

JOHN G. SHAWBELL.

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MARCH 12, 1886.—Committed to the Committee of the Whole House and ordered to be printed.

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

REPORT :

[To accompany bill H. R. 686.]

*The Committee on Invalid Pensions, to whom was referred the bill (H. R. 686) to grant a pension to John G. Shawbell, submit the following report:*

The records show that claimant enlisted November, 1861, in Company C, Ninth Regiment, Kansas Volunteers, and was discharged December, 1864. In 1875 he made application for a pension, alleging injury to spinal cord by being thrown from a horse July 2, 1863. This application was rejected on account of inability to furnish testimony of a commissioned officer or surgeon, while in the service. The records in War Department show that the company was engaged in action July 2, at Cabin Creek, Indian Territory.

William H. Mainhome and A. J. Knowlton testify that they were members of the same company and saw claimant thrown from his horse; claimant testifies that he was treated by the regimental surgeon, but is unable to obtain his affidavit.

Hon. Harrison Kelley, a gentleman of high character, testifies to an acquaintance with claimant as a neighbor and friend since his discharge; that he has not been healthy since his discharge, and is now a cripple, one leg being paralyzed; that said disability has been growing on him since discharge.

Dr. W. B. Shafer testifies to treating him since 1872 for disease of the spine; that his right leg is partially paralyzed, all sensation below the knee being gone.

Dr. J. Jenks testifies that he personally knew the fact that ever since his discharge from the service he has suffered continuously from great lameness in his back. He is badly crippled by said injury; has nearly lost the use of his right leg and frequently has to go on crutches. Subsequently, in a letter to the office, Dr. Jenks flatly contradicted his affidavit.

The claimant and six of his neighbors testify that Dr. Jenks wrote the letter to the Department because the claimant, in discharging his duty as constable, had levied on property belonging to the doctor; that the latter declared at the time he would have his revenge, and that they have reason to believe and do believe that the statements in the letter are wholly false and malicious.

I. M. Lane testifies that he has known claimant since 1857; that he was a hale, robust man when he enlisted, and that he came out a cripple and has remained so ever since.

H. N. F. Read, captain of Company I, same regiment, testifies that claimant was a well, able-bodied man when he went into service and until 1863, and that ever since discharged he has been a cripple.

Your committee are of the opinion that no weight whatever should be given to the letter of Dr. Jenks, and that the other evidence filed establishes beyond a reasonable doubt that his present condition, as shown by the reports of the examining boards, is due to his service. They therefore recommend the passage of the bill.