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Report : Petition of Capt. Lyster

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IN THE SENATE OF THE UNITED STATES.

MAY 9, 1882.—Ordered to be printed.

Mr. HAMPTON, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany bill S. 1254.]

The Committee on Military Affairs, to whom was referred the bill (S. 1254) for the relief of Capt. W. J. Lyster, respectfully submit the following report :

The bill provides that the sum of \$677 be paid to Capt. W. J. Lyster, of the Nineteenth United States Infantry, for the loss of personal property destroyed by fire at Camp Supply, Indian Territory, on the 1st day of July, 1877.

The petition of Captain Lyster and the proceedings of a board of survey, attached and made a part of this report, show the cause and results of the fire, and that Lyster was in no wise responsible for the same.

A certified list of the articles destroyed, specifying the value of each article lost, aggregating the sum of \$677, is also appended to this report.

The letter of the Secretary of War, transmitting to Congress papers relating to the case, are also herewith attached.

In view of all evidence furnished, your committee believe the claim a just one, but in accordance with a rule adopted by the committee, payment is recommended only for such articles as properly belong to a military outfit. The committee therefore amend the bill by striking out "six hundred and seventy-seven" and inserting "four hundred and sixty-one." They recommend the passage of the bill as thus amended.

WAR DEPARTMENT,
Washington City, March 11, 1880.

The Secretary of War has the honor to transmit to the House of Representatives a petition of Capt. W. J. Lyster, Nineteenth Infantry, praying for the passage of a bill to reimburse him in the sum of \$677, for personal effects destroyed by fire at Camp Supply, Indian Territory, on July 1, 1877, accompanied with a list of said effects, and other papers relating to the subject. Also papers of similar tenor from Second Lieut. John A. Payne and Private Julius Steinmayer, Company B, Nineteenth Infantry, the amounts of whose losses are stated, respectively, as \$56.85 and \$16.03.

ALEX. RAMSEY,
Secretary of War.

The SPEAKER of the House of Representatives.

A.

CAMP SUPPLY,
Indian Territory, ss :

Personally appeared before me, the undersigned authority, 2d Lt. J. A. Payne, 19th Inf'ty, Army of the U. S., who, being duly sworn according to law, deposes and says that he is at present stationed on duty at this post, connected with Co. B, 19th Inf'ty, and is also performing the duties of A. A. Q. M. and A. C. S. at the post; that he was occupying as quarters the set of officers' quarters No. 5; that on the night of July 1st, 1877, he was in said quarters writing until about 9 o'clock p. m.; that he had on his desk-table when he was writing 2 lights; that previous to his going out that night he set the two lights on the center-table in his room and extinguished one, and left the other on the center-table; that he was calling at an officer's quarters when the alarm of fire was given about 11 o'clock p. m. of that night; that he hastily returned to his quarters and found the room that he had last been in completely enveloped in flames; that the fire had made such progress in the brief space of five minutes (in the deponent's opinion) that it was impossible for him to recover any articles of his personal property that he had in his quarters.

Deponent further swears that in spite of the greatest effort of the entire command of the post, consisting of five companies of troops, the entire row of officers' quarters, consisting of Nos. 1, 2, 3, 4, and 5, were consumed by this fire.

Deponent further swears that he is utterly unable to account for the fire, but he does not attribute the cause to the light left in his room.

JOHN A. PAYNE,
2d Lieut., 19th Infantry.

Sworn and subscribed to before me this 5th day of July, 1877, at Camp Supply, I. T.

M. LEEPER, JR.,
2d Lieut., 4th Cavalry, Post Adjutant.

B.

CAMP SUPPLY,
Ind. Territory, ss :

Personally appeared before me, the undersigned authority, Captain W. C. Hemphill, 4th Cavalry, who, being duly sworn according to law, deposes and says: That he was on duty at this post as officer of the day on the night of July 1st, 1877, and he was sitting in his quarters, which were in the quartermaster's building, and about 200 yds. in rear of the line of officers' quarters, with a sentinel posted in front, when I heard the alarm of fire given by the said sentinel, and I immediately started from my quarters, and before I got to the line of officers' quarters, which were afterwards burnt up, I saw the flames breaking through the back part of the officers' quarters No. 5, then occupied by 2d Lieut. Payne, 19th Inf'ty., and when I reached the said quarters the front part of them, or the part occupied by Lieut. Payne, 19th Infantry, was still intact.

Deponent further states that he is wholly unable to say what occasioned the fire, and considers it was due to some unknown accident.

W. C. HEMPHILL,
Captain, 4th Cavalry.

Sworn and subscribed to before me this 5th day of July, '77.

JNO. A. PAYNE,
2d Lt., 19th Inf'ty., Rec. Gar. C. M.

I certify that par. 1031, R. A. R., 1863, has been complied with.

M. LEEPER, JR.,
2d Lieut., 4th Cavalry, Recorder.

Proceedings of a board of survey convened at Camp Supply, I. T., in obedience to the following order:

[Special Orders No. 67.]

HEADQUARTERS CAMP SUPPLY, I. T.,
July 2, 1877.

A board of survey will assemble at 10 o'clock a. m. to-morrow, or as soon thereafter as practicable, to endeavor to ascertain and report upon the cause of the fire that occurred at this post on the night of the 1st inst.

Detail for the board.—Captain W. C. Hemphill, 4th Cavalry; 1st Lieut. R. Vance, 19th Infantry; 2d Lieut. M. Leeper, jr., 4th Cavalry.

By order of Lt. Col. W. H. Lewis.

M. LEEPER, JR.,
2d Lieut., 4th Cavalry, Post Adjutant.

CAMP SUPPLY, I. T.,
July 5th, 1877.

The board met pursuant to foregoing order. Present, all the members.

The board then proceeded to the duty required of it, and after a careful investigation find that a fire broke out in quarters No. 5, of the line of officers' quarters at this post, about 11 o'clock p. m. on July 1, 1877, destroying 5 sets of officers' quarters. The board was unable to procure any positive information as to what occasioned the fire, but after due consideration of the evidence, as shown by the affidavits marked "A" and "B," hereto prefixed, together with circumstantial evidence obtained, the board is convinced that the fire broke out in the back part of the quarters, and was due to some unknown accident, and therefore attach blame to no one for the same.

The board is further of the opinion that every possible effort was made to subdue the flames, and that the loss of property would have been much greater only for the prompt and energetic service rendered by the entire command.

There being no further business before it, the board adjourned *sine die*.

W. C. HEMPHILL,
Captain, 4th Cavalry, President.
R. VANCE,
1st Lieut., 19th Infantry, Member.
M. LEEPER, JR.,
2d Lieut., 4th Cavalry, Recorder.

HEADQUARTERS CAMP SUPPLY, I. T.,
July 7th, 1877.

The foregoing proceedings are approved.

W. J. LYSTER,
Captain, 19th Infantry, Commanding Post.

[1st endorsement.]

HEADQ'RS CAMP SUPPLY, I. T.,
July 7, 1877.

Respectfully forwarded to the Ass't Adj't General, Department of the Missouri.

W. J. LYSTER,
Captain, 19th Infantry, Commanding Post.

[2nd endorsement.]

H'DQ'RS DEPT OF THE MO.,
ASS'T ADJ'T GEN'L'S OFFICE,
Fort Leavenworth, Kas., July 12, 1877.

Respectfully forwarded to the chief quartermaster of the dep't for remark.

To be returned.

By command of Brig. Gen'l Pope.

E. R. PLATT,
Ass't Adj't General.

[3rd endorsement.]

H'DQ'RS DEPT OF THE MO.,
OFFICE OF THE CH'F Q'R MASTER,
Fort Leavenworth, Kas., July 17, 1877.

Respectfully returned to the ass't adj't general of the dep't, recommending approval.

R. SAXTON,
Chief Quartermaster.

[4th endorsement.]

H'DQ'RS DEPT OF THE MO.,
ASS'T ADJ'T GEN'L'S OFFICE,
Fort Leavenworth, Kas., July 19, 1877.

Respectfully returned to the commanding officer, Camp Supply, I. T., for the information of all concerned "approved."

To be returned.

By command of Brig. Gen'l Pope.

W. M. DUNN,
Act'g Ass't Adj't General.

A true copy of original proceedings and endorsements thereon.

M. LEEPER, JR.,
2d. Lt., 4th Cavalry, Post Adjutant.

CAMP SUPPLY,
Indian Territory :

Personally appeared before me, Capt. William J. Lyster, 19th Infantry, United States Army, this 19th day of October, 1877, who being duly sworn according to law, deposes and says, that the following is a correct and true list of articles and their value lost by him in the fire which occurred at this post on the 1st of July, 1877 :

One leather trunk	\$30 00
One leather valise	7 00
One regulation sword and scabbard and belt	13 00
One pistol	9 00
One uniform dress-coat	50 00
One uniform dress-coat	40 00
One uniform undress-coat	25 00
One pair dress-pants	16 00
Two pairs undress pants	15 00
Two flannel sack-coats	18 00
One vest	6 00
One uniform great coat	20 00
One hair mattress	15 00
Three blankets	9 00
Three pairs boots	30 00
One fur robe	25 00
One buffalo robe	10 00
One rubber coat and cap	10 00
One dozen shirts	24 00
Two flannel overshirts	8 00
Three suits underwear	12 00
One dozen pairs socks	8 00
One suit plain clothes	48 00
One silver-plated tea set	70 00
One Vienna coffee-pot	12 00
One set china dishes	50 00
One set glassware	25 00
One set table cutlery	8 00
Two toilet sets	11 00
One cake-basket and pickle-caster	20 00
Five lamps	13 00
Four chairs	12 00
One butter-dish, plated	8 00
Total	\$677 00

WM. J. LYSTER,
Captain, Nineteenth Infantry.

Sworn to and subscribed before me this 19th day of October, 1877.

O. W. BUDD,
1st Lt., 4th Cavalry, Recorder Garr. C. M.

I certify that par. 1031, R. A. R., has been complied with.

W. J. LYSTER,
Captain, Nineteenth Infantry.