66TH CONGRESS, 3d Session. } HOUSE OF REPRESENTATIVES. { REPORT No. 1162.

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. 10515.]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10515) granting pensions and increase 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 5, 6, 12, 21, 22, 34, 53, 64, 66, 91, 94, 104, and 107.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 108, 109, 110, and 111, and agree to the same.

Amendment numbered 39:

That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows:

In lieu of the matter stricken out insert:

*The name of Islay T. Pittman, widow of George L. Pittman, late first lieutenant, Second Regiment North Carolina National Guard Infantry, border defense, and pay her a pension at the rate of $17 per month and $2 per month additional on account of each*

*of the minor children of said George L. Pittman, until they reach the age of sixteen years.*

And the Senate agree to the same.

Amendment numbered 78:

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows:

In lieu of the matter stricken out insert:

*The name of Mary Furfey, widow of Edward A. Furfey, late Battery I, Seventh Regiment United States Artillery, 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 said Edward A. Furfey, 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, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 108, 109, 110, and 111.

These are cases in which it is believed that either the provisions of the act of May 1, 1920 (commonly known as the Fuller bill), and 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. 32, where the beneficiary had only recently been pensioned under the act of March 4, 1917; No. 44, where soldier has no title at the Bureau of Pensions under existing law; No. 59, where the dependent mother's claim was rejected at the bureau; No. 72, where claimant is deceased; No. 90, where claimant possesses property valued at $6,500; No. 95, where the beneficiary is receiving $12 per month by special act and is not shown to be more than one-half disabled; and No. 106, where the beneficiary has no title at the Bureau of Pensions.

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

H. R. 770, James W. Hendrickson; H. R. 790, Charles E. Kingsley; H. R. 798, William H. Brooks; H. R. 801, Michael W. Murphy; H. R. 1333, William H. Miller; H. R. 1922, Philip Owen; H. R. 1933, Walter C. Tharp; H. R. 2736, Joseph E. Bivans; H. R. 2739, Eliza L. Ellis; H. R. 2836, William B. Stroope; H. H. 3506, Fred F. Bennett; H. R. 4055, John E. Root; H. R. 4935, Peter L. Johnson; H. R. 5786, John D. Andrews; H. R. 5856, William F. W. Gordon; H. R. 5892, Nellie L. Benton; H. R. 6394, George J. Cox; H. R. 6534, Joseph F. Smith; H. R. 6608, Alfred M. Graham; H. R. 6785, Mary J. Beard; H. R. 6817, David J. Hanger; H. R. 7048, Bert B. Hughes; H. R. 7080, Stephen Harder; H. R. 7178, Robert E. McCormick; H. R. 7179, Isabel Bertrand; H. R. 7274, Walter Sewell; H. R. 7276, William Olday; H. R. 7325, Nathaniel J. Smith; H. R. 7438, Everett A. Dibble; H. R. 7516, Samuel A. Berry; H. R. 7552, Robert Wilks; H. R. 7731, Martin K. Wright; H. R. 7761, John C. McDowell; H. R. 7818, Benjamin W. Clark; H. R. 7862, Harry W. Miller; H. R. 7956, Elmer S. Baker; H. R. 8129, Sarah E. Walker; H. R. 8270, Anton Casper; H. R. 8347, Lee Toms; H. R. 8411, Albert F. Knight; H. R. 8412, Thomas H. Coxe; H. R. 8517, Albert Yoder; H. R. 8569, Jacob Hicks; H. R. 8633, Roscoe Schutt; H. R. 8685, John J. Robinson; H. R. 8849, Pearl C. Holt; H. R. 9058, John M. Sexton; H. R. 9084, Margaret A. Storie; H. R. 9088, Charles H. V. Wiggin; H. R. 9104, Edmund W. Roderick; H. R. 9184, Sarah Adaline Youngblood; H. R. 9188, Mary Kinne; H. R. 9191, George T. Keith; H. R. 9260, James

Duffy; H. R. 9329, Lafe Strickland; H. R. 9332, William E. McGee; H. R. 9334, Fred A. Safford; H. R. 9344, George V. M. Sommerhauser; H. R. 9429, John A. Shaw; H. R. 9455, Zadok K. Basden; H. R. 9460, Theodore L. Shaffer; H. R. 9482, Anna Kendrick; H. R. 9507, Charles I. Meek; H. R. 9518, Theresa Cloyd; H. R. 9576, Murray R. Marshall; H. R. 9588, Stanford Holmes; H. R. 9597, Harry L. Vance; H. R. 9685, Andrew H. Wegman; H. R. 10016, Abe Erlich; H. R. 10244, Sarah R. Fuller; and H. R. 10361, Emily E. McKee.

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

No. 5, Peter Black, H. R. 999. This soldier had service during the War with Mexico not accepted by the Bureau of Pensions as having any connection with that war, but Congress recognized the validity of his claim and granted him a pension at the rate of $20 per month. He is now 91 years of age and the proposed increase to $40 per month appears equitable.

No. 6, Dora F. Wilson, H. R. 1267. The soldier was discharged from the service on account of disability. He appears to have had some Indian War service not pensionable under existing law. It appears proper to grant his widow $12 per month.

No. 12, Peter F. Van Auken, H. R. 2446. The soldier was discharged on a surgeon's certificate of disability, after serving 59 days. The evidence indicates that at least part of his disability is due to his Army service, so a pension of $12 per month appears proper.

No. 21, Gus H. Weber, H. R. 5239. The beneficiary is pensioned for hernia, contracted in service, at the rate of $10 per month. His hernia becomes strangulated at times, so the increase of pension to $24 per month appears to be justified.

No. 22, Helen Cecilia Schuarman, H. R. 5319. The claimant's son had service in the Philippines and his death may have been due to his service. The claimant is 83 years of age and dependent, so a pension at the rate of $20 per month appears proper.

No. 34, James C. Claxton, H. R. 6983. The beneficiary might secure relief under act of June 5, 1920, but in this there is some doubt, so the bill granting a pension at the rate of $17 per month is approved.

No. 53, Charles L. C. Sherwin, H. R. 7866. The beneficiary had no Indian war service pensionable under existing law, but he did serve on the Texas frontier, having the same duties as volunteers who are pensioned under existing law, so to pension him as an Indian war soldier at the rate of $20 per month appears justifiable.

No. 64, Mary Jane Graham, H. R. 8552. The beneficiary is the remarried widow of a soldier who served in the War with Mexico. Her last husband is dead. She is 90 years of age. A pension of $25 per month appears proper.

No. 66, Leroy Dunn, H. R. 8571. The soldier had seven months' service in the Regular Army. He was mustered into the service in time of peace when the Government makes careful examination of those who enlist. His discharge on account of disease of lungs became necessary. The weight of the evidence is to the effect that he was sound at enlistment, so the pension of $17 per month is approved.

No. 91, Emma A. Esarey, H. R. 9496. The beneficiary in this case is 74 years of age. The evidence fairly well shows that her son's

death was due to his Army service, so the pension of $12 per month is apparently justified.

No. 94. Teddy Sexton, H. R. 9547. The beneficiary's condition is in part due to his service, and his pitiable condition appears to justify the allowance of $30 per month.

No. 104. Mary A. Baldridge, H. R. 9739. This claimant is the former widow of a Mexican War soldier and is 86 years old. Her last husband is dead. In conformity with the law relative to widows of Civil War soldiers, the passage of the bill is believed to be proper.

No. 107. Martha Ann Welch, H. R. 9961. Claimant is former widow of a Mexican War soldier. She was remarried and her pension terminated. She secured a divorce from her last husband by reason of desertion and is now 85 years of age. A restoration of pension appears to be justifiable.

SAM R. SELLS,
EDGAR R. KIESS,
*Managers on the part of the House.*

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