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Augustus Lempp.

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AUGUSTUS LEMPP.

JANUARY 31, 1882.—Committed to the Committee of the Whole House and ordered to be printed.

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

REPORT:

[To accompany bill H. R. 1241.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1241) granting an increase of pension to Augustus Lempp, having had the same under consideration, beg leave to respectfully report back the bill with an amendment, and to recommend the passage of the bill as amended.

It appears that the petitioner is an old man, a veteran of the regular Army, who served in Indian wars in 1833, '34, '35, '36, in Florida, Texas, and Wisconsin, and in the Mexican war from 1845 to 1848. The following history of the case is gathered from the records in the Pension Office. The petitioner represents that he is now about seventy-seven years of age, and, at the date of last writing, an inmate of the National Soldiers' Home at Dayton, Ohio.

Augustus Lempp, while corporal of a permanent detachment of recruits, regular Army, on the 16th of May, 1858, was bitten in the thumb of left hand, resulting in disability, for which he was pensioned October 24, 1860, at one-half of total, \$4 per month. He had been connected with the Regular Army for nearly thirty years prior to the receipt of this injury. On the 22d of November, 1862, he enlisted as private in Company D, Seventy-fourth Regiment Pennsylvania Volunteers, and was transferred to the Veteran Reserve Corps, and discharged therefrom January 7, 1865, upon certificate of disability, which sets forth that the soldier is suffering from "incontinence of urine, old age, and general debility, with emaciation, developed since enlistment." On February 14, 1867, Lempp applied for increase of pension on account of rheumatism, enuresis, and amaurosis, contracted about July 1, 1863. He was allowed increase at \$15 per month, February 14, 1870, for chronic rheumatism, enuresis, and the injury to left thumb, and at \$18 for same disabilities from August 1, 1872. Upon a re-examination of the papers by the Pension Office, in the consideration of pensioner's claim for arrears of increase, some doubts arose as to the origin of the diseases for which pensioned, and upon special medical examination Lempp's pension was reduced to \$2 per month for the injury to thumb only, the other disabilities being, in the opinion of the medical experts of that office, referable to old age only. This action was approved, upon appeal, by the Secretary of the Interior, in his decision of April 27, 1877. The Commissioner of Pensions, in submitting the papers in the case

to the Committee on Invalid Pensions, Forty-sixth Congress, states that "If the law did recognize disabilities due to age and the physiological changes connected therewith, after long and faithful services in the Army, this pensioner would surely be entitled to a full rating of the disabilities now found to exist, because it appears that he was connected with the Army for thirty years; but as it does not, only such disabilities as are chargeable direct to the service, can be considered in the rating of a pension."

The committee recommend the following amendment of the bill, viz, to strike out of lines 9 and 10 the words "said pension rate to date from its reduction in eighteen hundred and seventy-four."

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