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Abraham Cooper

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IN THE SENATE OF THE UNITED STATES.

MAY 16, 1872.—Ordered to be printed.

Mr. PRATT submitted the following

REPORT:

[To accompany bill H. R. 2417.]

The Committee on Pensions, to whom was referred House bill 2417, granting a pension to Abraham Cooper, submit the following report:

Cooper was a private of Company M, First Regiment United States Cavalry, having enlisted on the 12th day of February, 1864, to serve three years. He was discharged, at the expiration of his term of service, at Camp Lyon, Idaho Territory, on 12th February, 1867. On his discharge is indorsed the record of his service, from which it appears that between the 27th day of February and the 19th day of October, 1864, he served in twenty engagements.

This soldier made a declaration for an invalid pension to the Pension Bureau, which was rejected, and he appeals to Congress. In his application he gives the circumstances of his injury substantially as follows: He says that in an expedition against the Indians on the 25th day of January, 1867, on the Owyhee River, in the eastern part of the State of Oregon, his feet were both frozen from his exposure to cold, which has caused the loss of all his toes on the right foot, and all but his small toe on the left foot. He states that three of his toes were amputated on the 22d February, 1867, and six more on the 6th of March, 1867, at Camp Lyon; that from the time his feet were frozen until the night of 30th January, he was with his company, and arrived at the hospital at Camp Lyon January 30, 1867, and remained there until the 9th of April, 1867, when he left for his home.

From a subsequent affidavit of Cooper it appears the amputation was performed by the hospital steward of the camp, the surgeon not being present, but on his return, commending the skill of the steward. This surgeon's name was Bryant, and the applicant swears that he has written to twelve different places where he was informed, at various times, Bryant was to be found, but without effect; that James C. Hunt was captain of the company (M) at the time at Camp Lyon, to whom the surgeon caused a certificate of the injury to be forwarded at the time.

Moses Harris certifies to the Commissioner of Pensions, under date December 1, 1871, that on the 25th day of January, 1867, he was first lieutenant of Company M, First Regiment United States Cavalry, and that on said day Abraham Cooper, a private of said company, while in the service of the United States and in the line of duty, in an expedition against the Indians in the eastern part of Oregon, had his feet fro-

zen, which compelled the amputation of all his toes except the small one of the left foot. He certifies he was with Cooper at the time of the injury. The genuineness of this certificate of Lieutenant Harris is certified by the War Department.

The examining surgeon at Hillsdale, Michigan, examined the soldier in November, 1867, and again in May, 1870, and in both the certificates issued by him he expresses the opinion that Cooper is totally disabled; and states that the toes of the right foot are all off; that the bones are taken out of all the toes of the left foot except the little toe; that the stumps and feet were yet very tender.

The records of the Surgeon General's Office show that he was admitted to post hospital, Camp Lyon, February 1, 1867; "the treatment marked against his name indicates local emollients and antiseptics to both feet; on the 22d February, 1867, he is reported as losing three toes, and on the 3d of March, 1867, as losing six toes more, remaining under treatment until April 4, 1867." The monthly report for February, 1867, shows one case of frost-bite, but no name is given, nor are there any remarks attached to indicate in what manner the injury was received or the extent of the injury. It seems that neither a register of patients nor a case-book was kept at Camp Lyon at the time, nor, indeed, until the arrival, in September, 1867, of Acting Assistant Surgeon Cusick.

The committee can see no reasonable ground why this man, on this condition of the proofs, should not receive a pension according to the rate of his disability; and accordingly they recommend the passage, without amendment, of the House bill.