

ALFRED GUDE.

MAY 28, 1906.—Ordered to be printed.

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

REPORT.

[To accompany H. R. 18724.]

The Committee on Pensions, to whom was referred the bill (H. R. 18724) granting an increase of pension to Alfred Gude, have examined the same and report:

The report of the Committee on Invalid Pensions of the House of Representatives, hereto appended, is adopted and the passage of the bill is recommended.

The House report is as follows:

The records of the War Department show that the officer named in the bill, now 78 years of age, served as private of Company H, Fifty-first Indiana Infantry, from October 22, 1861; as second lieutenant from September 1, 1862; as first lieutenant from March 1, 1863, and as captain from May 18, 1863, to April 22, 1865.

The officer was a prisoner of war from May 3, 1863, to February 28, 1865.

While second lieutenant he received a shell contusion of the right hip in action at Stone River on January 1, 1863, and he also contracted chronic diarrhea and piles while holding that rank, and he is now pensioned under the general law at \$24 per month on account of these disabilities.

Claims for increase of pension were rejected, the last one in December, 1905, upon the ground that the disabilities of accepted service origin did not warrant a higher rating and that his condition was due in part to other than the pensioned causes.

The Vincennes, Ind., board of surgeons, which last examined the officer, on October 18, 1905, recommended a rating of \$30 for the combined disabilities from the shell injury and chronic diarrhea and piles, the board stating that he was wholly incapacitated for the performance of manual labor by reason of these disabilities.

The board then stated that the right leg of the claimant is smaller than its fellow and that muscular atrophy is easily seen without measuring the leg; that circulation is very bad in the right leg; that the right hip fails to sustain him in his walk, hence he has to use a cane; that his stomach is sensitive to percussion and tympanitic, abdomen flatulent, liver and spleen slightly enlarged, rectum congested and inflamed; that he also has three bleeding external piles each measuring three-fourths of an inch; that his muscles are soft and atrophied, accompanied by muscular tremor; that he is easily fatigued; that while there is no organic disease of the heart the action of the same, however, is slow, weak, and irregular.

The action of the Pension Bureau rejecting the claim for increase of pension in December, 1905, was affirmed by Assistant Secretary Wilson in March, 1906, upon the ground that a rating in excess of \$24 per month was not warranted by the degree of disability arising from the pensioned causes.

The statement of the Member who introduced the bill, filed with the committee, sets forth that the soldier incurred most of his disabilities while a prisoner of war, and therefore had not had a chance to show his true condition to the Pension Bureau; that he is now in bad health and without any income.

In view of the soldier's physical condition as above described, his age and destitution, an increase of his pension from \$24 to \$36 per month is deemed to be proper; hence the passage of the bill is recommended.

