

Calendar No. 127

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SENATE

{ REPORT
No. 124

FOR THE RELIEF OF THE ESTATE OF WILLIAM P. NISBETT

FEBRUARY 1 (calendar day, FEBRUARY 2), 1926.—Ordered to be printed

Mr. FERRIS, from the Committee on Post Offices and Post Roads, submitted the following

REPORT

[To accompany S. 1360]

The Committee on Post Offices and Post Roads, to whom was referred the bill (S. 1360) for the relief of the estate of William P. Nisbett, sr., deceased, having considered the same, report favorably thereon and recommend that the bill do pass without amendment.

There also is attached hereto a letter from the Postmaster General giving the views of his department on the bill.

POST OFFICE DEPARTMENT,
Washington, D. C., January 25, 1926.

Hon. GEORGE H. MOSES,
Chairman Committee on Post Offices and Post Roads,
United States Senate.

MY DEAR SENATOR MOSES: In reply to your letter of the 11th instant, relative to Senate bill No. 1360, for the relief of the estate of William Nisbett, sr., deceased, formerly postmaster at Big Rapids, Mich., I take pleasure in submitting the following statement of the facts in the case as shown by the records of the department.

On December 1, 1922, under the provisions of the act of January 21, 1914 (38 Stat. 278), as amended by the act of July 2, 1918 (40 Stat. 754), Mr. William Nisbett, then postmaster at Big Rapids, Mich., filed in the office of the solicitor of this department a claim for credit on account of \$200 in postal funds, \$20,487.38 in postage stamps, \$37.78 in money-order funds, and \$5 in war savings funds lost in the burglary of the post office.

The evidence submitted with this claim establishes the following state of facts: That on the night of November 20 or early morning of November 21, 1922, the Federal building occupied by the post office at Big Rapids, Mich., was forcibly entered by prying up one of the rear windows; that both inner and outer doors of the vault, as well as the two steel doors of the steel chest within the vault, were burned through with an acetylene torch and opened; that the net loss consisted of \$20,487.38 in postage stamp stock, \$37.78 in money-order funds, and \$5 in Treasury savings funds, or a total of \$20,530.16, and that the

public funds and property lost in the burglary had received the best protection available.

Under date of February 1, 1924, in accordance with the act above cited, the facts in this case were reported to Congress, the amount of the claim being in excess of \$10,000, with the recommendation that authority be granted to credit the postmaster's accounts in the amount lost in the burglary.

In a communication dated January 22, 1926, addressed to the chairman of the Committee on Claims, House of Representatives, in response to his request for my opinion as to the merits of bill (H. R. 6226) for the relief of the estate of William P. Nisbett, sr., deceased, on account of this loss, I said:

"It appearing that this loss resulted from no fault or negligence, in the opinion of the department the pending bill is meritorious and I recommend its enactment into law."

The facts in this case have been communicated to the Bureau of the Budget, in conformity with Circular No. 49 of that bureau, and in a letter dated January 19, 1926, the Director advised that my recommendation, as above quoted, is not in conflict with the financial program of the President.

Very truly yours,

HARRY S. NEW, *Postmaster General.*

REPORT

(To accompany H. R. 6226)

The Committee on Post Office and Post Roads, to which was referred the bill (H. R. 6226) for the relief of the estate of William P. Nisbett, sr., deceased, having considered the same, report favorably thereon and recommend that the bill be passed without amendment. There is also attached hereto a letter from the Postmaster General giving the views of his department on the bill.

Post Office Department,
Washington, D. C., January 23, 1926.

Hon. GEORGE H. MOORE,

Chairman, Committee on Post Office and Post Roads,
United States Senate.

My Dear Senator Moore: In reply to your letter of the 11th instant, relative to Senate bill No. 1800, for the relief of the estate of William Nisbett, sr., deceased, former postmaster at Big Rapids, Mich., I take pleasure in submitting the following statement of the facts in the case as shown by the records of the department.

On December 1, 1922, under the provisions of the act of January 21, 1914 (38 Stat. 278), as amended by the act of July 3, 1915 (40 Stat. 756), Mr. William Nisbett, then postmaster at Big Rapids, Mich., filed in the office of the collector of this department a claim for credit on account of \$200 in postal funds, \$20,457.38 in postage stamps, \$27.75 in money-order funds, and \$5 in war savings bonds lost in the burglary of the post office.

The evidence submitted with this claim established the following state of facts: That on the night of November 30 or early morning of November 31, 1922, the Federal building occupied by the post office at Big Rapids, Mich., was forcibly entered by prying up one of the rear windows; that both inner and outer doors of the vault, as well as the two steel doors of the safe, which within the vault were burned through with an acetylene torch and opened, that the loss consisted of \$20,457.38 in postage stamp stock, \$27.75 in money-order funds, and \$5 in Treasury savings funds, or a total of \$20,530.18, and that the