

CAPT. J. S. PAYNE.

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MAY 21, 1880.—Committed to the Committee of the Whole House and ordered to be printed.

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

REPORT:

[To accompany bill H. R. 6253.]

*The Committee on Military Affairs, having had under consideration the bill (H. R. 4406) to authorize the President to appoint Capt. J. S. Payne, Fifth United States Cavalry, a major in the Adjutant-General's Office, report:*

The committee report herewith a substitute for the bill and recommend its passage.

The country is familiar with the history of the campaign against the White River Utes in September, 1879, in which the intrepid Major Thornburgh lost his life. Upon the death of Major Thornburgh Captain Payne took command, and held the savages at bay until he was relieved by the arrival of Captain Dodge and General Merritt. The committee believe Captain Payne's conduct in this affair to have been exceptionally gallant, and that it merits some suitable recognition by the government.

For the part taken in this event by Captain Dodge he has received a just and merited promotion. We think Captain Payne equally deserving.

The substitute reported by the committee does no more than confer the power on the President, in his discretion, to give Captain Payne a promotion.

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