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

REPORT

[To accompany H. R. 9667]

The Committee on Military Affairs, to whom was referred House bill 9667, for the relief of Columbus P. Pierce, after consideration, report favorably thereon and recommend that the bill do pass.

From the evidence submitted in this case by members of Pierce's organization, including his first sergeant, the captain of his company, and the colonel of his regiment, it appears to be conclusively proven that Pierce actually enlisted and served honorably during the Civil War from about November 10, 1864, until the close of the war. The records of the War Department show that he was not regularly mustered into the service, but do show that he enlisted in Company G, Thirteenth Tennessee Cavalry. The fact that he was not regularly mustered is explained by Colonel Miller, commanding the Thirteenth Cavalry at the time, and his testimony shows that it was not any fault of the soldier that he was not regularly mustered. Colonel Miller's testimony shows further that Pierce was absent with his leave at the time that the regiment was mustered out, which accounts for his not receiving a certificate of discharge.

The report of The Adjutant General of the Army, as submitted by the Secretary of War, is as follows:

CASE OF COLUMBUS P. PIERCE, COMPANY G, THIRTEENTH TENNESSEE CAVALRY, CIVIL WAR

The Secretary of War:

The name, Columbus P. Pierce, appears on a return for Company G, Thirteenth Regiment Tennessee Cavalry, as a private, with the remark, “December, 1864, gain; December 29, 1864, Knoxville, Tenn., enlisted.” However, his name has not been found on any of the rolls on file of this organization which cover the period from September 21, 1863, to June, 1865. Nothing has been found to show that he was ever mustered into the military service of the United States as of the
organization mentioned or that he was ever paid for any service as of that organization.

With a view to establishing that he was in the military service of the United States as a member of Company G, Thirteenth Tennessee Cavalry, Mr. Pierce in 1903 furnished his own affidavit and those of First Sergt. Hamilton H. Kinnick, First Lieut. John M. Wilcox, Capt. Samuel W. Scott, all of Company G, Thirteenth Tennessee Cavalry, and John K. Miller, colonel of the regiment.

Pierce testified as follows:

"I went to the Army about November 10, 1864, at Bullsgap, Tenn., and joined Company G, Thirteenth Tennessee Cavalry Volunteers, and drew arms and clothing and served as a soldier for several months (I think till about March, 1865). I do not know why I was not mustered—probably for the lack of an opportunity, or neglect of my superior officers. I was away from the regiment by permission of my superior officers when the regiment was discharged. I was in active service, was in the fight at Bullsgap November 12 and 13, 1864, and was in the Stoneman raid in southwest Virginia in December, 1864, with regiment as before stated."

Sergeant Kinnick testified that he was first sergeant of Company G, Thirteenth Regiment Tennessee Volunteer Cavalry, from October, 1864, to September 5, 1865. That on about November 8th or 10th, 1864, Columbus P. Pierce came to the camp at Bullsgap and enlisted in that company and participated in the fight that occurred at Bullsgap, Tenn., on the 11th, 12th, and 13th of November, 1864, and served with the company on the Stoneman raid into southwest Virginia in December, 1864, and did duty as a soldier during this time. That the said Pierce remained with the company until the spring of 1865—as near as he can remember in March, 1865.

Lieutenant Wilcox testified that he was a member of Company G, Thirteenth Regiment of Tennessee Volunteer Cavalry, and served in said company as a sergeant and lieutenant. That he is well acquainted with Columbus P. Pierce. That said Pierce came to the company at Bullsgap, Tenn., about September, 1864, and volunteered in Company G, Thirteenth Tennessee Volunteer Cavalry; that he did duty with that company for four or five months, going on a raid with it into southwest Virginia in December, 1864, and was in a fight with said company at Bullsgap in November, 1864. That for some reason unknown to him said Pierce was never mustered into the service.

Captain Scott testified that he was adjutant of the Thirteenth Regiment Tennessee Cavalry, and later captain Company G, same regiment. That he is well acquainted with Columbus P. Pierce and has known him since his boyhood; that said Pierce came to the regiment some time in the early part of September, 1864, at Bullsgap, Tenn.; that he enlisted in Company G, Thirteenth Tennessee Cavalry, drew arms and uniform and served as a soldier and served with said company several months, or until some time in January or February, 1865. That he was with the company in the fight and stampede at Bullsgap, Tenn., and in the raid into southwest Virginia in December, 1864. That deponent does not now remember the cause of the soldier not being mustered. That he thinks he served four or five months.

Colonel Miller testified: "I am the same John K. Miller who was colonel of the Thirteenth Tennessee Cavalry, war 1861. I am acquainted with Columbus P. Pierce, who is an applicant for muster and discharge as a private of Company G, Thirteenth Tennessee Cavalry, war 1861. I know that said Pierce was a member of said company and regiment. That he was in regular service from about the 10th of November, 1864, to March or April, 1865. He did good and faithful service as a soldier, but was not regularly mustered in, for the reason that we had no mustering officer with us at the time he enlisted or any time during his term of service. He was absent from the regiment at the time same was mustered out, upon my leave and by my consent, and could not, therefore, be regularly discharged."

Mr. Pierce did not give his address, and it was therefore impossible to inform him that testimony can not be accepted to establish a record of service.

Respectfully submitted.

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

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
March 3, 1926

The Secretary of War.