

University of Oklahoma College of Law
University of Oklahoma College of Law Digital Commons

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

1-30-1838

Ann S. Heileman.

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>

 Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

H.R. Rep. No. 501, 25th Cong., 2nd Sess. (1838)

This House Report is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

ANN S. HEILEMAN.

[To accompany bill H. R. No. 504.]

JANUARY 30, 1838.

Mr. GRENELL, from the Committee on Military Affairs, made the following

REPORT:

The Committee on Military Affairs, to whom was referred the memorial of Ann S. Heileman, report :

At the 2d session of the 24th Congress, the case of the memorialist was considered by the Committee on Military Affairs, and a report was made favorable to her claim, accompanied by a bill. For the want of time, this bill failed of the final action of Congress. This committee, concurring in the decision expressed in the report aforesaid, herewith report a bill for the relief of the memorialist.

FEBRUARY 14, 1837.

The Committee on Military Affairs, to which was referred the memorial of Ann S. Heileman, widow of the late Colonel J. F. Heileman, have had the same under consideration, and now beg leave to report :

The petitioner sets forth that, by an afflictive dispensation of Providence, which removed her lamented husband from this life, she has been brought to a state of desolation and wretchedness, and her infant children, having been deprived of their only support, are reduced to want; and she prays Congress to grant her such relief as they in their wisdom may deem proper, to enable her to sustain and support her helpless offspring.

It appears to your committee, on an investigation of this case, that during the last summer's campaign in Florida, Colonel Heileman was for some time afflicted with remittent fever at St. Augustine; that in the month of June, and subsequent to that attack, but before his entire recovery, he was ordered with the troops under his command to Fort Drane; that at the end of the third day's march he fell in with a body of hostile Indians, at a place called Micanopy, when a battle ensued; and that the fatigue and excitement to which he was subjected during that battle, under a scorching sun, was immediately followed by a relapse of fever and extreme exhaustion, so that he was obliged to take his bed. The next and most visible step in the progress of his disease was jaun-

dice, together with a great determination of blood to the head; and the next and last, an excessive hemorrhage from the nose, which, it appears, in a few hours terminated in his death.

Your committee have been thus particular in narrating the commencement, progress, and fatal termination, of the last illness of this gallant and meritorious officer, for the purpose, if possible, of bringing his affectionate and amiable, but disconsolate and indigent widow, together with her six little orphan and helpless children, (the oldest of whom has not yet reached its eighth year, and the youngest has never seen its father,) within the spirit, if not within the letter, of the law granting half pay pension to the widows and orphans of those officers of the army of the United States who died of wounds received in battle, or in the performance of their duty. After a careful perusal of the memorial and the testimony in this case, your committee are of opinion that the statements made in that petition of Mrs. Heileman, in relation to the last illness and demise of her late husband, corroborated and sustained as they are by the letter of Adjutant General Jones, and the deposition of Surgeon Leavenworth, who attended Colonel Heileman in his last sickness, are substantially correct; and that they, taken together, do bring this case within the spirit of the law above referred to; for it is confidently believed that the death of Colonel Heileman was occasioned by the fatigue and excitement of the battle at Micanopy, as certainly as if he had died of a wound inflicted by some deadly weapon in the hand of the enemy, inasmuch as his previously enfeebled frame could not endure the excessive heat and laborious exercise of that day. Viewing all the circumstances of this case, your committee are of opinion that it is one of those which merits the favorable interposition of Congress in behalf of suffering humanity in the person of this widow and her helpless orphans; and have therefore reported a bill for her relief.

PHILADELPHIA, *January 27, 1838.*

SIR: I have received your communication of the 19th instant, and am much gratified at being able, in reply, to state some particulars which I hope will enable Mrs. Heileman to establish the ground of her petition. Upon arriving at Garey's ferry, Black creek, from Fort Drane, about the 1st of June, 1836, I found Lieutenant Colonel Heileman there, pale, and still much indisposed, from recent illness, brought on by exposure sustained by him whilst on a scouring party which he had ordered out and accompanied, immediately upon his arrival in Florida.

Lieutenant Colonel Heileman having been directed to take command of the United States troops west of the St. John's, his headquarters to be at Fort Drane, marched from Garey's ferry for that place (seventy miles distant) on the 5th of June, with a force of dragoons and artillery, (the first commanded by Lieutenant Wheelock, the latter by myself,) and arrived at Micanopy (ten miles from Fort Drane) on the 8th June.

During the march, Colonel Heileman continued in an enfeebled and sickly state, was frequently obliged to dismount and ride in a wagon, and on the morning of the 8th, or the day previous, was so ill that it was necessary to lift him from his horse and place him in a wagon.

On the day of our halt at Micanopy, several parties of Indians being discovered a short distance from the pickets, Colonel Heileman ordered out the troops in pursuit; which pursuit, however, proved fruitless. On the following morning, the Indians again appearing, Colonel Heileman directed the troops to move forward in the same manner as they had done the day before, keeping a six pounder in reserve with himself, in order that he might direct it as circumstances should require. From his report of this affair, you will perceive that he was subjected to great fatigue in bringing forward this piece of artillery, and in returning to the pickets, which, some one of the citizens of Florida who had taken refuge in it informed him, another party of Indians was about attacking.

Upon my return to the pickets I met Colonel Heileman a short distance from them, evidently greatly exhausted. The day was sultry, and the fatigue attending an Indian fight is at any time excessive. In Colonel Heileman's enfeebled condition, it proved fatally so to him. This is shown, I think, by the manner in which his illness returned; for, two or three days afterwards, he was taken with a violent hemorrhage at the nose, which continued several days, and, the fever also returning at the same time, he died on the 27th June.

In the latter part of the following July I met Doctor Berry, of the army, at Micanopy, who was the surgeon at Picolata when Colonel Heileman was ill there, and he informed me that, upon Colonel Heileman's setting out for Fort Drane, via Black creek, he had stated to him that he was in no condition for active service, and, instead of marching for the interior of Florida, his steps should be turned to the North. But the necessity of his presence at Fort Drane Colonel Heileman considered imperative; and in a condition which, in any other profession, would have kept him to his bed, he entered on a command the active field duties of which soon terminated his existence. Doctor Leavenworth, of the army, attended Colonel Heileman during his last illness, and his opinion upon the nature and causes of Colonel Heileman's disease may prove serviceable.

The necessity of a petition from Colonel Heileman's widow shows the singularly neglected condition of the United States army in this respect. I trust that you will inform me if I can be of further service in this matter, and believe that no reflection could gratify me more than that of having contributed in any the slightest manner to the service of the widow of so gallant and accomplished an officer as the late Colonel Heileman.

I have the honor to be, sir, your obedient servant,

A. A. HUMPHREYS,

Late Lieut. 2d regiment U. S. artillery.

HON. J. M. MASON,

House of Representatives, City of Washington.

ADJUTANT GENERAL'S OFFICE,

Washington, January 28, 1837.

SIR: Agreeably to the request contained in your letter of the 27th instant, relative to the late Lieutenant Colonel Heileman, I cheerfully lay before you the best evidence within my reach, as to his recent services, and the manner in which he came to his lamented death, while serving in Florida.

Lieutenant Colonel Heileman, of the 2d United States artillery, was, on the 17th of March, 1836, ordered to Florida, where he performed the various and arduous duties incident to service in that Territory, with zeal and activity, up to the 9th June, the day on which the affair with the Indians near Micanopy occurred.

This gallant officer reached Micanopy on the 8th of the month, being at the time in a bad state of health, occasioned, no doubt, by his exposures during the heat of summer in that unhealthy part of the Territory. The day after his arrival (the 9th) the Indians, in considerable force, showed themselves on the outskirts, and orders were immediately given to make the attack. The exposure to a broiling sun, the exertions and excitement incident to such an occasion, and the fatigues of the day, were more than his then feeble state of health, it would seem, could endure; and the officer next in command there, Captain Lee, assured me it was his opinion that to the causes above mentioned may fairly be ascribed the illness which, a very short time afterwards, terminated in death. Captain Lee further stated that his exhaustion was so great that he was obliged after the battle to take his bed. My own opinion is, that Lieutenant Colonel Heileman met his fate while in the performance of service in the *line of his duty*. I sincerely hope that Congress will favorably consider the petition of the widow.

I am, sir, very respectfully, your obedient servant,

R. JONES, *Adjutant General*.

Hon. JOHN THOMSON, *of the Committee on*

Military Affairs, House of Representatives, Washington.

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE,

Washington, June 25, 1836.

GENERAL ORDER—NO. 42.

The gallantry and good conduct of the officers and troops in the action of the 10th June, with the Seminole Indians, near Micanopy, in Florida, where they met and defeated a very superior force of the enemy, merit the thanks of the President. And in consideration of the meritorious conduct of the commander of the detachment of regular troops, Major JULIUS F. HEILEMAN, of the second regiment of United States artillery, the President of the United States has been pleased, and he hereby confers on that officer the *brevet* of lieutenant colonel in the army.

By order :

R. JONES, *Adjutant General*.