

GEORGE A. ROBERTS.

FEBRUARY 3, 1886.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. 'HARA, from the Committee on Invalid Pensions, submitted the following

REPORT:

[To accompany bill H. R. 4076.]

*The Committee on Invalid Pensions, to whom was referred the bill H. R. 4076, have had the same under consideration, and submit the following report:*

There is no dispute as to the condition of the applicant's disability from varicose veins being contracted while in the line of duty as a member of Capt. William Burbauer's company of Mankato State Militia in repelling an attack of hostile Sioux Indians upon the village of New Ulm, in the State of Minnesota, during the outbreak of said Indians, in August, 1862.

His claim was rejected on account of disability not being received in the service of the United States, but while in the service of the State of Minnesota, and further, because the claim was not prosecuted to a successful issue prior to the 4th day of July, 1874, as per section 4693, Revised Statutes. It is evident that had the applicant prosecuted his claim prior to the 4th day of July, 1874, he would have been entitled to and received a pension, but having failed so to do until the 17th day of June, 1881, he is barred by the statute. If the disability was slight, or the claimant shown to be in easy pecuniary circumstances, we would not advise any action on his claim, but from the evidence of Dr. W. R. McMaban, who swears that he has been "acquainted with claimant since 1862; was called to see him soon after his return from battle of New Ulm with the Sioux Indians; he was then suffering with varicose veins. I have treated him more or less ever since, but it continued to increase slowly to present time. It commenced as high up as the middle of the thigh and run down to the feet. On the inside of the left leg near the ankle the vein is about 3½ inches wide and 10 inches long, elevating the integument about 1 inch. The right is bad enough, but this is worse. I have consulted with other surgeons in the case. The conclusion was that an operation would be hazardous and a cure not probable." Dr. William Frisbee swears he first saw claimant in the year 1866 or 1867; was then suffering from varicose veins. "I applied silk stockings to said leg, and this last summer or spring applied rubber bandage to said limb. Leg is in bad condition."

Joshua Hodgson swears that claimant has been afflicted with varicose veins from hard marching in repelling an attack of hostile Sioux Indians upon the village of New Ulm, in Minnesota, during the outbreak of said Indians in August, 1862, to the present time. Claimant has not been at any time since 1862 able to work more than one-third of the time.

In view of the claimant's condition your committee recommend the passage of the bill.