

# Calendar No. 390

69TH CONGRESS }  
1st Session }

SENATE

{ REPORT  
No. 393

## VAN DORN IRON WORKS CO.

MARCH 15 (calendar day, MARCH 17), 1926.—Ordered to be printed

Mr. BROOKHART, from the Committee on Claims, submitted the following

## REPORT

[To accompany S. 1993]

The Committee on Claims, to whom was referred the bill (S. 1993) for the relief of the Van Dorn Iron Works Co., having considered the same, report favorably thereon with the recommendation that the bill do pass with the following amendment:

Strike out line 3 and all of line 4 down to and including the word "appropriated" and insert in lieu thereof—

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Van Dorn Iron Works Company, out of any money in the Treasury not otherwise appropriated.

The bill provides for the payment of \$3,052.50 to the Van Dorn Iron Works Co. for package boxes manufactured as subcontractors and furnished to the Post Office Department by the contractors, the Columbia Supply Co., of New York, under its contract covering the period from March, 1901, to March, 1905.

The following correspondence from the Post Office Department is appended hereto and made a part of this report:

POST OFFICE DEPARTMENT.  
Washington, D. C., January 21, 1926.

Hon. RICE W. MEANS,  
Chairman Committee on Claims, United States Senate.

MY DEAR SENATOR MEANS: With further reference to your letter of the 7th instant relating to S. 1993, being a bill for the relief of the Van Dorn Iron Works Co. in the sum of \$3,052.50 for package boxes manufactured by that company as subcontractor and furnished to the Post Office Department by the contractor, the Columbia Supply Co., of New York, I have the honor to transmit herewith a copy of a communication dated August 15, 1919, by the then acting Postmaster General, transmitting all papers in the case and setting forth certain facts in connection therewith.

I am advised that this report is not in conflict with the financial program of the President.

Very truly yours,

HARRY S. NEW, Postmaster General.

AUGUST 15, 1919.

Hon. GEORGE W. EDMONDS,  
Chairman Committee on Claims,  
House of Representatives.

MY DEAR MR. EDMONDS: I have the honor to acknowledge the receipt of your letter of June 11, 1919, inclosing a copy of House Joint Resolution 63, for the relief of the Van Dorn Iron Works Co. in the sum of \$3,052.50 for package boxes manufactured by that company as subcontractors and furnished to the Post Office Department by the contractor, the Columbia Supply Co., of New York, under its contract covering the period from March, 1901, to March, 1905, and requesting my opinion as to the merits of the claim, accompanied by all papers or copies thereof on file in the department relating to such claim.

In reply I have the honor to transmit herewith all the papers in the case on file in this department and to invite your attention to the inclosed copy of the opinion of the Court of Claims in case No. 30824, the Columbia Supply Company v. The United States, which gives the essential facts respecting the claim.

As will be noted the last paragraph but one in the opinion of the Court of Claims seems to make the claim against the United States by the Columbia Supply Co. for any consideration for the boxes furnished res adjudicata, the court specifically stating that the petition of the plaintiff was broad enough to have included a judgment upon a quantum valebat, but that "for lack of proof it must necessarily fail." The fact remains, however, that the Government received these boxes which it retained and made use of but for which it never paid anything and from the evidence before the department, it appears that the Van Dorn Iron Works Co., apparently an innocent manufacturer, has never received any money from the Columbia Supply Co. for the boxes involved in this claim. (See the attached affidavit, dated July 21, 1919, by the vice president of the Van Dorn Iron Works Co.)

The amount which the resolution contemplates allowing the claimant is a correct computation based upon the number of boxes furnished at the price for which the claimant as subcontractor was to furnish the boxes to the contractor, the Columbia Supply Co., and is only the actual manufacturer's price.

Attention should be called to the fact that in a similar case growing out of the fraudulent conduct of the same public officials a special act was passed by Congress on June 30, 1906 (34 Stat. 656), authorizing the payment of the manufacturer's price of \$18,227.40 to the Adrian Brick & Tile Machine Co., which was the manufacturer of the boxes furnished through the Michigan Steel Box Co., whose contract by reason of fraud was found to be void by the Court of Claims (49 Court of Claims Reports, 421), the latter company having made an agreement consenting to the payment of that sum direct to the manufacturer with the understanding that it was not to be regarded as a payment of its claim beyond that sum.

Respectfully,

J. C. KOONS,  
Acting Postmaster General.

Post Office Department,  
Washington, D. C., January 27, 1920.

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{ REPORT  
No. 394

## TO AUTHORIZE CERTAIN OFFICERS OF THE UNITED STATES NAVY TO ACCEPT FROM THE REPUBLIC OF HAITI THE MEDAL OF HONOR AND MERIT

MARCH 15 (calendar day, MARCH 18), 1926.—Ordered to be printed

Mr. HALE, from the Committee on Naval Affairs, submitted the following

### REPORT

[To accompany S. 3110]

The Committee on Naval Affairs, to whom was referred the bill (S. 3110) to authorize certain officers of the United States Navy to accept from the Republic of Haiti the medal of honor and merit, having had the same under consideration, report favorably thereon with the recommendation that the bill do pass.

Under date of March 2, 1926, the Secretary of the Navy stated that the Navy Department had no objection to the enactment of this proposed legislation.

The bill authorizes Commander A. L. Parsons, United States Navy, and Lieut. Commander Ben Moreel, United States Navy, both of the Civil Engineer Corps of the Navy, to accept the medal of honor and merit tendered them by the Republic of Haiti in appreciation of services rendered that Government.

The Secretary of State, under date of August 26, 1924, wrote as follows to the Secretary of the Navy in connection with the record of Commander Parsons while on duty as engineer in chief of Haiti:

DEPARTMENT OF STATE,  
Washington, August 26, 1924.

THE SECRETARY OF THE NAVY.

SIR: I have the honor to transmit herewith the originals, with translations, of letters from the President of Haiti and the minister of public works of that Republic to Commander Archibald L. Parsons, who has just completed his tour of duty as engineer in chief of Haiti.

I wish to take this opportunity to express my appreciation of the notable service which Commander Parsons has performed as a treaty official in Haiti. He has established a highly efficient organization in the department of public works, and has done much through his energy and administrative ability to

assist in carrying out the obligations imposed upon this Government by the treaty of 1915. He leaves behind him in Haiti an enviable record of achievement.

I have the honor to be, sir,  
Your obedient servant,

CHARLES E. HUGHES.

DEPARTMENT OF STATE,  
Washington, November 13, 1924.

The SECRETARY OF THE NAVY.

SIR: I have the honor to transmit herewith a copy of a dispatch from the American high commissioner at Port au Prince inclosing copies of seven letters addressed to Lieut. B. Moreell on the occasion of his departure from Haiti.

I have the honor to be, sir,  
Your obedient servant,

J. BUTLER WRIGHT, *Assistant Secretary*  
(For the Secretary of State).

OCTOBER 20, 1924.

The SECRETARY OF STATE,  
Washington, D. C.

SIR: I have the honor to forward herewith, seven letters addressed to Lieut. B. Moreell (C. E. C.), United States Navy, by the following under the dates indicated: The President of Haiti, September 22, 1924; the President of Haiti, September 24, 1924; the secretary for public works, September 19, 1924; Manager Conan, September 24, 1924; directeur principal of the Christian Brothers, August 16, 1924; Mr. W. E. Bleo, vice president and manager, the Electric Light Co. of Port au Prince, September 20, 1924; Mr. J. Lelio Joseph, order of Masons, Port au Prince, September 12, 1924.

Lieutenant Moreell has left Haiti after four years of service as executive officer of the direction general of public works. His record of service has been most praiseworthy and he has performed his duties in a capable, efficient, and energetic manner.

It is requested that the attached letters of commendation be forwarded to the Navy Department to form a part of the official record of this officer.

I have the honor to be, sir,  
Your obedient servant,

JOHN H. RUSSELL.