

CATHERINE PFLUEGER.

JANUARY 20, 1902.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. SULLOWAY, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany H. R. 3230.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3230) for the relief of Catherine Pflueger, submit the following report:

This bill proposes to pension the beneficiary named in the bill at \$12 per month.

A similar bill was favorably reported by this committee in the Fifty-sixth Congress, and the report of that Congress is herewith.

For the reasons set forth in that report the bill is reported back, with the recommendation that it pass, after the same shall have been amended as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catherine Pflueger, widow of William Pflueger, late of Company B, One hundred and fifty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of twelve dollars per month.

Amend the title so as to read: "A bill granting a pension to Catherine Pflueger."

[House Report No. 2820, Fifty-sixth Congress, second session.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 13504) for the relief of Catherine Pflueger, submit the following report:

This bill proposes to pension this beneficiary at \$12 per month.

William Pflueger, the soldier named in this bill, served as a private in Company B, One hundred and fifty-fourth New York Volunteers, from August 8, 1862, to December 12, 1863, when he was honorably discharged on surgeon's certificate of disability on account of "4 inches shortening of the left thigh from gunshot wound fracture received at Chancellorsville, May 2, 1863."

He was pensioned in 1865 on account of said gunshot fracture of left thigh at \$8 from discharge; reduced to \$6 from March 4, 1869; increased to \$8 from December 16, 1874; to \$12 from July 2, 1884; and to \$17 per month from July 4, 1891.

In none of the many applications for increase of pension made by the soldier did he allege that he suffered from any other disability or that his wound was suppurating, etc., until July 2, 1895, when he claimed increase of pension, and then alleged that he was suffering from heart disease, and that he had fallen down on the street three times during the past year by reason of said disability.

This claim was rejected February 29, 1896, and a like claim, filed November 18, 1897, was also rejected June 25, 1898, upon the ground that the alleged disease of heart (organic) could not be accepted as having any pathological relation with the wound.

The first certificate of medical examination in the case, made August 31, 1865, showed that the wound then had healed, and none of the examinations of 1870, 1873, 1874, 1875, 1877, 1883, 1884, 1887, and 1890 showed that the wound was open or suppurating or revealed any disease of the heart or any statement of the soldier to the examining surgeons that he suffered from any affection of the heart.

On September 18, 1895, the soldier stated to the board of surgeons at Salamanca, N. Y., who examined him, that he "has rheumatic pains in the thigh, can not exercise much without getting out of breath and dizzy, has frequently fallen on account of dizziness, and can not do any work on account of heart trouble," and the board, after describing the wound and rating him \$17 for the same, stated that he was suffering from organic disease of heart with œdema of ankles and severe dyspnoea on exercise, and rated him \$17 for that disability, and further stated that "The heart disease is probably due to long-continued suppuration from wound. The treasurer of the board, Dr. Lattin, has frequently seen the claimant when he has fallen on the street and became unconscious from cardiac vertigo."

The last certificate of medical examination in the case, made May 14, 1898, by Dr. Bowen, of Salamanca, N. Y., stated that—

"The ball passed through shaft of femur, fracturing it; also passed through vastus internus and externus muscles, probably injuring great sciatic nerve and femoral vessels. * * *

"No evidence of recent suppuration of wound. There is disease of heart, with a loud blowing murmur, mitral, cystolic.

"There is epilepsy; attacks average oftener than one a week.

"This claimant's heart disease is probably secondary to the epilepsy.

"The epilepsy may be traumatic and due to the wound or fracture.

"There is no evidence of hereditary tendency to either disease. He has never had inflammatory rheumatism.

"I can find no pathological connection between the wound and heart disease except as above."

The beneficiary filed the testimony of a number of physicians who gave it as their opinion that the disease of heart was a result of protracted suppuration, and based such opinion upon the appearance of the wound scar and the amount of damage to the bone, and that there had been no history of rheumatism; and Dr. Lattin, who was one of the surgeons who examined soldier September 18, 1895, and whose first testimony in the soldier's case was filed in 1884, and the next in 1891, and in which affidavits he made no mention of any suppurative inflammation, nor of the existence of any disease of the heart, testified, in July, 1895, that he made a thorough examination of soldier in 1876 and found a distinct cardiac murmur, due to disease of the valves of the heart and extreme hypertrophy, but did not then make any attempt to connect such disease with the wound until after soldier's death, when he expressed the opinion that the disease of heart was a sequela of the wound.

The Pension Bureau, however, held, after considering the testimony and certificates of examination in the case, that the probability of a pathological connection existing between the fatal disease of the heart and the wound of left thigh of service origin was exceedingly remote, and that in the absence of any direct proof that there was systemic infection from the wound, or that disease of heart developed while the wound was open and suppurating, there was no warrant, from a medical point of view, for accepting the soldier's death from disease of heart on February 27, 1899, as being due to such wound, and consequently the claim of the beneficiary, who is now 62 years of age, and was married to the soldier July 4, 1858, which claim was filed under the general law, was rejected on that ground April 6, 1900.

The beneficiary has never filed a claim under the act of June 27, 1890.

Your committee is inclined to hold that the disease of heart of which this soldier died, while perhaps not directly, was, however indirectly, traceable to the wound for which he had been pensioned, and believe that whatever doubts there are in the case should be resolved in favor of the beneficiary, and report the bill back with the recommendation that it pass.