

7-11-1888

## Report : Petition of F. Travis

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IN THE SENATE OF THE UNITED STATES.

JULY 11, 1888.—Ordered to be printed.

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

REPORT:

[To accompany bill H. R. 2531.]

*The Committee on Pensions, to whom was referred the bill (H. R. 2531) granting a pension to Frederick W. Travis, respectfully report:*

Upon an examination of the evidence in this case the committee find that the facts are fairly presented in the report of the Committee on Pensions of the House of Representatives made to the first session of the Fiftieth Congress, which facts, in the opinion of the committee, are sufficient to entitle the claimant to the relief granted by the bill.

The committee, therefore, adopt said report and recommend the passage of the bill.

The report is as follows:

The claimant was a private soldier in Company D, First United States Infantry, from the 10th day of November, 1840, until the 10th day of November, 1845, when honorably discharged. In his declaration before the Pension Bureau, filed November 7, 1879, he claims that while on an expedition against hostile Indians in the Florida war, on the 6th or 7th day of July, 1841, in boats, there came up a terrible storm, and the boat in which he was struck by lightning, and Lieutenant Lancaster, who had charge of the boat, was killed, and claimant shocked and stunned and rendered nearly blind; that thereafter he was affected by a disease of the eyes, from which he has not recovered to this day, and he claims pension therefor.

His claim was rejected by the Pension Bureau in April, 1882, on the ground of no record of the alleged disability, and no satisfactory evidence of its incurrence in service and line of duty.

A careful examination of the testimony in the claim and before your committee satisfies us that the claimant's disease of eyes was incurred as he alleged, and that his rights should not be prejudiced by the fact that the records of the hospitals in which he is shown to have been treated while in service have been lost, and are not on file for reference thereto.

The Adjutant-General, U. S. Army, states:

"It appears from the records of this office that Second Lieut. J. R. H. Lancaster, First Infantry, was killed by lightning July 5, 1841, while on duty with an exploring and scouting party on Christol River, east Florida. It further appears that three of the enlisted men of the party were 'knocked overboard' by the stroke of lightning which killed Lieutenant Lancaster. Their names, however, are not shown by the records."

The record further shows that claimant was with his company in east Florida at the date mentioned. There are no records on file of the hospital at Fort Snelling, Minn., for the summer of 1844, when claimant was treated there for disease of eyes.

Alfred B. Robinson, of Minnetonka, Minn., who served in the same company and regiment with claimant, testifies that the soldier, Travis, was disabled by the stroke of lightning which killed Lieutenant Lancaster, and that his eyes were injured and remained so during the remainder of his service, and he was treated therefor in hospital at Fort Snelling, Minn., toward the end of his service.

Thomas Odell, another comrade, testifies that he knows that the soldier, Travis, was treated at Fort Snelling for disease of eyes and was disabled by said disease for quite a period of time, and attributed the existence of the same to his service in the Florida war. This witness also states that the officers and surgeons who were there are dead, so far as he has been able to learn.

R. P. Russell, a sutler's clerk at Fort Snelling, Minn., in 1842 and subsequently, testifies that claimant was under treatment in the post hospital there by Dr. Turner for some disease or injury of the eyes, which, it was said, had been incurred in the Florida war.

The claimant states that he can not at this day find other witnesses who knew of his disability in service; that Dr. Turner, who treated him there, is dead, as he learns, and that living in the backwoods he did not know of his right to claim pension for disease until recent years. The claimant is unable to write, and in an almost blind and pitiable condition.

There is the testimony of a number of witnesses, among whom is the Hon. William R. Marshall, ex-governor of Minnesota, showing that the claimant has been affected by disease of the eyes since his discharge from service late in the fall of 1845. Governor Marshall himself testifies to a personal acquaintance with claimant since 1849, and to the existence of an affection of the eyes during that period.

The board of examining surgeons at Saint Paul, Minn., in June, 1880, reported, after examination, that the vision of the claimant's right eye was gone—amaurosis; vision of left eye failing from same disease.

In view of the testimony as above collated, your committee are of the opinion that the requirement for medical and officer's testimony of the existence in service of disease of eyes should be waived, and that the claim should be allowed; and they therefore report back the bill to the House, with the recommendation that it do pass.