

RACHEL BARNES.

MAY 24, 1886.—Committed to the Committee of the Whole House and ordered to be printed.

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

R E P O R T :

[To accompany bill H. R. 9106.]

The Committee on Pensions, to whom was referred the bill (H. R. 7690) granting a pension to Rachel Barnes, widow of William Barnes, having had the same under consideration, report as follows:

William Barnes, husband of petitioner, enlisted in Company I, Second United States Infantry, February 24, 1838, and was honorably discharged February 24, 1841. During the winter of 1840-'41, while engaged in an extended scouting expedition in South Florida, and sleeping upon the ground, with no tents to cover himself and companions, he contracted a disability of the eyes which resulted in partial blindness. This disability has followed him ever since, incapacitating him for earning a livelihood, and refusing to yield to medical treatment. For this disability the soldier was treated at the time of its incurrence by the hospital steward, there being no physician with the party. Not having been treated upon his return to camp, and the steward who treated him being dead, the soldier is unable to produce any testimony of his treatment during service.

The soundness of his eyes before and at date of enlistment, and their unsoundness upon his return home after discharge, is abundantly shown by the evidence. Medical examinations had since the service aforesaid, and while the soldier's application for pension was pending, reveal the existence of the alleged disability in a pensionable degree; but the medical examiner states he was unable, from the symptoms, to decide whether or not said disability originated in the service. Your committee do not regard it strange that said examiner should not, nearly forty years after the incurrence, be able to say that the disease was incurred in service and line of duty, and, upon the evidence, it was not necessary that he should so find, for that fact is satisfactorily established by other evidence.

The soldier filed an application for a pension July 3, 1880, alleging disease of eyes contracted in Florida in 1840-'41. The claim was rejected January 14, 1881, on the ground that there was no record of the alleged disability, and claimant could not furnish satisfactory evidence of its origin in the service and line of duty.

At date of the rejection there was no record evidence of incurrence, nor of officers or comrades, although there were—besides the evidence of the soldier, his wife, and two sisters—two affidavits of civilians who

saw him during the service and know his eyes were affected while he was in the service in Florida.

After rejection of the claim the soldier, as a result of correspondence with the Pension Department, learned that Lieutenant Patrick who, at one time during the Florida campaign, commanded the company in which the soldier served, was then living, and, as General M. R. Patrick, was governor of the Soldiers' Home at Dayton, Ohio. Correspondence between the soldier and General Patrick followed, and in the early part of the year 1882 the soldier went to Dayton and had a personal interview with the general, at which time, by aid of his journal and the statements of the soldier, General Patrick was enabled to recall incidents of the service, and, by means thereof, his memory was so much aided that he not only was able to identify the soldier, but remember facts which enabled him some weeks after to write the Commissioner of Pensions very fully respecting the claim then pending, and to state facts satisfactorily establishing, with other evidence on file, that the soldier incurred disease of eyes in the service, as alleged by him.

The Hon. W. E. Fuller, now member of the House from Iowa, was for years personally acquainted with William Barnes, and gives valuable oral evidence to your committee of his excellent character as a man and citizen.

Mr. Fuller, who was his attorney, represents that he was aware of the visit of Mr. Barnes to Dayton, Ohio, to see his old commander; that he remembers his return, and the evident satisfaction entertained by him because of the assurances of General Patrick that he would in a few days write the Commissioner of Pensions, giving the facts relating to the soldier's impairment of sight when in the service; that as a few weeks passed and no word was received from General Patrick, the soldier, who had become dependent and despondent, came to the conclusion, as he expressed it, "that the old general had gone back on him," and soon after met Mr. Fuller and told him he need do no more for him in regard to the pension case, and the next morning after the conversation, March 24, 1882, the old man was found in the adjacent woods hanging lifeless to a tree. He had undoubtedly become burdened by a weight of anxiety and despondency, and in despair, if not insanity, took his own life. How gravely he was in error in supposing his old commander had, to use his own language, "gone back on him," the following statements will disclose:

On January 7, 1882, in answer to a letter from the Commissioner of Pensions relating to the claim of Mr. Barnes, among other things, said:

I have been unable to complete the search in my journals and memoranda of those days. After a diligent search I can only find two allusions to him: one of the 18th of March, 1840, in which he behaved remarkably well in a skirmish with the Seminoles; and again, on the 29th of July following, I find him employed as a kind of rough carpenter in hewing timber for building purposes.

This letter was written prior to the visit of Mr. Barnes to General Patrick. On February 16, 1882, General Patrick wrote Commissioner Dudley as follows:

On or about the 7th of January, 1882, in reply to inquiries made in relation to one William Barnes, formerly of I Company, Second Regiment of Infantry, I wrote you giving some facts which I found in my journal. I had written him at about the same time, very nearly a duplicate of what I wrote you. At his own expense he has come here to see me, bringing with him letters of the very best character. His presence here and a re-examination of my journal enables me to speak of him more in detail than before; and, at the risk of being somewhat prolix, I will state that in the summer of 1839 he, with his company, under command of Captain Russell, went into

Florida and down the coast in the neighborhood of Key Biscayne and the mouth of the Miami River, where the captain was soon after killed, and the company left in command of a young lieutenant recently appointed from civil life.

When I reached there, in December following, I found that the company was for quite a time without shelter, sleeping in the open air, suffering much from mosquitos and the climate generally. A number of cases of moon-blindness existed when I took the company, some of the men being unable to perform night duty on that account.

I do not recollect anything in particular of this man Barnes, save that on several occasions I took him with me as a very trusty man. He had been a corporal almost from his enlistment, but, being without any education, felt himself incapable of discharging the duties and so resigned.

On the 1st day of March following I find him one of the picked men who were sent out and were attacked by Indians, in which he behaved remarkably well, as he was reported to have done once before I took the company. Between that time and the 1st of July following I occasionally took him with me on hunting expeditions, I carrying a rifle and he a fowling-piece, because, as he stated, he could not see to shoot at any distance, as he could when he first came into Florida.

On examining my journal in his presence he has recalled to my recollection certain incidents, such as my signaling him to join me when he has been at some distance from me, and his being unable to see me until being told by those with him that I was signaling.

On one occasion in particular he was for a time very much troubled at a reprimand I gave him for not shooting at an object which I pointed out, until he again reminded me that he could see but a short distance. I find from a reference to my journal that on the 24th of July I placed him in charge of certain rough carpenter work in building a post, and in connection with the fall of a bent in a large building the question of his defective eyesight again came up.

From my knowledge of the man up to the time of his discharge in February, 1841, I feel very confident, amounting to almost certainty, that his disability commenced in the summer of 1839, while serving in the neighborhood of Key Biscayne, involving a large amount of boat service among the keys, bays, Miami River, open-water everglades, and water service generally (the sun shining upon the water with great brilliancy), sleeping in open air at night during that summer, and that it became intensified by continuous service through the summer of 1840 in the sands of the Touhla-cooche and Ochlawaha districts, when troops, in that country, were usually at rest. On this subject I speak from an experience of five years' continuous service in Florida.

In 1837, and again in 1842, I was myself laid up with brain-fever from these same causes.

I have asked Colonel Thomas (treasurer of the Home), recognized as among the ablest of our medical men, to be present during my examination of the man and himself to examine him professionally with a view to giving his opinion in the case. Through other sources than the letter I have received, I hear the very best character possible given him as to perfect truthfulness and honesty, and these accord with the record in my journal of the trusts with which he was honored when with me. I do not know whether this statement can be of any use in forwarding his claim, but so far as it goes I can swear to it.

Very respectfully,

M. R. PATRICK,
Governor.

Mr. Barnes' decease occurred prior to action by the Pension Department upon the letters of General Patrick, and, in fact, no ruling was made upon the case thereafter.

On March 20, 1883, the widow of Mr. Barnes filed an application for pension, alleging as ground therefor the death of her husband from insanity, resulting from disease of head and eyes. Her application was rejected April 27, 1883, for the reason that the soldier's death from insanity, forty-one years after service, had no connection with the service. Your committee feel constrained to concur in the correctness of the finding as to the widow's claim, but they are of the opinion that had not the soldier deceased, and had his claim been again considered upon all the evidence on file at the time of his death, he would have received favorable judgment and his claim would doubtless have been allowed, and the unhappy termination of his life at the time would not have occurred. His widow is now seventy-two years of age and in dependent

circumstances, and while your committee do not feel justified under the law as at present existing in recommending that the name of the widow be placed upon the pension-roll for the purpose of a pension in her own right as widow of the deceased soldier and by reason of the soldier's death, they do think that she should be allowed such pension as, had her husband's claim been favorably determined on the day of his decease, he would have received, and therefore report H. R. 7690 adversely and recommend the passage of the accompanying substitute.

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