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Pensions to soldiers and sailors, etc.

55TH CONGRESS, 3d Session. } HOUSE OF REPRESENTATIVES. { REPORT No. 2327.

PENSIONS TO SOLDIERS AND SAILORS, ETC.

MARCH 1, 1899.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

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

REPORT.

[To accompany S. R. 216.]

The Committee on Invalid Pensions, to which was referred the joint resolution (S. R. 216) construing the act approved June 27, 1890, entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," has examined the same and respectfully reports:

This resolution, in effect, is the same as the bill (H. R. 8628) reported March 7, 1898, and accomplishes the same purpose.

The House report (No. 643) and a copy of that bill is annexed, and shows the necessity for the measure.

The joint resolution is reported back with the recommendation that it pass.

[House Report No. 643, Fifty-fifth Congress, second session.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8628) to amend section 4716 of the Revised Statutes of the United States, having carefully considered the same, respectfully report:

The object of the bill is to give a pensionable status, under the act of June 27, 1890, to the most meritorious of those men who served a short period in the Confederate army and afterwards enlisted and served faithfully in the Federal Army.

The discrimination against those who served for a while in the Confederate army has been for more than ten years removed as to those soldiers who served in the Mexican war, and as to those who incurred a disability in the line of duty, and has been removed for more than five years as to those who served in our Indian wars, and your committee are of opinion that the time has come for the removal of this disability as to those who served only a short time in the Confederate army and a long time in the Federal Army.

The bill as amended excludes, first, those who enlisted after September 1, 1864; second, those whose disability was incurred while engaged in rebellion; third, those who served more than six months in the Confederate army or navy; and, fourth, those who enlisted while confined as prisoners of war. From the best information accessible to your committee, it is estimated that the number of men who will be benefited by this bill will not exceed 300.

Under the law as it now is an ex-Confederate who enlisted in the Federal Army and served a week and was disabled by sickness can get a pension; while an ex-Confederate who enlisted in the Federal Army and served therein for one, two, or three years without incurring a disability can not get any pension, however old, however disabled, or however poor he may now be.

Again, under the law as it now is a man who served only three months during the war without incurring any disability can get a pension for a disability incurred since his discharge, while an ex-Confederate who served three years in the Federal

Army without incurring any disability therein can now get no pension, even though he be totally helpless, and poverty stricken besides.

The question that arises from this state of facts is: Does not the Government owe as much to an ex-Confederate who served faithfully in the Federal Army three years as it owes to a man who, while never in the Confederate army, only served three months in the Federal Army?

Again, does not the Government owe as much to an ex-Confederate who served three years in the Federal Army and was not disabled as it owes to an ex-Confederate who served only three months in the Federal Army and was in the hospital most of the time? And yet in each of these two cases the soldier who served longest and best can get no pension, while the other gets a pension.

But it is said that this inequality is the penalty for the prior service in the Confederate army. Well, why was this penalty removed from the ex-Confederates who served in the Mexican and Indian wars, but riveted on those who served in the war for the Union? And why was this disability removed from ex-Confederates who spent most of their time in the hospitals, and yet left as a brand of dishonor on those who served faithfully in the field and never entered a hospital?

It must be remembered that thousands and tens of thousands of Union men were conscripted into the Confederate army during the first two years of the war. They lived from 100 to 500 miles from the nearest Union Army, and when a conscript was notified to join the Confederate army if he failed to join at once he was treated as a deserter, and imprisoned, if not hung. These men, as a rule, joined the Federal Army at the very first opportunity, always risking and often losing their lives in their efforts to do so, running these desperate risks not for any bounty (for most of them got none), but for the love they bore the Union.

It must also be remembered that the men benefited by this bill went into Federal regiments that did some of the hardest fighting and best service during the war, and that they ran the risk of being shot or hung by their former comrades in case of capture, a risk that proved fatal to many, but was braved by all.

But it is said that some of these conscripts did not abandon the Confederate army until the war was about to close. This objection is met by that provision of the bill, as amended, which excludes from its benefits those who did not join the Federal Army before September 1, 1864, and those who served in the Confederate army more than six months. The bill also excludes those whose disability was incurred while aiding the rebellion.

Another objection to pensioning ex-Confederates under the act of 1890 is that several thousands of them were enlisted out of Northern military prisons and were sent West to fight the Indians, and had nothing to do with the suppression of the rebellion. Whatever force there may be in this objection is met by that provision of the bill which excludes from its benefits those who so enlisted.

When it is considered that thirty-three years have elapsed since the close of the war, and that the disabilities arising from participation in the rebellion have been practically or actually removed in all other cases, your committee believe that the time has now come to remove these disabilities from those who served only a short time in the Confederate army and afterwards served faithfully and long in the Federal Army. They therefore recommend that the bill do pass, with the following amendments:

Strike out "December ninth," in line 8, and insert "September first."

Strike out "twelve," in line 17, and insert "six."

A bill to amend section forty-seven hundred and sixteen of the Revised Statutes of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section forty-seven hundred and sixteen of the Revised Statutes of the United States shall not be so construed as to apply to any person, or to the widow, children, or heirs of any deceased person, who, having in any manner engaged in or aided or abetted the late rebellion against the authority of the United States, afterwards and prior to September first, eighteen hundred and sixty-four, enlisted in either the Army or Navy of the United States and died therein or was honorably discharged therefrom: *Provided, however*, That no pension shall be granted by virtue of this act for any disability incurred while aiding or abetting the said rebellion, or to any person, or to the widow, children, or heirs of any deceased person who enlisted as aforesaid while confined as a prisoner of war in a State not declared to have been in said rebellion, or who served more than six months in the Army or Navy of the said rebellion.

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