

SOLOMON MESSER.

MARCH 29, 1886.—Committed to the Committee of the Whole House and ordered to be printed.

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

REPORT:

[To accompany H. R. 3166.]

*The Committee on Pensions, to whom was referred the bill (H. R. 3166) granting a pension to Solomon Messer, submit the following report:*

Solomon Messer enlisted as a private in Capt. Nathaniel Kelsey's Company of North Carolina Volunteers, on the 4th day of March, 1837, to serve in the "Cherokee removal." He was honorably discharged at Asheville, N. C., on the 15th day of July, 1837.

His declaration, filed in 1881, shows that while in line of duty in said service at Fort Delaney, North Carolina, he was rendered deaf in left ear by the accidental discharge or explosion of a gun. This declaration is corroborated by the testimony of two comrades who witnessed the accident. Another comrade, and who was also his neighbor from 1838 to 1882, testifies to the continuance of his disability during that period. His condition for thirteen years prior to 1882 was testified to by a physician who was also his neighbor. In 1882 he was examined by the medical examiner, whose report, together with the testimony of the above-mentioned parties, corroborates the statements made by Messer in his declaration and affidavit.

Claim was rejected on ground of "no record of alleged disability," and "claimant unable to furnish evidence of surgeon or officers as to receipt of alleged injury."

Messer alleges, as reason for not furnishing such testimony, that he did not know the whereabouts of his surgeon and some of his officers, while he knew that others of his officers were dead.

No evidence of disloyalty during late rebellion on file.

Your committee recommended that the bill be amended by inserting in the fourth line, after the word "of," the words "Nathaniel Kelsey's," and that so amended it be passed.