

THOMAS ELLIS.

[To accompany bill H. R. No. 381.]

JUNE 10, 1854.

Mr. VAIL, from the Committee on Invalid Pensions, made the following

REPORT.

The Committee on Invalid Pensions, to whom was referred the petition of Thomas Ellis, of Platte county, in the State of Missouri, have had the same under consideration, and respectfully ask leave to report :

That the petitioner enlisted into the United States service on the 14th of October, 1826, and the muster-rolls show a continued service up to the 1st of April, 1848, when he was discharged in the city of Mexico, disabled by sickness, as stated in the surgeon's certificate hereunto annexed. Your committee annex a letter from the Hon. J. E. Heath, Commissioner of Pensions, to one of the committee. These papers show a continued service of over 21 years, and the petition sets forth that he was in active service during that time. He served as orderly to General Gaines in the Black Hawk war of 1831, and afterwards was engaged in the Florida war for about two years and seven months, under the command of Major Belknap, and was also engaged in the Mexican war; that he was in the engagements of Palo Alto and Resaca de la Palma of the 8th and 9th of May, 1846, and was at the taking of Matamoras and Monterey, in Mexico; after which he marched to Motrallis, then back to Monterey; from thence to Victoria and Tampico, where he was taken sick and left in hospital. As soon as he recovered sufficiently he was commanded to take charge, as sergeant, of a company of men, and proceed to the city of Mexico, which he did; and upon his arrival at said city he was again taken sick, and went into hospital, and was finally discharged the service, for the reasons set forth in the surgeon's certificate of the 25th of March, 1848.

Your committee are of the opinion that the length of time which the said Ellis served, change of climate, and the fatigues of the service, have completely destroyed his constitution, so as to prevent him from laboring to support himself and family, and that he is entitled to a full disability pension. We would state that his age was 43 years in the fall of 1851; and we report a bill for his relief by placing him on the invalid pension-roll at eight dollars per month from the 11th of May, 1852, during his life.

PENSION OFFICE,
May 11, 1852.

SIR: I have the honor to return herewith the papers of Thomas Ellis, accompanied by a copy of the surgeon's certificate upon which he was discharged from company I, 3d regiment of infantry. It is not in our power to furnish copies of his various discharges, as you request, as they are not on our files; but we can state that the muster-rolls show his first enlistment to have been on the 14th of October, 1826, and that he was continuously in service till the 1st of April, 1848, when he was serving out his fifth enlistment. The general laws granting invalid pensions would embrace the case, provided it could be shown, in positive terms, by the certificate of some commissioned officer under whom he served, or by an army surgeon, that the disease for which he was discharged was contracted while in the line of his duty as a soldier, the time when, and the place where it was incurred, being stated. It is also necessary that the claimant be examined by two surgeons or physicians, certified to be reputable in their profession, as to the character and degree of disability. The certificate of Col. Chandler and others is not deemed sufficiently positive and explicit.

I have the honor to be, very respectfully, your obedient servant,

J. E. HEATH,
Commissioner of Pensions.

HON. F. S. MARTIN,
House of Representatives.

I hereby certify that Thomas Ellis, a private of company I, third regiment of United States infantry, is incapable of performing the duties of a soldier, for the following reason: a physical infirmity, such as a chronic affection of the lungs, which resists all treatment.

And I further certify, that during the last three months the said invalid has been under medical treatment by me ninety days, and in the hospital ninety days, and therefore, in the opinion of the undersigned, the *interest of the service* requires that he should be discharged from the army.

Given at city of Mexico this twenty-fifth day of March, 1848.

CHAS. C. KING,
Assistant Surgeon U. S. Army.

Approved:

R. S. SATTERLEE,
Surgeon and Medical Director.

The above named Thomas Ellis was enlisted by Lieut. A. W. Bowman, of the third regiment of United States infantry, on the 16th day of September, 1844, at Fort Leavenworth. He is five feet eight and a quarter inches high, thirty-nine years of age, and by profession a soldier. During the last three months, the said invalid soldier, now

recommended to be discharged, has been on the sick list ninety days, and has been reported fit for duty, during the same period, ——— days.

B. CHANDLER,

Captain 3d Infantry, Comg. Company I.

Discharged this first day of April, 1848, at the city of Mexico, in conformity with the 32d article (revised) "General Regulations for the Army," and directions received from headquarters army of Mexico, dated March 30, 1848.

J. VAN HORNE,

Captain 3d Infantry, Comg. the Regiment.

The foregoing paper is truly copied from the original on file in the Pension Office.

J. E. HEATH,

Commissioner of Pensions.

MAY 8, 1852.

