

MARY H. SANBORN.

APRIL 27, 1886.—Laid on the table and ordered to be printed.

Mr. HAYNES, from the Committee on Invalid Pensions, submitted the following

REPORT:

[To accompany bill H. R. 6316.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6316) granting a pension to Mary H. Sanborn, submit the following report:

Claimant was mother of Lieut. A. L. Sanborn, First Regiment United States Colored Troops, who was assassinated in 1863 by Dr. D. M. Wright, a secessionist citizen of Norfolk, Va., while drilling a company of colored soldiers in the streets of that city. Her claim was rejected on ground of non-dependence.

A special examination was ordered by the Department, the result of which is embodied in the following opinion and recommendation by the special examiner:

In my opinion claimant was not in the slightest degree dependent upon soldier for support at time of his death. The evidence in the case shows that in addition to her husband's supporting the family well he added to his property between 1863 and the time of his death, at which time he left her comfortably and well provided for. Furthermore there are six of her children, any one of whom I believe to be able to provide for her should necessity require it. All the witnesses, except Dr. Matthewson, are near neighbors; all excepting Joseph C. Tewksbury are very friendly with her, and I believe in the testimony favored her all that they could. I recommend that the claim be rejected on the ground of non-dependence.

We think it proper to make a few extracts from the evidence taken by the special examiner, as briefed by him:

Mary H. Sanborn, claimant—

In 1863 claimant and husband owned the place on which they lived, valued then at \$1,100; 8 acres of meadow, which cost \$487.50; wood lot worth \$50, and personal property valued at \$200; had no other personal property, neither cash in bank, mortgage, bonds, nor anything else of value. That year her husband got ruptured and did not work at all at his trade. Before that and since he had enough to support his family comfortably, but not to lay up anything. * * * She now owns the place on which she lives, valued at \$1,000; 8½ acres of meadow land, valued at \$500; pasture lot, valued at \$150; another small lot valued at \$100, and another pasture lot valued at \$100. Has no money in bank, but has \$600 loaned out among her children. Has no other property, either real or personal, except furniture and clothing. Her daughter and husband (daughter's husband) live with her and have since her husband's death. They have the entire income from her property excepting from one small piece of land, which is valued at \$100. Has made no contract for life support with son-in-law nor any one else. No one is legally bound to support her.

Newton T. Howard, son-in-law of claimant, and lives with her:

Income of claimant's husband from his trade and other work before 1862 was about enough to comfortably support his family. Since 1863, and up to the time of his death,

he earned enough to support his family comfortably, pay up a number of debts he was owing, and get a little ahead (some \$600 or \$700). Witness came to live in house with claimant in April, 1880. He made no contract for her support, and there is no understanding between them regarding the disposition of her property. There is no one legally bound to support her. Since 1880 he has had the income from her real estate, except one pasture, and has worked it, in consideration of boarding and caring for her, but there is no agreement, and it may be terminated at the pleasure of either party. Claimant has no income except what she derives from pasture, amounting to less than \$10 a year, and from \$600 that she has loaned to some of her children.

Thomas D. Sanborn, son of claimant:

Don't know what his father's income was in 1863, but he was always very busy. It was sufficient to support his family, and from then up to the time of his death he worked hard, and provided comfortably and well for his family, and laid up something besides. Did not consider that his mother was at all dependent on his brother (soldier) for support. He (soldier) let father have \$300, which was paid him by railroad company, on account of an accident; but whether it was as a loan or not, witness does not know. Witness always considered him amply able to support his family without any assistance. Believes the property his mother has would be sufficient to provide for her, if he had her to support. She has two sons and four daughters, any one of whom are willing and able to support her if she required it.

A transcript from the town clerk's records (Thetford, Vt.) shows that the assessed value of real and personal property of Thomas G. Sanborn, from 1862 to 1880, ranged from about \$1,600 to \$2,600; of Mary H. Sanborn, from 1881 to 1885, over \$2,000 each year.

Several affidavits have been filed with this committee in support of claim, but they are not of character to controvert such evidence as we have quoted. Personal prejudice, neighborhood feuds, &c., are alleged and charged, but to the minds of the committee the evidence seems reliable and conclusive, and of a character to admit of no doubt.

We therefore report adversely upon the bill, and recommend that it lie on the table.