

## SERVICE PENSIONS.

The Dependent Parent and Indigent Soldier Bill Vetoed by the President.

Full Text of the Executive's Message Objecting to the Measure.

In the National House of Representatives, 11th inst., a message was received from the President transmitting without his approval the dependent pension bill. The text of the message is as follows:

To the House of Representatives: I herewith return without my approval House bill No. 10457, entitled "An act for the relief of dependent parents and honorably discharged soldiers and sailors who are now disabled and depend upon their own labor for support."

"This is the first general bill that has been sanctioned by Congress since the close of the late civil war permitting a pension to the soldiers and sailors who served in that war upon the ground of service and present disability, alone, and the entire absence of any injuries received by the casualties or incidents of such service.

"While by almost constant legislation since the close of this war there has been compensation awarded for every possible injury received as a result of military service in the Union army, and while a great number of laws passed for that purpose have been administered with great liberality and have been supplemented by numerous private acts to reach special cases, there has not, until now, been an avowed departure from the principle thus far adhered to respecting Union soldiers, that the bounty of the Government in the way of pension is generously bestowed when granted to those who, in this military service and in line of military duty, have to a greater or less extent been disabled.

"But it is a mistake to suppose that service pensions, such as are permitted by the second section of the bill under consideration, are new to our legislation. In 1818, thirty-five years after the close of the Revolutionary war, they were granted to the soldiers engaged in that struggle, conditional upon service to the end of the war, or for a term not less than nine months, and requiring every beneficiary under the act to be one "who is, or hereafter is, by reason of his reduced circumstances in life, shall be in need of assistance from his country for any purpose." An other law of like character was passed in 1828, requiring service to the close of the Revolutionary war, and still another, passed in 1832, provided for those persons not included in the previous statute, but who served two years at some time during the war, and giving a proportionate sum to those who had served not less than six months.

"A service pension law was passed for the benefit of the soldiers of 1812 in the year 1871—fifty-six years after the close of the war—which required only sixty days of service, and another was passed in 1878, sixty-four years after the war—requiring only fourteen days' service."

"The service pension bill passed at this session of Congress, thirty-nine years after the close of the Mexican war, for the benefit of the soldiers of that war, requires either some degree of disability or dependency or that the claimant under its provisions should be 62 years of age; and in either case that he should have served sixty days or been actually engaged in a battle.

"It will be seen that the bill of 1818 and the Mexican pension bill, being thus passed nearer the time in which its beneficiaries were engaged than the others—one thirty-five years and to the other thirty-nine years after the termination of such wars—embraced persons who were quite advanced in age, assumed to be comparatively few in number, and whose circumstances, dependence, and disabilities were clearly defined and could be quite easily fixed.

"The other laws referred to appear to have been passed at a time so remote from the military service of the persons which they embraced that their extreme age alone was deemed not to supply a presumption of dependence and need.

"The number of enlistments in the revolution was stated to be 309,791, and in the war of 1812, 576,622, but it is estimated that on account of repeated enlistments the number of individuals engaged in these wars did not exceed one-half of the number represented by these figures: In the war with Mexico the number of enlistments is reported to be 112,230, which represents a greater proportion of individuals engaged than the reported enlistments in the two previous wars.

"The number of pensions granted under all laws to soldiers of the revolution is given at \$2,069; to soldiers of the war of 1812 and their widows, \$0,178, and to soldiers of the Mexican war and their widows, up to June 30, 1885, \$7,619. This number of pensions was granted to the soldiers of a war involving a close relationship for disabilities incurred as a result of service, and it was not till within the last month that the few remaining survivors were awarded a service pension.

"The war of the rebellion terminated nearly twenty-two years ago; the number of men furnished for its prosecution is said to be 2,772,408. Under these statutes 531,576 pensions have been granted from the year 1861 to June 30, 1886, and more than 2,600 pensions have been added to the rolls by private acts passed to meet cases, many of them of questionable merit, which the general laws did not cover. On July 1, 1886, 365,673 pensions were all cases were upon the pension rolls, of whom 305,675 pensioners of the war of the rebellion and their widows and dependents; for the year ending June 30, 1886, \$75,000,000 have been appropriated for the payment of pensions, and the amount expended for that purpose from 1861 to July 1, 1886, is \$80,624,811.51.

"While annually paying out such a vast sum for pensions already granted, it is now proposed by the bill under consideration to award a service pension to soldiers of all wars in which the United States has been engaged, including, of course, the war of the rebellion, and to pay the pension to the benefit of the act of 1871 for those who have not been granted a pension under that act. It affords them an annual pension of \$12, and to their dependents, \$6 annually.

"The pension it awards is allowed to enlisted men who have not suffered the least injury, disability, loss, or damage of any kind incurred in or about the service to their military service, including those who never reached the front at all and those discharged from rendezvous at the close of the war if discharged three months after enlistment. Under the last call of the President for troops, in December, 1864, 113,303 men were furnished who were thus discharged.

"The section allowing this pension does, however, require, besides a service of three months and an honorable discharge, that those seeking the benefit of the act shall be such as are now or may hereafter be suffering from mental or physical disability not the result of their own vicious habits or gross carelessness, which incapacitates them to perform the work of labor in such a degree as to render them unable to earn a support, and who are dependent upon their daily labor for support.

"It provides further that such persons shall, upon making proof of the fact, be placed on the list of invalid pensioners of the United States, and be entitled to receive for such total inability to procure their subsistence by daily labor \$12 per month, and such pension shall commence from the filing of the application in the Pension Office, upon proof that the disability then existed, and continue during the existence of the same in the degree herein provided, that persons who are now receiving pensions under existing laws, or whose claims are pending in the Pension Office, may, by application to the Commissioner of Pensions, in such form as he may prescribe, receive the benefit of this act.

"It is manifestly of the utmost importance that statutes, which, like pension laws, should be liberally administered as measures of benevolence in behalf of worthy beneficiaries, should admit of no uncertainty as to their general objects and consequences.

"Upon a careful consideration of the language of the section of this bill above given, it seems to me to be so uncertain, and liable to such conflicting constructions, and to be subject to such unjust and mischievous application, as to alone furnish sufficient ground for disapproving the proposed legislation. Persons seeking to obtain the pension provided by this section must be now or hereafter—

"1. 'Suffering from mental or physical disability.'

"2. Such disability must not be the result of

their own vicious habits or gross carelessness.'

"3. Such disability must be such as incapacitates them for the performance of labor in such a degree as to render them unable to earn a support.'

"4. They must be dependent upon their daily labor for support.'

"5. Upon proof of these conditions they shall be placed on the list of invalid pensioners of the United States and be entitled to receive for such total inability to procure their subsistence by daily labor \$12 per month."

"It is not probable that the words last quoted, 'such inability to procure their subsistence by daily labor,' will qualify the conditions prescribed in the preceding language of the section. The 'total inability' spoken of must be 'such' inability; that is, the inability already described and constituted by the conditions already detailed in the previous parts of the section. It thus becomes important to consider the meaning and the scope of these last-mentioned conditions.

"The mental and physical disability spoken of has a distinct meaning in the practice of the Pension Bureau, and includes every impairment of bodily or mental strength and vigor. For such disabilities there are now paid 131 different rates of pensions, ranging from \$1 to \$100 per month.

"The 'total inability' to earn a support is the result of the application of the principle of gross carelessness. Practically this provision is not important. The attempt of the Government to escape the payment of a pension on such a plea would, of course, in a very large majority of instances, and regardless of the merits of the case, prove a failure. There would be that strange but nearly universal willingness to help the individual, as between him and the public treasury, which goes very far to insure a state of proof in favor of the claimant.

"The disability of applicants must be such as to 'impair their ability for the performance of labor in such a degree as to render them unable to earn a support.' It will be observed that there is no limitation or definition of the precipitating injury or ailment itself. It need only be such a degree of disability from any cause as renders the claimant unable to earn a support by labor. It seems to me that the 'support' here mentioned as one which cannot be earned is a complete and entire support, with no diminution on account of the least impairment of physical or mental condition. If it had been intended to embrace only those who by disease or injury were totally unable to labor, it would have been very easy to express that idea instead of recognizing, as it has done, a degree of such inability.

"What is a support? Who is to determine whether a man earns it, or has or has it not? Is the Government to enter the homes of claimants for pensions and after an examination of their surroundings and circumstances settle those questions? Shall the Government pay to one man that his manner of subsistence by his earnings is a support, and to another that the things his earnings furnish is not a support? Any attempt, however honest, to administer this law in such manner would necessarily produce more unfairness and unjust discrimination, and give more scope for partisan partiality, and would result in more perversion of the Government's benevolent intentions to the execution of any statute ought to permit.

"In the attempt to carry out the proposed law, the degree of disability as related to earnings for the purpose of determining whether it is necessary for the purpose of rendering it, in any way, it certainly the support which the applicant, if entirely sound, would earn, as to which he is entitled, we enter the broad field long occupied by the Pension Bureau, and we recognize as the only difference between the proposed legislation and previous laws passed for the benefit of the surviving soldiers of the civil war the inaccuracy in one case of disabilities in military service, and in the other disabilities existing but in no way connected with or resulting from such service.

"It must be borne in mind that in no case is there any grant of this proposed pension. Under the operation of the rule first suggested, if there is a lack in any degree, great or small, of the ability to earn such a support as the government determines the claimant should have, and by the application of the rule secondly suggested, if there is a reduction in any degree of the support which he might earn if sound, he is entitled to a pension of \$12.

"In the latter case, and under the provision of the proposed bill permitting persons now receiving pensions to be admitted to the benefits of the act, I do not see how those now on the pension rolls for disabilities incurred in the service, and to diminish their earning capacity, can be denied the pension provided in this bill.

"Of course none will apply who are now receiving \$12 or more monthly. But on June 30, 1886, there were on the pension rolls 202,204 persons who were receiving fifty-eight different rates of pension, from \$1 to \$175 per month. Of these 28,142 were receiving \$2 per month, \$3,116 \$4 per month, 37,254 \$6 per month, and 50,274 whose disabilities were rated at \$8 per month.

"As to the meaning of the section of the bill under consideration there appears to have been quite a difference of opinion among its advocates in the Congress. The Chairman of the Committee on Pensions in the House of Representatives, who was a member of the bill, declared that there was in it no provision for pensioning any one who has a less disability than a total disability to labor, and that it was a charity measure.

"Every patriotic heart responds to a tender consideration for those who, having served their country long and well, are reduced to destitution and dependence, not as an incident of their service, but with advancing age or through sickness or misfortune. We are all tempted by the contemplation of such a condition to supply relief, and we are often impelled by the sense of public duty. Yielding to no one in the desire to indulge this feeling of consideration, I cannot rid myself of the conviction that if these soldiers are to be relieved, they and their cause are entitled to the benefit of an enactment under which relief may be claimed as a right, and that such relief should be granted under the sanction of law, not in evasion of it; nor should such worthy objects of care, all equally entitled, be remitted to the unequal operation of sympathy or of the tender mercies of social and political influence, with their unjust discrimination.

"I do not think that the objects, the conditions, and the limitations thus suggested are contained in the bill under consideration.

I adhere to the sentiments thus heretofore expressed. But the evil threatened by this bill is in my opinion such that, charged with a great responsibility in behalf of the people, I can not do otherwise than to bring to the consideration of this measure my best efforts of thought and judgment, and perform my constitutional duty in relation thereto regardless of all consequences, except such as appear to me to be related to the best and highest interest of the country.

"GROTON, CLEVELAND,  
Executive Mansion, Washington, Feb. 11, 1887."

be opened for the establishment of facts largely within the knowledge of the claimants alone, and there can be no doubt that the race after the pension offered by this bill would not only stimulate weakness and pretended incapacity for labor, but put a further premium on dishonesty and mendacity.

"The effect of invitations to apply for pensions, or of new advantages added to causes for pensions already existing, is sometimes startling. Thus in March, 1879, large arrearages of pensions were allowed to be added to all claims filed prior to July 1, 1880. For the year from Jan. 1, 1879, to July 1, 1880, there were filed 110,673 claims, though in the year immediately preceding there were but 36,882 filed, and in the year following but 10,700.

"While cost should not be set against a patriotic duty or the recognition of a right, still, when a measure proposed is based upon generosity or motives of charity, it is not amiss to meditate somewhat upon the example which it involves. Experience has demonstrated, I believe, that all estimates concerning the probable future cost of a pension list are uncertain and unreliable, and always fall far below actual realization.

"The Chairman of the House Committee on Pensions calculates that the number of pensioners under this bill would be 33,105, and the increased annual cost \$4,741,100. This is upon the basis that those who are entirely unable to work would be the beneficiaries. Such was the principle of the revolutionary pension law of 1818, much more clearly stated, it seems to me, than in this bill. When the law of 1818 was upon its passage in Congress, the number of pensioners to be benefited thereby was thought to be 374, but the number of applicants under the act was 22,297, and the number of pensions actually allowed—20,485—costing it is reported, for the first year, \$1,847,900, instead of \$40,000, the estimated expense for that period.

"A law was passed in 1833 for the benefit of the surviving widows of revolutionary soldiers who were married after Jan. 1, 1800. It was estimated that they numbered 300 at the time of the passage of the law, but the number of pensions allowed was 3,472, and the amount paid for such pensions during the first year of the operation of the act was \$180,000, instead of \$24,000, as had been estimated. I have made no search for other illustrations, and the above, being at hand, are given as intending to show that estimates cannot be relied upon in such cases.

"No one should be pensioned under this bill except those utterly unable to work, I am satisfied that the cost stated in the estimate referred to would be many times multiplied, and with a constant increase from year to year; and if those partially unable to earn their support should be admitted to the privileges of this bill, the palpable increase of expense would be almost appalling.

"I think it may be said that at the close of the war of the rebellion every Northern State and a great majority of Northern counties and cities were burdened with taxation on account of the large bounties paid our soldiers; and the bonded debt thereby created still constitutes a large item in the account of the tax-gatherer against the people. Federal taxation, no less borne by the people than that directly levied upon them, is still maintained at the rate made necessary by the exigencies of war. If this bill should become a law, with its tremendous addition to our previous obligations, I am thoroughly convinced that further efforts to reduce the Federal revenue and restore some part of it to our people will and perhaps should be seriously questioned.

"It has constantly been a cause of pride and congratulation to the American citizen that his country is not put to the charge of maintaining a large standing army in time of peace. Yet we are now living under a war tax which has been tolerated in peaceful times to meet the obligations incurred in war. But for years past, in all parts of the country, the demand for the reduction of the burdens of taxation upon our labor and production has increased in volume and urgency.

"I am not willing to approve a measure presenting the objections to which this bill is subject, and which, moreover, will have the effect of disappointing the expectation of the people and their desire and hope for relief from war taxation in time of peace. In my last annual message the following language was used:

"Every patriotic heart responds to a tender consideration for those who, having served their country long and well, are reduced to destitution and dependence, not as an incident of their service, but with advancing age or through sickness or misfortune. We are all tempted by the contemplation of such a condition to supply relief, and we are often impelled by the sense of public duty. Yielding to no one in the desire to indulge this feeling of consideration, I cannot rid myself of the conviction that if these soldiers are to be relieved, they and their cause are entitled to the benefit of an enactment under which relief may be claimed as a right, and that such relief should be granted under the sanction of law, not in evasion of it; nor should such worthy objects of care, all equally entitled, be remitted to the unequal operation of sympathy or of the tender mercies of social and political influence, with their unjust discrimination.

"Another condition required of claimants under this act is that they shall be dependent upon their daily labor for support. This language, which may be said to assume that there exists within the reach of the persons mentioned 'labor' or the ability in some degree to work, is more aptly used in a statute describing those not wholly deprived of this ability than in one which deals with those utterly unable to work.

"I am of the opinion that it may fairly be contended that under the provisions of this section any soldier whose faculties of mind or body have been impaired by accident, disease, or age, irrespective of his service in the army as a cause, and who by his labor is left incapable of gaining the fair support he might have, and who is not so well endowed with this world's goods as to live without work, may claim to participate in its bounty; that it is not required that he should be without property, but only that labor should be necessary to his support in some degree, nor is it required that he should now receive support from others.

"Believing this to be the proper interpretation of the bill, I cannot but remember that the soldiers of our civil war in their pay and bounty received no compensation for military service as to have never been received by soldiers before since man began to walk, that never before behalf of any soldiers, have so many and such generous laws been passed to relieve against the incidents of war; that statutes have been passed giving them a preference in all public employments; that the really needy and homeless Union soldiers of the rebellion have been, to a large extent provided for at soldiers' homes, instituted and supported by the Government, where they are maintained together, free from the sense of degradation which attaches to the receipt of alms.

"THE BOYS HAVE AN APPROPRIATE NAME FOR THE PASTRY COOK AT OUR BOARDING-HOUSE," remarked the snake editor. "WHAT IS IT?" asked the horse editor. "SHE'S A DARKY FROM VIRGINIA, AND THEY CALL HER THE OLD CROW-BAR HAS A PRYER CLAIM."

THE ALTITUDE OF AN ORCHARD IN CALIFORNIA IS OVER SIX THOUSAND FEET. NO WONDER, THEN, THAT CALIFORNIA APPLES COME HIGH.

AS HER FATHER WAS HANGING AROUND, HE MERELY SAID, "I WILL SEE YOU IN DEW TIME," AND SHE KNEW HE MEANT IN THE EVENING.

A MAN HAVING FALLEN DOWN IN A FIT IN A TAILOR'S SHOP, AN ENVIOUS RIVAL SAID: "THAT'S THE ONLY FIT EVER SEEN IN THAT ESTABLISHMENT."

CARTER HARRISON SAYS WHEN HE IS RUNNING FOR OFFICE HE WOULD ACCEPT THE DEVIL'S VOTE. BUT THE DEVIL HAS NEVER BEEN NATURALIZED, AND ACCEPTING HIS VOTE IS AN IMPROBABILITY.

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SHE WAS LOOKING FOR PIECES FOR A CRAZY QUILT. "COULD YOU TEAR OFF A FEW LITTLE PIECES FROM THOSE SILK PATTERNS?" "I SHOULD BE DELIGHTED TO DO SO," REPLIED THE CLERK, "BUT YOU SEE THIS HOUSE IS IN FAVOR OF A TEAR-OFF FOR REVENUE ONLY."

UNCLE JACK (FROM WHOM BOB HAS EXPECTATIONS)—VERY ENJOYABLE, BOB. WISH I DIDN'T LIVE SO FAR AWAY, SO THAT I COULD HAVE THE PLEASURE OF DROPPING IN TO HAVE A SNACK WITH YOU AND MARY OFTEN. BOB—QUITE SO. BUT THEN, MY DEAR UNCLE, THE LESS FREQUENT YOUR VISITS ARE THE MORE WE APPRECIATE THEM.

THE RULING PASSION.

"WELL, OLD BOY, YOU SEEM IN GOOD SPIRITS," SAID JONES TO HIS FRIEND JOLLYBOY, WHO WAS IN THE LAST STAGES OF CONSUMPTION. "YOU ARE DETERMINED TO KEEP UP YOUR HEART, DESIRE AT THIS TIME AND IN THE PRESENT EXIGENCY, AS WELL AS THOSE WHO ARE WILLING TO BE OBJECTS OF SIMPLY CHANCE, TO GIVE PLAIN UPON THE PENSION ROLL THROUGH ALLEGED DEPENDENCE."

"HITHERTO SUCH RELIEF HAS BEEN GRANTED TO SURVIVING SOLDIERS, FEW IN NUMBER, VENERABLE IN AGE, AFTER A LONG LAPSE OF TIME SINCE THEIR MILITARY SERVICE, AND AS A PARTING BENEFACTION TENDERED BY A GRATEFUL PEOPLE. I CANNOT BELIEVE THAT THE VAST PEACEFUL ARMY OF UNION SOLDIERS WHO HAVING CONTENTEDLY RESUMED THEIR PLACE IN THE ORDINARY AVOCATIONS OF LIFE, CHERISHED AS SACRED THE MEMORY OF PATRIOTIC SERVICE, OR WHO, HAVING BEEN DISABLING BY THE CASUALTIES OF WAR, JUSTLY REGARD THE PRESENT PENSION ROLL, ON WHICH APPEAR THEIR NAMES, AS A ROLL OF HONOR, DESIRE AT THIS TIME AND IN THE PRESENT EXIGENCY, AS WELL AS THOSE WHO ARE WILLING TO BE OBJECTS OF SIMPLY CHANCE, TO GIVE PLAIN UPON THE PENSION ROLL THROUGH ALLEGED DEPENDENCE."

"WHICH ONE?" "GROW AND FLOW FAT. I LAUGH ENOUGH TO WEIGH A TON."