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William Nicholls

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IN THE SENATE OF THE UNITED STATES.

FEBRUARY 22, 1865.—Ordered to be printed.

Mr. FOSTER made the following

R E P O R T .

[To accompany bill S. No. 469.]

The Committee on Pensions, to whom was referred the petition of William Nicholls, have had the same under consideration, and beg leave to report :

The petitioner entered the service of the United States in the spring of 1813 as a volunteer scout and spy. He is recorded on the rolls of the army as having enlisted on the first day of April, 1814, and as having been honorably discharged on the 31st day of May, 1815.

From the petition and accompanying testimony it appears that the services rendered by the petitioner were of great value to the country, and were attended with extreme personal hazard. Among his first exploits was a reconnoissance made to discover the position of Colonel McHugh, an American refugee in the service of the British, who, at the head of a body of Indians, had been of serious annoyance to the Americans, and for whose capture or destruction a reward and commission were offered by our authorities. The petitioner discovered the position of McHugh, and at his instigation, General Smith, the American commander, sent a detachment under Major Morgan to ambuscade the Indians. McHugh fell into the same, and was brought to the ground by a bullet fired by the petitioner, which penetrated his hip joint. He afterwards died within our lines, and petitioner was one of the guard which delivered him to the British pickets. Petitioner afterwards visited Montreal as a spy, to ascertain the situation of the place and the troops, and in this service spent nine days in great peril of his life, being once discovered by the enemy, and escaping by stratagem and by fleetness of foot. After returning from this service, and while scouting near the British lines, he was pursued by a party of four horsemen. By great activity of movement, loading his rifle as he ran, and turning from time to time to fire, he dismounted three of his pursuers, killing one of them, and frightened the fourth into flight. He rode into camp upon a horse belonging to one of the vanquished cavalymen, carrying his sword also as a trophy. In this encounter he received a severe sword cut on his left wrist. Shortly afterwards petitioner was surrounded by Indians while scouting at some distance from camp, and was compelled to take refuge in a swamp. Here he remained for two hours, standing up to his waist in ice-cold mud and water, one of his pursuers being at one time almost within reach of his hand. At length, favored by approaching darkness, he effected his escape. From the exposure incident to this adventure, he contracted a rheumatic disease, which nearly deprived him of the use of his limbs, and from which he yet suffers. While suffering from this disability he was removed to a hospital at Plattsburg, and, having become convalescent, took part in the battle at that place. He was one of those who manned the long eighteen-pounder at the end of the bridge. In

this battle petitioner received a buck-shot in his left arm, which still remains there, and has caused the arm to shrink away to a considerable degree. He also had both ankles badly lacerated by the explosion of a bomb-shell. By the blowing up of the block-house at Plattsburg, petitioner lost certified bills for extra services, to a considerable amount, which have never been replaced, although he was promised at the time of his discharge that they should be duplicated. The papers give evidence of other distinguished services on the part of the petitioner, which it is not necessary to enumerate. It also appears that he declined a commission in the service, preferring the life of a scout and spy.

At the time of his discharge he was in easy circumstances, and did not apply for a pension. Some years afterwards he made application at the Pension Office, but as he was unable to furnish the proofs required, his claim was denied. In 1844, he applied to Congress for a pension, but his petition was rejected on the ground that there was no record of his service. This proof was in existence, however, and has been attached to the present petition. A surgeon's certificate is also appended as evidence that the marks of the injuries alleged to have been received by the petitioner do exist.

The committee believe this to be a meritorious case, but in granting a pension to the petitioner they do not feel justified in going back to the date of the original petition. They therefore report a bill for his relief, giving a pension of \$8 per month, to commence on the 1st of January, 1865, the date of the completion of the proofs.