

JAMES W. HOWELL.

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MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

RETURNING,

WITH HIS OBJECTIONS, THE BILL (S. 24) ENTITLED "AN ACT  
FOR THE RELIEF OF JAMES W. HOWELL."

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MARCH 18, 1902.—Read; referred to the Committee on Military Affairs and ordered  
to be printed

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*To the Senate of the United States:*

Senate bill No. 24, entitled "An act for the relief of James W. Howell," is herewith returned without approval.

This is not a bill which confers jurisdiction. It is mandatory in its character, directing the Secretary of War to revoke and set aside the proceedings, findings, and sentence of a court-martial held thirty seven years ago. I do not at this time express an opinion upon the constitutional questions involved in the bill. It is enough to say that this man was convicted of mutiny, sentenced to be dishonorably discharged from the Army, and confined at hard labor for a term of years. A portion of the confinement was remitted by Executive clemency. It is to the last degree improbable that now, thirty-seven years after the event, there is as good an opportunity to pass judgment upon the facts as was the case when the fellow-officers of the offender found him guilty of an offense so serious as to call for the punishment they inflicted. There is perhaps no other heritage an American would so like to leave to his children as an honorable discharge for services well and gallantly performed in the civil war; and the honorable discharge thus granted to those who with blood and toil have earned it is cheapened and rendered of little worth if also granted to their unworthy brothers who have forfeited the right to receive it.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 15, 1902.*

[S. 24, Fifty-seventh Congress of the United States of America: at the first session, begun and held at the city of Washington on Monday, the second day of December, one thousand nine hundred and one.]

*An act for the relief of James W. Howell.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized and directed to revoke and set aside general orders, numbered ten, Headquarters United States Forces, Pine Bluff, Arkansas, July thirty-first, eighteen hundred and sixty-five, issued by G. M. Mitchell, colonel commanding, approving the proceedings, findings, and sentence of the general court-martial in the case of James W. Howell, of Company H, Fifty-fourth Regiment Illinois Infantry Volunteers, and then to issue to said Howell an honorable discharge as of date July thirty-first, eighteen hundred and sixty-five: *Provided,* That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

D. B. HENDERSON,  
*Speaker of the House of Representatives.*

WM. P. FRYE,  
*President of the Senate pro tempore.*

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