

GENERAL A. L. ANDERSON.

FEBRUARY 9, 1883.—Committed to the Committee of the Whole House and ordered to be printed.

MR. WHEELER, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany bill H. R. 4935.]

*The Committee on Military Affairs, to whom was referred the bill (H. R. 4935) to place the name of Allen L. Anderson on the retired list of the Army, having considered the same, respectfully report:*

That they find that Col. and Bvt. Brig. Gen. A. L. Anderson, United States Volunteers, graduated at the West Point Military Academy in 1859, and was appointed second lieutenant in the Fifth Regiment of Infantry. He served in General Canby's campaign against the Navajos in the winter of 1861-'62, and in various scouts and reconnaissances in the Indian country during the four succeeding years; that is to say, in each of the winters of 1862-'63, 1863-'64, 1864-'65, 1865-'66.

The committee find that General Anderson received the brevet of brigadier-general of volunteers and the brevet of major and lieutenant-colonel in the regular Army for gallant and meritorious service in the battles in which he engaged. They also find that General Anderson was subjected to exceptionally severe and prolonged exposure and hardships during said scouts and reconnaissances, and that the result of these exposures was to leave him in the fall of 1866 so broken in health that he was unfit for efficient military service, especially in the rugged mountains of New Mexico, where his company was then stationed.

General Anderson would have experienced no difficulty at that time in having his name placed on the retired list, as his condition was obviously much worse than that of many other officers who were then retired. He was deterred from making the application then, however, by conscientious considerations, based upon an erroneous opinion of his physical condition.

General Anderson knew that his injury was serious, and that his recovery must be slow, but he could not then foresee that his health was permanently impaired.

Supposing, therefore, that his disability was only temporary, he would have considered it dishonorable to have applied for retirement.

In view of his then state of health, and of the years of exceptionally hard service to which he had been subjected, he believed that he could leave the service without discredit, and he therefore, in December, 1866, tendered his resignation, which was accepted, to take effect the 13th of January, 1867.

Under ordinary circumstances, General Anderson would (now) have

no further claim upon the Government of the United States, but events subsequent to his resignation have clearly shown that at that time his health had been completely and hopelessly broken down by his hard service as aforesaid, so that, instead of resigning, his just and proper place would have been upon the retired list.

The medical testimony of the highest character (which is herewith submitted) proves that had General Anderson been more eager in 1866 to obtain the benefits and emoluments of retirement, and had he been actuated by a less exalted sense of duty, he would not now find it necessary to apply for relief, and your committee respectfully submit that to inflict upon him now a penalty for his want of more than human foreknowledge, and for conscientiousness displayed in the past, would be unjust on the part of the government.

General Anderson has continued in an enfeebled state of health, so that at no time during this period could he have performed efficient military duty, and during much of the time he has been enabled to attend to active business in civil life.

While General Anderson has been the loser by failing to apply for this relief, the government has been the gainer thereby, and the committee are of opinion that his delay in making this application, cannot affect in any way the merits of his case, and therefore should not be allowed as a technical objection to prejudice his claim.

Your committee find that his physical condition is so obvious as to prevent his obtaining an insurance upon his life. They also find that when he applied, in the summer of 1879, to be insured in the Mutual Life Insurance Company of Connecticut, the agent of that company demurred from having him examined by the company's medical examiner, on the ground that he would certainly be rejected, and his chance of obtaining insurance in another company thereby lessened; that though he had previously obtained insurance for \$1,000 in a small mutual insurance association (the Young Men's Mutual Life Association), the same association since that time declined to permit him to reinsure his life therein.

Your committee submit this as an additional consideration for making the same provision for General Anderson as for other disabled officers.

In support of the above statements as to his health, your committee submit the accompanying affidavit from Dr. Robert Bartholow, late of Cincinnati, and now of Philadelphia, who was formerly in the medical corps of the Army, and served in New Mexico at the same time with General Anderson, and who has been his medical adviser constantly from 1872 till August, 1879.

In consideration of the above facts, your committee respectfully report back the bill H. R. No. 4935, with recommendation that it pass.