

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 26, 1891.—Ordered to be printed.

Mr. HAWLEY, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany S. 5118.]

The Committee on Military Affairs, to whom was referred the bill (S. 5118) entitled "to amend an act to authorize the President to confer brevet rank on officers of the U. S. Army for gallant services in Indian campaigns," have had the same under consideration and report favorably, with a recommendation that the bill do pass.

The accompanying letter from the Secretary of War, embracing a letter from General Schofield, the commanding general of the Army, fully set forth the necessity of passing this bill and thus relieving the War Department from the embarrassment of administering the present law.

WAR DEPARTMENT,
Washington, D. C., February 24, 1891.

SIR: I have the honor to transmit herewith for the consideration of the Committee on Military Affairs, United States Senate, a copy of a letter from the Major-General commanding the Army, dated the 19th ultimo, recommending, for the reasons set forth therein, that the act of February 27, 1890 (pamphlet laws passed at the first session, Fifty-first Congress, p. 13), entitled "An act to authorize the President to confer brevet rank on officers of the U. S. Army for gallant services in Indian campaigns," be amended by substituting for the present section 2 the following, viz:

"SEC. 2. That such brevet commissions as may be issued under the provisions of this act shall bear date from the particular heroic act for which the officer is promoted."

I concur in the views expressed by General Schofield, and beg to say that the embarrassment of the Department in the administration of the present law is the principal reason for the delay in conferring brevets.

Very respectfully,

REDFIELD PROCTOR,
Secretary of War.

The CHAIRMAN OF THE COMMITTEE ON MILITARY AFFAIRS,
United States Senate.

HEADQUARTERS OF THE ARMY,
Washington D. C., January 19, 1891.

SIR: The act of Congress, approved February 27, 1890, entitled "An act to authorize the President to confer brevet rank on officers of the U. S. Army for gallant services in Indian campaigns," contains the provision—

"SEC. 2. That such brevet commissions as may be issued under the provisions of this act shall bear date only from the passage of this act: *Provided, however,* That the date of the particular heroic act for which the officer is promoted shall appear in his commission."

In the attempt to execute the statute this provision causes much embarrassment. If the brevet given for gallant service is made of the next higher grade to that held by the officer at the time the gallant service was rendered, in accordance with the time-honored custom, the effect would be in most cases to give the officer a new commission inferior either in grade or in date, or often in both, to the commission he then held. Such a new inferior commission could be esteemed of little value.

On the other hand, if it be attempted to make the commission of real value by giving it the next higher grade to that which the officer now holds, the grade would in many cases be much higher than what would be regarded, under military rules, as due reward for the special service rendered, as during the long period that has elapsed since some of these services were rendered, some of the officers have risen in rank two or three grades. Hence, an officer might, for example, be given the brevet of brigadier-general for the gallant services of a captain or major.

The purpose of the law was doubtless to enable the President to do at this late day precisely what might have been done, had such a law been in force, at the time the gallant service was rendered, viz, to give a brevet of the grade next above that which the officer held when he rendered that gallant service.

In order that this may be exactly accomplished it is respectfully suggested that the act of February 27, 1890, above cited, may be amended by substituting for the present section 2 the following, viz:

"SEC. 2. That such brevet commissions as may be issued under the provisions of this act shall bear date from the particular heroic act for which the officer is promoted."

Very respectfully,

J. M. SCHOFIELD,
Major-General Commanding.

The SECRETARY OF WAR.

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