

IN THE SENATE OF THE UNITED STATES.

APRIL 27, 1886.—Ordered to be printed.

Mr. SEWELL, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 4884.]

*The Committee on Pensions, to whom was referred the bill (H. R. 4884) granting a pension to Rose A. McManus, have examined the same, and report as follows:*

The committee find upon an examination of the papers in this case that the claimant is the widow of Isaac McManus, late a captain of Company G, One hundred and second Illinois Infantry, who died in January, 1870. They also find that the widow made application for pension in June, 1880, and that the same was rejected by the Department on the ground that "soldier's death was not due to his military service."

The report of the Pensions Committee of the House gives the following brief statement of the case:

Captain McManus enlisted August 14, 1862, and was mustered out June 6, 1865. On June 15, 1864, in battle at Lost Mountain, Georgia, he was severely wounded in the arm, the ball entering the arm just above the elbow and passed out near the shoulder, from which wound he never fully recovered. On January 1, 1870, he was taken with small-pox, and died January 15, under the circumstances as shown in the following affidavit of his family physician, Dr. C. L. Hollingsworth:

"Soldier had gunshot wound of the humerus, caries of bone being present. We finally concluded on the excision of a part of the humerus, which operation was performed by his regimental surgeons, Drs. Hamilton and Stonway, both now dead, assisted by others. They tried to form a continuity of the bone, but failed, but the soft parts finally healed up, with the exception of a complete fistula, which I succeeded in healing up in 1868, leaving the arm with a false joint. On the 1st day of January, 1870, I was called to see him and found him in the primary stage of small-pox, complaining of no unusual symptoms except his lame arm, and of that he complained bitterly, and especially of the pain in the palm of his hand. He passed through the various gradations of the small-pox without any unusual or unfavorable symptoms except the condition of said arm, which swelled up and assumed an erysipelatous inflammation, and the eruption never appeared on that arm during the whole course of the disease, while the eruption passed through the usual changes on the rest of his body with favorable indications. The local difficulty seemed to increase in the lame arm until about the thirtieth day, when, by metastasis, the unusual excitement in his arm concentrated in his brain, and the result was death in about thirty-six hours."

The logical conclusion is that death was superinduced by the condition of the wounded arm. Dr. Marshall also testifies to the dangerous condition of the arm and its serious effects upon the claimant's system.

The House report concludes as follows:

Hon. E. H. Conger, now a member of this House and of this committee, certifies that he served in the same regiment with Captain McManus during the war; saw him wounded; that he was one of the most gallant officers in the command; that he was

a man of strong physique and robust health before he was wounded ; that he saw him again in 1867, more than three years after he was wounded and more than a year after surgical operation had been performed on his arm. The arm was hanging useless by his side, with the wound still discharging pus, and the captain a mere physical wreck of his former self.

While it cannot be absolutely demonstrated that the wounded and diseased arm was the cause of Captain McManus's death, yet in view of all the circumstances it is a fair presumption that it was *one* of the causes. He was a brave and faithful officer, served through three years of war, returned to his family a cripple and invalid, and a constant sufferer until his death. His widow is old and poor and should be placed on the pension-roll. Your committee therefore recommend the passage of the bill, after amending it by striking out the words "a member of the," in the fifth and sixth lines, and inserting "captain of Company G."

The committee concur in the recommendation for the passage of the bill.