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Doctor David H. Maxwell

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H.R. Rep. No. 55, 25th Cong., 2nd Sess. (1837)

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DOCTOR DAVID H. MAXWELL.

[To accompany bill H. R. No. 67.]

DECEMBER 14, 1837.—Reprinted.

JUNE 9, 1836.

Mr. E. DARLINGTON, from the Committee of Claims, made the following

REPORT:

The Committee of Claims, to which was referred the petition of Doctor David H. Maxwell, report :

That the petitioner states he entered the service of the United States on or about the 13th day of April, 1813, as a private in Captain Williamson Dunn's company of mounted rangers, and continued in the service of the United States until the 16th day of March, 1814; that said company, with other companies of rangers, was employed in traversing the frontiers, and in occupying the different stations and block-houses, so as to protect the inhabitants from the hostilities of the Indians. That as no provision had been made by Government for affording medicines and medical attendance for the sick and wounded of said companies; and as, from the nature of the service and the wilderness country through which they had to act, both medicines and medical attendance were indispensably necessary, and without which, individuals and the service would suffer, said petitioner, at the instance and request of the officers and privates, furnished medicines and surgical instruments, and performed the duties of surgeon and physician to said company; that he continued to perform those duties from within a few days after he entered the service until discharged therefrom, in March, 1814. That for a long time he rendered like services for two companies of rangers under the commands of Captains Bigger and Peyton, as also for the volunteer militia under the command of Colonel William Russell, an officer of the United States army, while on an expedition against the principal Indian towns on the Wabash river, and other frontier places; and that he afterwards performed like services for a company of United States infantry, stationed at Fort Harrison, most of whom were in a deplorable state of sickness, without medical aid, as the physician at said fort had been for many weeks confined to his bed with sickness. The petitioner further states, that he furnished medicines at his own expense for said companies of rangers, volunteer militia, and infantry, to the amount, in cost or value, of two hundred and fifty dollars; and the surgical instruments used in said service, and destroyed, or rendered valueless by it, cost him seventy dollars: of these sums one hundred and fifty dollars was repaid by the

officers and men of his company. Petitioner also alleges, that while in the service at Fort Harrison, he was attacked with fever, which afflicted him for about fourteen months, and broke and impaired his constitution; in consequence of which, he has suffered from ill health ever since, and is thereby compelled almost wholly to quit the practice of his profession, on which a large family depends for support. His present situation induces him to present his claim to Congress for such compensation as his services and said expenditures of money may justly and equitably entitle him to.

In support of his claim, petitioner produces the certificate of the honorable John Tipton, who states that he was an officer of volunteer militia in the service of the United States against the hostile Indians, in the Indiana Territory, during the summer of 1813; and that a corps of United States rangers were on the same tour in which Dr. D. H. Maxwell served; that he attended to the sick and wounded, furnishing his own medicines and surgical instruments, for all which he received no compensation from the volunteers.

The certificate of Captain Williamson Dunn, and other officers of the company of rangers of which petitioner was a member, certifies that petitioner furnished medicines and surgical instruments, and attended to the sick and wounded of said company, from the 13th of April, 1813, until the March following, when the company was disbanded; that when other companies were associated, he extended like services to them, particularly to the United States infantry at Fort Harrison, at which place petitioner was sick himself.

Captain Bigger, who commanded a company of rangers, and Joseph Bartholomew, colonel of a regiment of militia, both certify to the value of the medical services rendered by petitioner.

The petitioner also produces the certificate of the honorable William Hendricks, proving his entering said service, and the great value of his professional services, not only to said Dunn's company, but to the other companies united with it. Mr. Hendricks speaks of the petitioner as a man of much medical reputation and respectability of character, who was for many years president of the State Medical Society of Indiana, was a member of the convention which formed the State constitution, and often a member of the legislative body of that State.

The committee are satisfied that the medical services rendered by the petitioner were very valuable to the service, and that he is entitled to compensation for the same, and for the medicines and damage to surgical instruments, furnished by him for the benefit and use of the troops, deducting from the amount to be estimated the sum repaid him by his company for medicines, and his regular pay as a private ranger, heretofore received by him from Government.

As the committee have not sufficient data before them to ascertain the just amount that should be paid, a bill is reported referring the settlement of the claim to the proper accounting officers of the Treasury.