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Report : Petition of Maj. Walker

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IN THE SENATE OF THE UNITED STATES.

FEBRUARY 26, 1884.—Ordered to be printed.

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

REPORT:

[To accompany bill S. 83.]

The Committee on Military Affairs, to whom was referred the bill (S. No. 83) for the relief of Bvt. Maj. John H. Walker, have carefully examined the same, and the papers therewith submitted, and report :

Your committee find, according to the petition of the claimant, that in July, 1866, he established the post designated as Camp C. F. Smith, on the Indian trail from Idaho into Oregon, and that he erected quarters, built by the enlisted men, of sod, adobe, and rough stone, and that in the month of February these quarters used by himself and family were, from some unknown cause, entirely destroyed by fire. The Adjutant-General, in response to a communication from the Committee on Military Affairs, states that there was no official report of the fire made to his office or to that of the Quartermaster-General, which omission Captain Walker explains by stating that the post was built of sod, adobe, &c., by the labor of the troops, and not borne on the quartermaster's returns, and that he was the only person interested, except as regards a small amount of Government property stored in his quarters. The burning of the quarters is proven by the evidence of Bvt. Capt. John W. Lewis and Sergeant Joseph M. Dickey.

The claimant submits an itemized list of the articles burned with the values attached, aggregating \$1,500. Your committee have carefully examined the list, item by item, and find that many of the articles are not of the character deemed as useful, necessary, and proper for such an officer while in quarters engaged in the public service in the line of duty. Among the many articles not so deemed necessary is: 1 civilian's suit, \$50; 1 sea-otter overcoat and gloves, \$150; 1 Henry repeating rifle, \$40; carpets and curtains, \$50; and household ornaments, solid silver family spoons, and many other articles of crockery and furniture in excess of the wants of an officer in quarters engaged in public service in the line of duty. There is also a further item of \$400 in paper money claimed to have been destroyed by the fire, which cannot properly be reimbursed by the Government. The bill does not restrict the payment for such articles as may be found by the Secretary of War to be useful to such an officer.

Your committee do not find that such articles, by a liberal construction, would exceed the sum of ———; and therefore report the bill back to the Senate with amendment: strike out all after the word "di-

rected," in line 3, and insert, "to ascertain and determine the value of the personal property lost by Capt. J. H. Walker, of the Fourteenth United States Infantry, destroyed by fire in his quarters at Camp C. F. Smith, in the Indian country, in Oregon, in February, 1869, without fault or neglect on his part, and the amount so ascertained shall be paid out of any money in the Treasury not otherwise appropriated, provided that no allowance be made for any property destroyed, except what was useful, necessary, and proper for such an officer while in quarters engaged in the public service in the line of duty, and not exceeding in amount the sum of \$500," and, as so amended, your committee recommend the passage of the bill.

C