

Calendar No. 1928

71ST CONGRESS }
3d Session }

SENATE

{ REPORT
{ No. 1860

ARTHUR MOFFATT, DECEASED

FEBRUARY 17 (calendar day, MARCH 2), 1931.—Ordered to be printed

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

REPORT

[To accompany H. R. 3004]

The Committee on Military Affairs, to which was referred the bill (H. R. 3004) for the relief of Arthur Moffatt, deceased, having considered the same, reports favorably thereon with the recommendation that it do pass.

The merits of the bill are set forth in the House report thereon which is made a part of this report and reads as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 3004) for the relief of Arthur Moffatt, deceased, introduced by Mr. Manlove, having considered the same, report favorably thereon with the recommendation that it do pass.

This measure was reported favorably in the Seventieth Congress, and passed by the House. Therefore the report made at that time, which contains all the facts, is made a part of this report, as follows:

[House Report No. 2058, Seventieth Congress, second session]

The Committee on Military Affairs, to whom was referred the bill (H. R. 5932) for the relief of Arthur Moffatt, deceased, introduced by Mr. Manlove, having considered the same, report thereon with the recommendation that it do pass with an amendment as follows:

Line 9, strike out the word "July" and insert in lieu thereof the word "September."

This is a case of a soldier in the Civil War who was injured during the Seven Days' Battle of Virginia. Hearing field surgeons decide to amputate his right arm, and believing his family doctor, who was an expert surgeon, could save it, he left for home without asking permission. His arm was saved, but as the leaders were severed at the wrists, his hand was drawn stiff and became useless. He endeavored to reenlist, but was told that he was unfit for service, consequently he never returned to the service. A statement by the man's widow gives a history of his case and along with several affidavits and the report of the War Department are hereby included as part of this report.

WAR DEPARTMENT, May 27, 1926.

THE SECRETARY OF WAR:

It is shown by the records on file in my office that Arthur Moffatt was enrolled and mustered into service July 16, 1861, as a private in Company G, Sixth Wisconsin Volunteer Infantry, to serve two years, and deserted therefrom September 7, 1862, at Washington, D. C., a private. Nothing has been found of record to show that he ever thereafter returned to his command or reported his whereabouts or the cause of his absence to the military authorities of the United States, nor has anything been found of record to show that his discharge from service prior to the expiration of term of enlistment was intended by the military authorities.

Nothing has been found of record to show that this soldier was undergoing treatment at any time while in the service.

Applying to this department for the removal of the charge of desertion and for an honorable discharge in the case of this soldier, Rosalie M. Moffatt, widow of Arthur Moffatt, testified on August 27, 1912, as follows:

"After battle of Gaines Mill, in which battle he was wounded in the leaders in his right wrist, same being severed by bullet, he was examined by the surgeons, and they decided that they would amputate his hand and part of arm, after they had attended those soldiers who were more dangerously wounded. Not having confidence in the skill of these doctors, and believing that his family doctor might save his hand, when he was ordered back to await his turn he left in the confusion and went home to see his own doctor, and his family doctor saved his hand, but it was all drawn out of shape and was useless. He had no intention of deserting when he left the service."

Upon this presentation of the case the application was denied and now stands denied on the ground that the testimony submitted is insufficient to establish that the soldier absented himself from his command while suffering from wounds, injuries, or disease received or contracted in the line of duty, and was prevented from returning thereto by reason of such wounds, injuries, or disease, and because the case does not come within any of the other provisions of the act of Congress approved March 2, 1889, the law in force governing the subject of removal of charges of desertion from the records of soldiers of the Civil War.

Respectfully submitted.

ROBERT C. DAVIS,
Major General,
The Adjutant General.

STATEMENT OF MRS. R. M. MOFFATT

Arthur Moffatt, because of his youth, met with opposition and left his home and enlisted in Company G, Sixth Wisconsin Volunteer Infantry, as a private. July 16, 1861.

During the seven days' battle in Virginia he was shot at Gaines Mill, July 7, 1862. Hearing field surgeons decided to amputate his right arm, and believing his family doctor, who was an expert surgeon, could save it, he left for home without asking permission. His arm was saved, but as the leaders were severed at the wrist his hand was drawn stiff and his fingers were unbendable and useless. A Government recruiting officer told him he was unfit for service when he tried to reenlist, and that was the reason he never returned to his regiment.

As he was born December 24, 1842, and was wounded July, 1862, he was not 21 years of age. He was doorkeeper in the United States Senate Building, and had charge of Lincoln's room, and worshipped the President. He was professor of mathematics and civil engineering in the Spencerian Business College, Washington, D. C.; he was a clerk in the Indian Bureau under Commissioner Smith, being recommended by General Sherman. He was acting clerk and Indian agent in 1873 at Fort Yates, N. Dak. He trained the "Boys in Blue" in Washington, and they became efficient soldiers.

Senator Plum, of Kansas, was going to bring a bill up before the Senate to remove his disabilities but he died very suddenly from acute indigestion. Mr. Moffatt became discouraged and never applied, but became sullen and suffered all his life. He had a long, lingering illness, and our local doctors advised me to take him to Kansas City to experts. This I did, but he died August 2, 1902. When I paid debts incurred I found I had exhausted his savings and my inheritance.

As I taught five years in Washington, D. C., I began teaching in Vernon County, Mo., and continued teaching until two years ago, when my health failed and I had to quit. When I asked for a pension I was told to have his disabilities removed. We were married in Washington, D. C., in 1870, by Dr. J. W. Parker, in Calvary Baptist Church, and were never divorced or married to anyone else.

Mrs. R. M. MOFFATT.

Subscribed and sworn to before me this 23d day of December, 1926.

[SEAL.]

DILLARD F. ZIMMERMAN,
Notary Public in and for Vernon County, Mo.

My commission expires May 2, 1928.

STATE OF FLORIDA,
County of Seminole, ss:

In the matter of a claim for widow's pension of Mrs. Arthur Moffatt, widow of Arthur Moffatt, Company G, Sixth Wisconsin Volunteer Infantry.

On this 28th day of March, A. D. 1927, personally appeared before me a notary public in and for the aforesaid county, duly authorized to administer oaths, James H. Smith, aged 89 years, a resident of Altamonte Springs, in the county of Seminole and State of Florida, whose post-office address is Altamonte Springs, Seminole County, Fla., well known to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case as follows: Affiant declares that he was and is a Civil War veteran and served in Companies G and D, Sixth Wisconsin Volunteer Infantry, during the said Civil War.

He further declares that he was well acquainted with one Arthur Moffatt, who was also a member of the same company and regiment during the said war.

Affiant further declares that he knows that the statement accompanying this affidavit is true to the best of his knowledge and belief.

He further declares he is in no way related to the said Arthur Moffatt (deceased) or the wife of the said Moffatt.

He further declares that he has no interest in said case and is not concerned in its prosecution.

Dated March 28, 1927.

JAMES H. SMITH.

[SEAL.]

A. E. CLINE,
Notary Public for the State of Florida at Large.

My commission expires February 10, 1928.

STATE OF IOWA,
County of Marshall, ss:

In the matter of a claim for a widow's pension of Mrs. Arthur Moffatt, widow of Arthur Moffatt, Company G, Sixth Wisconsin Volunteer Infantry.

On this 28th day of March, A. D. 1927, personally appeared before me a notary public in and for the aforesaid county, duly authorized to administer oaths, Peter Mohrbacker, aged 81 years, a resident of Marshalltown, in the county of Marshall, and State of Iowa, whose post-office address is Station A, Box 116, Marshalltown, Marshall County, Iowa, well known to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case as follows: Affiant declares that he is a Civil War veteran and served in Companies G and D, Sixth Wisconsin Volunteer Infantry, during the said Civil War. He further declares that he was well acquainted with one Arthur Moffatt, who was also a member of the same company and regiment, during the said war.

Affiant further declares that he knows that the statement accompanying this affidavit is true to the best of his knowledge and belief. He further declares he is no way related to the said Arthur Moffatt (deceased) or the wife of the said Moffatt.

He further declares that he has no interest in said case and is not concerned in its prosecution.

PETER MOHRBACKER.

Signed and sworn to by Peter Mohrbacker before me this 28th day of March, 1927.

[SEAL.]

D. E. BUCK,
Notary Public in and for Marshall County, Iowa.

ARTHUR MOFFATT, DECEASED

DISTRICT OF COLUMBIA, ss:

This affidavit is to certify that the signers knew Arthur Moffatt intimately for many years and know that he was a disabled, wounded soldier of the Civil War, and that the statement accompanying the affidavit is true.

M. J. DYER.
M. M. DYER.

Sworn to, subscribed, and acknowledged this 14th day of February, 1925.

[SEAL.]

FRANKLIN D. SLATER,
Notary Public, District of Columbia.

My commission expires November 4, 1927.

STATE OF CALIFORNIA,
County of Napa, ss:

In the matter of a claim for widow's pension of Mrs. Arthur Moffatt, widow of Arthur Moffatt, Company G, Sixth Wisconsin Volunteer Infantry:

On this 22d day of June, A. D. 1925, personally appeared before me, a notary public, in and for the aforesaid county, duly authorized to administer oaths, Burrell Parkerson, aged 85 years, a resident of Veterans' Home in the County of Napa, and State of California, whose post-office address is Veterans' Home, Napa County, Calif., well known to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case as follows: Affiant declares that he is a Civil War veteran and served in Companies G and D, Sixth Wisconsin Volunteer Infantry, during the said Civil War. He further declares that he was well acquainted with one Arthur Moffatt, who was also a member the same company and regiment during the said war.

Affiant further declares that he knows that the statement accompanying this affidavit is true to the best of his knowledge and belief.

He further declares he is in no way related to the said Arthur Moffatt (deceased) or the wife of the said Moffatt.

He further declares that he has no interest in said case and is not concerned in its prosecution.

BURRELL PARKERSON.

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant and acquainted him with its contents before he executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me and that he is a credible person.

[SEAL.]

ERNEST COURT, Notary Public.

My commission expires October 3, 1928.

LAMAR, MO., June 20, 1925.

This is to certify that I was the family physician of Arthur Moffatt, who died at Montevallo, Mo., August 2, 1902. He was crippled by a gun wound in his right forearm near the wrist joint, which caused a stiffness and deformity of his right hand. He said he received this wound in the Civil War at Gaines Mill, Va., in July, 1862. He was a member of Company G, Sixth Wisconsin Volunteer Infantry. He was 59 years of age at the time of his death. His home was at Montevallo, Mo., but his death occurred in Kansas City, Mo., where he had gone to consult a specialist.

I know his widow, Mrs. Rose M. Moffatt, to be a woman of unquestioned integrity and deserving of any favors that may be shown her.

W. H. POPPLEWELL, M. D.

Subscribed and sworn to before me this 20th day of June, 1925.

[SEAL.]

H. W. TIMMONDS, Notary Public.

My commission will expire November 28, 1926.