

and after going to the hospital, and up to the time of his discharge for physical disability. And that of his physical condition since leaving the service, is very strongly shown by the testimony of four or more of his intimate friends and neighbors-- which see-- who are as reliable and competent as his "employers" (which are lacking) would be; and they stand unimpeached, and cannot justly be discarded as proof of the claimant's disability; also inability to perform manual labor from the time of his return home from service, upto date; also abundantly supplies the absence of medical testimony to that effect.

The crippled condition complained of being unalterably fixed, medical aid towards restoration would be ~~less than~~ ^{as} useless, as the attempt to restore a lost leg.

Nor does the failure of the Board of Examining Physicians to discover the head and spinal weakness, furnish any just ground nor proof of its non-existence; nor as a stand off to his own sworn statement that it does exist to a pensionable extent, and corroborated by ~~so many of his intimate friends, who have seen him in his daily~~ movements, and heard of his constant complaints thereof. And the great lapse of time before applying for a pension, disproves any sinister motive in making those complaints to his neighbors. Besides, the ordinary signs of disease being absent in his case, the examining physicians had no means of determining its existence otherwise than by putting him through torturous manipulations, which the claimant says they did not do.

Now, by all the known and soundest principles in law and good reasoning, three things are fixed beyond dispute. to wit:

1st. The claimant was sound when he enlisted.

2nd. He contracted the Typhoid fever in the Army and in the line of duty.

3rd. He left the service in a broken down condition from the