

1-31-1879

## Report : Petition of E. Benham and F. Potter

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## IN THE SENATE OF THE UNITED STATES.

JANUARY 31, 1879.—Ordered to be printed.

Mr. BRUCE, from the Committee on Pensions, submitted the following

## REPORT:

[To accompany bills S. 1741, 1742.]

*The Committee on Pensions, to whom was referred the petition of Elizabeth McNeil Benham and Frances McNeil Potter, daughters of General John McNeil, U. S. A., praying to be granted a pension, have had the same under consideration, and report:*

John McNeil, of New Hampshire, was appointed a captain of infantry March 12, 1812, and had charge of the troops at Concord, and subsequently at Plattsburg, where he was charged also with the supervision of the drilling of the new soldiers. In August, 1813, he was promoted to the rank of major, and marched to Burlington in command of a regiment. In July, 1814, he served in Brown's division in Sacket's Harbor, until he was ordered with his regiment in July to the frontier at Niagara. During an attack by the enemy Colonel Campbell, of the Eleventh Regiment, fell, and the command of the regiment devolved upon Major McNeil.

The action of this officer at this battle, known in history as the battle of Chippewa, was supposed by his superior officers to have had a determining influence in securing the success of the American Army. General Scott, in his report, said: "The self-possession of Major McNeil under fire was unequalled, and the flank movement of the gallant McNeil in this important battle turned the fortunes of the day and gave victory to the American troops." General Jesup declares, "I followed the Eleventh Regiment with my command over the bridge. I had ample opportunity of witnessing the conduct of Major McNeil. He formed his regiment under fire of the enemy with the accuracy of a parade, and every word of command he gave could be distinctly heard far beyond his own line. He promptly availed himself of every advantage presented, and he wielded his force with as great coolness and judgment as the accomplished chess-player displays in the management of his men on the chess-board; and Major McNeil, on his own responsibility and without orders, made this decisive movement at Chippewa." General Scott, in his report to General Brown, said: "Major McNeil deserves everything which conspicuous skill and gallantry can win from a grateful country." He subsequently commanded the Eleventh Regiment at the battle of Lundy's Lane, and in this engagement he exhibited not only the military tact, judgment, and bravery that had been exhibited in the battle of Chippewa, but was severely wounded and rendered a cripple for life. He subsequently served in 1824 on the Indian frontier. His death, which occurred in Washington, February, 1850, was com-

memorated appropriately by the action of both houses of Congress, which were then in session, eulogies being delivered upon him by Mr. Hibbard in the House and Mr. Hale in the Senate. This officer was, for merit and gallantry in the service, promoted from a captaincy to the rank of brevet brigadier-general, and not only devoted his time to the service of the country through a long series of years, but finally succumbed to the effect of wounds received and diseases contracted in the service.

The petitioners, the daughters of the deceased officer, are in necessitous circumstances, and appeal, in their distress, to Congress for relief, believing that the valuable and faithful services of their distinguished father entitle them to this consideration from his grateful countrymen.

The committee believe that this claim is a meritorious one and recommend the passage of the accompanying bills.

