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Report : Petition of W. McNamara

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IN THE SENATE OF THE UNITED STATES.

MAY 17, 1882.—Ordered to be printed.

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

REPORT:

[To accompany bill S. 1749.]

The Committee on Military Affairs, to whom was referred the bill (S. 1749) for the relief of William McNamara, have had the same under consideration and recommend its passage.

It appears that first sergeant William McNamara, of Troop A, Fourth Cavalry, is a soldier of over twenty-five years' service. The following is his record: Discharged as private, October 3, 1861; character, "excellent"; re-enlisted same day, discharged March 25, 1864; character, "very good"; re-enlisted same day, discharged as sergeant March 25, 1867; character, "excellent"; re-enlisted as sergeant same day, discharged as first sergeant March 25, 1872; character, "excellent. As a soldier, faithful and reliable; as a non-commissioned officer, one of the best in the service"; re-enlisted same day, and discharged as sergeant March 25, 1877; character, "excellent"; re-enlisted March 26, 1877, and discharged as sergeant January 24, 1879; character, "excellent"; enlisted at Fort Clarke, Texas, September 12, 1879; and now serving as first sergeant, Troop A, Fourth Cavalry. During his service as a private, he took part in several Indian engagements, and was for a long time one of General Albert Sydney Johnson's orderlies during the Utah expedition. During the war he took part in the following battles, viz: Chickamauga, West Point, Okalona, Dallas, Lovejoy's Station, Selma, Columbus, Nashville, and Pulaski. He was twice selected as a bearer of a flag of truce; once at Waterloo, Ala., and again after the battle of Selma, when he was the bearer of a flag of truce to General Forrest. Since the war, he has taken part in the following Indian fights, viz: North Fork of Hubbard Creek, Texas; Phantom Hill, Texas; North Fork of Red River, Indian Territory; North Fork of Powder River, Wyoming Territory; and Famished Woman's Fork, Kansas. In 1872, he was awarded a medal of honor for gallantry in an affair with hostile Indians. In 1879, he asked for his discharge under the following circumstances: His wife's health became very much impaired, and he was anxious that she should return to Ireland. He had a considerable sum of money deposited with the paymaster, which, under the law, he could not draw until discharged. He accordingly asked that he be discharged and allowed to re-enlist immediately, and then be granted a furlough. In this way he would be enabled to get his deposited money, and settle his family in Ireland, and then return. This application, which was strongly

indorsed by his commanding officer, was not granted, and he then applied for his unconditional discharge, which was granted. After settling his family he returned and enlisted. On re-enlisting he had been out of service over thirty days, and consequently lost the benefit of his continuous service, and was simply entitled to pay under the act of August, 1854, or \$16 a month as a private, or \$25 a month as a first sergeant. If he had been continuously in the service his pay would have been \$22 a month as a private, or \$31 as first sergeant; at the time of his discharge he was drawing pay for over twenty years' service. He has been in the Fourth Cavalry since its organization, and has always borne an excellent reputation. The circumstances under which he was discharged were unusually trying; and it seems hard that a soldier of his service and character should be deprived of the benefit of his long and excellent service.

Your committee therefore recommend the passage of the accompanying bill, as amended (S. 1749), for his relief, which simply is intended to give him the pay and allowances he would be entitled to if his service had been continuous and uninterrupted by his discharge.

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