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Repeal of section 4716, Revised Statutes.

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REPEAL OF SECTION 4716, REVISED STATUTES.

JANUARY 18, 1894.—Referred to the House Calendar and ordered to be printed.

Mr. MOSES, from the Committee on Pensions, submitted the following

REPORT:

[To accompany H. R. 5061.]

The Committee on Pensions, to whom was referred the bill (H. R. 5061) providing for the repeal of section 4716, Revised Statutes of the United States, having had the same under consideration, beg leave to submit the following report:

The inhibition prescribed in said section affects such persons as incurred wounds, injuries, or diseases while in the service of the United States during the Indian, Mexican, and other old wars, and who subsequently served in or otherwise aided the cause of the South during the civil war.

These persons, no matter how arduous or meritorious their services to the Government was in these old wars, are absolutely cut off from an allowance of pension on account of disability arising in the line of duty. The widow, too, is by this law denied the pension represented by the rank held by the soldier at the time he incurred the fatal disability in the old war service unless she can show that she did not aid or abet the rebellion against the authority of the United States during the late war.

The provisions of this law have been annulled, so far as pensioners under the old war service pension acts are concerned, as will be seen by a reference to the war of 1812, act of March 9, 1878, the Mexican war act of January 29, 1887, and the Indian war act of July 27, 1892.

To discriminate now against the soldier who lost an arm or a leg, or otherwise became disabled while fighting the Indians or Mexicans, is, in the unanimous judgment of your committee, an act of great injustice which should be remedied with the least possible delay. If subsequent service in the cause of the Confederacy is not to be held against a service pensioner, it surely should not be held against the soldier who left a limb on the battle field, nor against the widows of those whose old war services resulted in their death.

The effect of this bill, if passed, will be to allow pensions to these old veterans, graded according to the degree of disability suffered by them as the result of their old war service, and it will give to the widows of those who have died from causes originating in those old wars, pensions graded according to the rank held by the deceased soldiers at the time their fatal disabilities were incurred.

There can not be many now living who would be benefited by the proposed action, and, in the judgment of your committee, the passage of the bill would be but an act of justice to a small but most deserving class.

The bill is, therefore, returned with a favorable recommendation.