

Med. Div.

DEPARTMENT OF THE INTERIOR,

S.H.C.

BUREAU OF PENSIONS,

WASHINGTON, D. C., September 2, 1897.

Cert. No. 175,746,
John W. Norton,
Co. F, 101 Ohio Vol s.

Respectfully returned to Mr. F. D. Stephenson, Chief of the
Board of Review.

Feb. 13, 1879, soldier filed his first declaration under the
general law, in which he alleged "injury to left foot and back".
A rate of 1/4 was allowed for "injury of side", the injury of
foot being rejected, "no disability."

Through an error of the raters, soldier's name was placed on
the rolls for injury to left foot and side. It does not ap-
pear that this error has ever been corrected. It is now
shown by the medical examinations that soldier is suffering from
an abscess in the lumbar region, the pus from which escapes by
way of the rectum.

In a claim for increase, filed Jan. 11, 1896, the soldier
alleges that the abscess is a result of the injury to left side.
His claim was rejected, March 13, 1896, no increase, abscess of
left lumbar region not accepted as a result. April 9, 1896, he
filed an appeal, contending that his claim is just and well proven.

2

Case was submitted to this Bureau, by the Department, with a view to the ordering of an examination to determine if a pathological connection exists between pensioned cause and the abscess.

In an opinion dated Nov. 24, 1896, the Medical Referee refuses to accept the abscess as a result of pensioned cause. Case was again returned to this Bureau by the Department, directing that a test examination be ordered. This was done, the examination being made, Feb. 6, 1897.

The Medical Referee, in an opinion dated April 5, 1897, again refused to accept abscess as a result of pensioned cause. It does not appear that this opinion ever reached the Department, or that any action was taken to indicate the result of this appeal.

Now soldier, through his attorney, appeals again, claiming that he made a mistake in original claim, and that the evidence "shows injury to have always been in same place since he was injured." There appears to be nothing new in the case since it was before the Department, and after a careful examination of all the papers in the case, I can only agree with the opinion of April 5, 1897. I fail to see that a pathological connection exists between pensioned cause and the abscess now located in the left lumbar region, and in my opinion, the rejection of the claim for increase was proper.

Very respectfully,

C. F. Whitney
Acting Medical Referee.