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WIDOW OF WARREN V. HOWARD

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JANUARY 12, 1927.—Committed to the Committee of the Whole House and ordered to be printed

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

REPORT

[To accompany H. R. 15863]

The Committee on Military Affairs, to whom was referred the bill H. R. 15863, for the relief of the widow of Warren V. Howard, having considered the same, report thereon with the recommendation that the same do pass.

A similar bill (H. R. 3453) was reported to the Sixty-eighth Congress, and passed the House. The report (Rept. No. 265, 68th Cong., 1st sess.) is made a part of this recommendation.

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[House Report No. 265, Sixty-eighth Congress, first session]

The Committee on Military Affairs, to whom was referred the bill (H. R. 3453) for the relief of the widow of Warren V. Howard, having considered the same report thereon that it do pass.

The evidence filed in support of this bill shows that Warren V. Howard was mustered into service May 21, 1861, as a corporal of Company E, Second Regiment Massachusetts Volunteer Infantry, to serve three years; that on May 20, 1862, while on picket duty, he was taken prisoner, and remained a prisoner until paroled September 13, 1862; that after being exchanged he rejoined his company October 31, 1862; that while on furlough, about January 2, 1863, he missed a train which would have brought him back to his regiment in time, and that fearing his commanding officer (who is shown by the testimony of numerous soldiers of the company to have been notoriously cruel and unjust in his treatment of men under his command), and being then but 19 years of age, he did not return; but that this was not willful desertion seems to be proved by the fact that the soldier then entered the military service as a wagon master in Tennessee and there, as proved by the testimony, rendered faithful service until his return to his regiment under the President's proclamation in 1865. The testimony further shows that had he been properly received by his company officers his return under the President's proclamation would have cleared his record of the charge against it, but that instead of receiving proper treatment he was not given rations or blankets or a place to sleep, and but for the kindness of a comrade would have endured great hardship, and in response to his daily inquiries he was told that the papers in his

case had not arrived, and being thus willfully misled by his company officers into thinking that he would not be allowed to return under the President's proclamation (when as a matter of fact he had been enrolled as having so returned), the soldier returned to his home; but it is not believed that his action in so doing under the above circumstances, after the close of the war, can be considered willful desertion. It is believed, therefore, that as this soldier served faithfully practically throughout the entire war, during nearly four months of which time he suffered the hardships of a prisoner of war, he is, in view of the circumstances of the case as above set forth and described in greater detail in the evidence, entitled to the relief provided in this bill, which does not change any existing official record but will simply authorize the granting to his widow, who is of advanced age, a pensionable status for the short remaining period of her life.

