

MAJ. GEN. W. W. AVERELL.

JUNE 28, 1888.—Committed to the Committee of the Whole House and ordered to be printed.

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

REPORT:

[To accompany bill S. 1650.]

The Committee on Military Affairs, to whom was referred the bill (S. 1650) for the relief of Maj. Gen. W. W. Averell, having had the same under consideration beg leave to submit the following report :

A bill for the purpose above indicated was favorably reported from the Committee on Military Affairs at the first session of the Forty-seventh Congress, and again at the first session of the Forty-eighth Congress, and by that Congress passed with certain amendments.

The committee, in recommending, as we do, to the House the passage of the present Senate bill No. 1650, "authorizing the retirement of Bvt. Maj. Gen. William W. Averell with the rank and pay of a captain," do not deem it necessary to enter into any full account of the military services of that officer during the time he was connected with the regular Army. These services and their results were so great and conspicuous as to have passed into the history of the country, and to have become familiar knowledge with all the members of the House. We shall do no more in this regard, therefore, than to attach to this paper an abstract of his military history, as derived from the official records of the Government, which we make Exhibit A, together with a list of the battles in which General Averell was engaged, which has been furnished to the committee by the Adjutant-General of the United States Army, and which we make Exhibit B. For the purpose of indicating the relations sustained to these engagements by General Averell, we have added to the report of the Adjutant-General those parts of Exhibit B which are embraced in brackets.

Since, however, the principal grounds upon which this application to be placed upon the retired list is based are disability and incapacity, which are "the result and incident" of the said service, and because this fact is, in its nature, one which can not be fully disclosed by the public records, we have thought it best to obtain and attach to this paper such a statement of the nature of General Averell's services, the circumstances under which they were rendered, the injuries and wounds he received, and of the effect of the service upon his health, as would be the most reliable as based on actual personal knowledge, and would show the nature of such disability, and that it is "the result of an incident of the service."

Such a statement we hereto attach, marked Exhibit C, dated 25th January, 1879, addressed to Hon. Horace B. Strait, of the Military

Committee of the House of Representatives, by W. D. Stewart, brevet lieutenant-colonel and late surgeon of United States Volunteers. It will be seen that this officer was a member of General Averell's staff, was his constant companion throughout the late war, and is, of all others, perhaps the most competent person living to give true and full information as to the arduousness of the general's services, the nature and effect of his wounds and disabilities and the causes thereof, and of the danger to his life to be apprehended from his continuing in the service after the period at which his growing disabilities compelled him to resign, as explained by Dr. Stewart in his said letter.

This resignation occurred on the 18th of May, 1865, and not until he had passed through all the perils, exposures, and hardships of the entire war, had seen the complete restoration of peace, had written in his country's history one of its most brilliant chapters, and had learned, by his failing health, that he could no longer endure the exposures of the camp, even in time of peace. We can not be mistaken in saying that in the innumerable examples of patriotic service furnished by the late war no one combines in it more of constant and protracted exposure, danger, and exhausting toil, greater demand for vigilance, sagacity, energy, and self-reliant command, more masterly ability, both in plan and execution, or more uniform success in campaign or battle, than is shown in the services of General Averell.

When at last he was prompted to resignation by the effect of his honorable wounds, there was no law in existence which suffered him to be retired with the rank and pay which he had long held in the volunteer army, and in which he had led as commander portions of our armies to some of their most important victories.

To this fact we call special attention in connection with the other fact, that in precisely one year two months and thirteen days after his said resignation, the Congress did, for every citizen of the United States who sustained to the country the identical relation which General Averell sustained as a disabled officer of the regular Army on the day of his resignation, precisely what the present bill proposed to do for him now. The Congress, on the 28th of July, 1866, passed a general act authorizing every "*officer of the regular Army, entitled to be retired on account of disability occasioned by wounds received in battle, to be retired upon the full rank of the command held by them, whether in the regular Army or volunteer service, at the time such wounds were received.*" These are the words of the act as found in 14 Statutes at Large, page 337, section 32.

All that the present bill, if enacted into law, will do for this distinguished officer is to put him on the retired list, with the *same* honors and pay which the general laws of the land would have bestowed upon him, and did, in fact, bestow upon every citizen in his condition only a little more than a year after his resignation.

No extension of this statement can add anything to the force of the facts which we embody in the exhibits which we annex to the paper, and we therefore here conclude it.

EXHIBIT A.

Regular Army Record.

Graduated from United States Military Academy and appointed brevet second lieutenant Mounted Riflemen July 1, 1855; second lieutenant Mounted Riflemen May 1, 1856; first lieutenant Mounted Riflemen May 14, 1861; captain Third Cavalry July 17, 1862;

brevetted major March 17, 1863, for gallant and meritorious services at the battle of Kelly's Ford, Virginia; lieutenant-colonel November 6, 1863, for gallant and meritorious services in the action at Droop Mountain, Virginia; colonel, December 15, 1863, for gallant and meritorious services during the Salem expedition; brigadier-general, March 13, 1865, for gallant and meritorious services in the field during the rebellion; and major-general, March 13, 1865, for gallant and meritorious services at the battle of Moorfield, Va. Service: On duty at Carlisle Barracks, Pa., from December 15, 1855, to August 27, 1857, when he left with recruits to join his regiment; joined regiment November 27, 1857, and served with it in New Mexico, to (wounded in action with Navajo Indians on night of October 8-9, 1858, and absent, sick, on account of wounds, to February 22, 1859), March 30, 1859; on sick leave and S. C. D. to June 7, 1861; on mustering duty at Elmira, N. Y., to July 2, 1861; acting assistant adjutant-general to Brig. Gen. A. Porter from July 5 to October 7, 1861. (See Volunteer record below.) Resigned as captain Third Cavalry May 18, 1865.

Volunteer Record.

Mustered in as colonel Third Pennsylvania Cavalry October 7, 1861, to rank from August 23, 1861, and served with his regiment in the Army of the Potomac to October , 1862. Appointed brigadier-general of volunteers September 6, 1862.

Service: Commanding cavalry brigade, Army of the Potomac from October, 1862, except when on sick leave from September 5 to 24, 1862, to February 22, 1863; Second Cavalry Division, Army of the Potomac, to May 4, 1863, when ordered to report to the Adjutant-General of the Army; and, on May 13, 1863, was ordered to Philadelphia, Pa., to await further orders.

Assumed command of the Fourth Separate Brigade of the Middle Department May 23, 1863, which became the First Separate Brigade, Department of West Virginia, in June 1863, and commanded it to January 20, 1864; on leave of absence to February 9, 1864; commanding Fourth Division, Department West Virginia, to April 26, 1864, and Second Cavalry Division, Department of West Virginia, to September 23, 1864, when relieved by General Sheridan and ordered to Wheeling, W. Va., to await further orders; awaiting orders until he resigned, May 18, 1865. The list of battles in which General Averell participated has not been fully made up; this report is not held for that, as it would involve a considerable delay; the list will be sent in as soon as completed if required.

E. D. TOWNSEND,
Adjutant-General.

EXHIBIT B.

List of battles and other actions in which W. W. Averell, late colonel Third Pennsylvania Cavalry and brigadier-general of volunteers, participated during the war of the rebellion, as shown by the records of the Adjutant-General's Office.

- Bull Run, July 21, 1861; [acting assistant adjutant-general, regular brigade.]
 Siege of Yorktown, April 5, May 4, 1862; [Colonel Third Pennsylvania Cavalry.]
 Williamsburgh, May 4 and 5, 1862; [Colonel Third Pennsylvania Cavalry.]
 Malvern Hill, July 1, 1862; [commanding rear guard.]
 Sycamore Church, August 2, 1862; [in command, commanding brigade cavalry.]
 White Oak Swamp, August 5, 1862; [commanding brigade cavalry.]
 Upperville,
 Markham,
 Corbin's Cross-Roads,
 Gains's Cross-Roads,
 Amissville, } November 2-10, 1862; [commanding brigade cavalry.]
 Hartwood, February 25, 1863; [commanding Second Cavalry Division.]
 Kelly's Ford, March 17, 1863; [in command, commanding Second Cavalry Division.]
 Stoneman's raid, including skirmishes of Rapidan Station and Ely's Ford, etc., April 29-May 8, 1863; [in command, commanding Second Cavalry Division.]
 Beverly, July 3, 1863; [in command, commanding Fourth Separate Brigade.]
 Hedgesville, July 19, 1863; [in command, commanding Fourth Separate Brigade.]
 Rocky Gap, August 26, 1863; [in command.]
 Droop Mountain, November 6, 1863; [in command; drove enemy for first time out of West Virginia; captured 3 guns and trains after severe engagement.]
 Cove Gap, May 10, 1864; [in command; severe and successful engagement with General John Morgan's forces, preventing his junction with Jenkins against General Crook, at Dublin; was severely wounded.]
 Lynchburgh, June 17 and 18, 1864; [commanding two divisions of cavalry.]

Liberty, June 19, 1864; [commanding two divisions of cavalry.]
 Buford's Gap, June 20, 1864; [commanding two divisions of cavalry.]
 Carter's Farm, July 20, 1864; [in command; defeated Ramseur's division of Early's
 army and Vaughn's division of cavalry; captured 4 guns.]
 Winchester, July 24, 1864; [commanding division of cavalry.]
 Moorfield, August 7, 1864; [in command; defeated McCausland's division; cap-
 tured 4 guns and one-quarter of the enemy's forces and horses.
 Martinsburgh, August 31, 1864; [in command.]
 Bunker Hill, September 2, 1864; [in command.]
 Opequon, September 19, 1864; [commanding division cavalry; captured 1 gun and
 3 field works.]
 Fisher's Hill, September 22, 1864; [commanding division cavalry; captured several
 guns and over 400 prisoners.]
 Mount Jackson, September 23, 1864; [commanding division cavalry.]

E. D. TOWNSEND,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE,
 Washington, D. C., January 25, 1879.

EXHIBIT C.

WASHINGTON, D. C., January 25, 1879.

MY DEAR SIR: As one of the numerous friends of Bvt. Maj. Gen. W. W. Averell, I have the honor to submit for your consideration the following statement of facts embracing my personal, official, and professional knowledge of his extensive and arduous military service during the late war of the rebellion, and the results upon his health as manifested at the time and subsequently developed and which still continue:

Early in 1861 I was commissioned a "surgeon of the United States Volunteers," and immediately assigned to duty as medical director on the staff of General Andrew Porter, U. S. Army, at that time in command of the provost guard of the Military District of Washington, including the District of Columbia and Alexandria County, Va. General Averell, at the time indicated, was acting assistant adjutant-general (with rank of captain) to General Porter, and was at that time suffering from manifest physical disability caused by a wound received in battle with the Indians two years previous, in New Mexico, resulting in an oblique fracture at the upper third of the left femur or thigh bone, and causing permanent shortening of the left leg by $1\frac{1}{2}$ inches. This resulting disability had been much intensified by the great fatigue and exposure incurred by him as bearer of dispatches to Colonel Emery, at Fort Arbuckle, Ind. T., in February, 1861. From this time to May 18, 1865, the date of General Averell's resignation from the United States Army, my professional and official relations to General Averell were intimate and almost continuous.

I was his medical director during the important and exhaustive marches, campaigns, and battles in which he commanded in the Military Department of West Virginia, particularly in the unparalleled and continuous march of twenty-three days and nights from New Creek, W. Va., to Salem, on the Tennessee Railroad, destroying said railroad for many miles, and the extensive depots of supplies assembled there for General Longstreet's army in December, 1863, and during the most terribly cold weather known for years. In this march of indescribable hardships, difficulties, and dangers, cutting entirely loose from the Federal lines and depending upon subsistence obtained in the enemy's country, and almost surrounded by an enemy greatly superior in numbers, in mid-winter, General Averell's health sustained serious permanent injury from which he has never, and never will, recover, and under circumstances the most favorable to be hoped for will always remain disabled for life. On the return march from Salem, W. Va., after accomplishing the destruction of the railroad and extensive depots of rebel supplies at that important point, General Averell was, in consequence of the failure of promised and expected co-operation, compelled to literally cut his way through an enemy many times outnumbering his command, over a mountainous and almost roadless country, by unfrequented and indirect roads leading through narrow mountain gorges, the streams largely swollen by continuous rains and hail into apparently impassable rivers, forbidding, in their rushing torrents, the idea of attempting to cross, and yet crossing by swimming his command, artillery, and ambulance train at frequent intervals, in all of which, without cessation or intermission, day or night, General Averell, at the head of his command, led every movement—the weather so cold, the air so piercing, that after swimming the streams our clothes would be frozen stiff on our persons as ice itself.

Thus, through swimming torrents of freezing water, and over mountainous by-roads or paths glazed with ice, almost entirely without food or fire for three days and nights, General Averell led his command, not once seeking or favoring his own personal comfort, until he had successfully eluded the enemy, and reaching Martinsburgh, W. Va., himself and his command almost exhausted from fatigue, hunger, and exposure. The effect of this long and terrible exposure was immediately perceptible on the health of General Averell, soon resulting in an attack of malarial remittent fever, complicated with the most serious hemorrhage from the bowels I ever witnessed or have ever known to recover. This was still further complicated by a fall General Averell received while visiting pickets at night, some two days previous to his being confined to his bed, by which accident he sustained the fracture of a rib.

The cessation of hostilities and close of the war left General Averell such serious physical disability—the result of such long-continued and exhaustive service—as to make it very doubtful if it were prudent for him to remain in the Army, with the liability, almost a certainty, of being ordered to the frontier, where he would not have either the rest or comforts essential to the repair and recovery of his health, to that extent which he even might hope for by remaining here in immediate reach of all those appliances which his shattered and exhausted health required—these circumstances caused his resignation, which I deemed at the time called for, and justified by reason of the facts which I have indicated. The muscular atrophy of the fractured limb (left thigh), with permanent shortening of *one and a half inches*; frequent painful neuralgic attacks, resulting from the lacerated gunshot wound of the scalp, received at the battle of Wytheville, Va.; the fractured rib, and the permanent impress upon his organization; his long, arduous, and exhaustive services, make his claim to the favorable consideration of Congress and the gratitude of the country one of peculiar and quite exceptional merit.

In what I have said in the foregoing brief history of the facts of which I was personally cognizant and familiar, I have but attempted to discharge a pleasant duty I feel incumbent upon me to a meritorious and faithful officer, who has lost his health and spent his best manhood in his country's service, and of whom it will ever be the pleasantest memory of my life to recur to the subordinate official relation I had the honor to sustain to him, or to serve him in the future in any way possible.

I have the honor to be, your obedient servant,

W. D. STEWART, M. D.,

Brevet Lieutenant-Colonel and late Surgeon United States Volunteers.

Hon. HORACE B. STRAIT, M. C.,
Committee on Military Affairs.

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