

WILLIAM C. SPENCER.

MAY 8, 1888.—Committed to the Committee of the Whole House and ordered to be printed.

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

REPORT:

[To accompany bill H. R. 2445.]

*The Committee on Military Affairs, to whom was referred the petition for the relief of William C. Spencer, submit the following report:*

William C. Spencer was appointed as second lieutenant in the Second United States Infantry, June 18, 1855, and served with said regiment in Minnesota and Nebraska until the spring of 1861.

During the Sioux troubles of 1857 in Minnesota, Lieutenant Spencer rendered such gallant and meritorious services to the United States Government as called from the commanding general of the Army the following complimentary order:

[General Orders No. 14.]

HEADQUARTERS OF THE ARMY,  
New York, November 13, 1857.

[Extract.]

This rule, however, must have marked exception—that of Bvt. Maj. T. W. Sherman, Third Artillery, who, in August, 1857, marched, at short notice, with his battery from Fort Snelling to the Indian agency at Yellow Medicine, Minnesota Territory, and by his promptitude, judgment, and firmness preserved the country from a war with the Mississippi tribes of the Sioux Nation. In this connection Second Lieut. William C. Spencer, Second Infantry, is commended for his gallant bearing on the occasion of his demanding, alone, the Indian murderer from the armed warriors of the tribe.

By command of Brevet Lieutenant-General Scott.

IRVIN McDOWELL,  
Assistant Adjutant-General.

The battery of artillery commanded by Maj. Gen. T. W. Sherman (now dead) was surrounded and to all intents taken by the Sioux Indians. His sentinels were stoned off post, and the warriors straddled his cannon, and in various other ways insulted the command. Lieutenant Spencer, with Company K of the Second Regiment United States Infantry, made a march of 40 miles in about six hours, and relieved the command.

On the next day he rendered the services referred to in the above order. To this General Sherman certifies in the following manner:

It gives me pleasure to certify, to whom it may concern, that W. C. Spencer, of Maryland, was well known to me in the years 1858 and 1859, when he was a lieutenant of the

Second United States Infantry, U. S. Army, and that he was under my command for a short time in the summer of 1857 at the Upper Sioux Agency of the Yellow Medicine River, Minnesota, where he distinguished himself by his coolness and intrepidity when sent with an interpreter to the Sioux camp to demand a culpable warrior, and when he was surrounded by the braves of the nation and threatened with instant death, seeing that any attempt of defense on his part would be worse than useless, handed his pistols to his interpreter, dismounted his horse, bared his breast to the muzzles of their pieces, and begged them to fire, which act of energy and abnegation was so appreciated by the braves that they became completely disarmed of their intentions through their appreciation of his bravery; and he no doubt prevented a bloody war with the Sioux Indians, which certainly would have taken place had they carried out their threats.

This signal act was highly commended by Major-General Scott in general orders. And it gives me pleasure to say, also, that the personal and military character of this officer, so far as I had the means of observation when stationed in Minnesota, was above reproach at all times and under all circumstances.

T. W. SHERMAN,  
Major-General, U. S. Army.

NEWPORT, R. I., December 31, 1873.

General William F. Barry, of the Army, also wrote of the same event in a most complimentary manner, in a letter written after the war, when he commanded the Artillery School at Fortress Monroe in 1874, and indorsed Lieutenant Spencer as a brave soldier and high-toned gentleman.

General N. H. Davis, late Inspector-General, U. S. Army, in a communication written at New York City, January 10, 1874, states that in his opinion Lieutenant Spencer, Second Infantry, to which regiment he (General Davis) then was attached, rendered the country excellent services, at the great risk of his life, in quelling a bloody fight between the frontier settlers of Crow Wing, Minn., and the Chippewa Indians in 1858, after a number had been killed and wounded on both sides.

The records of the War Department show that no officer of the line of the U. S. Army, at the breaking out of the late war, stood higher in ability, both as an officer and gentleman, than Lieut. W. C. Spencer, and as a proof of this he was promoted by the recommendation of the Adjutant-General of the Army to the position of senior captain of the Seventeenth Regiment of United States Infantry, and was intrusted with the organization of the first four companies of the regiment at Fort Preble, Portland Harbor, Maine, in the summer of 1861.

Capt. W. C. Spencer, in the spring of 1862, marched out of the capital against the Confederates, under General McClellan, and entered actively in the campaign against Richmond, and participated in the battles on the Peninsula until the 24th of June, 1862. On that day he was informed of the arrest of his uncle, Judge R. B. Carmichael, of Maryland, who was dragged off the bench while holding court at Easton, Md., and was beaten nearly to death by roughs and *home-guard* Maryland volunteers.

When the true state of the case was reported to the President, Mr. Lincoln, he ordered the judge's unconditional release from prison, which Secretary of War Stanton did under protest.

Captain Spencer, on hearing of his uncle's arrest, and the circumstances attending it, uttered such sentiments as caused his arrest for disloyalty, and he was incarcerated in Fortress Monroe for a short time, after which he joined his command, and went into action at the second Bull Run, the charge of disloyalty still hanging over him.

Although he was mentioned for great gallantry on that field by General D. B. McKibben, Second Battalion, Fourteenth U. S. Infantry, after a large number of his comrades had fallen the aforesaid charge still rested over him, and, in December, 1862, he was for the third time

ordered to the Army headquarters for trial, and was again refused, because the testimony was not all present against him. Feeling the bad treatment of the Government which he had so bravely upheld and fought in defense of, and seeing no redress in the future, he resigned in December, 1862.

In the spring of 1863, the certificate of Mrs. Lafayette Foster, widow of the late Senator from Connecticut, at that time president of the Senate, proves that, at the request of Captain Spencer, her husband made application to have him re-instated in the U. S. Army, and was refused by Secretary Stanton. The records of the War Department at that date show the re-instatement of a number of officers of the U. S. Army, who resigned from the Northern States at the time that General McClellan was relieved from command of said Army. A joint resolution of the Maryland legislature in 1886, understanding the circumstances fully of the gross outrage committed on that distinguished jurist, the Hon. R. B. Carmichael, vindicated by decision of his Excellency, the President, Mr. Lincoln, and the consequent action of Captain Spencer, passed a unanimous resolution asking Congress to re-instate him on account of his meritorious record and loyalty to the Government as an Army officer. The records of the War Department, at the date of Captain Spencer's resignation show that an officer of the Army, under charges, should be tried by court-martial within thirty days, yet in this case the record proves that this officer was under charges (for disloyalty) from the 23d of June, 1862, to the date of his resignation, December 11, 1862, *five months and eighteen days*.

Your committee would furthermore state that the proceedings of Congress show the re-instatement of a number of officers in the Army who were dismissed at the breaking out of the late war, and among them are the cases of Colonel Wise, of the artillery of Maryland, and Capt. Nathaniel McLane.

In reports of the Forty-ninth Congress, the assertion was made that Captain Spencer sought re-instatement to be placed on the retired list, which was a mistake, as he seeks, and always has sought, the *active list*.

On account of the services he has rendered the Government, your committee recommend his re-instatement, accordingly, on the retired list, and that the retired list is extended for this purpose, and this purpose only.