

JOHN H. KING.

[To accompany bill H. R. No. 451.]

JUNE 30, 1854.

Mr. FAULKNER, from the Committee on Military Affairs, made the following

REPORT.

*The Committee on Military Affairs, to whom was referred the memorial of John H. King, have, according to order, had the same under consideration, and submit the following report:*

It appears from the evidence that the memorialist was an inspector at the Harper's Ferry armory, in the years 1839 and 1840; that during the latter part of the year 1839, Captain John H. Hall, who was the director of the rifle factory—an office higher than that held by the memorialist—became, by reason of sickness, incapacitated to perform the duties of his position, and that they were performed by the memorialist, as the next officer; that on the 21st of January, 1840, Captain Hall still being sick, the superintendent of the armory, in pursuance of instructions from the Ordnance department, dated January 16, 1840, gave the memorialist a written order to perform the duties of director temporarily, during the respite from labor of Captain Hall; and that the memorialist continued to perform the duties of director, under that order, until after the death of Captain Hall, when the memorialist, on the 10th of June, 1841, received a permanent appointment to the said position.

The memorialist claims the salary of director in addition to that of inspector, for the time that he was performing the duties of the former office, under the order mentioned.

The committee discover it to have been the universal practice of the government, where an officer of a lower grade has been designated temporarily to fill an office of a higher grade, that he should only be allowed the pay of the higher grade; the committee are therefore of the opinion that the memorialist is only entitled to the difference between the salary of the inspector, \$800 per annum, and the salary of the director, \$1,000 per annum, from the 21st of January, 1840, the date of his temporary appointment, to the 10th of June, 1841, the date of his permanent appointment, a period of one year, four months, and twenty days, which difference would amount to \$277 78.

The committee report the accompanying bill.

