

JACOB NIX.

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JULY 14, 1892.—Committed to the Committee of the Whole House and ordered to be printed.

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

REPORT :

[To accompany bill H. R. 6740.]

*The Committee on Invalid Pensions, to whom was submitted the joint resolution of the legislature of Minnesota, for the relief of Capt. Jacob Nix, of New Ulm, having had the same under consideration, report as follows :*

Jacob Nix was a resident of Brown County, Minnesota, in 1862, and on the 18th of August of that year he was called into service as a major of militia by the sheriff of that county, to assist in repelling an attack of the Sioux Indians upon the town of New Ulm.

Under the military laws of Minnesota the sheriff had authority to call the militia into active service in such an emergency. A claim was filed by petitioner for pension June 11, 1866, alleging disability from wound in left arm and left hand received at New Ulm August 19, 1862. It appears that the claim was made under the ninth section of the supplementary pension act approved July 4, 1864, providing pensions for those persons who were not enlisted soldiers in the Army who volunteered for the time being to serve with any regularly organized military or naval force of the United States, or who otherwise volunteered to render service in any engagement with the rebels or Indians, who are disabled by wounds received in such temporary service.

The Pension Office rejected the claim on the ground that he was not a volunteer in the sense of the law, and therefore not entitled to a pension under the general law. Your committee are of opinion that he rendered good service, and at a time when his locality was sore in need of the service of a brave man; that he responded to the call and promptly entered into battle with the Indians, receiving the wounds alleged, and that he ought to be granted a pension, and therefore present the accompanying bill, and ask that it do pass.