TO CORRECT THE MILITARY RECORD OF JAMES PERRY WHITLOW

JUNE 15, 1926.—Ordered to be printed

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

REPORT

[To accompany H. R. 6921]

The Committee on Military Affairs, to which was referred the bill (H. R. 6921) to correct the military record of James Perry Whitlow, having considered the same, report thereon favorably with the recommendation that it pass.

The facts in this case are set forth in the report of the House, and that report, therefore, is appended hereto and made a part of this report as follows:

[House Report No. 733, Sixty-ninth Congress, first session]

James Perry Whitlow enlisted as a private of Captain Lewis Hills Company E Second Regiment of Nebraska, and was enrolled on the 15th day of November, 1862, to serve nine months. He was discharged from the service of the United States the 11th day of December, 1863, at Brownsville, Nebr., by reason of expiration of service, with no objection to his being reenlisted is known to exist.

The said James Perry Whitlow enlisted under his father's name, Peter Whitlow, and was discharged as Peter Whitlow, and the bill now pending before Congress is to have his military record cleared up without a bounty, pay, or allowance shall be held as accrued prior to the passage of this act.

We herewith submit the following affidavits that James Perry Whitlow served as stated, as Peter Whitlow:

Affidavit of James Perry Whitlow.
Affidavit of Charles R. Whitlow, claimant's brother.
Affidavit of Mary E. Reimers, claimant's sister.
Affidavit of Louise Byrum, claimant's sister.
Affidavit of J. M. Burris, a Civil War soldier, and now living, makes statement that he was well acquainted with the father of James Perry Whitlow and knew the facts to be as have been stated.
Affidavit of Joseph W. Good, a resident of Nemaha County, where claimant lives, has known both the father and son for more than 60 years.
Affidavit of Tom Burley, who is now living, and has been acquainted before and since the Civil War with the father and son.
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Affidavit of H. F. Higgins to substantiate the evidence as set forth in this case.
Petition and statement signed by Hon. H. R. Howe, president of the largest bank of Nemaha County.
Petition signed by most prominent, dependable citizens of Auburn, Nemaha County.

As you will notice by the affidavit of James Perry Whitlow, he is past 78 years of age and in bad health.
The affidavit of Mr. Whitlow is as follows:

STATE OF NEBRASKA,
Nemaha County, ss:

I, James Perry Whitlow, being first duly sworn upon my oath, depose:

I am now 78 years of age; reside at Auburn, Nemaha County, Nebr., and I have lived in said county and in Auburn and vicinity since the year of 1855. My father, Peter Whitlow, enlisted in Company E, in Second Nebraska Cavalry, about December, 1862. Company E of said regiment wintered at Nemaha City and about April 1, 1863, Company E, and I think also Company M, was ready to move, and on the evening of the day before said Company E moved out from Nemaha City, I went to the headquarters of the said company where I was sworn in as an enlisted man in the place of my father, Peter Whitlow.

Robert W. Furnas, afterwards Governor of Nebraska, was colonel in command of the men then stationed at Nemaha City. The morning after I was sworn in I marched with the company toward Omaha, and when we reached Omaha we remained there about a month, and at the end of the month we marched to Sioux City and remained there about a month. From Sioux City, Iowa, we marched northward until we reached Fort Lookout in what was then Dakota Territory, and remained there, I think, about one month. From Fort Lookout we continued our march northward to within about 15 miles of the Canadian line; we then turned toward home and marched to a point called White Rock Hills, and there met the Indians and had a battle with them, lost a good many men, and dispersed the Indians. We continued our march homeward and stopped about a week in Omaha and surrendered our equipment and marched to Brownville in Nemaha County, Nebr., and there was mustered out of the service some time in December, 1863.

During my service in the Army after April 1, 1863, until I was discharged in Brownville in December, 1863, I answered the Toll call under the name of Peter Whitlow.

At the time I entered the service under my father's name I was about 18 years of age, weighed 160 pounds, blue eyes, with light brown hair, was healthy, was not in the hospital any time during the period of my service. After I entered the service at Nemaha City, about April 1, 1863, my father left the company and never again had any connection with it.

My father had but little education, was not much given to writing letters, and I am unable to produce specimens of the handwriting of Peter Whitlow, either at the time of the Civil War or since. Col. Robert W. Furnas, in command of the regiment, knew affiant, and my father personally, knew that I served in place of my father, died about 12 years ago. Capt. Lou Hill, who commanded Company E, is also dead. Lieutenant Stewart, of Company E, is also dead. Among those living who know personally that I served under my father's name are my sisters, Mrs. Mary Reimers and Mrs. Louise Byram, now residing at Auburn, and my brother, Charles Whitlow, who also resides at Auburn.

The fact that I served in Company E of said regiment under my father's name was common knowledge among all the old settlers living in the central part of Nemaha County, Nebr., in 1863, and was common knowledge among the old settlers in the city of Auburn in said county and State; and further affiant sayeth not.

JAMES PERRY WHITLOW.

Subscribed to in my presence and sworn to before me this 6th day of February, 1925.

[seal.]

W. H. BOUSFIELD, Notary Public.