

JAMES B. SINCLAIR.

MARCH 3, 1876.—Committed to a Committee of the Whole House and ordered to be printed.

Mr. BANNING, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany bill H. R. 1071.]

*The Committee on Military Affairs, to whom was referred the bill (H. R. 1578) for the relief of James B. Sinclair, report :*

This is an act to place the name of James B. Sinclair, first lieutenant United States Army, retired, on the retired-list of the Army as a captain, (not mounted.)

James B. Sinclair was commissioned first lieutenant United States Infantry October, 1861, and served continuously during the war, and on the frontier since the war, until February, 1871, when he, then being captain Twenty-third United States Infantry, was discharged, though he was never examined by or ordered before a board, as provided by the act of July 15, 1870.

He was, March 9, 1871, upon the recommendations of Brig. Gen. E. R. S. Canby, Brig. Gen. George Crook, Maj. Gen. J. M. Schofield, Cols. Sidney Burbank, Roger Jones, W. L. Elliott, and other officers of the Army, re-appointed a second lieutenant, and retired with the rank of captain, (not mounted.) Under the provisions of the act of Congress to fix the rank and pay of retired officers of the Army, approved March 3, 1875, Captain Sinclair was, by General Orders No. 33, War Department, Adjutant-General's Office, March 23, 1875, reduced to the rank of first lieutenant.

The record of Lieutenant Sinclair is that of a brave, faithful, and efficient officer. It is shown by the certificates of five surgeons that he was wounded in action in the head, hip, upper third of the thigh, and four separate and distinct times near the knee, and that these wounds have almost entirely disabled him. It is further shown that, while Lieutenant Sinclair was a captain in the Fourteenth United States Infantry, he was urged by the Army medical officers to go before the retiring-board, and had he done so he would have undoubtedly been retired with the rank of captain, and would not have been subject to the provisions of the act of March 3, 1875. This he declined to do; but, notwithstanding his wounds, remained with his company and rendered gallant and valuable service against the Indians, as is fully set forth in General Orders No. 9, District of the Owyhee, complimenting him for gallant and meritorious services. His request is approved by the Secretary of War.

In accordance with the above facts, the committee, being of the opinion that justice requires that the petition of James B. Sinclair should be granted, report the bill and recommend its passage. (See letter of Secretary of War and General Orders No. 9, District of the Owyhee, marked A and B.)

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A.

The Secretary of War has the honor to transmit to the House of Representatives a letter from James B. Sinclair, first lieutenant United States Army, (retired,) asking that a special act be passed to place his name on the retired-list as a "captain not mounted."

For reasons stated therein, the application of Lieutenant Sinclair is respectfully recommended to the favorable consideration of Congress.

WM. W. BELKNAP,  
*Secretary of War.*

WAR DEPARTMENT, *January 3, 1876.*

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WASHINGTON, D. C., *December 30, 1875.*

SIR: I have the honor to state that I desire to apply to Congress for a special act to place my name on the retired-list as a "captain not mounted," and herewith submit my reasons for such action.

I was discharged December 31, 1870, as captain Twenty-third Infantry, being then in command of the post of Fort Boise, Idaho Territory, although I had never been examined by or ordered before a board, as provided in the act of July 15, 1870. I was appointed second lieutenant Sixteenth Infantry March 9, 1871, and was retired July 1, 1871, as a "captain not mounted," for wounds received in 1861, when commanding a company at the battle of Bull Run. This rank was lost to me by General Orders 33, War Department, Adjutant-General's Office, March 23, 1875, whereby I was reduced to the rank of first lieutenant, that being the rank I actually held when wounded.

During the war, after being commissioned first lieutenant Fourteenth Infantry, October 26, 1861, I was several times severely wounded, and on account of these wounds, after being promoted to captain Fourteenth Infantry, July 25, 1865, I was frequently urged by my superior officers, and officers of the Medical Department, to go before the retiring-board. I refused, however, and remained on duty with my company until discharged. Had I taken this advice I should have been retired with the rank of captain, and would not have become subject to the reduction imposed by the act of March 3, 1875. Many certificates on file in the War Department show these facts.

It is on these grounds, therefore, that I propose to make the effort above mentioned, believing that I should be restored to my former rank as a captain retired; and therefore desire that you will be pleased to approve of my making such an application, or that you will not deem it your duty to oppose its passage.

I have the honor to be, Mr. Secretary, very respectfully, your obedient servant,

JAS. B. SINCLAIR,

*First Lieutenant United States Army, (retired,) Bvt. Colonel U. S. A.*

Hon. WM. W. BELKNAP,  
*Secretary of War, Washington, D. C.*

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B

*General Orders No. 9.*

HEADQUARTERS DISTRICT OF THE OWYHEE,  
*Fort Boise, I. T., August 19, 1868.*

The colonel commanding the district desires to make especial mention of a recent scout made under the command of Brevet Colonel J. B. Sinclair, Captain Twenty-third United States Infantry. Starting on the morning of the 16th of July, with nine (9) enlisted men, the chief of scouts, Sinora Hicks, seven (7) Boise scouts, and eight (8) days' rations, he arrived on the Weiser, where had recently been encamped a band of thieving Snakes. On the 19th ultimo, finding the Indians had taken the alarm, he, with his command, took the trail, and persistently following it through the mountains until he captured "Eagle Eye" and his entire band of forty-one (41) in number, includ-

ing thirteen (13) men, twenty-one (21) horses, and a large quantity of dried salmon and camas root, near the confluence of the Little Salmon with the Salmon River. Not satisfied with this capture, he still remained thirteen (13) days in this country, until he convinced himself that there were no more hostile Indians in that part of the country. Having satisfied himself of this fact he returned to Fort Boise, bringing in with him the captured Indians, arriving on the 12th instant, having been absent twenty-eight (28) days, twenty of which he was *out of provisions, except such as he could procure from the supplies of the Indians*, consisting of dried roots and salmon.

For skill in execution and tenacity of purpose, the scout has seldom been equaled, and is deserving of much praise. The colonel commanding feels satisfied that this capture puts an end to Indian hostilities in that portion of the country.

By order of Brevet Colonel Otis:

L. HAMMOND,

*First Lieutenant Twenty-third Infantry, A. A. A. G., U. S. A.*

I certify, on honor, that the within is a true copy of the original.

WM. H. PENROSE,

*Captain and Brevet Brigadier-General, U. S. A.*

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