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**Dr. Wm. J. J. Morrow.**

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H.R. Rep. No. 1024, 25th Cong., 2nd Sess. (1838)

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DR. WM. J. J. MORROW.

JUNE 27, 1838.

Laid upon the table.

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

### REPORT:

*The Committee on Military Affairs, to whom has been referred the petition of Dr. W. J. J. Morrow, report:*

That the memorialist was appointed on the 8th of July, 1836, by Colonel Joseph Byrd, colonel commanding the second regiment of East Tennessee volunteers in the service of the United States, the surgeon of that regiment, which formed a part of the second brigade, commanded by Brigadier General R. G. Dunlap, and immediately entered into the service of the United States as such.

On the 1st of November, 1836, a general order, No. 66, was issued by General Wool to the companies of Captains Vernon, Rogers, and Parkham, of the first regiment, and to Captains Peake and Gillespie, of the second regiment, and to the field and staff and non-commissioned staff of each regiment of East Tennessee volunteers, ordering them to return home, (not being necessary at that time in the Cherokee country,) and await, without pay, the future orders of the President of the United States, or those of the commanding general in the Cherokee country. On the 1st of November, 1836, general order No. 67 was issued, excepting the petitioner from the order No. 66, and retaining him until further orders in the service of the United States, with the pay and emoluments of an assistant surgeon.

The petitioner contends that the commanding general had no authority to issue orders to the volunteers to return home, subject to further orders, and at the same time suspending their pay: and, in corroboration of this, he states that the War Department considered the men as merely furloughed under the order No. 66, and allowed them pay to their final discharge on the 31st of March, 1837. The petitioner also contends that the general had no authority to retain him in service with reduced rank and reduced pay. In a letter from the petitioner to the honorable Jos. L. Williams, which is filed with the petition, he admits that he consented to remain in the service of the United States as an assistant surgeon, and received his pay as such, for the time he so acted.

The authority of General Wool to *furlough* the men without pay, has not, in the opinion of the committee, any necessary connexion with the merits of the present application. It is believed that the general did not

