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Eliza M. Miller.

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Recommended Citation

S. Rep. No. 1359, 55th Cong., 2nd Sess. (1898)

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ELIZA M. MILLER.

JUNE 29, 1898.—Ordered to be printed.

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

REPORT.

[To accompany S. 4382.]

The Committee on Pensions, to whom was referred the bill (S. 4382) granting an increase of pension to Eliza M. Miller, have examined the same and report:

The following petition of claimant gives the facts in the case:

To the Honorable the Senate and House of Representatives of the United States:

The petition of Eliza M. Miller respectfully represents: That prior to her marriage she was a resident of the county of Bedford, in the State of Pennsylvania; that on the 1st day of January, A. D. 1867, she was joined in marriage with James H. Miller, then of Neosho, in the State of Missouri; that said Miller had formerly been a resident of Pennsylvania, and the marriage ceremony was performed by Rev. J. H. Donaldson, a minister of the gospel, who is now deceased; that on the 17th day of September, A. D. 1861, the said James H. Miller enlisted for a period of three years, or during the war, in Company H of the Fifty-fifth Regiment of Pennsylvania Volunteers; that on the 19th day of November, 1861, he was duly commissioned as second lieutenant of said company by his excellency Andrew G. Curtin, then governor of the Commonwealth of Pennsylvania; that on the 17th day of October, A. D. 1862, he was duly commissioned by the said Governor Curtin as first lieutenant of said company; that on the 14th day of December, A. D. 1864, he was honorably discharged from the military service of the United States at Chapins Farm, in the State of Virginia, having served continuously from the time of his enlistment, and having been engaged, as shown by his said discharge, in the following battles, to wit: Old Town Creek, May 9, 1864; Drewrys Bluff, May 12, 13, 14, and 15, 1864; Cold Harbor, June 2 and 3, 1864; front of Petersburg, Va., June 15, 16, and 18, 1864; Chapins Farm charge on Battery Johnson, September 29, 1864.

That on the 22d day of November, A. D. 1870, the said James H. Miller was duly commissioned by His Excellency Ulysses S. Grant, President of the United States, agent for the Indians in New Mexico (Navajo Agency) until the end of the next session of the Senate of the United States; that on the 26th day of January, A. D. 1871, he was again commissioned as such Indian agent for the period and term of four years from January 23, 1871, his appointment having been duly confirmed by the Senate of the United States; that on the morning of June 11, A. D. 1872, the said James H. Miller was, without cause, cruelly murdered by the Indians while engaged in a faithful discharge of his duties as an officer of the United States; that your petitioner was, by reason of the death of said agent, left a widow, with one young child to be maintained, supported, and educated; that she has ever since remained unmarried and supported her child as best she could, without any aid or assistance for herself or child from the Government of the United States, except that under the act of June

27, 1890, she was granted a pension of \$8 per month, which is insufficient to maintain her. She therefore prays your honorable bodies to grant her a pension commensurate with the position and services of her late husband and sufficient to maintain her in her destitute condition (her husband having left her no estate), and to provide for wants and necessities during the remaining period of her natural lifetime. And she will ever pray.

Mrs. ELIZA M. MILLER.

BEDFORD COUNTY, ss:

Personally came before the subscriber, a notary public in and for the county aforesaid, Mrs. Eliza M. Miller, well known to me as the widow of James H. Miller, deceased, and, being duly sworn, did say that the facts stated and set forth in her within petition are correct and true.

Sworn to and subscribed this 4th day of April, A. D. 1898. Witness my hand and notarial seal the same day.

[SEAL.]

W. H. WELLES, *Notary Public.*

It seems to your committee that in view of the fact that soldier served three years in the Army, and that he was subsequently murdered while in the service of the Government, his widow should not be denied the rate of pension commensurate with the rank the soldier held, to wit, \$17 per month, as the widow of a first lieutenant.

The passage of the bill is therefore recommended, after being amended by inserting in line 6, after the word "late," the word "first," and by striking out in line 8 the word "twenty" and substituting therefor the word "seventeen."