension, and therefore the passage of the bill is earnestly recommended.

Mr. DINGLEY. I have not before noticed a bill involving just this principle, and would like to ask the gentleman in charge of the bill to explain briefly the effect of the action proposed here.

Mr. LAYTON. I will say to the gentleman that this does not carry arrears. The Committee on Invalid Pensions have declined in all instances to allow arrears of pension.

Mr. DINGLEY. This does not allow arrears. But will the gentleman in a few words simply state what the case is?

Mr. LAYTON. In 1866 or 1867, soon after the close of the war, this gentleman, Mr. Hager, filed an application for a pension, in which application he alleged general disability incurred in the service without specifying the nature of the disability any more definitely than that. That ran along until 1881, when he filed an additional application, in which he specifically set forth his disability as disease of the eyes, and was allowed \$2 per month only for that disease of the eyes, commencing from the time of his discharge in 1863.

In 1887 he made an additional application for the same cause for an increase of pension, and was allowed \$8 per month.

In 1894 he made another application for an increase, which was adjudicated in March, 1895, at which time it was discovered or alleged to be the fact that his first pension of \$2 should have been allowed to commence from the time of his filing his additional application in 1881, instead of going back to the time of his discharge. Hence the Commissioner of Pensions made an order, not

affecting his pension of \$8 per month in any way, but that that should be withheld until the Government was reimbursed for the mistake that had been made in allowing the pension from 1863 to 1881 at \$2 per month.

Mr. DINGLEY. I want to ask if it is the practice of the Pension Office to order a reimbursement in such a case, where they discover a mistake in a former ruling?

Mr. LAYTON. Yes; it is. Now, the committee find, as a matter of fact, that in this case it was simply a technical objection and mistake. There is no question about the disability of this soldier, and that the general application which stated that he had been disabled from the performance of manual labor while in the service undoubtedly covered the disease of the eyes for which he claimed a pension, and for which he was afterwards allowed a pension. From that disability he is now suffering. For that reason the committee found that the pension should be continued to him without this deduction. That is all there is in this bill. There is no question of allowing arrears of pension at all involved in this case.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ELIZABETH WATTS KEARNY.

The next business on the Private Calendar was the bill (H. R. 6283) granting a pension to Elizabeth Watts Kearny, daughter of the late Philip Kearny, major-general, United States Army.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Elizabeth Watts Kearny, daughter of the late Philip Kearny, major-general, United States Army, and to pay her a pension at the rate of \$50 per month during her natural life.

The committee recommended an amendment striking out "fifty" and inserting "twenty-five."

Mr. TALBERT. Mr. Chairman, I should like to have the report read.

The report (by Mr. McCLELLAN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6283) granting a pension to Elizabeth Watts Kearny, have had the same under consideration and report as follows:

Miss Kearny is the daughter of the late Maj. Gen. Philip Kearny, United States Army, whose services appear from the accompanying letters from the War Department. She is well advanced in years, in feeble health, almost blind, and destitute.

In view of these facts, and in recognition of the great service rendered to the country by her father, your committee recommend that the bill pass with the following amendment:

In line 7 strike out the word "fifty" and insert in lieu thereof the word "twenty-five."

RECORD AND PENSION OFFICE, WAR DEPARTMENT,
Washington City, February 24, 1896.

SIR: Referring to your letter of the 21st instant, received to-day, in which you request to be furnished with a statement showing the military record of Maj. Gen. Phil. Kearny, for the use of the Committee on Invalid Pensions in the consideration of a bill for the relief of his daughter, I am directed by the Secretary of War to inform you that it is shown by the records of this office that Philip Kearny was commissioned brigadier-general of volunteers August 7, 1861, to rank from May 17, 1861, and accepted the commission August 24, 1861, and that he was appointed major-general of volunteers July 25, 1862, to rank from July 4, 1862, and accepted the appointment August 2, 1862. The records show that he was assigned to the Department of the Potomac in Special Orders, No. 141, dated Headquarters of the Army, August 24, 1861, and that he was killed in action at Chantilly, Va., September 1, 1862.

I am further directed to inform you that General Kearny had service in the Regular Army, and that the records of the permanent military establishment are filed in the office of the Adjutant-General of the Army, to whom your letter has this day been transmitted.

Very respectfully,
F. C. AINSWORTH,
Colonel, United States Army, Chief Record and Pension Office.

Hon. J. A. PICKLER,
Chairman Committee on Invalid Pensions, House of Representatives.

Mr. TALBERT. Mr. Chairman, I should like to hear some additional reasons stated by the gentleman from New York [Mr. CURTIS] why this pension should be granted.

Mr. CURTIS of New York. Mr. Chairman, this lady is the daughter of a very distinguished officer of the war, who rendered valuable services to the Government in the Mexican war, where he lost an arm, and later in the rebellion, until he was killed at Chantilly, Va., as stated in the report, in 1862.

His daughter is comparatively, perhaps actually, destitute; advanced in years; her eyesight has failed. She is unable to perform the labor which persons of her education and qualifications might easily do. As no one is receiving a pension on account of the military service of General Kearny, it is thought to be entirely consistent that his child should, in view of her physical disabilities and her dependence, be placed upon the pension roll. I am sure my friend from South Carolina [Mr. TALBERT] has that gallantry of feeling and devotion to those persons thus situated which will lead him to be entirely satisfied with this statement.

The amendment recommended by the committee was agreed to. The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ELEANOR L. CURTISS.

The next business on the Private Calendar was the bill (H. R. 5710) granting a pension to Eleanor L. Curtiss.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Eleanor L. Curtiss, widow of Warner H. Curtiss, late captain and provost-marshal of the Sixth Congressional district of Iowa, and pay her a pension of \$30 per month.

The Committee on Invalid Pensions recommended the following amendments:

In line 7 strike out "twenty" and insert "twelve."
Insert after the word "month," in line 8, "and \$2 per month additional for each of her two children during minority."

Mr. DINGLEY. Let us have the report read.

The report (by Mr. PICKLER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5710) granting a pension to Eleanor L. Curtiss, having carefully examined the same, respectfully submit the following report:

Warner H. Curtiss was appointed captain and provost-marshal of the Sixth Congressional district of Iowa on April 30, 1863; he took the oath May 9, 1863, and was honorably discharged October 31, 1865. He died March 5, 1895, leaving a widow and two children, both of whom are minors at the present time. At the date of his death he was drawing a pension of \$12 under the act of June 27, 1890, for total loss of right hand.

His widow, the beneficiary named in the bill, filed application under the act of June 27, 1890, and also applied for the accrued pension due her husband at his death. Both claims were rejected June 12, 1895, on the ground of "no title, the above-named man not having been regularly mustered into the service."

The fifth subdivision of section 4693 of the Revised Statutes mentions the class of officers to which the husband of this widow belonged. They were held to be pensionable under the act of 1890 until November 24, 1893, when the Department adopted a contrary rule.

The widow is without other means of support than her daily labor. Your committee respectfully recommend the passage of the bill with the following amendments:

In line 7 strike out "twenty" and insert "twelve."
Insert after the word "month," in line 8, "and \$2 per month additional for each of her two children during minority."

The amendment recommended by the committee was agreed to.

The CHAIRMAN. The question is on laying aside this bill to be reported to the House with a favorable recommendation.

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. HOOKER. Division.

The committee divided; and there were—ayes 61, yeas none.

Accordingly the bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

THOMAS D. WALKER.

The next business on the Private Calendar was the bill (H. R. 6483) granting an increase of pension to Thomas D. Walker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas D. Walker, late a private in Company B, Fourth Kentucky Volunteer Infantry, and pay him a pension of \$12 per month.

Mr. DALZELL. Let us have the report read, Mr. Chairman.

The report (by Mr. PICKLER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6483) granting increase of pension to Thomas D. Walker, have carefully examined the same, and respectfully submit the following report:

The soldier enlisted as a private in Company B, Fourth Kentucky Volunteer Infantry, on August 20, 1861, and was mustered out and honorably discharged on August 17, 1865.

He applied under the law of June 27, 1890, and was allowed \$6 per month on account of general debility. April 22, 1895, he made application for increase on account of increased debility and old age. June 19, 1895, the medical examination shows that he is "totally unable to perform manual labor and his condition is not the result of vicious habits. Disabled by piles, six-eighths; by disease of heart, four-eighths; by injury to hip and back, ten-eighths; general debility, six-eighths." He was allowed an increase of but \$2, however, because he had not alleged the several specific disabilities found by the examining board.

The soldier is 66 years of age, and has no means of support.

Your committee respectfully recommend the passage of the bill.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

CARRIE L. YEATON.

The next business on the Private Calendar was the bill (S. 1924) granting a pension to Carrie L. Yeaton.

The bill was read, as follows:

Be it enacted, etc., 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 Carrie L. Yeaton, widow of Lewis D. Yeaton, late a private in Company F, Eighth Maine Volunteer Infantry, at the rate of \$8 per month.

The Committee on Invalid Pensions recommended the following amendments:

Strike out, in lines 4 and 5, the words, "subject to the provisions and limitations of the pension laws."

In line 8, strike out the word "eight" and insert in lieu thereof the word "twelve."

Mr. DINGLEY. Let the report be read.

Mr. PICKLER. Mr. Chairman, the gentleman from New Hampshire [Mr. SULLOWAY], who reported this bill, is familiar

with the facts, and can make a statement that I think will satisfy the committee, without the reading of this long report.

The CHAIRMAN. Without objection, the gentleman can make a statement.

There was no objection.

Mr. SULLOWAY. Mr. Chairman, there is nothing in this case except a question as to the marriage of the soldier to the person named in the bill. The soldier was married, but I do not have the date before me at this moment. It is stated in the report, however. Subsequently he separated from his wife, and in 1873 was married to the lady in whose interest this bill is offered. She believed him to be a single man and she lived with him for twenty-one years and bore him three children. They were during that time recognized as husband and wife. The first wife, in 1882, I think it was, obtained a divorce and subsequently died. The soldier and this woman continued to live together until the death of the soldier. He died of disease contracted in the service, and this lady asks for the \$12 a month that she would be entitled to under the law.

Mr. PICKLER. And this is a Senate bill.

Mr. SULLOWAY. It is a Senate bill. Twelve dollars is all that is asked here. That is all there is in it. It is a question whether you will say, under the circumstances, she shall receive it or not.

Mr. ERDMAN. Mr. Chairman, there is nothing the matter with this bill! The trifling fact that the soldier had another wife living when he married this woman ought not to stand in the way! I do not see the necessity of having the report read or having it spread on the RECORD so as to show that there is anything to entitle this widow to a pension!

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable report.

NEIL McNEIL.

The next business on the Private Calendar was the bill (H. R. 1820) granting a pension to Neil McNeil:

The bill was read, as follows:

Be it enacted, etc., 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 Neil McNeil, and pay him a pension at the rate of \$12 a month.

Mr. DINGLEY. Let us have the report, Mr. Chairman.

The report (by Mr. ANDERSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1820) granting a pension to Neil McNeil, report as follows:

This man alleges that about August 20, 1862, at the request of Capt. Richard Stout, he, with a number of others, joined Company B, Ninth Minnesota Volunteer Infantry, to assist in protecting the settlers on the frontier against the Indians.

The company was divided into squads of about 15 men each, and he had command of one of the squads.

That on September 3, 1862, in what was known as the battle of Acton, an engagement with Indians, he received a gunshot wound in the left arm, about 4 inches from the shoulder, said shot cutting the upper tendon of the flexor muscle, by reason of which he is much disabled in the performance of the labor required in his occupation as a farmer.

The above allegations of McNeil are corroborated by the sworn statements of N. R. Thompson and Jacob A. Wolverton, members of Company B, Ninth Minnesota Volunteers, with which McNeil was serving when wounded.

William Reems, another member of the company, testifies under oath that he was wounded at the time and place and under the circumstances alleged.

The evidence establishes beyond question the fact that McNeil was wounded in battle while serving with United States soldiers and under command of United States officers.

The board of pension examining surgeons find, describe, and rate the wound, but the Pension Bureau can not admit it, as claimant was not enlisted or mustered into the United States service. Your committee consider the bill one of merit, and recommend that it be amended by inserting after the name "Neil McNeil," in line 6, the words "of Dayton, Hennepin County, Minn.," and that as amended the bill do pass.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

OLIVER DODGE.

The next business on the Private Calendar was the bill (H. R. 3496) for the relief of Oliver Dodge, and to place him upon the pension roll.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Oliver Dodge, adopted father of George Alger, late private Company F, Tenth Michigan Infantry, upon the pension roll at the rate of \$12 per month.

Mr. TALBERT. Mr. Chairman, I should like to hear the report read.

The report (by Mr. THOMAS) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3496) for relief of Oliver Dodge, having carefully examined the evidence in this case, report as follows:

George Alger, when about 2½ years of age, was given by his mother, who had been left destitute by her husband, to Oliver Dodge, who cared for, fed, clothed, and educated him until he was about 17 years of age, when he enlisted in Company F, Tenth Michigan Infantry, November 18, 1861. He served continuously until February 23, 1864, when reported missing in action. The muster-out roll of his company shows that he died at Andersonville, Ga., August 13, 1864, while a prisoner of war. Oliver Dodge, the beneficiary of

this bill, is now 77 years of age, disabled for work, and without means of support. If he were the father of the soldier he would be pensionable, but as he is not he has no title to pension under existing law.

Your committee are of opinion that since he acted the part of a father to the soldier he should receive the same benefit in his old age that he would were he the father, and they therefore recommend that the bill do pass.

[Cries of "Vote!" "Vote!"]

Mr. ERDMAN. Only one word. I want to call the attention of the House to the fact that this is a foster father. We have given foster mothers pensions; but this is the case of a foster father.

Mr. PICKLER. Mr. Chairman, the gentleman from Pennsylvania would have this committee believe that this is something new. It is on a par with the thrusts he makes from time to time here. This foster father took this boy when he was 2½ years old and cared for, clothed, fed, and educated him until he was 17 years of age, when he went into the Army; and the boy when in the service died at Andersonville. This foster father is now 77 years of age, without means of support, and time and time again Congress has given relief in such cases as this. He was not the father of the boy, or he would be pensionable at the Pension Office; but to all intents and purposes he was the father of the boy, because he cared for him, educated him, and had charge of him until he went into the Army. The gentleman, I suppose, just wants this old father, who is now 77 years old, to go to the poorhouse rather than grant relief which is in the line of the action of Congress time and again in this connection.

Mr. ERDMAN. Mr. Chairman, the gentleman knows very well that this foster father did not legally adopt this child.

Mr. PICKLER. I know no such thing.

Mr. ERDMAN. Your report does not show that he did.

Mr. PICKLER. The report does not show everything in a case.

Mr. ERDMAN. Exactly.

Mr. PICKLER. The report shows the facts. Now, I suppose the gentleman wants the committee to look up the records to see whether the boy was technically adopted. I do not think in the case of an old man who is 77 years of age that this country is going to be technical about going to the relief of those old men who reared these soldiers who died at Andersonville [Applause.]

Mr. SNOVER. I wish to say that the gentleman from Pennsylvania may possibly be relieved with a knowledge of the fact that on or about the time the bill was favorably reported in this case the person named in the bill died, which will make it unnecessary for the House to further consider it.

The CHAIRMAN. Does the gentleman move that the Committee of the Whole recommend that the bill lie on the table?

Mr. SNOVER. I make that motion.

Mr. PICKLER. What is the object of that?

The CHAIRMAN. It is done on the statement of the gentleman that the beneficiary has died since the report was made.

The motion was agreed to.

JOSEPH J. HUDSON.

The next business on the Private Calendar was the bill (H. R. 4363) to increase the pension of Joseph J. Hudson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to increase the pension of Joseph J. Hudson, late a member of Company I, One hundred and tenth Regiment of Illinois Infantry, from twenty-four to seventy-two dollars per month.

Mr. MILNES. Read the report.

The report (by Mr. WOOD) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4363) to increase the pension of Joseph J. Hudson, submit the following report:

Claimant enlisted August 12, 1862; was discharged June 24, 1863, for this disability—"atrophy of the muscles of both forearms following an attack of typhoid fever since enlistment." He applied for pension for lumbago and spinal disease, and was pensioned for rheumatism at \$8 from discharge, and at \$12 from March 3, 1873.

Some one having reported that his rheumatism existed prior to his enlistment, his case was specially examined and he was dropped from the pension rolls.

He appealed to the Secretary of the Interior, who directed his name to be restored for rheumatism.

In this investigation it was developed that when 8 or 10 years of age he had an attack of nervous fever, which left him with contraction of the tendons of both forearms and some deformity of the wrists.

In his restoration he was rated at twelve-eighths "eliminating disease of spine and deformity of wrists, which appear to have existed prior to enlistment." This is true so far as deformity of wrists is concerned, but your committee have searched in vain the record to find any evidence showing claimant to have had any spinal disease upon or before his enlistment; and for twelve or more years there is no evidence to show that he was afflicted with any disease whatever except this slight deformity of wrists, which did not prevent his being accepted as a soldier on enlistment.

The medical referee of the Pension Office, notwithstanding the above state of affairs, in an opinion January 4, 1896, affirming rejection of an increase, says:

"It is not possible for me to state the nature of the sickness prior to service, but whatever it was it caused contraction of various tendons, and the present condition of the pensioner appears to be a continuation of this early trouble."

The board of United States surgeons who examined this soldier say:

"He can not bear his weight on his feet for a moment. There are several points of bony deposits on the dorsum of feet. This condition of hands and feet is result of a long standing case of articular rheumatism. He is able to do nothing whatever and requires a constant attendant."

It is admitted that the rheumatism for which this soldier is pensioned is of service origin. His condition is most pitiable, being unable to do a thing to help himself. Constant attention from attendants is required in his case. We think the evidence fairly shows that this condition is the result of disease contracted in the service, and not from the nervous fever or from the deformity of wrists of twelve years prior to enlistment. Whether the medical referee or the committee are correct in this, we submit that justice and charity alike demand that the bill do pass.

The bill was ordered to be laid aside with a favorable recommendation.

SOPHIA D. CLENDENIN.

The next business on the Private Calendar was the bill (H. R. 1894) granting a pension to Sophia D. Clendenin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension roll of the United States the name of Sophia D. Clendenin, widow of the late Col. D. R. Clendenin, of the United States Army, and pay her during her natural life and widowhood a pension at the rate of \$30 per month.

Mr. WOOD. Mr. Chairman, the Senate bill for the same purpose grants precisely the same pension as the House bill, and the Senate report is substantially the same as the House report, and I ask consent that the Senate bill be substituted for the House bill.

Mr. DINGLEY. Before that is done, Mr. Chairman, let the report be read.

The report (by Mr. WOOD) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1894) granting a pension to Sophia D. Clendenin, submit the following report: David R. Clendenin, late the husband of claimant, was first commissioned May 10, 1861, by President Abraham Lincoln, as first lieutenant Fifth Regiment, Third Brigade, Militia of the District of Columbia. On September 18, 1861, he became major Eighth Illinois Cavalry. He was promoted lieutenant-colonel of same regiment December 5, 1862, and colonel and brigadier-general of volunteers by brevet in 1865 for meritorious services. He became major of Eighth United States Cavalry January 22, 1867, lieutenant-colonel Third United States Cavalry November 1, 1882, colonel Second United States Cavalry October 29, 1888, and was retired April 20, 1891. He died March 5, 1895.

His widow, the claimant, shared his dangers in the field. She is now in feeble health and straitened circumstances.

The services of Colonel Clendenin in four years of war were especially meritorious, receiving the commendation of Generals Lew Wallace, Hunter, Kautz, Foster, and Elkin. In his service in Texas, in Indian campaigns since the war, he received the special commendation of Governor Ross, of Texas, and United States Collector Coeke for his vigilance in preserving order on the frontier.

His widow is now on the pension roll at \$25 per month under general law. It is insufficient for her support, and in view of the distinguished services of Colonel Clendenin, your committee recommend that this bill do pass.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. WOOD] that the Senate bill be substituted for the House bill?

There was no objection.

The Senate bill was laid aside to be reported to the House with the recommendation that it do pass.

On motion of Mr. WOOD, the House bill (H. R. 1894) was laid on the table.

ELLEN KINGSLEY.

The next business on the Private Calendar was the bill (S. 1215) granting a pension to Ellen Kingsley.

The bill was read, as follows:

Be it enacted, etc., 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 Ellen Kingsley, widow of Henry E. Kingsley, late of Company F, Second New York Cavalry Volunteers.

The amendment recommended by the Committee on Invalid Pensions was agreed to, inserting after the words "pension roll" the words "at \$8 per month."

Mr. McCLEARY of Minnesota. I ask that the report be read.

The report (by Mr. ANDREWS) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1215) granting a pension to Ellen Kingsley, adopt as their own the report of the Senate Committee on Pensions, No. 137, herewith, and recommend the passage of the bill with the following amendment:

Insert, after the word "roll," in line 4, the words "at \$8 per month."

[Senate Report No. 137, Fifty-fourth Congress, first session.]

The Committee on Pensions have considered the bill (S. 1215) granting a pension to Ellen Kingsley, and submit the following report:

The petitioner was the wife and is, your committee believes, the widow of Henry E. Kingsley, who, according to the records of the War Department, was enrolled and mustered into the service of the United States August 23, 1864, as a private in Company F, Second New York Cavalry, to serve one year, and that he was mustered out with the company June 5, 1865, at Alexandria, Va.

From affidavits on file in this case it appears that the petitioner married the soldier in 1856, and that after the war they resided in New York State until 1871, when they moved to Nebraska. In May, 1875, the husband of the claimant suddenly disappeared and has never been seen since by anyone known to the family. He has never applied for a pension, nor is his address known to the Army and Navy Survivors' Division of the Pension Bureau. There is also ample evidence on file to prove that the claimant has never remarried; that her husband has been mourned as dead for many years, and that every effort has been exhausted to find him.

As shown by affidavits of neighbors and her family physician, the claimant is absolutely without any property of any kind, is dependent upon charity for her support, and in addition she has inflammatory rheumatism in a chronic form, obliging her to use two crutches in order to move about, also

affecting her hands. On account of her physical condition she is totally incapacitated from earning a living. The claimant made application for pension, but as she is unable to prove absolutely the death of her husband the claim could not be allowed.

From the facts set forth your committee is of the opinion that the soldier is dead, and inasmuch as the claimant is living on the charity of her friends and is in such a pitiful condition physically, and as there are precedents of special legislation of this kind, the passage of the bill is recommended.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

SAMUEL GOLDWATER.

The next business on the Private Calendar was the bill (S. 404) granting a pension to Samuel Goldwater.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$15 per month, the name of Samuel Goldwater, late of Company A, First Regiment Missouri Volunteer Infantry, National Guard.

Mr. MILNES. Let the report be read.

The report (by Mr. CROWTHER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 404) granting a pension to Samuel Goldwater, have examined the same and beg leave to report:

The claimant served a short time in the Missouri militia, and shortly after discharge suffered from an affection of the eyes, which he alleged was the result of sunstroke received while in the Army. He is now almost, if not totally, blind. The physicians who examined the case gave it as their opinion that the disease was occasioned by sunstroke, but the evidence submitted failed to prove that fact conclusively, and hence the case was rejected by the Pension Bureau.

The testimony shows that claimant is a man of good reputation and high integrity.

Your committee recommend that the word "fifteen," in the fifth line of the bill, be stricken out and the word "twelve" inserted in lieu thereof, and as so amended the bill do pass.

Mr. ERDMAN. Mr. Chairman, I commend this report to gentlemen on the other side as an illustration of what is deemed in this body sufficient ground for granting a pension. This report says that the claimant served a "short time" in the Missouri militia, but it does not state how long. It speaks of the "Missouri militia" without specifying what particular branch it referred to, when there were half a dozen kinds of Missouri militia. It says that he was discharged on account of "an affection of the eyes" without telling what the affection was. Yet this report pretends to set forth in these few brief lines sufficient information to justify Congress in granting a pension!

Mr. DINGLEY. Was this soldier ever in the United States service?

Mr. PICKLER. He was a member of the Missouri militia that were never technically mustered into the service, but were under command of United States officers and actually served in the Army.

Mr. DINGLEY. How long did he serve?

Mr. PICKLER. I do not remember.

Mr. ERDMAN. Probably he served a day or an hour.

Mr. PICKLER. Oh, well, "probably" he served five years. If we are going to suppose about it we can suppose any period we please. These Missouri militia, while they were not all mustered into the service, were technically, as I have said, under the command of the United States officers and rendered very efficient service. They were out during the Price raid and other raids. They served whenever the United States called upon them. They saved Missouri to the Union. They protected the Union people of that State. They kept out invasion of Missouri from the rebel side, and they were as valuable as any other soldiers engaged in service in that region. There are several classes of the Missouri militia; but, as to most of them, if they had applied for pension before a certain date they would have received it under the general law. This man belongs to the class of militia that can not get pensions regularly in the Pension Office, and in such exceptional cases it has been the practice of Congress to grant pensions. This is no new question. This is right along the line of precedents. This bill is a Senate bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM BROWN.

The next business on the Private Calendar was the bill (S. 466) granting an increase of pension to William Brown.

The bill was read, as follows:

Be it enacted, etc., 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 William Brown, late of Company D, Eighth Regiment Michigan Cavalry, at the rate of \$30 a month, in lieu of the pension he is now receiving, from and after the passage of this act.

Mr. McCLEARY of Minnesota. Mr. Chairman, this is a good bill, but I would like to have the report read.

The report (by Mr. THOMAS) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 466) granting a pension to William Brown, adopt the accompanying Senate report (No. 66) as their own, and respectfully recommend its passage.

[Senate Report No. 66, Fifty-fourth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 466) granting a pension to William Brown, have examined the same and report:

The petitioner, William Brown, was a member of Company D, Eighth Regiment Michigan Cavalry; enlisted on the 21st day of March, 1864, and was discharged March 10, 1865. He was wounded and taken prisoner August 2, 1864, and the record of the War Department shows him to have been a prisoner about one hundred and forty days. It is also shown by papers herewith submitted that he is unable to perform any manual labor, and is unable to procure the evidence necessary to entitle him to the pension allowed by law for the disabilities from which he is suffering, for the reason that said disabilities were incurred while a prisoner of war in the hands of the enemy, and he was discharged soon after his escape from prison without having opportunity to be sent to a hospital and thereby make a hospital report; therefore he does not know the address of any comrade who was a prisoner with him, or who knows him, and could give evidence in his case. He was confined at Andersonville and Florence, making his escape on December 15, 1864; then he resided at Annapolis; when strong enough to travel, was sent home on a furlough, and was sick for two years thereafter with disease of the bowels. The committee submit the following affidavits of disease of which he is now suffering:

Dr. C. M. Cannon, M. D., testifies:
"I was the family physician of Rev. William Brown during the conference years of 1888, 1889, and 1890, and during those three years he suffered from rheumatism and valvular disease of heart continually. He also had necrosis of the upper jawbone, which was caused by an injury in the late war. This kept up a constant discharge, rendering him unable many times to preach. He is totally unable to do any kind of work and is very poor. He will very soon be out of support, as the decay of the jaw will soon terminate his ministerial career, and, in my opinion, his life also."

"C. M. CANNON, M. D.

"ALDEN, MINN., February 1, 1892."
Dr. D. L. Kenyon, of Worthington, Minn., certifies that he has been acquainted with Rev. William Brown a year and a half; that he was his family physician; that he is suffering from a necrosis of the superior maxilla, resulting from a wound received from a revolver in the hands of a rebel the morning he was taken prisoner; that he is suffering from a catarrhal inflammation of the stomach and bowels, and has been ever since his prison life; that he is in very feeble health; that he can not perform manual labor. It is very probable that Rev. William Brown will not be able to continue his relation to the church as a preacher because of his feeble condition.

Hon. JAMES H. KYLE, United States Senator from South Dakota, who is personally acquainted with the petitioner and his condition and all the facts in the case, appeared before the committee and made the following statement:

"I desire to say that I have known Mr. Brown for several years. He is a Methodist minister, in poor circumstances, is frail in body and suffers almost continually from the effects of wounds received in the war. I know he is often prevented from doing his work for the above reason, and more frequently talks, when to do so causes great pain. Anyone even casually acquainted with Mr. Brown would know that physically he is unable to do any work."

Your committee, in view of all the circumstances in this case, recommend the passage of the bill with an amendment to the title, so as to read: "A bill granting an increase of pension to William Brown."

Mr. McCLEARY of Minnesota. Mr. Chairman, I know this gentleman very well, and I know that the facts are as stated in the report.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY NEWMAN.

The next business on the Private Calendar was the bill (S. 1044) granting a pension to Mary Newman.

The bill was read, as follows:

Be it enacted, etc., 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 Newman, blind and dependent daughter of Thomas G. Newman, now deceased, late of Company K, Ninth Regiment Missouri State Militia Cavalry, who was a pensioner under certificate No. 328003, and pay her a pension at the rate of \$24 per month during her life.

An amendment fixing the amount of the pension at \$12 a month was agreed to.

Mr. DINGLEY. I should like to hear the report.

Mr. CROWTHER. Mr. Chairman, I would suggest that the first paragraph of the report presents a very complete statement of the case, and the remainder of the report is made up of affidavits substantiating the statements.

Mr. DINGLEY. Will the gentleman make a brief statement of the facts?

Mr. CROWTHER. I suggest that the reading of the first paragraph of the report, which contains the gist of the case, will give the desired information.

The first paragraph of the report was read, as follows:

To the Congress of the United States:

Your petitioner, Mary Newman, of the city of Hannibal, Mo., respectfully represents that she is the only child of Thomas G. Newman, who was a private soldier in the late war, a member of Company K, Ninth Regiment Missouri State Cavalry, and that her father received an honorable discharge from the Army, and afterwards drew a pension of \$8 per month, his pension certificate being No. 328003.

She further represents that her father, on May 15, 1864, died in the city of Hannibal and left her an orphan and entirely dependent upon charity. Your petitioner was born November 15, 1868, and has been almost entirely deprived of the use of her eyes since her birth, and at present there are no hopes of her recovering her sight, and she is unable to see to do anything save with difficulty; walk without someone leading her. And not only is your petitioner almost blind, but she is a confirmed invalid, having suffered for years.

And your petitioner prays that you will by special act grant her such pension as may in such case seem just to you in order that she may no longer be an object of charity, and that she may not be obliged to suffer want in addition to her other great affliction.

MARY NEWMAN,
By W. A. PARKER,
Attorney in Fact.

Mr. CROWTHER. Mr. Chairman, all the facts in the case are contained in that paragraph.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

C. E. PHILBROOK.

The next business on the Private Calendar was the bill (S. 739) granting an increase of pension to C. E. Philbrook.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of C. E. Philbrook, widow of Alvah Philbrook, major of Twenty-fourth Regiment Wisconsin Volunteers, and pay her a pension of \$30 per month, the same to be in lieu of the pension she now receives: *Provided*, That no claim for arrears shall be allowed by reason of the passage of this act.

The amendment recommended by the committee was agreed to.

Mr. PICKLER. Mr. Chairman, this is a bill that ought to pass. It is clearly in the line of precedent. I desire, however, to ask this Committee of the Whole to consider another question in connection with this bill. There is a good deal of inquiry as to how long we are expected to stay in session under the order of the Committee on Rules. The Committee on Rules have very kindly given us two days for the consideration of this pension business, and as there is a probability of an early adjournment, it is not likely that they will be able to give us any more time during the remainder of the session. We have a long Calendar before us. As has been demonstrated by the cases that we have considered so far, most of the beneficiaries of these bills are old and helpless and needy. Gentlemen must have noticed that of the bills that we have taken up for consideration this morning two have been laid aside because the beneficiaries have died since the reports were made. I speak of these facts as showing the necessity of considering these pension bills as rapidly as possible.

Now, with the requirement that each report shall be read, a good deal of time is consumed upon each bill, and we get along rather slowly. The question is, What is reasonable, under the circumstances, as to the length of the day's session? On that point I desire to say to gentlemen that this is the anniversary of the battle of the Wilderness, and the soldiers of the Union stayed there all night. [Applause.] I am in favor of sitting here as long as gentlemen think it is reasonable to stay with us. The Committee on Invalid Pensions are very desirous, of course, that this committee shall continue in session as long as possible. Just what we may do—whether to remain in session continuously; whether to try to take a recess after a while until this evening; whether to have another recess reaching over until to-morrow morning—are questions which I hope we shall consider during the course of the next hour, so as to come to some conclusion as to what we shall do.

I think, Mr. Chairman, this is an extraordinary occasion. These cases come from almost every State of the Union. There are very few gentlemen on the floor who have not been before the Committee on Invalid Pensions or some of these other committees asking the consideration of their bills, and as many of these gentlemen have already expressed to members of the Committee on Invalid Pensions their willingness to stay here, if necessary, all night, I trust that patriotic consideration will induce gentlemen to do all that they can in behalf of these poor people whose bills are on this Calendar and who are generally old and helpless. I believe it is our patriotic duty to forego ordinary considerations of convenience and stand by this Calendar as long as it is reasonable for us to do so. [Applause.]

Mr. CURTIS of New York. I wish to ask the chairman of the Committee on Invalid Pensions this question: If we sit here until 5 o'clock, then take a recess until 8 o'clock, then sit until half past 10 o'clock, then take a recess until 10 o'clock to-morrow morning, will that be satisfactory to the committee? If so, I think it will be so to the House.

Mr. PICKLER. I do not care to meet that question now. As we get further along we can decide whether and when a recess shall be taken. I do not care to agree to anything so long in advance.

The CHAIRMAN. The question is on laying this bill aside to be reported favorably to the House.

The question was decided in the affirmative.

NANCY CARSON BLUNT.

The next business on the Private Calendar was the bill (S. 246) granting a pension to Nancy Carson Blunt.

The bill was read, as follows:

Be it enacted, etc., 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 Nancy Carson Blunt, widow of Maj. Gen. James G. Blunt, deceased, and pay her a pension at the rate of \$75 per month from and after the passage of this act, in lieu of \$30 per month she is now receiving.

Mr. BRODERICK. Mr. Chairman, I desire to say only a word in explanation of this bill. General Blunt resided in Kansas when the war commenced. He did not wait until a commission was tendered to him before enlisting in the Army. He enlisted as a

private soldier in the first company organized in his county. He was made lieutenant of that company, and on account of meritorious services was advanced rapidly from grade to grade until, in April, 1862, he was a brigadier-general. In April, 1863, he was a full major-general, and, so far as I have been able to ascertain, he was the only full major-general who rose to that position from the volunteer forces west of the Missouri River. He was a born soldier, and distinguished himself in every engagement in which he participated.

The claimant here, Mrs. Blunt, was the wife of his early manhood. She was his wife during the war. While he was in the field or on the march she was at home caring for her two children. She helped to bear the burden and hardships of the war. She is now well advanced in years, and I trust there will be no objection to granting this increase of her pension. The report is very short, and I ask that it be read.

The report (by Mr. BAKER of Kansas) was read, as follows:

The committee to whom was referred the bill (S. 246) granting a pension of \$75 per month to Nancy Carson Blunt, widow of Maj. Gen. James G. Blunt, in lieu of the pension she now receives, having carefully examined the facts and circumstances in evidence as well as the age and necessitous condition of the applicant, and the brilliant and magnificent record of General Blunt, earnestly recommend the passage of the bill as it came from the Senate, and respectfully adopt the report (S. 189) of the Senate Committee on Pensions.

[Senate Report No. 189, Fifty-fourth Congress, first session.]

Mrs. Blunt is the widow of the late Maj. Gen. James G. Blunt. She is now drawing a pension of \$30 per month.

General Blunt was commissioned as brigadier-general of volunteers April 14, 1862; a major-general of volunteers March 16, 1863, and he accepted the commission May 1, 1863.

Major-General Blunt went into the war at the beginning as a lieutenant of a Kansas regiment, and was advanced, by reason of meritorious service, through different grades to brigadier-general and major-general, and was mustered out of the service June 29, 1865.

General Blunt's services were of vital importance to the Western border, and his bravery and daring appear plainly enough in the official records of the war of the rebellion. He undoubtedly incurred a malady from exposure in the field that caused his death and left his widow without means.

His record is a brilliant one, as will appear from the appended statement furnished by the War Department, and your committee are of the opinion that it entitles the widow to a much higher rate of pension than she is now drawing.

Your committee recommend that the bill be amended by striking out the words "one hundred," in line 8, and substituting the words "seventy-five." As thus amended, the passage of the bill is recommended.

RECORD AND PENSION OFFICE, WAR DEPARTMENT,
Washington City, January 10, 1896.

SIR: Referring to your letter of the 8th instant, addressed to the Adjutant-General of the Army, and by him transmitted to-day to this office, to which the subject pertains, in which you request a statement showing the military and medical record of the late Maj. Gen. James G. Blunt, of United States Volunteers, for the use of your committee in the consideration of Senate bill No. 246, I am directed by the Secretary of War to inform you that the records show that James G. Blunt was commissioned brigadier-general of volunteers April 14, 1862; to rank from April 8, 1862; that he accepted the commission April 22, 1862; that he was commissioned major-general of volunteers March 16, 1863; to rank from November 29, 1863, and that he accepted the commission May 1, 1863.

He commanded the Department of Kansas from May 5, 1862, to some time in September, 1862; the district of Kansas, Department of Missouri, from September, 1862, to May, 1863; the district of the frontier, Department of Missouri, from May, 1863, to October, 1863; the district of the frontier, Department of Kansas, from February 28, 1864, to April 18, 1864; the district of upper Arkansas, from August 2, 1864, to October, 1864, and the district of south Kansas from October, 1864, to June 3, 1865.

He was on special service in Kansas and Arkansas from October, 1863, to February 28, 1864, and on duty at the headquarters, Department of Kansas, from April, 1864, to August, 1864.

On June 3, 1865, he was ordered home to await orders, and he was honorably mustered out of service under Special Orders No. 407, paragraph 37, War Department, Adjutant-General's Office, dated June 29, 1865.

No medical record of this officer has been found.

Very respectfully,

F. C. AINSWORTH,

Colonel, United States Army, Chief Record and Pension Office.

Hon. J. H. GALLINGER,

Chairman Committee on Pensions, United States Senate.

Mr. CROWTHER. I move to amend by striking out "seventy-five" and inserting "fifty," so as to make this pension \$50 a month.

Mr. BRODERICK. I hope this motion will not prevail. Ever since the war closed it has been the practice to give to distinguished generals and their widows large pensions. A large number of the more prominent generals have been so pensioned, and among them some who never attained the distinction that General Blunt did. A great many widows of soldiers have received pensions of \$75 and \$100. General Blunt from the day the war commenced was in the service. From the firing of the first gun he was active, energetic, and heroic until the close of the war. And now when his widow, an aged lady, is left alone and without property, I say it is wrong to reduce her pension below the amount proposed in the bill.

This bill passed the Senate without a dissenting voice, and it ought to be concurred in here without any dissent. I regret very much that a gentleman on the committee should make this motion. It ought not to prevail, and I trust it will not.

Mr. BLUE. Mr. Chairman, I trust the amendment of my colleague from Missouri will not prevail. I do not believe when he reflects upon the matter that he will insist upon it himself.

The CHAIRMAN. The Chair will state to the gentleman from Kansas that the time has been exhausted in favor of the bill. The remaining time belongs to the gentleman from Missouri.

Mr. CROWTHER. I will yield to my friend from Kansas one minute.

Mr. BLUE. I will simply use that one minute to say that this is the only man that I remember, and I think it is unquestionably true, the only man among the volunteers west of the Mississippi River who rose from the ranks to be a major-general. The unanimous report of the Committee is in favor of the action proposed here and the amount that the bill carries.

General Blunt was not of that character of general officer who was a mere general in name, but he went into the thickest of the fight in every contest in which he participated, and the long list of battles in which he took part entitled him to the rank and the promotion he received.

Mr. BRODERICK. And it should be remembered that he never lost a battle.

Mr. BLUE. And as my colleague says, he never lost a battle—

Mr. VAN HORN. And did not wait for the enemy to hunt him, but hunted them himself.

Mr. BLUE. Yes; that is correct Mr. Chairman. As stated by the gentleman from Missouri [Mr. VAN HORN], he did not wait for the enemy to hunt him.

While I have not participated in the action of the House in granting large pensions to the widows of distinguished soldiers, this is a case that I think is exceptional in its merits, and the pension of \$75 per month should be granted her.

Mr. CROWTHER. Mr. Chairman, I am willing to agree to the statement of my colleague from Kansas in regard to the military record of Gen. James G. Blunt. But we are not considering now a pension for General Blunt. We are considering a pension for his widow; and it has been the rule that amendments have been made by the Committee on Invalid Pensions to reduce the amounts to be allowed to the widows of general officers to the sum of \$50 a month. We believe that that sum amply covers any case that comes before us. We think it large enough, and there should not be this invidious distinction between the amounts allowed to the widows of general officers and the amounts voted to the widows of private soldiers, many of whom ought to have been general officers themselves.

Mr. POOLE. The gentleman of course only speaks for himself and not for the Committee on Invalid Pensions. We made a unanimous report on the bill, fixing it at \$75 a month; and I hope the amendment will be rejected.

The question being taken on the amendment of Mr. CROWTHER, the committee divided; and there were—ayes 55, noes 56.

So the amendment was rejected. [Applause.]

The bill was laid aside to be reported to the House with a favorable recommendation.

ELIZABETH A. SARGENT.

The next business on the Private Calendar was the bill (H. R. 6111) granting a pension to Elizabeth A. Sargent.

The bill was read, as follows:

Be it enacted, etc., 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 Elizabeth A. Sargent, of Manchester, N. H., dependent mother of Capt. John B. Sargent, late of Company B, Tenth Regiment New Hampshire Volunteers, and pay her a pension of \$17 per month.

Mr. BAKER of New Hampshire. Let the report be read.

The report (by Mr. SULLOWAY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6111) granting a pension to Elizabeth A. Sargent, having carefully considered the same, respectfully report:

Elizabeth A. Sargent, mother of First Lieut. John B. Sargent, late of Company B, Tenth New Hampshire Volunteers, is 81 years of age, is possessed of no property whatever, is supported entirely by charity, and her physical condition is such that she can live but a short time.

Lieutenant Sargent was a brave and faithful soldier and officer, and was pensioned at the time of his death. He left a minor daughter, who drew a pension from her father's death until December 12, 1895, when she became 16 years of age. He left no widow.

The mother is now a widow, and has been since 1855. She was wholly dependent on her son for support, and during his lifetime he provided and cared for her as long as his health permitted him to earn the means with which to do so.

In view of the clearly established facts, your committee earnestly recommend the passage of the bill.

Mr. BAKER of New Hampshire. Mr. Chairman, my colleague, [Mr. SULLOWAY] in reporting this bill, has been led into some error, I presume, by the statements which have been made to him. This lady is now in a home for elderly people in Manchester, N. H., and is properly cared for, and her wants supplied.

The report says that this soldier left no widow. Perhaps in the legal sense of the word that is true; but as a matter of fact his wife, whom he married in 1863, is still living, and the daughter—of whom the report speaks as being 16 years old, is with her mother and is being educated, or an attempt is being made to educate her by her mother from the proceeds of her own unaided toil.

The facts are these: That after having lived with the soldier some twenty-odd years she, by reason of his vicious habits, was compelled to seek a divorce, which she obtained. The daughter has always remained with the mother. When the soldier died—he died in Pittsburg, Pa.—this woman, who was his wife during the war, sent for his remains, paid all of the expenses of the funeral, and interred them with honor in the city of Manchester, N. H.

I have introduced a bill (House bill No. 7536), which is now pending before the Pension Committee, to pension this woman, who procured a divorce not through any fault of her own, but entirely through the fault of the soldier.

Now, there is not a word to be said against this soldier's mother. She is an elderly lady, and is in the Home for the Support of Elderly Ladies in Manchester, and not in an almshouse, but in an establishment where she has good care. The question for the committee is whether, under these circumstances, the mother should be pensioned while the woman who is really his widow and supporting and educating his daughter, shall go without. That is all there is to the case. My own desire is that the case lie on the table until the other bill is reported.

Mr. HOOKER. Why not amend the bill by substituting the widow for the mother, if she is entitled to it?

Mr. BAKER of New Hampshire. The only question is on the fact of her having obtained a divorce only a year or two before the death of the soldier. I think my colleague will agree with me that this is a fair statement of the case.

Mr. SULLOWAY. Mr. Chairman, I understand that the report cites the facts literally. This mother is cared for in an institution in the city where I live. She is absolutely without any means whatever. She has been a widow since 1855; and the son, this soldier, cared for her until he died, which event took place in Pittsburg, Pa., I think.

Now, this woman, who was once his wife, got a divorce from him years ago, and I say in this report that he left no widow. If she is his widow, then I do not understand the meaning of the word. He left no widow. He left this dependent mother, 80 years old, without a penny, and I submit to this House that the mother is the one who should receive this pension. His wife having abandoned him, having got a divorce and fled away from him, should not come in here to-day, years after that happened, and deprive the mother, whom he cared for so long as he had any means, whom he cared for in his early boyhood, of the privilege and the right which she has under the law, to take this pension of \$17, he being a first lieutenant. That is exactly the situation here, gentlemen, and I submit that the mother should have a pension.

Mr. BAKER of New Hampshire. Mr. Chairman, let me say that this man's wife never fled away from him, but that he went into the West, away from her. Now, I move to strike out the words "Elizabeth A. Sargent, dependent mother," and to insert the words "Fannie J. Sargent, widow."

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

In line 6 strike out the words "Elizabeth A. Sargent, of Manchester, N. H., dependent mother," and insert in lieu thereof the words "Fannie J. Sargent, widow."

Mr. PICKLER. Mr. Chairman, I want to make a point of order against that amendment. I do not think that on a private pension bill it is in order to strike out one beneficiary and insert another. It seems to me the amendment is out of order. We have no jurisdiction to do anything of the kind.

The CHAIRMAN. That is a novel point, but the Chair is of the opinion that it would be germane to the question of pensioning the relative of this deceased soldier and that the committee could strike out the name of a wife and insert children.

Mr. ERDMAN. Mr. Chairman, does the gentleman from New Hampshire say there was a widow in this case?

Mr. BAKER of New Hampshire. I will say, in answer to the gentleman from Pennsylvania [Mr. ERDMAN], that there is a woman who married this soldier in 1863. She was his wife during the war. In 1885 she obtained a divorce from him on account of his vicious habits. At that time he had not been supporting her, but she had been supporting him for some time. I hope my amendment will be adopted.

The amendment of Mr. BAKER of New Hampshire was rejected. The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ELIZABETH NEW.

The next business on the Private Calendar was the bill (S. 1051) granting a pension to Elizabeth New, widow of Jethrow New. The bill was read, as follows:

Be it enacted, etc., 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 Elizabeth New, widow of Jethrow New, late captain of Company D, Twenty-ninth Indiana Volunteer Infantry, of the war of 1861.

Mr. DINGLEY. Let the report be read.

The report (by Mr. KIRKPATRICK) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1051) granting a pension to Elizabeth New, widow of Jethrow New, report as follows:

The facts in this case are truly and correctly set forth in the report (No. 54) of the Senate Committee on Pensions, and to avoid repetition the same is adopted as the report of this committee.

Your committee therefore report the bill back with the recommendation that it do pass.

The following is the Senate report:

"The Committee on Pensions, to whom was referred the bill (S. 1051) granting a pension to Elizabeth New, have examined the same and report:

"A similar bill was introduced in the Fifty-third Congress, referred to the Pension Committee, reported favorably, and passed the Senate.

"The facts are as follows:

"Jethrow New was an officer, serving successfully both as lieutenant and captain of Company D, in the Twenty-ninth Regiment of Indiana Volunteer Infantry in the war of 1861. He was mustered into the service September 2, 1861, and was discharged therefrom November 24, 1862, for very serious disabilities incurred in the service.

"He was a pensioner of the United States from November 21, 1862, the day after his discharge from the service, until April 9, 1881, at the rate of \$7.50 per month, and from the latter date to the time of his death at the rate of \$15 per month. He died very suddenly at his home at Green Oak, Fulton County, Ind., on the 27th day of February, 1887.

"The claim of his widow, Elizabeth New, in whose behalf this petition was filed, has been rejected by the Pension Bureau upon the ground of want of proof that his death was due to the disabilities incurred by him in the military service aforesaid. The husband was pensioned, as appears from the records, for chronic bronchitis, chronic diarrhea, loss of sight of the left eye, and special results. The following is a description of his condition as given by the board of examining surgeons at Lafayette, Ind., October 26, 1881:

"Total blindness of the left eye; right lateral curvature of the spine; epiglottitis paralyzed and displaced. Perhaps no man living has so gnarled a spine. From it there is perfect paralysis of the epiglottis. It stands wide open, like an abandoned old gate on its rusty hinges, never to be closed. Of course deglutition is impossible, and he has several times nearly suffocated in attempting to swallow solid food."

"The condition of the deceased husband is shown by the record to have continued unchanged up to the time of his death, and besides the medical testimony there is evidence in the record of his friends and neighbors—among others, his nearest neighbor—to the fact that he remained totally unable to perform any kind of manual labor whatever; that he was unable for a year before his death to take anything but liquid food; that he was extremely thin in flesh, very feeble, and debilitated; that he was subject to attacks of wheezing spasms of coughing and smothering.

"This evidence also shows that his death was very sudden; that no physician or other person was present immediately at the time; that he was found dead within twenty minutes after he had spoken to a neighbor about his helpless condition. The committee is of the opinion that the cause of his death was without doubt the disabilities aforementioned, incurred by him in the military service. The applicant, his widow aforesaid, is 72 years old, in very moderate circumstances, and we therefore return herewith and recommend the passage of the accompanying bill.

The bill was laid aside to be reported to the House with a favorable recommendation.

WALLACE M'GRATH.

The next business on the Private Calendar was the bill (S. 247) granting a pension to Wallace McGrath.

The bill was read, as follows:

Be it enacted, etc., 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 Wallace McGrath, late lieutenant and aid-de-camp of the Fifteenth Regiment Ohio Infantry Volunteers, and grant him a pension at the rate of \$50 per month from and after the passage of this act.

Mr. CURTIS of Kansas. Let the report be read.

The report (by Mr. KIRKPATRICK) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 247) granting a pension to Wallace McGrath, submit the following report:

The facts in this case are fully set forth in the report of the Senate Committee on Pensions, and to avoid repetition the same is referred to and adopted by this committee. Your committee therefore reports the bill back to the House with the recommendation that it do pass.

The Senate report is as follows:

"The Committee on Pensions, to whom was referred the bill (S. 247) entitled 'A bill granting a pension to Wallace McGrath,' have examined the same and report:

"That on the 1st day of August, 1890, he was granted a pension of \$12 per month for locomotor ataxia, which sum he claims is not nearly commensurate with the degree of his disability.

"It appears from the evidence that he enlisted on the 23d day of September, 1861, and served until January 27, 1865. That on the 27th day of May, 1864, near Altoona, Ga., while in actual service, he was wounded in the breast; that at such time he was standing on a steep sidehill, and from the force of the blow received he was thrown violently part way down the hill and against a tree, being struck in the small of the back. He suffered severely from his wound and the injury thus received.

"At the time of his enlistment he was a strong, able-bodied man. From and after his wound, received on May 27, 1864, he suffered from pain in the back and was from that time forward unable to stoop over or pick up anything on the ground or floor without suffering great pain. That his injury increased from such time forward until he became unable to walk without the assistance of crutches and a nurse to attend him; that for the last four years or more he has been wholly unable to go about without assistance, and is wholly disabled as a result of the injury so received as aforesaid.

"The writer of this report is personally acquainted with the applicant, knows him well, and has seen him frequently within the last four years at the Soldiers' Home at Leavenworth, Kans., and from his own personal knowledge believes his injury to be permanent. And as further evidence of his entire disability your committee begs leave to submit a letter from Col. Andrew J. Smith, governor of the National Military Home, Leavenworth Kans., dated December 27, 1895, and addressed to Hon. LUCIEN BAKER, which is hereto attached, marked Exhibit A, and which is made a part of this report.

"That the pension which the applicant now receives for and on account of locomotor ataxia is wholly inadequate to his injury; that under the law for permanent disability he would probably be entitled to \$72 per month, but in order to avoid any question we think it would be well to grant him the intermediate rate of \$50 per month, as provided by the act of Congress of July 14,

1892, this rate being granted for a disability in such a degree as to require the frequent and periodical, though not regular and constant, personal aid and attendance of another person.

"Your committee recommend that the bill be amended by striking out all after the word 'volunteers,' in the seventh line, and adding in lieu thereof the words 'and grant him a pension at the rate of \$50 per month from and after the passage of this act.' As thus amended we recommend the passage of the bill."

The CHAIRMAN. The question is on laying aside the bill with a favorable recommendation.

Mr. ROYSE. Mr. Chairman, is there not an amendment?

The CHAIRMAN. No; the amendment referred to in the report is a Senate amendment, which was acted upon in the Senate.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

MRS. ANNIE E. COLWELL.

The next business on the Private Calendar was the bill (H. R. 1931) granting an increase of pension to Mrs. Annie E. Colwell.

Mr. TAFT. Mr. Chairman, I ask that Senate bill 2514 be substituted in the place of this bill. The two bills are exactly alike.

Mr. DINGLEY. Let the report be read.

The CHAIRMAN. The Clerk will first report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby directed to place on the pension rolls the name of Mrs. Annie E. Colwell, widow of Thomas W. Colwell, sergeant of Company C, Second Regiment Ohio Infantry, Mexican war, and first sergeant of Company H, Fifth Ohio Cavalry, war of 1861 to 1865, and pay her a pension at the rate of \$30 per month, in lieu of the pension she now receives.

The report (by Mr. LAYTON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1931) granting an increase of pension to Mrs. Annie E. Colwell, having examined the evidence in the case, report:

Thomas W. Colwell, husband of claimant, served in Company C, Second Ohio Volunteers, in the Mexican war, from August 10, 1847, to July 25, 1848, and in Company H, Fifth Ohio Volunteer Cavalry, from October 31, 1861, to November 29, 1864, when he was mustered out as first sergeant, having held that rank about two and one-half years. He was killed by accident in 1867, never having applied for a pension. He was married to the claimant in 1848, and she has never remarried since his death. She is now pensioned at \$8 as a Mexican war widow. She never applied for pension on account of her husband's services in the war of the rebellion.

She is now 72 years of age. She is now totally blind, and has been so for over twenty-one years last past.

She has no property or income whatever except her pension of \$8 per month, and with that exception is wholly dependent upon friends for her support, having no relatives living. She is of excellent character.

To recapitulate: Her husband served through two wars and was never pensioned. She was his wife during the war of the rebellion, is 72 years old, totally blind, destitute of property, without relatives on whom to call for aid, and with absolutely nothing except her pension of \$8 per month, which is altogether inadequate to supply her needs in her age, blindness, and helplessness.

In view of these facts, your committee recommend the passage of the bill.

The CHAIRMAN. The gentleman from Ohio [Mr. TAFT] asks unanimous consent that the Senate bill be substituted for the House bill. Is there objection?

Mr. ERDMAN. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. ERDMAN] objects.

Mr. ERDMAN. Mr. Chairman, this is a case where the husband was killed by accident in 1867, and if we pension his widow we determine that his death was due to army service.

Mr. TAFT. She is already pensioned for \$8.

The bill was laid aside to be reported to the House with a favorable recommendation.

Subsequently,

Mr. TAFT said: Mr. Chairman, I ask unanimous consent to recur to the bill H. R. 1931. There was a mistake in regard to it. The gentleman from Pennsylvania [Mr. ERDMAN] did not intend to object to substituting the Senate bill.

The CHAIRMAN. The gentleman from Ohio [Mr. TAFT] asks unanimous consent to return to the bill H. R. 1931, and to substitute therefor the bill S. 2514. Is there objection?

There was no objection.

Accordingly, the bill S. 2514 was ordered to be laid aside to be reported to the House with a favorable recommendation.

By unanimous consent (on motion of Mr. TAFT), the bill H. R. 1931 was ordered to lie on the table.

MRS. MARY L. ALESHIRE.

The next business on the Private Calendar was the bill (H. R. 4724) to increase the pension of Mrs. Mary L. Aleshire.

The bill was read, as follows:

Be it enacted, etc., That the pension of Mary L. Aleshire, widow of Capt. Charles C. Aleshire, late of the Eighteenth Ohio Battery Light Artillery, be, and the same is hereby, increased from \$8 per month to \$30 per month; and the Secretary of the Interior be, and is hereby, authorized and directed to place her name on the roll at the rate of \$30 per month, subject to the provisions and limitations of the pension laws.

The Committee on Invalid Pensions recommended the following amendment:

Strike out all after the enacting clause and insert:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mary L. Aleshire, widow of Capt. Charles C.

Aleshire, late of the Eighteenth Battery Ohio Light Artillery, on the pension roll and pay her a pension of \$30 per month in lieu of the pension she is now receiving."

Mr. SPALDING. Let the report be read.

The report (by Mr. LAYTON) was read, as follows:

The soldier served as captain of Company G, Eighteenth Ohio Infantry Volunteers, from May 21, 1861, to August 23, 1861, and as captain of Eighteenth Ohio Battery Light Artillery from September 13, 1862, to June 29, 1865. He was appointed second lieutenant in the Third United States Artillery August 8, 1866, promoted to first lieutenant February 5, 1867, and served faithfully and efficiently until November 15, 1870, when he was honorably discharged, after a total period of service of seven years and four months.

Captain Aleshire has a hospital record of treatment for "bunococele," or inguinal hernia, from December 23, 1863, to January 29, 1867. He applied for pension July 31, 1885, and was pensioned at \$20 per month from that date for "left inguinal hernia," after special examination.

Widow was married to soldier June 6, 1867, and was pensioned under act of June 27, 1890, at \$8 per month from July 31, 1890, the soldier having died April 23, 1889.

The immediate cause of the death of the soldier is not shown by the evidence on file in the Pension Bureau. The claimant files an affidavit with the committee in which she alleges:

"My husband was a great sufferer for long years prior to his death, and the services of a physician were frequently, it might be said almost constantly, needed to mitigate and alleviate his sufferings. He had bronchitis and was troubled with a bad rupture, which was so difficult to control that it frequently baffled the skill of the best physicians, which caused him constant and often intense pain, and which I believe was the primary cause of his death."

Dr. James Johnston certifies to Captain Aleshire's great suffering from hernia, and of his frequently consulting this physician professionally for his trouble after his discharge from the service; that the physician often examined him and fitted a truss on him at different times, and that he had a very bad rupture, which was very hard to control by a perfect-fitting truss, and that he knows that Captain Aleshire suffered a great deal from this cause; that from the nature of his disabilities and his general physical condition it is fair to presume that the remote cause of his death was due to disease contracted in the service.

Col. John L. Vance, who was a gallant soldier and an ex-member of Congress, certifies and states that his relations with Captain Aleshire, from his early boyhood until his first enlistment, and from the time of his leaving the service until his death, were intimate; that he frequently heard him complain of suffering intensely from troubles originating while in the volunteer service, and particularly did he suffer, and was incalculably prostrated at times, from rupture. He believed and was advised, and those of his friends acquainted with his sufferings believed, that he was broken down in health by the service, and, "in my judgment," Colonel Vance says, "his death was the result thereof."

Mrs. Aleshire is advanced in years, in feeble health, and has no property or means of support except the pension she is now receiving.

From the facts presented, your committee believe the bill is meritorious, and therefore earnestly recommend its passage with the following amendment:

Strike out all after the enacting clause and insert:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Mary L. Aleshire, widow of Capt. Charles C. Aleshire, late of the Eighteenth Battery Ohio Light Artillery, on the pension roll and pay her a pension of \$30 per month, in lieu of the pension she is now receiving."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MRS. SARAH MARTIN.

The next business on the Private Calendar was the bill (H. R. 4994) for the relief of Mrs. Sarah Martin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to pay to Sarah Martin, widow of Jonas Martin, late private Company F, Twenty-ninth Michigan Infantry, the pension granted her under the act of June 27, 1890, by certificate No. 21127, without any deduction on account of pension previously granted her January 16, 1873, by the same certificate number.

Mr. DINGLEY. Let the report be read.

The report (by Mr. THOMAS) was read, as follows:

The Committee on Invalid Pensions, having carefully examined all the evidence relating to the bill (H. R. 4994) for the relief of Sarah Martin, report as follows:

Jonas Martin, who was the husband of the beneficiary of this bill, enlisted September 3, 1864, in Company F, Twenty-ninth Michigan Volunteers, and was mustered out June 17, 1865. He was treated while in service, as shown by the records, for chronic rheumatism and chronic bronchitis. He died in 1874 from disease of lungs, and his widow filed a claim for pension under the general law, which was allowed, and she drew pension until 1886, when her name was dropped from the rolls on the ground that it had been disclosed by a special examination that the disease of lungs from which the soldier died was not incurred in the service, but existed prior to his enlistment.

On July 31, 1890, the widow filed a claim under the act of June 27, 1890, which was allowed, and under departmental decision of September 12, 1891, that pension should not be withheld. She was again paid pension until April, 1894, when a reissue was made to withhold payment to recover what had been paid her under the general law. In March, 1895, another reissue was made to recover, it appearing that the reissue made in 1894 was not broad enough to recover all that she had received. These are the facts in the case. The object of this bill is to prevent the Pension Office from withholding from this widow the pension which has been allowed her under the act of June 27, 1890, and which, as shown by the evidence in the case, she needs for her support. The Government can not withhold this widow's pension without violating the principle laid down in sections 4734 and 4747, Revised Statutes, which are as follows:

"SEC. 4734. The provisions of law which allow the withholding of the compensation of any person who is in arrears shall not be construed to authorize the pension of any pensioner of the United States to be withheld.

"SEC. 4747. No sum of money due, or to become due, to any pensioner shall be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, whether the same remains with the Pension Office or any officer or agent thereof, or is in course of transmission to the pensioner entitled thereto, but shall inure wholly to the benefit of such pensioner."

Your committee are of opinion that the pension should not be withheld, and they therefore recommend the passage of the bill.

The bill was ordered to be laid aside with a favorable recommendation.

ELMIRA E. DUSTIN.

The next business on the Private Calendar was the bill (H. R. 3578) granting a pension to Elmira E. Dustin.

The bill was read, as follows:

Be it enacted, etc., 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 Elmira E. Dustin, of Sycamore, widow of Gen. Daniel Dustin, late colonel of One hundred and fifth Illinois Infantry Volunteers, and pay her a pension of \$50 per month.

Mr. SPALDING. Let the report be read.

The report (by Mr. WOOD) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3578) granting a pension to Elmira E. Dustin, submit the following report:

The claimant in this case is the widow of Bvt. Brig. Gen. Daniel Dustin. She was soldier's wife before and during the war. She is now past 70 years of age, and has no means or property whatever except a house and lot in the small village of Sycamore, Ill., where she lives, and which is of no more value than \$1,200, and the rental value of which is not more than \$8 per month.

Daniel Dustin enlisted September 18, 1861, and was mustered as captain of Company L, Eighth Illinois Cavalry. He was promoted major of same regiment January 8, 1862. His resignation was accepted September 8, 1862, to enable him to accept promotion as colonel of One hundred and fifth Illinois Infantry.

He was mustered as colonel of One hundred and fifth Illinois Volunteers September 9, 1862. October 31, 1864, he was in command of Third Division, Twentieth Army Corps; December 31, 1864, to April 30, 1865, he was in command of Second Brigade, Third Division, Twentieth Army Corps. He was mustered out as colonel of One hundred and fifth Illinois Infantry. He was brevetted brigadier-general of volunteers March 16, 1865, for gallant services in the campaigns in Georgia and South Carolina.

In view of the distinguished services of this officer and the need of his widow, her age and feebleness, the committee recommend that the bill do pass.

The bill was ordered to be laid aside with a favorable recommendation.

FREDERICK GRAMM.

The next business on the Private Calendar was the bill (S. 61) for the relief of Frederick Gramm.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and hereby is, authorized and directed to so amend and correct the military record of Frederick Gramm, late a private soldier in Company B of the Fifty-sixth Regiment Ohio Volunteers, as to remove the charges of desertion, and to show that said Gramm was captured by the enemy on June 25, 1862, and paroled on June 28, 1862, and permitted by Major-General Grant, commanding the district, to pass from Memphis, Tenn., to his home in Ohio to remain until notified of his exchange or otherwise ordered, and duly exchanged by General Orders, No. 10, War Department, January 19, 1863, and ordered to return to his command, and absent without leave until March 5, 1863, when he enlisted in the Navy of the United States for two years, served faithfully, and was honorably discharged at the expiration of his service: *Provided*, That no pay or allowances shall become due by reason of this act.

Mr. TALBERT. Mr. Speaker, I would like the report to be read in this case.

The report (by Mr. BISHOP) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 61) entitled "A bill for the relief of Frederick Gramm, of Ironton, Ohio," beg leave to submit the following report:

This is a bill providing for the removal of the charge of desertion from the military record of Frederick Gramm, late a private in Company B, Fifty-sixth Ohio Volunteers, and for granting such soldier an honorable discharge.

A bill identical in form with such House bill passed the Senate in the Fifty-fourth Congress and has been referred to your committee.

Your committee would therefore recommend that such House bill do lie on the table, and that such Senate bill do pass.

The facts upon which such soldier relies for the favorable consideration of the bill for his relief, which have been found to be true by your committee, are as follows:

The soldier enlisted in Company B, Fifty-sixth Ohio Volunteers, November 13, 1861, to serve three years. He was captured June 25, 1862; paroled June 28, 1862; was permitted by General Grant, his commanding officer, to go to his home in Ohio to await his exchange. He was exchanged in January, 1863, and was notified only by general orders published in the newspapers.

After such exchange, in March, 1863, he enlisted in the gunboat service of the Mississippi for two years, and was honorably discharged from such gunboat service at the expiration of such enlistment.

The only mistake made by such soldier was in not reporting to his regiment and getting a transfer from his regiment to the gunboat service. He received no bounty by reason of such reenlistment, but did receive a slightly increased pay. By reason of such reenlistment such soldier was marked on his company rolls as a deserter.

Mr. TALBERT. Mr. Chairman, I do not wish the further reading of the report. I desire to say that it appears that this man received no bounty by reason of such reenlistment, but he did receive slightly increased pay. It seems to me that this is in the nature of a bounty. Here is another case of a deserter, which I think has no merit in it; and I move that the bill be laid aside with an unfavorable report.

Mr. FENTON. I hope that motion will not prevail. This is a very good case, and only shows an indiscretion of a boy who served during the war. He has an excellent record, and it was only an error which he made by lack of knowledge of military law. It is a clear case and a good one, and the boy served throughout the war.

The question was taken on the motion to report the bill with an unfavorable recommendation, and the motion was rejected.

The CHAIRMAN. Without objection, the bill will be laid aside with a favorable recommendation.

Mr. TALBERT. I object.

The question was taken on laying aside the bill with a favorable recommendation; and the Chairman announced that the ayes seemed to have it.

Mr. TALBERT. Division.

The committee divided; and there were—ayes 109, noes 1.

So the motion was agreed to. [Applause.]

PATSEY E. BROADDUS.

The next business on the Private Calendar was the bill (H. R. 4481) granting an increase of pension to Patsey E. Broaddus, of Marion, Kans.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase and pay a pension of \$30 per month, in lieu of the pension now received by her, to Patsey E. Broaddus, of Marion, State of Kansas, widow of Green B. F. Broaddus, late first lieutenant of Company H, First Kentucky Cavalry, Mexican war, and major Eighth Kentucky Volunteer Infantry in the late war.

Mr. DINGLEY. Let us have the report.

The report (by Mr. BAKER of Kansas) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 4481) granting an increase of pension to Patsey E. Broaddus, have considered the same and respectfully report as follows:

Mrs. Broaddus is the widow of Green B. F. Broaddus, who served from June 8, 1846, to June 8, 1847, as first lieutenant Company H, First Kentucky Cavalry, in the war with Mexico. He also served from January 15, 1862, to April 26, 1863, as major of the Eighth Kentucky Infantry in the war of the rebellion. He was discharged from the last service because of disease of eyes originating in the line of his duty.

Major Broaddus died September 24, 1875, and his widow made application for a pension, declaring that his death was caused by a congestive chill resulting from disease contracted in the service. Much testimony was furnished in support of her claim, but the same was not accepted as sufficient by the Pension Bureau, and the claim was rejected. She subsequently filed an application under the act of January 29, 1887, based upon his Mexican war service, and the same was allowed at \$8 per month, which sum she is now receiving.

The testimony accompanying the bill shows that the claimant has no property save a small dwelling house and some unproductive farm land near Florence, Kans., and that she is without income or means upon which she can depend for a support. It is further shown that she has been a confirmed cripple for thirty-five years, and that she is unable to walk or perform manual labor, and requires the constant attendance of another person; her muscles are wasted away and shrunken, and her limbs drawn at right angles, and her condition is such that she has to be as carefully attended as a child.

The facts are shown by the testimony of Dr. T. J. Cowry, Josephine Burton, J. R. McLean, and numerous other citizens of Marion County, Kans.

In view of the valuable service of the soldier in two wars, and in the light of the helpless condition of the widow, your committee are constrained to recommend the passage of the bill, believing as we do that the circumstances are such that no dangerous precedent will be established by favorable action in this case.

Mr. DINGLEY. What is the pension provided for in this bill?

Mr. CURTIS of Kansas. Twenty dollars a month. She is as helpless as a child, and she only gets \$8 a month.

The CHAIRMAN. The bill provides for \$20 a month.

The bill was ordered to be laid aside with a favorable recommendation.

MARY MARTIN.

The next business on the Private Calendar was the bill (H. R. 1890) granting a pension to Mary Martin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Mary Martin, widow of James Martin, late of Company C, One hundred and twenty-fifth Regiment New York Volunteers, and pay her a pension of \$12 per month.

Mr. SPALDING. Let us have the report.

The report (by Mr. McCLELLAN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1890) granting a pension of \$12 per month to Mary Martin, widow of James Martin, late of Company C, One hundred and twenty-fifth Regiment New York Volunteers, having carefully considered the same, respectfully report as follows:

The claimant was married to the soldier in 1853, and has never since been married. The soldier was mustered into the service August 2, 1862, and served with his command until September 10, 1863, when he was captured at Beaton. He was held a prisoner until November 20, 1864; was then paroled and sent to Camp Parole, Annapolis. On December 4, 1864, he received a furlough for thirty days, and returned home to visit his wife and children, who lived at Troy, N. Y. A few days before the expiration of his furlough he left his home to return to Camp Parole. He did not reach there, and since that time he has not been seen nor heard from by the claimant or by any member of his family, although diligent inquiry was made to ascertain his fate.

The claimant was left with three small children, whom she brought up by her own unaided efforts. She is now nearly 70 years of age, in bad health, lame, and decrepit, unable to work, without means, and in want of the necessities of life. She has twice applied for a pension—once under the general law and once under the act of June 27, 1890. Her claim under the general law was rejected for want of evidence showing her husband's death. Her claim under the new law was rejected on the ground that the soldier did not receive an honorable discharge.

Your committee think the circumstances raise a presumption that the soldier was prevented by some accident or foul play from rejoining his command, and that his death must likewise be presumed.

They recommend that the bill pass with the following amendment:

In line 5 strike out the word "of," between the words "late" and "company," and insert in lieu thereof the words "a private in."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELVIN BROWN.

The next business on the Private Calendar was the bill (H. R. 2373) granting a pension to Elvin Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elvin Brown, a private of Capt. George A. H. Blake's Company A, Second Regiment of United States Dragoons, and pay him a pension at the rate of \$20 per month from the passage of this act, in lieu of that which he now receives.

Mr. SPALDING. The report.

The report (by Mr. HARDY) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 2373) granting a pension to Elvin Brown, have considered the same and report:

The claimant was a private in Company A, Second United States Dragoons, and served from August 13, 1839, to August 13, 1844. During this period he participated in the Florida Indian war, and he has been allowed the pension of \$8 per month provided by the act of July 27, 1892, for veterans of that war.

The testimony accompanying the bill shows that Mr. Brown is now about 76 years old, impoverished financially, and so disabled by old age and disease of the heart as to be unable to do anything toward securing a comfortable support. He has a small property in the vicinity of Terre Haute, Ind., which is mortgaged for nearly its full value, and he has to depend for the necessities of life upon his small pension.

In view of the facts stated above the passage of the bill is recommended, with an amendment inserting the initial "J." in the claimant's name; so as to read "Elvin J. Brown."

Mr. DINGLEY. What pension is allowed by the bill as amended?

The CHAIRMAN. Twenty dollars.

Mr. DINGLEY. This is a case to increase the pension of a Mexican soldier simply on account of his old age?

Mr. LOUDENSLAGER. He is 76 years old and very impoverished.

Mr. DINGLEY. I suppose the most of these Mexican pensioners are about that age.

Mr. LOUDENSLAGER. There are several precedents for this. The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MATILDA GRESHAM.

The next business on the Private Calendar was the bill (S. 616) granting a pension to Matilda Gresham, widow of the late Walter Q. Gresham, at the rate of \$100 per month.

The bill was read, as follows:

Be it enacted, etc., 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 Matilda Gresham, widow of Walter Q. Gresham, late a brigadier-general, at the rate of \$100 per month.

Mr. SPALDING. Let us have the report.

The report (by Mr. WOOD) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 616) granting a pension to Matilda Gresham, widow of the late Walter Q. Gresham, at the rate of \$100 per month, beg leave to report:

Matilda Gresham was the wife of Gen. Walter Q. Gresham before and during the war, and remains his widow since his death.

The services of General Gresham in military and civil life are well known. From the best information the committee can get Mrs. Gresham is in feeble health. She has a small farm in southern Indiana, left by the General, which does not yield income sufficient for her support.

In view of the meritorious service of General Gresham and the need of his widow, the committee recommend the passage of the bill.

Mr. CROWTHER. Mr. Chairman, I move that the words "one hundred" be stricken out and the word "fifty" inserted in lieu thereof.

Mr. CURTIS of New York. I hope that amendment will not prevail.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 7 strike out the words "one hundred" and insert the word "fifty"; so as to read "at the rate of \$50 per month."

Mr. PICKLER. Mr. Chairman, this is one exception that the Committee on Invalid Pensions has made in granting \$100 pension. I trust that this amount will not be reduced. This is the first bill that I have advocated this session at this amount for a widow. I want to say, Mr. Chairman, that I believe this is an exceptional case, and I shall not detain the committee. The history of Walter Q. Gresham is too well known in this country. His distinguished services as a soldier were not exceeded by those of any other general of his rank in the Army. His distinguished civil service, dying in the harness as he did as Secretary of State during this Administration, and all these matters, point us to his history and make it an exceptional case. I believe that this House and this committee owes it to itself and to the memory of General Gresham to give this lady a pension in keeping with the rank of her husband and his great attainments in this country. His friends were legion this country over. While this is an exceptional case, as I admit, I believe that it is a case where the pension ought to stand at \$100 a month.

Mr. CROWTHER. Mr. Chairman, with due deference to the distinguished gentleman who presides over the Invalid Pensions Committee, I am compelled to disagree with him upon this ques-

tion. There is no reason why we should give the widow of General Gresham any more than we give the widow of any other distinguished general. There is no reason why we should give her any more than we give to the widows of other distinguished soldiers who fought during the war. These widows are upon a common level as to their title to pensions, and these distinctions should not exist to such an extent as they have existed in the passage of many bills in this House. So far as the distinguished services of General Gresham are concerned, I agree with the gentleman, but we are not legislating for General Gresham; we are legislating for his widow, and it must be remembered that there are thousands of the widows of soldiers just as much entitled to pension as the widow of General Gresham.

Mr. BLUE. Mr. Chairman, I move to amend the amendment by striking out "fifty" and inserting "seventy-five," and in that connection I wish to say this: A few moments ago, by the margin of one vote, the pension of the widow of General Blunt was fixed at \$75 a month. I have nothing to say in disparagement of General Gresham, but he certainly was very generously remembered by this Government, and if his widow at this time is not well provided for it would seem that there must have been some improvident management somewhere. General Gresham was upon the pay roll of this nation almost incessantly, at a large salary, from the time he left the Army until his death, and it seems to me that \$75 is a very generous pension for his widow under the circumstances.

Mr. CURTIS of New York. Mr. Chairman, I hope neither the motion made by the gentleman from Missouri [Mr. CROWTHER] nor the motion made by the gentleman from Kansas [Mr. BLUE] will prevail. The Committee on Invalid Pensions have brought in a bill authorizing the granting of a pension of \$100 per month to the widow of General Gresham.

Mr. PICKLER. The bill has already passed the Senate.

Mr. CURTIS of New York. Yes; the Committee on Invalid Pensions have recommended the passage of this bill and it has already passed the Senate, and in view of all the past services and relations of General Gresham which have been referred to, and which must always be referred to in a complimentary manner, if the truth is told, relations as a soldier, as a judicial officer, and in the high position of Secretary of State, we are assured that there is something due to the widow whom he has left, as is stated here, in almost destitute circumstances. I think it would be unjust, unkind, unbecoming the feelings heretofore exhibited in this body with respect to the granting of pensions, to reduce in any measure the amount reported from the Invalid Pensions Committee, and I hope this bill will pass as it has been reported to the House, at the rate of \$100 per month.

Mr. CANNON. Mr. Chairman, if the question were entirely a new one as to the granting of pensions of \$100 a month or \$2,000 a year to the widows of eminent commanders in the late war, I might have a different opinion from what I now have, but, without having an intimate knowledge, I have yet a general knowledge of the condition of the family of General Gresham, and having also knowledge of his eminent services as a soldier in the late war, in view of these facts and conditions, it is not in my heart to refuse to vote for this bill. I am inclined to think that we will do but simple and exact justice in the line of precedent if we pass this bill, and my heart and my judgment both concur in favor of it. [Applause.]

Mr. EVANS. Mr. Chairman, if the time of the committee allowed I might say some things that would help to convince anybody here who doubts the propriety of passing this bill as it has come to us from the Senate, but I shall not take up time in that way. I do sincerely hope that both the amendments proposed will be voted down, and that we shall give to this widow such a pension as is provided in the Senate bill. It is true that the husband of this lady did draw a salary from the Government, but the salaries paid by the Government of the United States are not such as to enrich anybody, and although he may have drawn a salary for a long time, he rendered the fullest service for every dollar he received. I repeat that I sincerely hope both these amendments will be voted down and that the bill as it came from the Senate will be cordially and promptly passed by the House. [Applause.]

Mr. BAKER of New Hampshire. Mr. Chairman, it is to be remembered that we are not pensioning the widow of General Gresham for any of his distinguished civil services. The pension can be paid only for his services as a military officer. Now, the highest rank that General Gresham held during the war was that of brigadier-general—major-general by brevet. This very day, in the case of another distinguished Union officer, General Blunt, we have cut down the pension to \$75 a month. Yet he was a full major-general. How can we, in justice, vote to the widow of General Gresham any more than we vote to the widow of General Blunt? How, indeed, can we in justice vote as much, because General Blunt had higher rank than General Gresham? I appeal to members to act upon this case as they would act upon any

other case, on the basis of the military services rendered, and to do even and exact justice to this widow and all the other widows of officers of the same rank.

The amendment of Mr. BLUE to the amendment offered by Mr. CROWTHER was rejected.

The question being taken on the amendment of Mr. CROWTHER, the Chairman declared the yeas seemed to have it.

Mr. CROWTHER. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 44, yeas 62; so the amendment was rejected.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MRS. MARY A. FREEMAN.

The next business on the Private Calendar was the bill (H. R. 2189) granting a pension to Mrs. Mary A. Freeman.

The bill was read, as follows:

Be it enacted, etc., 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 Mrs. Mary A. Freeman, widow of Andrew V. Pritchard, late a private in Company H, Second Regiment Pennsylvania Volunteers, Mexican war, from and after the passage of this act, at the rate of \$12 per month.

Mr. PICKLER. Mr. Chairman, I stated about an hour ago that the Committee on Rules had given us two days for the consideration of these bills; that this was the anniversary of the battle of the Wilderness; that we were getting on slowly in the disposition of this Calendar owing to the fact of every report being read; that most of these bills were cases of persons who are old and helpless; that among the bills reached to-day were two in which the beneficiaries have already died; and I asked and urged the Committee of the Whole to continue in session for a reasonable portion of this legislative day. I understand the Committee on Rules did not understand the matter as I do; that they did not suppose we would continue in session to-day longer than till the ordinary hour of adjournment. I did not so understand the rule, and clearly the rule makes no such limit; and I think it is with this Committee of the Whole or the House to determine the matter.

My opinion is that with these 400 cases on the Calendar, and with only these two days set apart for their consideration, we might take a recess (if the House should think best) until about 8 o'clock, sit for a reasonable time this evening, and then take a recess until probably 9 or 10 o'clock in the morning, accomplishing what we could by 12 o'clock to-morrow. [Cries of "That is right!" and applause.] If we do this, and if we have the other day that the Committee on Rules has given us, and if we do at our Friday night sessions as much as we ordinarily do, we shall not be able to get through more than two-thirds of these bills on the Calendar. I fear there would be a third of these cases which would go unconsidered.

My statement a while ago in regard to this matter was made before I knew that there was any difference of opinion on this question. I think that under the circumstances I shall, after the pending bill is disposed of, move that the committee rise in order that the House may determine whether we shall take a recess. I do not want to press my individual opinions contrary to the wishes of the House, but certainly, as the Invalid Pensions Committee and the other committees reporting these bills have worked upon them industriously, and as the persons for whose relief the bills are reported are deserving, as many of them are old and helpless, and as from day to day some are dying, it does seem to me that we ought to forego some considerations of convenience and stay by this Calendar. That is my opinion.

The Committee on Rules might safely trust this House to take care of pension legislation, and if a majority of this committee desire to go on with this calendar of private pensions, as I am sure they do, they should be allowed to do so without obstruction by the Committee on Rules.

The Committee on Rules does not now desire to stand by the rule reported, but wants to give it an interpretation that defeats private pension legislation by restricting the hours this committee shall sit.

Mr. DALZELL. Mr. Chairman, the original proposition made to the Committee on Rules was that there should be an additional night in each week assigned for the consideration of legislation of this kind. It was thought best that we should not adopt any such rule, because it might be held to be a precedent at subsequent sessions of Congress when no such rule would really be necessary. It was therefore determined, with the consent of the chairman of the Committee on Invalid Pensions, that these two days should be set apart—Wednesday of this week and Wednesday of next week—for the consideration of pension cases and such other cases as are in order on Friday evenings. It never entered the mind of any member of the Committee on Rules—and I venture to say it did not enter the mind of the gentleman who presides over the Committee on Invalid Pensions—that the day mentioned in the rule would be an exceptional day. It was supposed that we

should proceed under the provisions of the rule until the regular hour and then adjourn, as we are in the habit of doing when we consider other legislation.

Now, I submit to the committee whether or not it is wise for us to make legislation of this kind exceptional—whether it is wise for us to continue this legislative day for the consideration of such bills as we have been considering, when we accord to no other kind of legislation such exceptional opportunities. Let me call the attention of the committee to the fact that we have passed to-day, I suppose, in the neighborhood of 60 bills.

A MEMBER. Seventy bills.

Mr. DALZELL. It is suggested that we have passed somewhere in the neighborhood of 70 bills. Now, that is a remarkably good day's work. And gentlemen must bear in mind that all these bills have to be disposed of in the House. We are operating to-day, not under the ordinary rules of the House, but under a special rule; and without expressing any decided opinion on the subject, I suggest whether or not these bills will be in order for consideration in the House except on the second day mentioned in this special rule—to wit, next Wednesday. And if that be so, then all of next Wednesday will be occupied in disposing of the bills already passed by the Committee of the Whole.

Now, I submit whether or not the record that we make would not be a more creditable record in the interest of the soldier, in the interest of the friends of this kind of legislation, if we adjourn as we ordinarily do at the usual time, and let the bills take their regular course. I am not opposed to this character of legislation. On the contrary, I have favored putting this proposition through—

Mr. HEPBURN. Let me ask the gentleman this question: Did you not expect that under this rule this class of bills now on the Calendar would be disposed of in the two days?

Mr. DALZELL. No; I can not say that we did. In fact, a very little calculation would demonstrate mathematically the fact that that could not be done.

Mr. HEPBURN. Could it not be done by extending the legislative day?

Mr. DALZELL. If the legislative day is extended you could not pass the bills on the Calendar through the House and the Senate.

Mr. PICKLER. Why?

Mr. DALZELL. Because you have not the time. You would not have the opportunity.

Mr. PICKLER. I am informed that they pass on Tuesdays every pension bill on the Senate Calendar.

Mr. DALZELL. If you extend the legislative day, you can not pass the bills that you will dispose of in Committee of the Whole through the House. That is the point.

Mr. PICKLER. Well, there is another session of this Congress.

Mr. CANNON. Let me ask the gentleman from Pennsylvania a question. I did not get at quite the exact language he used, and do not understand one thing to which he has referred. We are now in Committee of the Whole.

Mr. DALZELL. Yes.

Mr. CANNON. These bills must be reported back to the House.

Mr. DALZELL. Yes.

Mr. CANNON. Now, you say that they can only be considered in the House on Wednesday, when this business comes up again?

Mr. DALZELL. I should take it that they could only be considered on the day that this special order would operate again. We are not operating under the ordinary rules of the House to-day, but under a special order.

Mr. PICKLER. But these are the same bills that are considered on Friday nights; we are considering them exactly in the same way, and I think they would be in order on Fridays, just as the other bills would be.

Mr. DALZELL. That would be undoubtedly true if you were not operating under a special rule.

Mr. PICKLER. But the special order declares what bills are in order, and that they shall be considered just as at the Friday night sessions.

Mr. DALZELL. I have said all I desire to say, Mr. Chairman, on this subject. I submit, therefore, especially to the friends of this kind of legislation, whether it is not the wisest thing we can do to pursue our usual course with this business, just as we do with all other matters. It is, of course, for the House to determine.

Mr. PICKLER. Mr. Chairman, that simply means that the great mass of pension bills on this Calendar will simply be reported to the House and nothing more. You can not pass 400 bills as you pass ordinary bills from the committees of the House. This presents an entirely different case, and needs no argument.

The gentleman talks of the number of bills passed in different Congresses. Why, I remember in the Fifty-first Congress when in one evening we passed 45 bills; and I never heard any complaint about that.

Now, the question, Mr. Chairman; and I am sorry that there is a misunderstanding between myself and the Committee on Rules. The matter came up as the gentleman has stated it. I asked for Monday night, about three weeks ago, in addition to the usual Friday night sessions. It was then thought better that we should have two day sessions instead of night sessions for this business. That suited me—perhaps I suggested that myself. But that was about three weeks ago, and three Monday nights have gone by since that time. If we had been given Monday nights at the time I asked it to the end of the session it would have given us more time than is now provided, even if we stay until noon to-morrow.

Now, I never had an idea, and never had such an opinion, it never entered my mind, that the Committee on Rules had reported the rule here with a string to it, I noticed—I do not know how it came there—but I noticed in the newspapers this morning a statement in regard to this pension matter, that probably there would be a continuous session under this rule; and I heard no objection to it until about 4 o'clock, when I made a statement that keeping in session here to consider these bills to-night was a very good and proper way to honor the anniversary of the battle of the Wilderness.

Of course I do not know what gentlemen mean—I do not know what they are driving at when they ask if it would not be better to adjourn now and not press the consideration of these bills. This is a class of business that comes up on Friday nights, and it would be as well done to-night as on Friday night. I can not understand why, if the committee or the House desires to proceed with the business, they could not do so. As for myself, if I had my own way about it, I would not adjourn until 12 o'clock to-morrow. [Applause.] The men we are trying to help stayed in the field day and night, year in and year out. They are old and helpless now, and their widows are old and helpless. It is a duty we owe to them to continue this matter and dispose of these bills.

I am subject, of course, to what the majority desire to do; but I wish to make emphatic the statement that I had no idea—I am as innocent as a lamb [laughter]—as far as trying to keep the House in session differently from what the Committee on Rules understood. I never dreamed that we were to be limited in any unreasonable way. The matter was before the House for its consideration and not a word was said about anything of the kind. In fact, it was before the House for several weeks. I have been trying to get unanimous consent at different times for its consideration. The rule says that we are to have the two legislative days, the only exception being that it shall not interfere with appropriation bills. What is a legislative day? Why, it is just as long as the House desires to stay in session within twenty-four hours.

Mr. LOUD. Will the gentleman yield for a question?

Mr. PICKLER. Yes.

Mr. LOUD. I should like to remind the gentleman, if he wants to properly commemorate the battle of the Wilderness, that that battle continued for six or seven days, and we shall have to continue—

Mr. PICKLER. Allright! Thank God, I wish we could, until we clear up all these remaining bills. Are you willing to stay and clear them all up?

Mr. FAIRCHILD. Every one on this side of the House except the gentleman from California is willing.

Mr. BLUE. Mr. Chairman, it seems to me that this discussion is wholly unnecessary. If the Committee on Rules had intended to modify the meaning of a legislative day, why was it not done in the rule? There was nothing mentioned at that time. There was no suggestion, as I understood it, that this day was to be different from any other legislative day. What are gentlemen disturbed about? We have passed about 100 special bills during this session of Congress, and \$20,000 per annum will pay the expense.

Mr. ERDMAN. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ERDMAN. Has debate been exhausted?

The CHAIRMAN. The Chair thinks debate is exhausted upon this bill.

Mr. BLUE. I understood this was a discussion in regard to what we should do.

The CHAIRMAN. The debate has been upon this bill.

Mr. BLUE. I understood it was by unanimous consent that it was going on.

A MEMBER. Regular order.

Mr. BLUE. I ask unanimous consent to proceed for one minute.

The CHAIRMAN. The gentleman from Kansas [Mr. BLUE] asks unanimous consent to proceed for one minute. Is there objection?

Mr. LATIMER. I object.

Mr. BLUE. Mr. Chairman, is there a bill pending?

The CHAIRMAN. There is a bill pending, and debate has been exhausted on that bill. [Laughter.]

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

RUSSELL N. REYNOLDS.

The next business on the Private Calendar was the bill (S. 1100) granting a pension to Russell N. Reynolds.

The bill was read, as follows:

Be it enacted, etc., 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 Russell N. Reynolds, late of Company E, One hundred and thirtieth Regiment Ohio Volunteer Infantry, at the rate of \$20 per month.

Mr. BLUE. Now, Mr. Chairman, it seems to me that when you consider the fact that if we should devote the rest of this week and the full time of each legislative day to the consideration of these bills, it would not exceed in the aggregate an expenditure of \$60,000 per annum, there is nothing for gentlemen to be concerned about here. You pass measures in five minutes that involve expenditures of \$100,000 per annum, and nobody asks any question about it. At the commencement of this session I criticized this Committee on Invalid Pensions because I thought they were not moving in a methodical way. I am satisfied now that these bills that are reported here have been carefully and thoroughly digested and that they are meritorious. The committee, having received several criticisms at the beginning of the session, have acted judiciously and carefully since. It does seem to me that when the general public business of this House for this session has been practically passed upon, and nothing is left except the reports of conference committees, this House can not better dispose of the time than by addressing itself to the consideration of these special pension bills. [Applause on the Republican side.] Let us do what we have a right to do. This House has adopted this rule. It has by its vote given us a legislative day in which to consider these bills. Let us take a recess until 8 o'clock and continue here until half past 10 this evening; then take a recess until 10 o'clock to-morrow and work from that time on until 12. [Applause.]

Mr. SPALDING. Let the report on this bill be read, Mr. Chairman.

The report (by Mr. KERR) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1100) granting a pension to Russell N. Reynolds, submit the following report:

This bill passed the Senate, and the following report made by the Committee on Pensions is adopted as the report of this committee:

"The Committee on Pensions, to whom was referred the bill (S. 1100) granting a pension to Russell N. Reynolds, have examined the same, and report:

"The claimant in this case enlisted May 2, 1864, and was honorably discharged September 22, 1864. After several rejections by the honorable Commissioner of Pensions the claimant's pension was finally allowed him under the act of June 27, 1890, at the rate of \$10 per month, for injury to ankle and disease of heart, both of which disabilities were incurred in line of duty.

"Upon an application for increase afterwards filed, the Pension Office determined, on March 14, 1894, that an increase should not be granted, but that the pension should continue at the former rate of \$10 per month.

"The evidence in the case shows that claimant is totally incapacitated from the performance of labor, and that he is without means of support except his pension.

"Your committee therefore recommend that the bill be amended by adding thereto the words 'at the rate of \$20 per month,' and that the bill as amended be passed."

Your committee therefore recommend the passage of the bill as amended by the Senate.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY CLARE KELLY.

The next business on the Private Calendar was the bill (S. 1493) granting a pension to Mary Clare Kelly.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place upon the pension roll the name of Mary Clare Kelly, widow of the late Benjamin F. Kelly, brevet major-general of volunteers, United States Army, and pay her a pension at the rate of \$50 a month, in lieu of the pension she is now receiving.

Mr. SPALDING. Let the report be read.

The report (by Mr. KERR) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1493) granting a pension to Mary Clare Kelly, report:

This bill has passed the Senate this session. The report of the Senate Committee on Pensions, which is adopted by this committee as its own, is as follows:

"The Committee on Pensions, to whom was referred the bill (S. 1493) granting a pension to Mary Clare Kelly, have examined the same, and report:

"A similar bill was introduced in the Fifty-second and Fifty-third Congresses and referred to the Committee on Pensions. It was reported favorably and passed the Senate at the rate of \$50 per month.

"The facts are as follows:

"This is a bill to increase the pension of Mrs. Mary Clare Kelly, widow of Brig. Gen. Benjamin F. Kelly. General Kelly was a Virginian, and raised the first regiment for the defense of the Union from that State. The stand he took and his energetic and brave conduct were of the greatest value to the Union cause. He commanded the Department of West Virginia, and received a wound that was supposed to be fatal, but he recovered as if by a miracle. He became impoverished by reason of his Union sentiments and participation in the Federal service, and, having never recovered from the effects of his wound, he remained in poverty, leaving nothing for the support of his family. His widow was recently pensioned at the rate of \$30 a month, which is the highest rate allowable under the general law.

"It has been the habit of Congress to increase the pensions of the widows of the higher grade of officers, especially in cases corresponding with that of General Kelly, and the committee regard this as a proper case for special legislation."

In view of these facts, your committee recommend the passage of the bill.

Mr. CROWTHER. Mr. Chairman, I should like to have the Clerk report the amount of the pension granted by this bill.

The Clerk read as follows:

Fifty dollars a month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

GEORGE W. BAGLEY.

The next business on the Private Calendar was the bill (H. R. 1500) granting a pension to George W. Bagley.

The bill was read, as follows:

Whereas George W. Bagley, a civilian employed in the Quartermaster's Department, United States Army, was, while acting as a carpenter, and under the direction of the military authorities and doing work connected with military operations, hurt and permanently injured and disabled: Therefore

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$25 per month, subject otherwise to the limitations and provisions of the pension laws, the name of said George W. Bagley.

The amendment recommended by the committee was read, as follows:

In line 5 strike out the words "twenty-five" and insert the word "twelve."

The amendment was agreed to.

Mr. PICKLER. I move to strike out the preamble.

The motion was agreed to.

Mr. SPALDING. Let the report be read.

The report (by Mr. BAKER of Kansas) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1500) granting a pension to George W. Bagley, having examined and considered the same, report the same back to the House with an amendment and with the recommendation that as amended it do pass.

It is shown by the evidence on file that said Bagley was in the service of the United States as a carpenter in the United States Railroad Construction Corps, being in the Quartermaster-General's Department, and in the gang of John W. Neafie, under General Nagle, superintendent of bridge construction, United States Military Railroad Construction Corps. In the prosecution of this work at Alexandria, Va., in December, 1862, said Bagley was ordered by said Neafie to go upon the roof of the railroad engine house at that place to make repairs. The evidence is conclusive that the said Bagley hesitated about going up on said roof on account of the danger involved, but did so against his own wishes and remonstrances, and under the orders of his superior; that while engaged in that employment the roof gave way, he fell, severely and permanently injuring himself, among these injuries breaking both legs, one twice and the other in three places. He was afterwards confined in the hospital at Alexandria, following these injuries, for several months, and has since been a cripple and unable to perform manual labor to any considerable extent.

The said G. W. Nagle, who was in command of the Corps in which Bagley was at the time of his injury, has made affidavits of the facts in Bagley's case, and in very strongly recommending a pension for him describes the character and duties of this Corps, from which we quote in part as follows:

"The men employed in the United States Military Railroad Construction Corps were not enlisted men; no one connected with military railroads during the war held a commission, except Gen. D. C. McCallum and Gen. Herman Haupt. The work of the Construction Corps was considered of a military nature; bridges were built by them in the face of the enemy's batteries; the men were treated by our Government and the enemy, when captured, as soldiers, and they were exchanged or paroled the same as enlisted men.

"All the men and officers connected with the Construction Corps were under military orders all the time. An order to open a railroad or rebuild bridges came from the War Department. The order to rebuild the roof of the roundhouse at Alexandria, Va., where Mr. Bagley met with his accident, came through Gen. D. C. McCallum, and must be considered a military order. Every move made on the United States military railroad, whether the moving of trains containing troops or supplies or the construction of the roads or buildings on the roads, were ordered by military and for military purposes. Furthermore, the above roundhouse was within the Government stockade, the ingress and egress of which was under guard at all times."

It will be seen that this employment, while technically civilian, was entirely military in its character and real surroundings, and that this claimant was at the time (Alexandria being a military headquarters, and the railroad, whose engine house was being repaired at that time, being used by the Government in its military operations) in actual military employment and acting, to all intents and purposes, in defense of his Government.

The committee are of the opinion that as a general rule pensions should not be allowed except to men actually enlisted, but the circumstances surrounding this particular case are such as to warrant favorable action.

The committee recommend the following amendment:

In line 5 strike out the word "twenty-five" and insert in lieu thereof the word "twelve."

And as so amended the committee recommend the passage of the bill.

Mr. ERDMAN. Mr. Chairman, there is a bill before the Committee on Invalid Pensions to pension all the bridge constructionists. There is a number of them; so we are taking out one now and making him a favorite, and the 700 others who have applied to us in a general bill are left to go hungry. [Cries of "Vote!"]

The bill was ordered to be laid aside with a favorable recommendation.

NATHAN KIMBALL.

The next business on the Private Calendar was the bill (S. 1435) granting an increase of pension to Nathan Kimball.

The bill was read, as follows:

Be it enacted, etc., 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 Nathan Kimball, late a brigadier-general in the United States Army, at the rate of \$100 per month.

Mr. ANDREWS. Mr. Chairman, just a few words of explanation upon this report. When this Senate bill came to our committee and was referred to me for consideration, I was inclined to

favor a recommendation of \$72 per month instead of \$100; but a careful inquiry into the physical and financial condition of General Kimball led me to believe that \$100 per month, as proposed in the Senate bill, would no more than meet his necessities. He is suffering constantly from the results of wounds for which he has been pensioned formally under the general law. He needs constantly one attendant, and a greater portion of the time two attendants. In order to care for his necessities, for medical attendance made necessary, and the expense incident thereto, and the care, as I have suggested already, your committee were led to conclude that \$100 ought to be allowed in this case, and I hope the bill will pass for that amount.

Mr. CROWTHER. Mr. Chairman, I move to amend the bill by striking out the words "one hundred" and inserting in lieu thereof the words "seventy-five."

Mr. ALLEN of Utah. Mr. Chairman, I wish to say a word. I know that the statement that has been made by the chairman of the subcommittee [Mr. ANDREWS] is absolutely true. General Kimball lives in Ogden, Utah. He has to have one personal attendant all the while, and at times, as stated, two. He is 74 years of age. He fought in 20 pitched battles in the late war. He led the right in the attack on Maries Height at Fredericksburg, and was wounded in the right thigh and foot, from which wounds he now suffers. He was brevetted major-general during the war for gallant services, and recommended for promotion to the rank of major-general by Winfield Scott Hancock. I hope the amendment will be defeated.

The amendment was rejected.

The bill was ordered to be laid aside with a favorable recommendation.

MARGARET A. KIDWELL.

The next business on the Private Calendar was the bill (H. R. 3113) granting a pension to Margaret A. Kidwell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$12 per month, the name of Margaret A. Kidwell, who was the wife of Henry Kidwell, late private of Company H, Second Regiment Missouri Artillery.

Mr. DINGLEY. Let the report be read.

The report (by Mr. BAKER of Kansas) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3113) granting a pension of \$12 per month to Margaret A. Kidwell, who was the wife of Henry Kidwell, late private of Company H, Second Missouri Artillery, having carefully examined and considered the facts and circumstances in evidence, respectfully report as follows:

Henry Kidwell enlisted March 23, 1864, and was honorably discharged November 20, 1865.

He filed application for pension October 20, 1869, for gunshot wound of left hand, which was allowed after special examination February 2, 1885, at \$4 per month from date of discharge, and which was increased to \$6 per month from April 24, 1889. He committed suicide by hanging himself at National Military Home, Leavenworth, Kans., November 24, 1889.

From the mass of testimony presented to your committee it is learned that soldier exhibited signs of mental weakness and derangement directly after returning home from the Army. At times he would go to work vigorously for a few days and astonish the neighbors with wonderful amounts of labor, and again would droop into melancholy and unsocial habits and brood over imaginary wrongs. Again, he would wander from home for days without giving notice of his departure or his destination to his family, and would return as surreptitiously as he departed.

His mind became constantly weaker and his conduct more strange. He would sell all his property and remove to some other locality, even when his prospects seemed fairly bright. He was unsocial, gloomy, and morose, and his mania increased until it became of dangerous tendency, and his wife found a butcher knife in the bed. Asked what he intended to do with it, he spoke of the beautiful corpse their infant daughter would make. The neighbors had him examined for lunacy, and he was placed in the insane asylum at Osawatimie, Kans., December 4, 1878, and discharged therefrom July 8, 1879. He told the special examiner in 1883 that he had been in an insane asylum for several years and his memory was gone. He was confined in the State insane asylum of Kansas again May 20, 1888, and released as restored September 28, 1888.

He was at different periods in the National Military Home at Leavenworth, Kans., and at intervals at home with his family, but his conduct and acts constantly became more erratic and his wanderings more frequent. He once went to Texas, and at all times after service seemed to possess a disposition to wander.

At one time, after being twice in the asylum, he sent notice to his wife from a distant part of the State that unless she immediately came to him he would get a divorce from her. She ignored the invitation (having the family to care for), and the report became currently circulated, by him most probably, that he had been divorced; but this is believed to have been one of his hallucinations, as no record of divorce has been found, so far as your committee has been advised. After this report was circulated he again came home, but soon went away and entered the Soldiers' Home again. Because of her almost destitute condition, the burden of supporting the family, and the circulation of reports of divorce, and the difficulty of securing satisfactory proof tracing his insanity to causes originating in service, as he never had a regular physician or lived long enough in one locality to enable neighbors to fully understand his peculiarities, the widow has not applied for pension, being advised that an effort in that direction was useless.

She is now advanced in years, in needy circumstances, and a large number of neighbors, county officials, and representative citizens ask Congress to pension her by special bill and prevent her from becoming a charge on public or private charity.

Your committee therefore earnestly recommend the passage of the bill, after being amended by striking out all after the word "artillery," in line 7.

[Cries of "Vote!" "Vote!"]

Mr. ERDMAN. Mr. Chairman, I want to call the attention of

the House to the fact that this soldier committed suicide by hanging, and here it is distinctly traced to service origin!

[Cries of "Vote!" "Vote!"]

Mr. DINGLEY. What is the amount?

The CHAIRMAN. Twelve dollars per month.

The amendment recommended by the committee was agreed to. The question was taken on ordering the bill to be laid aside with a favorable recommendation; and the Chairman announced that the ayes seemed to have it.

Mr. ERDMAN. Division.

The committee divided; and there were—ayes 71, noes 8.

Mr. ERDMAN. We ought to have a quorum on this important question.

The CHAIRMAN. Does the gentleman raise the point of no quorum?

Mr. ERDMAN. Yes, sir.

The CHAIRMAN (after a count). One hundred and six gentlemen are present. [Applause.] The ayes have it, and the motion is agreed to.

Mr. PICKLER. I hope a hundred men will stay here.

CATHERINE SMITH.

The next business on the Private Calendar was the bill (S. 1522) granting a pension to Catherine Smith.

The bill was read, as follows:

Be it enacted, etc., 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 Catherine Smith, widow of the late James Smith, a private in Company I, Sixteenth Indiana Volunteers, and pay her a pension of \$12 per month, and the further sum of \$2 per month for each of the three children of said soldier until they respectively become 16 years of age.

Mr. SPALDING. Let the report be read.

The report (by Mr. BAKER of Kansas) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1522) granting a pension to Catherine Smith, widow of the late James Smith, a private in Company I, Sixteenth Indiana Infantry Volunteers, at \$12 per month, having carefully examined and considered the facts and circumstances presented, respectfully adopt the report of the Senate Committee on Pensions, and recommend the passage of the bill. The report is as follows:

The evidence in this case shows that the claimant, Mrs. Catherine Smith, made application to the Pension Office for a pension as the widow of James Smith, late a private in Company I, Sixteenth Regiment Indiana Volunteer Infantry. A pension certificate, No. 291450, was granted to her at the rate of \$8 per month, with the additional sum of \$2 per month for each of her children under 16 years of age. This amount of pension was paid until February 12, 1895, when said pensioner was dropped from the rolls on the following grounds, viz:

1. That her husband, James Smith, or James C. Smith, is still living and residing at Oxford, Ohio, and has made application for pension.
2. That claimant was unable to furnish satisfactory evidence that her husband was ever an enlisted man in the service of the United States.
3. That he had never been honorably discharged.

The pensioner, said Catherine Smith, then made application to the Pension Office for restoration to the rolls, but her claim was rejected.

As to the first objection made by the Pension Office, the evidence fully shows that the James or James C. Smith now residing in Ohio, and who was a private in Company C of the Sixteenth Regiment of Indiana Volunteers, is not the James Smith who enlisted October 24, 1864, in Company I, Sixteenth Regiment Indiana Volunteers, and was afterwards transferred to the Thirteenth Indiana Cavalry, and who was legally married to said Catherine Smith, and died in Salina, Kans., December 30, 1886.

In answer to the second and third objections of the Pension Office, Col. F. C. Ainsworth, in an official communication dated March 26, 1895, states that the records in the War Department show "that this soldier (said James Smith) was enrolled and mustered into service October 24, 1864, as a private in Company I, Sixteenth Indiana Infantry Volunteers, to serve one year. He appears to have served faithfully until June 29, 1865, when he was transferred to the Thirteenth Indiana Cavalry Volunteers. But as he failed to join the last-named regiment, which remained in service until November 18, 1865, he became constructively a deserter from June 29, 1865. Upon consideration of the record as above set forth, it has been determined that relief can be afforded in this case by this Department under the provisions of the act of Congress approved March 2, 1889. The constructive charge of desertion heretofore standing against this soldier as his final record has therefore been removed, and he has been honorably discharged to date from June 29, 1865, that being the date when he left the service."

The evidence fully shows that said soldier, James Smith, was legally married to said claimant, Catherine Smith, on the 16th of October, 1877, at Salina, Kans., and had by her three children, as follows: William E., born February 7, 1883, age 16 February 6, 1899; Jessie E., born February 28, 1884, age 16 February 27, 1900; Mamie E., born December 3, 1885, age 16 December 2, 1901.

There is some evidence tending to show that the disease of which James Smith died was contracted in the service. The evidence also shows that said Catherine Smith is a deserving woman, but in destitute circumstances, and supports herself and the three children of said soldier, James Smith, by her daily toil, excepting such charity as she receives from the Grand Army post and other friends.

Your committee is of the opinion, from the foregoing statement of facts, that said Catherine Smith is entitled to a pension of \$12 per month, and the further sum of \$2 per month for each of the soldier's three children until they respectively arrive at the age of 16 years.

The writer of this report has abundant testimony from personal acquaintances of high character who are familiar with the family history of this claimant, and he has no doubt about the identity of her late husband as she states it to be.

Your committee therefore recommend that the bill be amended by adding the words "and the further sum of \$2 per month for each of the three children of said soldier until they respectively become 16 years of age."

And so amended, your committee recommend that the bill do pass.

The bill was ordered to be laid aside with a favorable recommendation.

RANSOM C. HAZELIP.

The next business on the Private Calendar was the bill (H. R. 5050) for the benefit of and granting a pension to Ransom C. Hazlip, late a private soldier of Company G, Eleventh Regiment Kentucky Infantry Volunteers, and first lieutenant of Company B, Thirty-fifth Regiment Kentucky Mounted Infantry Volunteers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll of the United States of America the name of Ransom C. Hazlip, late a private soldier of Company G, Eleventh Regiment Kentucky Infantry Volunteers, and afterwards first lieutenant of Company B, Thirty-fifth Regiment Kentucky Mounted Infantry Volunteers, of the United States Army, in the late war of the rebellion, at the rate of \$50 per month, to be paid quarterly as pensions are now required to be paid by law.

Mr. DALZELL. Let us have the report read, Mr. Chairman.

The report (by Mr. ANDERSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5050) granting a pension to Ransom C. Hazlip, report as follows:

Claimant alleges that in February, 1862, he enlisted in Company G, Eleventh Kentucky Infantry, resigning the position of county and circuit court clerk to do so; that he went with the regiment, doing regular service, as did the other members of the company, until the battle of Shiloh, in which he took part; that in said fight he was injured by concussion of a shell, causing impairment of hearing, most severe in the left ear. After the battle, while camping on the battle ground, he contracted chronic diarrhea, by which he was reduced almost to a skeleton. He had joined the regiment after its muster in, and so he had not been mustered in, and was permitted to go home.

As soon as he recovered to a sufficient extent to do so, he again entered the service, this time as first lieutenant Company B, Thirty-fifth Kentucky Mounted Infantry, and while in this organization, in July, 1864, went out from Munfordville, Ky., on a scout, and from the hardship and exposure on that trip contracted something like rheumatism and disease of kidneys. He now asks that he be pensioned by special act for impaired hearing and chronic diarrhea, contracted while serving with Company G, Eleventh Kentucky Infantry, and results thereof, and for rheumatism and disease of kidneys and disease of heart and stomach, results, contracted while first lieutenant Company B, Thirty-fifth Kentucky Volunteer Mounted Infantry. He asks this special act because he has no title under existing law for the disabilities incurred while serving with the Eleventh Kentucky Infantry. He is totally disabled for manual labor and in need of the pension.

The sworn testimony of Watson Farris, Alex. Hayes, and William L. Hazlip, who are shown by the records of the War Department to have been in Company G, Eleventh Kentucky Infantry, and present, corroborates the claimant's allegations as to disabilities incurred while serving with Company G, Eleventh Kentucky Infantry; and that of James C. Kinkade, Charles W. Decker, John W. Hayes, Samuel P. York, and Andrew J. Hack, corroborates his allegations as to incurrence of disabilities while first lieutenant Company B, Thirty-fifth Kentucky Mounted Infantry, and their testimony, together with that of Drs. S. B. Johnson and A. J. Staton, and Mr. George W. Oiler, shows the continuance of his disabilities since discharge and that he is now totally disabled for manual labor.

From the evidence presented your committee believe his disabled condition to be due to his service in the war, and they recommend that the bill be amended as follows:

Amend the title by striking out all of it except the words "A bill granting a pension to Ransom C. Hazlip."

Amend the bill by striking out, in line 6, the words "late a private soldier of" and inserting in lieu thereof the words "who served with"; and by striking out, in line 10, the word "fifty" and inserting in lieu thereof the word "thirty"; and that as amended the bill do pass.

The amendments recommended by the committee were read, as follows:

Amend the title by striking out all of it except the words "A bill granting a pension to Ransom C. Hazlip."

Amend the bill by striking out, in line 6, the words "late a private soldier of" and inserting in lieu thereof the words "who served with"; and by striking out, in line 10, the word "fifty" and inserting in lieu thereof the word "thirty"; and that as amended the bill do pass.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MAUD ARDELLE BLISS.

The next business on the Private Calendar was the bill (S. 145) granting a pension to Maud Ardelles Bliss.

The bill was read, as follows:

Be it enacted, etc., 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 Maud Ardelles Bliss, dependent and invalid daughter of John W. Bliss, late of Company B, Fourth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$12 per month, payable to her legally constituted guardian.

Mr. MILNES. Let us have the report.

The report (by Mr. SULLOWAY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 145) granting a pension to Maud Ardelles Bliss, having carefully considered the same, adopt the accompanying Senate report (No. 56) as their own, and respectfully recommend its passage.

[Senate Report No. 56, Fifty-fourth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 145) granting an increase of pension to Maud Ardelles Bliss, have examined the same and report:

The beneficiary under this bill is the daughter of John W. Bliss, late a private in Company B, Fourth Regiment Vermont Volunteer Infantry. Mr. Bliss served long and faithfully in the Union Army, his health suffering greatly from hardships and exposure. It is said by those who knew him intimately that he had pensionable disabilities when discharged from the service, but he was a proud and patriotic man and did not make application so long as he could earn a living. A few months ago he applied for a pension, being at the time in ill health and destitute circumstances, but he died before the Pension Bureau had time to consider his claim.

Claimant is an orphan, and has been deformed and sick from early infancy. She is in her sixteenth year and weighs only 48 pounds. The appended certificates state specifically her condition, Dr. Simpson giving it as his opinion that she is destined to a life of invalidism. There are many precedents for this legislation. Your committee recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

LEVI T. E. JOHNSON.

The next business on the Private Calendar was the bill (H. R. 2317) to increase the pension of Levi T. E. Johnson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to increase the pension of Levi T. E. Johnson, late a member of Company B, Fifty-second Indiana Volunteers, from ten to fifty dollars per month, subject to the conditions and limitations of the Pension Bureau.

Mr. SPALDING. Let us have the report.

The report (by Mr. WOOD) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2317) to increase the pension of Levi T. E. Johnson, submit the following report:

Your committee have examined the evidence in this case and find: Claimant enlisted October 21, 1861, and was discharged September 24, 1862, for disability—"affection of spine; cause, probably, exposure on duty." In 1870 he applied for pension on account of cold which settled in lungs and right side. It was allowed, for disease of right side and resulting disease of lung, at \$4 from date of discharge and \$10 from June 9, 1888. In a declaration for increase filed in 1885 he alleged blindness from disease of eyes resulting from the debility from pensioned causes. In a declaration filed December 4, 1888, he swears that his disease of eyes has been coming on for about nine years. The medical division declined to accept the disease of eyes due to pensioned causes.

This soldier is now totally blind. He is in a pitiable condition, and is a deserving object of the bounty of his Government.

Your committee recommend that the bill be amended by striking out of the sixth line the word "fifty" and insert in lieu thereof the word "thirty"; also strike out the word "member," in fifth line, and insert in lieu the word "private," and change word "Bureau" to "law," in line 7, and that the bill as amended do pass.

Mr. BURRELL. Mr. Chairman, this claimant was a brave soldier. He has now lost his sight. I do not know that it can be shown definitely that the loss has resulted from his service in the Army, but at any rate he is now totally blind, and it seems to me that he ought to be entitled to \$50 a month. I therefore move to strike out "thirty" and insert "fifty."

The CHAIRMAN. The Chair would state to the gentleman that the original bill provides for a pension at \$50 a month, and one of the amendments recommended by the committee is to strike out "fifty" and insert "thirty." If the gentleman desires, he can demand a separate vote on that amendment.

Mr. BURRELL. Then I will ask this committee to vote down that amendment.

Mr. PICKLER. Mr. Chairman, I hope the gentleman will not insist on that. Thirty dollars is, I think, a good, fair pension in this case. That is the rate for total inability to perform manual labor.

Mr. BURRELL. We have been voting \$50 a month to others, we have given \$50 a month to the widows of soldiers, and when a man comes who has himself rendered valuable service to his country and when he is totally blind, I think that that is not too large an amount of pension for him.

Mr. HOPKINS. I suggest to the chairman of the Committee on Invalid Pensions that if this claimant is totally blind and must have an attendant \$50 is little enough.

Mr. PICKLER. The report does not show that he is totally blind, does it?

Mr. BURRELL. He is so. I know him.

Mr. HOPKINS. I hope that my colleague's motion will prevail.

Mr. MILNES. Mr. Chairman, I am heartily in favor of granting this man \$50 a month. Here is a worthy case, a case where an old soldier is totally blind. We have gone on and voted \$100 a month to the widows of soldiers who were no more gallant or brave than this man was, but here we have the soldier himself, a man who fought bravely for his country in the war, and it is cases of this kind that ought to occupy the attention of this House. I hope the motion of the gentleman from Illinois will prevail.

On a division, on the motion of Mr. BURRELL, there were—ayes 8, noes 56.

Mr. ERDMAN. Mr. Chairman, I am constrained to call for a quorum on this pure charity.

The CHAIRMAN. The gentleman from Pennsylvania makes the point that there is no quorum present.

Mr. PICKLER. He is a member of the Committee on Invalid Pensions and he makes the point of no quorum on one of its bills!

Mr. ERDMAN. Yes, sir; on charities of this kind all the time.

The CHAIRMAN (after a count). There are 81 members present.

Mr. PICKLER. There is only one thing to do, Mr. Chairman; that is to have the roll called.

The CHAIRMAN. The Clerk will call the roll.

The roll was called, when the following-named members failed to respond:

Abbott,	Downing,	Lewis,	Shafroth,
Adams,	Draper,	Linney,	Shannon,
Eddy,	Elliott, Va.	Linton,	Shaw,
Aldrich, Ala.	Elliott, S. C.	Little,	Simpkins,
Aldrich, Ill.	Fairchild,	Livingston,	Skinner,
Apsley,	Faris,	Lockhart,	Smith, Ill.
Arnold, Pa.	Fischer,	Lorimer,	Smith, Mich.
Arnold, R. I.	Fitzgerald,	Loudenslager,	Snover,
Atwood,	Fletcher,	Low,	Sorg,
Avery,	Foot,	Maddox,	Southard,
Babcock,	Foss,	Maguire,	Southwick,
Bailey,	Fowler,	Mahany,	Spalding,
Baker, Kans.	Gamble,	McCall, Tenn.	Sparkman,
Baker, Md.	Gillett, N. Y.	McClure,	Spencer,
Baker, N. H.	Goodwyn,	McCormick,	Stahle,
Bankhead,	Graff,	McCreary, Ky.	Stallings,
Barham,	Griswold,	McCulloch,	Steele,
Barrett,	Grosvenor,	McEwan,	Stephenson,
Bartholdt,	Grout,	McLachlan,	Stewart, Wis.
Bartlett, N. Y.	Hall,	McLaurin,	Stone, C. W.
Beach,	Halterman,	McMillin,	Stone, W. A.
Bell, Colo.	Haly,	McKae,	Strait,
Bell, Tex.	Hardy,	Meiklejohn,	Strode, Nebr.
Bennett,	Harmes,	Meredith,	Strong,
Berry,	Harris,	Meyer,	Strowd, N. C.
Bingham,	Harrison,	Miles,	Sulzer,
Black, Ga.	Hart,	Milliken,	Swanson,
Bontelle,	Hatch,	Miner, N. Y.	Talbert,
Bowers,	Heiner, Pa.	Money,	Terry,
Brewster,	Hemenway,	Morse,	Thomas,
Broderick,	Hendrick,	Moses,	Thorp,
Bromwell,	Henry, Conn.	Mozley,	Towne,
Brosius,	Henry, Ind.	Murphy,	Tracewell,
Buck,	Hermann,	Neill,	Tracey,
Bull,	Hick,	Newlands,	Treloar,
Burton, Mo.	Hill,	Noonan,	Tucker,
Burton, Ohio	Hitt,	Northway,	Turner, Ga.
Catchings,	Howard,	Odell,	Turner, Va.
Clardy,	Howe,	Ogden,	Tyler,
Clark, Iowa	Hubbard,	Otey,	Updegraff,
Clark, Mo.	Huff,	Oversstreet,	Wadsworth,
Clarke, Ala.	Hulick,	Owens,	Walker, Mass.
Cobb,	Hutcheson,	Patterson,	Walker, Va.
Cockrell,	Johnson, Cal.	Pearson,	Walsh,
Codding,	Johnson, Ind.	Pendleton,	Wanger,
Coffin,	Johnson, N. Dak.	Phillips,	Warner,
Cook, Wis.	Jones,	Pitney,	Washington,
Cooke, Ill.	Joy,	Powers,	Watson, Ind.
Cooper, Fla.	Kem,	Price,	Watson, Ohio
Cooper, Tex.	Kendall,	Quigg,	Wellington,
Corniss,	Kiefer,	Raney,	White,
Cowen,	Kleberg,	Ray,	Wilber,
Cox,	Knox,	Reyburn,	Williams,
Crowley,	Kulp,	Richardson,	Wilson, Idaho
Culberson,	Kyle,	Robertson, La.	Wilson, N. Y.
Cummings,	Latimer,	Robinson, Pa.	Wilson, Ohio
Danford,	Lawson,	Rusk,	Wilson, S. C.
Dayton,	Lefever,	Russell, Conn.	Woodard,
De Armond,	Leighty,	Russell, Ga.	Woodman,
Denny,	Leisenring,	Sauerhering,	Woomer,
De Witt,	Leonard,	Sayers,	Wright,
Dismore,	Lester,	Scranton,	Yoakum.
Dockery,		Settle,	
Dolliver,			

The CHAIRMAN. The committee will rise and report the absentees to the House.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAYNE reported that the Committee of the Whole House had found itself without a quorum, whereupon he had directed the roll to be called, and now reported the list of absentees to the House.

The SPEAKER. The Clerk will read the names of the absentees.

The names of the absentees having been read,

The SPEAKER. These names will be entered on the Journal.

Mr. DINGLEY. I move that the House do now adjourn.

The SPEAKER (having put the question). The ayes seem to have it.

Mr. PICKLER. I demand the yeas and nays on the adjournment.

Several MEMBERS. There is no quorum here.

Mr. PICKLER. We will see whether you will crowd it down this way. We want the yeas and nays on this question. We do not want any such infernal snap judgment as this. [Cries of "Order!"]

The SPEAKER. The gentleman from South Dakota is not in order.

Mr. PICKLER. We had 100 members here.

The SPEAKER. The gentleman is not in order.

The question being taken on ordering the yeas and nays, there were ayes 37—more than one-fifth of the last vote.

So the yeas and nays were ordered.

The Clerk proceeded to call the roll.

Mr. PICKLER (after the roll call had begun). We had 100 members here.

Mr. PAYNE. I insist that we should have order.

Mr. PICKLER. I am stating the truth, Mr. Speaker.

The SPEAKER. The gentleman should take his seat. The Clerk will proceed with the call of the roll.

The Clerk resumed the call of the roll; but Mr. PICKLER continuing to speak.

The SPEAKER said: The House will please be in order; and the gentleman from South Dakota will take his seat.

Mr. PICKLER. That I will do with great pleasure.

The question was taken; and there were—yeas 83, nays 58, not voting 259; as follows:

YEAS—83.

Allen, Miss.	Evans.	Lacey,	Sherman.
Bartlett, Ga.	Gillett, Mass.	Loud,	Shuford,
Black, N. Y.	Griffin,	McCall, Mass.	Spalding,
Brown,	Hainer, Nebr.	McCleary, Minn.	Stokes,
Clarke, Ala.	Heatwole,	McClellan,	Taft,
Cousins,	Henderson,	McDearmon,	Tate,
Curtis, N. Y.	Hilborn,	Moody,	Tawney,
Dalzell,	Hooker,	Parker,	Underwood.
Dingley,	Howell,	Payne,	
Erdman,	Jenkins,	Perkins,	

NAYS—58.

Allen, Utah	Curtis, Kans.	Hurley,	Reeves,
Andrews,	Daniels,	Hyde,	Reese,
Barney,	Dovener,	Kerr,	Sperry,
Belknap,	Eddy,	Kirkpatrick,	Stewart, N. J.
Bishop,	Ellis,	Layton,	Strong,
Blue,	Fairchild,	Linton,	Sulloway,
Brumm,	Fenton,	Long,	Taylor,
Burrell,	Gardner,	Mahon,	Van Horn,
Burton, Mo.	Gibson,	Marsh,	Van Voorhis,
Calderhead,	Hadley,	Minor, Wis.	Wanger,
Chickering,	Hager,	Otjen,	Wheeler,
Colson,	Hartman,	Pickler,	Willis,
Connolly,	Hepburn,	Poole,	Wood.
Crowther,	Huling,	Prince,	
Curtis, Iowa	Hunter,	Pugh,	

NOT VOTING—259.

Abbott,	Dinsmore,	Leisenring	Russell, Ga.
Acheson,	Dockery,	Leonard,	Sauerhering.
Adams,	Dolliver,	Lester,	Sayers,
Aitken,	Doolittle,	Lewis,	Seranton,
Aldrich, Ala.	Downing,	Linney,	Settle,
Aldrich, Ill.	Draper,	Little,	Shafroth,
Anderson,	Ellett, Va.	Livingston,	Shannon,
Apsley,	Elliott, S. C.	Lockhart,	Shaw,
Arnold, Pa.	Faris,	Lorimer,	Simpkins,
Arnold, R. I.	Fischer,	Loudenslager,	Skiinner,
Atwood,	Fitzgerald,	Low,	Smith, Ill.
Avery,	Fletcher,	Maddox,	Smith, Mich.
Beabeock,	Footo,	Maguire,	Snover,
Bailey,	Foss,	Mahany,	Sorg,
Baker, Kans.	Fowler,	McCall, Tenn.	Southard,
Baker, Md.	Gamble,	McClure,	Southwick,
Baker, N. H.	Gillet, N. Y.	McCormick,	Sparkman,
Bankhead,	Goodwyn,	McCulloch,	Spencer,
Barham,	Graff,	McEwan,	Stallings,
Barrett,	Griswold,	McLachlan,	Steele,
Bartholdt,	Grosvenor,	McLaurin,	Stephenson,
Bartlett, N. Y.	Grout,	McMillin,	Stewart, Wis.
Beach,	Grow,	McRae,	Stone, C. W.
Bell, Colo.	Hall,	Meiklejohn,	Stone, W. A.
Bell, Tex.	Halterman,	Hanly,	Strait,
Bennett,	Hardy,	Harmer,	Strode, Nebr.
Berry,	Harmer,	Harris,	Strowd, N. C.
Bingham,	Harris,	Harrison,	Sulzer,
Black, Ga.	Harrison,	Hart,	Swanson,
Boutelle,	Hart,	Hatch,	Talbert,
Bowers,	Hatch,	Heiner, Pa.	Terry,
Brewster,	Heiner, Pa.	Hemenway,	Thomas,
Bromwell,	Hemenway,	Hendrick,	Thorp,
Brosius,	Hendrick,	Henry, Conn.	Towne,
Buck,	Henry, Conn.	Henry, Ind.	Tracewell,
Bull,	Henry, Ind.	Hermann,	Tracey,
Burton, Ohio	Hicks,	Hill,	Treloar,
Cannon,	Hill,	Hitt,	Tucker,
Catchings,	Hopkins,	Howard,	Turner, Va.
Clardy,	Howard,	Howe,	Tyler,
Clark, Iowa	Howe,	Hubbard,	Updegraff,
Clark, Mo.	Hubbard,	Huff,	Wadsworth,
Cobb,	Huff,	Hulick,	Walker, Mass.
Cockrell,	Hulick,	Hull,	Walker, Va.
Codding,	Hull,	Hutcheson,	Walsh,
Coffin,	Hutcheson,	Johnson, Cal.	Warner,
Cook, Wis.	Johnson, Cal.	Johnson, Ind.	Washington,
Cooke, Ill.	Johnson, Ind.	Johnson, N. Dak.	Watson, Ind.
Cooper, Fla.	Jones,	Joy,	Watson, Ohio
Cooper, Tex.	Joy,	Kem,	Wellington,
Cooper, Wis.	Kem,	Kendall,	White,
Corliss,	Kendall,	Kiefer,	Wilber,
Cowen,	Kiefer,	Kleberg,	Williams,
Cox,	Kleberg,	Knox,	Wilson, Idaho
Crisp,	Knox,	Kulp,	Wilson, N. Y.
Crowley,	Kulp,	Kyle,	Wilson, Ohio
Crump,	Kyle,	Latimer,	Woodard,
Culbertson,	Latimer,	Lawson,	Woodman,
Cummings,	Lawson,	Lefever,	Woomar,
Danford,	Lefever,	Leighty,	Wright,
Dayton,	Leighty,		Yoakum.
De Armond,			
Denny,			
De Witt,			

So the motion to adjourn was not agreed to. The following pairs were announced: Until further notice: Mr. HOPKINS with Mr. DOCKERY.

Mr. STEELE with Mr. WASHINGTON.
 Mr. STRODE of Nebraska with Mr. HUTCHESON.
 Mr. MOZLEY with Mr. MOSES.
 Mr. SMITH of Michigan with Mr. BERRY.
 Mr. HENRY of Indiana with Mr. SPARKMAN.
 Mr. HUFF with Mr. MINER of New York.
 Mr. HEMENWAY with Mr. ROBERTSON of Louisiana.
 Mr. JOHNSON of Indiana with Mr. BLACK of Georgia.
 Mr. WILSON of Ohio with Mr. DE ARMOND.
 Mr. HARDY with Mr. HART.
 Mr. RANEY with Mr. COWEN.
 Mr. GROSVENOR with Mr. McMILLIN.
 Mr. JOHNSON of North Dakota with Mr. LAWSON.
 Mr. CURTIS of Iowa with Mr. RICHARDSON.
 Mr. GROUT with Mr. NEILL.
 Mr. DRAPER with Mr. TUCKER.
 Mr. HICKS with Mr. SWANSON.

For this day:
 Mr. CHARLES W. STONE with Mr. WALSH.
 Mr. BARTLETT of New York with Mr. PATTERSON.
 Mr. FARIS with Mr. HENDRICK.
 Mr. LORIMER with Mr. RUSK.
 Mr. BROMWELL with Mr. BELL of Texas.
 Mr. BEACH with Mr. FITZGERALD.
 Mr. GOODWYN with Mr. LIVINGSTON.
 Mr. HERMANN with Mr. LATIMER.
 Mr. WHITE with Mr. KENDALL.
 Mr. TRELOAR with Mr. MEYER.
 Mr. RUSSELL of Connecticut with Mr. MCCREARY of Kentucky.
 Mr. WILBER with Mr. STALLINGS.
 Mr. LEFEVER with Mr. ELLIOTT of South Carolina.
 Mr. LOUDENSLAGER with Mr. PRICE.
 Mr. TRACEY with Mr. SORG.
 Mr. LEISENRING with Mr. LITTLE.
 Mr. MEIKLEJOHN with Mr. OWENS.
 Mr. LORIMER with Mr. OGDEN.
 Mr. ODELL with Mr. MCCLELLAN.
 Mr. BARTHOLDT with Mr. WASHINGTON.
 Mr. HATCH with Mr. CLARKE of Alabama.
 Mr. CODDING with Mr. MAGUIRE.
 Mr. KULP with Mr. SHAW.

On this question:
 Mr. BRODERICK with Mr. McLAURIN.
 Mr. SETTLE with Mr. TRACEWELL.
 Mr. CLARK of Iowa with Mr. TYLER.
 Mr. AITKEN with Mr. CROWLEY.
 Mr. BROSIOUS with Mr. HALL.

Mr. HULICK. Mr. Speaker, I wish to vote. The SPEAKER. Was the gentleman present when his name should have been called, and failed to hear it?

Mr. HULICK. I came in while the call was proceeding, but I think after my name was passed on the list.

The SPEAKER. Under the rule the Chair can not entertain the request of the gentleman.

Mr. HULICK. If permitted to vote, I should have voted in the negative.

Mr. HOPKINS. I wish to withdraw my vote, as I am paired with the gentleman from Missouri [Mr. DOCKERY].

The result of the vote was then announced as above recorded. Mr. PICKLER. I move a call of the House.

Mr. LACEY. Under Rule XV, clause 4, must not the call be ordered without further action?

The SPEAKER. The Chair thinks this is not one of the cases covered by the rule, as a quorum is not needed to adjourn.

Mr. WILLIS. Is a motion to adjourn in order? The SPEAKER. It is, pending a call of the House.

Mr. PICKLER. What becomes of my motion for a call of the House?

The SPEAKER. The motion is pending. The question being taken on the motion of Mr. WILLIS, there were on a division—ayes 51, noes 38.

Mr. PICKLER. I demand the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 53, nays 48, not voting 255; as follows:

YEAS—52.

Allen, Miss.	Dingley,	Howell,	Parker,
Baker, Md.	Erdman,	Jenkins,	Payne,
Bartlett, Ga.	Gibson,	Lacey,	Perkins,
Bishop,	Gillett, Mass.	Loud,	Poole,
Black, N. Y.	Griffin,	Low,	Reeves,
Brumm,	Grow,	Mahon,	Sherman,
Chickering,	Hadley,	McCall, Mass.	Shuford,
Clardy,	Hainer, Nebr.	McCleary, Minn.	Stokes,
Clarke, Ala.	Heatwole,	McClellan,	Taft,
Cousins,	Henderson,	McDearmon,	Tate,
Curtis, N. Y.	Hilborn,	Mondell,	Underwood,
Dalzell,	Hooker,	Moody,	Wheeler,
Daniels,	Hopkins,	Noonan,	Willis.

NAYS—48.

Acheson,
Allen, Utah
Anderson,
Andrews,
Belknap,
Blne,
Burrill,
Burton, Mo.
Burton, Ohio
Calderhead,
Clark, Mo.
Colson,
Connolly,
Cooper, Wis.
Crowther,
Crump,
Curtis, Kans.
Dovener,
Eddy,
Ellis,
Fairchild,
Fenton,
Gardner,
Hager,
Hartman,
Hepburn,
Hulick,
Huling,
Hunter,
Hurley,
Kerr,
Kirkpatrick,
Layton,
Linton,
Long,
Marsh,
Otjen,
Pickler,
Prince,
Pugh,
Royle,
Stewart, N. J.
Strong,
Sulloway,
Tayler,
Van Horn,
Wanger,
Wood.

NOT VOTING—255

Abbott,
Adams,
Aitken,
Aldrich, Ala.
Aldrich, Ill.
Apsley,
Arnold, Pa.
Arnold, R. I.
Atwood,
Avery,
Babcock,
Bailey,
Baker, Kans.
Baker, N. H.
Bankhead,
Barham,
Barney,
Barrett,
Bartholdt,
Bartlett, N. Y.
Beach,
Bell, Colo.
Bell, Tex.
Bennett,
Berry,
Bingham,
Black, Ga.
Boutelle,
Bowers,
Brewster,
Broderick,
Bromwell,
Brosius,
Brown,
Buck,
Bull,
Cannon,
Catchings,
Clark, Iowa
Cobb,
Cockrell,
Coddling,
Coffin,
Cook, Wis.
Cooke, Ill.
Cooper, Fla.
Cooper, Tex.
Corliss,
Cowen,
Cox,
Crisp,
Crowley,
Culbertson,
Cummings,
Curtis, Iowa
Danford,
Dayton,
De Armond,
Denny,
De Witt,
Dinsmore,
Dockery,
Dolliver,
Doolittle,
Downing,
Draper,
Ellett, Va.
Elliott, S. C.
Evans,
Farris,
Fischer,
Fitzgerald,
Fletcher,
Foote,
Foss,
Fowler,
Gamble,
Gillet, N. Y.
Goodwyn,
Graff,
Griswold,
Grosvenor,
Grout,
Hall,
Haltermann,
Hanly,
Hardy,
Harmer,
Harris,
Harrison,
Hart,
Hatch,
Heiner, Pa.
Hemenway,
Hendrick,
Henry, Conn.
Henry, Ind.
Hermann,
Hicks,
Hill,
Hitt,
Howard,
Howe,
Hubbard,
Huff,
Hull,
Hutcheson,
Hyde,
Johnson, Cal.
Johnson, Ind.
Johnson, N. Dak.
Jones,
Joy,
Kem,
Kendall,
Kiefer,
Kleberg,
Knox,
Kulp,
Kyle,
Latimer,
Lawson,
Lefever,
Leighty,
Leisenring,
Leonard,
Lester,
Lewis,
Linney,
Little,
Livingston,
Lockhart,
Lorimer,
Loudenslager,
Maddox,
Maguire,
Mahany,
McCall, Tenn.
McClure,
McCormick,
McCreary, Ky.
McCulloch,
McEwan,
McLachlan,
McLaurin,
McMillin,
McRae,
Meiklejohn,
Mercer,
Meredith,
Meyer,
Miles,
Miller, Kans.
Miller, W. Va.
Milliken,
Milnes,
Miner, N. Y.
Minor, Wis.
Money,
Morse,
Moses,
Mozley,
Murphy,
Neill,
Newlands,
Northway,
Odell,
Ogden,
Otey,
Overstreet,
Owens,
Patterson,
Pearson,
Pendleton,
Phillips,
Pitney,
Powers,
Price,
Quigg,
Raney,
Ray,
Reyburn,
Richardson,
Robertson, La.
Robinson, Pa.
Rusk,
Russell, Conn.
Russell, Ga.
Sauerhering,
Sayers,
Scranton,
Settle,
Shafroth,
Shannon,
Shaw,
Simpkins,
Skinner,
Smith, Ill.
Smith, Mich.
Snover,
Sorg,
Southard,
Southwick,
Spalding,
Sparkman,
Spencer,
Sperry,
Stahle,
Stallings,
Steele,
Stephenson,
Stewart, Wis.
Stone, C. W.
Stone, W. A.
Strait,
Strode, Nebr.
Strowd, N. C.
Sulzer,
Swanson,
Talbert,
Tawney,
Terry,
Thomas,
Thorp,
Towne,
Tracewell,
Treloar,
Turner, Ga.
Turner, Va.
Tyler,
Updegraff,
Van Voorhis,
Wadsworth,
Walker, Mass.
Walker, Va.
Walsh,
Warner,
Washington,
Watson, Ind.
Watson, Ohio
Wellington,
White,
Wilber,
Williams,
Wilson, Idaho
Wilson, N. Y.
Wilson, Ohio
Wilson, S. C.
Woodard,
Woodman,
Woomer,
Wright,
Yoakum.

Mr. OTJEN, from the Committee on War Claims, to which was referred House bills Nos. 31, 1246, 4778, 4962, and 7720, reported in lieu thereof a bill (H. R. 8733) giving to any State having a claim for expenses incurred in defense of the United States the right to have the same adjudicated by the Court of Claims, accompanied by a report (No. 1648); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHAFROTH, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 8590) granting to the Denver, Cripple Creek and Southwestern Railroad Company a right of way for a railroad through the South Platte and Plum Creek forest reserves, in the State of Colorado, reported the same, accompanied by a report (No. 1651); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. WOOD, from the Committee on Invalid Pensions: The bill (H. R. 6489) to grant pension to Samuel L. Busick. (Report No. 1639.)

By Mr. ANDREWS, from the Committee on Invalid Pensions: The bill (S. 1737) granting a pension to James G. Hartzell. (Report No. 1640.)

By Mr. POOLE, from the Committee on Invalid Pensions: The bill (H. R. 2859) granting a pension to Harriet F. Herrick. (Report No. 1641.)

By Mr. HARDY, from the Committee on Pensions: The bill (H. R. 3862) for the relief of John Green. (Report No. 1645.)

By Mr. COOPER of Texas, from the Committee on War Claims: The bill (S. 2143) for the relief of Richmond College, located at Richmond, Va. (Report No. 1646.)

By Mr. CROWTHER, from the Committee on Invalid Pensions: The bill (H. R. 7653) granting a pension to Ambrose J. Vanarsdel. (Report No. 1637.)

By Mr. KERR, from the Committee on Invalid Pensions: The bill (H. R. 1811) for the relief of Catherine L. Chaney. (Report No. 1638.)

By Mr. MARSH, from the Committee on Military Affairs: The bill (H. R. 1484) for the correction of muster of Adolph Von Haake, late major, Sixty-eighth Regiment Veteran Volunteer Infantry. (Report No. 1649.)

The bill (H. R. 6955) for the relief of Sergt. James W. Kingon. (Report No. 1650.)

ADVERSE REPORT.

Under clause 2 of Rule XIII, Mr. MAHON, from the Committee on War Claims, reported adversely (Report No. 1647) the bill (H. R. 6805) for the relief of the legal representatives of Rinaldo Johnson and Ann E. Johnson, deceased, which said bill and report were laid on the table.

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WALSH: A bill (H. R. 8724) to raise the wages of electrotypers, molders, and finishers in the Government Printing Office—to the Committee on Printing.

By Mr. CURTIS of Iowa: A bill (H. R. 8725) donating 2 condemned cannon and 10 condemned cannon balls to Shelly Norman Post, Grand Army of the Republic, of Muscatine, Iowa, and 2 condemned cannon and 10 cannon balls to General N. B. Baker Post, Grand Army of the Republic, Clinton, Iowa—to the Committee on Naval Affairs.

Also (by request), a bill (H. R. 8726) to provide for the payment of certain claims against the District of Columbia by drawback certificates—to the Committee on the District of Columbia.

By Mr. KULP: A bill (H. R. 8727) donating one condemned cannon and two pyramids of condemned cannon balls to Bryson Post, No. 225, Grand Army of the Republic, of Watsontown, Pa.—to the Committee on Naval Affairs.

By Mr. KIRKPATRICK: A bill (H. R. 8728) relating to pay and bounty to soldiers, sailors, and marines of the United States in the war of the rebellion—to the Committee on Military Affairs.

By Mr. MEREDITH: A bill (H. R. 8729) to prohibit cemeteries in the District of Columbia which will interfere with street extensions of the city of Washington—to the Committee on the District of Columbia.

By Mr. HURLEY: A bill (H. R. 8730) to appropriate funds for

So the motion was agreed to.

The result of the vote was then announced as above recorded.

And accordingly (at 7 o'clock and 5 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PUBLIC BILLS.

Under clause 2 of Rule XIII, bills were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. GILLET of Massachusetts, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 6883) to incorporate the Convention of American Instructors of the Deaf, reported the same, accompanied by a report (No. 1642); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 8497) to incorporate the National Plant, Flower, and Fruit Guild, reported the same, accompanied by a report (No. 1643); which said bill and report were referred to the House Calendar.

Mr. BENNETT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 8536) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, reported the same, accompanied by a report (No. 1644); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

investigations and tests of American timber—to the Committee on Agriculture.

By Mr. WATSON of Ohio: A bill (H. R. 8731) to prohibit the employment of prison labor on Government buildings—to the Committee on Labor.

By Mr. SPERRY: A bill (H. R. 8732) providing for the construction of cable and telegraph lines from the United States to Siberia, Japan, and the Hawaiian Islands, and guaranteeing interest on bonds to be secured by said lines—to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON of New York: A bill (H. R. 8734) to amend sections 4965 and 4970, chapter 3, Title LX, of the Revised Statutes of the United States relating to copyrights—to the Committee on Patents.

By Mr. HULL: A resolution (House Res. No. 308) setting apart Friday, May 8, 1896, for the consideration of bills reported from the Committee on Military Affairs—to the Committee on Rules.

By Mr. SHERMAN: A resolution (House Res. No. 309) assigning Tuesday, May 12, for consideration of H. R. 7907—to the Committee on Rules.

By Mr. MILLIKEN: A resolution (House Res. No. 310) to place George W. Perkins on the annual roll as assistant foreman of the folding room—to the Committee on Accounts.

By Mr. McCALL of Massachusetts: A resolution (House Res. No. 313) for the consideration of immigration bills—to the Committee on Rules.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. BARHAM: A bill (H. R. 8735) granting a pension to C. B. Goodwin—to the Committee on Invalid Pensions.

Also a bill (H. R. 8736) to remove the charge of desertion from the record of Jacob Rothenbuecher—to the Committee on Military Affairs.

By Mr. BELL of Colorado: A bill (H. R. 8737) for the relief of Sarah S. Baker, of Montrose, Colo.—to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 8738) for the relief of Mary Kinney—to the Committee on Invalid Pensions.

By Mr. COOPER of Texas: A bill (H. R. 8739) for the relief of Mrs. Anna Franks, of Marshall, Tex.—to the Committee on Claims.

Also, a bill (H. R. 8740) for the relief of A. S. Cannon, postmaster at Moscow, Polk County, Tex.—to the Committee on Claims.

By Mr. CORLISS: A bill (H. R. 8741) for the relief of Col. C. M. Lum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8742) to remove the charge of desertion against James Norris—to the Committee on Military Affairs.

By Mr. CRUMP: A bill (H. R. 8743) for the relief of Henry Schindehette—to the Committee on Claims.

By Mr. CUMMINGS: A bill (H. R. 8744) authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander—to the Committee on Naval Affairs.

By Mr. DOLLIVER: A bill (H. R. 8745) to increase the pension of John N. Wiley—to the Committee on Invalid Pensions.

By Mr. GRISWOLD: A bill (H. R. 8746) for the relief of Frank Murphy—to the Committee on Naval Affairs.

By Mr. HEATWOLE: A bill (H. R. 8747) granting a pension to Mrs. Kate B. Allen—to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 8748) providing for annulling the sentence of a court-martial in the case of Dorrance Atwater, First Squadron Connecticut Volunteer Cavalry, and granting to him an honorable discharge—to the Committee on Military Affairs.

By Mr. KIRKPATRICK: A bill (H. R. 8749) to remove the charge of desertion against Thomas F. Graham—to the Committee on Military Affairs.

Also, a bill (H. R. 8750) to remove the charge of desertion against Henry C. Putty—to the Committee on Military Affairs.

Also, a bill (H. R. 8751) to remove the charge of desertion against Josiah Wilcox—to the Committee on Military Affairs.

Also, a bill (H. R. 8752) to remove the charge of desertion from the record of D. W. Light—to the Committee on Military Affairs.

Also, a bill (H. R. 8753) granting a pension to Henry Gilham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8754) granting a pension to Martin M. Flint—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8755) for the relief of Issachar J. Davis—to the Committee on Military Affairs.

Also, a bill (H. R. 8756) granting a pension to C. A. Howke—to the Committee on Invalid Pensions.

By Mr. KULP: A bill (H. R. 8757) to grant pension to Eliza Koons, mother of Charles M. Koons, late of Company E, Twenty-eighth Pennsylvania Volunteers—to the Committee on Pensions.

By Mr. McCALL of Tennessee: A bill (H. R. 8758) for the relief of Randolph Wesson—to the Committee on War Claims.

By Mr. MILLER of West Virginia: A bill (H. R. 8759) for the

relief of Wilson S. Nugent—to the Committee on Invalid Pensions.

By Mr. OTEY: A bill (H. R. 8760) for the relief of Nancy Susan Thompson—to the Committee on Claims.

Also, a bill (H. R. 8761) for the relief of Kate Wade—to the Committee on Claims.

By Mr. REYBURN: A bill (H. R. 8762) to remove charge of desertion from John O'Beirne—to the Committee on Military Affairs.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 8763) for the relief of the estate of Alfred W. Green, late of Carroll Parish, La.—to the Committee on War Claims.

By Mr. SHERMAN: A bill (H. R. 8764) for the relief of Edgar Abeel—to the Committee on Claims.

By Mr. STRONG: A bill (H. R. 8765) to pension Jacob Sherman—to the Committee on Invalid Pensions.

By Mr. TATE: A bill (H. R. 8766) for the relief of Benjamin Davis—to the Committee on Military Affairs.

Also, a bill (H. R. 8767) for the relief of Benjamin Davis—to the Committee on Invalid Pensions.

By Mr. COLSON: A bill (H. R. 8768) for the relief of Jason L. Webb, of Whitesburg, Letcher County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 8769) increasing the pension of R. A. Brown—to the Committee on Invalid Pensions.

By Mr. TATE: A bill (H. R. 8770) to pension Jasper N. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8771) to pension Walter R. W. Atkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8772) to pension Hix Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8773) to pension Sanford A. Pinyan—to the Committee on Pensions.

Also, a bill (H. R. 8774) to pension Dorcus Elliott, widow of Jesse Elliott—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of Rev. J. D. Moffat, D. D., president of Washington and Jefferson College, and other members of the faculty of that institution, in favor of the adoption of the metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

Also, resolutions of the Florida Society of the Sons of the Revolution, favoring the publication of certain records and papers of the Continental Congress—to the Committee on Printing.

By Mr. BANKHEAD: Petition of the heirs of Alvin R. Baker, deceased, late of Walker County, Ala., praying reference of his war claim to the Court of Claims—to the Committee on War Claims.

By Mr. BRODERICK: Remonstrance of Cyrus Shinn and 42 others, of Oneida, Kans., against accepting the Marquette statue—to the Committee on the Library.

By Mr. BULL: Petition of Joseph P. Cotton and others, of Newport, R. I., in favor of the adoption of the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. CALDERHEAD: Remonstrance and petition of certain citizens of Kansas relating to the statue of Père Marquette—to the Committee on the Library.

By Mr. FENTON: Petition of Miss Sophia Krall, of Hamden Junction, Ohio, asking that her name be placed on the pension roll—to the Committee on Invalid Pensions.

By Mr. HARTMAN: Petition of R. W. Snook and others, in relation to the treaty with Crow Indians—to the Committee on Indian Affairs.

By Mr. HEATWOLE: Papers to accompany House bill granting a pension to Mrs. Kate B. Allen—to the Committee on Invalid Pensions.

By Mr. HILBORN: Petition of C. E. Howard and many citizens of Contra Costa County, members of Danville Grange, State of California, recommending the passage of House bill No. 2626, for the protection of agricultural staples by an export bounty—to the Committee on Ways and Means.

Also, remonstrance and petition of citizens of Lower Lake, Lake County, Cal., against the statue of Père Marquette remaining in Statuary Hall—to the Committee on the Library.

By Mr. KIRKPATRICK: Petition of C. A. Place and 12 other citizens of Winfield, Cowley County, Kans., praying for the adoption of the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. LAYTON: Resolutions of the Florida Society of Sons of the Revolution, relating to the publication of Revolutionary records—to the Committee on Printing.

By Mr. LINTON: Statement to accompany House bill No. 6653, granting an honorable discharge to one John Reynolds—to the Committee on Military Affairs.

Also, remonstrances and petitions of citizens of Auburn, Cal.;

also of citizens of Pittsburg, Pa.; also of Edwin Noll and numerous other citizens of Pennsylvania, in relation to the Marquette statue—to the Committee on the Library.

By Mr. MAHON: Petition of Ignatius J. Langley, of Maryland, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. McRAE: Petition of A. M. Frierson and 111 other colored citizens of Columbia, Clark, Lafayette, Ouachita, and Union counties, Ark., asking for an appropriation to aid in paying their transportation to Africa—to the Committee on Appropriations.

By Mr. OTEY: Papers to accompany House bill for the relief of Kate Wade—to the Committee on Claims.

Also, papers to accompany House bill for the relief of Nancy Susan Thompson—to the Committee on Claims.

By Mr. REYBURN: Paper to accompany House bill to remove the charge of desertion from the record of John O'Beirne—to the Committee on Military Affairs.

By Mr. SETTLE: Petition of the estate of Mary Smith, deceased, late of Orange County, N. C., praying reference of her war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of W. C. Staples, of Rockingham County, N. C. (formerly of Patrick County, Va.), praying reference of his war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of citizens of Durham, N. C., in favor of adopting the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. WILLIAM A. STONE: Petition of citizens of Bellevue, Pa., protesting against the acceptance of the Marquette statue—to the Committee on the Library.

Also, resolution of Iron City Lodge, No. 36, American Protestant Association, protesting against appropriations for Indian contract schools—to the Committee on Indian Affairs.

By Mr. STRONG: Petition of Dr. W. W. McIlvaine and Hon. A. K. Rarey, of Kenton, Ohio; also petition of Charles Collier, W. W. Stevenson, and Godfrey Sutermeister, asking for a pension for Jacob Sherman, late a private in Company 9, Fourth Ohio Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. TATE: Petition of Benjamin Davis in support of House bill granting him a pension—to the Committee on Invalid Pensions.

By Mr. TOWNE: Remonstrance of the Commercial Club of St. Paul, Minn., against the obstruction of navigation by the building of a bridge across the Detroit River—to the Committee on Interstate and Foreign Commerce.

By Mr. WALKER of Massachusetts: Petition of C. A. Keith and others, of Webster, Mass., protesting against the passage of House bill No. 4566, relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

SENATE.

THURSDAY, May 7, 1896.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. QUAY, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of District Assembly No. 9, Order of Knights of Labor, of Chicago, Ill., praying for the passage of the so-called Phillips bill, authorizing the appointment of a nonpartisan commission to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital; which was referred to the Committee on Education and Labor.

Mr. GALLINGER. I present a memorial of the Association of American Physicians, and also resolutions adopted at a meeting of the Medical Society of the County of New York, on the subject of vivisection in the District of Columbia. I move that the memorial and resolutions be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Vandalia, Fayette County, Ill., signed by the officers, Belle P. Whitney, president, and Cora B. Phillips, secretary, praying for the enactment of legislation raising the age of consent from 16 to 18 years in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CULLOM presented resolutions adopted by the Association of the Central West Illinois Congregational churches of Peoria, Ill., expressing their indignation at the atrocious persecution of their fellow-Christians in Armenia, and especially of their suffering brethren of the American Board; which were ordered to lie on the table.

Mr. SEWELL presented a petition of the Trades League of Philadelphia, Pa., praying that an appropriation be made for the improvement of the Delaware River; which was referred to the Committee on Commerce.

Mr. VEST presented a petition of American Waiters' Union, No. 20, of St. Louis, Mo., praying for the Government ownership and control of telegraph lines; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. ELKINS presented the memorial of R. T. Wetzel and 37 other citizens of Jackson County, W. Va.; the memorial of W. H. Ramsey and 70 other citizens of Hundley, W. Va., and the memorial of E. T. W. Hall and 57 other citizens of Freemansburg, W. Va., remonstrating against placing the statue of Père Marquette in Statuary Hall, and praying that it be immediately removed; which were ordered to lie on the table.

Mr. QUAY presented a petition of the Trades League of Philadelphia, Pa., praying that an appropriation of \$500,000 be made for improving the Delaware River; which was referred to the Committee on Commerce.

SPECIAL LIQUOR-TAX RECEIPTS.

Mr. PEPPER. Mr. President, I present the petition of W. O. Smith and 175 other citizens of Randolph County, Ind., praying for the passage of Senate bill 239, which proposes to prohibit the issuance of special liquor-tax receipts to persons other than those who are authorized by State laws to engage in the business of selling intoxicating liquors. The petitioners, in addition to setting forth their special request, add that they believe the enactment of such a law would aid in preserving peace and order in every community, and would greatly improve the public morals.

In connection with the petition, which I wish to have referred to the Committee on Finance, I want to call the attention of such members of the Committee on Finance as may be present to some very pertinent information on this subject.

I wrote to the probate judge in each of five different counties in Kansas, asking them to furnish me with a statement showing the number of permits to sell intoxicating liquors that had been issued in each of those counties and were in force at the date of my letter. By our law the probate judge of each county, and he alone, is authorized to issue permits to engage in the business of selling intoxicating liquors. We try to limit it as far as we can to druggists. Then I asked the Commissioner of Internal Revenue to furnish me with a statement of the number of special liquor-tax receipts that had been issued to persons who were engaged in the business of selling liquor in those same counties and at the same time. I have here his statement and the statements of the probate judges.

I observe that the chairman of the Committee on Finance is now present.

I find from the statement of the Internal Revenue Commissioner that in Leavenworth County, Kans., there were 248 special liquor-tax receipts in force on the 1st of March of this year. Then by turning to the letter from the probate judge of that county, who is authorized to issue State permits to persons to engage in the sale of intoxicating liquors under the State law, I find that there are only 2 State permits in force in that county, and as there were 248 United States special liquor-tax receipts issued, it is shown that 246 persons are selling liquor in that county in violation of the State law.

Then, in Shawnee County, in which the capital of the State is located, the Internal Revenue Commissioner informs me that 73 special liquor-tax receipts have been issued by the United States authorities, and there are only 25 State permits in force issued by the probate judge under the State law. So we have the difference between 73 and 25 as the number of persons who are engaged in the sale of liquor in that county in violation of the State law.

In Sedgwick County there were 120 special United States liquor-tax receipts issued and 12 State permits issued. The difference between 120 and 12 shows the number of persons engaged in that county in the sale of liquors in violation of the State law.

In Reno County the number of United States tax receipts was 25 and of State permits 3, showing 22 persons in that county engaged in selling liquors in violation of the State law.

In Dickinson County there are 37 special liquor-tax receipts issued and only 9 State permits, the difference between 37 and 9 showing the number of persons engaged in the liquor traffic in that county in violation of the State law. I submit the figures in tabulated form:

Special liquor-tax receipts and State permits to sell intoxicating liquors in five Kansas counties, March, 1896.

County.	State permit.	United States tax receipts.
Leavenworth	2	248
Shawnee	25	73
Sedgwick	12	120
Reno	3	25
Dickinson	9	37
Total	51	508
Average	10 1/5	50 8/5