

JOHN C. WAGONER.

MAY 5, 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 H. R. 2530.]

The Committee on Pensions, to whom was referred the bill (H. R. 2530) granting a pension to John C. Wagoner, have considered the same and report as follows:

The records of the Quartermaster-General of the Army show that this claimant was employed under Capt. H. J. Nowlan, Seventh U. S. Cavalry, assistant acting quartermaster expedition in the field, as chief packer in charge of pack-trains, at \$100 per month, from March 1 to September 23, 1876, when discharged.

He was with the command at the battle of Little Big Horn, June 25 and 26, 1876, and the evidence shows that in that engagement with the Indians he received a gunshot wound of the forehead. He can get no relief before the Pension Bureau under the general pension laws, because he was borne, not as an enlisted man, but as an employé of the Quartermaster Department, with the expedition, although it appears that his duties were important and necessary ones, and he was subjected to all the perils and casualties of the soldiers on that eventful undertaking.

Maj. M. A. Reno and eleven other officers of the Seventh Cavalry certify under date of September 4, 1876, that the claimant was wounded at the battle of Little Big Horn, and also that he was regarded as an energetic, trustworthy, and capable man.

Assistant Surgeon H. R. Porter, who accompanied the Custer Expedition against the hostile Sioux, certifies under date of October 22, 1885, that Wagoner was wounded in the forehead on either the 25th or 26th day of June, 1876, while on duty, and surrounded by Indians during the fight at the Little Big Horn under Major Reno; that the ball struck him on the forehead above the nose, and that it was thought at the time deponent dressed the wound that the wound would prove fatal, as the ball passed through the skull and into the brain.

Testimony of reliable physicians show that the wound disables claimant, affecting his head and eyes and causing nervous irritability, headaches, and an intolerance to the heat of the sun, at times incapacitating him for manual labor.

Your committee are of the opinion that the claimant having been wounded while engaged in an action with hostile savages, and being

without remedy under the general law, his name should be placed on the pension-roll at a rate commensurate with his disability.

(Precedents: Forty-eighth Congress, chapter 251, John C. Fenske; chapter 255, Wm. J. Lee; chapter 266, Decatur Hamlin.)

Your committee therefore return the bill to the House and recommend its passage, amended, however, by adding thereto the following words: "At the rate of a private soldier."

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