

PENSIONS AND INCREASE OF PENSIONS TO CERTAIN SOLDIERS AND
SAILORS OF THE REGULAR ARMY AND NAVY, ETC.

JANUARY 6, 1921.—Ordered to be printed.

Mr. SELLS, from the committee of conference, submitted the following

CONFERENCE REPORT.

[To accompany H. R. 11554.]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11554) granting pensions and increases of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 9, 12, 14, 16, 39, 66, 67, 71, 76, 80, 85, 87, 91, 96, 97, 101, 111, 140, 151, 152, 156, 172, 192, 194, 196, and 197.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 68, 69, 70, 72, 73, 74, 75, 77, 78, 79, 81, 83, 84, 86, 88, 89, 90, 92, 93, 94, 95, 98, 100, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 136, 137, 138, 139, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 153, 154, 155, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 195, and 198, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows:

In lieu of the matter stricken out insert: *The name of Emma R. Foster, widow of Benjamin Foster, late of Company I, Eighteenth Regiment United States Infantry, Indian War, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.*

That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows:

In lieu of the matter stricken out insert: *The name of Charles H. Heimlich, alias Charles H. Henderson, late of Company E, Third Regiment United States Infantry, Indian War, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.*

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows:

In lieu of the matter stricken out insert: *The name of May A. Sanders, widow of William J. Sanders, late of Company F, Thirty-fourth Regiment Michigan Infantry, War with Spain, and pay her a pension at the rate of \$12 per month and \$2 per month additional on account of each of the minor children of the said William J. Sanders until they reach the age of sixteen years.*

And the Senate agree to the same.

SAM R. SELLS,
EDGAR R. KIESS,

Managers on the part of the House.

P. J. McCUMBER,
REED SMOOT,

Managers on the part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE.

The House recedes from amendments numbered 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 68, 69, 70, 72, 73, 74, 75, 77, 78, 79, 81, 83, 84, 86, 88, 89, 90, 92, 93, 94, 95, 98, 100, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 131, 132, 133, 134, 135, 136, 137, 138, 139, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 153, 154, 155, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 195, 198.

These are cases in which it is believed that either the provisions of the act of June 5, 1920 (commonly known as the Sells bill), will give relief or where they were simply corrections made by the Senate committee, except amendment No. 52, where the amount was reduced by the Senate from \$17 to \$12; amendment No. 88, where the Senate reduced the amount from \$17 to \$12; amendment No. 90, where the Senate reduced the amount from \$30 to \$20; amendment No. 104, where the Senate reduced the amount from \$17 to \$12; and amendment No. 190, where the Senate reduced the amount from \$25 to \$20.

The items stricken from the bill in the above amendments are as follows:

H. R. 620, Asa C. Pieratt; H. R. 631, George W. Lambert; H. R. 654, John C. Ferneding; H. R. 658, John A. Gaut; H. R. 670, Joseph B. Ohr; H. R. 805, James Cunningham; H. R. 1798, Walter S. Stewart; H. R. 2747, Oliver P. Jackson; H. R. 2762, William H. Culler; H. R. 2767, George B. Locke; H. R. 2768, Christopher O. Ogden; H. R. 2769, Peter Poirier; H. R. 2802, Peter W. O'Brien; H. R. 2803, Frank Lynch; H. R. 2829, Alva C. Foster; H. R. 3052, Andrew B. Erb; H. R. 3063, Joseph D. Blackwell; H. R. 3203, Augustus W. Connor; H. R. 3272, Thomas C. Nation; H. R. 3514, Gustave Stellar; H. R. 4001, Harry Weinheimer; H. R. 4012, Alfred Rivers; H. R. 4040, John W. Oldfield; H. R. 4721, William A. Zinn; H. R. 4967, John L. Dick; H. R. 5054, John W. Warman; H. R. 5066, James E. Yeager; H. R. 5069, Miner N. Howard; H. R. 5090, Amel G. Johnson; H. R. 5364, David A. Turner; H. R. 6181, Simon T. Hickman; H. R. 6615, John Scott; H. R. 6618, John Sullivan; H. R. 6619, Raleigh J. Stanberry; H. R. 6694, Edward Schrum; H. R. 6696, Charles T. Pickens; H. R. 6727, Bascom M. Meyers; H. R. 6784, George W. Bales; H. R. 6942, Louis H. Trayser; H. R. 7072, Jacob Imhoff; H. R. 7076, Robert H. Sheaffer; H. R. 7285, John H. Franklin; H. R. 7329, James M. Taylor; H. R. 7364, John E. Harris; H. R. 7430, Daniel B. Klingensmith; H. R. 7511, William Fussnecker; H. R. 7730, William Constable; H. R. 7772, Nicholas Sharp; H. R. 7851, Otis O. Milliken; H. R. 8001, Albert Beiro; H. R. 8017, James K. Vance; H. R. 8361, Samuel C. Braden; H. R. 8373, Thomas A. Puyear; H. R. 8879, Oliver Hull;

H. R. 9187, William Wade; H. R. 9347, Rachel Ann Tooill; H. R. 9400, Harry H. Rokey; H. R. 9535, James E. Johnson; H. R. 9545, Oliver M. McRoberts; H. R. 9585, Albert O. McNulty; H. R. 9622, Phillip Ausmus; H. R. 9674, Earl Sanders; H. R. 9741, Richard M. Gilbert; H. R. 9743, Cary M. Carlton; H. R. 9771, William C. Jacobs; H. R. 9828, James H. St. Clair; H. R. 9884, Henry Blankenship; H. R. 9885, Alfred N. Oakleaf; H. R. 9920, Hugh Hoch; H. R. 9962, Augustus Thompson; H. R. 9970, Frank F. Pittman; H. R. 9993, Brice Solby; H. R. 9994, Albert A. Lyke; H. R. 9995, Corwin W. Holibaugh; H. R. 10017, James N. Davis; H. R. 10030, Robert W. Koontz; H. R. 10040, James Renshall; H. R. 10090, Albert M. Kuppel; H. R. 10097, Peter Kankiewicz; H. R. 10141, John C. Kulpman; H. R. 10153, Lewis A. Boone; H. R. 10173, Mike Cattarini; H. R. 10178, Ralph Erwin; H. R. 10199, George Crago; H. R. 10217, David R. Lopeko; H. R. 10275, William Holt; H. R. 10294, Frank Godar; H. R. 10298, Jacob Cain; H. R. 10314, John O. McMahon; H. R. 10319, Conrad H. Rowe; H. R. 10320, Alice Barkley; H. R. 10342, Walter G. Smith; H. R. 10387, George W. Rabel; H. R. 10389, William H. Brown; H. R. 10391, Charles C. Chilson; H. R. 10415, Edward C. Wait; H. R. 10429, Bert M. Darton; H. R. 10445, Hans R. Jacobson; H. R. 10468, Wesley Priest; H. R. 10474, Harry S. Stahl; H. R. 10496, Frank M. Preston; H. R. 10500, Frank S. Schmidt; H. R. 10503, Walter C. Hathaway; H. R. 10602, Thomas Flinchum; H. R. 10624, Mary S. Wilson; H. R. 10659, Jane Polsgrove; H. R. 10724, Eugene P. Williams; H. R. 10751, Daniel Burke; H. R. 10754, James S. Haggard; H. R. 10755, Joseph Tewell; H. R. 10766, Ivar A. Amell; H. R. 10767, Jean B. Kopf; H. R. 10768, Robert Hand; H. R. 10777, John B. A. Richard; H. R. 10791, Alvin F. Ritter; H. R. 10814, Harvov L. Williams; H. R. 10815, Simeon H. Johnston; H. R. 10816, La Barron T. Marshall; H. R. 10865, Charles S. Kinman; H. R. 10894, William H. Fish; H. R. 10927, Walter Barbo; H. R. 10944, Edward C. Crawford; H. R. 10949, Joseph Phillips; H. R. 10956, Charles A. Heiland; H. R. 10982, Leonidas Duncan; H. R. 10995, Joseph Dole; H. R. 11007, Mary M. Newman; H. R. 11043, Mary Brown; H. R. 11062, Hector H. Bryant; H. R. 11073, Charles Knight; H. R. 11095, Theronna Brisbois; H. R. 11138, John E. Collins; H. R. 11167, Charles Grunort; H. R. 11171, Hugh O. Neville; H. R. 11184, Samuel G. Dinsmore; H. R. 11242, George A. Cooper; H. R. 11287, Charles A. Rogers; H. R. 11415, Mary Stewart.

The other amendments in which the House receded from its disagreements are the two cases of Emma R. Foster (H. R. 9544) and Charles H. Heimlich, alias Charles H. Henderson (H. R. 9852), which were stricken out by the Senate, but after due consideration by the conferees were allowed to remain in the bill at a different rate as provided for when the bill passed the House. In the case of May A. Sanders (H. R. 10295), the same was restored to the bill by the conferees as it passed the House, but with change of provision providing for the payment of \$2 per month additional to the minor children.

The Senate recedes from its amendments, striking out the following cases:

No. 8. George W. Doney (H. R. 693). Believing from the testimony shown that the rate allowed is warranted under the circumstances as set forth in the report.

No. 9. Julius A. Fuhrman (H. R. 763). It is believed that, giving the claimant the benefit of the doubt, a pension of \$12 a month is warranted by the evidence shown in the report.

No. 12. David Dixon (H. R. 1808). Further evidence submitted to your conferees to the effect that this man is now almost totally helpless, requiring the aid and attendance of another person, warrants the increase.

No. 14. Jonas Bolon, alias James Bolon (H. R. 2759). This man served in the zone of Indian hostilities and took part in numerous engagements with Indians at different times and while he may possibly not have served the 30 days required by law, yet his service for five years was connected with the Indian disturbances.

No. 16. Edward Gaines (H. R. 2764). This man was in the Regular Army and served in numerous Indian engagements. In conformity to practice in other cases it is believed a pension of \$20 a month is warranted.

No. 39. Charles H. Ricker (H. R. 5367). It is believed in this case that while the soldier might possibly secure relief by filing claim at the bureau, there might be some question and his deplorable condition warrants the rate allowed.

No. 66. Charles A. Bills (H. R. 7853). The aged and helpless condition of this man and the fact that he served in the zone of Indian warfare, it is believed warrants the granting of increase allowed in this case.

No. 67. Jacob Lyons (H. R. 7896). Additional evidence filed since the bill passed the Senate shows the man to be in an almost helpless condition at the present time and it is believed that the Senate should recede and allow the \$20 provided.

No. 71. John Kerns (H. R. 8135). Since the bill passed the House evidence has been filed showing the man to be almost blind and, in view of his age and helpless condition, it is believed he should have the pension of \$20 provided.

No. 76. Jerry Fitzpatrick (H. R. 9071). This man is now entirely helpless, requiring aid and attendance of another person, and it is believed that the increase to \$30 is warranted.

No. 80. Walker Anderson (H. R. 9427). This man was discharged for disability incurred in the service in Indian wars, and if he had reached the age of 62 he could get \$20 per month at the Pension Bureau. It is believed the committee is justified in waiving the few years in the age requirement.

No. 85. Nancy G. West (H. R. 9599). On account of the extreme age and present almost helpless condition of this nurse it is believed the amount of \$12 should be allowed.

No. 87. Clara J. Sitton (H. R. 9658). In this case the service of the soldier was recognized by Congress and he was granted the pension allowed other Mexican War veterans and it is believed similar recognition should be given his widow.

No. 91. Johanna Murphy (H. R. 9681). Giving the beneficiary the benefit of the doubt, it is believed that the pension of \$12 per month, which she could have received had she been able to prove the death of her husband due to service, is warranted.

No. 96. James D. Smith, alias James Smith (H. R. 9829). The greater part of the soldier's service was in the zone of hostilities with Indians and your committee believe they are justified in rec-

ommending he be given the rate allowed others who served in similar capacity.

No. 97. Thomas E. Sutton, alias Birt Sutton (H. R. 9842). This soldier is now helpless and it is believed that the increase provided is warranted.

No. 101. Minnie Nordyke (H. R. 9892). The conferees are advised that the beneficiary is now in an almost helpless condition, and while Congress only recently gave her a pension of \$12 per month, the increase to \$20 is recommended.

No. 111. Edith Payne Trimm (H. R. 10015). On account of helpless child in this case and the fact that part of her income comes from a church bounty fund, the committee recommend the allowance of \$12, the amount provided for in the bill.

No. 140. Margaret Huling (H. R. 10392). After due consideration it is believed that the strict rule as to actual service should not be enforced and therefore it is recommended that the usual widow's pension be allowed in this case.

No. 151. Louise Shoat (H. R. 10569). In this case there is an invalid daughter to be taken care of and it is believed that the rate of \$20 is warranted.

No. 152. Rhoda M. Gates (H. R. 10577). In this case she forfeited her pension by remarriage, which was shortly afterwards terminated on her own motion, and your committee recommend that she be granted the pension she would have received had it not been for her unfortunate marriage of short duration.

No. 156. Christopher L. Einkopf (H. R. 10633). The soldier served almost wholly in the Indian country and he was engaged in several Indian battles. On account of his extreme age it is believed that the \$20 allowed is warranted.

No. 172. Horace B. Case (H. R. 10910). The man is now totally blind and it is believed the increase is warranted.

No. 192. Susana Raines (H. R. 11285). Since the passage of the bill evidence has been filed showing that claimant is almost helpless from rheumatism and also the soldier was her main support. It is believed that the \$12 recommended is warranted.

No. 194. Lewis W. Taft (H. R. 11288). Soldier is now totally helpless and bedridden and the increase is believed justified.

No. 196. Guy Robison (H. R. 11374). It is believed that report will show that part of his disability, at least, was due to service, and it is believed the amount of \$17 per month is justified.

No. 197. Lucy E. Blue (H. R. 11402). The beneficiary is aged and destitute and, giving her the benefit of the doubt as to death of son being due to service, the \$12 provided for in the bill is believed to be warranted.

SAM R. SELLS,
EDGAR R. KIESS,

Managers on the part of the House.