

He was subjected to the indignity of undressing and exposing his person in a nude condition soon after arriving at Fort McKinney before soldiers present, and later in the afternoon was ordered to stand in a line with other prisoners and compelled to stand up with them; the name of A. J. Heath was called three times and he was ordered to answer; he refused to answer and said "I am not Heath, but Hatheway, and I will not answer to any name but Hatheway." An officer then said "That man in civilian's clothes step out;" he being the only man in civilian dress stepped out, when he was reconducted to cell A (see plan) and an official document was presented to him whereon he found these words "Q. M. Department, Fort McKinney, Wyoming, A. J. Heath, Private, Co. K, 5th Cavalry; four blankets;" he told the officer, whom he afterwards ascertained was one Capt. Wm. C. Forbush of the 5th U. S. Cavalry, that he could not sign that paper as his name was not Heath, whereupon he was again ordered by the officer to sign the paper by the name of Heath, but he again refused; he was then told by Capt. Forbush: "You may either sign that paper or freeze; you will not get any blankets until you sign the name of Heath." Capt. Forbush then ordered him to be placed in solitary confinement; he has since learned that this was done by order of Col. Compton; he was then taken to cell marked B (see ground plan appended) and locked up. This cell is about three and one-half feet wide by about eight feet long, with stone floor; side and door of wood interlaced with strong iron bars; no opening for light and ventilation, except in the roof, which was of interlaced iron; door solid and cell devoid of furniture of any kind; cell also damp, very cold and so dark that he could not see to eat; he was deprived of bedding and covering, except his overcoat, which had not been taken from him; the night was very cold and sleep was impossible; he was kept confined in this dark and damp cell until the 26th, without blankets or bedding or warmth, and in cell A from the 26th to the 1st day of March without blankets or bedding, but was a little better off for warmth; during this period he was subjected to frequent examinations; Colonel Compton and other officers were repeatedly told he was not Heath. Once he was taken to a soldier in the sick quarters who said he thought he was the *younger* and *taller* of *two* Heaths and again a sergeant said he thought he was the *older* and *shorter* of the *two* Heaths; he offered to purchase blankets but was denied the privilege; he was denied the privilege of going near the fire to warm himself from and after being confined in cell B, and until March 1st he was confined in cell A with a *convict* named Hughes. He was denied all communication except one interview with his counsel, and except also the examinations by the soldiers; he was denied pen and ink, though allowed a pencil; his letters were all inspected by the military. The continued strain so effected him and he was so evidently sick on the 1st of March that he was allowed the liberty of the guard-house; on the 10th of March he was allowed the privilege of the garrison and on the 18th of March was sent to the hospital; at nine o'clock the same night he was awakened and ordered to take his bed again to cell A and was conducted there by a soldier with carbine in hand; on the 19th of March he was again sent to hospital where he remained till March 21st, when he was again confined in the guard-house, this time in the room of the sergeant of the guard, but he was allowed a stove and bedding; on March 22nd he was paroled for the garrison and subsequently returned to the hospital; on Monday, March 23rd, he was allowed the freedom of the garrison and between two and four o'clock in the afternoon Col. Compton told him he might leave Fort McKinney.

Additional facts bearing upon and aggravating his claim for compensation are in brief as follows, as will more fully appear by sworn statements appended hereto and made a part hereof: It is shown by the affidavit of Claimant marked Exhibit J, that during the time he was confined without fire or blankets, bedding or furniture of any kind in the cell marked B on the plan of the prison heretofore submitted in this case and made a part thereof, between the 23rd and 26th of February A. D. 1885, after he had been ordered into solitary confinement, having refused to sign the name of Heath at the request of one Capt. Forbush, and after having been told by said officer he might freeze if he would not so sign, and that he could not have any blankets if he did not sign the name of Heath, an officer came to the cell B where he was confined, with three nice blankets and said in effect to him: "Here, Heath, are three nice warm blankets you can have if you will sign this receipt;" he told that officer he would sign his own name, that of Hatheway, but not the name of Heath; the officer seemed to be very angry at his refusal and took the blankets away. He was then very cold, in truth and in fact nearly frozen as it seemed to him; his suffering was almost unendurable, but he made up his mind to suffer any pain or hardship imposed rather than sign a false name to any paper, and he did not sign. (See Claimant's affidavit marked Ex. J.) It is further shown by claimant's affidavit attached hereto and marked Exhibit K, that before his confine-