

JEROME W. TURNER.

FEBRUARY 6, 1903.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany H. R. 17026.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 17026) granting a pension to Jerome W. Turner, submit the following report:

This bill proposes to pension Jerome W. Turner, late adjutant, Thirtieth Michigan Infantry, at \$50 per month.

This officer, now 68 years of age, is shown by the records of the War Department to have been commissioned to the grade of first lieutenant and adjutant of the Thirtieth Michigan Infantry, to take effect from January 3, 1865, to have been present with his command to February 16, 1865, when reported as absent without leave, and to have been honorably discharged April 7, 1865, having tendered his resignation on account of business and personal affairs.

Inasmuch as the beneficiary only served from January 3 to February 16, 1865, and was absent without leave from the last-named date to the date of the acceptance of his resignation, his claim to pension under the act of June 27, 1890, was denied by the Pension Bureau upon the ground that he did not serve ninety days during the war of the rebellion.

His claim to pension under the general law, filed in June, 1884, and based upon jaundice and resulting piles, alleged to have been contracted at Fort Gratiot, Mich., in February, 1865, was rejected by the Pension Bureau in October, 1899, upon the ground of no record of the alleged disabilities in the service, no medical evidence of their existence in the service or at discharge, and claimant's failure, although aided by a special examination, to furnish the evidence required to establish his claim.

The beneficiary testified before a special examiner of the Pension Bureau, when his claim was specially examined in 1898, that he contracted jaundice and constipation in the service; that this resulted in

piles, and that piles manifested themselves prior to February 16, 1865, when, according to his statement, he was permitted by the colonel of his regiment to go home on account of sickness, and never returned.

It appears that the officer, prior to his above-named service, was in the civil service of the Government as a paymaster's clerk, stationed with his uncle in Kentucky, Tennessee, and Alabama.

He filed in support of his claim a letter written by him to his wife, dated Fort Gratiot, February 6, 1865, wherein he informed her that he was under treatment of the surgeon for jaundice; that he was sick, and that he yet had the feverish feeling which he had before leaving home.

He filed in support of his claim the testimony of several comrades of his regiment (the regiment was divided, but two companies being stationed at Fort Gratiot), showing that while in the service at Fort Gratiot he was as yellow as saffron, and one of these comrades further testified that he heard the doctor tell the claimant that if he did not go home he would certainly die, and that the doctor further stated that the claimant had the piles, which was probably due to some medicine which he gave him for his jaundice, but that he would probably get over it in a few days.

When he came home from the service it is shown that the beneficiary was under treatment for what his physician stated was one of the worst cases of jaundice he ever saw, and for piles, and this doctor testified that such treatment was about inside of a week after his return.

Another witness testified that when the officer came home after his resignation he was suffering from a bilious jaundiced condition and that he prescribed medicine for him for piles prior to the claimant's removal to Owasso, in 1875.

Other witnesses who knew the officer since 1872 and 1883, respectively, testified that he used to complain of piles since the dates named; that at times while in the streets he would hardly be able to walk by reason of the same; that he procured a pile ointment; that he could not sit straight in his chair, and that his walk showed that he was affected with piles; and one of these affiants testified that he was similarly affected and that the claimant often talked with him about their afflictions since about 1872.

In March, 1892, the board of surgeons rated him \$6 for piles, and in April, 1894, the last certificate of medical examination on file, the board of surgeons stated that his rectum was inflamed, but no bleeding or ulcerated; that the vessels were engorged, and that there were three tumors of medium size—sensitive, internal, and ulcerated—and that there was a marked history of chronic gastric catarrh.

There has been filed with your committee the statement of Hon. J. W. Fordney, the member who introduced the bill, setting forth that early last fall the beneficiary broke his arm, and that about six weeks ago he was stricken with paralysis and is now confined to his bed; that he knows him personally and knows that he is greatly in need of the assistance provided for in the bill.

The proof filed by this officer in the Pension Bureau must satisfy anyone that the officer contracted malaria or a disease of the liver (jaundice) in the service and line of duty, and the disease of rectum from which he has suffered since his discharge is no doubt the natural result of the disease contracted by him in the service.

Under these circumstances your committee believe that relief to the extent of granting the beneficiary a pension of \$17 per month (total of rank of adjutant) is warranted, and the bill is therefore reported back with the recommendation that it pass after the same shall have been amended as follows:

In line 6, after the word "late," insert the words "first lieutenant and."

In same line strike out the words "of the."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "seventeen."

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