

GEO. M. BENTLEY.

[To accompany bill H. R. No. 321.]

APRIL 5, 1854.

Mr. HENDRICKS, from the Committee on Invalid Pensions, made the following

R E P O R T.

*The Committee on Invalid Pensions, to whom were referred the papers in the case of the claim of George M. Bentley, of Indiana, for a pension, have had the same under consideration, and report:*

That the said Bentley was a private in company H in the 3d regiment of Indiana volunteers, and in said company served in Mexico during the war with that country; and with his company fought gallantly at the battle of Buena Vista. During the first part of the month of November, 1846, the said regiment was encamped near Matamoras, upon the Rio Grande. On or about the 10th day of that month said Bentley, with the written permission of the colonel of the regiment, went into the city of Matamoras, and whilst there, by accident, sprained his right ankle. Upon his return to camp in the evening his ankle was swollen, and he was so disabled by lameness as to be unable to perform military duty for "a considerable length of time." Before the limb was wholly restored he returned to the discharge of his duty; the swelling returned, and continued until incurable ulcers broke out upon the limb. The said Bentley is now wholly disabled from providing for himself and his family by manual labor.

Before entering the service of the United States the said Bentley was a sound and very robust man. Whilst in the service he was temperate and very attentive to his duties. Samuel McKenzie, the 1st lieutenant, in his testimony under oath says, "the said George M. Bentley was always present at roll-calling and parade; and that his character for morality, promptness, and honesty, was unexceptionable as a soldier; that during the encampment of the company at Matamoras it became necessary, for the want of rations, to grant permits to the soldiers to go to Matamoras to draw their rations, and that the permit which he received was to obtain his rations within the city, to the best of my knowledge."

The facts in this case are established by the testimony, given under oath, of Samuel McKenzie and Charles A. Shank, the 1st and 2d lieutenants of company H, and of Samuel D. Day and Lewis McAllister, surgeons, certified to be reputable in their profession. This claim was submitted to the Pension Office and rejected, for the reason that there is not

the testimony of any person who was immediately present when the injury was first received. The testimony of Lieutenants McKenzy and Shank satisfactorily establishes that Bentley properly, and in the line of his duty, went into the city of Matamoras, and that when he returned to camp his right ankle was swollen from a sprain; that he was lame and disabled; that before the swelling and soreness were removed he returned to duty, and that incurable ulcers came upon the limb and permanently disabled him.

The committee report a bill for his relief, and recommend its passage.