

FRANCIS SWEENEY

FEBRUARY 7, 1927.—Committed to the Committee of the Whole House and ordered to be printed

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

REPORT

[To accompany H. R. 15867]

The Committee on Claims, to whom was referred the bill (H. R. 15867), for the relief of Francis Sweeney, having considered the same, report thereon with a recommendation that it do pass.

Attached herewith is the report from the Department of Commerce, which is made a part of this report.

DEPARTMENT OF COMMERCE,
BUREAU OF LIGHTHOUSES,
Washington, January 15, 1927.

Memorandum for the Secretary of Commerce:

1. Referring to communication dated January 6, 1927, from the chairman of the Committee on Claims, House of Representatives, Washington, D. C., inclosing copy of bill (H. R. 15867) for the relief of Francis Sweeney:

2. As stated in bureau memorandum to the department under date of January 29, 1926, in regard to the relief of John E. Luby, assistant engineer on lightship *No. 58*, the bureau considers that the claims of the employees on this vessel when it sunk on December 11, 1905, are just, and recommends approval of the inclosed bill, if there be no objection to the bill by the Director of the Bureau of the Budget. It may be stated that H. R. 7403, for the relief of Mr. Luby referred to above, was approved by the Bureau of the Budget, was passed by Congress, and approved by the President on June 2, 1926.

G. R. PUTNAM,
Commissioner of Lighthouses.

BUREAU OF LIGHTHOUSES, *January 29, 1926.*

Memorandum for the Secretary of Commerce:

1. Referring to your letter of January 16, 1926, from the chairman of the Committee on Claims, House of Representatives, addressed to the Secretary of Commerce, inclosing (H. R. 7403) a bill for the relief of John E. Luby, of New Bedford, Mass.

2. On March 11, 1905, relief light vessel No. 58 foundered on Nantucket Shoal after a terrific gale, her officers and crew being rescued by the lighthouse tender *Azalea* which had attempted to tow her into port. On January 30, 1906, the Secretary of the Department of Commerce and Labor addressed a letter to the Secretary of the Treasury submitting sworn statement of the value of the effects of the officers and crew of this light vessel in the total sum of \$1,622.91 in which there was an item for John E. Luby, assistant engineer, in the sum of \$85.71. In this letter the Secretary of the Treasury was requested to take proper measures to induce Congress for payment of this amount to reimburse employees for their loss of personal effects. The records of this office do not indicate action taken in the matter, but so far as is known no appropriation was made covering any of these claims. There is also inclosed letter of the Auditor for the Navy Department, dated March 8, 1906, addressed to this department, together with reply thereto of the Lighthouse Service with reference to claims of three naval radio electricians who were also on board this vessel. These persons were employees of the Navy Department and it is understood that appropriations were made from time to time on certified claims for clothing lost by Navy personnel where such loss or destruction was without fault or negligence on the part of the claimants. This office, however, has no record of the action taken in the cases of the three naval radio electricians who were on this boat at the time of its sinking.

3. This service considers that these claims are just, and that the bill should be so worded as to include the losses of all the employees, if practicable, or to the heirs, if any, of such of these men as have died.

4. Before approving the bill, however, it should be referred to the Director of the Bureau of the Budget for his approval, pursuant to Budget Circular No. 49, December 19, 1921. When this is obtained, it is recommended that this department's approval be given.

G. R. PUTNAM,

Commissioner of Lighthouses.