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James William Abert.

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JAMES WILLIAM ABERT.

APRIL 30, 1894.—Committed to the Committee of the Whole House and ordered to be printed.

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

REPORT:

[To accompany H. R. 2582.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 2582) for the relief of James W. Abert, herewith submit the following favorable report:

James W. Abert was admitted as a cadet to West Point in 1838; graduated in 1842, and assigned brevet second lieutenant Fifth U. S. Infantry. For fuller explanation of Maj. Abert's services, your committee herewith submit the record from the War Department by R. Williams, adjutant-general.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, January 23, 1893.

Statement of the military service of James W. Abert, late of the U. S. Army, compiled from the records of this office.

He was graduated at the U. S. Military Academy, July 1, 1842, and appointed brevet second lieutenant Fifth Infantry July 1, 1842; transferred to topographical engineers, May 24, 1843; second lieutenant topographical engineers, May 27, 1846; first lieutenant topographical engineers, March 3, 1853; captain topographical engineers, July 1, 1856; major, Corps of Engineers, March 3, 1863; resigned June 25, 1864. He was brevetted lieutenant-colonel June 25, 1864, "for faithful and meritorious services in the valley of the Shenandoah from June, 1861, to September, 1862.

He joined his regiment October 16, 1842, and served with it in Detroit, Mich., to May, 1843. Assistant topographical engineer on the survey of the Northern Lakes to August, 1844; on duty in the Topographical Bureau, at Washington, D. C., to March, 1845; assistant topographical engineer on surveys west of the Mississippi to November, 1845, and preparing his report thereon at Washington, D. C., to May, 1846; on expedition to New Mexico, in the war with Mexico, to March, 1847, and preparing his report thereon at Washington, D. C., to June, 1848; assistant professor of drawing at the U. S. Military Academy to August, 1850; awaiting orders to February, 1851; assistant topographical engineer in the improvement of the Western rivers, and surveying military reservations to March, 1856; in the Seminole Indian campaign in Florida (on leave April to November, 1857) to January, 1858; under orders for duty with the Utah expedition to May, 1858; assistant topographical engineer on improvement of Western rivers to March, 1860; on leave in Europe to May, 1861; chief engineer officer on the staffs of Gens. Patterson and Banks, on the Upper Potomac; in the Shenandoah Valley, and in the northern Virginia campaign from June, 1861, to September, 1862, when, having been injured by a fall from his horse, he was granted sick leave of absence; on sick leave to July, 1863; undergoing examination before a retiring board to September, 1863; assistant engineer on the staff of Gen. Gillmore, in the Department of the South from October 10, 1863, to May, 1864, when he tendered his resignation, which was accepted June 25, 1864.

R. WILLIAMS,
Adjutant-General.

It will be seen by this report that Maj. Abert has been twenty-six years of the most valuable period of his life in the service of the Government. True to the military characteristics of his ancestors the ambition of his life was to serve in military organization of his native country. His grandfather, coming here with Rochambeau, and his father, chief of the Topographical Department of the Army when he retired, is indicative of the spirit and natural tendencies of Maj. Abert in relation to his personal ambitions.

Mr. Abert is credited with the authorship of some of the first and best maps of some of the Territories and parts of the United States that has been produced. He was a brave and gallant officer, naturally retiring in his disposition. It is not to be wondered at that he was many times overslaughed by younger and more ambitious officers.

Maj. Abert had his horse shot from under him at South Mountain, from which he received a severe injury in the shoulder and left arm, and from the effects of which his left arm is now almost powerless.

Your committee submit the statement of Maj. Abert in reference to his services during the war from June, 1861:

In 1861, in June, I joined Gen. Robert Patterson's army at Hagerstown, Md.

On the day of the combat with Stonewall Jackson at Falling Waters, Va., 2d of July, 1861, I was placed on the staff of Gen. Keim, of Pennsylvania.

On the 1st of August, 1861, I became chief engineer on the staff of Gen. Banks, and was recommended by him to Gen. McClellan for colonelcy of a regiment of sappers and miners December 21, 1861; served with Banks' army in the Winchester Valley. On the 24th of May, I placed Collins' men behind the stonewall at Middletown, Va., and riding forward with a band of stragglers drew the fire of the enemy. My pontoon train, in charge of S. T. Abert, enabled the troops to cross safely to the north side of the Potomac without losing a man. After the battles of the 23d, 24th and 25th of May I served with Gen. Banks in the valley of the Rappahannock until, after the second battle of Bull Run; then I served on the staff of Gen. A. S. Williams, who succeeded to the command of the Twelfth Corps. On the 17th of June I rebuilt the bridge at Cedar Creek, and on the 12th of July reconstructed at Williamsport 15 of the pontoon boats which had been captured at Jackson.

On the 24th of May, at the combats of Middletown and Strasburg, I pointed out a safe road of retreat and assisted in saving the scattered troops. We gathered together De Forest's cavalry, Tompson's cavalry, Hamptons' Pennsylvania battery, a wagon train, Collins' zouaves, and fragments of several infantry regiments. Most of this little army crossed successfully at Hancock, Md.

I was with Gen. McClellan's army when he drove Gen. Lee out of Frederick City, Md., and received a severe injury from the fall of my horse, 14th of September, 1862, while approaching the battlefield of South Mountain. I had to be carried off the field and was sent to Washington, where I was under treatment of Surg. Gen. Barnes on sick leave of absence from September, 1862, to July 23, 1863. Before retiring board July 23 to September 3, 1863. I have never entirely recovered from the concussion to the nervous centers then received; indeed, my sight, memory, and hearing were so injured that I have now pending a claim for disabilities incurred, and which are set forth in the statement of Dr. Gardiner, U. S. surgeon.

March 3, 1863, I was transferred to the engineers.

March 3, 1863, I was made major of engineers.

On September 3, 1863, being still in feeble health, I was ordered to duty in a Southern climate with Gen. Q. A. Gillmore at the siege of Charleston, S. C., and I served with him and with his successor, Gen. Foster.

In June, 1864, while in New York City awaiting a steamer for New Orleans, I heard of the illness of my wife. I obtained leave of absence for ten days to visit my family in Newport, Ky., and finding my wife so ill that her life was in danger, I felt it incumbent upon me to offer my resignation; returning to New York City to await the action of the War Department, I learned that my resignation was accepted on the 25th of June, 1864.

The long and important services I have rendered, the injustice I have endured from want of any acknowledgment on the part of the Government for services in the Mexican war and services in the war of the rebellion; the injuries I had received on the 14th September, 1862, resulting in permanent injury to my left arm and eyes and nervous system, should entitle me to be placed on the retired list.

The following affidavit, made by Maj. Abert, fully explaining and setting forth the facts with relation to the time of his leave, and his

efforts to get any leave at all, and in relation to his resignation, is more fully and explicitly set forth:

NEWPORT, KY., *April 25, 1894.*

To whom it may concern:

The dates of the papers herein referred to will make my case clear.

After a great deal of difficulty and many personal appeals by telegrams and letter to the Secretary, I finally succeeded, through the aid of some kind Washington ladies, who acted through Mrs. Stanton, and on or about the 15th of June the Secretary was induced to grant me a leave of absence with permission to go to Kentucky.

On seeing the condition of my wife, and hearing the warning of the doctors, that if I left her in her nervous state it would cause fatal results, I felt that, in such a case, if I did not tender my resignation I would ever blame myself as the murderer of my wife. So, on the 18th I sent in my resignation, and as I got no answer in time I was obliged to be back in New York before the 10th day was up, ready to take the steamship to New Orleans on the 25th.

As I had a delicacy about bringing my wife's name into official records I resorted to "personal" appeals by telegram and letters to the Secretary in order to fully explain the urgency of my case.

The paper dated the 7th June, 1864, authorized a delay en route; it is not a leave. I acknowledged it the day I received it—that is, the 11th. Had it been a leave I would have been authorized to start off instantly for Kentucky (the only leave I got was ten days, from the 15th of June to the 25th of June) and I would have been obliged to have been back in New York City on the 17th.

Respectfully submitted.

JAMES W. ABERT.

STATE OF KENTUCKY, *County of Campbell, ss:*

Comes James W. Abert, the affiant herein, and being first duly sworn says that the statements in the foregoing affidavit are true.

JAMES W. ABERT.

Sworn to and subscribed before me, by James W. Abert, this 26th day of April, 1894.

[SEAL.]

H. E. YOUTSEY,

Notary Public, Campbell County, Ky.

By reference to the above statement it will be noticed that Maj. Abert tendered his resignation in June, 1864.

The facts, which were fully presented to the committee, show that, owing to the serious illness of Mrs. Abert, a leave of ten days was granted.

Maj. Abert immediately repaired to Newport, Ky., to his home, and before the expiration of the ten days' leave of absence he was advised by the attending physicians of Mrs. Abert that his presence was essential to the recovery of his wife.

The following is a statement made by Drs. Mendenhall and Thornton:

Statement of Dr. Geo. Mendenhall.

CINCINNATI, *April 29, 1867.*

I was called in consultation on the 10th of May, 1864, to see Mrs. Jas. W. Abert in labor. I found her in a critical condition, from which she partially recovered. I was again called on the 29th of June, and found her confined to her bed with subacute inflammation of the womb, and unable to assist herself in ordinary duties pertaining to her condition. It was quite essential to her comfort and safety that she should have the sympathy and attention of her husband. She was under my care until the 19th of July, since which I have not known of her condition. Her disease was calculated to develop extreme nervousness and apprehension for her safety.

GEO. MENDENHALL, M. D.,

197 Fourth street.

NEWPORT, KY., *May 2, 1867.*

I was the family physician of Maj. James W. Abert in the year 1864, and attended on his wife during the spring and summer of that year in a long and severe illness originating in the puerperal state and kept up (in a highly nervous and excitable temperament) by subacute metritis and ovaritis for the period of about three months, from which illness her life was greatly endangered. During this time I saw her once with Dr. Blackburn, of Covington, Ky., and several times with Dr. Mendenhall, of Cincinnati.

I entertained the opinion, and so advised, that the kind and judicious sympathies and influences of her husband would exercise a very controlling and salutary influence in aid of her recovery, which proved to be the case, by her final restoration to comparative health, which it is reasonable to suppose might not have ensued from the mere medical treatment without such moral and social influences.

GEO. W. THORNTON, M. D.

Maj. Abert's leave of absence expired June 25, 1864. He asked for an extension of ten days more, coupled with the condition that if the Secretary would not grant it he would be compelled to resign, assigning for the cause of his resignation "the continuing ill-health of my wife and the attention now needed to my children compels me to take this step."

Not hearing from the Secretary of War in answer to this request, Maj. Abert returned to New York prepared to go to New Orleans to report to Gen. Canby, but on the 25th of June, above referred to, he received the acceptance of his resignation by telegram. Maj. Abert immediately repaired again to his home in Newport, Ky., and after a few days his wife began to gain strength and the doctors were encouraged to believe that she would speedily recover, and then, according to Mr. Abert's statement, he immediately reported to Washington and in a personal interview made a request to the Secretary of War, Mr. Stanton, to be reinstated in his command. Secretary Stanton said that in view of the fact that his place had been filled he did not feel justified in reducing the officers to reinstate him and thereupon refused the request. Maj. Abert made a personal appeal to President Johnson for reinstatement, but the President found that he was powerless to grant the desired relief and could not reinstate him.

He was commissioned by President Johnson lieutenant-colonel, July 27, 1868, for gallant and meritorious services.

In view of the long and meritorious services of Maj. Abert, also in view of the fact that he is now about 73 years of age, that he is almost blind, that he is practically a physical wreck and without a dollar's worth of property, and without any pension, your committee believe that it is but an act of simple justice to restore this gallant and distinguished officer to the command from which he resigned and place him on the retired list that he may end his days in peace and contentment with a little of the necessaries of life to while his brief existence away.

In reference to his present physical condition your committee beg leave to refer to the medical certificates of Dr. Robert Sattler, one of the most distinguished opticians in the West, and Dr. B. K. Rockford. Also the statement of Charles W. Yungblut:

CINCINNATI, April 6, 1894.

This is to certify that Maj. J. W. Abert has consulted me from time to time in reference to his eyes.

At the last examination I found in both eyes choroiditis (extensive) liquefaction of the vitreous, floating opacities; atrophy of the periphery of the chorois with contraction of the visual field.

In both eyes the ophthalmoscope showed general lenticular haziness and fine precipitates on the posterior lens capsule. A number of striæ (all more pronounced in the left eye) appear in the cortical substance posteriorly and in the periphery. There is also especially in the right eye, a perinuclear haziness.

The present examination (April 6, 1894) reveals essentially the same conditions with the exception that there is a positive and noticeable increase of the lenticular alterations and the perinuclear opacities and a corresponding decrease in vision.

‡ being considered normal, his vision (even with the best glasses) is now $\frac{1}{10}$ in the right eye and $\frac{1}{20}$ in the left eye.

ROBERT SATTLER, M. D.

CINCINNATI, *April 11, 1894.*

MY DEAR MRS. ABERT:

I very willingly comply with your request to give you a statement of the physical condition of Col. James W. Abert during the time I have known him.

I have known Col. J. W. Abert for seven years, and during this time he has not been able to do any kind of work.

Even when he was at his best during the time he walked with a very unsteady gait, even when supported by his cane. And I well remember that on three or four occasions he became so feeble during the hot weather of summer as to necessitate a visit to the mountains of Virginia. On two of these occasions he was so weak and helpless that he required a constant attendant for several months. Col. Abert's eyesight is now and has been for some years so bad that he passes me day after day on the street without recognizing me, and his right arm has been so much disabled during the time I have known him as to be of little service to him. He can not at present lift his arm above an angle of 45° from his body.

You may use this letter in any way you think best. If I can be of further service please let me know.

My regards to your daughters.

Very sincerely,

B. K. BACHFORD, M. D.

NO. 1513 L STREET NW.,
Washington, D. C., *April 9, 1894.*

The Committee on Military Affairs:

I wish to make a statement to you in regard to my father, James W. Abert, whose bill is now before you for placing him on the retired list of the Army. That my father is almost blind; one of his eyes he does not see out of at all, and the other eye is fast becoming blind. He does not recognize any one 3 yards away from him, and I have passed him repeatedly on the same sidewalk without his knowing who I was. Not long since when we had just parted at our own door—he going down to the garrison, I coming down there in about ten minutes, walking up to him where he was standing with some officers. He turned to one of them, and said "Who is this young lady coming towards us?" And he said "Your own daughter." I was not more than 2 yards away from him at the time. He constantly has falls, and we try never to let him go out by himself at night. Indeed, it is a well-known fact in the town where we live that he can not see, and strangers often assist him on the street, seeing him groping his way with his cane.

I could fill pages of instances of his mistakes for want of sight, which incapacitates him for any kind of business, frequently writing the wrong date, and not being able to read what he has written.

I do not wish to take up too much of your time, and therefore make my statement as brief as possible. And I feel sure you will be glad to reinstate and do justice to an old and faithful soldier, who has given the best years of his life to his country, and is now broken in health and spirits, nearly 74 years old, almost blind, and without a dollar.

Can not his condition, truthfully stated by his daughter, appeal to your hearts?

Yours, truly,

NELLIE M. ABERT.

CINCINNATI, *April 10, 1894.*

To whom it may concern:

I have known Col. James W. Abert for many years. It has been my privilege to be with him frequently and accompany him in walks to and from literary meetings, and the like. I have had occasion to notice his feeble health and almost total blindness, and can say that it is necessary to lead him with care that he might get about with safety. Since I have known him he has not had the proper use of his left arm, it being disabled in some way, and I have always understood that this, together with his feeble health and poor eyesight, was the result of injuries received in the war.

Respectfully,

CHAS. W. YUNGBLUT.

In consideration of all the facts and circumstances and services rendered your committee recommend the passage of the bill.