

MRS. CATHARINE K. WHITTLESEY.

MAY 23, 1888.—Committed to the Committee of the Whole House and ordered to be printed.

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

REPORT:

[To accompany bill S. 2274.]

The Committee on Pensions, to whom was referred the bill (H. R. 6289) introduced by Mr. Voorhees, have considered the same in connection with bill S. 2274, and report back the latter bill (S. 2274) with the recommendation that it pass as a substitute for the House bill referred to.

They adopt as their report the statement of facts correctly set forth in the report of the Senate Committee on Pensions, as follows:

[Senate Report No. 966, Fiftieth Congress, first session.]

The Committee on Pensions, to whom was referred the bill (S. 2274) granting an increase of pension to Catharine K. Whittlesey, have carefully examined the same and report:

The claimant, Catharine K. Whittlesey, widow of Maj. James H. Whittlesey, filed her declaration for a pension, by reason of the death of her husband of disease contracted in the service of the Government, September 2, 1886. A pension was granted January 28, 1887, "for malarial poison and resulting disease of the liver," rating the pension to which she was entitled at \$17 per month, commencing August 2, 1886. The bill asks that the widow be pensioned by special act of Congress at the rate of \$40 per month.

The husband of the claimant graduated in 1844; promoted a second lieutenant September 18, 1845, first lieutenant October 18, 1847, captain October 22, 1854, and major of the Fifth Cavalry November 12, 1861; retired as major November 30, 1863. He was in active service of the Government in Louisiana in 1845; in the military occupation of Texas to January 29, 1846; in Kansas, June, 1846; served in the Mexican war, 1848; on field service in New Mexico to November 13, 1851; stationed in Kansas in 1854; New Mexico in 1855; in Oregon in 1861; with the Fifth Cavalry in the Army of the Potomac to May, 1862; on special duty at Harrisburg to February, 1863; mustering and disbursing officer at Concord, N. H., to February, 1865; commanding Camp Randolph, Madison, Wis., to July 3, 1865; recruiting service to February 4, 1867; on special service at Winchester, Va., to June, 1868; professor of military science, etc., at Cornell University, New York, to February 21, 1870; secretary and treasurer of the Soldiers' Home near Washington, D. C., to July 5, 1881.

The above record shows that Major Whittlesey was continuously in active service from 1844 to May 21, 1867; that he was on frontier duty; that he served in the Mexican war, and was especially noticed for gallantry at the battle of Buena Vista. The evidence in the papers further shows that he was in numerous Indian engagements, and exposed to severe hardships during these expeditions; that after he had been retired by reason of physical disability he was assigned to special duty for nineteen years, in all of which positions he gave satisfaction to his superior officers. There are but few that can show a prouder or more honorable record in the service of his Government than Major Whittlesey.

The Commissioner of Pensions, under what he construes to have been the cause of the death of Major Whittlesey, as shown by certificate of disability dated in 1852 and

under the strict letter of the law, has given the widow the pension only of the widow of a first lieutenant, while the record shows that he held the rank of captain in active service for nine years and of major for two years before he was retired, and that he was in active service or assigned to special duty with the rank of major from 1861 to 1881, a period of twenty years. The cause of death, as certified, was malarial fever, and the record shows that after his service in the Army of the Potomac in the Peninsula he was granted sick leave for malarial trouble. At that time and for a year anterior to it he held the rank of major. D. L. Huntington, surgeon, U. S. Army, certifies, under date of August 28, 1886, as follows:

"This is to certify that I was the medical attendant of Maj. J. H. Whittlesey, U. S. Army (retired), during the years from 1876 to 1880, both inclusive, while he was an officer of the Soldiers' Home, near this city. During this period he suffered more or less continuously and severely from chronic inflammation of the liver, and with attacks of acute inflammation of the duodenum. I am inclined to believe from his condition and history that this trouble originated in the line of his duty while an officer of the Army in active service, and was due to exposures incurred in the early part of the civil war.

If this certificate is to be taken as true, the widow of Major Whittlesey, under the law and as a matter of right, would be entitled to a pension at the rate of \$25 per month, the rate allowed the widow of a major.

* Your committee would recommend that Senate bill 2274 be amended, in line 8, by striking out the word "forty" and inserting in lieu thereof the word "twenty-five," and as amended the bill is reported favorably, with the recommendation that it do pass.

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