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# L A W S

OF THE

# UNITED STATES

GOVERNING THE GRANTING OF

## ARMY AND NAVY PENSIONS,

TOGETHER WITH THE

## REGULATIONS RELATING THERETO.

COMPILED IN THE LAW DIVISION OF THE BUREAU OF PENSIONS,

AND

PUBLISHED IN ACCORDANCE WITH THE PROVISIONS  
OF SECTION 4748 OF THE REVISED STATUTES.

EUGENE F. WARE,  
*Commissioner.*



WASHINGTON:

GOVERNMENT PRINTING OFFICE.

JULY, 1902.



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#### AUTHORITY FOR PUBLICATION.

SEC. 4748. That the Commissioner of Pensions, on application being made to him in person, or by letter, by any claimant or applicant for pension, bounty-land, or other allowance required by law to be adjusted or paid by the Pension Office, shall furnish such person, free of all expense, all such printed instructions and forms as may be necessary in establishing and obtaining said claim; and on the issuing of a certificate of pension or of a bounty-land warrant, he shall forthwith notify the claimant or applicant, and also the agent or attorney in the case, if there be one, that such certificate has been issued, or allowance made, and the date and amount thereof. (Sec. 22, Act March 3, 1873; Sec. 9, Act July 14, 1862.)

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## LAWS RELATING TO THE CREATION OF THE OFFICE OF COMMISSIONER OF PENSIONS.

SEC.

- 470. Commissioner of Pensions.
- 471. Duties of the Commissioner.
- 472. Deputy Commissioner.

SEC.

- 473. Person to sign bounty-land warrants. Act August 5, 1882. Duties of First and Second Deputy Commissioners.

SEC. 470.<sup>1</sup> There shall be in the Department of the Interior a Commissioner of Pensions, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be entitled to receive a salary of four thousand dollars a year.

SEC. 471. The Commissioner of Pensions shall perform, under the direction of the Secretary of the Interior, such duties in the execution of the various pension and bounty-land laws as may be prescribed by the President.

SEC. 472.<sup>1</sup> There shall be in the Department of the Interior a Deputy Commissioner of Pensions, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall be charged with such duties in the Pension Bureau as may be prescribed by the Secretary of the Interior, or may be required by law, and in case of death, resignation, absence, or sickness of the Commissioner, his duties shall devolve upon the Deputy Commissioner until a successor is appointed or such absence or sickness ceases. The Deputy Commissioner shall be entitled to receive an annual salary of two thousand five hundred dollars.

NOTE.—Additional Deputy Commissioner provided for under the act of June 30, 1882.

SEC. 473. The Commissioner of Pensions is authorized, with the approval of the Secretary of the Interior, to appoint a person to sign the name of the Commissioner to certificates or warrants for bounty lands; and certificates or warrants so signed shall be as valid as if signed by the Commissioner.

<sup>1</sup> See appropriation act ending June 30, 1890. Salary of Commissioner, \$5,000, and Deputy Commissioners, \$3,600 each; and appropriation act ending June 30, 1883.

Act 5 Aug., AN ACT making appropriations for the legislative, executive, and  
 1882. judicial expenses of the Government for the fiscal year ending June  
 thirtieth, eighteen hundred and eighty-three, and for other purposes.

\* \* \* \* \*

And the provisions of section fifty-four hundred and eighty-five of the Revised Statutes shall be applicable to any person who shall violate the provisions of an act entitled "An act relating to claim agents and attorneys in pension cases," approved June twentieth, eighteen hundred and seventy-eight. That the duties of first and second deputy commissioners shall be such as are now fixed by law for the deputy commissioner of pensions; and in case of death, resignation, absence, or sickness of the Commissioner his duties shall devolve upon the first deputy commissioner until his successor is appointed, or such absence or sickness ceases, and in case of the like absence of the Commissioner and first deputy commissioner, the second deputy commissioner shall act as Commissioner in like manner.

Duties of first  
 and second Dep-  
 uty Commission-  
 ers.

## LAWS IN FORCE RELATIVE TO THE GRANTING OF INVALID PENSIONS.

**SEC.**  
 4692. Who are entitled to pension.  
 4693. Beneficiaries under preceding section.

**SEC.**  
 4722. Missouri Militia.  
 4723. Colored soldiers, "slaves."

**SEC. 4692.** Every person specified in the several classes enumerated in the following section, who has been, since the fourth day of March, eighteen hundred and sixty-one, or who is hereafter disabled under the conditions therein stated, shall, upon making due proof of the fact, according to such forms and regulations as are or may be provided in pursuance of law, be placed on the list of invalid pensioners of the United States, and be entitled to receive, for a total disability, or a permanent specific disability, such pension as is hereinafter provided in such cases; and for an inferior disability, except in cases of permanent specific disability, for which the rate of pension is expressly provided, an amount proportionate to that provided for total disability; and such pension shall commence as hereinafter provided, and continue during the existence of the disability.

Who are entitled to pensions.  
 Sec. 1, 3 Mar., 1873; Sec. 1, 14 July, 1862.

**SEC. 4693.** The persons entitled as beneficiaries under the preceding section are as follows:

Beneficiaries under preceding section.

First. Any officer of the Army, including regulars, volunteers, and militia, or any officer in the Navy or Marine Corps, or any enlisted man, however employed, in the military or naval service of the United States, or in its Marine Corps, whether regularly mustered or not, disabled by reason of any wound or injury received, or disease contracted, while in the service of the United States and in the line of duty.

Sec. 1, 3 Mar., 1873; Sec. 1, 14 July, 1862.

Whether regularly mustered or not.  
 Sec. 11, 4 July, 1864; Sec. 1, 3 Mar., 1873; Sec. 10, 14 July, 1862.

Second. Any master serving on a gunboat, or any pilot, engineer, sailor, or other person not regularly mustered, serving upon any gunboat or war-vessel of the United States, disabled by any wound or injury received, or otherwise incapacitated, while in the line of duty, for procuring his subsistence by manual labor.

Masters.  
Resolution 16 July, 1862.

Third. Any person not an enlisted soldier in the Army, serving for the time being as a member of the militia of any

Sec. 1, 3 Mar., 1873.

State, under orders of an officer of the United States, or who volunteered for the time being to serve with any regularly organized military or naval force of the United States, or who otherwise volunteered and rendered service in any engagement with rebels or Indians, disabled in consequence of wounds or injury received in the line of duty in such

Sec. 9, 4 July, 1864.

Sec. 11, 27 July, 1868.

temporary service. But no claim of a State militiaman, or non-enlisted person, on account of disability from wounds or injury received in battle with rebels or Indians, while temporarily rendering service, shall be valid unless prosecuted to a successful issue prior to the fourth day of July, eighteen hundred and seventy-four.

Sec. 1, 3 Mar., 1873; Sec. 2, 3 Mar., 1865.

Fourth. Any acting assistant or contract surgeon disabled by any wound or injury received or disease contracted in the line of duty while actually performing the duties of assistant surgeon or acting assistant surgeon with any militia force in the field, or in transitu, or in hospital.

Sec. 1, 3 Mar., 1873; Sec. 1, 25 July, 1866.

Fifth. Any provost-marshal, deputy provost-marshal, or enrolling-officer disabled, by reason of any wound or injury, received in the discharge of his duty, to procure a subsistence by manual labor.

Missouri militia.

Sec. 8, 3 Mar., 1873.

(See sec. 9, 4 July, 1864; secs. 1 and 2, 25 Mar., 1862; 3 Mar., 1879, p. 34.)

SEC. 4722. The provisions of this Title are extended to the officers and privates of the Missouri State militia, and the provisional Missouri militia, disabled by reason of injury received or disease contracted in the line of duty while such militia was co-operating with United States forces, and the widow or children of any such person dying of injury received or disease contracted under the circumstances herein set forth, shall be entitled to the benefits of this Title. But the pensions on account of such militia shall not commence prior to the third day of March, one thousand eight hundred and seventy-three.

Colored soldiers; "slaves."

Sec. 1, 3 Mar., 1873.

An independent act. (See p. 601, vol. 17, Statutes at Large.)

SEC. 4723. All colored persons who enlisted in the Army during the war of the rebellion, and who are now prohibited from receiving bounty and pension on account of being borne on the rolls of their regiments as "slaves," shall be placed on the same footing, as to bounty and pension, as though they had not been slaves at the date of their enlistment.

## LAWS GRANTING PENSIONS FOR THE NAVY AND REVENUE MARINE.

<p><b>Sec.</b> 4692, 4693. Reference. 2757. Revenue officers cooperating with Navy. 4728. Officers and seamen of the Navy disabled prior to March 4, 1861. 4729. Widows and minors of officers and seamen of Navy disabled prior to March 4, 1861. 4741. Officers and seamen of revenue cutters. 4750. Trustee of Navy pension fund. 4751. Penalties, how to be sued for, secs. 2462, 2463. 4752. Prize money. 4753. Investment of Navy pension fund. 4754. Interest on Navy pension fund. 4755. Payment of Navy pension fund. 4756. Half rating to disabled enlisted persons serving twenty years. 4757. Aid for service not less than ten years. 4758. Trustee of the privateer pension fund. 4759. Source of privateer pension fund.</p>	<p><b>Sec.</b> 4760. Proceeds of privateer pension fund paid to the Treasury. 4761. Who are entitled as privateersmen to pension. 4762. Disability record of disabled privateersmen. 4763. Transcript of disability record to be transmitted to the Secretary of the Navy. 1426. Honorable discharges, to whom granted. 1573. Bounty paid for reenlisting. Act March 3, 1877, passed assistant engineers; cadet engineers. Act June 9, 1880, restoring pensions in certain cases. Act August 14, 1888, desertion, Navy or Marine Corps. Joint resolution of June 11, 1896, extending the benefits of secs. 1426 and 1573 to all enlisted persons in the Navy.</p>
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(See secs. 4692 and 4693, R. S., p. 5.)

**SEC. 2757.** The revenue-cutters shall, whenever the President so directs, co-operate with the Navy, during which time they shall be under the direction of the Secretary of the Navy, and the expenses thereof shall be defrayed by the Navy Department.

Revenue cutters to cooperate with the Navy.  
Act 2 Mar., 1799, c. 22, s. 93, v. 1, p. 699.  
See sec. 1492, R. S.

**SEC. 4728.** If any officer, warrant or petty officer, seaman, engineer, first, second, or third assistant engineer, fireman, or coal-heaver of the Navy or any marine has been disabled prior to the fourth day of March, eighteen hundred and sixty-one, by reason of any injury received or disease contracted in the service and line of duty, he shall be entitled to receive during the continuance of his disability a pension proportionate to the degree of his disability, not exceeding half the monthly pay of his rank as it existed in January, eighteen hundred and thirty-five. But the pension of a chief engineer shall be the same as that of a lieutenant of the Navy; the pension of a first assistant engineer the same as that of a lieutenant of marines; the pension of a second or third assistant engineer the same as that of a forward officer; the pension of a fireman or coal-heaver the same as that of a seaman; but an engineer, fireman, or coal-heaver

Pension to officers and seamen of the Navy disabled prior to Mar. 4, 1861.  
Secs. 2 and 3, 11 Aug., 1848; Sec. 11, 1 July, 1791; Sec. 8, 23 Apr., 1800.

shall not be entitled to any pension by reason of a disability incurred prior to the thirty-first day of August, eighteen hundred and forty-two.

Pension to widows and minors of some officers and seamen of the Navy disabled prior to Mar. 4, 1861.

Secs. 1, 2, and 3, 11 Aug., 1848.

SEC. 4729. If any person referred to in the preceding section has died in the service, of injury received or disease contracted under the conditions therein stated, his widow shall be entitled to receive half the monthly pay to which the deceased was entitled at the date of his death; and in case of her death or marriage, the child or children under sixteen years of age shall be entitled to the pension. But the rate of pension herein allowed shall be governed by the pay of the Navy as it existed in January, eighteen hundred and thirty-five; and the pension of the widow of a chief engineer shall be the same as that of a widow of a lieutenant in the Navy; the pension of the widow of a first assistant engineer shall be the same as that of the widow of a lieutenant of marines; the pension of the widow of a second or third assistant engineer the same as that of the widow of a forward officer; the pension of the widow of a fireman or coal-heaver shall be the same as that of the widow of a seaman. But the rate of pension prescribed by this and the preceding section shall be varied from and after the twenty-fifth day of July, eighteen hundred and sixty-six, in accordance with the provisions of section four thousand seven hundred and twelve of this Title; and the widow of an engineer, fireman, or coal-heaver shall not be entitled to any pension by reason of the death of her husband, if his death was prior to the thirty-first day of August, eighteen hundred and forty-two.

Pension to officers and seamen of revenue cutters.

Act 18 Apr., 1814.

SEC. 4741. The officers and seamen of the revenue cutters of the United States, who have been or may be wounded or disabled in the discharge of their duty while co-operating with the Navy by order of the President, shall be entitled to be placed on the Navy pension-list, at the same rate of pension and under the same regulations and restrictions as are provided by law for the officers and seamen of the Navy.

Secretary of the Navy shall be trustee of Navy pension fund.

Sec. 1, 10 July, 1832.

Penalties; how to be sued for, etc.

Sec. 3, 2 Mar., 1831.

SEC. 4750. The Secretary of the Navy shall be trustee of the Navy pension-fund.

SEC. 4751. All penalties and forfeitures incurred under the provisions of sections twenty-four hundred and sixty-one, twenty-four hundred and sixty-two, twenty-four hundred and sixty-three, Title "THE PUBLIC LANDS," shall be



sued for, recovered, distributed, and accounted for under the directions of the Secretary of the Navy, and shall be paid over, one-half to the informers, if any, or captors, where seized, and the other half to the Secretary of the Navy for the use of the Navy pension-fund; and the Secretary is authorized to mitigate, in whole or in part, on such terms and conditions as he deems proper, by an order in writing, any fine, penalty, or forfeiture so incurred.

SEC. 4752. All money accruing or which has already accrued to the United States from sale of prizes shall be and remain forever a fund for the payment of pensions to the officers, seamen, and marines who may be entitled to receive the same; if such fund be insufficient for the purpose, the public faith is pledged to make up the deficiency; but if it should be more than sufficient, the surplus shall be applied to the making of further provision for the comfort of the disabled officers, seamen, and marines.

Prize money accruing to the United States to remain a fund for pensions.

Sec. 1, 17 July, 1862.

SEC. 4753. The Secretary of the Navy, as trustee of the naval pension-fund, is directed to cause to be invested in the registered securities of the United States, on the first day of January and the first day of July of each year, so much of said fund then in the Treasury of the United States as may not be required for the payment of naval pensions for the then current fiscal year; and, upon the requisition of the Secretary, so much of the fund as may not be required for such payment of pensions accruing during the current fiscal year shall be held in the Treasury on the days above named in each year, subject to his order, for the purpose of such immediate investment; and the interest payable in coin upon the securities in which the fund may be invested shall be so paid, when due, to the order of the Secretary of the Navy, and he is authorized and directed to exchange the amount of such interest, when paid in coin, for so much of the legal currency of the United States as may be obtained therefor at the current rates of premium on gold, and to deposit the interest so converted in the Treasury to the credit of the naval pension-fund; but nothing herein contained shall be construed to interfere with the payment of naval pensions under the supervision of the Secretary of the Interior as regulated by law.

Navy pension fund; how to be invested.

Resolution 1 July, 1864.

SEC. 4754. The interest on the naval pension-fund shall hereafter be at the rate of three per centum per annum in lawful money.

Rate of interest on naval pension fund.

Sec. 2, 23 July, 1863.

Navy pensions payable from fund. SEC. 4755. The Navy pensions shall be paid from the Navy pension-fund, but no payments shall be made therefrom except upon appropriations authorized by Congress.

Act 11 July, 1870.

Half-rating to disabled enlisted persons serving twenty years in Navy or Marine Corps. SEC. 4756. There shall be paid out of the naval pension-fund to every person who, from age or infirmity, is disabled from sea service, but who has served as an enlisted person, or an appointed petty officer, or both, in the Navy or Marine Corps for the period of twenty years, and not been discharged for misconduct, in lieu of being provided with a home in the Naval Asylum, Philadelphia, if he so elects, a sum equal to one-half the pay of his rating at the time he was discharged, to be paid him quarterly, under the direction of the Commissioner of Pensions; and application for such pension shall be made to the Secretary of the Navy, who, upon being satisfied that the applicant comes within the provisions of this section, shall certify the same to the Commissioner of Pensions, and such certificate shall be his warrant for making payment as herein authorized.

Acts 2 Mar., 1867; Dec. 23, 1866.

Serving not less than ten years, may receive what aid. SEC. 4757. Every disabled person who has served in the Navy or Marine Corps as an enlisted man or appointed petty officer, or both, for a period not less than ten years, and not been discharged for misconduct, may apply to the Secretary of the Navy for aid from the surplus income of the naval pension-fund; and the Secretary of the Navy is authorized to convene a board of not less than three naval officers, one of whom shall be a surgeon, to examine into the condition of the applicant, and to recommend a suitable amount for his relief, and for a specified time, and upon the approval of such recommendation by the Secretary of the Navy, and a certificate thereof to the Commissioner of Pensions, the amount shall be paid in the same manner as is provided in the preceding section for the payment to persons disabled by long service in the Navy; but no allowance so made shall exceed the rate of a pension for full disability corresponding to the grade of the applicant, nor, if in addition to a pension, exceed one-fourth the rate of such pension.

Proviso, Act 2 Mar., 1867. Act 23 Dec., 1866.

Secretary of Navy trustee of privateer pension fund. SEC. 4758. The Secretary of the Navy shall be trustee of the privateer pension-fund.

Secs. 3 and 5, 10 July, 1832.

Privateer pension fund; how derived.

Sec. 17, 26 June, 1812.

SEC. 4759. Two per centum on the net amount, after deducting all charges and expenditures, of the prize-money arising from captured vessels and cargoes, and on the net amount of the salvage of vessels and cargoes recaptured by the private armed vessels of the United States, shall be

secured and paid over to the collector or other chief officer of the customs of the port or place in the United States at which such captured or recaptured vessels may arrive; or to the consul or other public agent of the United States residing at the port or place, not within the United States, at which such captured or recaptured vessel may arrive. And the moneys arising therefrom are pledged by the Government of the United States as a fund for the support and maintenance of the widows and orphans of such persons as may be slain, and for the support and maintenance of such persons as may be wounded and disabled on board of the private armed vessels of the United States, in any engagement with the enemy, to be assigned and distributed in such manner as is or may be provided by law.

SEC. 4760. The two per centum reserved in the hands of the collectors and consuls by the preceding section shall be paid to the Treasury, under the like regulations provided for other public money, and shall constitute a fund for the purposes provided for by that section.

To be paid into Treasury, etc.

Sec. 1, 13 Feb., 1813.

SEC. 4761. The Secretary of the Interior is required to place on the pension-list, under the like regulations and restrictions as are used in relation to the Navy of the United States, any officer, seaman, or marine who, on board of any private armed vessel bearing a commission of letter of marque, shall have been wounded or otherwise disabled in any engagement with the enemy, or in the line of their duty as officers, seamen, or marines of such private armed vessel; allowing to the captain a sum not exceeding twenty dollars per month; to lieutenants and sailing-master a sum not exceeding twelve dollars each per month; to marine officer, boatswain, gunner, carpenter, master's mate, and prize-masters a sum not exceeding ten dollars each per month; to all other officers a sum not exceeding eight dollars each per month, for the highest rate of disability, and so in proportion; and to a seaman, or acting as a marine, the sum of six dollars per month, for the highest rate of disability, and so in proportion; which several pensions shall be paid from moneys appropriated for the payment of pensions.

Wounded, etc., privateersmen to be placed on pension list.

Sec. 2, 13 Feb., 1813; Sec. 3, 5 Apr., 1866.

SEC. 4762. The commanding officer of every vessel having a commission, or letters of marque and reprisal, shall enter in his journal the name and rank of any officer, and the name of any seaman, who, during his cruise, is wounded or disabled, describing the manner and extent, as far as practicable, of such wound or disability.

Commanding officers of privateers to enter names, etc., in a journal.

Sec. 3, 13 Feb., 1813.

Transcript of journals to be transmitted to Secretary of the Navy.

Sec. 4, 13 Feb., 1813.

**SEC. 4763.** Every collector shall transmit quarterly to the Secretary of the Navy a transcript of such journals as may have been reported to him, so far as it gives a list of the officers and crew, and the description of wounds and disabilities, the better to enable the Secretary to decide on claims for pensions.

Act 3 Mar., 1877.

**AN ACT** equalizing pensions of certain officers in the Navy.

Passed assistant engineers, cadet engineers.  
See sec. 4695, R. S.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, the pension for total disability of passed assistant engineers, assistant engineers, and cadet engineers in the naval service, respectively, shall be the same as the pensions allowed to officers of the line in the naval service with whom they have relative rank; and that all acts or parts of acts, inconsistent herewith be, and are hereby, repealed.*

Approved, March 3, 1877.

Act 9 June, 1880.

**AN ACT** to restore pensions in certain cases.

See sec. 4712, R. S.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section three of an act entitled "An act increasing the pensions of widows and orphans, and for other purposes," approved July twenty-fifth, eighteen hundred and sixty-six, and section thirteen of an act entitled "An act relating to pensions," approved July twenty-seventh, eighteen hundred and sixty-eight, and section forty-seven hundred and twelve of the Revised Statutes, shall not operate to reduce the rate of any pension which had actually been allowed to the commissioned, non-commissioned, or petty officers of the Navy or their widows, or minor children, prior to July twenty-fifth, eighteen hundred and sixty-six; and the Secretary of the Interior is hereby directed to restore all such pensions as have already been so reduced to the rate originally granted and allowed, to take effect from the date of such reduction.*

Approved, June 9, 1880.

Act 14 Aug., 1888.

**AN ACT** to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion.

Desertion, Navy or Marine Corps.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the charge of desertion now standing on the rolls and records*

of the Navy or Marine Corps against any appointed or enlisted man of the Navy or Marine Corps who served in the late war may, in the discretion of the Secretary of the Navy, be removed in all cases where it shall be made to appear to the satisfaction of the Secretary of the Navy from such rolls and records or from other satisfactory evidence, that any such appointed or enlisted man served faithfully until the expiration of his term of enlistment, or until the first day of May anno Domini eighteen hundred and sixty-five, having previously served six months or more, or was prevented from completing his term of service by reason of wounds received or disease contracted in the line of duty, but who, by reason of absence from his command at the time he became entitled to his discharge, failed to be mustered out and to receive a discharge from the service: *Provided*, That no such appointed or enlisted man shall be relieved under this section who, not being sick or wounded, left his command, without proper authority, while the same was in presence of the enemy.

SEC. 2. That the Secretary of the Navy is hereby authorized to remove the charge of desertion standing on the rolls or records of the Navy or Marine Corps against any appointed or enlisted man of the Navy or Marine Corps who served in the late war, in all cases where it shall be made to appear, to the satisfaction of the Secretary of the Navy, from such rolls or from other satisfactory evidence, that such appointed or enlisted man charged with desertion or with absence without leave, after such charge of desertion or absence without leave, and within a reasonable time thereafter, voluntarily returned to and served in the line of his duty until he was mustered out of the service, and received a certificate of discharge therefrom, or, while so absent, and before the expiration of his term of enlistment, died from wounds, injury, or disease received or contracted in the service and in the line of duty.

Charge of, how  
to be removed.

SEC. 3. That the charge of desertion now standing on the rolls or records of the Navy or Marine Corps against any appointed or enlisted man of the Navy or Marine Corps who served in the late war, by reason of his having enlisted at any station or on board of any vessel of the Navy without having first received a discharge from the station or vessel in which he had previously served, shall be removed in all cases wherein it shall be made to appear to the satisfaction of the Secretary of the Navy from such rolls and records, or from other satisfactory testimony, that such re-enlistment was not made for the purpose of securing bounty

Enlistment  
without dis-  
charge from pre-  
vious service.

or other gratuity that he would not have been entitled to, had he remained under his original term of enlistment: *Provided*, That no appointed or enlisted man shall be relieved under this act who, not being sick or wounded, left his command without proper authority while the same was in presence of the enemy, or who, at the time of leaving his command, was in arrest or under charges, or in whose case the period of absence from the service exceeded three months.

*Provided.*

Certificate of discharge.

SEC. 4. That in all cases where the charge of desertion shall be removed under the provisions of this act from the record of any appointed or enlisted man of the Navy or Marine Corps who has not received a certificate of discharge it shall be the duty of the Secretary of the Navy to issue to such appointed or enlisted man, or in case of his death, to his heirs or legal representatives, a certificate of discharge.

SEC. 5. That when the charge of desertion shall be removed under the provisions of this act from the record of any appointed or enlisted man of the Navy or Marine Corps, such man, or, in case of his death, the heirs or legal representatives of such man, shall receive all pay and bounty which may have been withheld on account of such charge of desertion or absence without leave: *Provided, however*, That this act shall not be so construed as to give to any such man as may be entitled to relief under the provisions of this act, or, in case of his death, to the heirs or legal representatives of any such man, the right to receive

Period of six months' service not entitled.

pay and bounty for any period of time during which such man was absent from his command without leave of absence: *And provided further*, That no appointed or enlisted man, nor the heirs or legal representatives of any such man, who served in the Navy or Marine Corps a period of less than six months shall be entitled to the benefit of the provisions of this act: *And provided further*, That all applications for relief under this act shall be made to and filed with the Secretary of the Navy within the period of five years from and after its passage, and all applications not so made and filed within the said term of five years shall be forever barred, and shall not be received or considered.

SEC. 6. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved, August 14, 1888.

Honorable discharge, to whom granted.

SEC. 1426. Honorable discharges may be granted to seamen, ordinary seamen, landsmen, firemen, coal-heavers, and boys who have enlisted for three years.

SEC. 1573. If any seaman, ordinary seaman, landsman, fireman, coal-heaver, or boy, being honorably discharged, shall re-enlist for three years, within three months thereafter, he shall, on presenting his honorable discharge, or on accounting in a satisfactory manner for its loss, be entitled to pay, during the said three months, equal to that to which he would have been entitled if he had been employed in actual service.

Bounty pay for reenlisting.  
Acts 2 Mar., 1855, c. 136, s. 2, v. 10, p. 627; 7 June, 1864, c. 111, v. 13, p. 120.

JOINT RESOLUTION extending the benefits of sections fourteen hundred and twenty-six and fifteen hundred and seventy-three of the Revised Statutes to all enlisted persons in the Navy.

Joint resolution 11 June, 1896, 29 Stat. L., p. 476.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the benefits of honorable discharge as conferred by section fourteen hundred and twenty-six of the Revised Statutes and of three months' pay upon re-enlistment after honorable discharge as conferred by section fifteen hundred and seventy-three upon seamen, ordinary seamen, landsmen, firemen, coal heavers, and boys, be and the same are hereby, extended and made applicable to all enlisted persons in the Navy.*

Navy.  
Honorable discharges and re-enlistment bounty extended to all enlisted men.  
Secs. 1426, 1573, R. S., pp. 251, 269.

And all accounts of paymasters who have made payments to enlisted men, not of the classes named in sections fourteen hundred and twenty-six and fifteen hundred and seventy-three, Revised Statutes, as if they had been included in the provisions of said sections, shall be allowed and passed by the accounting officers of the Treasury as if they had been included in said sections.

Paymasters' accounts for payments so made to be allowed.



## LAWS RELATING TO THE INCREASE OF INVALID PENSIONS.

### SEC.

<p>4698½. Commencement for disabilities not permanent and specific.</p> <p>Act June 18, 1874, rate, \$50 per month; regular personal aid and attendance of another person.</p> <p>Act June 18, 1874, rate, \$24 per month; loss of arm at or below elbow; leg at or below knee.</p> <p>Act June 17, 1878, rate, \$72 per month; loss of both hands or both feet, or the sight of both eyes.</p> <p>Act March 3, 1879, for the relief of soldiers and sailors becoming totally blind.</p>	<p>Act June 18, 1874, increasing rate of \$50 to \$72 per month for total disability.</p> <p>Act March 3, 1883, increasing rate for the loss of arm or leg in service, and for other purposes.</p> <p>Act March 3, 1885, loss of arm at shoulder joint.</p> <p>Act March 4, 1886, loss of one hand or one foot, or total disability in same; loss of arm at or above the elbow, or leg at or above the knee, or total disability in same; loss of arm at shoulder joint or leg at hip joint.</p> <p>Act August 27, 1888, rate for total and partial deafness.</p>
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Commencement of increase for disabilities not permanent and specific.

Sec. 4, 3 Mar., 1873.  
See sec. 4, 10 Apr., 1896.

SEC. [4698½.] Except in cases of permanent specific disabilities, no increase of pension shall be allowed to commence prior to the date of the examining surgeon's certificate establishing the same, made under the pending claim for increase, and in this, as well as all other cases, the certificate of an examining surgeon, or of a board of examining surgeons, shall be subject to the approval of the Commissioner of Pensions.

Act 18 June, AN ACT to increase the pension of soldiers and sailors who have been totally disabled.<sup>1</sup>

See secs. 4697, 4698, R. S.

See amendment act 16 June, 1880, p. 18.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section four of the act entitled "An act to revise, consolidate, and amend the laws relating to pensions," and approved March third, eighteen hundred and seventy-three, be so amended that all persons who, while in the military or naval service of the United States, and in the line of duty, shall have been so permanently and totally disabled as to require the regular personal aid and attendance of another person, by the loss of the sight of both eyes or by the loss of the sight of one eye, the sight of the other having been previously lost, or by the loss of both hands, or by the loss of both feet, or by any other injury resulting in total and permanent helplessness, shall be entitled to a pension*

<sup>1</sup> Amended by Act of June 16, 1880, p. 18.

of fifty dollars per month; and this shall be in lieu of a pension of thirty-one dollars and twenty-five cents per month granted to such person by said section: *Provided*, That the increase of pension shall not be granted by reason of any of the injuries herein specified, unless the same shall have resulted in permanent, total helplessness, requiring the regular personal aid and attendance of another person.

SEC. 2. That this act shall take effect from and after the fourth day of June, eighteen hundred and seventy-four.

Approved, June 18, 1874.

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AN ACT to increase pensions in certain cases.

Act 18 June,  
1874.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all persons who are now entitled to pensions under existing laws, and who have lost either an arm at or above the elbow, or a leg at or above the knee, shall be rated in the second class, and shall receive twenty-four dollars per month: *Provided*, That no artificial limbs, or commutation therefor, shall be furnished to such persons as shall be entitled to pensions under this act.

See secs. 4697,  
4698, R. S.

Loss of arm at  
or below elbow;  
leg at or above  
knee.

SEC. 2. That this act shall take effect from and after the fourth day of June, eighteen hundred and seventy-four.

Approved, June 18, 1874.

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AN ACT to increase the pension of certain pensioned soldiers and sailors who have lost both their hands or both their feet or the sight of both eyes in the service of the country.

Act 17 June,  
1878.

Whereas, it is apparent that the present pension paid to soldiers and sailors who have lost both their hands or both their feet in the service of the country is greatly inadequate to the support of such as have families: Therefore,

See secs. 4697,  
4698, R. S.;  
amendment act  
of March 3, 1879;  
act of June 16,  
1880.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That on and after the passage of this act, all soldiers and sailors who have lost either both their hands or both their feet or the sight of both eyes in the service of the United States, shall receive, in lieu of all pensions now paid them by the Government of the United States, and there shall be paid to them, in the same manner as pensions are now paid to such persons, the sum of seventy-two dollars per month.

Loss of both  
hands or both  
feet.

Approved, June 17, 1878.

*Above act amended by the following act:*

5323—02—2

Act 3 Mar., 1879. AN ACT for the relief of soldiers and sailors becoming totally blind in the service of the country.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of June seventeenth, eighteen hundred and seventy-eight, entitled "An act to increase the pensions of certain soldiers and sailors who have lost both their hands or both their feet, or the sight of both eyes, in the service of the country," be so construed as to include all soldiers and sailors who have become totally blind from causes occurring in the service of the United States.*

Approved, March 3, 1879.

Act 16 June, 1880. AN ACT to increase the pensions of certain pensioned soldiers and sailors who are utterly helpless from injuries received or disease contracted while in the United States service.<sup>1</sup>

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all*

*soldiers and sailors who are now receiving a pension of fifty dollars per month, under the provisions of an act entitled "An act to increase the pension of soldiers and sailors who have been totally disabled," approved June eighteenth, eighteen hundred and seventy-four, shall receive, in lieu of all pensions now paid them by the Government of the United States, and there shall be paid them in the same manner as pensions are now paid to such persons, the sum of seventy-two dollars per month.*

*SEC. 2. All pensioners whose pensions shall be increased by the provisions of this act from fifty dollars per month to seventy-two dollars per month shall be paid the difference between said sums monthly, from June seventeenth, eighteen hundred and seventy-eight, to the time of the taking effect of this act.*

Approved, June 16, 1880.

Act 12 Feb., 1889.

AN ACT to increase pensions in certain cases.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act all persons who, in the military or naval service of the United States and in the line of duty have, lost both hands, shall be entitled to a pension of one hundred dollars per month.<sup>2</sup>*

Approved, February 12, 1889.

<sup>1</sup> Amends Act of June 18, 1874.

<sup>2</sup> Amendatory of Rev. Stat., Sec. 4698, p. 25.

AN ACT to increase the pensions of certain soldiers and sailors who are totally helpless from injuries received or diseases contracted while in the service of the United States.<sup>1</sup> Act 4 Mar., 1890.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* all soldiers, sailors, and marines who have since the sixteenth day of June, eighteen hundred and eighty, or who may hereafter become so totally and permanently helpless from injuries received or disease contracted in the service and line of duty as to require the regular personal aid and attendance of another person, or who, if otherwise entitled, were excluded from the provisions of "An act to increase pensions of certain pensioned soldiers and sailors who are utterly helpless from injuries received or disease contracted while in the United States service," approved June sixteenth, eighteen hundred and eighty, shall be entitled to receive a pension at the rate of seventy-two dollars per month from the date of the passage of this act or of the certificate of the examining surgeon or board of surgeons showing such degree of disability made subsequent to the passage of this act. Totally disabled.

Approved, March 4, 1890.

AN ACT to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service, and for other purposes. Act 3 Mar., 1893.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* from and after the passage of this act all persons on the pension-roll, and all persons hereafter granted a pension, who, while in the military or naval service of the United States, and in the line of duty, shall have lost one hand or one foot, or been totally or permanently disabled in the same, or otherwise so disabled as to render their incapacity to perform manual labor equivalent to the loss of a hand or a foot, shall receive a pension of twenty-four dollars per month; that all persons now on the pension-roll, and all persons hereafter granted a pension, who in like manner shall have lost either an arm at or above the elbow, or a leg at or above the knee, or shall have been otherwise so disabled as to be incapacitated for performing any manual labor, but not so much as to require regular personal aid and attendance, shall receive a Increase of pension of soldiers and sailors who have lost an arm or leg in service.

Equivalent incapacity.

Loss of arm above elbow, or leg above the knee.

<sup>1</sup> Amendment of Act June 16, 1880. (See p. 18.) An intermediate rate of pension was established by Act of July 14, 1892, wherein those who require frequent and periodical aid and attendance should receive \$50 per month. (See p. 27.)

Proviso.

Sec. 4699, R. S.

pension of thirty dollars per month: *Provided*, That nothing contained in this act shall be construed to repeal section forty-six hundred and ninety-nine of the Revised Statutes of the United States, or to change the rate of eighteen dollars per month therein mentioned to be proportionately divided for any degree of disability established for which section forty-six hundred and ninety-five makes no provision.

Approved, March 3, 1883.

Act 3 Mar., 1885. AN ACT for the benefit of soldiers and sailors who have lost an arm at the shoulder-joint.

Soldiers and sailors of United States.

Pension hereafter for loss of arm at shoulder-joint to be same as for loss of leg at hip-joint.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all soldiers and sailors of the United States who have had an arm taken off at the shoulder-joint, caused by injuries received in the service of their country while in the line of duty, and who are now receiving pensions, shall have their pensions increased to the same amount that the law now gives to soldiers and sailors who have lost a leg at the hip-joint; and this act shall apply to all who shall be hereafter placed on the pension-roll.

Approved, March 3, 1885.

Act 4 Aug., 1886. AN ACT to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service.

See sec. 4698, R. S., p. 25, and its amendments, as follows: Acts of 18 June, 1874; (2) 28 Feb., 1877; 17 June, 1878; 3 Mar., 1879; (2) 16 June, 1880; 3 Mar., 1883; and 3 Mar., 1885.

Lost one hand or one foot.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the passage of this act all persons on the pension-rolls, and all persons hereafter granted a pension, who, while in the military or naval service of the United States and in line of duty, shall have lost one hand or one foot, or been totally disabled in the same, shall receive a pension of thirty dollars a month; that all persons now on the pension-rolls, and all persons hereafter granted a pension, who in like manner shall have lost either an arm at or above the elbow or a leg at or above the knee, or been totally disabled in the same, shall receive a pension of thirty-six dollars per month; and that all persons now on the pension-rolls, and all persons hereafter granted a pension who in like manner shall have lost either an arm at the shoulder-joint or a leg at the hip-joint, or so near the joint as to prevent the use of an artificial limb, shall receive a pension at the rate of forty-five dollars per month: *Provided*, That nothing con-

Proviso.

tained in this act shall be construed to repeal section forty-six hundred and ninety-nine of the Revised Statutes of the United States, or to change the rate of eighteen dollars per month therein mentioned to be proportionately divided for any degree of disability established for which section forty-six hundred and ninety-five makes no provision.

Approved, August 4, 1886.

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AN ACT authorizing an increase in pensions in cases of deafness. Act 27 Aug.,  
1888.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* from and after the passage of this act all persons on the pension rolls of the United States, or who may hereafter be thereon, drawing pension on account of loss of hearing, shall be entitled to receive in lieu of the amount now paid in case of such disability, the sum of thirty dollars, in cases of total deafness, and such proportion thereof in cases of partial deafness as the Secretary of the Interior may deem equitable; the amount paid to be determined by the degree of disability existing in each case.

Deafness.

Approved, August 27, 1888.

## LAWS IN FORCE RELATIVE TO THE RATE AND COMMENCEMENT OF INVALID PENSIONS.

**SEC. 4695.** Rate prescribed for total disability.  
 Act 3 March, 1877. Rate, passed assistant engineers, assistant engineers, cadet engineers.  
 Act 18 June, 1878. Rate, lieutenant-commanders in Navy.  
**SEC. 4696.** Rate according to rank held at time disability contracted.  
**SEC. 4697.** Rate and commencement in case of permanent and specific disabilities subsequent to July 4, 1864, and prior to June 3, 1872.

**SEC. 4698.** Rate and commencement in case of permanent and specific disabilities subsequent to June 4, 1872.  
 Act 28 February, 1877. Rate, \$36 per month; loss of arm and leg.  
 Act 3 March, 1879. Amputation of leg at hip joint.  
**SEC. 4699.** Proportionate rate, \$18 per month.  
**SEC. 4712.** Provisions of former acts extended.  
 Act 12 February, 1880. Rate, \$100 per month.  
 Act 4 March, 1890. Rate, \$72 per month.  
 Act 14 July, 1892. Intermediate rate between \$30 and \$72.

Rate of pension prescribed for total disabilities.  
 Sec. 2, 3 Mar., 1873; Sec. 1, 14 July, 1862.  
 Enrolling officer, provost and deputy provost marshal.  
 Sec. 1, 25 July, 1866.  
 Contract surgeon.  
 Sec. 2, 3 Mar., 1865.

**SEC. 4695.** The pension for total disability shall be as follows, namely: For lieutenant-colonel and all officers of higher rank in the military service and in the Marine Corps, and for captain and all officers of higher rank, commander, surgeon, paymaster, and chief engineer, respectively ranking with commander by law, lieutenant commanding and master commanding, in the naval service, thirty dollars per month; for major in the military service and in the Marine Corps, and lieutenant, surgeon, paymaster, and chief engineer, respectively ranking with lieutenant by law, and passed assistant surgeon in the naval service, twenty-five dollars per month; for captain in the military service and in the Marine Corps, chaplain in the Army, and provost-marshal, professor of mathematics, master, assistant surgeon, assistant paymaster, and chaplain in the naval service, twenty dollars per month; for first lieutenant in the military service and in the Marine Corps, acting assistant or contract surgeon, and deputy provost-marshal, seventeen dollars per month; for second lieutenant in the military service and in the Marine Corps, first assistant engineer, ensign, and pilot in the naval service, and enrolling-officer, fifteen dollars per month; for cadet-midshipman, passed midshipman, midshipmen, clerks of admirals, and paymasters, and of other officers commanding vessels, second and third assistant engineer, master's mate, and all warrant-officers in the naval service, ten dollars per month; and for all other persons, whose rank or office is not mentioned in this section, eight



dollars per month; and the masters, pilots, engineers, sailors, and crews upon the gunboats and war-vessels shall be entitled to receive the pension allowed herein to those of like rank in the naval service.

*The above section amended by the following Acts, approved March 3, 1877, and June 18, 1878, and also by Section 2 of the Act approved March 3, 1873.*

AN ACT equalizing pensions of certain officers in the Navy. Act 3 Mar., 1877.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, the pension for total disability of passed assistant engineers, assistant engineers, and cadet engineers in the naval service, respectively, shall be the same as the pensions allowed to officers of the line in the naval service with whom they have relative rank; and that all acts or parts of acts, inconsistent herewith be, and are hereby, repealed.*

Approved, March 3, 1877.

AN ACT to amend section 4695 of the Revised Statutes of the United States. Act 18 June, 1878.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after July sixteenth, eighteen hundred and sixty-two, pensions granted to lieutenant-commanders in the Navy for disability, or on account of their death, shall be the same as theretofore provided for lieutenants-commanding.*

Approved June 18, 1878.

SEC. 4696. Every commissioned officer of the Army, Navy, or Marine Corps shall receive such and only such pension as is provided in the preceding section for the rank he held at the time he received the injury or contracted the disease which resulted in the disability on account of which he may be entitled to a pension; and any commission or presidential appointment, regularly issued to such person, shall be taken to determine his rank from and after the date, as given in the body of the commission or appointment conferring said rank: *Provided, That a vacancy existed in the rank thereby conferred; that the person commissioned was not disabled for military duty; and that he did not willfully neglect or refuse to be mustered.*

Rate of pension shall be according to rank held at time disability was contracted.

Sec. 2, 3 Mar., 1873.  
Sec. 1, 14 July, 1862.

Commission determines rank from and after date given in the body of the commission.

Sec. 7, 6 June, 1866.

Rate and commencement of pension for permanent and specific disabilities subsequent to 4 July, 1864, and prior to 3 June, 1872.

Sec. 3, 3 Mar., 1873; Sec. 5, 4 July, 1864; Sec. 3, 3 Mar., 1865.

For loss of hand and foot, see Act 28 Feb., 1877.

For loss of both hands, both eyes, or both feet, see Act 17 June, 1878, and 3 Mar., 1879.

For leg amputated at hip joint, see Act 3 Mar., 1879.

Sec. 1, 6 June, 1866.

Sec. 12, 27 July, 1868.

As to total and permanent helplessness, see amendment Acts 18 June, 1874, and 16 June, 1880.

See sec. 1, 6 June, 1866; sec. 5, 25 July, 1886.

SEC. 4697. For the period commencing July fourth, eighteen hundred and sixty-four, and ending June third, eighteen hundred and seventy-two, those persons entitled to a less pension than hereinafter mentioned, who shall have lost both feet in the military or naval service and in the line of duty, shall be entitled to a pension of twenty dollars per month; for the same period those persons who, under like circumstances, shall have lost both hands or the sight of both eyes, shall be entitled to a pension of twenty-five dollars per month; and for the period commencing March third, eighteen hundred and sixty-five, and ending June third, eighteen hundred and seventy-two, those persons who under like circumstances shall have lost one hand and one foot shall be entitled to a pension of twenty dollars per month; and for the period commencing June sixth, eighteen hundred and sixty-six, and ending June third, eighteen hundred and seventy-two, those persons who under like circumstances shall have lost one hand or one foot shall be entitled to a pension of fifteen dollars per month; and for the period commencing June sixth, eighteen hundred and sixty-six, and ending June third, eighteen hundred and seventy-two, those persons entitled to a less pension than hereinafter mentioned, who by reason of injury received or disease contracted in the military or naval service of the United States and in the line of duty shall have been permanently and totally disabled in both hands, or who shall have lost the sight of one eye, the other having been previously lost, or who shall have been otherwise so totally and permanently disabled as to render them utterly helpless, or so nearly so as to require regular personal aid and attendance of another person, shall be entitled to a pension of twenty-five dollars per month; and for the same period those who under like circumstances shall have been totally and permanently disabled in both feet or in one hand and one foot, or otherwise so disabled as to be incapacitated for the performance of any manual labor, but not so much as to require regular personal aid and attention, shall be entitled to a pension of twenty dollars per month; and for the same period all persons who under like circumstances shall have been totally and permanently disabled in one hand or one foot, or otherwise so disabled as to render their inability to perform manual labor equivalent to the loss of a hand or foot, shall be entitled to a pension of fifteen dollars per month.

(See Act of June 16, 1880, p. 18; and Act of March 4, 1890, p. 19.)

SEC. 4698. From and after June fourth, eighteen hundred and seventy-two, all persons entitled by law to a less pension than hereinafter specified, who while in the military or naval service of the United States, and in line of duty, shall have lost the sight of both eyes, or shall have lost the sight of one eye, the sight of the other having been previously lost, or shall have lost both hands, or shall have lost both feet, or been permanently and totally disabled in the same, or otherwise so permanently and totally disabled as to render them utterly helpless, or so nearly so as to require the regular personal aid and attendance of another person, shall be entitled to a pension of thirty-one dollars and twenty-five cents per month; and all persons who, under like circumstances, shall have lost one hand and one foot, or been totally and permanently disabled in the same, or otherwise so disabled as to be incapacitated for performing any manual labor, but not so much as to require regular personal aid and attendance, shall be entitled to a pension of twenty-four dollars per month; and all persons who under like circumstances, shall have lost one hand, or one foot, or been totally and permanently disabled in the same, or otherwise so disabled as to render their incapacity to perform manual labor equivalent to the loss of a hand or foot, shall be entitled to a pension of eighteen dollars per month: *Provided*, That all persons who, under like circumstances, have lost a leg above the knee, and in consequence thereof are so disabled that they cannot use artificial limbs, shall be rated in the second class and receive twenty-four dollars per month from and after June fourth, eighteen hundred and seventy-two; and all persons who, under like circumstances, shall have lost the hearing of both ears shall be entitled to a pension of thirteen dollars per month from the same date: *Provided*, That the pension for a disability not permanent, equivalent in degree to any provided for in this section, shall, during the continuance of the disability in such degree, be at the same rate as that herein provided for a permanent disability of like degree.

*The above section amended by the following Acts approved February 28, 1877, and March 3, 1879. (See footnotes also.)*<sup>1</sup>

Rate and commencement of pension for permanent and specific disabilities subsequent to 4 June, 1872.

Sec. 4, 3 Mar., 1873; Act 8 June, 1872.

As to total and permanent helplessness, see Acts 18 June, 1874, and 16 June, 1880.

For loss of hand and foot, see Acts 28 Feb., 1877, and 4 Aug., 1886.

For loss of both eyes, both hands, or both feet, see Acts 17 June, 1873, 3 Mar., 1879, and 12 Feb., 1889.

For leg amputated at hip joint, see Act 3 Mar., 1879.

Sec. 4, 3 Mar., 1873.

For deafness, see Act 27 Aug., 1888.

Sec. 4, 3 Mar., 1873.

<sup>1</sup>Amended by Acts of June 18, 1874 (2); June 17, 1878; June 16, 1880; March 3, 1883; March 3, 1885; August 4, 1886; August 27, 1888, and February 12, 1889.

Act 28 Feb., 1877. AN ACT to allow a pension of thirty-six dollars per month to soldiers who have lost both an arm and a leg.

See secs. 4697, 4698, R. S. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons who, while in the military or naval service of the United States, and in the line of duty, shall have lost one hand and one foot, or been totally and permanently disabled in both, shall be entitled to a pension for each of such disabilities, and at such a rate as is provided for by the provisions of the existing laws for each disability: Provided, That this act shall not be so construed as to reduce pensions in any case.*

Lost one hand or one foot.

Approved, February 28, 1877.

Act 3 Mar., 1879. AN ACT for the relief of certain pensioners.

See secs. 4697, 4698, R. S. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all pensioners now on the pension-rolls, or who may hereafter be placed thereon, for amputation of either leg at the hip joint, shall receive a pension at the rate of thirty-seven dollars and fifty cents per month from the date of the approval of this act.*

Amputation leg at hip joint.

Approved, March 3, 1879.

Division of rate of \$18 per month. SEC. 4699. The rate of eighteen dollars per month may be proportionately divided for any degree of disability established for which section forty-six hundred and ninety-five makes no provision.

Sec. 5, 3 Mar., 1873.

Provisions of former acts extended.

Sec. 18, 3 Mar., 1873; Sec. 3, 25 July, 1866; Sec. 13, 27 July, 1868.

See amendment, 9 June, 1880.

<sup>1</sup>SEC. 4712. The provisions of this Title in respect to the rates of pension to persons whose right accrued since the fourth day of March, eighteen hundred and sixty-one, are extended to pensioners whose right to pension accrued under general acts passed since the war of the Revolution and prior to the fourth day of March, eighteen hundred and sixty-one, to take effect from and after the twenty-fifth day of July, eighteen hundred and sixty-six; and the widows of revolutionary soldiers and sailors receiving a less sum shall be paid at the rate of eight dollars per month from and after the twenty-seventh day of July, eighteen hundred and sixty-eight.

<sup>1</sup>Amended by act of June 9, 1880. (See p. 12.)

AN ACT to establish an intermediate rate of pension between thirty dollars and seventy-two dollars per month. Act 14 July, 1892.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* soldiers and sailors who are shown to be totally incapacitated for performing manual labor by reason of injuries received or disease contracted in the service of the United States and in line of duty, and who are thereby disabled to such a degree as to require frequent and periodical, though not regular and constant, personal aid and attendance of another person, shall be entitled to receive a pension of fifty dollars per month from and after the date of the certificate of the examining surgeon or board of examining surgeons showing such degree of disability, and made subsequent to the passage of this act.

Totally disabled. Those requiring frequent and periodical aid entitled to \$50.

Approved, July 14, 1892.

*(See Act March 6, 1896, p. 95, fixing date of commencement in claims under Act of June 27, 1890, rejected, suspended, or dismissed.)*

## TABLE OF RATES.

### RATINGS NOW IN FORCE FOR DISABILITIES INCURRED IN THE MILITARY OR NAVAL SERVICE AND IN LINE OF DUTY.

TABLE I.

*For simple total (a disability equivalent to the ankylosis of a wrist) provided by Section  
4695, Revised Statutes, United States.*

	Per month.
<b>ARMY.</b>	
Lieutenant-colonel and all officers of higher rank.....	\$30. 00
Major, surgeon, and paymaster.....	25. 00
Captain, provost-marshal, and chaplain.....	20. 00
First lieutenant, assistant surgeon, deputy provost-marshal, and quarter- master.....	17. 00
Second lieutenant and enrolling officer.....	15. 00
All enlisted men.....	8. 00

**NAVY AND MARINE CORPS.**

Captain, and all officers of higher rank, commander, lieutenant commanding, and master commanding, surgeon, paymaster, and chief engineer ranking with commander by law, lieutenant-colonel, and all of higher rank in Marine Corps.....	30. 00
Lieutenant, passed assistant surgeon, surgeon, paymaster and chief engineer ranking with lieutenant by law, and major in Marine Corps.....	25. 00
Master, professor of mathematics, assistant surgeon, paymaster, and chap- lain, and captain in Marine Corps.....	20. 00
First lieutenant in Marine Corps.....	17. 00
First assistant engineer, ensign, and pilot, and second lieutenant in Marine Corps.....	15. 00
Cadet midshipmen, passed midshipmen, midshipmen, clerks of admirals, of paymasters, and of officers commanding vessels, second and third assistant engineers, master's mate, and warrant officers.....	10. 00
All enlisted men, except warrant officers.....	8. 00

TABLE II.

*Rates and disabilities specified by law.*

Loss of both hands.....	\$100. 00
Total disability in both hands.....	72. 00
Loss of both feet.....	72. 00
Loss of both eyes.....	72. 00
Loss of an eye, the other lost before enlistment.....	72. 00
Regular aid and attendance (first grade).....	72. 00

	Per month.
Frequent aid and attendance.....	\$50.00
Amputation at shoulder or hip joint, or so near joint as to prevent use of artifi- cial limb.....	45.00
Total disability of arm or leg.....	36.00
Loss of one hand and one foot.....	36.00
Total disability in one hand and one foot.....	36.00
Amputation at or above elbow or knee.....	36.00
Loss of a hand or a foot.....	30.00
Total disability of one hand or one foot.....	30.00
Inability to perform manual labor (second grade).....	30.00
Total deafness.....	30.00
Disability equivalent to loss of hand or foot (third grade).....	24.00

TABLE III.

*Rates fixed by the Commissioner of Pensions for certain disabilities not specified by law.*

Anchylosis of shoulder.....	\$12.00
Anchylosis of elbow.....	10.00
Anchylosis of knee.....	10.00
Anchylosis of ankle.....	8.00
Anchylosis of wrist.....	8.00
Loss of sight of one eye.....	12.00
Loss of one eye.....	17.00
Nearly total deafness of one ear.....	6.00
Total deafness of one ear.....	10.00
Slight deafness of both ears.....	6.00
Severe deafness of one ear and slight of the other.....	10.00
Nearly total deafness of one ear and slight of the other.....	15.00
Total deafness of one ear and slight of the other.....	20.00
Severe deafness of both ears.....	22.00
Total deafness of one ear and severe of the other.....	25.00
Deafness of both ears existing in a degree nearly total.....	27.00
Loss of palm of hand and all the fingers, the thumb remaining.....	17.00
Loss of thumb, index, middle, and ring fingers.....	17.00
Loss of thumb, index, and middle fingers.....	16.00
Loss of thumb and index finger.....	12.00
Loss of thumb and little finger.....	10.00
Loss of thumb, index, and little fingers.....	16.00
Loss of thumb.....	8.00
Loss of thumb and metacarpal bone.....	12.00
Loss of all the fingers, thumb and palm remaining.....	16.00
Loss of index, middle, and ring fingers.....	16.00
Loss of middle, ring, and little fingers.....	14.00
Loss of index and middle fingers.....	8.00
Loss of little and middle fingers.....	8.00
Loss of little and ring fingers.....	6.00
Loss of ring and middle fingers.....	6.00
Loss of index and little fingers.....	6.00
Loss of index finger.....	4.00
Loss of any other finger without complications.....	2.00
Loss of all the toes of one foot.....	10.00
Loss of great, second, and third toes.....	8.00
Loss of great toe and metatarsal.....	8.00
Loss of great and second toes.....	8.00
Loss of great toe.....	6.00



	Per month.
Loss of any other toe and metatarsal.....	\$6. 00
Loss of any other toe.....	2. 00
Chopart's amputation of foot, with good results.....	14. 00
Pirogoff's modification of Syme's.....	17. 00
Small varicocele.....	2. 00
Well-marked varicocele.....	4. 00
Inguinal hernia, which passes through the external ring.....	10. 00
Inguinal hernia, which does not pass through the external ring.....	6. 00
Double inguinal hernia, each of which passes through the external ring.....	14. 00
Double inguinal hernia, one of which passes through the external ring and the other does not.....	12. 00
Double inguinal hernia, neither of which passes through the external ring..	8. 00
Femoral hernia.....	10. 00

NOTE.—Section 4699, Revised Statutes, provides that the rate of eighteen dollars per month may be proportionately divided for any degree of disability established for which section forty-six hundred and ninety-five makes no provision, thus fixing the highest rating provided by existing laws which can be allowed by considering disabilities separately and compounding so as to allow the full amount which the disabilities, so considered, would aggregate.

The act of March 2, 1895, provides that all pensioners now on the rolls, who are pensioned at less than six dollars per month, for any degree of pensionable disability, shall have their pensions increased to six dollars per month; and that, hereafter, whenever any applicant for pension would, under existing rates, be entitled to less than six dollars for any single disability or several combined disabilities, such pensioner shall be rated at not less than six dollars per month: *Provided, also,* That the provisions hereof shall not be held to cover any pensionable period prior to the passage of this act, nor authorize a rerating of any claim for any part of such period, nor prevent the allowance of lower rates than six dollars per month, according to the existing practice in the Pension Office in pending cases covering any pensionable period prior to the passage of this act.

#### WIDOWS.

The widow of a soldier or sailor who died of a disability incurred while in the service and in line of duty is, under the provisions of section 4702, entitled to the rating to which he would have been entitled for a simple total disability, as shown in Table I, and, under the provisions of section 4696, Revised Statutes, the rank of the soldier is determined by the rank held by him when death cause was incurred, without regard to subsequent promotions.

From and after March 19, 1886, by the act approved on that date, the widow of a private or noncommissioned officer is entitled to \$12 per month, provided that she married deceased soldier or sailor prior to March 19, 1886, or thereafter married him prior to or during his term of service.

#### WIDOW'S INCREASE.

From and after July 25, 1866, a widow is entitled to \$2 per month increase for each legitimate minor child of the soldier or sailor in her care and custody.

#### MINORS' PENSION.

Same rates and increase as in widows' claims, except that in cases of children of fathers below the rank of a commissioned officer, the rate is increased to \$12 per month from March 19, 1886, without regard to date of soldier's or sailor's marriage.

#### MOTHERS, FATHERS, AND BROTHERS AND SISTERS.

Same rates as provided in minors' and widows' claims in cases of commissioned officers, and \$8 per month to March 19, 1886, and \$12 thereafter in other cases.

PENSIONS BASED UPON SERVICE PERFORMED SINCE MARCH 4, 1861. ACT OF JUNE 27, 1890.

	Per month.
Survivors.....	\$6.00 to \$12.00
Widows and minors .....	8.00

To widows' and minors' rate add \$2 per month increase for each legitimate minor child of soldier or sailor under the age of 16.

ACT OF AUGUST 5, 1892.

Female nurses.....	\$12.00
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ACT OF MARCH 2, 1867 (NAVY ONLY).

For twenty years' naval service entitled to one-half the pay he was receiving at date of discharge.

Ten years' service; whatever rate may be allowed by a board of officers appointed by the Secretary of the Navy, not to exceed rate for total disability.

If in addition to service pension sailor is pensioned for disability, the service pension covering the same time shall not exceed one-fourth the rate allowed for disability.

NOTE.—Claims under this act should be filed with the Secretary of the Navy.

PENSIONS BASED UPON SERVICE PERFORMED PRIOR TO MARCH 4, 1861.

*Revolutionary war.*

There are no survivors of this war.

Widows, from March 9, 1878, \$8, and from March 19, 1886.....	\$12.00
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*War of 1812.*

(Sections 4736 and 4740, Revised Statutes, and acts of March 9, 1878, and March 19, 1886.)

Survivors.....	\$8.00
Widows, from March 9, 1878, \$8, and from March 19, 1886.....	12.00

*Indian wars, from 1832 to 1842 (act of July 27, 1892).*

Survivors .....	\$8.00
Widows .....	8.00

*Mexican war (act of January 29, 1887).*

Survivors .....	\$8.00
Act of January 5, 1893, provides, under certain conditions, for increase of survivors' pension only to .....	12.00
Widows.....	8.00

PROVIDING A MINIMUM RATE OF \$6 FOR ALL INVALID PENSIONS. SEE ACT MARCH 2, 1895, P. 94.

## LAWS GRANTING ARREARS OF PENSION.

SEC. 4709. } Repealed.

SEC. 4710. }

SEC. 4711. Arrears, to whom paid; no fee due.

SEC. 4717. Repealed.

Act 25 January, 1879. Commencement; date of death or discharge from service of United States.

Act 3 March, 1879. Rate, graded according to degree of disability; commencement of arrears.

SEC. 4709. Repealed.

SEC. 4709. *Repealed by Acts of January 25 and March 3, 1879. (See p. 33.)*

SEC. 4710. *Repealed by Acts of January 25 and March 3, 1879. (See p. 33.)*

Arrears of pensions.

Sec. 17, 3 Mar. 1873.

Sec. 4718, and Act 1 Mar., 1889.

No fee due attorney for making application for arrears.

SEC. 4711. It shall be the duty of the Commissioner of Pensions, upon any application by letter or otherwise by or on behalf of any pensioner entitled to arrears of pension under section forty-seven hundred and nine, or if any such pensioner has died, upon a similar application by or on behalf of any person entitled to receive the accrued pension due such pensioner at his death, to pay or cause to be paid to such pensioner, or other person, all such arrears of pension as the pensioner may be entitled to, or, if dead, would have been entitled to under the provisions of that section had he survived; and no claim-agent or other person shall be entitled to receive any compensation for services in making application for arrears of pensions.

SEC. 4717. *Repealed by Section 3, Act of January 25, 1879. (See p. 33.)*

Act 25 Jan., 1879.

AN ACT to provide that all pensions on account of death, or wounds received, or disease contracted in the service of the United States during the late war of the rebellion, which have been granted, or which shall hereafter be granted, shall commence from the date of death or discharge from the service of the United States, for the payment of arrears of pensions, and other purposes.

See Sec. 4709, R. S., now repealed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all pensions which have been granted under the general laws regulating pensions, or may hereafter be granted, in consequence of death from a cause which originated in the United States service during the continuance of the late war of the*

rebellion, or in consequence of wounds, injuries, or disease received or contracted in said service during said war of the rebellion, shall commence from the date of the death or discharge from said service of the person on whose account the claim has been or shall hereafter be granted, or from the termination of the right of the party having prior title to such pension: *Provided*, The rate of pension for the intervening time for which arrears of pension are hereby granted shall be the same per month for which the pension was originally granted.

SEC. 2. That the Commissioner of Pensions is hereby authorized and directed to adopt such rules and regulations for the payment of the arrears of pensions hereby granted as will be necessary to cause to be paid to such pensioner, or, if the pensioner shall have died, to the person or persons entitled to the same, all such arrears of pension as the pensioner may be, or would have been, entitled to under this Act.

SEC. 3. That section forty-seven hundred and seventeen of the Revised Statutes of the United States, which provides that "no claim for pension not prosecuted to a successful issue within five years from the date of filing the same shall be admitted without record evidence from the War or Navy Department of the injury or the disease which resulted in the disability or death of the person on whose account the claim is made: *Provided*, That in any case in which the limitation prescribed by this section bars the further prosecution of the claim, the claimant may present, through the Pension Office, to the Adjutant-General of the Army or the Surgeon-General of the Navy, evidence that the disease or injury which resulted in the disability or death of the person on whose account the claim is made originated in the service and in the line of duty; and if such evidence is deemed satisfactory by the officer to whom it may be submitted, he shall cause a record of the fact so proved to be made, and a copy of the same to be transmitted to the Commissioner of Pensions, and the bar to the prosecution of the claims shall thereby be removed," be, and the same is hereby, repealed.

Sec. 4717, R. S.,  
repealed.

SEC. 4. No claim-agent or other person shall be entitled to receive any compensation for services in making application for arrears of pension.

See Secs. 4768,  
4769, 4786, R. S.

SEC. 5. That all acts or parts of acts so far as they may conflict with the provisions of this Act, be, and the same are hereby, repealed.

Approved, January 25, 1879.

(See *Rev. Stat.*, Sec. 4709, now repealed.)

Act 3 Mar.,  
1879.

*The following provisions were enacted as a portion of the Act making appropriations for the payment of the arrears of pensions, approved March 3, 1879 :*

\* \* \* \* \*

That the rate at which the arrears of invalid pensions shall be allowed and computed in the cases which have been or shall hereafter be allowed, shall be graded according to the degree of the pensioner's disability from time to time, and the provisions of the pension laws in force over the period for which the arrears shall be computed.

That section one of the Act of January twenty-fifth, eighteen hundred and seventy-nine, granting arrears of pensions, shall be construed to extend to and include pensions on account of soldiers who were enlisted or drafted for the service in the war of the rebellion, but died or incurred disability from a cause originating after the cessation of hostilities, and before being mustered out: *Provided*, That in no case shall arrears of pensions be allowed and paid from a time prior to the date of actual disability.

SEC. 2. All pensions which have been, or which may hereafter be, granted in consequence of death occurring from a cause which originated in the service since the fourth day of March, eighteen hundred and sixty-one, or in consequence of wounds or injuries received, or disease contracted since that date, shall commence from the death or discharge of the person on whose account the claim has been or is hereafter granted, if the disability occurred prior to discharge; and if such disability occurred after the discharge, then from the date of actual disability, or from the termination of the right of party having prior title to such pension: *Provided*, The application for such pension has been or is hereafter filed with the Commissioner of Pensions prior to the first day of July, eighteen hundred and eighty, otherwise the pension shall commence from the date of filing the application; but the limitation herein prescribed shall not apply to claims by or in behalf of insane persons and children under sixteen years of age.

Sec. 4709, R. S.,  
repealed.

SEC. 3. Section forty-seven hundred and nine of the Revised Statutes is hereby repealed.

## MISCELLANEOUS LAWS RELATING TO INVALID PENSIONS.

<p>Sec. 4694. Limitations in cases of disability incurred since July 27, 1868.</p> <p>Sec. 4700. Sick leave; sick furlough; veteran furlough; line of duty.</p> <p>Sec. 4701. Date when service terminates.</p> <p>Sec. 4713. Commencement of anti-rebellion pensions.</p> <p>Sec. 4715. One pension only allowable.</p> <p>Sec. 4721. Limitation prescribed by Secs. 4709 and 4717 extended in claims of Indians. Evidence in Indian claims to be executed, by whom.</p> <p>Sec. 4724. General-service limitations as to pension and pay.</p> <p>Act 29 August, 1890. Officer on retired list.</p> <p>Sec. 4749. Certain soldiers and sailors not to be deemed deserters.</p> <p>Act 7 August, 1872.</p> <p>Act 5 July, 1884.</p> <p>Act 17 May, 1886.</p> <p>Act 2 March, 1889.</p> <p>Act 2 March, 1891. Minor not entitled to bounty or pay.</p> <p>Act 27 July, 1892. Desertion. War with Mexico. Extends limitation.</p>	<p>Act 2 March, 1895. Desertion, limit to, rescinded. Sec. 4771.</p> <p>Sec. 4772. Repealed.</p> <p>Sec. 4773.</p> <p>Act 21 June, 1879. Power of Commissioner to order special examinations, and to increase or reduce pensions.</p> <p>Sec. 4777. Appointment of civil examining surgeons.</p> <p>Act 3 June, 1884. Providing for muster and pay of certain officers and enlisted men, volunteer service.</p> <p>Act 3 February, 1887. Providing for muster and pay of certain officers and enlisted men of the volunteer forces.</p> <p>Act 1 March, 1879. Soldiers in the civil service of the United States.</p> <p>Act 1 August, 1892. Disloyalty, bar as to, removed, amending Sec. 4716.</p> <p>Act 3 March, 1893. Aid to State or Territorial Homes.</p> <p>Act 24 February, 1897. Provisions as to muster and pay of certain officers and enlisted men of volunteer forces.</p>
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SEC. 4694. No person shall be entitled to a pension by reason of wounds or injury received or disease contracted in the service of the United States subsequent to the twenty-seventh day of July, eighteen hundred and sixty-eight, unless the person who was wounded, or injured, or contracted the disease was in the line of duty; and, if in the military service, was at the time actually in the field, or on the march, or at some post, fort, or garrison, or en route, by direction of competent authority, to some post, fort, or garrison; or, if in the naval service, was at the time borne on the books of some ship or other vessel of the United States, at sea or in harbor, actually in commission, or was at some naval station, or on his way, by direction of competent authority, to the United States, or to some other vessel, or naval station, or hospital.

Limitation in cases of disability incurred since 27 July, 1868.  
 Sec. 1, 3 Mar., 1873; Sec. 2, 27 July, 1868.

SEC. 4700. Officers absent on sick leave, and enlisted men absent on sick-furlough, or on veteran-furlough with the organization to which they belong, shall be regarded in the administration of the pension laws in the same manner as if they were in the field or hospital.

Sick leave, sick furlough, veteran furlough, line of duty.  
 Sec. 6, 3 Mar., 1873; Sec. 8, 6 June, 1866. (On veteran furlough with the organization to which they belonged.)

Date when  
service termi-  
nates.

Sec. 7, 3 Mar.,  
1873; Sec. 9, 6  
June, 1896.

SEC. 4701. The period of service of all persons entitled to the benefits of the pension laws, or on account of whose death any person may become entitled to a pension, shall be construed to extend to the time of disbanding the organization to which such persons belonged, or until their actual discharge for other cause than the expiration of the service of such organization.

Commencement  
of ante rebellion  
pensions.

Sec. 19, 3 Mar.,  
1873; Sec. 13, 6  
June, 1866; Sec.  
3, 25 July, 1866.  
See Sec. 1, 21  
Feb., 1795; Sec. 2,  
20 May, 1820; Sec.  
2, 4 Feb., 1822;  
Sec. 2, 24 May,  
1828.

SEC. 4713. In all cases in which the cause of disability or death originated in the service prior to the fourth day of March, eighteen hundred and sixty-one, and an application for pension shall not have been filed within three years from the discharge or death of the person on whose account the claim is made, or within three years of the termination of a pension previously granted on account of the service and death of the same person, the pension shall commence from the date of filing by the party prosecuting the claim the last paper requisite to establish the same. But no claim allowed prior to the sixth day of June, eighteen hundred and sixty-six, shall be affected by anything herein contained.

Two pensions  
not allowable.

Sec. 2, 3 Mar.,  
1873; Secs. 3, 4,  
and 10, 14 July,  
1862; Sec. 13, 6  
June, 1866; Sec.  
2, 25 July, 1866.

SEC. 4715. Nothing in this Title shall be so construed as to allow more than one pension at the same time to the same person or to persons entitled jointly; but any pensioner who shall so elect may surrender his certificate, and receive, in lieu thereof, a certificate for any other pension to which he would have been entitled had not the surrendered certificate been issued. But all payments previously made for any period covered by the new certificate shall be deducted from the amount allowed by such certificate.

(See Sec. 5, Act of July 25, 1862, p. 84.)

Indians' claims.

Sec. 28, 3 Mar.,  
1873.

SEC. 4721. The term of limitation prescribed by sections forty-seven hundred and nine and forty-seven hundred and seventeen shall, in pending claims of Indians, be extended to two years from and after the third day of March, eighteen hundred and seventy-three; all proof which has heretofore been taken before an Indian agent, or before an officer of any tribe, competent according to the rules of said tribe to administer oaths, shall be held and regarded by the Pension Office, in the examining and determining of claims of Indians now on file, as of the same validity as if taken before an officer recognized by the law at the time as competent to administer oaths; all proof wanting in said claims hereafter, as well as in those filed after the third day of March, eighteen hundred and seventy-three, shall be taken before the agent of the tribe to which the claimants respectively belong; in regard to dates, all applications of Indians

now on file shall be treated as though they were made before a competent officer at their respective dates, and if found to be in all other respects conclusive, they shall be allowed; and Indians shall be exempted from the obligation to take the oath to support the Constitution of the United States.

SEC. 4724. No person in the Army, Navy, or Marine Corps shall draw both a pension as an invalid and the pay of his rank or station in the service, unless the disability for which the pension was granted be such as to occasion his employment in a lower grade, or in the civil branch of the service.

General service.

Act 30 Apr., 1844.

As to persons in the civil service of the United States, see Sec. 1, 3 Mar., 1865, Sec. 5, 6 June, 1866, and Act 1 Mar., 1879.

*The above section amended by the following Act:*

AN ACT making appropriations for additional clerical force and other expenses, and so forth.

Act 29 Aug., 1890.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, \* \* \**

SEC. 2. Hereafter no officer of the Army, Navy or Marine Corps on the retired list shall draw or receive any pension under any law.

Officer on retired list.

Approved, August 29, 1890.

SEC. 4749. No soldier or sailor shall be taken or held to be a deserter from the Army or Navy who faithfully served according to his enlistment until the nineteenth day of April, eighteen hundred and sixty-five, and who, without proper authority or leave first obtained, quit his command or refused to serve after that date; but nothing herein contained shall operate as a remission of any forfeiture incurred by any such soldier or sailor of his pension; but this section shall be construed solely as a removal of any disability such soldier or sailor may have incurred by the loss of his citizenship in consequence of his desertion.

Certain soldiers and sailors not to be deemed deserters.

Act 19 July, 1867.

*The above section amended by the following Acts:*

AN ACT to relieve certain soldiers of the late war from the charge of desertion.

Act 7 Aug., 1882.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the charge of desertion now standing on the rolls and records in the Office of the Adjutant-General of the United States*

Desertion.



against any soldier who served in the late war in the volunteer service shall be removed in all cases where it shall be made to appear to the satisfaction of the Secretary of War, from such rolls and records or from other satisfactory testimony, that any such soldier served faithfully until the expiration of his term of enlistment, or until the twenty-second day of May, anno Domini eighteen hundred and sixty-five, or was prevented from completing his term of service by reason of wounds received or disease contracted in the line of duty, but who, by reason of absence from his command at the time the same was mustered out, failed to be mustered out and to receive an honorable discharge.

SEC. 2. That the charge of desertion standing on the rolls and records in the Office of the Adjutant-General of the United States against any soldier who served in the late war in the volunteer service shall also be removed in all cases where it shall be made to appear to the satisfaction of the Secretary of War, from such rolls and records, or from other satisfactory testimony, that such soldier charged with desertion or with absence without leave did not intend to desert, and after such charge of desertion or absence without leave voluntarily returned to his command and served in the line of his duty until he was mustered out of the service and received a certificate of honorable discharge.

SEC. 3. That in all cases where the charge of desertion shall be removed under the provisions of this Act from the record of any soldier who has not received a certificate of discharge, it shall be the duty of the Adjutant-General of the United States to issue to such soldier, or, in case of his death, to his heirs or legal representatives, a certificate of discharge.

Desertion.

SEC. 4. That when the charge of desertion shall be removed under the provisions of this Act from the record of any soldier, such soldier, or in case of his death, the heirs or legal representatives of such soldier, shall receive all pay and bounty which may have been withheld on account of such charge of desertion or absence without leave: *Provided, however,* That this Act shall not be so construed as to give to any such soldier as may be entitled to relief under the provisions of this Act, or, in the case of his death, to the heirs or legal representatives of any such soldier, the right to receive pay and bounty for any period of time during which such soldier was absent from his command without leave of absence: *And provided further,* That no soldier nor the heirs nor legal representatives of any soldier, who served in the Army a period of less than twelve months, or who

intentionally deserted shall be entitled to the benefit of the provisions of this Act.

SEC. 5. That all acts and parts of acts inconsistent with the provisions of this Act are hereby repealed.

Approved, August 7, 1882.

AN ACT to relieve certain soldiers from the charge of desertion. Act 5 July,  
1884.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the charge of desertion now standing on the rolls and records in the office of the Adjutant-General of the United States against any soldier who served in the late war in the volunteer service shall be removed in all cases where it shall be made to appear to the satisfaction of the Secretary of War, from such rolls and records, or from other satisfactory testimony, that any such soldier served faithfully until the expiration of his term of enlistment, or until the first day of May, anno Domini eighteen hundred and sixty-five, having previously served six months or more, or was prevented from completing his term of service by reason of wounds received or disease contracted in the line of duty, but who, by reason of absence from his command at the time the same was mustered out, failed to be mustered out and to receive an honorable discharge: *Provided*, That no soldier shall be relieved under this section who, not being sick or wounded, left his command without proper authority whilst the same was in the presence of the enemy.

Soldiers charged with desertion, relief of; conditions.

*Provided.*

SEC. 2. That the Secretary of War is hereby authorized to remove the charge of desertion from the records of any soldier in the late war upon proper application therefor and satisfactory proof in the following cases:

Terms and proof upon which relief may be granted.

First. That such soldier, after such charge of desertion was made, and within a reasonable time thereafter, voluntarily returned to his command and served faithfully to the end of his term of service.

Second. That such soldier absented himself without proper authority from hospital, or from furlough given from hospital, while suffering from wounds, injuries, or disease received or contracted in the service in the line of duty, and, on recovery, voluntarily returned to his command and served faithfully until discharged, or died from such wounds, injury, or disease while so absent and before the date of the muster out of his command.

Third. That such soldier absented himself without proper

authority from furlough given by proper authority, and while so absent died from wounds, injury, or disease received or contracted in the service in the line of duty before the muster out of his command.

Certificate of discharge.

SEC. 3. That in all cases where the charge of desertion shall be removed under the provisions of this Act from the record of any soldier who has not received a certificate of discharge, it shall be the duty of the Adjutant-General of the United States to issue to such soldier, or, in case of his death, to his heirs or legal representatives, a certificate of discharge.

Pay and bounty.

SEC. 4. That when the charge of desertion shall be removed under the provisions of this Act from the record of any soldier, such soldier, or, in case of his death, the heirs or legal representatives of such soldier, shall receive the pay and bounty due to such soldier: *Provided, however,* That this act shall not be so construed as to give to any such soldier, or, in case of his death, to the heirs or legal representatives of any such soldier, any pay bounty or allowance for any period of time during which such soldier was absent from his command without proper authority, nor shall it be so construed as to give any pay, bounty, or allowance to any soldier, his heirs or legal representatives, who served in the Army a period of less than six months.

Proviso.

Applications for relief to be filed, etc.

SEC. 5. That all applications for relief under this Act shall be made to and filed with the Secretary of War within the period of five years from and after its passage, and all applications not so made and filed within said term of five years shall be forever barred and shall not be received or considered.

SEC. 6. That all acts and parts of acts inconsistent with the provisions of this Act are hereby repealed.

Approved, July 5, 1884.

Act 17 May, 1888. AN ACT to remove the charge of desertion from the rolls and records in the Office of the Adjutant-General of the Army against certain soldiers.

See sec. 4749, R. S., p. 37; acts 7 Aug., 1882, p. 39, 5 July, 1884, p. 40.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the charge of desertion now standing on the rolls and records in the Office of the Adjutant-General of the Army against any soldier who served in the late war of the rebellion, by reason of his having enlisted in any regiment, troop, or company without having first received a discharge from the regiment, troop, or company in which he had previously

served, shall be removed in all cases wherein it shall be made to appear to the satisfaction of the Secretary of War, from such rolls and records or from other satisfactory testimony, that such re-enlistment was not made for the purpose of securing bounty or other gratuity that he would not have been entitled to had he remained under his original term of enlistment: *Provided*, That no soldier shall be relieved under this Act who, not being sick or wounded, left his command, without proper authority, while the same was in the presence of the enemy, or who, at the time of leaving his command, was in arrest or under charges, or in whose case the period of absence from the service exceeded three months.

SEC. 2. That in all cases where the charge of desertion shall be removed under the provisions of this Act, the Adjutant-General of the Army shall issue to such soldier, or, in case of his death, to his heirs or legal representatives, a certificate of discharge from the regiment, troop, or company in which he first served.

SEC. 3. That all applications for relief under this Act shall be made to and filed with the Secretary of War within a period of five years from and after its passage, and all applications not so made and filed within such period of five years shall not be received or considered; and all acts and parts of acts inconsistent with the provisions of this Act are hereby repealed.

Approved, May 17, 1886.

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AN ACT for the relief of certain volunteer and regular soldiers of the late war and the war with Mexico. Act 2 Mar.,  
1889.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the charge of desertion now standing on the rolls and records in the office of the Adjutant-General of the United States Army against any soldier who served in the late war in the volunteer service shall be removed in all cases where it shall be made to appear to the satisfaction of the Secretary of War, from such rolls and records, or from other satisfactory testimony, that such soldier served faithfully until the expiration of his term of enlistment, or until the first day of May, anno Domini eighteen hundred and sixty-five, having previously served six months or more, and, by reason of absence from his command at the time the same was mustered out, failed to be mustered out and to receive an honorable discharge, or that such soldier

Desertion.

absented himself from his command, or from hospital while suffering from wounds, injuries, or disease received or contracted in the line of duty, and was prevented from completing his term of enlistment by reason of such wounds, injuries, or disease.

SEC. 2. That the Secretary of War is hereby authorized to remove the charge of desertion from the record of any regular or volunteer soldier in the late war upon proper application therefor, and satisfactory proof in the following cases:

First. That such soldier, after such charge of desertion was made, and within a reasonable time thereafter, voluntarily returned to his command and served faithfully to the end of his term of service, or until discharged.

Second. That such soldier absented himself from his command or from hospital while suffering from wounds, injuries, or disease, received or contracted in the line of duty, and upon recovery voluntarily returned to his command and served faithfully thereafter, or died from such wounds, injuries, or disease while so absent, and before the date of muster out of his command, or expiration of his term of service, or was prevented from so returning by reason of such wounds, injuries or diseases before such muster out, or expiration of service.

No pension,  
bounty, etc., al-  
lowed.

Third. That such soldier was a minor, and was enlisted without the consent of his parent or guardian, and was released or discharged from such service by the order or decree of any court of competent jurisdiction on habeas corpus or other proper judicial proceedings; and in any such case no pay, allowance, bounty, or pension, shall be allowed or granted.

Charge of de-  
sertion on rec-  
ords of Adjutant-  
General.

SEC. 3. That the charge of desertion now standing on the rolls and records in the office of the Adjutant-General of the Army against any regular or volunteer soldier who served in the late war of the rebellion by reason of his having enlisted in any regiment, troop, or company, or in the United States Navy or Marine Corps, without having first received a discharge from the regiment, troop, or company in which he had previously served, shall be removed in all cases wherein it shall be made to appear to the satisfaction of the Secretary of War, from such rolls and records, or from other satisfactory testimony, that such enlistment was not made for the purpose of securing bounty or other gratuity that he would not have been entitled to, had he remained under his original term of enlistment; that the absence from the service did not exceed four months, and that such soldier served faithfully under his re-enlistment.

SEC. 4. That whenever it shall appear from the official records in the office of the Adjutant-General, United States Army, that any regular or volunteer soldier of the late war was formally restored to duty from desertion by the Commander competent to order his trial for the offense, or, having deserted and being charged with desertion, was, on return to the service, suffered, without such formal restoration, to resume his place in the ranks of his command, serving faithfully thereafter until the expiration of his term, such soldier shall not be deemed to rest under any disability, because of such desertion, in the prosecution of any claim for pension on account of disease contracted or wounds or injuries received in the line of his duty as a soldier.

Restoration to records of Adjutant-General's Office.

SEC. 5. That when the charge of desertion shall be removed under the provisions of this Act from the record of any soldier, such soldier, or, in case of his death, the heirs or legal representatives of such soldier, shall receive the pay and bounty due to such soldier: *Provided, however,* That this Act shall not be so construed as to give to any such soldier, or, in case of his death, to the heirs or legal representatives of any such soldier, any pay, bounty, or allowance for any time during which such soldier was absent from his command without proper authority, nor shall it be so construed as to give any pay, bounty, or allowance to any soldier, his heirs or legal representatives, who served in the Army a period of less than six months.

SEC. 6. That the Secretary of War be, and he hereby is authorized and directed to amend the military record of any soldier who enlisted for the war with Mexico, upon proper application, where the rolls and records of the Adjutant-General's office show the charge of desertion against him, when such rolls and records show the facts set out in the following cases:

First. That said soldier served faithfully the full term of his enlistment, or having served faithfully for six months or more, and until the fourth day of July anno Domini eighteen hundred and forty-eight, left his command without having received a discharge.

Second. That such soldier, after said charge of desertion was entered on the rolls, voluntarily returned to his command within a reasonable time, and served faithfully until discharged.

SEC. 7. That the provisions of this Act shall not be so construed as to relieve any soldier from the charge of desertion who left his command from disaffection or disloyalty to the Government, or to evade the dangers and hardships of the service, or whilst in the presence of the enemy

(not being sick or wounded), or while in arrest or under charges for breach of military duty, or in case of a soldier of the Mexican war, who did not actually reach the seat of war.

SEC. 8. That when such charge of desertion is removed under the provisions of this Act, the soldier shall be restored to a status of honorable service, his military record shall be corrected as the facts may require, and an honorable discharge shall be issued in those cases where the soldier has received none; and he shall be restored to all his rights as to pension, pay, or allowances as if the charge of desertion had never been made; and in case of the death of said soldier, his widow or other legal heir shall be entitled to the same rights as in case of other deceased honorably discharged soldiers: *Provided*, That this Act shall not be construed to give to any soldier, or his legal representatives or heir, any pay or allowance for any period of time he was absent without leave, and not in the performance of military duty.

Limitation for  
filing applica-  
tion.

SEC. 9. That all applications for relief under this Act shall be made to and filed with the Secretary of War within the period of three years from and after July first, eighteen hundred and eighty-nine, and all applications not so made and filed within said term of three years shall be forever barred, and shall not be received or considered.

SEC. 10. That all acts and parts of acts inconsistent with the provisions of this Act are hereby repealed.

Approved, March 2, 1889.

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Act 2 Mar., 1891. AN ACT to amend an Act entitled "An Act for the relief of certain volunteer and regular soldiers of the late war and the war with Mexico," approved March two, eighteen hundred and eighty-nine.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subdivision three of section two of the above entitled Act be, and the same is amended so as to read as follows:

Minor not en-  
titled to bounty  
or pay.

"Third. That such soldier was a minor, and was enlisted without the consent of his parent or guardian, and was released or discharged from such service by the order or decree of any State or United States court on habeas corpus or other judicial proceedings, and in such case such soldier shall not be entitled to any bounty or allowance, or pay for any time such soldier was not in the performance of military duty."

Approved, March 2, 1891.

AN ACT to amend section nine of the Act for the relief of certain volunteer and regular soldiers of the late war and the war with Mexico, passed March second, eighteen hundred and eighty-nine. Act 27 July, 1892.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section nine of the Act for the relief of certain volunteer and regular soldiers of the late war and the war with Mexico, passed March second, anno Domini eighteen hundred and eighty-nine, be, and the same is hereby, so amended as to extend the time for the limitation of the operation of said section for the period of two years from the first of July, eighteen hundred and ninety-two. Desertion. Amending Sec. 9, Act 2 Mar., 1889.  
Limitation as to filing application for removal.

Approved, July 27, 1892.

AN ACT to further amend section nine of the Act for the relief of certain volunteer and regular soldiers of the late war and the war with Mexico, passed March second, eighteen hundred and eighty-nine. Act 2 Mar. 1895.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section nine of the Act for the relief of certain volunteer and regular soldiers of the late war and the war with Mexico, approved March second, eighteen hundred and eighty-nine, be, and the same is hereby, so amended as to remove the limitation of time within which applications for relief may be received and acted upon under the provisions of said Act. Limit to removal of desertion proceedings rescinded.

Approved, March 2, 1895.

SEC. 4771 }  
SEC. 4772 } *Repealed by section 3, Act of June 21, 1879.*  
SEC. 4773 }

*The following is a part of said section which was enacted as a portion of "An Act making appropriations for the legislative, executive and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty, and for other purposes," approved June 21, 1879:*

\* \* \* \* \*

SEC. 3. That sections forty-seven hundred and seventy-one, forty-seven hundred and seventy-two, and forty-seven hundred and seventy-three of the Revised Statutes of the United States, providing for biennial examinations of pensioners, are hereby repealed: *Provided,* That the Commissioner of Pensions shall have the same power as heretofore to order special examinations, whenever, in his judgment, Act 21 June, 1879.  
Secs. 4771, 4772, 4773, repealed.  
To increase or reduce a pension.



the same may be necessary, and to increase or reduce the pension according to right and justice; but in no case shall a pension be withdrawn or reduced except upon notice to the pensioner and a hearing upon sworn testimony, except as to the certificate of the examining surgeon. \* \* \*

Appointment of  
civil examining  
surgeons.

Sec. 35, 3 Mar.,  
1873; Sec. 8, 14  
July, 1862.  
See Sec. 8, 4  
July, 1864.

SEC. 4777. The Commissioner of Pensions is empowered to appoint, at his discretion, civil surgeons to make the periodical examinations of pensioners which are or may be required by law, and to examine applicants for pension, where he deems an examination by a surgeon appointed by him necessary; and the fee for such examinations, and the requisite certificates thereof, in duplicate, including postage on such as are transmitted to pension-agents, shall be two dollars, which shall be paid by the agent for paying pensions in the district within which the pensioner or claimant resides, out of any money appropriated for the payment of pensions, under such regulations as the Commissioner of Pensions may prescribe.

(See appropriation bill for the payment of invalid and other pensions, June 30, 1890, p. 88.)

Act 3 June, 1884. AN ACT to provide for the muster and pay of certain officers and enlisted men of the volunteer forces.

16 Stat., L. 385. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution approved July eleventh, eighteen hundred and seventy, entitled "Joint resolution amendatory of joint resolution for the relief of certain officers of the Army," approved July twenty-sixth, eighteen hundred and sixty-six, is hereby so amended and shall be so construed that in all cases arising under the same any person who was duly appointed and commissioned, whether his commission was actually received by him or not, shall be considered as commissioned to the grade therein named from the date when his commission was actually issued by competent authority, and shall be entitled to all pay and emoluments as if actually mustered at such date: Provided, That at the date of his commission he was actually performing the duties of the grade to which he was so commissioned, or, if not so performing such duties, then from such time after the date of his commission as he may have actually entered upon such duties: And provided further, That any person held as a*

(Officers to be  
considered of the  
grade named  
therein from date  
commissioned,  
whether receiving  
commission  
or not.

Proviso.

prisoner of war, or who may have been absent by reason of wounds or in hospital by reason of disability received in the service in the line of duty, at the date of his commission, if a vacancy existed for him in the grade to which so commissioned, shall be entitled to the same pay and emoluments as if actually performing the duties of the grade to which he was commissioned and actually mustered at such date:

Prisoners of war, etc., in case of vacancy in grade to which commissioned entitled to pay, etc.

*And provided further*, That this Act and the resolution hereby amended shall be construed to apply only in those cases where the commission bears date prior to June twentieth, eighteen hundred and sixty-three, or after that date when their commands were not below the minimum number required by existing laws and regulations: *And provided further*, That the pay and allowances actually received shall be deducted from the sums to be paid under this Act.

Proviso; to apply to cases where commission is prior to 20 June, 1863, etc.

Proviso.

SEC. 2. That the heirs or legal representatives of any officer whose muster into the service has been or shall be amended hereby shall be entitled to receive the arrears of pay due such officer, and the pension, if any, authorized by law, for the grade into which such officer is mustered under the provisions of this Act.

Heirs, etc., to receive arrears of pay and pension.

SEC. 3. That all claims arising under this Act shall be presented to and filed in the proper Department within three years from and after the passage hereof, and all such claims not so presented and filed within said three years shall be forever barred, and no allowance ever made thereon.

Claims barred after three years.

SEC. 4. That the pay and allowances of a rank or grade paid to and received by any military or naval officer in good faith for services actually performed by such officer in such rank or grade during the war of the rebellion shall not be charged to or recovered back from such officer because of any defect in the title of such officer to the office, rank, or grade in which such services were so actually performed.

Pay, etc., not to be recovered by reason of defect in title, etc., of appointment.

Approved, June 3, 1884.

AN ACT to amend an Act entitled "An Act to provide for the muster and pay of certain officers and enlisted men of the volunteer force," approved June three, eighteen hundred and eighty-four.

Act 3 Feb. 1887.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section one of "An Act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces," approved June third, eighteen hundred and eighty-four, be, and is hereby, amended so as to read as follows:

Date of commission to certain volunteer officers.

"That the joint resolution approved July eleventh, eighteen hundred and seventy, entitled 'Joint resolution

Vol. 23, p. 34.  
Vol. 16, p. 385.  
Vol. 14, p. 368.

amendatory of joint resolution for the relief of certain officers of the Army,' approved July twenty-six, eighteen hundred and sixty-six, is hereby so amended and shall be so construed that in all cases arising under the same any person who was duly appointed and commissioned, whether his commission was actually received by him or not, shall be considered as commissioned to the grade therein named from the date from which he was to take rank under and by the terms of his said commission, and shall be entitled to all pay and emoluments as if actually mustered at that date: *Provided*, That at the date from which he was to take rank by the terms of his commission there was a vacancy to which he could be so commissioned and that he was actually performing the duties of the grade to which he was so commissioned, or, if not so performing such duties, then from such time after the date of his commission as he may have actually entered upon such duties: *And provided further*, That any person held as a prisoner of war, or who may have been absent by reason of wounds or in hospital by reason of disabilities received in the service in the line of duty, at the date of his commission, if a vacancy existed for him in the grade to which so commissioned, shall be entitled to the same pay and emoluments as if actually performing the duties of the grade to which he was commissioned and actually mustered at such date: *And provided further*, That this Act and the resolution hereby amended shall be construed to apply only in those cases where the commission bears date prior to June twenty, eighteen hundred and sixty-three, or after that date when their commands were not below the minimum number required by existing laws and regulations: *And provided further*, That the pay and allowances actually received shall be deducted from the sums to be paid under this Act.

Approved, February 3, 1887.

To receive pay, etc., from date of commission.

Provisos.

If vacancy existed, or duties were performed.

Prisoners of war or disabled officers.

Application.

Pay received to be deducted.

Act 1 Mar., AN ACT relating to soldiers while in the civil service of the United States.

See. sec. 1, 3 Mar., 1865; sec. 5, 6 June, 1866; sec. 4724, R. S.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all persons who, under and by virtue of the first section of the Act entitled "An Act supplementary to the several Acts relating to pensions," approved March third, eighteen hundred and sixty-five, were deprived of their pensions during any portion of the time from the third of March, eighteen hundred and sixty-five, to the sixth of June, eighteen hun-

dred and sixty-six, by reason of their being in the civil service of the United States, shall be paid their said pensions, withheld by virtue of said section of the Act afore-said, for and during the said period of time from the third of March, eighteen hundred and sixty-five, to the sixth of June, eighteen hundred and sixty-six.

Approved, March 1, 1879.

AN ACT to amend an Act entitled "An Act amending the pension law so as to remove the disability of those who, having participated in the rebellion, have since its termination enlisted in the Army of the United States, and become disabled," approved March third, eighteen hundred and seventy-seven. Act 1 Aug., 1892.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* the Act entitled "An Act amending the pension law so as to remove the disability of those who, having participated in the rebellion, have since its termination enlisted in the Army of the United States, and become disabled," approved March third, eighteen hundred and seventy-seven, be, and the same is hereby, amended so as to read as follows :

"That the law prohibiting the payment of any money on account of pensions to any person, or to the widow, children, or heirs of any deceased person who, in any manner, engaged in or aided or abetted the late rebellion against the authority of the United States, shall not be construed to apply to such persons as afterward voluntarily enlisted in either the Navy or Army of the United States, and who, while in such service, incurred disability from a wound or injury received or disease contracted in the line of duty."

Approved, August 1, 1892.

Act March 3, 1893 (27 Stat. L., 607).

\* \* \* \* \*

STATE OR TERRITORIAL HOMES: For continuing aid to State or Territorial homes for the support of disabled volunteer soldiers in conformity with the Act approved August twenty-seventh, eighteen hundred and eighty-eight, five hundred and seventy-five thousand dollars: *Provided, That* one-half of any sum or sums retained by State homes on account of pensions received from inmates shall be deducted from the aid herein provided for. Aid to State or Territorial Homes. Stat. L., Vol. 25, p. 450.  
Proviso. Deductions for pensions retained.

Act Feb. 24,  
1897.

AN ACT to provide for the relief of certain officers and enlisted men of the volunteer forces.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That*

Volunteers.

any person who was duly appointed or commissioned to be an officer of the volunteer service during the war of the rebellion, and who was subject to the mustering regulations at the time applied to members of the volunteer service shall be held and considered to have been mustered into the service of the United States in the grade named in his appointment or commission from the date from which he

Officers to take rank by terms of appointment.

was to take rank under and by the terms of his said appointment or commission, whether the same was actually received by him or not, and shall be entitled to pay, emoluments, and pension as if actually mustered at that date:

Pay, etc.

Proviso.  
To date from actual performance of duties, etc.

*Provided*, That at the date from which he was to take rank by the terms of his said appointment or commission there was a vacancy to which he could be so appointed or commissioned, and his command had either been recruited to the minimum number required by law and the regulations of the War Department, or had been assigned to duty in the field, and that he was actually performing the duties of the grade to which he was so appointed or commissioned; or if not so performing such duties, then he shall be held and considered to have been mustered into service and to be entitled to the benefits of such muster from such time after the date of rank given in his commission as he may have actually entered upon such duties: *Provided further*,

Prisoners of war, or disabled.

That any person held as a prisoner of war, or who may have been absent by reason of wounds, or in hospital by reason of disability received in the service in the line of duty, at the date of issue of his appointment or commission, if a vacancy existed for him in the grade to which so appointed or commissioned, shall be entitled to all the benefits to which he would have been entitled under this Act if he had been actually performing the duties of the grade to which he was appointed or commissioned at said date:

Limitation.

*Provided further*, That this Act shall be construed to apply only in those cases where the commission bears date prior to June twentieth, eighteen hundred and sixty-three, or after that date when the commands of the persons appointed or commissioned were not below the minimum number required by then existing laws and regulations:

Deduction of pay received.

*And provided further*, That the pay and allowances actually received for the period covered by the recognition extended under this Act shall be deducted from the sums otherwise to be paid thereunder.

SEC. 2. That the heirs or legal representatives of any person whose muster into service shall be recognized and established under the terms of this Act shall be entitled to receive the arrears of pay and emoluments due, and the pension, if any, authorized by law, for the grade to which recognition shall be so extended.

Allowance to heirs.

SEC. 3. That the pay and allowances of any rank or grade paid to and received by any military or naval officer in good faith for services actually performed by such officer in such rank or grade during the war of the rebellion, other than as directed in the fourth proviso of the first section of this Act, shall not be charged to or recovered back from such officer because of any defect in the title of such officer to the office, rank, or grade in which such services were so actually performed.

No deductions if services performed.

SEC. 4. That all acts and parts of acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repeal, etc.

Approved, February 24, 1897.

## LAWS GRANTING PENSIONS TO WIDOWS AND MINOR CHILDREN.

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| <p>SEC. 4702. Who are entitled.</p> <p>SEC. 4703. Increase to widows, and as to minors.</p> <p>Act 7 August, 1882. Widows and minors, when entitled; as to marriage; as to adulterous cohabitation.</p> <p>Act 7 June, 1888. Commencement of widow's pension; oaths by United States officers.</p> <p>Act which became law without the approval of the President, February 19, 1887. Marriage ceremony in Territories, evidence of.</p> <p>Act 19 March, 1886. Increase of pensions of widows and dependent relatives, amendment to secs. 4703 and 4707.</p> <p>SEC. 4704. Legitimacy of children.</p> <p>SEC. 4705. Marriage, "Indian" and "colored;" legitimacy of children.</p> | <p>SEC. 4708. Remarriage of widow, dependent mother, or dependent sister.</p> <p>SEC. 4735. Time for which widow shall not receive pension.</p> <p>Act 13 May, 1896. Marriage, District of Columbia.</p> <p>Act 25 May, 1896. Territorial divorce.</p> <p>SEC. 4725. }<br/>         SEC. 4726. } Half pay to widows and children.<br/>         SEC. 4727. }</p> <p>Act 27 June, 1890. Provisions for widow and minor children when death of soldier not due to service.</p> <p>SEC. 1656. (Obsolete.) Provision for widows, etc., of those who died in the service.</p> |
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Widows and minors, when entitled.

Sec. 8, 3 Mar., 1873; Sec. 2, 14 July, 1862; Sec. 11, 14 July, 1862; Sec. 4, 3 Mar., 1865.  
 See act 7 June, 1888.

**SEC. 4702.** If any person embraced within the provisions of sections forty-six hundred and ninety-two and forty-six hundred and ninety-three has died since the fourth day of March, eighteen hundred and sixty-one, or hereafter dies by reason of any wound, injury, or disease, which, under the conditions and limitations of such sections, would have entitled him to an invalid pension had he been disabled, his widow, or if there be no widow, or in case of her death, without payment to her of any part of the pension hereinafter mentioned, his child or children, under sixteen years of age, shall be entitled to receive the same pension as the husband or father would have been entitled to had he been totally disabled, to commence from the death of the husband or father, to continue to the widow during her widowhood, and to his child or children until they severally attain the age of sixteen years, and no longer; and, if the widow remarry, the child or children shall be entitled from the date of remarriage.

Increased pensions to widows, etc.

Sec. 9, 3 Mar., 1873; Sec. 2, 25 July, 1866; Sec. 4, 27 July, 1868.

**SEC. 4703.** The pensions of widows shall be increased from and after the twenty-fifth day of July, eighteen hundred and sixty-six, at the rate of two dollars per month for each child under the age of sixteen years of the husband on account of whose death the claim has been, or shall be, granted. And in every case in which the deceased husband

has left, or shall leave, no widow, or where his widow has died or married again, or where she has been deprived of her pension under the provisions of the pension-law, the pension granted to such child or children shall be increased to the same amount per month that would be allowed under the foregoing provisions to the widow, if living and entitled to a pension: *Provided*, That the additional pension herein granted to the widow on account of the child or children of the husband by a former wife shall be paid to her only for such period of her widowhood as she has been, or shall be, charged with the maintenance of such child or children; for any period during which she has not been, or she shall not be, so charged, it shall be granted and paid to the guardian of such child or children: *Provided, further*, That a widow or guardian to whom increase of pension has been, or shall hereafter be, granted on account of minor children shall not be deprived thereof by reason of their being maintained in whole or in part at the expense of a State or the public in any educational institution, or in any institution organized for the care of soldiers' orphans.

Sec. 5, 27 July,  
1868.

*The above sections amended by the following Acts, approved August 7, 1882; June 7, 1888; February 19, 1887; and March 19, 1886.*

AN ACT to amend section forty-seven hundred and two, title fifty-seven, Revised Statutes of the United States, and for other purposes. Act 7 Aug., 1882.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section forty-seven hundred and two, title fifty-seven of the Revised Statutes of the United States is hereby amended so as to read as follows:*

“SEC. 4702. If any person embraced within the provisions of sections forty-six hundred and ninety-two and forty-six hundred and ninety-three, has died since the fourth day of March, eighteen hundred and sixty-one, or hereafter dies, by reason of any wound, injury, or disease which under the conditions and limitations of such sections would have entitled him to an invalid pension had he been disabled, his widow, or if there be no widow, or in the case of her death without payment to her of any part of the pension hereinafter mentioned, his child, or children under sixteen years of age, shall be entitled to receive the same pension as the husband or father would have been entitled to had he been totally disabled, to commence from the death of the husband or father, to continue to the widow during her

Widows and  
minors, when en-  
titled.



widowhood, and to his child or children until they severally attain the age of sixteen years, and no longer; and if the widow remarry, the child or children shall be entitled from the date of re-marriage, except when such widow has continued to draw the pension money after her re-marriage, in contravention of law, and such child or children have resided with and been supported by her, their pension will commence at the date to which the widow was last paid."

Marriages.

SEC. 2. That marriages, except such as are mentioned in section forty-seven hundred and five of the Revised Statutes shall be proven in pension cases to be legal marriages according to the law of the place where the parties resided at the time of marriage or at the time when the right to pension accrued; and the open and notorious adulterous cohabitation of a widow who is a pensioner shall operate to terminate her pension from the commencement of such cohabitation.

Adulterous cohabitation.

Approved, August 7, 1882.

*The following provisions were enacted as a portion of the Act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and eighty-nine, approved June 7, 1888:*

7 June, 1888.

Commencement of widow's pension.

\* \* \* \* \*

\* That all pensions which have been, or which may hereafter be, granted under the general laws regulating pensions to widows in consequence of death occurring from a cause which originated in the service since the fourth day of March, eighteen hundred and sixty-one, shall commence from the date of death of the husband: *And provided further*, That all United States officers now authorized to administer oaths are hereby required and directed to administer any and all oaths required to be made by pensioners and their witnesses, in the execution of their vouchers for their pensions free of charge.

Oaths by United States officers.

AN ACT to amend an Act entitled An Act to amend section fifty-three hundred and fifty-two, of the Revised Statutes of the United States, and so forth.

Marriage ceremonies in the Territories.

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SEC. 9.\* That every ceremony of marriage, or in the nature of a marriage ceremony, of any kind, in any of the Territories of the United States, whether either or both or more of the parties to such ceremony be lawfully competent

\* Modifying Act approved March 3, 1879, Sec. 2, proviso. See p. 34.

to be the subjects of such marriage or ceremony or not, shall be certified by a certificate stating the fact and nature of such ceremony, the full names of each of the parties concerned, and the full name of every officer, priest, and person, by whatever style or designation called or known, in any way taking part in the performance of such ceremony, which certificate shall be drawn up and signed by the parties to such ceremony, and by every officer, priest, and person taking part in the performance of such ceremony, and shall be by the officer, priest, or other person solemnizing such marriage or ceremony filed in the office of the probate court, or, if there be none, in the office of the court having probate powers in the county or district in which such ceremony shall take place, for record, and shall be immediately recorded, and be at all times subject to inspection as other public records. Such certificate, or the record thereof, or a duly certified copy of such record, shall be prima facie evidence of the facts required by this Act to be stated therein, in any proceeding, civil or criminal, in which the matter shall be drawn in question. Any person who shall willfully violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine of not more than one thousand dollars, or by imprisonment not longer than two years, or by both said punishments, in the discretion of the court.

Certificate.

To be prima facie evidence.

Punishment for violation.

SEC. 10. That nothing in this Act shall be held to prevent the proof of marriages, whether lawful or unlawful, by any evidence now legally admissible for that purpose.

Other proof admissible.

(Received by the President February 19, 1887, not having been returned to Congress within the time prescribed by the Constitution, became a law without his approval.)

AN ACT to increase the pensions of widows and dependent relatives of deceased soldiers and sailors. Act 19 Mar., 1886.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the passage of this Act the rate of pension for widows, minor children, and dependent relatives now on the pension-roll, or hereafter to be placed on the pension-roll, and entitled to receive a less rate than hereinafter provided, shall be twelve dollars per month; and nothing herein shall be construed to affect the existing allowance of two dollars per month for each child under the age of sixteen years:

In the nature of an amendment to Secs. 4703 (p. 52) and 4707 (p. 59), R. S.

Increase pension to widows and dependent relatives.

*Provided*, That this Act shall apply only to widows who were married to the deceased soldier or sailor prior to its passage and to those who may hereafter marry prior to or during the service of the soldier or sailor. And all acts or parts of acts inconsistent with the provisions of this Act are hereby repealed.

SEC. 2. That no claim agent or attorney shall be recognized in the adjudication of claims under this Act, nor shall any such person be entitled to receive any compensation whatever for services or pretended services in making applications thereunder.

Approved, March 19, 1886.

Legitimacy of children.

Sec. 10, 3 Mar., 1873.

SEC. 4704. In the administration of the pension laws, children born before the marriage of their parents, if acknowledged by the father before or after the marriage, shall be deemed legitimate.

Widows of colored and Indian soldiers entitled; evidence of marriage; legitimacy of children, etc.

Sec. 11, 3 Mar., 1873; Sec. 14, 14 July, 1864; Sec. 14, 6 June, 1866; Sec. 2, 15 June, 1866.

SEC. 4705. The widows of colored and Indian soldiers and sailors who have died, or shall hereafter die, by reason of wounds or injuries received, or casualty received, or disease contracted, in the military or naval service of the United States, and in the line of duty, shall be entitled to receive the pension provided by law without other evidence of marriage than satisfactory proof that the parties were joined in marriage by some ceremony deemed by them obligatory, or habitually recognized each other as man and wife, and were so recognized by their neighbors, and lived together as such up to the date of enlistment, when such soldier or sailor died in the service, or, if otherwise, to date of death; and the children born of any marriage so proved shall be deemed and held to be lawful children of such soldier or sailor, but this section shall not be applicable to any claims on account of persons who enlist after the third day of March, one thousand eight hundred and seventy-three.

Asto "Indian," Sec. 11, 3 Mar., 1873.

Sec. 11, 3 Mar., 1873.

Remarriage.

Sec. 14, 3 Mar., 1873; Secs. 2 and 3, 14 July, 1862; Sec. 7, 4 July, 1864; Sec. 6, 25 July, 1866; Sec. 10, 27 July, 1868.

SEC. 4708. The remarriage of any widow, dependent mother, or dependent sister, entitled to pension, shall not bar her right to such pension to the date of her remarriage, whether an application therefor was filed before or after such marriage; but on the remarriage of any widow, dependent mother, or dependent sister, having a pension, such pension shall cease.

Time for which a widow shall not receive a pension.

Act 30 Apr., 1844.

SEC. 4735. No pension shall be granted to a widow for the same time that her husband received one.

(See resolution 23 Jan., 1845.)

AN ACT to regulate marriages in the District of Columbia.

Act 13 May, 1896.

\* \* \* \* \*

SEC. 4. That no marriage heretofore solemnized shall be deemed or adjudged to be invalid, nor shall the validity thereof be in any way affected, on account of any want of authority in any person solemnizing the same, if consummated with a full belief on the part of the persons so married, or either of them, that they were lawfully joined in marriage.

Previous marriages valid.

\* \* \* \* \*

Approved, May 13, 1896.

AN ACT making one year's residence in a Territory a prerequisite to obtaining a divorce there.

Act 25 May, 1896.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no divorce shall be granted in any Territory for any cause unless the party applying for the divorce shall have resided continuously in the Territory for one year next preceding the application: *Provided,* That this Act shall not affect any action duly commenced and pending at the date of the passage thereof.

Territories.  
One year's residence required in divorce proceedings.

*Provide.*  
Pending actions.

Approved, May 25, 1896.

SEC. 4725. All those surviving widows and minor children who have been allowed five years' half pay, under the provisions of any general laws passed prior to the third day of June, eighteen hundred and fifty-eight, are granted a continuance of such half-pay, to commence from the date of the last payment under the respective Acts of Congress, granting the same, and the terms and limitations provided in the following section.

Half pay to widows and children.

Sec. 1, 3 June, 1858.

SEC. 4726. Such half-pay is granted to such widows during life, and, where there is no widow, to the children, while under the age of sixteen years; but in case of the remarriage or death of any such widow, the half-pay shall go to the children of the decedent on account of whose services it is claimed, while such children are under sixteen years of age, and no longer.

Half pay to widows and children.

Sec. 1, 3 June, 1858.

SEC. 4727. The half-pay of such widows and children shall be half the monthly pay of the officers, non-commissioned officers, musicians, and privates of the infantry of the Regular Army, and no more, and no greater sum shall be allowed

Half pay to widows and children.

Sec. 1, 3 June, 1858.

to any such widow or minor children than the half-pay of a lieutenant-colonel. But the two preceding sections shall not be construed to apply to or embrace the case of any person receiving a pension for life on the third day of June, eighteen hundred and fifty-eight; and, whenever half-pay has been granted by any special act of Congress, and renewed or continued under the provisions of those sections, the same shall continue from the date above named: *Provided*, That pensions under this and the two preceding sections shall be varied in accordance with the provisions of section four thousand seven hundred and twelve of this Title.

(See Act June 27, 1890, p. 61.)

Provision for widows, etc., of those who die in the service.

Acts 19 Mar., 1836, c. 44, s. 5, v. 5, p. 7; 10 Apr., 1812, s. 2; 16 Apr., 1816, s. 1; 3 Mar., 1817, s. 1; 4 July, 1836, s. 1; 3 Mar., 1837, s. 1.

SEC. 1656. When any officer, non-commissioned officer, artificer, or private of the militia or volunteer corps dies in the service of the United States, or in returning to his place of residence after being mustered out of service, or at any time in consequence of wounds received in service, and leaves a widow, or if no widow, a child or children under sixteen years of age, such widow, or if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased was entitled, at the time of his death, during the term of five years; and in case of the death or intermarriage of such widow before the expiration of five years, the half pay for the remainder of the time shall go to the child or children of the decedent. And the Secretary of the Interior shall adopt such forms of evidence, in applications under this section, as the President may prescribe.

(It is evident from the marginal references in the Revised Statutes opposite the preceding section, as well as from the language of the next section (1657), that section 1656 was intended to be a reenactment of section 5, Act of March 19, 1836, in which Act, as shown in its sixth section, it was intended to provide only for those who served in the Florida Indian war of 1835-1842, and in which the benefits of prior laws were extended to those who so served. Section 1656 has always been regarded as being superfluous, as its provisions are fully covered by section 4732 of the Revised Statutes.)

## LAWS GRANTING PENSIONS TO DEPENDENT RELATIVES.

SEC. 4707. Who are entitled.

Act 27 June, 1890. Provisions of, who are entitled to.

SEC. 4707. If any person embraced within the provisions of sections forty-six hundred and ninety-two and forty-six hundred and ninety-three has died since the fourth day of March, eighteen hundred and sixty-one, or shall hereafter die, by reason of any wound, injury, casualty, or disease, which, under the conditions and limitations of such sections, would have entitled him to an invalid pension, and has not left or shall not leave a widow or legitimate child, but has left or shall leave other relative or relatives who were dependent upon him for support in whole or in part at the date of his death, such relative or relatives shall be entitled, in the following order of precedence, to receive the same pension as such person would have been entitled to had he been totally disabled, to commence from the death of such person, namely: First, the mother; secondly, the father; thirdly, orphan brothers and sisters under sixteen years of age, who shall be pensioned jointly: *Provided*, That where orphan children of the same parent have different guardians, or a portion of them only are under guardianship, the share of the joint pension to which each ward shall be entitled shall be paid to the guardian of such ward: *Provided*, That if in any case said person shall have left father and mother who are dependent upon him, then, on the death of the mother, the father shall become entitled to the pension, commencing from and after the death of the mother; and upon the death of the mother and father, or upon the death of the father and the remarriage of the mother, the dependent brothers and sisters under sixteen years of age shall jointly become entitled to such pension until they attain the age of sixteen years, respectively, commencing from the death or remarriage of the party who had the prior right to the pension: *Provided*, That a mother shall be assumed to have been dependent upon her son within the meaning of this section if, at the date of his death, she had no other adequate means of support than the ordinary proceeds of her own

Succession of dependent relatives.

Sec. 13, 3 Mar., 1873; Secs. 3 and 4, 14 July, 1862; Sec. 12, 6 June, 1866; Sec. 1, 27 July, 1868.

manual labor and the contributions of said son or of any other persons not legally bound to aid in her support; and if, by actual contributions, or in any other way, the son had recognized his obligations to aid in support of his mother, or was by law bound to such support, and that a father or a minor brother or sister shall, in like manner and under like conditions, be assumed to have been dependent, except that the income which was derived or derivable from his actual or possible manual labor shall be taken into account in estimating a father's means of independent support: *Provided further*, That the pension allowed to any person on account of his or her dependence, as hereinbefore provided, shall not be paid for any period during which it shall not be necessary as a means of adequate subsistence.

(See Acts approved March 19, 1886, p. 55; June 27, 1890, p. 61.)

## ACT JUNE 27, 1890.

Act 27 June, 1890. Provisions of.

Joint Resolution, 25 February, 1895. Missouri Militia, applying Act 27 June, 1890.

AN ACT granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents.\* Act 27 June, 1890.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in considering the pension claims of dependent parents, the fact of the soldier's death by reason of any wound, injury, casualty, or disease which, under the conditions and limitations of existing laws, would have entitled him to an invalid pension, and the fact that the soldier left no widow or minor children having been shown as required by law, it shall be necessary only to show by competent and sufficient evidence that such parent or parents are without other present means of support than their own manual labor or the contributions of others not legally bound for their support: *Provided,* That all pensions allowed to dependent parents under this Act shall commence from date of the filing of the application hereunder and shall continue no longer than the existence of the dependence.

Dependent parents.

SEC. 2. That all persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from a mental or physical disability of a permanent character, not the result of their own vicious habits, which incapacitates them from the performance of manual labor in such a degree as to render them unable to earn a support, shall, upon making due proof of the fact according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States, and be entitled to receive a pension not exceeding twelve dollars per month, and not less than six dollars per month, proportioned to the degree of inability to earn a support; and such pension

Invalid, service ninety days.

Honorable discharge.

\* For rules and regulations for applying hereunder, see p. 179.



shall commence from the date of the filing of the application in the Pension Office, after the passage of this Act upon proof that the disability then existed, and shall continue during the existence of the same: *Provided*, That persons who are now receiving pensions under existing laws, or whose claims are pending in the Pension Office, may, by application to the Commissioner of Pensions, in such form as he may prescribe, showing themselves entitled thereto, receive the benefits of this Act; and nothing herein contained shall be so construed as to prevent any pensioner thereunder from prosecuting his claim and receiving his pension under any other general or special Act: *Provided, however*, That no person shall receive more than one pension for the same period: *And provided further*, That rank in the service shall not be considered in applications filed under this Act.

Widows and minors.

SEC. 3. That if any officer or enlisted man who served ninety days or more in the Army or Navy of the United States during the late war of the rebellion, and who was honorably discharged has died, or shall hereafter die, leaving a widow without other means of support than her daily labor, or minor children under the age of sixteen years, such widow shall upon due proof of her husband's death, without proving his death to be the result of his army service, be placed on the pension-roll from the date of the application therefor under this Act, at the rate of eight dollars per month during her widowhood, and shall also be paid two dollars per month for each child of such officer or enlisted man under sixteen years of age, and in case of the death or remarriage of the widow, leaving a child or children of such officer or enlisted man under the age of sixteen years, such pension shall be paid such child or children until the age of sixteen: *Provided*, That in case a minor child is insane, idiotic, or otherwise permanently helpless, the pension shall continue during the life of said child, or during the period of such disability, and this proviso shall apply to all pensions heretofore granted or hereafter to be granted under this or any former statute, and such pensions shall commence from the date of application therefor after the passage of this Act: *And provided further*, That said widow shall have married said soldier prior to the passage of this Act.

Insane or permanently helpless children.

Attorney, fec of.

SEC. 4. That no agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of this Act shall, directly or indirectly, contract for, demand, receive, or retain for such services in

preparing, presenting, or prosecuting such claim a sum greater than ten dollars, which sum shall be payable only upon the order of the Commissioner of Pensions, by the pension agent making payment of the pension allowed, and any person who shall violate any of the provisions of this section, or who shall wrongfully withhold from a pensioner or claimant the whole or any part of a pension or claim allowed or due such pensioner or claimant under this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every such offence, be fined not exceeding five hundred dollars, or be imprisoned at hard labor not exceeding two years, or both, in the discretion of the court.

Wrongfully withholding pension from pensioner.

Fine and imprisonment.

Approved, June 27, 1890.

*The provisions of the above Act extended by the following joint resolution:*

JOINT RESOLUTION to restore the status of the Missouri Militia who served during the late war.

Joint resolution 15 Feb., 1895.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act of June twenty-seventh, eighteen hundred and ninety, be, and are hereby, extended to include the officers and privates of the Missouri State Militia and the Provisional Missouri Militia who served ninety days during the late war of the rebellion, and were honorably discharged, and to the widows and minor children of such persons. The provisions of this Act shall include all such persons now on the pension rolls, or who may hereafter apply to be admitted thereto.*

Act of June 27, 1890, applied to certain Missouri troops, their widows and minors.

Approved, February 15, 1895.

# LAWS GRANTING PENSION TO ARMY NURSES FOR SERVICE IN THE LATE WAR OF THE REBELLION.

Act 5 August, 1892. Who are entitled.

Act 5 Aug., 1892.

AN ACT granting pensions to army nurses.

Pensions to army nurses.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all women employed by the Surgeon-General of the Army as nurses, under contract or otherwise, during the late war of the rebellion, or who were employed as nurses during such period by authority which is recognized by the War Department, and who rendered actual service as nurses in attendance upon the sick or wounded in any regimental, post, camp, or general hospital of the armies of the United States for a period of six months or more, and who were honorably relieved from such service, and who are now or may hereafter be unable to earn a support, shall, upon making due proof of the fact according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of pensioners of the United States and be entitled to receive a pension of twelve dollars per month, and such pension shall commence from the date of the filing of the application in the Pension Office after the passage of this Act: *Provided*, That no person shall receive more than one pension for the same period.

Period of service.

Entitled to \$12 per month.

No fees or compensation to attorneys.

SEC. 2. That no fee, compensation, or allowance shall be paid to, received, or accepted by any agent, attorney, or other person instrumental in the prosecution of any claim for pension under this Act; and any person who may make any claim upon any applicant for any fee, compensation, or allowance shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five hundred dollars, or imprisoned at hard labor not exceeding one year, or both, in the discretion of the court; and it shall be the duty of the Interior and War Departments to render all proper aid to applicants under this Act.

Approved, August 5, 1892,

## LAWS GRANTING PENSIONS FOR SERVICE IN THE REVOLUTIONARY WAR, WAR OF 1812, AND VARIOUS INDIAN WARS.

<p>SEC. 4732. Widows and minor children, war of 1812; various Indian wars.</p> <p>SEC. 4736. Certain soldiers and sailors, war of 1812.</p> <p>SEC. 4737. Rate under section 4736.</p> <p>SEC. 4738. Widows of officers, etc., war of 1812.</p> <p>SEC. 4739. As to proof under 4736, 4737, and 4738.</p> <p>SEC. 4740. Loss of discharge certificate.</p>	<p>Act 9 March, 1878. Amending laws granting pensions to soldiers and sailors, war of 1812, and their widows.</p> <p>SEC. 4742. Claims for revolutionary pension, payment prohibited.</p> <p>SEC. 4743. Evidence necessary to enable widows of revolutionary soldiers to obtain pension.</p>
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SEC. 4732. The widows and children under sixteen years of age, of the officers, non-commissioned officers, musicians, and privates of the regulars, militia, and volunteers of the war of one thousand eight hundred and twelve, and the various Indian wars since one thousand seven hundred and ninety, who remained at the date of their death in the military service of the United States, or who received an honorable discharge and have died or shall hereafter die of injury received or disease contracted in the service and in the line of duty, shall be entitled to receive half the monthly pay to which the deceased was entitled at the time he received the injury or contracted the disease which resulted in his death. But no half-pay pension shall exceed the half-pay of a lieutenant-colonel, and such half-pay pension shall be varied after the twenty-fifth day of July, one thousand eight hundred and sixty-six, in accordance with the provisions of section four thousand seven hundred and twelve of this Title.

Widows and minor children of persons engaged in the war with Mexico and in the various Indian wars.

Sec. 1, 4 July, 1886; Secs. 1, 2, and 3, 21 July, 1848; Sec. 1, 22 Feb., 1849; Proviso 3, Sec. 1, 3 Feb., 1853; Sec. 1, 3 June, 1858.

SEC. 4736. The Secretary of the Interior is directed to place on the pension-roll the names of the surviving officers and enlisted and drafted men, including militia and volunteers, of the military and naval service of the United States, who served sixty days in the war with Great Britain, of eighteen hundred and twelve, and were honorably discharged, and such other officers and soldiers as may have been personally named in any resolution of Congress for any specific service in that war, although their term of service may have been less than sixty days, subject, however, to the provisions of section forty-seven hundred and sixteen.

Pensions to certain soldiers and sailors of the war of 1812.

Sec. 1, 14 Feb., 1871.  
See 9 Mar., 1878.

Pensions under preceding section, rate of.

Sec. 2, 14 Feb., 1871.

See 9 Mar., 1878.

SEC. 4737. Pensions, under the preceding section, shall be at the rate of eight dollars per month, and shall be paid to the persons entitled thereto for the term of their lives from and after the fourteenth day of February, eighteen hundred and seventy-one. But that section shall not apply to any person who is receiving a pension at the rate of eight dollars or more per month; nor to any person who is receiving a pension less than eight dollars per month, except for the difference between the pension now received and eight dollars per month.

Pensions to surviving widows of officers, etc., of the war of 1812.

Sec. 1, 14 Feb., 1871.

See 9 Mar., 1878.

SEC. 4738. The surviving widows of such persons as are embraced within the provisions of the two preceding sections shall be allowed, on the conditions and limitations therein expressed, the same pension that such persons themselves would have been entitled to receive thereunder if living on the fourteenth day of February, eighteen hundred and seventy-one: *Provided, however,* Such widows were married to the husbands, on account of whose services the pension is claimed, prior to the treaty of peace which terminated the war of eighteen hundred and twelve, and have not remarried.

Proof required; names may be stricken from pension rolls.

Sec. 3, 14 Feb., 1871.

See 9 Mar., 1878.

SEC. 4739. Before the name of any person is placed upon the pension-roll under the three preceding sections, proof shall be made, under such regulations as the Secretary of the Interior may prescribe, that the applicant is entitled to a pension under the provisions of the sections herein cited; and the Secretary of the Interior shall cause to be stricken from the pension-roll the name of any person whenever it appears, by proof satisfactory, that such name was put upon such roll through false or fraudulent representations.

Loss of discharge certificate.

Sec. 3, 14 Feb., 1871.

See 9 Mar., 1878.

SEC. 4740. The loss of a certificate of discharge shall not deprive an applicant of the benefits of sections forty-seven hundred and thirty-six, forty-seven hundred and thirty-seven, and forty-seven hundred and thirty-eight, but other proof of services performed and of an honorable discharge, if deemed satisfactory, shall be sufficient.

*Sections 4738, 4739, 4740, as above, amended by the following Act:*

Act 9 Mar., 1878.

AN ACT amending the laws granting pensions to the soldiers and sailors of the war of eighteen hundred and twelve, and their widows, and for other purposes.

Enlisted men.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized

and directed to place on the pension-roll the names of the surviving officers and enlisted and drafted men, without regard to color, including militia and volunteers, of the military and naval service of the United States who served for fourteen days in the war with Great Britain of eighteen hundred and twelve, or who were in any engagement and were honorably discharged, and the surviving widows of such officers and enlisted and drafted men.

War of 1812.  
See R. S., Secs.  
4736 to 4740. in-  
clusive.

SEC. 2. That this Act shall not apply to any person who is receiving a pension at the rate of eight dollars per month or more, nor to any person receiving a pension of less than eight dollars per month, except for the difference between the pension now received (if less than eight dollars per month) and eight dollars per month. Pensions under this Act shall be at the rate of eight dollars per month, except as herein provided, and shall be paid to the persons entitled thereto, from and after the passage of this Act, for and during their natural lives: *Provided*, That the pensions to widows provided for in this Act shall cease when they shall marry again.

SEC. 3. That before the name of any person shall be placed upon the pension-rolls under this Act proof shall be made, under such rules and regulations as the Commissioner of Pensions, with the approval of the Secretary of the Interior, shall prescribe, that the applicant is entitled to a pension under this Act; and any person who shall falsely take any oath required to be taken under the provisions of this Act shall be guilty of perjury; and the Secretary of the Interior shall cause to be stricken from the rolls the name of any person when it shall appear, by proof satisfactory to him, that such name was put on said rolls by or through false or fraudulent representations, or by mistake as to the right of such person to a pension under this Act. The loss or lack of a certificate of discharge shall not deprive the applicant of the benefit of this Act, but other proof of the service performed and of an honorable discharge, if satisfactory, shall be deemed sufficient; and when there is no record evidence of such service and such discharge, the applicant may establish the same by other satisfactory testimony: *Provided*, That when any person has been granted a land-warrant, under any Act of Congress, for and on account of service in the said war of eighteen hundred and twelve, such grant shall be *prima-facie* evidence of his service and honorable discharge, so as to entitle him, if living, or his widow if he be dead, to a pension under this Act; but such evidence shall not be conclusive, and may be

rebutted by evidence that such land-warrant was improperly granted.

**SEC. 4.** That all applications for pensions of the classes provided for in this act heretofore or which may hereafter be made shall be considered and decided as though made under this Act; and all laws now in force in regard to the manner of paying pensions, and in reference to the punishment of frauds, shall be applicable to all claims under the provisions of this Act.

**SEC. 5.** That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension-rolls the names of all persons now surviving heretofore pensioned on account of service in the war of eighteen hundred and twelve against Great Britain or for service in any of the Indian wars, and whose names were stricken from the rolls in pursuance of the Act entitled "An Act authorizing the Secretary of the Interior to strike from the pension-rolls the names of such persons as have taken up arms against the government or who have in any manner encouraged the rebels," approved February fourth, eighteen hundred and sixty-two; and that the joint resolution entitled "Joint resolution prohibiting payment by any officer of the government to any person not known to have been opposed to the rebellion and in favor of its suppression," approved March second, eighteen hundred and sixty-seven, and section forty-seven hundred and sixteen of the Revised Statutes of the United States, shall not apply to the persons provided for by this Act: *Provided*, That no money shall be paid to any one on account of pensions for the time during which his name remained stricken from the rolls.

**SEC. 6.** That the surviving widow of any pensioner of the war of eighteen hundred and twelve, where the name of said pensioner was stricken from the pension-rolls in pursuance of the Act entitled "An Act authorizing the Secretary of the Interior to strike from the pension-rolls the names of such persons as have taken up arms against the government or who have in any manner encouraged the rebels," approved February fourth, eighteen hundred and sixty-two, and where, under the existing provisions of law, said pensioner died without his name being restored to the rolls, shall be entitled to make claim for a pension as such widow after the passage of this Act: *Provided*, That no such arrearages shall be paid for any period prior to the time of the removal of the disability of the pensioner, as provided in section five: *And provided further*, That under this Act any widow of a revolutionary soldier who served for four-

teen days or was in any engagement shall be placed on the pension-rolls of the United States and receive a pension at the rate of eight dollars per month.

SEC. 7. That all laws and clauses of laws in conflict with this Act be, and they are hereby, repealed.

Approved, March 9, 1878.

SEC. 4742. From and after the second day of April, eighteen hundred and sixty-two, no claim for a pension, or for an increase of pension, shall be allowed in favor of the children or other descendants of any person who served in the war of the Revolution, or of the widow of such person, when such person or his widow died without having established a claim to a pension.

Certain claims for Revolutionary pensions prohibited.

Act 2 Apr. 1862.

SEC. 4743. In all cases where a pension has been granted to any officer or soldier of the Revolution in his life-time, the evidence upon which such pension was granted shall be conclusive of the service of such officer or soldier in the application of any widow, or woman who may have been the widow, of such officer or soldier, for a pension; and upon proof by her that she was married to any such officer or soldier and that she is a widow, she shall thereupon be placed upon the pension-rolls at the same rate that such officer or soldier received during his life-time.

Evidence necessary to enable widows of Revolutionary soldiers to obtain pensions.

Resolution July, 1848.





## LAWS GRANTING PENSIONS FOR SERVICE IN THE INDIAN WARS.

SEC. 1657. Volunteers or militia; service, Indian depredations in Florida.

Act July 27, 1892. Who are entitled; rate of pension under; provisions as to applications and proof under; Sec. 4716, R. S., repealed as to.

Act February 3, 1893. Proof as to citizenship under Act July 27, 1892.

SEC. 1657. The volunteers or militia, who have been received into the service of the United States, to suppress Indian depredations in Florida, shall be entitled to all the benefits which are conferred on persons wounded or otherwise disabled in the service of the United States.

Volunteers, etc., to suppress Indian depredations in Florida; benefits to.

Act 19 Mar. 1836, c. 44, s. 4, v. 5, p. 7.

AN ACT granting pensions to survivors of the Indian wars of eighteen hundred and thirty-two to eighteen hundred and forty-two, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war.

Act 27 July, 1892.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the names of the surviving officers and enlisted men, including marines, militia, and volunteers of the military and naval service of the United States, who served for thirty days in the Black Hawk war, the Creek war, the Cherokee disturbances, or the Florida war with the Seminole Indians, embracing a period from eighteen hundred and thirty-two to eighteen hundred and forty-two, inclusive, and were honorably discharged, and such other officers, soldiers, and sailors as may have been personally named in any resolution of Congress, for any specific service in said Indian wars, although their term of service may have been less than thirty days, and the surviving widows of such officers and enlisted men: Provided, That such widows have not remarried: Provided further, That this Act shall not apply to any person not a citizen of the United States.*

Surviving officers and enlisted men who served in the Indian wars from 1832 to 1842 pensioned.

An honorable discharge and thirty days' service requisite to entitle.

Widows. Foreigners, no title.

SEC. 2. That pensions under this Act shall be at the rate of eight dollars per month, and payable from and after the passage of this Act, for and during the natural lives of the persons entitled thereto.

Rate of pension, \$8 per month.

The Secretary of the Interior to prescribe rules.

SEC. 3. That before the name of any person shall be placed on the pension roll under this Act, proof shall be made, under such rules and regulations as the Secretary of the Interior may prescribe, of the right of the applicant to a pension; and any person who shall falsely and corruptly take any oath required under this Act shall be deemed guilty of perjury; and the Secretary of the Interior shall cause to be stricken from the pension roll the name of any person whenever it shall be made to appear by proof satisfactory to him that such name was put upon such roll through false and fraudulent representations, and that such person is not entitled to a pension under this Act. The loss of the certificate of discharge shall not deprive any person of the benefits of this Act, but other evidence of service performed and of an honorable discharge may be deemed sufficient.

False oath perjury.

Name to be stricken from roll for fraud.

Loss of discharge certificate not a bar.

Not in addition to existing pension.

SEC. 4. That this Act shall not apply to any person who is receiving a pension at the rate of eight dollars per month or more, nor to any person receiving a pension of less than eight dollars per month, except for the difference between the pension now received (if less than eight dollars per month) and eight dollars per month.

Pension laws now in force made applicable.

SEC. 5. That the pension laws now in force, which are not inconsistent or in conflict with this Act, are hereby made a part of this Act, so far as they may be applicable thereto.

Sec. 4716, R. S. Persons engaged in rebellion not excluded.

SEC. 6. That section forty-seven hundred and sixteen of the Revised Statutes is hereby repealed, so far as the same relates to this Act or to pensioners under this Act.

Approved July 27, 1892.

*The provisions of the above Act extended by the following Act:*

Act 3 Feb. 1893.

AN ACT relating to proof of citizenship of applicants for Indian war pensions under the Act of Congress approved July twenty-seventh, eighteen hundred and ninety-two.

Citizenship in Indian war claims.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Pensions be, and he is hereby, authorized and directed to accept as sufficient proof of the citizenship of an applicant for pension under said act of July twenty-seventh, eighteen hundred and ninety-two, the fact that such applicant at the date of the application was an actual and bona fide resident of the United States.*

Approved, February 3, 1893.

## LAWS GRANTING PENSIONS FOR SERVICE DURING THE MEXICAN WAR.

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SEC. 4730. Mexican war; regulars or volunteers disabled in.

SEC. 4731. Widows and children of regulars or volunteers disabled in Mexican war.

Act January 29, 1887. Granting pension to survivors, and to surviving widows of officers and enlisted men who served in Mexican war; rate, application and proof under; Sec. 4716 repealed as to; political disability a bar.

Act March 3, 1891. Powell's Battalion of Missouri Mounted Volunteers.

Act January 5, 1893. Increase in certain Mexican war survivors' cases.

Act received by President February 5, 1897, becoming a law without his approval. Gray's Battalion of Arkansas Volunteers.

SEC. 4730. Any officer, non-commissioned officer, musician, or private, whether of the Regular Army or volunteer, disabled by reason of injury received or disease contracted while in the line of duty in actual service in the war with Mexico, or in going to or returning from the same, who received an honorable discharge, shall be entitled to a pension proportionate to his disability, not exceeding for total disability half the pay of his rank at the date at which he received the wound or contracted the disease which resulted in such disability. But no pension shall exceed half the pay of a lieutenant-colonel.

Mexican war; regulars or volunteers disabled in.

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Sec. 7, 13 May, 1846; Sec. 3, 21 July, 1848.

SEC. 4731. If any officer or other person referred to in the preceding section has died, or shall hereafter die, by reason of any injury received or disease contracted under the circumstances therein set forth, his widow shall be entitled to receive the same pension as the husband would have been entitled to had he been totally disabled; and in case of her death or remarriage, the child or children of such officer or other person referred to in the preceding section, while under the age of sixteen years, shall be entitled to receive the pension. But the rate of pension prescribed by this and the preceding section shall be varied after the twenty-fifth day of July, eighteen hundred and sixty-six, in accordance with the provisions of section four thousand seven hundred and twelve of this title.

Widows and children of regulars or volunteers in the Mexican war.

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Secs. 1, 2, 21 July, 1848; Sec. 1, 22 Feb., 1849; Act 28 Sept., 1850.

Act 29 Jan., 1887. AN ACT granting pensions to the soldiers and sailors of the Mexican war, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the names of the surviving officers and enlisted men, including marines, militia, and volunteers, of the military and naval services of the United States, who being duly enlisted, actually served sixty days with the Army or Navy of the United States in Mexico, or on the coasts or frontier thereof, or *en route* thereto, in the war with that nation, or were actually engaged in a battle in said war, and were honorably discharged, and to such other officers and soldiers and sailors as may have been personally named in any resolution of Congress for any specific service in said war, and the surviving widow of such officers and enlisted men: *Provided,* That such widows have not remarried: *Provided,* That every such officer, enlisted man, or widow who is or may become sixty-two years of age, or who is or may become subject to any disability or dependency equivalent to some cause prescribed or recognized by the pension laws of the United States as a sufficient reason for the allowance of a pension, shall be entitled to the benefits of this Act; but it shall not be held to include any person not within the rule of age or disability or dependence herein defined, or who incurred such disability while in any manner voluntarily engaged in or aiding or abetting the late rebellion against the authority of the United States.

Who entitled.

Proviso.

Proviso.

Rate of pension.

SEC. 2. That pensions under section one of this Act shall be at the rate of eight dollars per month, and payable only from and after the passage of this Act, for and during the natural lives of the persons entitled thereto, or during the continuance of the disability for which the same shall be granted: *Provided,* That section one of this Act shall not apply to any person who is receiving a pension at the rate of eight dollars per month or more, nor to any person receiving a pension of less than eight dollars per month, except for the difference between the pension now received (if less than eight dollars per month) and eight dollars per month.

Proviso.

Rules and regulations to be prescribed by the Secretary of Interior.

SEC. 3. That before the name of any person shall be placed on the pension-roll under this Act, proof shall be made, under such rules and regulations as the Secretary of the Interior may prescribe, of the right of the applicant to a pension; and any person who shall falsely and cor-

ruptly take any oath required under this Act shall be deemed <sup>False oath to be deemed perjury</sup> guilty of perjury; and the Secretary of the Interior shall cause to be stricken from the pension-roll the name of any person whenever it shall be made to appear by proof satisfactory to him that such name was put upon such roll through false and fraudulent representations, and that such person is not entitled to a pension under this Act. The loss <sup>Loss of certificate of discharge.</sup> of the certificate of discharge shall not deprive any person of the benefits of this Act, but other record evidence of enlistment and service and of an honorable discharge may be deemed sufficient: *Provided*, That when any person has <sup>Proviso.</sup> been granted a land-warrant, under any Act of Congress, for and on account of service in the said war with Mexico, such grant shall be prima facie evidence of his service and honorable discharge; but such evidence shall not be conclusive, and may be rebutted by evidence that such land-warrant was improperly granted.

SEC. 4. That the pension laws now in force which are not inconsistent or in conflict with this Act are hereby made a part of this Act, so far as they may be applicable thereto.

SEC. 5. That section forty-seven hundred and sixteen of the Revised Statutes is hereby repealed so far as the same <sup>Section 4716 repealed so far as conflicts.</sup> relates to this Act or to pensioners under this Act.

SEC. 6. That the provisions of this Act shall not apply to any person while under the political disabilities imposed by <sup>Political disability.</sup> the fourteenth amendment to the Constitution of the United States.

Approved, January 29, 1887.

*The provisions of the above Act extended by the following Acts:*

AN ACT granting pensions to Powell's Battalion of Missouri Mounted <sup>Act 3 Mar., 1891.</sup> Volunteers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the names of all of the honorably discharged surviving officers and enlisted men of Powell's Battalion of Missouri Mounted Volunteers, <sup>Powell's Battalion.</sup> raised under the act of Congress of May thirteenth, eighteen hundred and forty-six, for service during the war with Mexico; and the names of the surviving widows of such officers and enlisted men, subject to the limitations and regulations of the pension laws of the United States for pensioning the survivors of the war with Mexico.

Approved, March 3, 1891.

Act 5 Jan., AN ACT granting increase of pension to soldiers of the Mexican war  
1893. in certain cases.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized to increase the pension of every pensioner who is now on the rolls at eight dollars per month on account of services in the Mexican war and who is wholly disabled for manual labor, and is in such destitute circumstances that eight dollars per month are insufficient to provide him the necessaries of life, to twelve dollars per month.

Approved, January 5, 1893.

AN ACT granting pensions to Gray's Battalion of Arkansas Volunteers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the names of all of the honorably discharged surviving officers and enlisted men of Gray's Battalion of Arkansas Volunteers, raised under the Act of Congress of May thirteenth, eighteen hundred and forty-six, for service during the war with Mexico; and the names of surviving widows of such officers and enlisted men, subject to the limitations and regulations of the pension laws of the United States for pensioning the survivors of the war with Mexico.

Received by the President, February 5, 1897.

(NOTE BY THE DEPARTMENT OF STATE.—The foregoing Act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.)

## LAWS RELATIVE TO THE PAYMENT OF ACCRUED PENSIONS.

Sec. 4718. Accrued pension, title to.

Act March 2, 1895. Accrued pension, how and to whom paid.

SEC. 4718. If any pensioner has died or shall hereafter die, or if any person entitled to a pension, having an application therefor pending, has died or shall hereafter die, his widow, or if there is no widow, the child or children of such person under the age of sixteen years shall be entitled to receive the accrued pension to the date of the death of such person. Such accrued pension shall not be considered as a part of the assets of the estate of deceased, nor liable to be applied to the payment of the debts of said estate in any case whatever, but shall inure to the sole and exclusive benefit of the widow or children; and if no widow or child survive, no payment whatsoever of the accrued pension shall be made or allowed, except so much as may be necessary to reimburse the person who bore the expenses of the last sickness and burial of the decedent, in cases where he did not leave sufficient assets to meet such expenses.

Accrued pension; title to, vested first in widow, second in minor child or children.

Sec. 25, Act 3 Mar., 1873. See Sec. 10, Act 4 July, 1864; Sec. 6, Act 6 June, 1866; Sec. 4, Act 25 July, 1866; Sec. 9, Act 27 July, 1868; Sec. 2, Act 2 Mar., 1829; Secs. 1, 2, 3, Act 19 June, 1840.

Also see note to each of the two last-named Acts in Mayo and Moulton.

See Act 1 Mar., 1889, p. 105. Reimbursement.

*The above Section amended by the following Act:*

AN ACT to provide for the payment of accrued pensions in certain cases. Act 2 Mar., 1895.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the twenty-eighth day of September, eighteen hundred and ninety-two, the accrued pension to the date of the death of any pensioner, or of any person entitled to a pension having an application therefor pending, and whether a certificate therefor shall issue prior or subsequent to the death of such person, shall, in the case of a person pensioned, or applying for pension, on account of his disabilities or service, be paid, first, to his widow; second, if there is no widow, to his child or children under the age of sixteen

Accrued pensions, how and to whom paid.



years at his death; third, in case of a widow, to her minor children under the age of sixteen years at her death. Such accrued pension shall not be considered a part of the assets of the estate of such deceased person, nor be liable for the payment of the debts of said estate in any case whatsoever, but shall inure to the sole and exclusive benefit of the widow or children. And if no widow or child survive such pensioner, and in the case of his last surviving child who was such minor at his death, and in case of a dependent mother, father, sister, or brother, no payment whatsoever of their accrued pension shall be made or allowed except so much as may be necessary to reimburse the person who bore the expense of their last sickness and burial, if they did not leave sufficient assets to meet such expense. And the mailing of a pension check, drawn by a pension agent in payment of a pension due, to the address of a pensioner, shall constitute payment in the event of the death of a pensioner subsequent to the execution of the voucher therefor. And all prior laws relating to the payment of accrued pension are hereby repealed.

Approved, March 2, 1895.

## LAWS RELATIVE TO THE DROPPING OF THE NAMES OF PENSIONERS FROM THE ROLLS.

**SEC. 4706.** Abandonment by widow of minor child or children forfeits pension.

**SEC. 4720.** Special acts.

**SEC. 4719.** Failure to claim pension for three years.

Act December 21, 1893, pension not to be withheld or suspended until after notice.

**SEC. 4706.** If any person has died, or shall hereafter die, leaving a widow entitled to a pension by reason of his death, and a child or children under sixteen years of age by such widow, and it shall be duly certified under seal, by any court having probate jurisdiction, that satisfactory evidence has been produced before such court, upon due notice to the widow, that she has abandoned the care of such child or children, or that she is an unsuitable person, by reason of immoral conduct, to have the custody of the same, on presentation of satisfactory evidence thereof to the Commissioner of Pensions, no pension shall be allowed to such widow until such child or children shall have attained the age of sixteen years, any provisions of law to the contrary notwithstanding, and the said child or children shall be pensioned in the same manner, and from the same date, as if no widow had survived such person, and such pension shall be paid to the guardian of such child or children; but if in any case payment of pension shall have been made to the widow, the pension to the child or children shall commence from the date to which her pension has been paid.

Abandonment by widow of minor child or children forfeits pension.  
Sec. 12, 3 Mar., 1873; Sec. 11, 6 June, 1866; Sec. 8, 27 July, 1868.  
See Act 7 Aug., 1882, p. 53.

Pension to minors to commence from the time the widow was paid.

Sec. 12, 3 Mar., 1873.

**SEC. 4719.** The failure of any pensioner to claim his pension for three years after the same shall have become due shall be deemed presumptive evidence that such pension has legally terminated by reason of the pensioner's death, remarriage, recovery from the disability, or otherwise, and the pensioner's name shall be stricken from the list of pensioners, subject to the right of restoration to the same on a new application by the pensioner, or, if the pensioner is dead, by the widow or minor children entitled to receive the accrued pension, accompanied by evidence satisfactorily accounting for the failure to claim such pension, and by medical evidence in cases of invalids who were not exempt from biennial examinations as to the continuance of the disability.

Unclaimed pensions; disposition of.

Sec. 26, 3 Mar., 1873; Sec. 3, 27 July, 1868.

See Sec. 1, Act of 6 Apr., 1838; Sec. 3, Act 23 Aug., 1842.

Pensions under  
special acts.

Sec. 27, 3 Mar.  
1873; Sec. 15, 27  
July, 1868; Sec. 1,  
7 July, 1870.

See amend-  
ment Act 6 June,  
1874.

\* SEC. 4720. When the rate, commencement, and duration of a pension allowed by special act are fixed by such act, they shall not be subject to be varied by the provisions and limitations of the general pension law; but when not thus fixed, the rate and continuance of the pension shall be subject to variation in accordance with the general laws, and its commencement shall date from the passage of the special act, and the Commissioner of Pensions shall, upon satisfactory evidence that fraud was perpetrated in obtaining such special act, suspend payment thereupon until the propriety of repealing the same can be considered by Congress.

Act 21 Dec.,  
1893.

AN ACT making appropriations to supply further urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-four, and for prior years, and for other purposes.

\* \* \* \* \*

Pension not to  
be withheld or  
suspended until  
after notice.

*Provided*, That any pension heretofore or that may hereafter be granted to any applicant therefor under any law of the United States authorizing the granting and payment of pensions, on application made and adjudicated upon, shall be deemed and held by all officers of the United States to be a vested right in the grantee to that extent that payment thereof shall not be withheld or suspended until, after due notice to the grantee of not less than thirty days, the Commissioner of Pensions, after hearing all the evidence, shall decide to annul, vacate, modify, and set aside the decision upon which such pension was granted. Such notice to grantee must contain a full and true statement of any charges or allegations upon which such decision granting such pension shall be sought to be in any manner disturbed or modified.

Approved, December 21, 1893.

\* Amended by Act of June 6, 1874 (see p. 135), and Sec. 5, Act of July 25, 1882 (see p. 54).

## MISCELLANEOUS LAWS RELATIVE TO THE GRANTING OF PENSIONS.

- Sec. 4716. Loyalty.**  
**Act March 3, 1877.** Disloyalty, bar as to, removed in certain cases.
- Sec. 4733. Continuance of pension.**  
**Sec. 4734. Pension not to be withheld in certain cases.**  
**Sec. 4747. Pension money, not liable to attachment, levy, or seizure.**  
**Sec. 4774. Superseded by Sec. 4, Act July 25, 1882; subsequently amended by Act March 3, 1885.**  
**Sec. 4775. Special medical examinations and appeals therefrom.**  
**Sec. 4776. Medical referee; examining surgeons, appointment of.**  
**Sec. 4777. Civil examining surgeons, appointment of.**
- Act July 25, 1882.** Amending Sec. 4744; subpoena for witnesses; civil surgeons, appointment of; civil surgeon, expert, employment of; fees for medical examinations; pension under special Act not to be in addition to pension under general law.
- Act March 3, 1885.** Appropriations for payment of Army and Navy pensions; fees of examining surgeons; provisions as to medical examinations, and salaries of pension agents and contingent expenses of pension agencies.
- Act June 30, 1890.** Appropriations for payment of Army and Navy pensions, fees of examining surgeons, and salaries of pension agents and expenses of pension agencies; mailing check drawn by pension agent in payment of pension due constitutes payment; accrued pension, payment of; Commissioner of Pensions to show disbursements, and as to pensioners dropped from the roll; clerk of pension agent to sign checks.
- Act March 3, 1891.** Appropriations for payment of invalid and other pensions; payment of salaries of pension agents and expenses of agencies; pension to officer or noncommissioned officer or private on the active or retired list of Army, Navy, or Marine Corps of the United States; attorneys' fees, increase claims, and special Acts; penalty for violation of; payment of pension by pension agents; power to administer oaths extended to all special examiners.
- Act March 1, 1893.** Fees of examining surgeons; nonresident pensioners, no payment to.
- Act July 18, 1894.** Fees and expenses of examining surgeons; reports of examining surgeons open to inspection.
- Act March 2, 1895.** Appropriations for payment of invalid and other pensions; fees and expenses of examining surgeons; salaries of pension agents and expenses of pension agencies; repeal of provision against payment to nonresident pensioners; rate to be given in report of examining surgeons; \$6 established as a minimum rate under general law.
- Act March 6, 1896.** Appropriations for payment of invalid and other pensions; fees and expenses of examining surgeons; salaries of pension agents and expenses of pension agencies; date of commencement under Act June 27, 1890; cases rejected, suspended, or dismissed; ratings to be given in reports of examining surgeons.
- Act March 13, 1896.** Presumption of death, seven years' absence.
- Act May 28, 1896.** Appropriations for legislative, executive, and judicial expenses; Pension Office.

**SEC. 4716.** No money on account of pension shall be paid to any person, or to the widow, children, or heirs of any deceased person, who in any manner voluntarily engaged in, or aided or abetted, the late rebellion against the authority of the United States.

Loyalty requisite.

Sec. 23, 3 Mar., 1873; Sec. 4, 14 July, 1862.

See Act 4 Feb., 1862; Joint Res. 2 Mar., 1867; Act 3 Mar., 1877.

*The above Section amended by the following Act.*

Act 3 Mar., 1877. AN ACT amending the pension-law so as to remove the disability of those who, having participated in the rebellion, have, since its termination, enlisted in the Army of the United States, and become disabled.<sup>1</sup>

See Sec. 4716, R. S. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the law prohibiting the payment of any money on account of pensions to any person, or to the widow, children, or heirs of any deceased person, who, in any manner, engaged in or aided or abetted the late rebellion against the authority of the United States, shall not be construed to apply to such persons as afterward voluntarily enlisted in the Army of the United States, and who, while in such service, incurred disability from a wound or injury received or disease contracted in the line of duty.

Approved, March 3, 1877.

Continuance of pension.

SEC. 4733. All pensioners whose names are now on the pension-roll, or who are entitled to restoration to the roll under any act of Congress, shall be entitled to the continuance of such pensions under the provisions and limitations of this Title, and to such further increase of pension as is herein provided.

Pensions are not to be withheld.

Act 20 May, 1836.

SEC. 4734. The provisions of law which allow the withholding of the compensation of any person who is in arrears shall not be construed to authorize the pension of any pensioner of the United States to be withheld.

Pension not liable to attachment.

Sec. 25, 3 Mar., 1873; Sec. 3, 6 June, 1866; sec. 2, 7 July, 1838.

SEC. 4747. No sum of money due, or to become due, to any pensioner shall be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, whether the same remains with the Pension Office, or any officer or agent thereof, or is in course of transmission to the pensioner entitled thereto, but shall inure wholly to the benefit of such pensioner.

SEC. 4774. *Superseded by Section 4, Act of July 25, 1882, which Act was subsequently amended by Act of March 3, 1885.*

Special medical examinations and appeals therefrom.

Sec. 37, 3 Mar., 1873.

SEC. 4775. Examining surgeons duly appointed by the Commissioner of Pensions, and such other qualified surgeons as may be employed in the Pension-Office, may be required by him, from time to time, as he deems for the

<sup>1</sup> Amended August 1, 1892, to include navy cases. See p. 49.

interest of the Government, to make special examinations of pensioners, or applicants for pension, and such examinations shall have precedence over previous examinations, whether special or biennial; but when injustice is alleged to have been done by an examination so ordered, the Commissioner of Pensions may, at his discretion, select a board of three duly appointed examining surgeons, who shall meet at a place to be designated by him, and shall review such cases as may be ordered before them on appeal from any special examination, and the decision of such board shall be final on the question so submitted thereto, provided the Commissioner approve the same. The compensation of each of such surgeons shall be three dollars, and shall be paid out of any appropriations made for the payment of pensions, in the same manner as the ordinary fees of appointed surgeons are or may be authorized to be paid.

SEC. 4776. The Secretary of the Interior is authorized to appoint a duly qualified surgeon as medical referee, who, under the control and direction of the Commissioner of Pensions, shall have charge of the examination and revision of the reports of examining surgeons, and such other duties touching medical and surgical questions in the Pension-Office as the interests of the service may demand; and his salary shall be two thousand five hundred dollars per annum. And the Secretary of the Interior is further authorized to appoint such qualified surgeons (not exceeding four) as the exigencies of the service may require, who may perform the duties of examining surgeons when so required, and who shall be borne upon the rolls as clerks of the fourth class; but such appointments shall not increase the clerical force of said Bureau.

Medical referee  
and other exam-  
ining surgeons.

Sec. 38, 3 Mar.,  
1878.

(See appropriation bill, June 30, 1890, p. 87.)

SEC. 4777. The Commissioner of Pensions is empowered to appoint, at his discretion, civil surgeons to make the periodical examinations of pensioners which are or may be required by law, and to examine applicants for pension, where he deems an examination by a surgeon appointed by him necessary; and the fee for such examinations, and the requisite certificates thereof, in duplicate, including postage on such as are transmitted to pension agents, shall be two dollars, which shall be paid by the agent for paying pensions in the district within which the pensioner or claimant resides, out of any money appropriated for the payment of pensions, under such regulations as the Commissioner of Pensions may prescribe.

Appointment of  
civil examining  
surgeons.

Sec. 35, 3 Mar.,  
1873; Sec. 8, 14  
July, 1862.

See Sec. 8, 4  
July, 1864.

Act 25 July,  
1882.

*Under an Act making appropriations for the payment of invalid and other pensioners of the United States for the year ending June 30, 1883, it was enacted:*

\* \* \* \* \*

That section forty-seven hundred and forty-four, title fifty-seven of the Revised Statutes of the United States is hereby amended to read as follows :

“SEC. 4744. The Commissioner of Pensions is authorized to detail from time to time clerks or persons employed in his office to make special examinations into the merits of such pension or bounty land claims, whether pending or adjudicated, as he may deem proper, and to aid in the prosecution of any party appearing on such examinations to be guilty of fraud, either in the presentation or in procuring the allowance of such claims ; and any person so detailed shall have power to administer oaths and take affidavits and depositions in the course of such examinations, and to orally examine witnesses, and may employ a stenographer, when deemed necessary by the Commissioner of Pensions, in important cases, such stenographer to be paid by such clerk or person, and the amount so paid to be allowed in his accounts.”

Subpœna for  
witness.

SEC. 3. “That in addition to the authority conferred by section one hundred and eighty-four, title four of the Revised Statutes, any judge or clerk of any court of the United States in any State, District, or Territory shall have power, upon the application of the Commissioner of Pensions, to issue a subpœna for a witness, being within the jurisdiction of such court, to appear, at a time and place in the subpœna stated, before any officer authorized to take depositions to be used in the courts of the United States, or before any officer, clerk, or person from the Pension Bureau designated or detailed to investigate or examine into the merits of any pension claim and authorized by law to administer oaths and take affidavits in such investigation or examination, there to give full and true answers to such written interrogatories and cross-interrogatories as may be propounded, or to be orally examined and cross-examined upon the subject of such claim ; and witnesses subpœnaed pursuant to this and the preceding section shall be allowed the same compensation as is allowed witnesses in the courts of the United States, and paid in the same manner.”

Surgeons.

SEC. 4. That the Commissioner of Pensions is hereby authorized to appoint surgeons who, under his control and direction shall make such examination of pensioners and claimants for pension or increased pension as he shall re-

quire; and he shall organize boards of surgeons, to consist of three members each, at such points in each State as he shall deem necessary, and all examinations, so far as practicable, shall be made by the boards, and no examination shall be made by one surgeon excepting under such circumstances as make it impracticable for a claimant to present himself before a board: *Provided*, That the Commissioner may, when in his opinion the exigencies of the service require it, organize a board of three surgeons who, under his direction, shall review the work of any regularly-appointed board or surgeon: *Provided further*, That all examinations shall be thorough and searching, and the certificate contain a full description of the physical condition of the claimant at the time, which shall include all the physical and rational signs and a statement of all structural changes.

The fee for each examination, and satisfactory certificate thereof, shall be two dollars to each member when made by a board, and two dollars when made by one surgeon: *Provided*, That when a claimant is so disabled as not to be able to present himself to a board of surgeons for examination, the Commissioner may order a surgeon to make the examination at the claimant's residence; and the fee for such examination shall be two dollars, in addition to the payment of the actual traveling expenses of the surgeon: *Provided further*, That no fee shall be allowed or paid to any member of such board of examining surgeons who does not actually participate in such examination and sign the certificate thereof.

Fee for examination.

The Commissioner may, when in his judgment the degree of disability cannot be determined truthfully or satisfactorily excepting by expert examination, employ an expert, not a regularly appointed surgeon, to make the examination; and the fee for such examination shall be five dollars: *Provided*, That the fee for an expert examination shall not be paid to any regularly-appointed examining surgeon.

Commissioner may employ expert.

The fee for the examination of claimants who reside out of the United States shall not exceed ten dollars, which shall be paid, upon the presentation of satisfactory vouchers, out of the appropriation for the payment of the examining surgeons, and through the United States consulate nearest to the claimant's place of residence.

SEC. 5. That no person who is now receiving or shall hereafter receive a pension under a special Act shall be entitled to receive in addition thereto a pension under the general law, unless the special Act expressly states that the

Pension under special act.



pension granted thereby is in addition to the pension which said person is entitled to receive under the general law.

Approved, July 25, 1882.

Act 3, Mar., 1885. AN ACT making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and eighty-six, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June thirtieth, eighteen hundred and eighty-six, and for other purposes, namely:

Appropriation for the payment of pensions for the fiscal year ending June 30, 1886.

Army and Navy pensions. For Army and Navy pensions as follows: For invalids, widows, minor children, and dependent relatives, and survivors and widows of the war of eighteen hundred and twelve, fifty-nine million one hundred and seventy-two thousand dollars: *Provided*, That the appropriations aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same may be sufficient for that purpose: *And provided further*, That the amount expended under each of the above items shall be accounted for separately.

Examining surgeons and members of examining board. For fees and expenses of examining surgeons, five hundred thousand dollars. And each member of each examining board shall, as now authorized by law, receive the sum of two dollars for the examination of each applicant whenever five or a less number shall be examined on any one day, and one dollar for the examination of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of one dollar only until twenty examinations shall have been made: *Provided*,

Proviso. Number that may be examined and fees. That all applicants for pensions shall be presumed to have had no disability at the time of enlistment; but such presumption may be rebutted.

Proviso. Applicant presumed to have had no disability at time of enlistment. For the salaries of eighteen agents for the payment of pensions, at four thousand dollars each, seventy-two thousand dollars.

Contingent expenses. For fees for preparing vouchers, rent, fuel, lights, postage on letters to the Executive Departments and to pen-

sioners, stationery, and other necessary expenses, to be approved by the Secretary of the Interior, two hundred and fifty-six thousand dollars: *Provided*, That from and after June thirtieth, eighteen hundred and eighty-five, the salary and emoluments of agents for the payment of pensions shall be four thousand dollars, and no more, per annum; and of the fees provided by law for vouchers prepared and paid, only so much thereof as may be required for expenses incurred in having said vouchers prepared, as well as the necessary clerical work at the agencies, shall be available.

Proviso.  
Pay of pension agent not to exceed \$4,000 per annum.

Approved, March 3, 1885.

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AN ACT making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and ninety-one, and for other purposes.

Act 30 June, 1890.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June thirtieth, eighteen hundred and ninety-one, and for other purposes, namely:

For Army and Navy pensions as follows: For invalids, widows, minor children, and dependent relatives; survivors and widows of the war of eighteen hundred and twelve and with Mexico, ninety-seven million ninety thousand seven hundred and sixty-one dollars: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same may be sufficient for that purpose: *And provided further*, That the amount expended under each of the above items shall be accounted for separately: *And provided further*, That hereafter a check or checks drawn by a pension agent in payment of pension due, and mailed by him to the address of the pensioner, shall constitute payment within the meaning of section forty-seven hundred and sixty-five, Revised Statutes, in the event of the death of a pensioner subsequent to the mailing and before the receipt of said check; and the amount which may have accrued on the pension of any pensioner subsequent to the last quarterly payment on account thereof and prior to the death of such pensioner shall in the case of a husband be paid to his widow, or if there be no widow to his surviving minor children or the guardian thereof, and in the case of a widow to her minor

Army and Navy pensions.  
Provisos.  
Checks drawn by pension agent.

**Issue of certificate.** children: *Provided further*, That hereafter whenever a pension certificate shall have been issued and the pensioner mentioned therein dies before payment shall have been made, leaving no widow and no surviving minor children, the accrued pension due on said certificate to the date of the death of said pensioner may, in the discretion of the Secretary of the Interior, be paid to the legal representatives

**Disbursements.** of said pensioner: *And provided further*, That the Commissioner of Pensions, in his report for the fiscal year ending June thirtieth, eighteen hundred and ninety-one, shall show the total disbursements from July first, eighteen hundred and sixty-one to June thirtieth, eighteen hundred and ninety-one to pensioners of the late civil war; and, also, the number of pensions granted, between said dates, because of said war; and, also, the number of pensioners of said war, whose names have been stricken from the roll between and including said dates because of their having fraudulently or improperly obtained pensions, together with the amounts disbursed to them during the time their names were upon the roll; and, also, the number of persons to whom arrears will have been paid under the acts of January twenty-fifth and March third, eighteen hundred and seventy-nine, to the thirtieth day of June, eighteen hundred and ninety-one, together with the sum total of the arrears so paid.

**Examining surgeons.** For fees and expenses of examining surgeons for services rendered within the fiscal year eighteen hundred and ninety-one, one million dollars; and each member of each examining board shall, as now authorized by law, receive the sum of two dollars for the examination of each applicant whenever five or a less number shall be examined on any one day, and one dollar for the examination of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of one dollar only until twenty examinations shall have been made.

**Pension agents.** For the salaries of eighteen agents for the payment of pensions, at four thousand dollars each, seventy-two thousand dollars. In case of sickness or unavoidable absence of any pension agent from his office, he may, with the approval of the Secretary of the Interior, authorize the chief clerk, or some other clerk employed therein, to act in his

place, to sign official checks, and to discharge all the other duties required by law of such pension agent; and, with like approval, any pension agent may designate and authorize a clerk to sign the name of the pension agent to official checks. <sup>Clerks to sign official checks.</sup> The official bond given by the principal of the office shall be held to cover and apply to the acts of the person appointed to act in his place in such cases, and a new bond shall be required from all pension agents now in office. Such acting officer shall, moreover, for the time being, be subject to all the liabilities and penalties prescribed by law for the official misconduct, in like cases, of the pension agent for whom he acts.

For clerk-hire, two hundred and fifty thousand dollars: *Provided*, That the amount of clerk-hire for each agency shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency.

For fuel, seven hundred and fifty dollars.

For lights, seven hundred and fifty dollars.

For stationery and other necessary expenses, to be approved by the Secretary of the Interior, twenty-five thousand dollars.

For rents, eighteen thousand two hundred dollars; and hereafter the Secretary of the Treasury, where practicable, shall cause suitable rooms to be set apart in the public buildings under his control in the cities where pension agencies are located, which shall be acceptable to the Secretary of the Interior, for the use and occupancy of the said agencies respectively.

Approved, June 30, 1890.

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AN ACT making appropriations for the payment of invalid and other pensions of the United States, for the fiscal year ending June thirtieth, eighteen hundred and ninety-two, and for other purposes. Act 3 Mar., 1891.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June thirtieth, eighteen hundred and ninety-two, and for other purposes, namely:

For Army and Navy pensions as follows: For invalids, widows, minor children, and dependent relatives; survivors and widows of the war of eighteen hundred and twelve and with Mexico, one hundred and thirty-three million one hundred and seventy-three thousand and eighty-five dollars: *Provided*, That the appropriation aforesaid for Navy pen-

sions shall be paid from the income of the Navy pension fund, so far as the same may be sufficient for that purpose: *And provided further*, That the amount expended under each of the above items shall be accounted for separately: *And provided further*, That hereafter no pension shall be allowed or paid to any officer, non commissioned officer, or private in the Army, Navy, or Marine Corps of the United States, either on the active or retired list. *Provided also*, That hereafter no agent or attorney shall demand, receive, or be allowed any compensation under existing law exceeding two dollars in any claim for increase of pension on account of the increase of the disability for which the pension has been allowed, or for services rendered in securing the passage of any special act of Congress granting a pension or an increase of pension in any case that has been presented at the Pension Office or is allowable under the general pension laws: *And provided further*, That any agent, attorney, or other person instrumental in prosecuting any claim for increase of pension on account of the increase in disability for which pension was allowed, or who has rendered services in procuring the passage of any special Act of Congress granting a pension or an increase of pension in any case that has been presented at the Pension Office or is allowable under the general pension laws, who shall directly or indirectly contract for, demand, receive, or retain any compensation for such services, except as hereinbefore provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every such offense, be fined not exceeding five hundred dollars or imprisoned, not exceeding two years or both, in the discretion of the court: *Provided, however*, That the foregoing provisions in relation to fees of agents or attorneys shall not apply to any case now pending where there is an existing lawful contract expressed or implied.

Pensions—active or retired list.

Attorney's fee—increase claims and special acts.

Penalty.

For salaries of eighteen agents for the payment of pensions, at four thousand dollars each, seventy-two thousand dollars.

Secretary of the Interior to approve salaries, etc.

For clerk hire, four hundred thousand dollars: *Provided*, That the amount of clerk hire at each agency shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency, and the salaries paid shall be subject to the approval of the Secretary of the Interior.

For fuel, seven hundred and fifty dollars.

For lights, seven hundred and fifty dollars.

For stationery and other necessary expenses, to be ap-

proved by the Secretary of the Interior, thirty-five thousand dollars.

For rents, eighteen thousand two hundred dollars.

SEC. 2. That the Secretary of the Interior is hereby authorized and directed to arrange the various agencies for the payment of pensions in three groups as he may think proper, and may from time to time change any agency from one group to another as he may deem convenient for the transaction of the public business. The first group shall make their quarterly payments of pensions on January fourth, April fourth, July fourth, and October fourth of each year; the second group shall make their quarterly payments of pensions on February fourth, May fourth, August fourth, and November fourth of each year; and the third group shall make their quarterly payments of pensions on March fourth, June fourth, September fourth, and December fourth of each year. The Secretary of the Interior is hereby fully authorized to cause payments of pensions to be made for the fractional parts of quarters created by such change, so as to properly adjust all payments as herein provided. Section forty-seven hundred and sixty-four of the Revised Statutes is hereby so amended as to conform to the changes in the time of payments provided herein, and is made applicable thereto.

Payment of pensions by pension agents.

The sum of fifteen thousand dollars is hereby appropriated to meet the expenses involved in carrying into effect the changes herein provided for.

SEC. 3. That the same power to administer oaths and take affidavits, which by virtue of section forty-seven hundred and forty-four of the Revised Statutes is conferred upon clerks detailed by the Commissioner of Pensions from his office to investigate suspected attempts at fraud on the Government through and by virtue of the pension laws, and to aid in prosecuting any person so offending, shall be, and is hereby, extended to all special examiners or additional special examiners employed under authority of Congress to aid in the same purpose.

Oaths, special examiners to administer.

Approved, March 3, 1891.

(See *Revised Statutes*, section 4764, p. 103.)

AN ACT making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and ninety-four, and for other purposes.

*The Act entitled as above, and approved March 1, 1893, after appropriating certain sums for the payment of pensions, provides as follows:*

Fees of examining surgeons.

Each member of each examining board shall, as now authorized by law, receive the sum of two dollars for the examination of each applicant whenever five or a less number shall be examined on any one day, and one dollar for the examination of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of one dollar only until twenty examinations shall have been made: *Provided further*, That no fee shall be paid to any member of an examining board unless personally present and assisting in the examination of applicant.

No payment to non-resident, when.

That from and after July first, eighteen hundred and ninety-three, no pension shall be paid to a non-resident, who is not a citizen of the United States, except for actual disabilities incurred in the service.

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AN ACT making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

\* \* \* \* \*

Fees and expenses of examining surgeons.

For fees and expenses of examining surgeons for services rendered within the fiscal year eighteen hundred and ninety-five, one million dollars. And each member of each examining board shall, as now authorized by law, receive the sum of two dollars for the examination of each applicant whenever five or a less number shall be examined on any one day, and one dollar for the examination of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of one dollar only until twenty examinations shall have been made: *Provided further*, That no fee shall be paid to any member of an examining board unless personally present and assisting in

the examination of applicant: *Provided*, That the report of such examining surgeons when filed in the Pension Office shall be open to the examination and inspection of the claimant or his attorney, under such reasonable rules and regulations as the Secretary of the Interior may provide.

Report of examining surgeons open to inspection.

Approved, July 18, 1894.

AN ACT making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes. Act 2 Mar., 1895.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes, namely:

For Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, army nurses, survivors and widows of the war of eighteen hundred and twelve and with Mexico, and the survivors and widows of the Indian wars of eighteen hundred and thirty-two to eighteen hundred and forty-two, inclusive, one hundred and forty million dollars: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same may be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately: *And provided further*, That so much of the fourth proviso of an Act entitled "An Act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and ninety-four, and for other purposes," approved March first, eighteen hundred and ninety-three, which reads as follows: "That from and after July first, eighteen hundred and ninety-three, no pension shall be paid to a nonresident who is not a citizen of the United States, except for actual disabilities incurred in the service," be and the same is hereby repealed.

Repeal of provision against payment to non-residents.

For fees and expenses of examining surgeons for services rendered within the fiscal year eighteen hundred and ninety-six, eight hundred thousand dollars. And each member of each examining board shall, as now authorized by law, receive the sum of two dollars for the examination of each applicant whenever five or a less number shall be

Fees and expenses of examining surgeons.



Rate to be  
given in report.

Increase to \$6  
rate.

examined on any one day, and one dollar for the examination of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of one dollar only until twenty examinations shall have been made: *Provided further*, That no fee shall be paid to any member of an examining board unless personally present and assisting in the examination of applicant: *Provided*, That the report of such examining surgeons shall specifically state the rating which in their judgment the applicant is entitled to. *And it is further provided*, That from and after the passage of this Act, all pensioners now on the rolls, who are pensioned at less than six dollars per month, for any degree of pensionable disability, shall have their pensions increased to six dollars per month; and that hereafter, whenever any applicant for pension, would under existing rates, be entitled to less than six dollars for any single disability, or several combined disabilities, such pensioner shall be rated at not less than six dollars per month: *Provided also*, That the provisions hereof shall not be held to cover any pensionable period prior to the passage of this Act, nor authorize a re-rating of any claims for any part of such period, nor prevent the allowance of lower rates than six dollars per month, according to the existing practice in the Pension Office in pending cases covering any pensionable period prior to the passage of this Act.

For salaries of eighteen agents for the payment of pensions, at four thousand dollars each, seventy-two thousand dollars.

For clerk hire, four hundred and fifty thousand dollars: *Provided*, That the amount of clerk hire for each agency shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency, and the salaries paid shall be subject to the approval of the Secretary of the Interior, but the appointment of the clerk to sign official checks, who shall receive the same compensation at each agency as was paid during the fiscal year ending June thirtieth, eighteen hundred and ninety-four, shall be made by the pension agent without other or further approval.

For fuel, seven hundred and fifty dollars.

For lights, seven hundred and fifty dollars.

For stationery and other necessary expenses, to be ap-

proved by the Secretary of the Interior, thirty-five thousand dollars.

For rents, twenty-three thousand and seventy dollars.

Approved, March 2, 1895.

AN ACT making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and ninety-seven, and for other purposes. Act 6 Mar., 1896.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June thirtieth, eighteen hundred and ninety-seven, and for other purposes, namely:

For Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, army nurses, survivors and widows of the war of eighteen hundred and twelve and with Mexico, and the survivors and widows of the Indian wars of eighteen hundred and thirty-two to eighteen hundred and forty-two, inclusive, one hundred and forty million dollars: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same may be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

That whenever a claim for pension under the Act of June twenty-seventh, eighteen hundred and ninety, has been, or shall hereafter be, rejected, suspended, or dismissed, and a new application shall have been, or shall hereafter be, filed, and a pension has been, or shall hereafter be, allowed in such claim, such pension shall date from the time of filing the first application, provided the evidence in the case shall show a pensionable disability to have existed, or to exist, at the time of filing such first application, anything in any law or ruling of the Department to the contrary notwithstanding. Date of commencement under Act 27 June, 1890.

For fees and expenses of examining surgeons for services rendered within the fiscal year eighteen hundred and ninety-seven, seven hundred and fifty thousand dollars. And each member of each examining board shall, as now authorized by law, receive the sum of two dollars for the examination of each applicant whenever five or a less number shall be examined on any one day, and one dollar for the examina- Fees and expenses of examining surgeons.

tion of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of one dollar only until twenty examinations shall have been made: *Provided further*, That no fee shall be paid to any member of an examining board unless personally present and assisting in the examination of applicant: *Provided*, That the report of such examining surgeons shall specifically state the rating which in their judgment the applicant is entitled to.

Ratings to be given in report.

For salaries of eighteen agents for the payment of pensions, at four thousand dollars each, seventy-two thousand dollars.

For clerk hire, four hundred and fifty thousand dollars: *Provided*, That the amount of clerk hire for each agency shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency, and the salaries paid shall be subject to the approval of the Secretary of the Interior.

For fuel, two hundred and fifty dollars.

For lights, five hundred dollars.

For stationery and other necessary expenses, exclusive of clerical services, to be approved by the Secretary of the Interior, thirty thousand dollars.

For rents, twenty-five thousand eight hundred and thirty dollars.

Approved, March 6, 1896.

Act 13 Mar., 1896.

AN ACT regulating proof of death in certain pension cases.

Death presumed from absence.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in considering claims filed under the pension laws, the death of an enlisted man or officer shall be considered as sufficiently proved if satisfactory evidence is produced establishing the fact of the continued and unexplained absence of such enlisted man or officer from his home and family for a period of seven years, during which period no intelligence of his existence shall have been received. And any pension granted under this Act shall cease upon proof that such officer or enlisted man is still living.

Pension ceases when.

Approved, March 13, 1896.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-seven, and for other purposes. Act 28 May, 1896.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June thirtieth, eighteen hundred and ninety-seven, for the objects hereinafter expressed, namely:

Legislative, executive, and judicial expenses appropriations.

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Pension Office.

**PENSION OFFICE:** For the Commissioner of Pensions, five thousand dollars; First Deputy Commissioner, three thousand six hundred dollars; Second Deputy Commissioner, three thousand six hundred dollars; chief clerk, two thousand two hundred and fifty dollars; assistant chief clerk, two thousand dollars; medical referee, three thousand dollars; assistant medical referee, two thousand two hundred and fifty dollars; two qualified surgeons who shall be experts in their profession, at two thousand dollars each; thirty-eight medical examiners who shall be surgeons of education, skill, and experience in their profession, at one thousand eight hundred dollars each; ten chiefs of division, at two thousand dollars each; law clerk, two thousand dollars; fifty-eight principal examiners, at two thousand dollars each; twenty assistant chiefs of division, at one thousand eight hundred dollars each; three stenographers, at one thousand six hundred dollars each; seventy clerks of class four; eighty-five clerks of class three; three hundred and fifty clerks of class two; four hundred and thirty-eight clerks of class one; two hundred and eighty-seven clerks, at one thousand dollars each; superintendent of building, one thousand four hundred dollars; two engineers, at one thousand two hundred dollars each; one hundred and seventy-five copyists; thirty-three messengers; twelve assistant messengers; twenty messenger boys, at four hundred dollars each; one painter, skilled in his trade, nine hundred dollars; one cabinet-maker, skilled in his trade, nine hundred dollars; captain of the watch, eight hundred and forty dollars; three sergeants of the watch, at seven hundred and fifty dollars each; twenty watchmen; three firemen; twenty-five laborers; five female laborers, at four hundred dollars each; and fifteen charwomen; in all, two million and eighty-six thousand seven hundred and ten dollars.

Per diem, etc., investigations.

For per diem, when absent from home and traveling on duty outside the District of Columbia, for special examiners or other persons employed in the Bureau of Pensions, detailed for the purpose of making special investigations pertaining to said Bureau, in lieu of expenses for subsistence, not exceeding three dollars per day, and for actual and necessary expenses for transportation and assistance and any other necessary expenses, including telegrams, five hundred thousand dollars: *Provided*, That two special examiners, or clerks, detailed and acting as chief and assistant chief of the division of special examiners, may be allowed from this appropriation, in addition to their salaries and in lieu of per diem and all expenses for subsistence, a sum sufficient to make their annual compensation two thousand dollars and one thousand eight hundred dollars, respectively, and whenever it may be necessary for either of them to travel on official business outside the District of Columbia by special direction of the Commissioner, he shall receive the same allowance in lieu of subsistence and for transportation as is herein provided for special examiners and detailed clerks engaged in field service; and the Secretary of the Interior shall so apportion the sum herein appropriated as to prevent a deficiency therein.

Proviso. Chief and assistant, special examiners.

Additional special examiners.

For an additional force of one hundred and fifty special examiners for one year, at a salary of one thousand three hundred dollars each, one hundred and ninety-five thousand dollars; and no person so appointed shall be employed in the State from which he is appointed; and any of those now employed in the Pension Office or as special examiners may be reappointed if they be found to be qualified.

Books.

For the purchase of statutes and other necessary law books for the Pension Office, two hundred and fifty dollars.

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Approved, May 28, 1896.

AN ACT making appropriation for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes, namely:

For army and navy pensions, as follows: For invalids,

widows, minor children, dependent relatives, army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, one hundred and forty million dollars: *Provided*, That the appropriation aforesaid for navy pensions shall be paid from the income of the navy pension fund, so far as the same may be sufficient for that purpose: *Provided further*, That the amount paid to each of the several classes of pensioners shall be accounted for separately: *Provided further*, That hereafter no pensions shall be paid upon power of attorney from pensioners residing in foreign countries.

For fees and expenses of examining surgeons for services rendered within the fiscal year eighteen hundred and ninety-nine, seven hundred thousand dollars. And each member of each examining board shall, as now authorized by law, receive the sum of two dollars for the examination of each applicant whenever five or a less number shall be examined on any one day, and one dollar for the examination of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of one dollar only until twenty examinations shall have been made: *Provided further*, That no fee shall be paid to any member of an examining board unless personally present and assisting in the examination of applicant: *Provided*, That the report of such examining surgeons shall specifically state the rating which in their judgment the applicant is entitled to.

For salaries of eighteen agents for the payment of pensions, at four thousand dollars each, seventy-two thousand dollars.

For clerk hire, four hundred and fifteen thousand dollars: *Provided*, That the amount of clerk hire for each agency shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency, and the salaries paid shall be subject to the approval of the Secretary of the Interior.

For fuel, two hundred and fifty dollars.

For lights, five hundred dollars.

For rents, sixteen thousand and eighty dollars.

For stationery and other necessary expenses, thirty thousand dollars.

Approved, March 14, 1898.



AN ACT Making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June thirtieth, nineteen hundred, and for other purpose, namely:

For army and navy pensions, as follows: For invalids, widows, minor children, dependent relatives, army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, one hundred and forty-four million dollars: *Provided*, That the appropriation aforesaid for navy pensions shall be paid from the income of the navy pension fund, so far as the same may be sufficient for that purpose: *Provided further*, That the amount paid to each of the several classes of pensioners shall be accounted for separately.

For fees and expenses of examining surgeons for services rendered within the fiscal year nineteen hundred, seven hundred thousand dollars. And each member of each examining board shall, as now authorized by law, receive the sum of two dollars for the examination of each applicant whenever five or a less number shall be examined on any one day, and one dollar for the examination of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of one dollar only until twenty examinations shall have been made: *Provided further*, That no fee shall be paid to any member of an examining board unless personally present and assisting in the examination of applicant: *Provided*, That the report of such examining surgeons shall specifically state the rating which in their judgment the applicant is entitled to.

For salaries of eighteen agents for the payment of pensions, at four thousand dollars each, seventy-two thousand dollars.

For clerk hire, four hundred and fifteen thousand dollars: *Provided*, That the amount of clerk hire for each

agency shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency, and the salaries paid shall be subject to the approval of the Secretary of the Interior.

For fuel, two hundred and fifty dollars.

For lights, five hundred dollars.

For rents, sixteen thousand and eight dollars.

For stationery and other necessary expenses, thirty thousand dollars.

Approved February 4, 1899.

AN ACT To provide for temporarily increasing the military establishment of the United States in time of war, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

\* \* \* \* \*

SEC. 12. That all officers and enlisted men of the Volunteer Army, and of the militia of the States when in the service of the United States, shall be in all respects on the same footing as to pay, allowances, and pensions as that of officers and enlisted men of corresponding grades in the Regular Army.

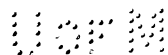
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Approved, April 22, 1898.

AN ACT for the relief of the Fourth Arkansas Mounted Infantry.

Whereas during the latter part of eighteen hundred and sixty-three and the early part of eighteen hundred and sixty-four, under authority of Major-General Frederick Steele, dated October twenty-third, eighteen hundred and sixty-three, in northwestern Arkansas, several hundred men were recruited in Arkansas for the United States Army, and organized the Fourth Arkansas Mounted Infantry Volunteers, under the command of Elisha Baxter, colonel commanding, and were put into active service in Arkansas with other United States soldiers there, and were furnished arms, ammunition, and uniforms by the United States Government, and participated in several battles, and lost a number of men in killed and wounded; and

Whereas said regiment was disbanded in June, eighteen hundred and sixty-four, at Devall Bluff, Arkansas, without having been actually mustered into the service of the





United States, and most of the members thereof then enlisted in other United States regiments, having then served as members of the said Fourth Arkansas Mounted Infantry for a period of from six to eight months; and

Whereas on account of never having been mustered into the Army of the United States the names of the members of said regiment do not appear on the rolls of the Army, and the members of said regiment have never received any pay for said services; and

Whereas Congress, by joint resolution approved March eighteenth, eighteen hundred and seventy, authorized the War Department to pay such claims as were satisfactorily proven, but, through the avarice of claim agents or others, rolls of the members of said regiment were made up largely in excess of the actual membership of said regiment, and this without the knowledge or fault of the actual members thereof, which led the War Department to refuse to make any payment thereon whatever; and

Whereas there remain about one hundred members of said regiment, now old and decrepit, and nearly all in destitute circumstances, to whom the pay so long due them from the Government would be a great relief in their declining years: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and is hereby, authorized and directed to appoint and detail a competent and experienced officer of the United States Army as referee, who shall have authority to administer oaths, who shall give notice of the times and places of taking testimony in the State of Arkansas or elsewhere, if necessary, that claimants and their witnesses may appear before him, and shall carefully examine into the facts and take proof upon the claims for service of the members of the Fourth Arkansas Mounted Infantry, and return the same, together with his report thereon, to the Secretary of War; and that the Secretary of War is hereby directed to pay such claims to the members of said regiment, or to their heirs, as he shall be satisfied are due under the joint resolution of Congress approved March eighteenth, eighteen hundred and seventy; Said officer shall receive compensation for actual expenses incurred under the provisions hereof.*

Approved, February 27, 1899.



AN ACT for the relief of the sufferers by the destruction of the United States steamer *Maine* in the harbor of Havana, Cuba.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That to reimburse the survivors of the officers and crew of the United States steamer *Maine*, destroyed by an explosion in the harbor of Havana, Cuba, on the fifteenth day of February, eighteen hundred and ninety-eight, for losses incurred by them, respectively, in the destruction of said vessel, there shall be paid to each of said survivors, out of any money in the Treasury of the United States not otherwise appropriated, a sum equal to the losses so sustained by them: *Provided*, That the accounting officers of the Treasury shall in all cases require a schedule and affidavit from each person making a claim under this Act, such schedule to be approved by the Secretary of the Navy; and reimbursement shall be made for such articles of clothing, outfit, and for such personal effects only as are of a character and value and in quantity suitable and appropriate to the rank or rating and duty of the person by whom the claim is made: *Provided further*, That in no case shall the aggregate sum allowed for such losses exceed the amount of twelve months' sea pay (without rations) of the grade or rating held by such person at the time the losses were incurred.

SEC. 2. That the widow, child, or children, and in case there be not such, that the parent or parents, and if there be no parent, the brothers and sisters, of the officers, enlisted men, and others who were lost in the destruction of said vessel, or who have died or who may die within one year from date of the disaster in consequence of injuries received in the destruction of said vessel, shall be entitled to and shall receive, out of any money in the Treasury of the United States not otherwise appropriated, to wit: The relative, in the order named, of the persons heretofore referred to, a sum equal to twelve months' sea pay of the grade or rating of each person deceased as aforesaid: *Provided*, That the legal representatives of the deceased persons hereinbefore referred to shall also be paid from the Treasury of the United States any arrears of pay due the deceased at the time of their death: *Provided further*, That if any person who shall receive reimbursement under this Act, for losses incurred in said disaster, shall die within the year in consequence of injuries incurred in the destruction of said vessel, the amount so paid shall be deducted from the amount of twelve months' sea pay (without rations) allowed to such beneficiary by virtue of this Act of relief.

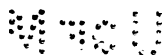
SEC. 3. That the accounting officers of the Treasury be, and they are hereby, authorized to continue for a period of three months any allotments which may have been made in favor of any relatives of the degrees hereinbefore enumerated by any of the officers and men attached to the United States ship Maine who lost their lives in or in consequence of the disaster to that vessel: *Provided*, That the amount of the allotments so continued shall be deducted from the amount of twelve months' sea pay allowed to such beneficiaries by virtue of this Act for their relief.

SEC. 4. That the relief granted by the provisions of this Act shall be in full satisfaction of any and all claims whatever against the United States on account of losses or death by the destruction of the United States steamer Maine; and any claim against the United States which shall be presented and acted upon under the authority of this Act shall be held to be finally determined and shall not in any manner thereafter be reopened, reconsidered, supplemented nor be subject to appeal in any form; and the method of presenting and establishing said claims hereinbefore presented shall be followed in lieu of those prescribed by acts or parts of acts heretofore enacted relating to the presentation and allowance of similar claims: *Provided*, That nothing herein shall affect the right of any of the beneficiaries under this Act to any pension to which they may be entitled under existing law after the expiration of one year from said fifteenth day of February, eighteen hundred and ninety-eight.

SEC. 5. That no claims shall be allowed under the provisions of this Act which shall not be presented within two years after the date of its passage.

SEC. 6. That the Secretary of the Navy be, and he is hereby, authorized, whenever in his discretion it may be deemed practicable and expedient, to cause the remains of all or any of those who perished in consequence of said disaster to be removed to the United States cemetery at Arlington: *Provided*, That the relatives of any of such deceased officers and others mentioned in this Act who prefer that the remains of such be taken to their homes within the United States shall have such privilege extended to them, and the expense thereof shall be borne by the United States; and the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the provisions of this section.

Approved, March 30, 1898.



## OATHS; EXECUTION OF PAPERS AND EVIDENCE IN PENSION CLAIMS.

SEC. 1778. Oaths or acknowledgments, before whom taken.	Act July 26, 1892. Declarations and other papers, before whom executed.
SEC. 4714. Declarations, executed before court of record.	Act August 23, 1894. Fourth-class postmasters, power to execute vouchers.
Act July 1, 1890. Declarations, affidavits, and quarterly vouchers, to be executed before whom.	Act August 29, 1890. Appropriations for clerical force and other expenses; chief clerks to administer oaths without fee; officers on retired list debarred from receiving pension.
Joint resolution, September 1, 1890. Declarations affidavits, and other papers, executed before whom.	

SEC. 1778. In all cases in which, under the laws of the United States, oaths or acknowledgments may now be taken or made before any justice of the peace of any State or Territory, or in the District of Columbia, they may hereafter be also taken or made before or by any notary public duly appointed in any State, district, or Territory, or any of the commissioners of the circuit courts, and, when certified under the hand and official seal of such notary or commissioner, shall have the same force and effect as if taken or made by or before such justice of the peace.

Oaths or acknowledgments made before United States circuit court commissioners.

*Office of commissioners of circuit courts abolished, and United States commissioners created by Section 19, Act approved May 28, 1896. (29 Stat. L., 184.)*

SEC. 4714. Declarations of pension claimants shall be made before a court of record, or before some officer thereof having custody of its seal, said officer hereby being fully authorized and empowered to administer and certify any oath or affirmation relating to any pension or application therefor: *Provided*, That the Commissioner of Pensions may designate, in localities more than twenty-five miles distant from any place at which such court is holden, persons duly qualified to administer oaths, before whom declarations may be made and testimony taken, and may accept declarations of claimants residing in foreign countries made before a United States minister or consul, or before some officer of the country duly authorized to administer oaths for general purposes, and whose official character and signature shall be duly authenticated by the certificate of a United States

Declarations must be executed before a court of record, etc.

Sec. 21, 3 Mar., 1873; Sec. 3, 4 July, 1864.

Sec. 21, 3 Mar.  
1873.

minister or consul; declarations in claims of Indians made before a United States agent; and declarations in claims under the provisions of this Title relating to pensions for services in the war of eighteen hundred and twelve, made before an officer duly authorized to administer oaths for general purposes, when the applicants, by reason of infirmity of age, are unable to travel: *Provided*, That any declaration made before an officer duly authorized to administer oaths for general purposes shall be accepted to exempt a claim from the limitation as to date of filing prescribed in section forty-seven hundred and nine.

*The above Section amended and extended by the following Acts approved July 1, 1890, September 1, 1890, and July 26, 1892:*

Act 1 July, 1890.

AN ACT in relation to oaths in pension and other cases.

Declaration  
and affidavits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any and all affidavits and declarations to be hereafter made or used in any pension or bounty cases, or in claims against the Government for back pay or arrears or increase of pension, or for quarterly vouchers, may be taken by any officer authorized to administer oaths for general purposes in the State, city, or county where said officer resides. If such officer has a seal and uses it upon such paper, no certificate of a county clerk, or prothonotary, or clerk of a court shall be necessary; but when no seal is used by the officer taking such affidavit, then a clerk of a court of record, or a county or city clerk, shall affix his official seal thereto, and shall certify to the signature and official character of said officer.

Approved, July 1, 1890.

Joint Resolution, 1 Sept., 1890.

JOINT RESOLUTION amending and construing the Act approved July first, eighteen hundred and ninety, in relation to oaths in pension and other cases.

Oaths.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act approved July first, eighteen hundred and ninety, entitled "An Act in relation to oaths in pension and other cases," be and the same is hereby, amended and construed to mean that when declarations, affidavits, and other papers

Who authorized.

are verified by justices of the peace and other officers duly authorized by law to administer oaths for general purposes, but not required by law to have seals, the official character,

signature, and term of service of such justice or other officer shall be certified by the clerk of the county or court of record or other proper officer, under the seal of such county or court or public officer, in the department or bureau in which such papers are to be used; and one such certificate duly filed in such department or bureau, or with any pension agent, shall be sufficient as to all verifications of such officer during his official term, and all papers heretofore or hereafter filed shall be subject to this rule.

Approved September 1, 1890.

AN ACT in relation to the execution of declarations and other papers in pension claims.\*

Act 26 July, 1892.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* declarations of pension claimants shall be made before a court of record, or before some officer thereof having custody of its seal, or before some officer who, under the laws of his State, city, or county, has authority to administer oaths for general purposes; and said officers are hereby fully authorized and empowered to administer and certify any oath or affirmation relating to any pension or application therefor: *Provided*, That where such declarations or other papers are executed before an officer authorized as above but not required by the laws of his State to have and use a seal to authenticate his official acts, he shall file in the Pension Bureau a certificate of his official character, showing his official signature and term of office, certified by a clerk of a court of record or other proper officer of the State as to the genuineness thereof; and when said certificate has been filed in the Bureau of Pensions his own certificate will be recognized during his term of office.

Declarations and other papers in pension claims before whom executed.

Officers not required to use a seal to file a certificate of official character.

SEC. 2. That the Commissioner of Pensions may accept declarations and other papers of claimants residing in foreign countries made before a United States minister or consul or other consular officer, or before some officer of the country duly authorized to administer oaths for general purposes, and whose official character and signature shall be duly authenticated by the certificate of a United States minister or consul or other consular officer;

Pension papers executed in foreign countries.

And declarations in claims of Indians may be made before a United States Indian agent.

Declarations in claims of Indians.

SEC. 3. That any and all declarations or affidavits now on file in the Pension Bureau which are considered informal by reason of not having been executed in conformity to the

Declarations and affidavits executed under former acts made good.

\* For Cuba and Porto Rico see p. 109.

laws heretofore in force covering such, and in which it is shown or may be hereafter shown by proper evidence that the same were executed by and before an officer who was duly authorized to administer oaths for general purposes at said date of execution, shall be accepted as formal as from date of filing such declarations or affidavits.

Repeal.

SEC. 4. That all acts and parts of acts inconsistent with the provisions of this Act are hereby repealed.

Approved, July 26, 1892.

Act 23 Aug., AN ACT empowering fourth-class postmasters to administer oaths to pensioners.

Vouchers may be executed before fourth-class postmasters.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter, in addition to the officers now authorized to administer oaths in such cases, fourth-class postmasters of the United States are hereby required, empowered, and authorized to administer any and all oaths required to be made by pensioners and their witnesses in the execution of their vouchers with like effect and force as officers having a seal; and such postmaster shall affix the stamp of his office to his signature to such vouchers, and he is authorized to charge and receive for each voucher not exceeding twenty-five cents, to be paid by the pensioner.

Approved, August 23, 1894.

Act 29 Aug., AN ACT making appropriations for additional clerical force and other expenses, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, \* \* \**

Oaths.

And no officer, clerk, or employee of any executive department who is also a notary public or other officer authorized to administer oaths, shall charge or receive any fee or compensation for administering oaths of office to employees of such department required to be taken on appointment or promotion therein.

Chief clerks to administer.

And the chief clerks of the several Executive Departments and of the various bureaus and offices thereof in Washington, District of Columbia, are hereby authorized and directed, on application and without compensation therefor, to administer oaths of office to employees required to be taken on their appointment or promotion.

Officer on retired list.

SEC. 2. Hereafter no officer of the Army, Navy or Marine Corps on the retired list shall draw or receive any pension under any law.

Approved, August 29, 1890.

Circular No. 11.  
 Division of Customs and  
 Insular Affairs }

WAR DEPARTMENT,  
 Washington, March 28, 1899.

The following is published for the information and guidance of all concerned:

Hereafter all oaths administered out of Cuba or Porto Rico, in authentication of legal documents to be used in Cuba or Porto Rico, shall be held valid when duly administered and taken according to the law of the place where taken, and when the official character of the officer administering such oath is duly authenticated by the certificate of the officer who is custodian of the official record of his appointment, election, or qualification.

In order to facilitate the transaction of legal and commercial intercourse in the matter of authentication of legal documents between the United States and the islands of Cuba and Porto Rico, there will be kept at the headquarters of each military department in these islands a complete list of notaries public resident in the department, together with their signs, seals, and signatures; and it is hereby made the duty of the assistant adjutant-general or acting assistant adjutant-general of the department to certify, when necessary, to the official character of any such notary public or other civil officer authorized by law to administer oaths.

Lists of notaries public, showing their official residences, together with their signs, seals, and signatures, will be forwarded at once by department commanders in Cuba and Porto Rico direct to the Assistant Secretary of War.

G. D. MEIKLEJOHN,  
*Acting Secretary of War.*



## LAWS RELATING TO PENSION AGENTS AND PAYMENT OF PENSIONS.

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| <p><b>SEC. 4764.</b> Pension agents to send quarterly vouchers to each pensioner.</p> <p>Act March 3, 1891. Payment of pension by pension agents, amending Sec. 4764.</p> <p><b>SEC. 4765.</b> Checks to be drawn to order of each pensioner.</p> <p>Act March 1, 1889. Mailing of pension agent's check constitutes payment; accrued pension; United States officers to administer oaths.</p> <p><b>SEC. 4766.</b> Pensions to be paid only to persons entitled.</p> <p>Act February 26, 1881, amending Sec. 4766.</p> <p>Act August 7, 1882. Pensions due inmates of National Home to be paid to treasurer of Home.</p> <p>Act August 7, 1882. Payment of pension to insane persons, inmates of National Home for Disabled Volunteer Soldiers; admission to Government Hospital for the Insane.</p> <p>Act August 8, 1882, amending Sec. 4766. Pension to be paid only to persons entitled; payment of pension due insane pensioner; Commissioner to visit pension agencies; payment to persons residing in foreign countries.</p> <p>Act March 3, 1883. Inmates of Soldiers' Home located at Washington, D. C., payment of pension to and allotment of pension by.</p> | <p><b>SEC. 4767.</b> Blanks for vouchers; notice.</p> <p><b>SEC. 4768.</b> Certificate of pension and articles of agreement forwarded to pension agent.</p> <p><b>SEC. 4769.</b> Fees deducted by pension agent.</p> <p><b>SEC. 4770.</b> Now Sec. 3646, Revised Statutes.</p> <p><b>SEC. 3646.</b> Pension agent's check lost, stolen, or destroyed.</p> <p><b>SEC. 4778.</b> Pension agent's appointment and term of office.</p> <p>Act March 8, 1878, amending Sec. 4778.</p> <p><b>SEC. 4779.</b> Bond of pension agents.</p> <p><b>SEC. 4780.</b> Pension agencies, establishment of.</p> <p><b>SECS. 4781 and 4782</b> repealed by Act June 14, 1878. Reference: January 25, 1879; March 3, 1870; July 4, 1884, and March 3, 1885.</p> <p>Act June 14, 1878. Pension agents' salaries; pension agencies, expenses of.</p> <p><b>SEC. 4784.</b> Pension agents and their clerks to take affidavit without fee.</p> <p>Act March 23, 1896, repealing Sec. 4784.</p> <p>Act August 7, 1882. Government Hospital for the Insane; insane persons from National Home for Disabled Volunteer Soldiers to be admitted to; payment of pension to same.</p> |
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Pension agents to send quarterly vouchers to each pensioner, etc.

Sec. 1, 8 July, 1870.

**SEC. 4764.** Within fifteen days immediately preceding the fourth day of March, June, September, and December in each year, the several agents for the payment of pensions shall prepare a quarterly voucher for every person whose pension is payable at his agency, and transmit the same by mail, directed to the address of the pensioner named in such voucher, who, on or after the fourth day of March, June, September, and December next succeeding the date of such voucher, may execute and return the same to the agency at which it was prepared, and at which the pension of such person is due and payable.

*The above Section amended by the following Act:*

AN ACT making appropriations for the payment of invalid and other pensions of the United States, for the fiscal year ending June thirtieth, eighteen hundred and ninety-two, and for other purposes. Act 3 Mar., 1891.

\* \* \* \* \*

SEC. 2. That the Secretary of the Interior is hereby authorized and directed to arrange the various agencies for the payment of pensions in three groups, as he may think proper, and may from time to time change any agency from one group to another as he may deem convenient for the transaction of the public business. The first group shall make their quarterly payments of pensions on January fourth, April fourth, July fourth, and October fourth of each year; the second group shall make their quarterly payments of pensions on February fourth, May fourth, August fourth, and November fourth of each year; and the third group shall make their quarterly payments of pensions on March fourth, June fourth, September fourth, and December fourth of each year. The Secretary of the Interior is hereby fully authorized to cause payments of pensions to be made for the fractional parts of quarters created by such change, so as to properly adjust all payments as herein provided. Section forty-seven hundred and sixty-four of the Revised Statutes is hereby so amended as to conform to the changes in the time of payments provided herein, and is made applicable thereto.

Payment of pensions by pension agents.

The sum of fifteen thousand dollars is hereby appropriated to meet the expenses involved in carrying into effect the changes herein provided for.

SEC. 4765. Upon the receipt of such voucher, properly executed, and the identity of the pensioner being established and proved in the manner prescribed by the Secretary of the Interior, the agent for the payment of pensions shall immediately draw his check on the proper assistant treasurer or designated depositary of the United States for the amount due such pensioner, payable to his order, and transmit the same by mail, directed to the address of the pensioner entitled thereto; but any pensioner may be required, if thought proper by the Commissioner of Pensions, to appear personally and receive his pension.

Check to be drawn to order of each pensioner.

Sec. 2, 8 July, 1870.

*The above Section amended by the following Act:*

Act 1 Mar., 1889. AN ACT relating to the payment of pensions where, subsequent to issuance of check, pensioner dies.

Pension checks. \* \* \* That a check or checks drawn by a pension agent in payment of pension due, and mailed by him to the address of the pensioner, shall constitute payment within the meaning of section forty-seven hundred and sixty-five, Revised Statutes, in the event of the death of a pensioner subsequent to the mailing and before the receipt of said check; and the amount which may have accrued on the pension of any pensioner subsequent to the last quarterly payment on account thereof and prior to the death of such pensioner shall in the case of a husband be paid to his widow, or if there be no widow to his surviving minor children or the guardian thereof, and in the case of a widow to her minor children: *Provided*, That hereafter whenever a pension certificate shall have been issued and the pensioner mentioned therein dies before payment shall have been made, leaving no widow and no surviving minor children, the accrued pension due on said certificate to the date of the death of such pensioner may in the discretion of the Secretary of the Interior be paid to the legal representatives of said pensioner: *And provided further*, That hereafter all United States officers now authorized to administer oaths are hereby required and directed to administer any and all oaths required to be made by pensioners and their witnesses in the execution of their vouchers for their pensions free of charge.

Pension certificate.

United States officers to administer oaths.

Approved, March 1, 1889.  
(See Sec. 4718, Rev. Stat., p. 77.)

Pensions to be paid only to persons entitled.

Sec. 3, 8 July, 1870.

SEC. 4766. Hereafter no pension shall be paid to any person other than the pensioner entitled thereto, nor otherwise than according to the provisions of this title, and no warrant, power of attorney, or other paper executed or purporting to be executed by any pensioner to any attorney, claim-agent, broker, or other person shall be recognized by any agent for the payment of pensions, nor shall any pension be paid thereon; but the payment to persons laboring under legal disabilities may be made to the guardians of such persons in the manner herein prescribed; and pensions payable to persons in foreign countries may be made according to the provisions of existing laws.

*The above Section amended by the following Acts, approved February 26, 1881, August 7, 1882, and March 3, 1883:*

AN ACT making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and eighty-two, and for deficiencies and for other purposes. Act 26 Feb. 1881.

\* \* \* \* \*

SEC. 2. All pensions payable, or to be paid under this Act, to pensioners who are inmates of the National Home for Disabled Volunteer Soldiers, shall be paid to the treasurer or treasurers of said home, upon security given to the satisfaction of the managers, to be disbursed for the benefit of the pensioners without deduction for fines or penalties under regulations to be established by the managers of the home; said payment to be made by the pension agent upon a certificate of the proper officer of the home that the pensioner is an inmate thereof and is still living. Any balance of the pension which may remain at the date of the pensioner's discharge shall be paid over to him; and in case of his death at the home, the same shall be paid to the widow, or children, or in default of either to his legal representatives.

Approved, February 26, 1881.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty-three, and for other purposes. Act 7 Aug. 1882.

\* \* \* \* \*

“That all pensions and arrears of pensions payable or to be paid to pensioners who are or may become inmates of the National Home for Disabled Volunteer Soldiers, shall be paid to the treasurers of said Home, to be applied by such treasurers as provided by law, under the rules and regulations of said Home. Said payments shall be made by the pension agent upon a certificate of the proper officer of the Home that the pensioner is an inmate thereof on the day to which said pension is drawn. The treasurers of said Home, respectively, shall give security, to the satisfaction of the managers of said Home, for the payment and application by them of all arrears of pension and pension moneys they may receive under the aforesaid provision. And section two of the Act entitled ‘An Act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and eighty-two, and for deficiencies, and for other purposes,’ approved February twenty-sixth,

Pensions, etc., due inmates of National Home to be paid to treasurers, etc.

21 Stat. L., 350.

eighteen hundred and eighty-one, is hereby revived and continued in force.”

\* \* \* \* \*

Approved, August 7, 1882.

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Payment of AN ACT making appropriations for sundry civil expenses of the Gov-  
pension to Na- ernment for the fiscal year ending June 30, 1883, and for other  
tional Home, ernment for the fiscal year ending June 30, 1883, and for other  
when. purposes.

\* \* \* \* \*

*Provided*, That in addition to the persons now entitled to admission to said hospital, any inmate of the National Home for Disabled Volunteer Soldiers, who is now or may hereafter become insane shall, upon an order of the president of the board of managers of the said National Home, be admitted to said hospital and treated therein; and if any inmate so admitted from said National Home is or thereafter becomes a pensioner, and has neither wife, minor child, nor parent dependent upon him, in whole or in part, for support, his arrears of pension and his pension money accruing during the period he shall remain in said hospital shall be applied to his support in said hospital, and be paid over to the proper officer of said institution for the general uses thereof. (Act of August 7, 1882, 22 Stat. L., 330.)

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Act 8 Aug., AN ACT to amend section forty-seven hundred and sixty-six, title  
1882. fifty-seven, of the Revised Statutes of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section forty-seven hundred and sixty-six, title fifty-seven, of the Revised Statutes of the United States is hereby amended to read as follows:

Pensions to be paid only to persons entitled.

“SEC. 4766.\* Hereafter no pension shall be paid to any person other than the pensioner entitled thereto, nor otherwise than according to the provisions of this title; and no warrant, power of attorney, or other paper executed or purporting to be executed by any pensioner to any attorney, claim agent, broker, or other persons shall be recognized by any agent for the payment of pensions, nor shall any pension be paid thereon; but the payment to persons laboring under legal disabilities may be made to the guardians of such persons in the manner herein prescribed, and pensions payable to persons in foreign countries may be made according to the provisions of existing laws: *Provided*, That in case of an insane invalid pensioner having no guardian, but

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\* Amended, Act March 3, 1899, pp. 121, 122; Act March 14, 1898, pp. 98, 99.

having a wife or children dependent upon him (the wife being a woman of good character), the Commissioner of Pensions is hereby authorized, in his discretion, to cause the pension to be paid to the wife, upon her properly-executed voucher, or in case there is no wife, to the guardian of the children, upon the properly-executed voucher of such guardian, and in like manner to cause the pension of invalid pensioners who are or may hereafter be imprisoned as punishment for offenses against the laws to be paid while so imprisoned to their wives or the guardians of their children. And pensions to Indian pensioners residing in the Indian Territory may be paid in person by the pension agent, upon a suitable voucher, at some convenient point in said Territory, which, together with the form and manner of identification of the pensioners, may be prescribed by the Secretary of the Interior; such payments to be made in standard silver, at least once in each current year. And payments in person shall be made to the pensioner, in cash, by the pension agent whenever in the discretion of the Commissioner of Pensions such personal payment shall be by him deemed necessary or proper to secure to the pensioner his rights; and the necessary and actual expenses of such pension agent in making such payments shall be paid by the Secretary of the Interior upon properly-executed vouchers, out of the contingent fund appropriated for the use of the Pension Office. The Commissioner of Pensions may, when in his judgment it shall be deemed necessary or proper, visit in person, for the purpose of examination and inspection, or may send any one or more of the officers of his bureau for that purpose, any of the pension agencies or medical examining boards or surgeons; and the necessary and actual expenses of such visits shall be paid by the Secretary of the Interior upon properly-executed vouchers, out of the contingent fund of said bureau.”

Insane pensioner, pension may be paid to his wife.

Commissioner to visit pension agencies.

Approved, August 8, 1882.

AN ACT prescribing regulations for the Soldiers' Home located at Washington, in the District of Columbia, and for other purposes. Act 3 Mar. 1883.

\* \* \* \* \*

SEC. 4. That any inmate of the Home who is receiving a pension from the Government, and who has a child, wife, or parent living, shall be entitled, by filing with the pension agent from whom he receives his money a written direction to that effect, to have his pension, or any part of it, paid to such child, wife, or parent. The pensions of all who now are or shall hereafter become inmates of the Home, except

Pensioners inmates of Home can allot portion of pension, etc.

Pensions, etc., to be paid to treasurer.

Pension paid in full on discharge of pensioner from the Home.

Death of pensioner; money due, etc., paid to legal heirs.

such as shall be assigned as aforesaid, shall be paid to the treasurer of the Home. The money thus derived shall not become a part of the funds of the Home, but shall be held by the treasurer in trust for the pensioner to whom it would otherwise have been paid, and such part of it as shall not sooner have been paid to him shall be paid to him on his discharge from the institution. The board of commissioners may from time to time pay over to any inmate such part of his pension money as they think best for his interest and consistent with the discipline and good order of the Home, but such pensioner shall not be entitled to demand or have the same so long as he remains an inmate of the Home. In case of the death of any pensioner, any pension money due him and remaining in the hands of the treasurer shall be paid to his legal heirs, if demand is made within three years otherwise the same shall escheat to the Home.

\* \* \* \* \*

Approved, March 3, 1883.

Blanks for vouchers; notice.

Sec. 5, 8 July, 1870.

**SEC. 4767.** The Secretary of the Interior shall cause suitable blanks for the vouchers mentioned in section forty-seven hundred and sixty-four to be printed and distributed to the agents for the payment of pensions, upon which he shall cause a note to be printed, informing pensioners of the fact that hereafter no pension will be paid, except upon the vouchers issued as herein directed.

Sec. 9, 8 July, 1870; Sec. 6, 14 July, 1862; Sec. 12, 4 July, 1864.

Repealed as to new cases. See Act 20 June, 1878. See Sec. 4, 25 Jan., 1879.

**SEC. 4768.** The Commissioner of Pensions shall forward the certificate of pension, granted in any case, to the agent for paying pensions where such certificate is made payable, and at the same time forward therewith one of the articles of agreement filed in the case and approved by the Commissioner, setting forth the fee agreed upon between the claimant and the attorney or agent; and where no agreement is on file, as hereinbefore provided, he shall direct that a fee of ten dollars only be paid the agent or attorney.

See Sec. 4, 25 Jan., 1879. Sec. 10, 8 July, 1870.

Repealed as to new cases. See Act 20 June, 1878. See appropriation Act 20 June, 1874.

**SEC. 4769.** It shall be the duty of the agent paying such pension to deduct from the amount due the pensioner the amount of fees so agreed upon or directed by the Commissioner to be paid where no agreement is filed and approved, and to forward or cause to be forwarded to the agent or attorney of record named in such agreement, or, in case there is no agreement, to the agent prosecuting the case, the amount

of the proper fee, deducting therefrom the sum of thirty cents in payment of his services in forwarding the same.

(See Act July 4, 1884, p. 116; and Rev. Stat., Sec. 4748, p. 2.)

SEC. 4770. *Now section 3646 of the Revised Statutes :*

SEC. 3646.\* Whenever any original check is lost, stolen, or destroyed, disbursing officers and agents of the United States are authorized, after the expiration of six months, and within three years from the date of such check, to issue a duplicate check; and the Treasurer, assistant treasurers, and designated depositaries of the United States are directed to pay such duplicate checks, upon notice and proof of the loss of the original checks, under such regulations in regard to their issue and payment, and upon the execution of such bonds, with sureties, to indemnify the United States, as the Secretary of the Treasury shall prescribe. This section shall not apply to any check exceeding in amount the sum of one thousand dollars.

Act 27 Feb., 1877.  
Act 19 Apr., 1871.  
Act 2 Feb., 1872.

SEC. 4778. The President is authorized to appoint, by and with the advice and consent of the Senate, all pension-agents, who shall hold their respective offices for the term of four years, unless sooner removed or suspended, as provided by law, and until their successors are appointed and qualified.

Pension agents, appointment and term of office.  
Act 5 Feb., 1887.  
(See sec. 4, 24 Apr., 1816; sec. 1, 20 Apr., 1836; act 8 Mar., 1878.)

*The above section amended by the following Act :*

AN ACT to amend section 4778 of the Revised Statutes.

Act 8 Mar., 1878.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever during a session of the Senate a vacancy shall occur in the office of Pension Agent, by reason of resignation, death, removal or expiration of the term of office, or where any such agent lawfully appointed shall have failed to qualify and assume the duties of such office, the President may when the public exigency requires it, designate any officer of the United States to perform the duties of such office, but such designation shall not be for a longer time than twenty days, and such officer so designated shall give bonds if required by the President for the faithful discharge of the said duties and the Secretary of the Interior shall allow in the settlement of the accounts of such officer, the necessary expenses incurred by him in the discharge of*

Pension agent.

\* Amended, Act February 16, 1885, p. 6.



his duties under this act. The foregoing provisions shall apply to any vacancy now existing.

Approved, March 8, 1878.

Bond of pension agents.

Act 5 Feb., 1867.

SEC. 4779. All pension-agents shall give bond, with good and sufficient sureties, for such amount and in such form as the Secretary of the Interior may approve.

Establishment of pension agencies.

Act 5 Feb., 1867.

SEC. 4780. The President is authorized to establish agencies for the payment of pensions wherever, in his judgment, the public interests and the convenience of the pensioners require; but the number of pension-agencies in any State or Territory shall in no case be increased hereafter so as to exceed three, and no such agency shall be established in addition to those now existing in any State or Territory in which the whole amount of pensions paid during the fiscal year next preceding shall not have exceeded the sum of five hundred thousand dollars.

SEC. 4781 } *Repealed by act of June 14, 1878.*

SEC. 4782 }

*See acts January 25, 1879, p. 33; March 3, 1879, p. 34; July 4, 1884, p. 116; and act March 3, 1885, p. 86.*

Act 14 June, 1878.

AN ACT making appropriations for the payment of invalid and other pensioners of the United States for the year ending June thirtieth, eighteen hundred and seventy-nine.

\* \* \* \* \*

That from and after July first, eighteen hundred and seventy-eight, agents for the payment of pensions shall, in lieu of the percentage, fees, pay, and allowances now provided by law, be allowed and paid the following compensation for their services, postage on vouchers and checks sent to pensioners, and all the expenses of their offices:

First. A salary at the rate of four thousand dollars per annum.

Second. Fifteen dollars for each one hundred vouchers, or at that rate for a fraction of one hundred, prepared and paid by any agent in excess of four thousand vouchers per annum.

Third. Actual and necessary expenses for rent, fuel, and lights, and for postage on official matter directed to the Departments and Bureaus at Washington, to be approved by the Secretary of the Interior.

And the sum of two hundred and sixteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated to pay the salaries, fees, allowance, and expenses aforesaid to said pension agents.

And all acts and parts of acts inconsistent with this act are hereby repealed.

Approved, June 14, 1878.

SEC. 4784. Agents for the payment of pensions, and any clerks appointed by them and designated in writing for that purpose, which designation shall be returned to and filed in the office of the Commissioner of Pensions, are required, without any fee therefor, to take and certify the affidavits of all pensioners and their witnesses who may personally appear before them for that purpose, in which case the check for the pension, when due and payable, shall be given direct to the hand of the party entitled thereto, if desired, and not mailed to his address as required by section forty-seven hundred and sixty-five.

Pension agents and their clerks to take affidavits without fee.  
 Sec. 6, 8 July, 1870.  
 See penalty, sec. 5487, R. S.

*The above section repealed by the following Act.*

AN ACT to repeal section six of an Act entitled "An Act to define the duties of pension agents, to prescribe the manner of paying pensions, and for other purposes," approved July eighth, eighteen hundred and seventy, and now being section forty-seven hundred and eighty-four, Revised Statutes of the United States.

Act 23 Mar., 1896.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section six of an Act entitled "An Act to define the duties of pension agents, to prescribe the manner of paying pensions, and for other purposes," approved July eighth, eighteen hundred and seventy, and now being section forty-seven hundred and eighty-four, Revised Statutes of the United States, be, and the same is hereby, repealed.

Pensions.  
 Taking affidavits, etc., by pension agents abolished.  
 Sec. 4784, R. S., repealed.

Approved, March 23, 1896.

GOVERNMENT HOSPITAL FOR THE INSANE: For current expenses of the Government Hospital for the Insane: For support, clothing, and treatment in the Government Hospital for the Insane of the insane of the Army and Navy, Marine Corps, and Revenue Cutter Service, and those committed from the National Homes for Disabled Volunteer Soldiers, and persons charged with or convicted of crimes against the United States, and of all persons who

Insane of the Army, etc.

Indigent insane  
of the District of  
Columbia.

Insane persons  
from National  
Home for Dis-  
abled Volunteer  
Soldiers to be ad-  
mitted, etc.

have become insane since their entry into the military or naval service of the United States, and who are indigent, and of the indigent insane of the District of Columbia, two hundred and two thousand five hundred dollars; and not exceeding one thousand dollars of this sum may be expended in defraying the expense of the removal of patients to their friends; and that hereafter the surplus products and waste material of the hospital may be sold or exchanged for the benefit of the hospital, and proceeds to be used and accounted for the same as its other funds: *Provided*, That in addition to the persons now entitled to admission to said hospital, any inmate of the National Home for Disabled Volunteer Soldiers, who is now or may hereafter become insane shall, upon an order of the president of the board of managers of the said National Home, be admitted to said hospital and treated therein; and if any inmate so admitted from said National Home is or thereafter becomes a pensioner, and has neither wife, minor child, nor parent dependent on him, in whole or in part, for support, his arrears of pension and his pension money accruing during the period he shall remain in said hospital shall be applied to his support in said hospital, and be paid over to the proper officer of said institution for the general uses thereof. (Appropriation Act for fiscal year ending June 30, 1883, (22 Stat. L., p. 329.) Approved, August 7th 1882.)

AN ACT To provide for the issue of duplicate checks.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section thirty-six hundred and forty-six of the Revised Statutes of the United States be amended to read as follows:

“Whenever any original check is lost, stolen, or destroyed, disbursing officers and agents of the United States are authorized, after the expiration of six months, and within three years from the date of such check, to issue a duplicate check; and the Treasurer, assistant treasurers, and designated depositaries of the United States are directed to pay such duplicate checks, upon notice and proof of the loss of the original checks, under such regulations in regard to their issue and payment, and upon the execution of such bonds, with sureties, to indemnify the United States, as the Secretary of the Treasury shall prescribe. This section shall not apply to any check exceeding in amount the sum of twenty-five hundred dollars.”

Approved, February 16, 1885.

AN ACT To amend section forty-seven hundred and sixty-six of the Revised Statutes of the United States. Act 3 Mar., 1899.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section forty-seven hundred and seventy (sixty)-six, Title fifty-seven, of the Revised Statutes of the United States be, and the same is hereby, amended by adding thereto the following additional provisions and provisos, to wit:

*Provided further,* That in case a resident pensioner of the United States shall for a period of over six months desert his lawful wife, she being a woman of good moral character and in necessitous circumstances, or, if he have no lawful wife, shall desert his legitimate minor child or children under sixteen years of age, or his permanently helpless and dependent child, the Commissioner of Pensions is hereby directed, upon being satisfied by competent evidence of such desertion, to cause one-half of the pension due or to become due said pensioner during the continuance of such desertion to be paid to the wife, or in case there is no wife, to the legal guardian of the child or children:

*Provided further,* That when a soldier or sailor enters into a State home for soldiers or sailors as an inmate thereof, one-half of his pension accruing during his residence therein shall be paid to his wife, she being a woman of good moral character and in necessitous circumstances, or if there be no wife, then to his child or children under sixteen years of age, or his permanently helpless and dependent child, if any, unless such wife and children shall also be inmates of the same institution or of some home provided for the wives and children of soldiers and sailors:

*Provided further,* That if any such pensioner is or shall become an inmate of a National Soldiers' Home one-half of the pension drawn in his behalf or to which he may become entitled during his residence therein shall be paid by the treasurer of that institution to such pensioner's wife, she being in necessitous circumstances and a woman of good moral character, or, if there be no wife, to the legal guardian of the minor child or children, or the permanently dependent and helpless child or children of said pensioner, on the order of the Commissioner of Pensions:

*Provided further,* That hereafter no pension under any law of the United States shall be granted, allowed, or paid to the widow of a soldier, sailor, officer, naval or military, marine, marine officer, or any other male person entitled to a pension under any law of the United States, unless it shall be proved and established that the marriage of such

S. L., v. 30, p. 1379.

Sec. 4766 amended.

Desertion of family by pensioner—Commissioner directed to pay one-half of pension to wife, child, etc.

Pensioner inmate of State home—one-half of pension paid to wife, minor child, etc.

Pensioner inmate of National Home—one-half of pension paid to wife, minor child, etc.

Marriage—prerequisites to give title to pension.

widow to the soldier, sailor, officer, marine, or other person on account of whose service the pension is asked, was duly and legally contracted and entered into prior to the passage of this Act, or unless such wife shall have lived and cohabited with such soldier, sailor, officer, marine, marine officer, or other person continuously from the date of the marriage to the date of his death, or unless the marriage shall take place hereafter and prior to or during the military or naval service of the soldier, sailor, officer, marine, or other person on account of whose service the pension is asked or claimed. This proviso shall not apply to or affect the widow of any soldier, sailor, marine officer, soldier, sailor, marine, officer, or marine officer serving or who has served in the war between the United States and the Kingdom of Spain.

Provisions not applicable to Spanish war claims.

Questions of desertion, etc., to be investigated by Commissioner of Pensions.

In all cases the questions of desertion, entrance into a home, necessitous circumstances, and of good moral character shall be ascertained and determined by the Commissioner of Pensions under such rules and regulations as he shall prescribe, and the treasurers or governors of the several soldiers' and sailors' homes shall be advised of such action from time to time.

Approved March 3, 1899.

## LAWS AND REGULATIONS RELATIVE TO THE RECOGNITION OF AGENTS AND ATTORNEYS.

**SEC. 190.** Persons formerly in the Departments not to prosecute claims.

**SEC. 3478.** Persons prosecuting claims required to take oath of allegiance.

**SEC. 3479.** Oath of allegiance taken before any officer authorized to administer oaths.

**SEC. 4768.** Commissioner of Pensions to forward pension certificate and articles of agreement.

**SEC. 4769.** Pension agents deduct fees of attorneys.

**SEC. 4785.** Commissioner of Pensions to direct payment of fees of agents or attorneys not exceeding twenty-five dollars.

**SEC. 4786.** Fee agreements to be filed.

Act June 20, 1878, prohibiting filing of fee contracts: Secs. 4768, 4769, and 4786 not to apply in any claims filed hereafter; sec. 4785, Revised Statutes, repealed.

Act July 4, 1884. Attorneys' fees in pension cases: Act June 20, 1878, repealed; prescribing amount of fees, how paid, by whom paid, and regulations relating thereto; amending secs. 4785 and 4786; prescribing form of articles of agreement; penalty for violation of act relating to fees or compensation; Secretary of the Interior to prescribe rules for the government of agents in prosecuting claims.

Act March 3, 1891. Fee in increase claims; fee for procuring the passage of any special act; penalty for violation of.

Order 169, May 26, 1891.

**SEC. 190.** It shall not be lawful for any person appointed after the first day of June, one thousand eight hundred and seventy-two, as an officer, clerk or employé in any of the Departments, to act as counsel, attorney or agent for prosecuting any claim against the United States which was pending in either of said Departments while he was such officer, clerk or employé, nor in any manner, nor by any means, to aid in the prosecution of any such claim within two years next after he shall have ceased to be such officer, clerk or employé.

Persons formerly in the Departments not to prosecute claims in them.

Sec. 1, 1 June, 1872.

**SEC. 3478.** Any person prosecuting claims, either as attorney or on his own account, before any of the Departments or Bureaus of the United States, shall be required to take the oath of allegiance, and to support the Constitution of the United States, as required of persons in the civil service. (Rev. Stat.)

### OATH.

I, ———, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

SEC. 3479. The oath provided for in the preceding section may be taken before any justice of the peace, notary public, or other person who is legally authorized to administer an oath in the State or district where the same may be administered.

Sec. 9, 8 July, 1870; Sec. 6, 14 July, 1862; Sec. 12, 4 July, 1864.

SEC. 4768. The Commissioner of Pensions shall forward the certificate of pension, granted in any case, to the agent for paying pensions where such certificate is made payable, and at the same time forward therewith one of the articles of agreement filed in the case and approved by the Commissioner, setting forth the fee agreed upon between the claimant and the attorney or agent; and where no agreement is on file, as hereinbefore provided, he shall direct that a fee of ten dollars only be paid the agent or attorney.

Repealed as to new cases. (See Act 20 June, 1878.)  
See Sec. 4, 25 Jan., 1879.

See Sec. 4, 25 Jan., 1879.

SEC. 4769. It shall be the duty of the agent paying such pension to deduct from the amount due the pensioner the amount of fees so agreed upon or directed by the Commissioner to be paid where no agreement is filed and approved, and to forward or cause to be forwarded to the agent or attorney of record named in such agreement, or, in case there is no agreement, to the agent prosecuting the case, the amount of the proper fee, deducting therefrom the sum of thirty cents in payment of his services in forwarding the same.

See Sec. 10, 8 July, 1870.

Repealed as to new cases. (See Act 20 June, 1878.)

See appropriation act 20 June, 1874.

Fees of agents and attorneys for prosecuting claims.

Sec. 31, 3 Mar., 1873; Secs. 6, 7, 14 July, 1862; Secs. 12, 13, 14 July, 1864; Sec. 8, 8 July, 1870. See Act 20 June, 1878.

SEC. 4785. No agent or attorney or other person shall demand or receive any other compensation for his services in prosecuting a claim for pension or bounty-land than such as the Commissioner of Pensions shall direct to be paid to him, not exceeding twenty-five dollars. (See Sec. 5485.)

Fee agreement's to be filed.

Sec. 7, 8 July, 1870.

See Sec. 6, 14 July, 1862; Sec. 12, 4 July, 1864; Sec. 4, 6 June, 1866; Sec. 4768, R. S.; Sec. 4, 25 Jan., 1879.

See for penalty Sec. 5485, R. S.  
Repealed as to new cases. (See Act June 20, 1878.)

SEC. 4786. It shall be the duty of the agent or attorney of record in the prosecution of the case to cause to be filed with the Commissioner of Pensions, for his approval, duplicate articles of agreement, without additional cost to the claimant, setting forth the fee agreed upon by the parties, which agreement shall be executed in the presence of and certified by some officer competent to administer oaths. In all cases where application is made for pension or bounty-land, and no agreement is filed with and approved by the Commissioner as herein provided, the fee shall be ten dollars and no more.

*The above sections amended by the following Acts:*

AN ACT relating to claim agents and attorneys in pension cases.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled;* <sup>Act 20 June, 1878.</sup> It shall be unlawful for any attorney, agent, or other person to demand or receive for his services in a pension case a greater sum than ten dollars. No fee contract shall hereafter be filed with the Commissioner of Pensions in any case. In pending cases in which a fee contract has heretofore been filed, if the pension shall be allowed, the Commissioner of Pensions shall approve the same as to the amount of the fee to be paid at the amount specified in the contract. Sections forty-seven hundred and sixty-eight, forty-seven hundred and sixty-nine, and forty-seven hundred and eighty-six of the Revised Statutes shall not apply to any case or claim hereafter filed, nor to any pending claim in which the claimant has not been represented by an agent or attorney prior to the passage of this act.

SEC. 2. Section forty-seven hundred and eighty-five of the Revised Statutes is hereby repealed.

Approved, June 20, 1878.

*The above Act amended by the following Act:*

AN ACT making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, <sup>Act 4 July, 1884.</sup> eighteen hundred and eighty-five, and for other purposes.

That the Act entitled "An Act relating to claim agents and attorneys in pension cases," approved June twentieth, eighteen hundred and seventy-eight, is hereby repealed: <sup>Attorneys' fees in pension cases; Act relating to, repealed. 20 Stat. L., 243. Proviso.</sup> *Provided however,* That the rights of the parties shall not be abridged or affected as to contracts in pending cases, as provided for in said Act; but such contracts shall be deemed to be and remain in full force and virtue, and shall be recognized as contemplated by said Act.

SEC. 2. That sections forty-seven hundred and sixty-eight, forty-seven hundred and sixty-nine, and forty-seven hundred and eighty-six of the Revised Statutes are hereby made applicable also to all cases hereafter filed with the Commissioner of Pensions, and to all cases so filed since June twentieth, eighteen hundred and seventy-eight, and which have not been heretofore allowed, except as herein-after provided. <sup>Secs. 4768, 4769, R. S., p. 927; and sec. 4786, R. S., p. 929, made applicable in certain cases.</sup>

SEC. 3. That section forty-seven hundred and eighty-five of the Revised Statutes is hereby re-enacted and amended <sup>Sec. 4785, R. S., p. 929, reenacted and amended.</sup> so as to read as follows:



Fees of attorney for prosecuting claims.

“SEC. 4785. No agent or attorney or other person shall demand or receive any other compensation for his services in prosecuting a claim for pension or bounty-land than such as the Commissioner of Pensions shall direct to be paid to him, not exceeding twenty-five dollars; nor shall such agent, attorney, or other person demand or receive such compensation, in whole or in part, until such pension or bounty-land claim shall be allowed: *Provided*, That in all claims allowed since June twentieth, eighteen hundred and seventy-eight, where it shall appear to the satisfaction of the Commissioner of Pensions that the fee of ten dollars, or any part thereof, has not been paid, he shall cause the same to be deducted from the pension, and the pension agent to pay the same to the recognized attorney.”

Proviso.

Fees not paid in certain cases to be deducted from pension.

Sec. 4786, R. S., p. 929, amended.

SEC. 4. That section forty-seven hundred and eighty-six of the Revised Statutes is hereby amended so as to read as follows:

Agreement for amount of fee to be filed.

“SEC. 4786. The agent or attorney of record in the prosecution of the case may cause to be filed with the Commissioner of Pensions, duplicate articles of agreement, without additional cost to the claimant, setting forth the fee agreed upon by the parties, which agreement shall be executed in the presence of and certified by some officer competent to administer oaths. In all cases where application is made for pension or bounty-land, and no agreement is filed

Fee in case of failure to file agreement.

with the Commissioner as herein provided, the fee shall be ten dollars and no more. And such articles of agreement

Articles of agreement, etc., recognized in certain claims only.

as may hereafter be filed with the Commissioner of Pensions are not authorized, nor will they be recognized except in claims for original pensions, claims for increase of pension on account of a new disability, in claims for restoration where a pensioner's name has been or may hereafter be dropped from the pension rolls on testimony taken by a special examiner, showing that the disability or cause of death, on account of which the pension was allowed, did not originate in the line of duty, and in cases of dependent relatives whose names have been or may hereafter be, dropped from the rolls on like testimony, upon the ground of non-dependence, and in such other cases of difficulty and trouble as the Commissioner of Pensions may see fit to recognize them: *Provided*, That no greater fee than ten dollars shall be demanded, received, or allowed in any claim for pension or bounty-land granted by special act of Congress, nor in any claim for increase of pension on account of the increase of the disability for which the pension had

Proviso.

Fee for bounty-land, etc.

been allowed: *And provided further*, That no fee shall be demanded, received, or allowed in any claim for arrears of pension or arrears of increase of pension allowed by any Act of Congress passed subsequent to the date of the allowance of the original claims in which such arrears of pension, or of increase of pension, may be allowed.”

No fee allowed for arrears of pensions, etc.

The articles of agreement herein provided for shall be in substance as follows to wit:

#### ARTICLES OF AGREEMENT.

Whereas I, ———, late a ——— in company ———, of the ——— regiment of ——— volunteers, war of eighteen hundred and sixty-one (or, if the service be different, here state the same), having made application for pension under the laws of the United States:

Form or articles of agreement.

Now, this agreement witnesseth, that for and in consideration of services done and to be done in the premises, I hereby agree to allow my attorney, ———, of ———, the fee of ——— dollars, which shall include all amounts to be paid for any service in furtherance of said claim; and said fee shall not be demanded by or payable to my said attorney (or attorneys), in whole or in part, except in case of the granting of my pension by the Commissioner of Pensions; and then the same shall be paid to him (or them) in accordance with the provisions of sections forty-seven hundred and sixty-eight and forty-seven hundred and sixty-nine of the Revised Statutes.

[Claimant's signature.]

[Two witnesses' signatures.]

STATE OF ———, County of ———, ss:

Be it known that on this the ——— day of ———, anno Domini eighteen hundred and ———, personally appeared the above-named ———, who, after having had read over to ———, in the hearing and presence of the two attesting witnesses, the contents of the foregoing articles of agreement, voluntarily signed and acknowledged the same to be ——— free act and deed.

[Official signature.]

And now, to wit, this ——— day of ———, anno Domini eighteen hundred and ———, I (or we) accept the provisions contained in the foregoing articles of agreement, and will, to the best of my (or our) ability, endeavor faithfully to represent the interest of the claimant in the premises.

Witness my (or our) hand the day and year first above written.

[Signature of attorney.]

STATE OF ———, County of ———, ss:

Personally came ———, whom I know to be the person he represents himself to be, and who, having signed above acceptance of agreement, acknowledged the same to be ——— free act and deed.

[Official signature.]

And if in the adjudication of any claim for pension in which such articles of agreement have been, or may hereafter be, filed, it shall appear that the claimant had, prior to the execution thereof, paid to the attorney any sum for his services in such claim, and the amount so paid is not

Amount paid, etc., to be deducted from fee.

stipulated therein, then every such claim shall be adjudicated in the same manner as though no articles of agreement had been filed, deducting from the fee of ten dollars allowed by law such sum as claimant shall show that he has paid to his said attorney.

Penalty for violation of act relating to fees or compensation.

Any agent or attorney or other person instrumental in prosecuting any claim for pension or bounty-land, who shall directly or indirectly contract for, demand or receive or retain any greater compensation for his services or instrumentality in prosecuting a claim for pension or bounty-land than is herein provided, or for payment thereof at any other time or in any other manner than is herein provided, or who shall wrongfully withhold from a pensioner or claimant the whole or any part of the pension or claim allowed and due such pensioner or claimant, or the land-warrant issued to any such claimant, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for every such offense be fined not exceeding five hundred dollars, or imprisoned at hard labor not exceeding two years, or both, in the discretion of the court.

Secretary of Interior to prescribe rules for government of agents, etc., in prosecution of claims.

SEC. 5. That the Secretary of the Interior may prescribe rules and regulations governing the recognition of agents, attorneys, or other persons representing claimants before his Department, and may require of such persons, agents, and attorneys, before being recognized as representatives of claimants, that they shall show that they are of good moral character and in good repute, possessed of the necessary qualifications to enable them to render such claimants valuable service, and otherwise competent to advise and assist such claimants in the presentation of their claims, and such Secretary may, after notice and opportunity for a hearing, suspend or exclude from further practice before his Department any such person, agent or attorney shown to be incompetent, disreputable, or who refuses to comply with the said rules and regulations, or who shall with intent to defraud in any manner deceive, mislead, or threaten any claimant, or prospective claimant, by word, circular, letter, or by advertisement.

Commissioner of Pensions may reject contracts for fees, etc.

SEC. 6. The Commissioner shall have power, subject to review by the Secretary, to reject or refuse to recognize any contract for fees, herein provided for, whenever it shall be made to appear that any undue advantage has been taken of the claimant in respect to such contract.

Approved, July 4, 1884.

AN ACT making appropriations for the payment of invalid and other pensions of the United States, for the fiscal year ending June thirtieth, eighteen hundred and ninety-two, and for other purposes.

\* \* \* \* \*

Hereafter no agent or attorney shall demand, receive, or be allowed any compensation under existing law exceeding two dollars in any claim for increase of pension on account of the increase of the disability for which the pension has been allowed, or for services rendered in securing the passage of any special Act of Congress granting a pension or an increase of pension in any case that has been presented at the Pension Office or is allowable under the general pension laws: *And provided further*, That any agent, attorney, or other person instrumental in prosecuting any claim for increase of pension on account of the increase of disability for which pension was allowed, or who has rendered services in procuring the passage of any special Act of Congress granting a pension or an increase of pension in any case that has been presented at the Pension Office or is allowable under the general pension laws, who shall directly or indirectly contract for, demand, receive, or retain any compensation for such services, except as hereibefore provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every such offense, be fined not exceeding five hundred dollars or imprisoned, not exceeding two years or both, in the discretion of the court: *Provided, however*, That the foregoing provisions in relation to fees of agents or attorneys shall not apply to any case now pending where there is an existing lawful contract expressed or implied.

Approved, March 3, 1891.

(See *Sec. 4, Acts of June 27, 1890, p. 61; July 27, 1892, p. 72; August 5, 1892, p. 64.*)

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ORDER No. 169, MAY 26, 1891.

The former custom of allowing agents, attorneys, and other persons practicing before this Bureau, to charge a sum not in excess of two dollars for postage in any one claim in which they may be the recognized agent, has been abrogated.

Hereafter, and dating from April 22, 1891, in lieu of the former custom or practice of allowing postage in original and increase pension claims, it has been decided, with the approval of the Secretary, not to allow a sum in excess of fifty cents for postage used in the prosecution of any one

claim; but a compliance with such request of the agent or attorney or other person is optional and not obligatory on the part of the claimant.

No attorney will be allowed to demand a sum for postage as a right, nor refuse to prosecute a claim where the request for postage is not answered.

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LAWS AND REGULATIONS governing the recognition of agents, attorneys, and other persons to represent claimants before the Department of the Interior and the bureaus thereof.

LAWS.

The following statutes relate to the recognition of attorneys and agents for claimants before this Department:

“That the Secretary of the Interior may prescribe rules and regulations governing the recognition of agents, attorneys, or other persons representing claimants before this Department, and may require of such persons, agents, or attorneys, before being recognized as representatives of claimants, that they shall show that they are of good moral character and in good repute, possessed of the necessary qualifications to enable them to render such claimants valuable service, and otherwise competent to advise and assist such claimants in the presentation of their claims; and such Secretary may, after notice and opportunity for a hearing, suspend or exclude from further practice before his Department any such person, agent, or attorney shown to be incompetent, disreputable, or who refuses to comply with the said rules and regulations, or who shall with intent to defraud, in any manner deceive, mislead, or threaten any claimant or prospective claimant, by word, circular, letter, or by advertisement.” (Act July 4, 1884, sec. 5; Stats., vol. 23, p. 101.)

“Every officer of the United States, or person holding any place of trust or profit, or discharging any official function under, or in connection with, any Executive Department of the Government of the United States, or under the Senate or House of Representatives of the United States, who acts as an agent or attorney for prosecuting any claim against the United States, or in any manner, or by any means, otherwise than in the discharge of his proper official duties, aids or assists in the prosecution or support of any such claim, or receives any gratuity, or any share of or interest in any claim from any claimant against the United States, with intent to aid or assist, or in consideration of having aided or assisted, in the prosecution of such claim,

shall pay a fine of not more than five thousand dollars, or suffer imprisonment not more than one year, or both." (Section 5498, Revised Statutes.)

"It shall not be lawful for any person appointed after the first day of June, one thousand eight hundred and seventy-two, as an officer, clerk, or employee in any of the Departments, to act as counsel, attorney, or agent for prosecuting any claim against the United States, which was pending in either of said Departments, while he was such officer, clerk, or employee, nor in any manner, nor by any means, to aid in the prosecution of any such claim, within two years next after he shall have ceased to be such officer, clerk, or employee." (Section 190, Revised Statutes.)

"Any person prosecuting claims, either as attorney or on his own account, before any of the Departments or Bureaus of the United States, shall be required to take the oath of allegiance, and to support the Constitution of the United States as required of persons in the civil service." (Section 3478, Revised Statutes.)

"The oath provided for in the preceding section may be taken before any justice of the peace, notary public, or any person who is legally authorized to administer an oath in the State or district where the same may be administered." (Section 3479, Revised Statutes.)

The act of May 13, 1884 (Stats., v. 23, p. 22), provides that the oath above required shall be that prescribed by section 1757, Revised Statutes, which is as follows:

I, ———, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me, God.

#### REGULATIONS.

1. Under the authority conferred on the Secretary of the Interior by the fifth section of the act of July 4, 1884, it is hereby prescribed that an attorney at law who desires to represent claimants before the Department or one of its bureaus shall file a certificate of the clerk of the United States, State, or Territorial court, duly authenticated under the seal of the court, that he is an attorney *in good standing*.

2. Any person (not an attorney at law) who desires to appear as agent for claimants before the Department or one of its bureaus must file a *certificate from a judge* of a United States, State, or Territorial court, *duly authenticated*

*under the seal of the court*, that such person is of good moral character and in good repute, possessed of the necessary qualifications to enable him to render claimants valuable service, and otherwise competent to advise and assist them in the presentation of their claims.

3. The Secretary may demand additional proof of qualifications, and reserves the right to decline to recognize any attorney, agent, or other person applying to represent claimants under this rule.

4. The oath of allegiance required by section 3478 of the United States Revised Statutes must also be filed.

5. In the case of a firm the names of the individuals composing the firm must be given, and a certificate and oath as to each member of the firm will be required.

6. Unless specially called for, the certificate above referred to will not be required of any attorney or agent heretofore recognized and now in good standing before the Department.

7. An applicant for admission to practice under the above regulations must address a letter to the Secretary of the Interior, inclosing the certificate and oath above required, in which letter his full name and post-office address must be given. He must state whether or not he has ever been recognized as attorney or agent before this Department or any bureau thereof, and, if so, whether he has ever been suspended or disbarred from practice. *He must also state whether he holds any office of trust or profit under the Government of the United States.*

8. No person who has been an officer, clerk, or employee of this Department within two years prior to his application to appear in any case pending herein shall be recognized or permitted to appear as an attorney or agent in any such case as shall have been pending in the Department at or before the date he left the service: *Provided*, This rule shall not apply to officers, clerks, or employees of the Patent Office nor to cases therein.

Whenever an attorney or agent is charged with improper practices in connection with any matter before a bureau of this Department, the head of such bureau shall investigate the charge, giving the attorney or agent due notice, together with a statement of the charge against him, and allow him an opportunity to be heard in the premises. When the investigation shall have been concluded all the papers shall be forwarded to the Department, with a statement of the facts and such recommendations as to disbarment from practice as the head of the bureau may deem proper, for the consideration of the Secretary of the

Interior. During the investigation the attorney or agent will be recognized as such, unless for special reasons the Secretary shall order his suspension from practice.

10. If any attorney or agent in good standing before the Department shall knowingly employ as subagent or correspondent a person who has been prohibited from practice before the Department, it will be sufficient reason for the disbarment of the former from practice.

11. Upon the disbarment of an attorney or agent, notice thereof will be given to the heads of bureaus of this Department, and to the other Executive Departments, and thereafter, until otherwise ordered, such disbarred person will not be recognized as attorney or agent in any claim or other matter before this Department or any bureau thereof.

C. N. BLISS, *Secretary*.



## LAWS RELATING TO VIOLATION OF PENSION LAWS.

- SEC. 1782.** Officer or official not to receive or agree to receive compensation for any services rendered or to be rendered in a matter in which the United States is a party.
- SEC. 4744.** Special service in investigating suspected attempts at fraud.  
Act July 26, 1882. Amending Sec. 4744; clerks detailed as special examiners; subpoenas for witnesses.
- Act March 3, 1891. Oaths, special examiners to administer.
- SEC. 4745.** Any pledge, mortgage, sale, assignment, or transfer of pension void.  
Act February 28, 1883. Any pledge or transfer of pension void, and a pledge or receipt of same, a misdemeanor; the retention of pension certificate a misdemeanor.
- SEC. 4746.** Penalty for false affidavits or forwarding post-dated vouchers.
- SEC. 4783.** Embezzlement by guardian.
- SEC. 5486.** Embezzlement by guardian.  
Act February 10, 1891. Embezzlement by guardian, conservator, curator, committee, or tutor.
- SEC. 5392.** Perjury and subornation of perjury.  
Reference, Act January 29, 1887.
- SEC. 5393.** Subornation of perjury.
- SEC. 5414.** Forgery.
- SEC. 5418.** Forgery; uttering or publishing forged, altered, or counterfeited record, etc.
- SEC. 5421.** Forgery; aiding or assisting in false making, altering, forging, or counterfeiting; uttering or publishing as true false, forged, altered, or counterfeited records, etc.; presenting or causing to be presented at, or transmitted to any office or officer of the Government of the United States, any false, forged, or altered writing, etc.
- SEC. 5422.** Having forged papers in possession.
- SEC. 5479.** Forgery; false making, altering, or counterfeiting.
- SEC. 5435.** False personation of claimant, etc.
- SEC. 5438.** Making or presenting false claim.
- SEC. 5440.** Conspiracy.
- SEC. 5485.** Illegal fees of attorneys.  
Reference, Act July 4, 1884, Act June 27, 1890, Act July 27, 1892, and Act August 5, 1892, illegal fees of attorneys.
- SEC. 5501.** Bribe, United States officer accepting.
- SEC. 5451.** Bribery of any United States officer.
- SEC. 5498.** Persons employed under the Government in any capacity can not act as agents or attorneys; penalty for.  
Act May 21, 1872. Penalty for retaining discharge papers or land warrants.
- Act April 18, 1884. Personation of a Government officer.
- Act July 25, 1882. Subpoenas; witnesses; attendance.
- SEC. 186.** Subpoena; penalty for refusing to appear.
- SEC. 1044.** Statute of limitations.
- SEC. 1045.** Fugitive from justice.
- SEC. 1046.** Reference to revenue and slave-trade laws.  
Act March 3, 1875. Embezzling or stealing public property a felony; receiving of same, penalty for.

**SEC. 1782.** No Senator, Representative, or Delegate, after his election and during his continuance in office, and no head of a Department or other officer or clerk in the employ of the Government, shall receive or agree to receive any compensation whatever, directly or indirectly, for any services rendered or to be rendered to any person, either by himself or another, in relation to any proceeding, con-

tract, claim, controversy, charge, accusation, arrest, or other matter or thing in which the United States is a party, or directly or indirectly interested, before any Department, court-martial, Bureau, officer, or any civil, military, or naval commission whatever. Every person offending against this section shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than two years and fined not more than ten thousand dollars, and shall, moreover, by conviction therefor, be rendered forever thereafter incapable of holding any office of honor, trust, or profit under the Government of the United States.

SEC. 4744. The Commissioner of Pensions is authorized to detail, from time to time, clerks in his office to investigate suspected attempts at fraud on the government, through and by virtue of the provisions of the pension law, and to aid in prosecuting any person so offending, with such additional compensation as is customary in cases of special service; any person so detailed shall have the power to administer oaths and take affidavits in the course of any such investigation.

Special service  
in investigating  
suspected at-  
tempts at fraud.

Sec. 30, 3 March,  
1873; Sec. 12, 14  
July, 1862; Sec.  
4, 4 July, 1864.

*The above section amended by the following Acts.*

*Under an Act making appropriations for the payment of invalid and other pensioners of the United States for the year ending June 30, 1883, it was enacted:*

Act 25 July,  
1882.

\* \* \* \* \*

That section forty-seven hundred and forty-four, title fifty-seven of the Revised Statutes of the United States is hereby amended to read as follows:

"SEC. 4744.\* The Commissioner of Pensions is authorized to detail from time to time clerks or persons employed in his office to make special examinations into the merits of such pension or bounty land claims, whether pending or adjudicated, as he may deem proper, and to aid in the prosecution of any party appearing on such examinations to be guilty of fraud, either in the presentation or in procuring the allowance of such claims; and any person so detailed shall have power to administer oaths and take affidavits and depositions in the course of such examinations, and to orally examine witnesses, and may employ a stenographer, when deemed necessary by the Commissioner of Pensions, in important cases, such stenographer to be paid by such clerk or person, and the amount so paid to be allowed in his accounts."

\* See also section 474, p.

Subpœna for witness.

SEC. 3. "That in addition to the authority conferred by section one hundred and eighty-four, title four of the Revised Statutes, any judge or clerk of any court of the United States in any State, District, or Territory shall have power, upon the application of the Commissioner of Pensions, to issue a subpœna for a witness, being within the jurisdiction of such court, to appear, at a time and place in the subpœna stated, before any officer authorized to take depositions to be used in the courts of the United States, or before any officer, clerk, or person from the Pension Bureau designated or detailed to investigate or examine into the merits of any pension claim and authorized by law to administer oaths and take affidavits in such investigation or examination, there to give full and true answers to such written interrogatories and cross-interrogatories as may be propounded, or to be orally examined and cross-examined upon the subject of such claim; and witnesses subpœnaed pursuant to this and the preceding section shall be allowed the same compensation as is allowed witnesses in the courts of the United States, and paid in the same manner."

Act 3 Mar., 1891. AN ACT making appropriations for the payment of invalid and other pensions of the United States, for the fiscal year ending June thirtieth, eighteen hundred and ninety-two, and for other purposes.

\* \* \* \* \*

Oaths, special examiners to administer.

SEC. 3. That the same power to administer oaths and take affidavits, which by virtue of section forty-seven hundred and forty-four of the Revised Statutes is conferred upon clerks detailed by the Commissioner of Pensions from his office to investigate suspected attempts at fraud on the Government through and by virtue of the pension laws, and to aid in prosecuting any person so offending, shall be, and is hereby, extended to all special examiners or additional special examiners employed under authority of Congress to aid in the same purpose.

Approved, March 3, 1891.

Any pledge, mortgage, sale, assignment, or transfer of pension void.

Sec. 32, 3 Mar., 1873; Sec. 8, 10 Apr., 1896; Sec. 4, 18 Mar., 1818; Sec. 2, 7 July, 1838; Sec. 2, 6 June, 1866.

SEC. 4745. Any pledge, mortgage, sale, assignment, or transfer of any right, claim, or interest in any pension which has been, or may hereafter be, granted, shall be void and of no effect; and any person acting as attorney to receive and receipt for money for and in behalf of any person entitled to a pension shall, before receiving such money, take and subscribe an oath, to be filed with the pension

agent, and by him to be transmitted, with the vouchers now required by law, to the proper accounting officer of the Treasury, that he has no interest in such money by any pledge, mortgage, sale, assignment, or transfer, and that he does not know or believe that the same has been so disposed of to any person.

*The above section amended by the following Act:*

*By Act of Congress approved February twenty-eighth, eighteen hundred and eighty-three, section four thousand seven hundred and forty-five of the Revised Statutes was amended to read as follows:*

Act 28 Feb., 1883.

Any pledge, mortgage, sale, assignment, or transfer of any right, claim, or interest in any pension which has been or may hereafter be granted shall be void and of no effect, and any person who shall pledge, or receive as a pledge, mortgage, sale, assignment or transfer of any right, claim, or interest in any pension or pension certificate, which has been or may hereafter be granted or issued, or who shall hold the same as collateral security for any debt or promise, or upon any pretext of such security or promise, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding one hundred dollars and the costs of the prosecution; and any person who shall retain the certificate of a pensioner and refuse to surrender the same upon the demand of the Commissioner of Pensions, or a United States pension agent, or any other person authorized by the Commissioner of Pensions or the pensioner to receive the same, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding one hundred dollars and the costs of the prosecution.

Any pledge or transfer of pension void, and the pledge or receipt of same a misdemeanor.

Retention of pension certificate a misdemeanor.

SEC. 4746.\* Every person who knowingly or wilfully in any wise procures the making or presentation of any false or fraudulent affidavit concerning any claim for pension, or payment thereof, or pertaining to any other matter within the jurisdiction of the Commissioner of Pensions, or who knowingly or wilfully presents or causes to be presented at any pension-agency any power of attorney or other paper required as a voucher in drawing a pension, which paper bears a date subsequent to that on which it was actually signed or executed, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding three years, or by both.

Penalty for false affidavit or post-dating vouchers.

Sec. 33, 3 Mar., 1873; Secs. 1 and 3, 2 Mar., 1863; Sec. 3, 6 June, 1864; Sec. 6, 8 July, 1870. See Sec. 1, 5 Feb., 1859.

\* Amended, act July 7, 1898, pp. 147, 148.

Penalty for embezzlement, etc., by guardian.

Sec. 31, 3 Mar., 1873.  
See sec. 5486, R. S.

SEC. 4783. Every guardian having the charge and custody of the pension of his ward who embezzles the same in violation of his trust, or fraudulently converts the same to his own use, shall be punished by fine not exceeding two thousand dollars or imprisonment at hard labor for a term not exceeding five years, or both.

#### EMBEZZLEMENT OF PENSION MONEY BY GUARDIAN.

Embezzlement of pension money by guardian.

Ibid.

SEC. 5486. If any guardian, having the charge and custody of the pension of his ward, shall embezzle the same in violation of his trust, or fraudulently convert the same to his own use, he shall be punished by a fine not exceeding two thousand dollars or imprisonment at hard labor for a term not exceeding five years, or both, at the discretion of the court. *Amended by the following Act :*

Act 10 Feb., 1891. AN ACT to amend sections forty-seven hundred and eighty-three and fifty-four hundred and eighty-six of the Revised Statutes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections forty-seven hundred and eighty-three and fifty-four hundred and eighty-six of the Revised Statutes be, and the same are hereby, so amended as to read as follows :*

Embezzlement of pension money.

“Every guardian, conservator, curator, committee, tutor, or other person having charge and custody in a fiduciary capacity of the pension of his ward, who shall embezzle the same in violation of his trust, or fraudulently convert the same to his own use, shall be punished by fine not exceeding two thousand dollars or imprisonment at hard labor for a term not exceeding five years, or both, at the discretion of the court.”

Approved, February 10, 1891.

#### PERJURY AND SUBORNATION OF PERJURY.

Perjury.

Acts 3 Apr., 1790, Chap. 9, Sec. 18, v. 1, p. 116; 3 Mar., 1825, Chap. 65, Sec. 13, v. 4, p. 118; 13 Mar., 1874, Chap. 55, v. 18, p. 22; 3 Mar. 1876, Chap. 145, v. 18, pp. 479, 480; 12 July, 1876, Chap. 180, Sec. 10, v. 19, p. 86.

SEC. 5392. Every person who, having taken an oath before a competent tribunal, officer, or person in any case in which a law of the United States authorizes an oath to be administered that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by a fine of not more than two thousand dollars and by imprisonment at hard labor not more than five years, and shall, moreover, thereafter be incapable of giving testimony in any court of the United

States until such time as the judgment against him is reversed. (See Sec. 1750.)

(See section 3, Act January 29, 1887, p. 74.)

SEC. 5393. Every person who procures another to commit any perjury is guilty of subornation of perjury, and punishable as in the preceding section prescribed. (See sec. 1750.)

(See section 3, Act January 29, 1887, p. 74.)

Subornation of perjury.

Acta 30 Apr., 1790, Chap. 9, Sec. 18, v. 1, p. 116; 3 Mar., 1825, Chap. 65, Sec. 13, v. 4, p. 118.

#### FORGEBY, ETC.

SEC. 5414. Every person who, with intent to defraud, falsely makes, forges, counterfeits, or alters any obligation or security of the United States shall be punished by a fine of not more than five thousand dollars and by imprisonment at hard labor not more than fifteen years.

Forging or counterfeiting United States securities.

SEC. 5418. Every person who falsely makes, alters, forges, or counterfeits any bid, proposal, guaranty, official bond, public record, affidavit, or other writing for the purpose of defrauding the United States, or utters or publishes as true any such false, forged, altered, or counterfeited bid, proposal, guaranty, official bond, public record, affidavit, or other writing for such purpose, knowing the same to be false, forged, altered, or counterfeited, or transmits to or presents at the office of any officer of the United States any such false, forged, altered, or counterfeited bid, proposal, guaranty, official bond, public record, affidavit, or other writing, knowing the same to be false, forged, altered, or counterfeited for such purpose, shall be imprisoned at hard labor for a period not more than ten years or be fined not more than one thousand dollars, or be punished by both such fine and imprisonment. (See Sec. 5479.)

Forging, etc., bid, public record, etc.

Act 5 Apr., 1866, Chap. 24, Sec. 1, v. 14, p. 12. United States v. Lawrence (13 Blatch., 211).

SEC. 5421. Every person who falsely makes, alters, forges, or counterfeits, or causes or procures to be falsely made, altered, forged, or counterfeited, or willingly aids or assists in the false making, altering, forging, or counterfeiting any deed, power of attorney, order, certificate, receipt, or other writing for the purpose of obtaining or receiving, or of enabling any other person, either directly or indirectly, to obtain or receive from the United States, or any of their officers or agents, any sum of money, or who utters or publishes as true, or causes to be uttered or published as true, any such false, forged, altered, or counterfeited deed, power of attorney, order, certificate, receipt, or other writing with intent to defraud the United States, know-

Forging deed, power of attorney, etc.

Act 3 Mar., 1823, Chap. 38, Sec. 1, v. 3, p. 771.

United States v. Moore (2 Low., 232).

ing the same to be false, altered, forged, or counterfeited, or who transmits to or presents at, or causes or procures to be transmitted to or presented at, any office or officer of the Government of the United States any deed, power of attorney, order, certificate, receipt, or other writing in support of or in relation to any account or claim with intent to defraud the United States, knowing the same to be false, altered, forged, or counterfeited, shall be imprisoned at hard labor for a period of not less than one year nor more than ten years, or shall be imprisoned not more than five years and fined not more than one thousand dollars.

Having forged papers in possession.

Ibid., Sec. 2, p. 772.

SEC. 5422. Every person who knowingly and with intent to defraud the United States has in his possession any false, altered, forged, or counterfeited deed, power of attorney, order, certificate, receipt, or other writing for the purpose of enabling another to obtain from the United States, or any of their officers or agents, any sum of money shall be fined and imprisoned at the discretion of the court.

Counterfeiting bid, bond, etc.

Act 27 Feb., 1877, Chap. 69, v. 19, p. 253.

SEC. 5479. If any person shall falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or willingly aid or assist in the false making, altering, forging, or counterfeiting any bond, bid, proposal, guaranty, security, official bond, public record, affidavit, or other writing for the purpose of defrauding the United States, or shall utter or publish as true, or cause to be uttered or published as true, any such false, forged, altered, or counterfeited bond, bid, proposal, guaranty, security, official bond, public record, affidavit, or other writing for the purpose of defrauding the United States, knowing the same to be false, forged, altered, or counterfeited, or shall transmit to or present at, or cause [to] [or] procure to be transmitted to or presented at the office of any officer of the United States any such false, forged, altered, or counterfeited bond, bid, proposal, guaranty, security, official bond, public record, affidavit, or other writing, knowing the same to be false, forged, altered, or counterfeited for the purpose of defrauding the United States, shall be punishable by a fine of not more than one thousand dollars, or by imprisonment at hard labor for not more than ten years, or by both such punishments. (See Sec. 5418.)

## FALSE PERSONATION OF CLAIMANT, ETC.

SEC. 5435. Every person who falsely personates any true and lawful holder of any share or sum in the public stocks or debt of the United States, or any person entitled to any annuity, dividend, pension, prize-money, wages, or other debt due from the United States, and, under color of such false personation, transfers or endeavors to transfer such public stock, or any part thereof, or receives or endeavors to receive the money of such true and lawful holder thereof, or the money of any person really entitled to receive such annuity, dividend, pension, prize-money, wages, or other debt, shall be punished by a fine of not more than five thousand dollars and by imprisonment at hard labor not more than ten years.

False personation of holder of public stock or of person entitled to pension, etc.

Act 3 Mar., 1825, Chap. 65, Sec. 18, v. 4, p. 120.

## FALSE CLAIMS.

SEC. 5438. Every person who makes or causes to be made, or presents or causes to be presented, for payment or approval, to or by any person or officer in the civil, military, or naval service of the United States, any claim upon or against the Government of the United States, or any Department or officer thereof, knowing such claim to be false, fictitious, or fraudulent, or who, for the purpose of obtaining or aiding to obtain the payment or approval of such claim, makes, uses, or causes to be made or used, any false bill, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition, knowing the same to contain any fraudulent or fictitious statement or entry, or who enters into any agreement, combination, or conspiracy to defraud the Government of the United States, or any Department or officer thereof, by obtaining or aiding to obtain the payment or allowance of any false or fraudulent claim, or who having charge, possession, custody, or control of any money or other public property used or to be used in the military or naval service, who, with intent to defraud the United States or willfully to conceal such money or other property, delivers or causes to be delivered, to any other person having authority to receive the same, any amount of such money or other property less than that for which he received a certificate or took a receipt, and every person authorized to make or deliver any certificate, voucher, receipt, or other paper certifying the receipt of arms, ammunition, provisions, clothing, or other property so used or to be used, who makes or delivers the same to any other person without a full knowledge of the truth of the facts stated therein and with intent to defraud the United States.

Making or presenting false claims.

Act 2 Mar., 1863, Chap. 67, Secs. 1, 3, v. 12, pp. 696, 698.



and every person who knowingly purchases or receives in pledge for any obligation or indebtedness from any soldier, officer, sailor, or other person called into or employed in the military or naval service any arms, equipments, ammunition, clothes, military stores, or other public property, such soldier, sailor, officer, or other person not having the lawful right to pledge or sell the same, every person so offending in any of the matters set forth in this section shall be imprisoned at hard labor for not less than one nor more than five years, or fined not less than one thousand nor more than five thousand dollars. (See Secs. 3490, 3491.)

## CONSPIRACY.

All parties to a conspiracy equally guilty.

2 Mar., 1867,  
Chap. 169, Sec. 30,  
v. 14, p. 484.

SEC. 5440.\* If two or more persons conspire either to commit any offense against the United States, or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, all the parties to such conspiracy shall be liable to a penalty of not less than one thousand dollars and not more than ten thousand dollars, and to imprisonment not more than two years. (See also Sec. 5438.)

## ILLEGAL ATTORNEY FEES.

Attorney for pensions demanding more than legal fee, etc.

Act 3 Mar.,  
1873, Sec. 31, v. 17,  
p. 575.

SEC. 5485. Any agent or attorney, or any other person instrumental in prosecuting any claim for pension or bounty land, who shall, directly or indirectly, contract for, demand, or receive or retain any greater compensation for his services or instrumentality in prosecuting a claim for pension or bounty land than is provided in the title pertaining to pensions, or who shall wrongfully withhold from a pensioner or claimant the whole or any part of the pension or claim allowed and due such pensioner or claimant, or the land warrant issued to any such claimant, shall be deemed guilty of a high misdemeanor, and, upon conviction thereof, shall, for every such offense, be fined not exceeding five hundred dollars or imprisonment at hard labor not exceeding two years, or both, at the discretion of the court. (See sections 4785, 4786; re-enacted July 4, 1884, p. 116.)

(See section 4, act June 27, 1890, p. 61; act July 27, 1892, p. 71; act August 5, 1892, p. 64.)

## BRIBERY.

United States officer accepting bribe.

Acts 26 Feb.,  
1853; 3 Mar., 1863;  
13 July, 1866; 18  
July, 1866; 3  
Mar., 1875.

SEC. 5501. Every officer of the United States, and every person acting for or on behalf of the United States in any official capacity, under or by virtue of the authority of any Department or office of the Government thereof, and every officer or person acting for or on behalf of either House of

\* Amended, act May 17, 1879, p. 147.

Congress, or of any committee of either House or of both houses thereof, who asks, accepts, or receives any money or any contract, promise, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, with intent to have his decision or action on any question, matter, cause, or proceeding which may, at any time, be pending, or which may be by law brought before him in his official capacity, or in his place of trust or profit, influenced thereby shall be punished as prescribed in the preceding section.

SEC. 5451. Every person who promises, offers, or gives, or causes or procures to be promised, offered, or given, any money or other thing of value, or makes or tenders any contract, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, to any officer of the United States, or to any person acting for or on behalf of the United States in any official function, under or by authority of any Department or office of the Government thereof, or to any officer or person acting for or on behalf of either House of Congress, or any committee of either House or both houses thereof, with intent to influence his decision or action on any question, matter, cause, or proceeding which may at any time be pending, or which may by law be brought before him in his official capacity, or in his place of trust or profit, or with intent to influence him to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States, or to induce him to do or omit to do any act in violation of his lawful duty, shall be punished as prescribed in the preceding section. (See Sec. 5501.)

SEC. 5498. Every officer of the United States, or person holding any place of trust or profit, or discharging any official function under, or in connection with, any Executive Department of the Government of the United States, or under the Senate or House of Representatives of the United States, who acts as an agent or attorney for prosecuting any claim against the United States, or in any manner, or by any means, otherwise than in discharge of his proper official duties, aids or assists in the prosecution or support of any such claim, or receives any gratuity, or any share of or interest in any claim from any claimant against the United States, with the intent to aid or assist, or in consideration of having aided or assisted, in the prosecution of such claim, shall pay a fine of not more than five thousand dollars or suffer imprisonment not more than one year, or both.

Bribery of any United States officer.

Acts 3 Mar., 1863; 13 July, 1866; 18 July, 1866.

Persons employed under the Government in any capacity, can not act as agents or attorneys, nor can they aid or assist in the prosecution of any claim against the United States.

Act 21 May, 1872. AN ACT to prohibit the retention of soldiers' discharges by claim agents and attorneys.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That*

Penalty upon claim agents, etc., for retaining without consent or refusing to deliver discharge papers or land warrants of any soldier, etc.

any claim agent, attorney, or other person engaged in the collection of claims for pay, bounty, pension, or other allowances for any soldier, sailor, or marine, or for any commissioned officer of the military or naval forces, or who may have been a soldier, sailor, marine, or officer of the regular volunteer forces of the United States, and honorably discharged, who shall retain, without the consent of the owner or owners thereof, or shall refuse to deliver or account for the same upon demand duly made by the owner or owners thereof, or by their agent or attorney, the discharge papers or land warrant of any such soldier, sailor, or marine, or commissioned officer which may have been placed in his hands for the purpose of collecting said claims, shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or both, in the discretion of the court, and shall thereafter be debarred from prosecuting any such claim in any executive department of the Government.

Approved, May 21, 1872.

Act 18 Apr., 1884. AN ACT making it a felony for a person to falsely and fraudulently assume or pretend to be an officer or employé acting under authority of the United States, or any Department or any officer thereof, and prescribing a penalty therefor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who, with intent to defraud either the United States or any person, falsely assumes or pretends to be an officer or employé acting under the authority of the United States, or any Department or any officer of the Government thereof, and who shall take upon himself to act as such, or who shall in such pretended character demand or obtain from any person or from the United States, or any Department, or any officer of the Government thereof, any money, paper, document, or other valuable thing, shall be deemed guilty of felony, and shall, on conviction thereof, be punished by a fine of not more than one thousand dollars, or imprisonment not longer than three years, or both said punishments, in the discretion of the court.*

Approved, April 18, 1884.

## SUBPŒNAS.

AN ACT making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ended June 30, 1883, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SEC. 3. That in addition to the authority conferred by section one hundred and eighty-four, title four, of the Revised Statutes, any judge or clerk of any court of the United States in any State, district, or Territory shall have power, upon the application of the Commissioner of Pensions, to issue a subpoena for a witness, being within the jurisdiction of such court, to appear (at a time and place in the subpoena stated) before any officer authorized to take depositions to be used in the courts of the United States, or before any officer, clerk, or person from the Pension Bureau designated or detailed to investigate or examine into the merits of any pension claim, and authorized by law to administer oaths and take affidavits in such investigation or examination, there to give full and true answer to such written interrogatories and cross-interrogatories as may be propounded, or to be orally examined and cross-examined upon the subject of such claim; and witnesses subpoenaed pursuant to this and the preceding section shall be allowed the same compensation as is allowed witnesses in the courts of the United States and paid in the same manner.

Act 25 July,  
1882.

Subpœnas to  
witnesses.

Witnesses' fees.

Approved, July 25, 1882.

SEC. 186. If any witness, after being duly served with such subpoena, neglects or refuses to appear, or appearing refuses to testify, the judge of the district in which the subpoena is issued may proceed, upon proper process, to enforce obedience to the subpoena, or to punish the disobedience, in like manner as any court of the United States may do in case of process of subpoena ad testificandum issued by such court.

Compelling tes-  
timony.

Act 14 Feb.,  
1871, chap. 51,  
sec. 1, v. 16, p.  
412.

## STATUTE OF LIMITATIONS.

SEC. 1044. [No person shall be prosecuted, tried, or punished for any offense not capital, except as provided in section one thousand and forty-six, unless the indictment is found or the information is instituted within two years next after such offense is committed.] [No person shall be prosecuted, tried or punished for any offense not capital, except as provided in section one thousand and forty-six, unless the indictment

is found, or the information is instituted within three years next after such offense shall have been committed. But this act shall not have effect to authorize the prosecution, trial or punishment for any offense, barred by the provisions of existing laws.]

SEC. 1045. Nothing in the two preceding sections shall extend to any person fleeing from justice.

SEC. 1046. [*Refers to offenses against the revenue and slave-trade laws.*]

*Act* 3 Mar., 1875. AN ACT to punish certain larcenies, and the receivers of stolen goods.

18 Stat. L., 479.  
Embezzling,  
stealing, etc.,  
public property  
deemed felony;  
how punished.

R. S., sec. 1242,  
art. 60; sec. 1624,  
art. 14; secs. 5439,  
5453, 5475, 5477,  
5483, 5488-5496,  
5501.

Receivers, con-  
cealers, etc., of  
stolen public  
property; how  
punished.

May be tried be-  
fore or after con-  
viction of prin-  
cipal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person who shall embezzle, steal, or purloin any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, shall be deemed guilty of felony, and on conviction thereof before the district or circuit court of the United States in the district wherein said offense may have been committed, or into which he shall carry or have in possession of said property so embezzled, stolen, or purloined, shall be punished therefor by imprisonment at hard labor in the penitentiary not exceeding five years, or by a fine not exceeding five thousand dollars, or both, at the discretion of the court before which he shall be convicted.

SEC. 2. That if any person shall receive, conceal, or aid in concealing, or have, or retain in his possession with intent to convert to his own use or gain, any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, which has theretofore been embezzled, stolen, or purloined from the United States by any other person, knowing the same to have been so embezzled, stolen, or purloined, such person shall, on conviction before the circuit or district court of the United States in the district wherein he may have such property, be punished by a fine not exceeding five thousand dollars, or imprisonment at hard labor in the penitentiary not exceeding five years, one or both, at the discretion of the court before which he shall be convicted:

And such receiver may be tried either before or after the conviction of the principal felon, but if the party has been convicted, then the judgment against him shall be conclusive evidence in the prosecution against such receiver that the property of the United States therein described has been embezzled, stolen, or purloined.

Approved, March 3, 1875.

(*Supplement to Revised Statutes, vol. 1, p. 183.*)

SEC. 474. The Commissioner of Pensions is authorized to detail, from time to time, any of the clerks in his Office to investigate any suspected attempts to defraud the United States, in or affecting the administration of any law relative to pensions, and to aid in prosecuting any persons implicated, with such additional compensation as is customary in cases of special service. Any person so detailed shall have the power to administer oaths in the course of any such investigation. (R. S. U. S., 80.)

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AN ACT to amend section fifty-four hundred and forty of the Revised Statutes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section fifty-four hundred and forty of the Revised Statutes of the United States of America be amended so as to read as follows:*

If two or more persons conspire either to commit any offense against the United States or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy all the parties to such conspiracy shall be liable to a penalty of not more than ten thousand dollars, or to imprisonment for not more than two years or to both fine and imprisonment in the discretion of the court.

Approved, May 17, 1879.

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AN ACT to amend section forty-seven hundred and forty-six of the Revised Statutes of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section forty-seven hundred and forty-six of the Revised Statutes of the United States is hereby amended to read as follows:*

“That every person who knowingly or willfully makes or aids, or assists in the making, or in any wise procures the making or presentation of any false or fraudulent affidavit, declaration, certificate, voucher, or paper or writing purporting to be such, concerning any claim for pension or payment thereof, or pertaining to any other matter within the jurisdiction of the Commissioner of Pensions or of the Secretary of the Interior, or who knowingly or willfully makes or causes to be made, or aids or assists in the making, or presents or causes to be presented at any pension

agency any power of attorney or other paper required as a voucher in drawing a pension, which paper bears a date subsequent to that upon which it was actually signed or acknowledged by the pensioner, and every person before whom any declaration, affidavit, voucher, or other paper or writing to be used in aid of the prosecution of any claim for pension or bounty land or payment thereof purports to have been executed who shall knowingly certify that the declarant, affiant, or witness named in such declaration, affidavit, voucher, or other paper or writing personally appeared before him and was sworn thereto, or acknowledged the execution thereof, when, in fact, such declarant, affiant, or witness did not personally appear before him or was not sworn thereto, or did not acknowledge the execution thereof, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term of not more than five years."

Approved, July 7, 1898.

## SPECIAL ACTS GRANTING PENSION TO PERSONS NOT INCLUDED UNDER THE GENERAL LAWS.

Act June 6, 1874. Special act pensions equalized.

Act March 3, 1875. Pensioning widows, children, and dependent relatives of soldiers murdered by guerrillas at Centralia, Mo.; also as to Missouri militia.

Act March 3, 1881. For the relief of the citizens of Montana who served with United States troops in war with Nez Percé Indians.

Act May 15, 1886. Discharges to members of Missouri Home Guards.

Act January 3, 1887. For the relief of survivors of steamer *Jeannette*.

Act January 29, 1887. For the relief of the sufferers by the wreck of U. S. S. *Ashuelot*.

Act May 28, 1896. Master, mate, pilot, or engineer of steam vessels not liable to draft; duties of, in time of war.

AN ACT to equalize pensions in certain cases.

Act 6 June, 1874.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons entitled to pensions under special acts fixing the rate of such pensions, and now receiving or entitled to receive a less pension than that allowed by the general pension laws under like circumstances, are, in lieu of their present rate of pension, hereby declared to be entitled to the benefits and subject to the limitations of the general pension laws, entitled, "An act to revise, consolidate, and amend the laws relating to pensions," approved March third, eighteen hundred and seventy-three; and that this act go into effect from and after its passage: Provided, That this act shall not be construed to reduce any pension granted by special act.*

See sec. 4720, R. S.

Special-act pensions equalized.

Approved, June 6, 1874.

AN ACT granting pensions to the widows, children, dependent mothers and fathers, or orphan brothers and sisters, of those soldiers who were murdered by guerrillas, at Centralia, Missouri, in eighteen hundred and sixty-four.

Act 3 Mar., 1875.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of existing laws be, and the same are hereby, extended to the widows, children, dependent mothers and fathers, or orphan brothers and sisters, in the order named, of those lately discharged soldiers of the Army of the United States, who were murdered by guerrillas at Centralia, Missouri, in eighteen hundred and sixty-four, while being transported on the North Missouri Railroad.*

Pension laws extended to widows, children, etc., of soldiers murdered at Centralia, Mo.



Provisions extended to Missouri militia.

SEC. 2. That the provisions of this act shall be construed to extend to the widows, children, dependent mothers and fathers, or orphan brothers and sisters, in the order named, of any member of the Missouri militia who was murdered as aforesaid by guerrillas at Centralia, Missouri, in eighteen hundred and sixty-four.

Approved, March 3, 1875.

Act 3  
1881.

Mar. AN ACT for the relief of citizens of Montana who served with the United States troops in the war with the Nez Percés, and for the relief of the heirs of such as were killed in such service.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each volunteer who joined the forces of the United States, in the Territory of Montana, during the war with the Nez Percé Indians, shall be paid one dollar per day during the term of such service, from the time that he left his home until he was returned thereto, including all the time spent in hospital under treatment by such as received wounds or other injuries in such service.*

SEC. 2. That all persons who were wounded or disabled in such service, and the heirs of all who were killed in such service, shall be entitled to all the benefits of the pension laws, in the same manner and to the same extent as if they had been duly mustered into the regular or volunteer forces of the United States.

SEC. 3. That all horses and arms lost in such service shall be paid for at their actual value, to be duly ascertained by the commanding officer of the district of Montana: *Provided, That no payment shall be made for such losses except upon the statement of the commanding officer of the United States troops, or such other officer of the regular Army as might be in control of the volunteers at the time of such loss, and such other proofs as may be required by the commanding officer and the United States quartermaster for the district of Montana, to establish the fact that such losses were made in the service of the United States.*

Approved, March 3, 1881.

Act 15  
1886.

May AN ACT to authorize the Secretary of War to furnish certificates of discharge to certain members of the Missouri Home Guards.

Missouri Home Guards.  
Discharges to be issued to members of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and is hereby, authorized and directed*

to furnish, upon their several applications therefor, a certificate of discharge to each and every member of the Missouri Home Guards whose claims for pay were adjudicated by the Hawkins-Taylor Commission, under the act approved March twenty-five, eighteen hundred and sixty-two, and the several acts supplemental thereto.

Approved, May 15, 1886.

AN ACT for the relief of the survivors of the exploring steamer Jeannette, and the widows and children of those who perished in the retreat from the wreck of that vessel in the Arctic Seas. Act 3 Jan.,  
1887.

\* \* \* \* \*

SEC. 2. That the twenty-third day of March, eighteen hundred and eighty-two, being the date of finding the remains of the commanding officer and others of the said expedition, shall be deemed and taken to be the date of the decease of the following named officers and enlisted men of the expedition, who lost their lives in the retreat from the wreck of the said steamer Jeannette, namely: Lieutenant-Commander George W. De Long; Lieutenant Charles W. Chipp; Passed Assistant-Surgeon James M. Ambler; Jerome J. Collins, meteorologist; William Dunbar, ice pilot; Walter Lee, machinist; Henrick H. Knack, Carl A. Gortz, Adolph Bressler, Hans H. Erichsen, Ah Sam, Alfred Sweetman, Henry D. Warren, Peter E. Johnson, Edward Star, and Albert G. Kuehne, seamen; Nelson Iverson, George W. Boyd, and Walter Sharvill, coal-heavers; and seaman Alexy. Date of decease  
of officers to be  
deemed Mar. 23,  
1882.

SEC. 3. \* \* \* *Provided, further,* That in any case where heretofore a pension has been granted, or may hereafter in fact be granted, to any such widow, child, or dependent parent, by reason of the death of any of the persons named in the second section of this act, in the payment of such pension account shall be taken of any sum paid under this act, and to the extent of its amount said sum shall be in lieu and stead of such pension, and no further. Survivors of  
the wrecked  
steamer Jeannette.

Approved, January 3, 1887.

AN ACT for the relief of the sufferers by the wreck of the United States steamer Ashuelot.

SEC. 2. That the widow, child, or children, or in the case there be not such, then the surviving parent or parents of those in the service who were lost in the wreck of the United States steamer Ashuelot, namely: William Gronan, One year's sea-  
pay to heirs of  
deceased men.

Amount to be deducted from pension.

seaman; George Valentine, captain of the hold; Fritz Rackenbach, quarter-master; William Bronsman, landsman; Saint Leger Crone, quarter-gunner; Ah Kid, painter; Sun Shing, carpenter's mate; George Ashton, carpenter; Ah Yoo, landsman; Andrew Scotland, private marine; and Benjamin H. Wohlrab, landsman; shall be entitled to and receive, out of any money in the Treasury of the United States not otherwise appropriated, as follows, to wit: The relatives in the order named, of the persons connected with the United States steamer Ashuelot hereinbefore referred to, a sum equal to twelve months' sea-pay of each person lost: *Provided*, That in any case where heretofore a pension has been granted, or may hereafter in fact be granted, to any such widow, child, or dependent parent by reason of the death of any of the persons named in this section, in the payment of such pension account shall be taken of any sum paid as above provided, and to the extent of its account said sum shall be in lieu and stead of such pension, and no further: \* \* \*

Approved, January 29, 1887.

Act 28 May, 1896. AN ACT to amend section forty-one hundred and thirty-one of the

Revised Statutes of the United States, to improve the merchant-marine engineer service and thereby also to increase the efficiency of the Naval Reserve, and for other purposes.

Shipping.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, \* \* \**

SEC. 2. \* \* \* No master, mate, pilot, or engineer of steam vessels licensed under title fifty-two of the Revised Statutes shall be liable to draft in time of war, except for the performance of duties such as required by his license; and, while performing such duties in the service of the United States, every such master, mate, pilot, or engineer shall be entitled to the highest rate of wages paid in the merchant marine of the United States for similar services; and, if killed or wounded while performing such duties under the United States, they, or their heirs, or their legal representatives shall be entitled to all the privileges accorded to soldiers and sailors serving in the Army and Navy, under the pension laws of the United States.

\* \* \* \* \*

Approved, May 28, 1896.

## LAWS IN FORCE PROVIDING ARTIFICIAL LIMBS AND SURGICAL APPLIANCES.

**SEC. 4787.** Artificial limbs, etc., to be furnished every five years.

**SEC. 4788.** Commutation rates in money value for limbs, etc.

**SEC. 4789.** Superseded by Sec. 1, Act August 15, 1876.

**Act August 15, 1876.** Regulating the issue of artificial limbs to disabled soldiers, seamen, and others.

**SEC. 4790.** Money commutation to those who can not use artificial limbs.

**SEC. 4791.** Transportation for those to whom artificial limbs are furnished.

**Act February 27, 1877.** Amending Sec. 4791; repealing Sec. 4770; amending Secs. 4787, 4790, and 4791.

**Act March 3, 1891.** Amending Sec. 4787, Revised Statutes, as to artificial limbs.

**SEC. 1176.** Trusses.

**SEC. 1177.** Application for truss.

**SEC. 1178.** Purchase of truss.

**SEC. 4787.<sup>1</sup>** Every officer, soldier, seaman, and marine who was disabled during the war for the suppression of the rebellion, in the military or naval service, and in the line of duty, or in consequence of wounds received or disease contracted therein, and who was furnished by the War Department, since the seventeenth day of June, eighteen hundred and seventy, with an artificial limb or apparatus for resection, who was entitled to receive such limb or apparatus since said date, shall be entitled to receive a new limb or apparatus at the expiration of every five years thereafter, under such regulations as have been or may be prescribed by the Surgeon-General of the Army.

Artificial limbs, etc., to be furnished every five years.

Sec. 14, 27 July, 1864; Sec. 1, 17 June, 1870; Act 30 June, 1870; Secs. 1 and 3, 8 June, 1872.

See Sec. 1177, R. S.; Sec. 1, 15 Aug., 1876; 27 Feb., 1877.

**SEC. 4788.** Every person entitled to the benefits of the preceding section may, if he so elects, receive, instead of such limb or apparatus, the money value thereof, at the following rates, namely: For artificial legs, seventy-five dollars; for arms, fifty dollars; for feet, fifty dollars; for apparatus for resection, fifty dollars.

Commutation rates in money value for limbs, etc.

Sec. 1, 17 June, 1870; Sec. 1, 8 June, 1872. See Sec. 1, 15 Aug., 1876.

**SEC. 4789.** *Superseded by section 1, act of August 15, 1876.*

**AN ACT** to regulate the issue of artificial limbs to disabled soldiers, seamen, and others. Act. 15 Aug., 1876.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every officer, soldier, seaman and marine, who, in the line of duty, in the military or naval service of the United States, shall have lost a limb, or sustained bodily injuries, depriv-*

See Secs. 4787, 4788, 4789, 4790, 4791, R. S.

Artificial limbs.

<sup>1</sup> See Acts February 27, 1877, p. 140, and March 3, 1891, p. 141.

ing him of the use of any of his limbs, shall receive once every five years an artificial limb or appliance, or commutation therefor, as provided and limited by existing laws, under such regulations as the Surgeon-General of the Army may prescribe; and the period of five years shall be held to commence with the filing of the first application after the seventeenth day of June, in the year eighteen hundred and seventy.

**Transportation.** SEC. 2. That necessary transportation to have artificial limbs fitted shall be furnished by the Quartermaster-General of the Army, the cost of which shall be refunded out of any money appropriated for the purchase of artificial limbs: *Provided*, That this act shall not be subject to the provisions of an act entitled "An act to increase pensions," approved June eighteenth, eighteen hundred and seventy-four.

Approved, August 15, 1876.

Money commutation to those who can not use artificial limbs.

Sec. 3, 17 June, 1870; Sec. 1, 8 June, 1872. See Sec. 1, 15 Aug., 1876; act 27 Feb., 1877.

SEC. 4790. Every person in the military or naval service who lost a limb during the war of the rebellion, but from the nature of his injury is not able to use an artificial limb, shall be entitled to the benefits of section forty-seven hundred and eighty-eight, and shall receive money-commutation as therein provided.

Transportation for those to whom artificial limbs are furnished.

Act 28 July, 1866. Sec. 2, 8 June, 1872. See sec. 2, 15 Aug., 1876; act 27 Feb., 1877.

SEC. 4791. The Secretary of War is authorized and directed to furnish to the persons embraced by the provisions of section forty-seven hundred and eighty-seven transportation to and from their homes and the place where they may be required to go to obtain artificial limbs provided for them under authority of law.

*The above section amended by the following Act:*

Act 27 Feb., 1877. AN ACT to perfect the revision of the statutes of the United States, and of the statutes relating to the District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of correcting errors and supplying omissions in the act entitled "An act to revise and consolidate the statutes of the United States in force on the first day of December, anno Domini one thousand eight hundred and seventy-three," so as to make the same truly express such laws, the following amendments are here by made therein:*

\* \* \* \* \*

Sec. 4770 repealed.

Section forty-seven hundred and seventy is struck out.

Section forty-seven hundred and eighty-seven is amended Sec. 4787 amended. by adding at the end of the section the following:

“The provisions of this section shall apply to all officers, non-commissioned officers, enlisted and hired men of the land and naval forces of the United States, who, in the line of their duty as such, shall have lost limbs or sustained bodily injuries depriving them of the use of any of their limbs, to be determined by the Surgeon-General of the Army; and the term of five years herein specified shall be held to commence in each case with the filing of the application for the benefits of this section.” See Secs. 4788, 4789, 4790, 4791, R. S.

Section forty-seven hundred and ninety is amended by inserting, in the second line, after the word “rebellion” the words “or is entitled to the benefits of section forty-seven hundred and eighty-seven.”

Section forty-seven hundred and ninety-one is amended by adding at the end of the section the following:

“The transportation allowed for having artificial limbs fitted shall be furnished by the Quartermaster-General of the Army, the cost of which shall be refunded from the appropriations for invalid pensions.”

\* \* \* \* \*

Approved, February 27, 1877.

AN ACT to amend section forty-seven hundred and eighty-seven of the Revised Statutes of the United States. Act. 3 Mar., 1891.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section forty-seven hundred and eighty-seven of the Revised Statutes of the United States be amended by striking out the word “five” where it occurs therein, and inserting in lieu thereof the word “three” so that when amended said section will read as follows: Every officer, soldier, seaman, and marine who was disabled during the war for the suppression of the rebellion, in the military or naval service, and in the line of duty, or in consequence of wounds received or disease contracted therein, and who was furnished by the War Department since the seventeenth day of June, eighteen hundred and seventy, with an artificial limb or apparatus for resection who was entitled to receive such limb or apparatus since said date, shall be entitled to receive a new limb or apparatus at the expiration of every three years thereafter, under such regulations as have been or may be prescribed by the Surgeon-General of the Army.* Artificial limb.

Approved, March 3, 1891.

**Trusses.**

**SEC. 1176.** Every soldier of the Union Army who was ruptured while in the line of duty during the war for the suppression of the rebellion, is entitled to receive a single or double truss, of such style as may be designated by the Surgeon-General, as best suited for his disability.

**Application for truss.**

**SEC. 1177.** Application for such truss shall be made by the ruptured soldier to an examining surgeon for pensions, whose duty it shall be to examine the applicant, and when found to have a ruptured hernia to prepare and forward to the Surgeon-General an application for such truss without charge to the soldier.

**Purchase of trusses.**

**SEC. 1178.** The Surgeon-General is authorized and directed to purchase the trusses required for such soldiers, at wholesale prices, and the cost of the same shall be paid, upon the requisition of the Surgeon-General, out of any moneys in the Treasury not otherwise appropriated.

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**RULES OF PRACTICE**

**BEFORE THE**

**COMMISSIONER OF PENSIONS.**

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**RULES OF PRACTICE IN APPEALED CLAIMS BEFORE THE  
SECRETARY OF THE INTERIOR RELATING TO PENSION AND  
BOUNTY LAND.**

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**RULE 1.**

An appeal will lie to the Secretary of the Interior from the final action or order of the Commissioner of Pensions in all cases relating to pension or bounty lands, and each claim so appealed must be accompanied by its separate appeal.

**RULE 2.**

The appeal must be filed with the Secretary and should point out, specifically, the mistake, or error of fact or of law in the decision, judgment, or order complained of.

**RULE 3.**

An appeal in a pension case will not be entertained until applicant has filed all attainable evidence and obtained the decision of the Bureau of Pensions thereon; and new and material evidence relative to the ground of rejection, filed subsequent to such action, will not be considered by the Secretary until the same has been passed upon by the Bureau of Pensions.

**RULE 4.**

All additional evidence filed, with a view to the reopening of a rejected pension claim, must be filed in the Bureau of Pensions, and must finally be passed upon by the Commissioner of Pensions before an appeal based thereon will be entertained.

**RULE 5.**

Upon reference to the Bureau of Pensions of an appeal, that Bureau will make a report thereon showing particularly the action taken, the ground upon which based, and the dates of such action, and the attorney who is entitled to recognition.

## RULE 6.

A report upon an appeal involving a medical question must be accompanied by an opinion of the medical referee thereon.

## RULE 7.

An appeal from the action of the Bureau of Pensions refusing to recognize fee agreements or a power of attorney, or to pay a fee to appellant should be based upon the reasons assigned by said Bureau for its action, and should set forth the grounds of the complaint, referring to the rules of practice by which it is believed the complaint is sustained.

## RULE 8.

An appeal taken on behalf of a claimant, by or through a suspended or disbarred attorney, will not be entertained.

## RULE 9.

No appeal pertaining to the allowance of fee, where refundment has been called for, will be entertained, unless refundment, as required, shall have been made.

## RULE 10.

Hereafter more than one motion for reconsideration of a decision adverse to a claim will not be entertained by the Department of the Interior, except when the motion discloses that some material feature of the case has not been considered in the decision or that some mistake of law or of fact was committed.

## RULE 11.

An appeal by an attorney will not be entertained, unless he has filed a duly executed power of attorney for this purpose from the claimant or is entitled under the rules to recognition.

## RULE 12.

When an appeal to the Secretary of the Interior from the rejection of a claim for pension is filed, and upon examination of the case at the Bureau of Pensions it is found that the claim should be opened for further action, the Department must be informed of that fact and the appeal will be dismissed by the Secretary.

## RULE 13.

The filing of an appeal in any case shall operate to suspend action in the Bureau of Pensions until the appeal has been disposed of, or other order made by the Secretary. Except where a claim is filed under the

act of June 27, 1890, and an appeal is pending before the Secretary upon a claim under the general law, all papers may be, in the discretion of the Secretary, returned to the Commissioner, that the new claim may be adjudicated, after which the same will be retransmitted to the Secretary, that the appeal may be decided.

Approved:

E. A. HITCHCOCK, *Secretary*.

MAY 5, 1899.

WEBSTER DAVIS,  
*Assistant Secretary.*

Amendments to Rules of Practice in Appeal Cases before the Secretary of the Interior.

RULE 14.

Appeals from Bureau action in cases under the first, second, and third provisos of the act of March 3, 1899, should be accompanied by due proof of service of a copy of the appeal upon the appellee or his or her attorney of record.

Proof of service must be such as will satisfy the Department that the appellee has been informed of the appeal and the contents thereof and may consist of, first, a written acceptance of service by the appellee or his or her attorney of record; or second, a postal registry return receipt card, signed by appellee or attorney of record, accompanied by an affidavit, showing that on a certain date a copy of the appeal was mailed in a registered letter, postpaid, to the appellee or the attorney of record, addressed to a certain post-office, naming it, that the card was returned in acknowledgment of the receipt of such letter; or third, an affidavit, showing that on a certain day and at a certain place a copy of the appeal was personally delivered to the appellee or his or her attorney of record.

Appeals, in this class of cases, unaccompanied by due proof of service or a satisfactory reason why personal service can not be made, will not be filed, docketed, or considered, but will be promptly returned to the appellant, or his or her attorney of record for compliance with this rule.

RULE 15.

Appeals from Bureau action in cases under the first, second, and third provisos of the act of March 3, 1899, when accompanied by due proof of service of a copy thereof upon the appellee, will be filed, docketed, and numbered, and the Bureau of Pensions, the appellant, and appellee promptly notified thereof. The appeal will operate to suspend further payment of the one-half pension in controversy, until a decision shall have been rendered therein by the Department, and the appellee will be allowed thirty days from the date of filing and docketing the appeal in which to file an answer, brief, or argument, in opposition to the appeal, or in support of the Bureau action appealed from.

F. L. CAMPBELL,  
*Assistant Secretary.*

Approved:

E. A. HITCHCOCK, *Secretary*.

NOVEMBER 2, 1901.

5323—11

## RULE 16.

Upon the adjudication of a claim for division of pension under the act of March 3, 1899, in the Bureau of Pensions, both parties will be promptly notified by the Bureau, by registered letter, of the action taken. Either party will be allowed thirty days from receipt of said notice to appeal from said action; the appeal to be accompanied by due proof of service of a copy thereof upon the appellee, as required by Rule 14 of Practice, approved November 2, 1901. Unless such Bureau action is appealed from within thirty days from receipt of said notice, the Bureau action shall be deemed to be final, to the extent that all payments or division of pension in accordance with such Bureau action will not, in the absence of fraud, or mistake of fact, be disturbed.

F. L. CAMPBELL,  
*Assistant Secretary.*

Approved:

E. A. HITCHCOCK,  
*Secretary.*

MAY 6, 1902.

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ATTORNEYS—RULES OF PRACTICE BEFORE THE COMMISSIONER OF PENSIONS.

## RULE 1.

A person appearing of record in this office as having complied with the requirements of the regulations prescribed by the Secretary of the Interior for the recognition of attorneys or agents for claimants before the Department of the Interior will be held authorized to prosecute any claim for pension on filing a power of attorney from the claimant.

## RULE 2.

The written consent of a claimant is declared essential to a valid assignment of an attorneyship or agency from one attorney or agent to another; and the assignee shall file in each and every claim covered by the assignment the consent herein provided for, as well as a schedule of all claims assigned, which schedule shall set out the name of claimant, regiment, company, number of claim, and the character thereof.

## RULE 3.

No attorney or agent shall have power to make a valid assignment of any claim in which he has been recognized for the purpose of prosecuting the same, even with the written consent of claimant, except he be at the time of such assignment and of the consent in good standing as a practitioner before this office.

## RULE 4.

No power of attorney purporting to be executed by a claimant will be recognized as a good and valid authority unless the same be signed in the presence of two witnesses and acknowledged before an officer duly authorized to administer oaths for general purposes, whose official character is certified under seal.

## RULE 5.

No fee contracts filed under the act of July 4, 1884, will be recognized as valid, or payment of fees made thereunder, unless the signature of claimant to the contract is witnessed by two attesting witnesses, and claimant's acknowledgment thereto is before some officer duly authorized to administer oaths for general purposes, whose official signature must be certified under seal. (Commissioner's ruling *in re* Beller, October 21, 1885.)

## RULE 6.

Articles of agreement in claims for bounty land will be filed in duplicate, and when the claim shall have been allowed and the bounty land warrant issued, one approved copy of said agreement will be forwarded to the attorney of record and the other preserved with the record of the claim. The bounty land warrant will be forwarded direct to the party entitled to the possession thereof.

## RULE 7.

When an attorney or agent is disbarred pending the adjudication of a claim, and, while such disbarment is in force, the claim is adjudicated and the certificate issued, and by reason of such disbarment no fee is certified, and thereafter said attorney or agent is restored to practice, and claimant has not by reason of such disbarment canceled or revoked the authority theretofore existing, upon such restoration as aforesaid the lawful fee will be certified and paid to him.

## RULE 8.

When a claimant, pending the disbarment of his attorney of record, employs another attorney, who prosecutes the claim to final adjudication, no fee will be certified the disbarred attorney upon his restoration to practice, but his disbarment will operate as an estoppel to bar any claim for fee.

## RULE 9.

A fee will not be allowed to a guardian who prosecutes the claim of his ward, nor to a firm of attorneys of which the guardian is a member.

## RULE 10.

When an attorney or agent is called upon by this office to furnish evidence in any claim, he will be allowed ninety days to furnish such evidence or give reasons why he fails to do so: *Provided always*, That before such attorney is dropped or another attorney recognized, at any time within one year, he shall be given thirty days' notice to show cause why he is not guilty of laches. In the event that such answer be not filed within thirty days from the mailing of such notice,

or if the said answer to said notice shall be held by the Commissioner to be insufficient, claimant will be notified of such failure either to file the evidence called for or show cause why it is not filed, and may file the same, either himself or by such other attorney as he may elect; and upon the recognition of such other attorney the former attorney or agent will be estopped from claiming any fee.

#### RULE 11.

To call up a case will not *per se* be held a substantial compliance with any specific requirement of this office. (Commissioner's ruling *in re* George L. Waggoner, October 19, 1885.)

#### RULE 12.

Attorneys will be required to exercise due diligence in all cases in which they are recognized as attorneys of record. Neglect to prosecute a claim for one year will be held, in default of cause shown therefor, conclusive evidence of abandonment of a claim by an attorney, and claimant will be so informed. (Commissioner's ruling *in re* George L. Waggoner, October 19, 1885.)

#### RULE 13.

Upon the rejection of a claim for pension, or bounty land, the duly constituted attorney of record shall be notified of such rejection and the reason therefor, and shall be allowed ninety days from the date of such notice in which to file a motion for reconsideration, sustained by material evidence, or to enter an appeal to the Secretary of the Interior, in default of which he shall be held to have abandoned the case, and the claimant may employ any other duly qualified attorney to further prosecute the claim.

#### RULE 14.

No claims pending in this Bureau will be considered out of the regular order of business upon the request of attorneys or agents or any other person whomsoever, except for good cause shown and upon the order of the Commissioner of Pensions.

#### RULE 15.

From and after the 1st day of January, A. D. 1886, all pension agents where claimants allege payment by them of any sum or sums to their attorney of record shall request said claimants to make affidavit to the amount of payment, the date of payment, under what certificate made, and, as far as may be in their recollection, how such payment was made; and that the said affidavit shall be in manner and form substantially as provided by order No. 124, under date of December 3, 1885.

## RULE 16.

Each and every affidavit shall be executed in duplicate, one to be retained by the pension agent as his voucher and authority in the premises for deducting the amount sworn to have been paid, and the duplicate thereof to be promptly forwarded to the Commissioner of Pensions for filing with the record in the claim wherein such affidavit purports to be made.

## RULE 17.

Where claimant can not make such affidavit as is herein prescribed and set forth with reasonable certainty, the pension agent shall pay the fee certified by the Commissioner of Pensions or called for by the fee agreements without deduction: *Provided*, That if, in the opinion of the pension agent, reasonable doubt exists as to the fact of said payment and yet the said claimant be unable to make such affidavit as herein prescribed, said agent shall certify said case to the Commissioner of Pensions for his consideration and decision. (See sec. 4784, R. S.)

## RULE 18.

Every attorney, agent, or other person recognized by this Department as entitled to practice before it, or before the Commissioner of Pensions in prosecuting claims for pensions, shall cause to be filed with the Commissioner of Pensions, not less than ten days before the same are issued for general circulation, copies of all circular letters intended and framed to solicit business before the Commissioner of Pensions. And if at the end of ten days from filing the same such circular letters are not disapproved, and notice thereof furnished the person filing the same, they shall be held *prima facie* to be in manner and form approved.

## RULE 19.

Claims for increase of pensions shall not be considered or held as claims pending within the prohibition of section 190, Revised Statutes of the United States. (Secretary's decision on the appeal of Luther Harrison, October 6, 1885; Commissioner's ruling *in re* Deloss E. Topping, November 20, 1885.)

## RULE 20.

Appeals by attorneys or agents to the Secretary of the Interior in pension and bounty-land cases will not be considered unless the Commissioner of Pensions has taken final action upon the question to which they relate. Such appeals must be addressed to the Secretary of the Interior, and must set forth the specific errors of law or of fact upon which they are based. Appeals which do not conform to the above requirements will be dismissed as informal.



**RULE 21.**

Every attorney, agent, or other person recognized by this Department as entitled to practice before it or before the Commissioner of Pensions in prosecuting claims for pension shall be required to use due diligence in the prosecution of said claims, and any attorney, agent, or other person who shall, directly or indirectly, request of any United States Government official or representative, other than those whose duty it is under the law to supervise and administer the laws, rules, and regulations governing the granting of army and navy pensions, aid or assistance in the prosecution of a pension claim, or who shall, directly or indirectly, request or advise a claimant to seek such aid in the prosecution of a pension claim, shall be held to have abandoned the claim as attorney and shall thereby forfeit his attorneyship in such claim.

**RULE 22.**

Every attorney, agent, or other person recognized by this Department as entitled to practice before it or before the Commissioner of Pensions in prosecuting claims for pension who shall violate the provisions of Rule 21, promulgated on the same date as this rule, shall be held to be incompetent to prosecute claims before the Bureau of Pensions within the meaning of section 5 of the act of July 4, 1884, and shall thereby subject himself to suspension or exclusion from practice before the Commissioner of Pensions.

**RULE 23.**

All rules and orders inconsistent with the foregoing are hereby abrogated.

H. OLAY EVANS,  
*Commissioner.*

Approved.

E. A. HITCHCOCK,  
*Secretary.*

DEPARTMENT OF THE INTERIOR, *May 11, 1899.*

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REGULATIONS  
RELATING TO  
ARMY AND NAVY PENSIONS  
FOR THE GUIDANCE OF  
CLAIMANTS AND ATTORNEYS.

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## REGULATIONS.

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*An observance of the following instructions will generally enable a claimant to intelligibly present his claim for pension to the Commissioner of Pensions for settlement.*

### **Declarations and Evidence.**

All declarations and evidence must be executed in accordance with the provisions of the act of Congress approved July 26, 1892.

#### **Invalid.**

Blank forms for a declaration will be furnished to claimants upon application therefor, but will not be furnished to attorneys and claim agents.

The declaration should set forth the company and regiment in which the applicant served, the name of the commanding officer of the company or organization, and the dates of enlistment and discharge. In Navy cases the vessel upon which claimant served should be stated. If the claim is made on account of a wound or injury, the declaration should set forth the nature and locality of the wound or injury, the time when, the place where, and the circumstances under which it was received, and the duty upon which the applicant was engaged.

If the wound or injury was accidental, the applicant should state whether it happened through his own agency or that of other persons, and he should minutely detail the circumstances under which it was received.

If the claim is made on account of disability from disease, the applicant should state in his declaration when the disease first appeared, the place where he was when it appeared, and the duty upon which he was at the time engaged. He should also detail the circumstances of exposure to the causes which, in his opinion, produced the disease. Whether the application be made on account of disability from injury or disease the claimant should state the names, numbers, and localities of all hospitals in which he received medical or surgical treatment, giving the dates of his admission thereto as correctly as he may be able.

The applicant should state whether he was in the military or naval service prior to or after the term of service in which his disability originated.

The applicant should state his post-office address. In cities, the street and number of his residence should be given.

The identity of the applicant must be shown by the testimony of two credible witnesses, who must appear with him before the officer by whom the declaration may be taken.

**Nature of the Evidence required to sustain a Claim for Invalid Pension.**

As soon as practicable after the receipt of a claim for pension, application will be made by this office, in Army cases, to the Adjutant-General and the Surgeon-General of the Army, for a report of the applicant's service and evidence in regard to the disability alleged which may appear upon the rolls and other records in the possession of those officers. In Navy cases application for such evidence will be made to the proper Bureaus of the Navy Department.

When the records of the War or Navy Department do not furnish satisfactory evidence that the disability on account of which the claim is made originated in the service of the United States and in the line of duty, the claimant will be required to furnish such evidence, in accordance with the instructions hereinafter given, compliance with which must be full and definite; and if the disability results from a wound or other injury, the nature and location of the wound or injury, the time when, the place where, and the manner in which it was received, whether in battle or otherwise, should be shown by the affidavit of some one who was a commissioned officer and had personal knowledge of the facts.

If the person called upon to give evidence is still in the service as a commissioned officer, his certificate will be accepted in lieu of his affidavit.

If there is no record of the disability claimed, the applicant will be called on to furnish the testimony of the surgeon by whom he was treated, showing the location and nature of the wound or injury and the circumstances under which it was received. If the disability arises from disease, the testimony of the person who was surgeon or assistant surgeon of the regiment to which the applicant belonged, or the vessel on which he served, should, if possible, be furnished, showing the name or nature of the disease, the time when, the place where it was contracted, and the circumstances of exposure to the causes which, in his opinion, produced the same.

The surgeon should state whether, in his opinion, the habits of the applicant had any agency in the production of the disease.

In any claim, whether made on account of injury or disease, if it be shown that the testimony of a surgeon, assistant surgeon, or other commissioned officer cannot be produced as evidence of the origin of the disability alleged, the testimony of other persons having personal knowledge of the facts will be considered.

In a claim on account of disability from disease, he must furnish the testimony of the physicians who have attended him since the date of discharge, explicitly setting forth the history of the disease and disability since its first appearance. It is especially important that the physician who first attended the applicant after his discharge should

state the date at which his attendance commenced and his condition at that time. If it should not be possible for the applicant to show the condition of his health during the whole period since the date of his discharge by the testimony of physicians, the cause of his inability to do so should be stated by him under oath. The testimony of other persons on this point may then be presented. The statement of the witnesses in regard to the manner in which the applicant was affected should be full and definite, and they should state how they obtained a knowledge of the facts stated by them.

#### Claims for Increase of Invalid Pensions.

A pensioner who may deem himself entitled to an increase of pension should file a declaration setting forth the ground upon which he claims such increase.

#### Claims for Renewal of Pensions.

Applications for renewal of pension must be made to the Commissioner by a declaration executed as in original claims, setting forth that the cause for which pension was allowed still continues.

In cases of unclaimed pensions, evidence must be filed satisfactorily accounting for the failure to claim such pension; and, in invalid claims, medical evidence showing the continuance of the disability.

Blank forms of declaration will be furnished by this office at the request of the claimant, but will not be furnished to agents or attorneys.

#### Claims of Widows and Children.

##### THE DECLARATION.

The blank form of declaration, with the accompanying notes, which is furnished by this office upon the request of a claimant, sufficiently indicates the facts which should be stated by the widow or guardian.

##### EVIDENCE.

The facts relating to the cause of the soldier's death on account of whom the pension is claimed, including his last illness and date and place of death, should be set forth fully and in detail, and should be proven by the physicians who attended him during his illness; but when that is impossible, the testimony of other persons who are acquainted with the circumstances may be furnished.

##### PROOF OF MARRIAGE IN WIDOWS' CLAIMS.

The marriage of the applicant to the person on account of whose service and death the claim is made should be shown—

- (1) By a duly verified copy of a church or other public record; or
- (2) By the affidavit of the clergyman or magistrate who officiated; or
- (3) By the testimony of two or more eye-witnesses to the ceremony; or
- (4) By a duly verified copy of the church record of baptism of the children; or

(5) By the testimony of two or more witnesses who know that the parties lived together as husband and wife, and who will state how long, within their knowledge, such cohabitation continued.

Special provision, however, is made by section 4705 of the Revised Statutes in regard to the character of the evidence which shall be required in the claims of widows and children of colored and Indian soldiers and sailors.

#### PROOF OF THE DATES OF BIRTH OF CHILDREN.

The dates of birth of children should be proved—

(1) By a duly verified copy of the church record of baptism or other public record; or

(2) By the affidavit of the physician who attended the mother; or

(3) By the testimony of persons who were present at the births, who should state how they are able to testify to the precise dates.

If any child of the person on whose account the claim is made died after the date at which the widow's pension will commence, the date of the death must be shown.

#### CLAIMS ON BEHALF OF MINOR CHILDREN.

In claims on behalf of minor children the guardian must furnish proof upon the following points:

(1) A copy of his letters of guardianship, bearing the seal of the court making the appointment, together with the certificate of the court that such appointment has not been revoked; which certificate should also state the amount of the guardian's bond.

(2) The cause and date of the father's death, the marriage of the parents, and the dates of birth of the children must be proved. When, however, satisfactory proof upon these points has been furnished in the claim of the widow, it will not again be required in the claim on behalf of the minors.

(3) If the mother of the children is dead, the date of her death must be proved. If she remarried, her remarriage must be proved in the same manner that her marriage to the father of the children is required to be proved. If the claim is made on account of the widow having abandoned the children, or on account of her unfitness to have custody of them, the abandonment or unfitness can be shown by the certificate of the court having probate jurisdiction or upon the presentation of satisfactory evidence thereof to the Commissioner of Pensions.

(4) If the mother of the children died before the father, it must be shown whether he again married.

(5) It must be shown whether the father left any other pensionable child than those for whose benefit the claim is made; and, if so, why such child is not embraced in the application. A guardian is not entitled on account of a child which died prior to the date of the application.

**Claims of Dependent Relatives.****DEPENDENT MOTHERS.**

A mother must show her relationship, the date and cause of the son's death, and whether he left a widow or minor children surviving, and her dependence upon him for support at the time of his death.

In proof of dependence it must be shown that previous to the date of the said son's decease her husband had died, or that he had permanently abandoned her support, or that on account of disability from injury or disease he was unable to support her. If the husband is dead, the date of his death must be proved. If he abandoned the support of his family, the date of such abandonment and all the facts of the case, showing whether he ever returned or ever afterward contributed to the support of the claimant, must be fully set forth. If he was disabled, the nature and cause of the disability and when and to what extent it rendered him unable to support the claimant must be shown by the testimony of his physician. The extent of his disability during the period from the son's death to the present time should also be shown.

The value of the property of the claimant and her husband, the income which they derived therefrom, and the other means of support possessed by them while she was receiving the contributions of her said son, and from that time to the present, should be shown by the testimony of credible and disinterested witnesses, who must state how they know the facts. The value of property assessed for taxation may be shown by the testimony of the officer having possession of the records relating thereto. The true as compared with the assessed value should be stated.

It must be shown to what extent, for what period, and in what manner her said son contributed to her support, by the testimony of persons for whom the son labored, to whom he paid rent, of whom he purchased groceries, fuel, clothing, or other necessary articles for her use, or of those who otherwise had a knowledge of the contributions of the son, and who must state how they obtained such knowledge. Any letter from the son bearing upon the question of support should be filed. If the son, in any other manner than by actual contributions, acknowledged his obligation to support his mother, or was by law bound to such support, the facts should be shown.

**DEPENDENT FATHERS.**

A father claiming pension on account of the death of his son, upon whom he was dependent for support, must prove—

(1) The cause and date of his son's death; that said son left no widow or minor child surviving him; the cause and extent of his disability during the period in which the son contributed to his support, and from that time to the present; the amount of his property and all other means of support possessed by him during that period, and the extent of his dependence upon his son for support. The facts of the case in these



**Pensions to the Survivors of the Wars prior to 1861, and to their Widows.**

(1) **WAR OF THE REVOLUTION, SERVICE PENSIONS.**—(a) Widows of soldiers who served for fourteen days or more, or were in any battle during the war, are entitled, provided they have not remarried, to eight dollars per month from March 9, 1878, and twelve dollars per month from March 19, 1886. (b) Widows of Revolutionary soldiers who in their lifetime were granted pensions are entitled, under section 4743, Revised Statutes, to pension at the same rate as was paid the husband, notwithstanding remarriage, upon proof of present widowhood. (c) There is no law granting pension to the daughters or other descendants of soldiers of the Revolution. The daughters of Revolutionary soldiers who are now drawing pensions were placed on the pension roll by special acts of Congress.

(2) **WAR OF 1812, SERVICE PENSIONS.**—(a) Under sections 4736 to 4740, Revised Statutes, soldiers and sailors who served for sixty days or more in this war and were honorably discharged, or who were personally named in any resolution of Congress for specific service therein, and the widows of such soldiers and sailors, are entitled to eight dollars per month from February 14, 1871, upon proof, by all applicants, of loyalty to the United States Government during the war of the rebellion, and by widow applicants of their marriage to the soldier or sailor prior to the treaty of peace, February 17, 1815. (b) Under the act of March 9, 1878, soldiers and sailors who served fourteen days or more, or were in any battle during the war, and were honorably discharged, and the widows of such soldiers and sailors, irrespective of the date of marriage, are entitled to eight dollars per month from March 9, 1878. Under the act of March 19, 1886, widow pensioners mentioned in this paragraph are entitled to twelve dollars per month from that date. (c) There is no law granting service pension to the descendants of soldiers or sailors of the War of 1812, nor increase to the soldier or sailor himself on account of disability, age, or infirmity. The rate of pension does not vary with the rank of the soldier or sailor, nor can it be increased for any cause.

(3) **INDIAN WARS FROM 1832 TO 1842, SERVICE PENSIONS.**—(a) The act of July 27, 1892, provides pension for the surviving officers and enlisted men, including marines, militia, and volunteers, who were in the military or naval service of the United States for thirty days in the Black Hawk war, the Creek war, the Cherokee disturbances, or the Florida war with the Seminole Indians, and were honorably discharged; or who were personally named in any resolution of Congress for specific service therein; and for their widows, provided they have not remarried. All pensions under this act are fixed at eight dollars per month irrespective of rank; are not subject to increase for any cause; and are payable from July 27, 1892; but the pension of a widow whose husband was living on that date commences from the day of his death. (b) This act does not provide pension for any descendant of the soldier or sailor.

(4) **MEXICAN WAR, SERVICE PENSIONS.**—(a) Under the act of January 29, 1887, officers and enlisted men who were in the military or naval service of the United States for sixty days in Mexico, or on the coasts or frontier thereof, or en route thereto, or who were in a battle, and were honorably discharged; or who were personally named in any resolution of Congress for specific service therein, are entitled to pension if sixty-two years of age; or, if not, upon proof of pensionable disability or dependence. (b) Widows of officers and enlisted men who served as above are entitled to pension on the same conditions as to age or dependence as apply to the officer or soldier; but disability incurred while voluntarily aiding or abetting the late rebellion does not give title to pension, nor are any persons entitled thereto while under the political disabilities imposed by the fourteenth amendment to the Constitution. Pensions under this act commence on January 29, 1887, if a pensionable condition by reason of age or dependence then existed; if not, then on the date the applicant becomes sixty-two years of age or dependent within the meaning of the law. The rate of pension is eight dollars per month irrespective of rank; which rate, for survivors who were pensioners on January 5, 1893, may be increased to twelve dollars under the act of that date, on proof that the pensioner is wholly disabled for manual labor and in such destitute circumstances that eight dollars is a sum insufficient to provide him with the necessaries of life. (c) Widows' pensions are not subject to increase, nor are the descendants of survivors entitled to service pension.

(5) **NAVY SERVICE PENSIONS.**—(a) Under sections 4756 and 4757, Revised Statutes, pensions for twenty years' service, and for ten years' service, are allowed by the Secretary of the Navy to enlisted men and appointed petty officers who have not been discharged for misconduct. Pension commences on the date of filing the claim therefor in the Navy Department, and, for twenty years' service, amounts to one-half the monthly pay of the applicant's rating at his discharge; for ten years' service, the pension can not exceed the rate for total disability, and is fixed, as is also its duration, by a board of naval officers. The application should be addressed to the Secretary of the Navy, and all subsequent communications to the Chief of the Bureau of Navigation, Navy Department, Washington, D. C. (b) Pensions are not granted for a service of less than ten years except as provided in paragraphs 2, 3, and 4.

(6) **PENSIONS FOR DISABILITY OR DEATH DUE TO SERVICE PRIOR TO MARCH 4, 1861.**—(a) Soldiers who were wounded or injured or who contracted disease in the line of duty are entitled to pension corresponding in rate to the degree of disability incurred in service. Persons in the naval service are entitled to a like pension under the same conditions, excepting that no pension may be granted to an engineer, a fireman, or a coal heaver for disability incurred prior to August 31,

1842. (b) The widows, or children under sixteen years of age, of soldiers who served prior to March 4, 1861, are entitled to pension if the soldier's death was due to causes originating in time of actual war, and not otherwise. (c) The widows, or children under sixteen, of sailors who served prior to March 4, 1861, are entitled to pension only when the death occurred in the service and in the line of duty. Pensions mentioned in this paragraph, if not applied for within three years from the discharge or death of the person on whose account the right to pension exists, or within three years of the termination of a pension previously granted on account of the service and death of such person, commence from the date of filing, by the person prosecuting the claim, the last paper requisite to establish it. (d) There is no provision of law allowing pensions to the parents, brothers, or sisters of persons who rendered military or naval service prior to March 4, 1861.

(7) BOUNTY LAND.—(a) Service, to give title to bounty land, must have been for at least fourteen days or in a battle prior to March 3, 1855; and, if in the Navy or Regular Army, must have been in some war in which the United States Government was engaged. (b) Inquiries relative to the assignment of bounty-land warrants and to homestead lands for services during the war of the rebellion should be addressed to the Commissioner of the General Land Office, Interior Department.

(8) MISCELLANEOUS.—(a) Applications for reimbursement should be filed with the Auditor for the Interior Department, Treasury Department. (b) Communications relative to back pay, extra pay, and bounty in money for military service should be addressed to the Auditor for the War Department; in regard to bounty, extra pay, or prize money for naval service, to the Auditor for the Navy Department. (c) When a certificate of service in lieu of a lost discharge is desired, application should be made to the Adjutant-General, U. S. Army, War Department, if the service was in the Regular Army; to the Chief of Record and Pension Office, War Department, if the service was in a volunteer organization, and to the Chief of the Bureau of Navigation, Navy Department, if the service was in the Navy. (d) Copies only of discharges are furnished by this Bureau when the originals were filed in claims made on account of service rendered prior to March 4, 1861, and no such copy will be furnished for use in claims against the Government. (e) Remarriage after the soldier's death (except in the case of certain widows referred to in (b) of paragraph 1) and prior to the passage of an act taking effect from the date of its approval deprives the widow of the benefits of such act. In the case of remarriage subsequent to the approval of such act, pension may be paid from the date of approval, or from the date of the soldier's death if after approval, to the date of remarriage.

[Act of June 27, 1890.]

**RULES AND REGULATIONS.**

All pensions under this act will commence from the date of filing the formal application (after the passage of the act) in the Pension Bureau.

No application for pension under this act will be good unless filed in the Pension Bureau on or after June 27, 1890 (date of the act), or if not in the form, substantially, prescribed by the Secretary.

Discharge certificate need not be filed until called for.

The rates of this law are not affected by the rank of the soldier.

This act provides the following rates: For dependent father or mother, \$12. The widow, \$8, and \$2 additional for each child of soldier under sixteen years; and if the widow dies, the child or children can draw such pension. The soldier is entitled to any rate from \$6 to \$12, according to inability to earn a support.

A pensioner under existing laws may apply under this one, or a pensioner under this one may apply under other laws, but can draw only one pension at the same time.

This law requires in a soldier's case:

(1) *An honorable discharge.*

(2) *That he served at least ninety days.*

(3) *A permanent physical or mental inability to earn a support, but not due to vicious habits.* (It need not have originated in the service.)

In case of a widow:

(1) *That the soldier served at least ninety days.*

(2) *That he was honorably discharged.*

(3) *Proof of death; but it need not have been the result of his army service.*

(4) *That the widow is "without other means of support than her daily labor."*

(5) *That she married soldier prior to June 27, 1890, date of the act.*

In dependent parents' case:

(1) *That the soldier died of a wound, injury, or disease which under prior laws would have given him a pension.*

(2) *That he left no wife or minor child.*

(3) *That mother or father is at present dependent on her or on his own manual labor, being "without other present means of support than their own manual labor or the contributions of others not legally bound for their support."* The benefits of the first section of the act of June 27, 1890, are not confined to the parents of those who served in the war of the rebellion, but are extended to all parents where pensionable dependence has arisen on account of the death of a son who served since said war in behalf of the United States.

(4) *That in case a minor child is insane, idiotic, or otherwise permanently helpless the pension shall continue during the life of said child or during the period of such disability, and this proviso shall apply to*

all pensions heretofore granted or hereafter to be granted under this or any former statute, and such pensions shall commence from the date of application therefor after the passage of this act.

The rules and regulations of the Department will govern all applicants and attorneys.

No contract for attorney's fee shall provide for a sum greater than \$10, but in the absence of a contract the attorney's fee shall be \$10.

- H. CLAY EVANS,  
*Commissioner of Pensions.*

The foregoing rules and regulations, with the forms here following, are adopted and approved.

E. A. HITCHCOCK,  
*Secretary of the Interior.*

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**BLANK FORMS OF DECLARATIONS**

**FOR**

**ARMY AND NAVY PENSIONS.**

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[3-001. Old No. 3-010.]

DECLARATION FOR ORIGINAL INVALID PENSION.

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, declares that he is the identical person who was enrolled at \_\_\_\_\_, under the name of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 1\_\_\_\_, as a \_\_\_\_\_ in \_\_\_\_\_ [here state rank, and company and regiment in the Army, or vessel, if in the Navy], and was discharged at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 1\_\_\_\_; that his personal description at enlistment was as follows: Age, \_\_\_\_\_ years; height, \_\_\_\_\_ feet \_\_\_\_\_ inches; complexion, \_\_\_\_\_; hair, \_\_\_\_\_; eyes, \_\_\_\_\_. That while a member of the organization aforesaid, in the service and in the line of his duty at \_\_\_\_\_, on or about the \_\_\_\_\_ day of \_\_\_\_\_, 1\_\_\_\_, he, \_\_\_\_\_ [here state name or nature of disease, or the location of wound or injury. If disabled by disease, state fully its causes; if by wound or injury, the precise manner in which received]. That he was treated in hospitals as follows: \_\_\_\_\_ [here state the names or numbers and the localities of all hospitals in which treated, and the dates of treatment]. That he was \_\_\_\_\_ employed in the military or naval service prior to \_\_\_\_\_, 1\_\_\_\_. That he has \_\_\_\_\_ been employed in the military or naval service since \_\_\_\_\_, 1\_\_\_\_. \_\_\_\_\_ [here state what the service was, whether prior or subsequent to that stated above, and the dates at which it began and ended]. That prior to his entry into the service above named he was a man of good, sound physical health, being when enrolled a \_\_\_\_\_. That he is now \_\_\_\_\_ incapacitated for procuring his subsistence by manual labor by reason of his disability, described above, incurred in the service of the United States; and he therefore makes this declaration for the purpose of being placed on the invalid-pension roll of the United States. That he is \_\_\_\_\_ a pensioner. That he has \_\_\_\_\_ heretofore applied for pension. \_\_\_\_\_ [if a pensioner, the certificate number only need be given. If not, give the number of the former application, if one was made]. That his post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
 [Claimant's signature.]

Attest:

- (1) \_\_\_\_\_.
- (2) \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign his name (or make his mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with him of \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that he is the identical person he represents himself to be; and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
 \_\_\_\_\_  
 [Signatures of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190—, and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing,



respects should be shown by such testimony as is required in the claim of a mother.

(2) The date of his marriage, the date of the death of the mother, and the date of birth of the son must be proved.

In case the mother applied for pension, reference should be made to her application, and the number of the same or of her certificate should be given. Evidence upon any point established in her claim will not again be required.

#### MINOR BROTHERS AND SISTERS.

The claim on behalf of minor brothers and sisters should be made by a guardian duly appointed, who must furnish the evidence of his or her authority under the seal of the court from which the authority was obtained. He must prove the cause and date of the death of the brother on whose account the claim is made, his celibacy, the dates of death of the mother and father, his relationship to the persons on whose behalf the claim is made, the dates of their births, and their dependence upon the brother for support. If the mother or father applied for pension, the number of his or her application or of his or her certificate should be given. Evidence upon any point established in the claim of the mother or father will not again be required.

In the administration of the pension laws no distinction is made between brothers and sisters of the half blood and those of the whole blood.

#### Witnesses and Testimony.

Evidence executed before the attorney of record in a claim or before any person who has a manifest interest therein will not be considered. All certificates of executing officers must certify that they have no interest in the claim.

It is desirable that the facts required to be proved in the prosecution of a claim for pension should, if possible, be shown by the testimony of other persons than near relatives of the claimant.

Every fact required to be proved should be shown by the best evidence obtainable. Every witness should state whether he has any interest, direct or indirect, in the prosecution of the claim in which he may be called to testify, and give his post-office address.

Witnesses should not merely confirm the statements of other parties, but they should give a detailed statement of the facts known to them in regard to the matter concerning which they may testify, and they should state how they obtained a knowledge of such facts. The officer who may take the deposition must certify as to his knowledge of the credibility of the witnesses, and must state how such knowledge was obtained. If they sign by mark, he must certify that the contents of their depositions were fully made known to them before he administered the oath.

It is desirable that affidavits should be free from interlineations and

B

[8-008. Old No. 8-011.]

B

DECLARATION FOR THE INCREASE OF AN INVALID PENSION.

The pension certificate should not be forwarded with the application.

STATE OF \_\_\_\_\_, County of \_\_\_\_\_ ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, declares that he is a pensioner of the United States, enrolled at the \_\_\_\_\_ pension agency at the rate of \_\_\_\_\_ dollars per month, by reason of disability from \_\_\_\_\_ [here name the disability for which pensioned] incurred in the \_\_\_\_\_ [military or naval] service of the United States while a \_\_\_\_\_ [here state rank, and company and regiment if in the Army, or vessel if in the Navy] in \_\_\_\_\_. That he believes himself to be entitled to an increase of pension on account of \_\_\_\_\_. [Here state the reasons for applying for increase. If on account of increase in the disability for which already pensioned, that should be described. If on account of disability for which not pensioned, the nature and location of the wound or injury, or the name of the disease, and the time, place, and circumstances of its origin, and the names of hospitals where treated in the service, should be fully stated. The date of treatment should be given as nearly as possible.] That he hereby appoints \_\_\_\_\_, of \_\_\_\_\_, his true and lawful attorney, to prosecute his claim. That the number of his pension certificate is \_\_\_\_\_. That his post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Attest:

- (1) \_\_\_\_\_.
- (2) \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign his name (or make his mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with him of \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that he is the identical person he represents himself to be; and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signatures of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190—; and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, [L.s.] including the words \_\_\_\_\_, erased, and the words \_\_\_\_\_, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_  
[Signature.]

\_\_\_\_\_  
[Official character.]

To be executed before some officer of a court of record having custody of its seal, a notary public, justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer under his official seal, unless such a certificate has been filed in the Bureau of Pensions for general reference.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

[3-003.]

**B** INVALID. **B**

CLAIM FOR INCREASE.

Claimant: \_\_\_\_\_

Service: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Pension certificate not required.

FILED BY

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[3—031. Old No. 3—030.]

## DECLARATION FOR NAVY INVALID PENSIONS.

To be executed before a court of record or some officer thereof having custody of its seal, a notary public whose official signature shall be verified by his official seal, and in case he has none his signature and official character shall be certified by a clerk of a court of record, or a city or county clerk, or a justice of the peace, whose signature and official character shall be certified as above.

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_, authorized to administer oaths for general purposes, within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of the \_\_\_\_\_ of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, declares that he is the identical \_\_\_\_\_ who enlisted in the naval service of the United States at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, as a \_\_\_\_\_, and served on the following-named ships: \_\_\_\_\_, and was honorably discharged on the \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, at \_\_\_\_\_; that his personal description is as follows: Age, \_\_\_\_\_ years; height, \_\_\_\_\_ feet \_\_\_\_\_ inches; complexion, \_\_\_\_\_; hair, \_\_\_\_\_; eyes, \_\_\_\_\_; that while in the service aforesaid, and in the line of his duty at \_\_\_\_\_, on or about the \_\_\_\_\_ day of \_\_\_\_\_, he \_\_\_\_\_. [Here state name or nature of disease, or the location of wound or injury; if disabled by disease, state fully its causes; if by wound or injury, the precise manner in which received.] That he was treated in hospitals or vessels as follows: \_\_\_\_\_. [Here state the names or numbers, and the localities of all hospitals in which treated, and the dates of treatment.] That he has \_\_\_\_\_ been employed in the military or naval service otherwise than as stated above \_\_\_\_\_. [Here state what the service was, whether prior or subsequent to that stated above, and the dates at which it began and ended.] That he rendered no service prior to \_\_\_\_\_, nor subsequent to \_\_\_\_\_. That since leaving the service this applicant has resided in the \_\_\_\_\_ of \_\_\_\_\_, in the State of \_\_\_\_\_, and his occupation has been that of a \_\_\_\_\_. That prior to his entry into the service above named he was a man of good, sound, physical health, being when enlisted a \_\_\_\_\_. That he is now \_\_\_\_\_ disabled from obtaining his subsistence by manual labor by reason of his injuries, above described received in the service of the United States; and he therefore makes this declaration for the purpose of being placed on the invalid pension roll of the United States.

He hereby appoints, with full power of substitution and revocation, \_\_\_\_\_, of \_\_\_\_\_, State of \_\_\_\_\_, his true and lawful attorney to prosecute his claim. That he has \_\_\_\_\_ received \_\_\_\_\_ applied for a pension. That his post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign his name (or make his mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with him, that he is the identical person he represents himself to be; and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signatures of witnesses.]

Sworn to and subscribed before me this — day of —, A. D. 190—, and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, including the words —, erased, and the words —, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

[Signature.]

[Official character.]

NAVY INVALID.

CLAIM FOR PENSION.

ORIGINAL.

\_\_\_\_\_, Applicant

U. S. NAVY.

Discharged \_\_\_\_\_, 18—

[Vignette.]

NAVY INVALID.

FILED BY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The claimant's identity and loyalty must be proven by two witnesses, certified by the judicial officer to be respectable and credible, who are present and witness the signature of the declarant and certify to his identity and loyalty under oath or affirmation.

Declarations and other papers should be as legible and as clear in statement as possible.

Where any evidence is already on file in any department of the Government, a definite description of and specific reference to it will render it available in any subsequent claim.

The post-office address (naming street and number in all large cities) of the applicant, attorney, and witnesses should be embodied to or accompany every application, and all evidence in each claim; and each change of residence of said parties while communicating with the Pension Office or the pension agents should be stated.

Pensions are by law exempt from any liability on account of the obligations of the pensioners, and no lien upon them can be recognized.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

█ [3-021. Old No. 3-020.] █

*DECLARATION FOR RESTORATION TO THE PENSION ROLLS OF A PERSON WHOSE NAME HAS BEEN DROPPED UNDER THE ACT OF FEBRUARY 4, 1862. [Rev. Stat., 4716.]*

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, \_\_\_\_\_, \_\_\_\_\_, the same being a court of record within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, who, being duly sworn according to law, makes the following declaration, asking to be restored to the pension rolls: That he is the identical \_\_\_\_\_ who was pensioned on the rolls of the agency at \_\_\_\_\_, and whose pension certificate, No. \_\_\_\_\_, is herewith returned; that—he has resided since the first day of January, A. D. 1861, as follows:<sup>1</sup> \_\_\_\_\_; that during this period \_\_\_\_\_ means of subsistence have been:<sup>2</sup> \_\_\_\_\_; that \_\_\_\_\_ has not borne arms against the Government of the United States, or in any manner aided or abetted the rebellion, or those prosecuting the rebellion, or manifested a sympathy with their cause, but, on the contrary, did, during the said rebellion, earnestly desire its suppression by force of arms; that—he was last paid \_\_\_\_\_ pension to the \_\_\_\_\_ day of \_\_\_\_\_, 18—;<sup>3</sup> \_\_\_\_\_; that \_\_\_\_\_ hereby appoints \_\_\_\_\_ attorney to prosecute the above claim; that \_\_\_\_\_ residence is at No. \_\_\_\_\_, in \_\_\_\_\_ street, in the \_\_\_\_\_ of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, and that \_\_\_\_\_ post-office address is \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Attest:

\_\_\_\_\_  
\_\_\_\_\_

Also personally appeared \_\_\_\_\_, residing at No. \_\_\_\_\_, in \_\_\_\_\_ street, in \_\_\_\_\_, and \_\_\_\_\_, residing at No. \_\_\_\_\_, in \_\_\_\_\_ street, in \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say that they were present and saw \_\_\_\_\_, the claimant, sign \_\_\_\_\_ name (make \_\_\_\_\_ mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with \_\_\_\_\_, that \_\_\_\_\_ is the identical person \_\_\_\_\_ represents \_\_\_\_\_self to be; and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signatures of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190—; and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, [i. s.] including the words \_\_\_\_\_, erased, and the words \_\_\_\_\_, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_  
[Signature.]

\_\_\_\_\_  
[Official character.]

<sup>1</sup> Here name the place or places at which the applicant has resided.  
<sup>2</sup> Here name the employment or other means by which a livelihood has been gained.  
<sup>3</sup> Here insert, if an invalid, "and that the disability for which he was pensioned still continues in a pensionable degree, and that he has not since reenlisted or been paid in the military, naval, or marine service of the United States;" if a widow or mother, "and she has not remarried since that date," or if remarried, give date.

**K** RESTORATION OF PENSION  
DROPPED UNDER ACT OF FEB-  
RUARY 4, 1862.

\_\_\_\_\_, Applicant.

No. of Pension Certificate \_\_\_\_\_

FILED BY \_\_\_\_\_

All the blanks in this form should be carefully filled and the requirements of the notes strictly observed.

An honorable discharge from the service in all cases is necessary.

Declarations of claimants, either for original pension or for increase of pension already granted, must be made before a court of record, or before some officer thereof having custody of its seal; said officer being fully authorized and empowered to administer and certify any oath or affirmation relating to any pension or application therefor.

The claimant's identity and loyalty must be proven by two witnesses, certified by the judicial officer to be respectable and credible, who are present and witness the signature of the declarant, and certify to his identity and loyalty under oath or affirmation.

Declarations and other papers should be as legible and as clear in statement as possible.

Where any evidence is already on file in any department of the Government, a definite description of and specific reference to it will render it available in any subsequent claim.

The post-office address (naming street and number in all large cities) of the applicant, attorney, and witnesses should be embodied in or accompany every application, and all evidence in each claim; and each change of residence of said parties, while communicating with the Pension Office or the pension agents, should be stated.

Pensions are, by law, exempted from any liability on account of the obligations of the pensioners, and no lien upon them can be recognized.

All facts, testimony of which is required to establish a claim, must be proven by the affidavits of two or more credible witnesses, unless other evidence is specified.

The statements of claimants, unless duly corroborated, are not accepted as evidence.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

Persons desiring to complete claims pending at the decease of the claimants must furnish a duly verified certificate of their authority as heirs or legal representatives.

With all claims for arrears, increase, or restoration to the rolls, the original pension certificate must be returned, or explanation of its absence must be given under oath.

To facilitate the adjudication of claims, all the requisite evidence that is available should be forwarded with the application.

U. [3—029. Old No. 3—026.] U.

WAR OF 1812.—DECLARATION OF A WIDOW FOR PENSION UNDER ACT OF FEBRUARY 14, 1871.

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me \_\_\_\_\_, \_\_\_\_\_ of the \_\_\_\_\_, a court of record within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, declares that she is the widow of \_\_\_\_\_, who served the full period of sixty days in the <sup>1</sup>\_\_\_\_\_ service of the United States in the war of 1812; and who was the identical \_\_\_\_\_ who <sup>2</sup>\_\_\_\_\_ in Captain \_\_\_\_\_'s company, \_\_\_\_\_ regiment, \_\_\_\_\_ brigade, \_\_\_\_\_ division, at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 181-, and was honorably discharged at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 181-; that <sup>3</sup>\_\_\_\_\_; that she was married under the name of \_\_\_\_\_ to said \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 18-, by \_\_\_\_\_, at \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, there being no legal barrier to said marriage; that her said husband died at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 18-, and that she has not remarried since his death; that at no time during the late rebellion against the authority of the United States did she or her said husband adhere to the cause of the enemies of the Government, giving them aid or comfort, or exercise the functions of any office whatever under any authority, or pretended authority, in hostility to the United States; that she will support the Constitution of the United States; that she is not in receipt of a pension under any previous act; that she makes this declaration for the purpose of being placed on the pension roll of the United States under the provisions of the act approved February 14, 1871, and hereby constitutes and appoints, with full power of substitution and revocation \_\_\_\_\_, of \_\_\_\_\_, her true and lawful attorney to prosecute her claim and procure the issuance of a pension certificate to her. That her post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, and her domicile or place of abode is \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
[Applicant.]

[Witnesses.]

\_\_\_\_\_  
\_\_\_\_\_

Also personally appeared \_\_\_\_\_, residing at, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign her name (or make her mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with her, that she is the identical person she represents herself to be; and at no time during the late rebellion against the authority of the United States did she, or her said husband, adhere to the cause of the enemies of the Government, or give them aid or comfort; and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signature of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190-, and I hereby certify that the contents of the above declaration were fully made known

<sup>1</sup> "Military" or "naval."  
<sup>2</sup> "Was drafted," "enlisted," or "was enrolled."  
<sup>3</sup> Here give place, capacity, and manner of service, and any historical events in the war in which he participated, or with which he was connected.



[L. s.] and explained to the applicant and witnesses before swearing, including the words ——— erased and the words ——— added; and that I have no interest, direct or indirect, in the prosecution of this claim.

[Signature of magistrate.]

[Official character.]

U.  
WAR OF 1812.  
DECLARATION FOR WIDOW'S  
PENSION UNDER ACT OF FEB-  
RUARY 14, 1871.  
CLAIM OF

FILED BY

By an act of Congress approved February 14, 1871, pensions at the rate of \$8 per month are granted to the officers and enlisted and drafted men (both militia and volunteers) of the military and naval service of the United States in the war of 1812 who served for a period of sixty days, and to the widows of those who have died who were married prior to the treaty of peace (February 17, 1815) which terminated said war. Also to such officers and soldiers who served less than sixty days who have been personally named in any resolution of Congress for any specific service in said war.

Under this act three classes of claims will arise:

*First.*—Of officers, soldiers, and sailors, who served for sixty days, who have never been pensioned for a disability incurred in the service of the United States. These will be entitled to a full pension of \$8 per month from February 14, 1871.

*Second.*—Of officers, soldiers, and sailors, who served for sixty days, but who are in receipt of a pension for disability incurred in the service of the United States. These will be entitled to an increase of their pension to \$8 per month from February 14, 1871.

*Third.*—Of widows of officers, soldiers, and sailors who served sixty days who were married to the soldier prior to the treaty of peace which terminated said war (February 17, 1815), and who have since remarried. These will not be entitled to \$8 per month from February 14, 1871.

If the term of service was less than sixty days, there is no claim for pension under this act, unless the person who served has been personally mentioned in a resolution of Congress for some specific service in said war; in which case he or his widow is entitled to the same benefits under its provisions as though he had served the full period of sixty days.

An honorable discharge from the service in all cases is necessary.

Declarations of these claimants must be made before a court of record, or before some officer thereof having custody of its seal, said officer being fully authorized and empowered to administer and certify any oath or affirmation relating to any pension or application therefor.

The claimant's identity and loyalty must be proven by two witnesses, certified by the judicial officer to be respectable and credible, who are present and witness the signature of the declarant, and certify to his identity and loyalty under oath or affirmation.

The declaration must recite the name, age, and residence of claimant; whether married or unmarried; that the term of service was the full period of sixty days; or that he has been mentioned in a resolution of Congress, giving date of resolution; the place and time of enlistment and discharge, and the company, regiment, brigade, and division in which he served; the places, capacity, and manner of service, and his participation in, or connection with, any historical event of the war are particularly desired to be mentioned.

The declaration must also contain the following oath:

"That I (if a widow, "That neither I nor my said husband") at no time during the late rebellion against the authority of the United States adhered to the cause of the enemies of the Government, giving them aid or comfort, or exercised the functions of any office, under any authority, or pretended authority, in hostility to the United States, and that I will support the Constitution of the United States."

U.

[3-028.]

WAR OF 1812.

CLAIM OF WIDOW FOR SERVICE PENSION UNDER THE PROVISIONS OF SECTIONS 4736 TO 4740 (INCLUSIVE), REVISED STATUTES, AND THE ACT OF MARCH 9, 1878.

[N. B.—All the blank spaces in this form must be carefully filled up in accordance with the instructions on the back hereof and from the best information possessed, or obtainable, by the applicant.]

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, \_\_\_\_\_, the same being a court of record within and for the county and State aforesaid, (1) \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of \_\_\_\_\_, in the State of \_\_\_\_\_, who, being duly sworn according to law, declares that she is the widow of (2) \_\_\_\_\_, deceased, who was the identical (3) \_\_\_\_\_ who served under the name of (4) \_\_\_\_\_ as a (5) \_\_\_\_\_ in the company commanded by Captain \_\_\_\_\_, in the \_\_\_\_\_ regiment of \_\_\_\_\_, commanded by \_\_\_\_\_, in the war of 1812; that her said husband (6) \_\_\_\_\_ at \_\_\_\_\_ on or about the \_\_\_\_\_ day of \_\_\_\_\_, A. D. \_\_\_\_\_, for the term of \_\_\_\_\_, and continued in actual service in said war for the term of (7) \_\_\_\_\_, and whose services terminated, by reason of (8) \_\_\_\_\_, at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. \_\_\_\_\_. She further states that the following is a full description of her said husband at the time of his enlistment, viz: (9) \_\_\_\_\_. She further states that she was married to the said \_\_\_\_\_ at the city (or town) of \_\_\_\_\_ in the county of \_\_\_\_\_, and in the State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. \_\_\_\_\_, by one (10) \_\_\_\_\_, who was a (11) \_\_\_\_\_; and that her name before her said marriage was \_\_\_\_\_; and she further states that (12) \_\_\_\_\_, and that her said husband (13) \_\_\_\_\_ died at \_\_\_\_\_, in the State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. \_\_\_\_\_, and that she has not again married; and she further declares that the following have been the places of residence of herself and her said husband since the date of his discharge from the Army, viz: (14)\_\_\_\_\_, \_\_\_\_\_. She makes this declaration for the purpose of obtaining the pension to which she may be entitled under sections 4736 to 4740 (inclusive), Revised Statutes, and the act of March 9, 1878, and hereby appoints \_\_\_\_\_, of \_\_\_\_\_, her true and lawful attorney to prosecute her claim; and she further declares that she has heretofore made \_\_\_\_\_ application for (15) \_\_\_\_\_ and that her residence is No. \_\_\_\_\_, \_\_\_\_\_ street, city (or town) of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, and that her post-office address is \_\_\_\_\_.

[Signature of claimant.]

Attest:

\_\_\_\_\_  
\_\_\_\_\_

Also personally appeared \_\_\_\_\_, aged \_\_\_\_\_ years, residing at No. \_\_\_\_\_ street, in \_\_\_\_\_, and \_\_\_\_\_, aged \_\_\_\_\_ years, residing at No. \_\_\_\_\_ street, in \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say that they have known the said \_\_\_\_\_ for \_\_\_\_\_ years and for \_\_\_\_\_ years, respectively; that they were present and saw her sign her name (or make her mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with her, that she is the identical person she represents herself to be; and they further say they are able to identify her as the person who was the wife of the identical (16) \_\_\_\_\_, who rendered the service alleged in



the above application (in the company of Captain \_\_\_\_\_, in the regiment of \_\_\_\_\_, in the war of \_\_\_\_\_) by the following-named facts and circumstances, viz: (17) \_\_\_\_\_, and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_

[Signatures of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190—; and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, including the words \_\_\_\_\_, erased, and the words \_\_\_\_\_, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

[L. s.]

[Official character.] \_\_\_\_\_

U.  APPLICATION FOR SERVICE PENSION—WAR OF 1812.  WIDOW OF		_____ of Capt.	_____ Co. _____ Reg't of _____	FILED BY
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NOTES.

- <sup>1</sup> Here allege full name of applicant.
  - <sup>2</sup> Here allege full name of soldier.
  - <sup>3</sup> Here allege again the name of soldier.
  - <sup>4</sup> Here allege the name under which the soldier served.
  - <sup>5</sup> Here allege the rank under which the soldier served.
  - <sup>6</sup> Here state "enlisted," "volunteered," or "was drafted," as the case may be.
  - <sup>7</sup> Here state the number of days or months of service rendered by the soldier; fourteen days being the shortest period for which service pension is by law allowed, unless the soldier was actually engaged in a battle. If the claim is made for battle service the blank should be so varied as to allege such service in addition to the allegation of term of service.
  - <sup>8</sup> Here insert the words "an honorable discharge," or "death," as the case may be.
  - <sup>9</sup> Here let a full description of soldier follow, giving age, occupation, birthplace, height, color of hair, eyes, and complexion, and all other particulars as to description.
  - <sup>10</sup> Here allege the name of the person who performed the marriage ceremony.
  - <sup>11</sup> Here state the official character of the person who performed the ceremony; *i. e.*, whether a minister of the gospel or a justice of the peace, &c.
  - <sup>12</sup> Here state whether the claimant or her husband (the soldier) had been previously married; and if either had, the name of the former husband or wife should be stated; and the date and place of the death of, or divorce from, the former consort should be alleged.
  - <sup>13</sup> Here insert the name of the husband on account of whose service and death the claim is made.
  - <sup>14</sup> Here state all the places of residence; if in a city, giving the street and number; and from and to what dates he resided at each place.
  - <sup>15</sup> If any application for bounty, land, or pension, has previously been made, state the fact here, giving the date, and number, if possible, and the act of Congress under which the claim was made; and designating whether it was a claim for bounty land or pension, and whether a warrant for the land or certificate for the pension was ever issued.
  - <sup>16</sup> Here insert the name of the soldier.
  - <sup>17</sup> Here name all the facts and circumstances which enable the witnesses to swear, from a personal knowledge, that the claimant is the widow of the identical person who rendered the service alleged in the claim.
- All services rendered by the soldier in the war for which claim is made, or in any other war, with the names of officers in each service, must be given in the application.
- If this blank is used, it will be useless to fill the spaces relating to the appointment of attorneys.
- If the service was rendered as a substitute, the name of the principal for whom the substitute served should be given.

[3—034. Old No. 3—037.]

## MEXICAN WAR PENSION.

[Act of January 29, A. D. 1887.]

## DECLARATION OF SURVIVOR FOR PENSION.

STATE OF ———, County of ———, ss:

On this — day of —, A. D. one thousand nine hundred and —, personally appeared before me, ———, a resident of —, in the county of —, in the State of —, who, being by me first-duly sworn according to law, deposes and says:

I am the identical ——— who served under the name of ——— as a — in the company commanded by Captain —, in the — regiment of — [if in naval service, name vessel, etc.], commanded by —, in the war with Mexico; that I enlisted at —, on or about the — day of —, A. D. —, for the term of —, and was honorably discharged at —, on the — day of —. A. D. 18—.

*First group of facts which will entitle to pension.*

That, being duly enlisted as aforesaid, I actually served sixty days with the Army or Navy of the United States in Mexico, or on the coast or frontier thereof, or en route thereto, in the war with that nation, which service was as follows: —.

(a) That I am — years of age, having been born at —, —, on the — day of —, 18—.

(or b) That I am dependent on others than those legally bound for my support for my livelihood; that I have been so dependent since —, and that the — upon whom I am dependent is —, of —, who has afforded me the following support: [Here describe what has been done for your support.] —

(or c) That I am disabled by reason of —, which said disability was not incurred while in any manner voluntarily engaged in aiding or abetting the late rebellion against the authority of the United States, but that said disability was incurred at —, on or about the — day of —, A. D. —, in manner as follows: —.

*Second group of facts which will entitle to pension.*

That, being so actually enlisted as aforesaid—

(a) That I am — years of age, having been born at —, on the — day of —, A. D. 18—.

(or b) I was actually engaged in battle with the enemy in the war with Mexico, to wit: In the battle of —, on the — day of —, 18—.

(or c) That I am dependent on others than those legally bound for my support for my livelihood; that I have been so dependent since —, and that the — upon whom I am dependent is —, of —, who has afforded me the following support: [Here describe what has been done for your support.] —

(or d) That I am disabled by reason of —, which said disability was not incurred while in any manner voluntarily engaged in aiding or abetting the late rebellion against the authority of the United States, but that said disability was incurred at —, on or about the — day of —, 18—, in manner as follows: —.

*Third group of facts which will entitle to pension.*

I was personally named in a resolution of Congress for a specific service in said war, to wit: In the resolution of the — day of —, 18—.

(a) That I am — years of age, having been born at —, —, on the — day of —, 18—.

(or b) That I am dependent on others than those legally bound for my support:

for my livelihood; that I have been so dependent since \_\_\_\_\_, and that the \_\_\_\_\_ upon whom I am dependent is \_\_\_\_\_, of \_\_\_\_\_, who has afforded me the following support: [Here describe what has been done for your support.] \_\_\_\_\_

(or c) That I am disabled by reason of \_\_\_\_\_, which said disability was not incurred while in any manner voluntarily engaged in aiding or abetting the late rebellion against the authority of the United States, but that said disability was incurred at \_\_\_\_\_, on or about the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_, in manner as follows: \_\_\_\_\_.

That I am \_\_\_\_\_ married; that the maiden name of my wife was \_\_\_\_\_, to whom I was married at \_\_\_\_\_, in the State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. \_\_\_\_\_; that my wife is now \_\_\_\_\_, having died on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. \_\_\_\_\_, at \_\_\_\_\_, in the State of \_\_\_\_\_; that I have \_\_\_\_\_ since remarried; that the name of my present wife is \_\_\_\_\_.

That in support and proof of my right to pension I tender herewith, under the regulations prescribed by the Secretary of the Interior, the following evidence: \_\_\_\_\_, and the affidavits of \_\_\_\_\_.

That I have \_\_\_\_\_ heretofore made application for pension or bounty land, which said claim is No. \_\_\_\_\_.

That I am \_\_\_\_\_ a pensioner of the United States under certificate No. \_\_\_\_\_, at the rate of \_\_\_\_\_ dollars per month. That since my discharge from said service I have resided as follows, to wit: \_\_\_\_\_.

That I am not laboring under any political disabilities imposed by the fourteenth amendment to the Constitution of the United States.

[Claimant sign here.]

Witnesses: .

\_\_\_\_\_  
\_\_\_\_\_

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

Before me, \_\_\_\_\_, a clerk of a court of record, on this \_\_\_\_\_ day of \_\_\_\_\_, A. D. \_\_\_\_\_, personally appeared \_\_\_\_\_, known to me as the person described in and who signed and executed the foregoing declaration for pension, and whom I certify to be a credible person and of good repute for truth and veracity in the community in which he lives, who, being by me first duly sworn, deposes and says that he has read [if claimant can not read, read to him and so state in acknowledgment] the foregoing declaration and knows the contents thereof, and that all of the facts therein stated are true.

[L. s.]

\_\_\_\_\_  
\_\_\_\_\_

MEXICAN WAR PENSIONS—ACT OF JAN-  
UARY 29, 1887.

DECLARATION OF SURVIVOR.

\_\_\_\_\_, Applicant.

\_\_\_\_\_, Co., \_\_\_\_\_ Reg.

Enlisted \_\_\_\_\_, 18 .

Discharged \_\_\_\_\_, 18 .

FILED BY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AN ACT granting pensions to the soldiers and sailors of the Mexican war, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the names of the surviving officers and enlisted men, including marines, militia, and volunteers, of the military and naval services of the United States, who, being duly enlisted, actually served sixty days with the Army or Navy of the United States in Mexico, or on the coasts or frontier thereof, or en route thereto, in the war with that nation, or were actually engaged in a battle in said war, and were honorably discharged, and to such other officers and soldiers and sailors as may have been personally named in any resolution of Congress for any specific service in said war, and the surviving widow of such officers and enlisted men: Provided, That such widows have not remarried: Provided, That every such officer, enlisted man, or widow who is or may become sixty-two years of age, or who is or may become subject to any disability or dependency equivalent to some cause prescribed or recognized by the pension laws of the United States as a sufficient reason for the allowance of a pension, shall be entitled to the benefits of this act; but it shall not be held to include any person not within the rule of age or disability or dependence herein defined, or who incurred such disability while in any manner voluntarily engaged in or aiding or abetting the late rebellion against the authority of the United States.*

Sec. 2. That pensions under section one of this act shall be at the rate of eight dollars per month, and payable only from and after the passage of this act, for and during the natural lives of the persons entitled thereto, or during the continuance of the disability for which the same shall be granted: *Provided, That section one of this act shall not apply to any person who is receiving a pension at the rate of eight dollars per month or more, nor to any person receiving a pension of less than eight dollars per month, except for the difference between the pension now received (if less than eight dollars per month) and eight dollars per month.*

Sec. 3. That before the name of any person shall be placed on the pension-roll under this act, proof shall be made, under such rules and regulations as the Secretary of the Interior may prescribe, of the right of the applicant to a pension; and any person who shall falsely and corruptly take any oath required under this act shall be deemed guilty of perjury; and the Secretary of the Interior shall cause to be stricken from the pension-roll the name of any person whenever it shall be made to appear by proof satisfactory to him that such name was put upon such roll through false and fraudulent representations, and that such person is not entitled to a pension under this act. The loss of the certificate of discharge shall not deprive any person of the benefits of this act, but other record evidence of enlistment and service and of an honorable discharge may be deemed sufficient: *Provided, That when any person has been granted a land-warrant, under any act of Congress, for and on account of service in the said war with Mexico, such grant shall be prima facie evidence of his service and honorable discharge; but such evidence shall not be conclusive, and may be rebutted by evidence that such land-warrant was improperly granted.*

Sec. 4. That the pension laws now in force which are not inconsistent or in conflict with this act are hereby made a part of this act, so far as they may be applicable thereto.

Sec. 5. That section forty-seven hundred and sixteen of the Revised Statutes is hereby repealed so far as the same relates to this act or to pensioners under this act.

Sec. 6. That the provisions of this act shall not apply to any person while under the political disabilities imposed by the fourteenth amendment to the constitution of the United States.

Approved, January 29, 1887.

[3—035. Old No., 3—037a.]

MEXICAN WAR SERVICE PENSION—ACT OF JANUARY 5, 1893.

DECLARATION FOR THE INCREASE OF A MEXICAN WAR SERVICE PENSION.

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of the \_\_\_\_\_ of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being sworn according to law, declares that \_\_\_\_\_ is a pensioner of the United States, enrolled at the \_\_\_\_\_ pension agency at the rate of \$8 per month, under the act of January 29, 1887, or the act of March 3, 1891, on account of the service of \_\_\_\_\_, in Captain \_\_\_\_\_ company, \_\_\_\_\_ Regiment, \_\_\_\_\_, from \_\_\_\_\_, 18—, to \_\_\_\_\_, 18—, in the Mexican war; and that \_\_\_\_\_ is wholly disabled for manual labor by reason \_\_\_\_\_ [Here name the disabilities from which the applicant suffers], and is in such destitute circumstances that \$8 per month are insufficient to provide \_\_\_\_\_ with the necessaries of life, and that \_\_\_\_\_

believes —self to be entitled to an increase to \$12 per month under the provisions of the act of January 5, 1893. That — appoints —, of —, county of —, State of —, true and lawful attorney, to prosecute — claim. That — post-office address is —, county of — State of —.

[Claimant's signature.]

Attest:

Also personally appeared —, residing at —, and —, residing at —, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw —, the claimant, sign — name (or make — mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with —, that — is the identical person — represents —self to be, and that they have no interest in the prosecution of this claim.

[Signatures of witnesses.]

Sworn to and subscribed before me this — day of —, A. D. 190—, and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, [L. s.] including the words —, erased, and the words — added, and that I have no interest, direct or indirect, in the prosecution of this claim.

[Signature.]

[Official signature.]

MEXICAN WAR SERVICE.

CLAIM FOR INCREASE, ACT JANU-  
ARY 5, 1893.

Applicant. \_\_\_\_\_  
Co. \_\_\_\_\_, Reg't. \_\_\_\_\_  
Vols. \_\_\_\_\_

"That the Secretary of the Interior be, and is hereby, authorized to increase the pension of every pensioner who is now on the rolls at \$8 per month on account of services in the Mexican war, and who is wholly disabled for manual labor and is in such destitute circumstances that \$8 per month is insufficient to provide him the necessaries of life, to \$12 per month.

Approved January 5, 1893.

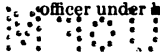
FILED BY

The post-office address (naming street and number in all large cities) of the applicant, attorney, and witnesses should be embodied in or accompany every application, and all evidence in each claim; and each change of residence of said parties, while communicating with the Bureau of Pensions or the pension agents, should be stated.

Pensioners are, by law, exempted from any liability on account of the obligations of the pensioners and no lien upon them can be recognized.

Testimony in support of allegations made in a declaration may be taken before any officer, whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

If executed before any officer not required by law to have a seal, the official character and signature of such officer should be certified by the clerk of the county or court of record or other proper officer under his official seal.



[3—036. Old No. 3—038.]

## MEXICAN WAR.

CLAIM OF WIDOW FOR SERVICE PENSION UNDER ACT OF JANUARY  
29, 1887.

(SEE REQUIREMENTS.)

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, who, being duly sworn according to law, declares that she is the widow of \_\_\_\_\_, deceased, who was the identical person who served under the name of \_\_\_\_\_, as a \_\_\_\_\_ in the company commanded by Capt. \_\_\_\_\_, in the \_\_\_\_\_ Regiment \_\_\_\_\_ [if in the Navy, name vessels], commanded by \_\_\_\_\_, in the Mexican war; that he enlisted at \_\_\_\_\_ on or about the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18—, and was discharged at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18—; that he also served in Capt. \_\_\_\_\_ Co., \_\_\_\_\_ Regt. \_\_\_\_\_ Vols., from \_\_\_\_\_, 18—, to \_\_\_\_\_, 18—; that he was engaged in the following-named battles: \_\_\_\_\_; that he was \_\_\_\_\_ otherwise employed in the military or naval service of the United States; that he also served in the war of the rebellion in Co. \_\_\_\_\_, Regt., \_\_\_\_\_.

That at the time of entering the service claimed for, her said husband was \_\_\_\_\_ years of age, \_\_\_\_\_ feet \_\_\_\_\_ inches in height, with \_\_\_\_\_ eyes, \_\_\_\_\_ hair, \_\_\_\_\_ complexion, by occupation a \_\_\_\_\_, and that he was born at \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

That after leaving the service he resided at \_\_\_\_\_, \_\_\_\_\_ years, at \_\_\_\_\_, \_\_\_\_\_ years, at \_\_\_\_\_, \_\_\_\_\_ years, and at \_\_\_\_\_.

That she was married to him on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18—, at \_\_\_\_\_, by \_\_\_\_\_, a \_\_\_\_\_, under the name of \_\_\_\_\_; that he had (or had not) been previously married to \_\_\_\_\_, who \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18—; that she had (or had not) been previously married to \_\_\_\_\_, who \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 18—.

That her said husband died at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18—; that she has (or has not) since remarried.

That she is \_\_\_\_\_ years of age, and was born on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18—, at \_\_\_\_\_.

That she has been dependent for support (wholly or in part) since \_\_\_\_\_, A. D. 18—, upon \_\_\_\_\_ not legally bound for her support; that she owns real estate as follows: \_\_\_\_\_ and personal property as follows: \_\_\_\_\_ and that her income from all sources except her own labor is \_\_\_\_\_ dollars per year.

That she has \_\_\_\_\_ heretofore made application for pension; that the number of her claim is \_\_\_\_\_.

That she is \_\_\_\_\_ a pensioner of the United States by certificate No. \_\_\_\_\_; that she has \_\_\_\_\_ made application for bounty land, the number of her land warrant being \_\_\_\_\_; that her husband did \_\_\_\_\_ make application for pension, the number of his claim being \_\_\_\_\_; that her husband was \_\_\_\_\_ a pensioner of the United States under certificate No. \_\_\_\_\_; that he did \_\_\_\_\_ make application for bounty land, the number of his warrant being \_\_\_\_\_.

That she makes this application for the purpose of obtaining a pension under the provisions of the act approved January 29, 1887, and hereby appoints \_\_\_\_\_, of \_\_\_\_\_, her true and lawful attorney.



That her post-office address is No. —, — street, (city or town of) —, county of —, State of —.

\_\_\_\_\_  
[Signature of claimant in full.]

Attest:

\_\_\_\_\_  
\_\_\_\_\_

Also personally appeared \_\_\_\_\_, aged \_\_\_\_\_ years, residing at \_\_\_\_\_ and \_\_\_\_\_, aged \_\_\_\_\_ years, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say that they have known the said \_\_\_\_\_ for \_\_\_\_\_ years and \_\_\_\_\_ years, respectively; that they were present and saw her sign her name (or make her mark) to the foregoing declaration; that they have every reason to believe, and do believe from the appearance of said claimant, and from their personal acquaintance with her, that she is the identical person she represents herself to be, and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signatures of identifying witnesses.]

\_\_\_\_\_  
\_\_\_\_\_  
[If either witness sign by mark two persons who write must sign here.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190-; and I hereby certify that the contents of the above declaration, etc., were read and explained to the applicant and witnesses before swearing, including the words \_\_\_\_\_, added, and the words \_\_\_\_\_, erased; and that I have no interest, direct or indirect, in the prosecution of this claim.

[L. S.]

\_\_\_\_\_  
\_\_\_\_\_  
[Official character.]

REQUIREMENTS.

A full and explicit reply is required to all questions indicated by this blank.

This declaration and all evidence must be executed before some officer authorized to administer oaths for general purposes. The official character and signature of any officer not required by law to use a seal must be certified by the clerk of the proper court, giving dates of beginning and close of official term.

Claimants under this act are entitled to pension from the day (on or after January 29, 1887) on which they become 62 years of age, or from the beginning of any period after January 28, 1887, and before arriving at that age, if dependent.

The claimant and witnesses should state, under oath, claimant's means of subsistence, whether the claimant has in possession any property, real or personal, and, if so, clearly describe the same, carefully state its value, and the annual income derived therefrom, and from all other sources, excluding income derived from her own labor. Evidence regarding property, income, and means of subsistence should cover the entire period from January 29, 1887, or date of soldier's death, to date of arrival at 62 years of age or to the present time.

Record or other competent evidence of the marriage of a widow claimant to the soldier should be furnished.

If either claimant or soldier were previously married, proof of death or divorce from former consort or consorts should be furnished.

Record or other competent evidence of the fact and date of death of the soldier should be furnished.

It should be shown by competent testimony whether a widow making application has remarried since the soldier's death.

State full name and post-office address, give name of town, county, and State, with street and number if residing in a city.

Witnesses must state their ages and means of knowledge.

## MEXICAN WAR PENSION.

(Act of January 29, 1887.)

## DECLARATION OF WIDOW.

	Applicant.			
	WIDOW OF			
		Co., _____	Regiment.	
			Enlisted _____	, 18 _____
			Discharged _____	, 18 _____
				FILED BY _____

AN ACT granting pension to the soldiers and sailors of the Mexican war, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the names of the surviving officers and enlisted men, including marines, militia, and volunteers, of the military and naval services of the United States, who, being duly enlisted, actually served sixty days with the Army or Navy of the United States in Mexico, or on the coasts or frontier thereof, or *en route* thereto, in the war with that nation, or were actually engaged in a battle in said war, and were honorably discharged, and to such other officers and soldiers and sailors as may have been personally named in any resolution of Congress for any specific service in said war, and the surviving widows of such officers and enlisted men: *Provided,* That such widows have not remarried: *Provided,* That every such officer, enlisted man, or widow who is or may become sixty-two years of age, or who is or may become subject to any disability or dependency equivalent to some cause prescribed or recognized by the pension laws of the United States as a sufficient reason for the allowance of a pension, shall be entitled to the benefits of this act; but it shall not be held to include any person not within the rule of age or disability or dependence herein defined, or who incurred such disability while in any manner voluntarily engaged in or aiding or abetting the late rebellion against the authority of the United States.

SEC. 2. That pensions under section one of this act shall be at the rate of eight dollars per month, and payable only from and after the passage of this act, for and during the natural lives of the persons entitled thereto, or during the continuance of the disability for which the same shall be granted: *Provided,* That section one of this act shall not apply to any person who is receiving a pension at the rate of eight dollars per month or more, nor to any person receiving a pension of less than eight dollars per month, except for the difference between the pension now received (if less than eight dollars per month) and eight dollars per month.

SEC. 3. That before the name of any person shall be placed on the pension roll under this act, proof shall be made, under such rules and regulations as the Secretary of the Interior may prescribe, of the right of the applicant to a pension; and any person who shall falsely and corruptly take any required oath under this act shall be deemed guilty of perjury; and the Secretary of the Interior shall cause to be stricken from the pension roll the name of any person whenever it shall be made to appear by proof satisfactory to him that such name was put upon such roll through false and fraudulent representations, and that such person is not entitled to a pension under this act. The loss of the certificate of discharge shall not deprive any person of the benefits of this act, but other record evidence of enlistment and service and of an honorable discharge may be deemed sufficient: *Provided,* That when any person has been granted a land warrant, under any act of Congress, for and on account of service in the said war with Mexico, such grant shall be *prima facie* evidence of his service and honorable discharge; but such evidence shall not be conclusive, and may be rebutted by evidence that such land warrant was improperly granted.

SEC. 4. That the pension laws now in force which are not inconsistent or in conflict with this act are hereby made a part of this act, so far as they may be applicable thereto.

SEC. 5. That section forty-seven hundred and sixteen of the Revised Statutes is hereby repealed so far as the same relates to this act or to pensioners under this act.

SEC. 6. That the provisions of this act shall not apply to any person while under the political disabilities imposed by the fourteenth amendment to the Constitution of the United States.

Approved, January 29, 1887.

[3-025. Old No. 3-024.]

INDIAN WARS.

CLAIM OF SOLDIER FOR SERVICE PENSION UNDER ACT OF JULY 27, 1892, AND JUNE 27, 1902.

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who being duly sworn according to law, makes the following declaration for the purpose of obtaining pension under the acts of Congress granting pensions for service in various Indian wars of the United States from 1817 to 1858:

That he served under the name of \_\_\_\_\_, as a \_\_\_\_\_ in Captain \_\_\_\_\_ company, Colonel \_\_\_\_\_, \_\_\_\_\_ Regiment of \_\_\_\_\_ [State or Territory] Volunteers; that he entered said organization at \_\_\_\_\_, on or about the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_, and was honorably discharged at \_\_\_\_\_, on or about the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_, having served thirty days or more in the war or disturbance with the \_\_\_\_\_ Indians in the State or Territory of \_\_\_\_\_.

That he also served \_\_\_\_\_ [make a full statement of all other service, if any]. That he was \_\_\_\_\_ employed in the military or naval service of the United States otherwise than as stated above.

That his personal description at date of first enlistment was as follows: Height, \_\_\_\_\_; complexion, \_\_\_\_\_; color of eyes, \_\_\_\_\_; color of hair, \_\_\_\_\_; that his occupation was \_\_\_\_\_; that he was born \_\_\_\_\_, 18\_\_\_\_, at \_\_\_\_\_.

That his several places of residence since leaving the service have been as follows: \_\_\_\_\_ [state date of each change, as nearly as possible].

That he is \_\_\_\_\_ married; that the maiden name of his wife, to whom he was married at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_, was \_\_\_\_\_; that she is \_\_\_\_\_ [if dead, state date of death]; that he was previously married to \_\_\_\_\_, who \_\_\_\_\_ [died or was divorced]; at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 1\_\_\_\_.

That he is \_\_\_\_\_ a pensioner of the United States; that he has \_\_\_\_\_ heretofore applied for pension \_\_\_\_\_ [state number of pension certificate or prior claim, if any].

That he is an actual and bona fide resident of the United States; that his post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Attest:

- (1) \_\_\_\_\_.
- (2) \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say that they were present and saw \_\_\_\_\_, the claimant, sign his name (or make his mark) to the foregoing declaration; that they have every reason to believe from the appearance of said claimant and their acquaintance with him of \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that he is the identical person he represents himself to be; and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signatures of witnesses.]

Sworn to and subscribed before me this — day of —, A. D. 190—, and I hereby certify that the contents of the above declaration, etc, were fully made known and explained to the applicant and witnesses before swearing, [L. s.] including the words —, erased, and the words —, added, and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_,  
[Signature.]  
\_\_\_\_\_,  
[Official character.]

To be executed before some officer of a court of record having custody of its seal, a notary public, justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer under his official seal, unless such a certificate has been filed in the Bureau of Pensions for general reference.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

INDIAN WARS.

CLAIM FOR PENSION.

[Acts of July 27, 1892, and June 27, 1902.]

SURVIVOR.

Claimant: \_\_\_\_\_  
Service: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FILED BY \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[3-026. Old No. 3-025.]

INDIAN WARS.

CLAIM OF WIDOW FOR SERVICE PENSION UNDER ACTS OF JULY 27, 1892, AND JUNE 27, 1902.

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, makes the following declaration for the purpose of obtaining pension under the acts of Congress granting pensions for service in various Indian wars of the United States from 1817 to 1858:

That she is the widow of \_\_\_\_\_, who served under the name of \_\_\_\_\_, as a \_\_\_\_\_ in Captain \_\_\_\_\_ company, Colonel \_\_\_\_\_ regiment of \_\_\_\_\_ [State or Territory] Volunteers; that he entered said organization at \_\_\_\_\_ on or about the \_\_\_\_\_ day of \_\_\_\_\_, 18—, and was honorably discharged at \_\_\_\_\_ on or about the \_\_\_\_\_ day of \_\_\_\_\_, 18—, having served thirty days or more in the war or disturbance with the \_\_\_\_\_ Indians in the State or Territory of \_\_\_\_\_.

That he also served \_\_\_\_\_ [make a full statement of all other service, if any].

That to the best of her knowledge and belief he was \_\_\_\_\_ employed in the military or naval service of the United States otherwise than as stated above.

That she became acquainted with him about the year 18—; that his personal description at that date was as follows: Age, \_\_\_\_\_; height, \_\_\_\_\_; complexion, \_\_\_\_\_; color of eyes, \_\_\_\_\_; color of hair, \_\_\_\_\_; that his occupation was \_\_\_\_\_; that he was born at \_\_\_\_\_.

That his several places of residence after leaving the service were as follows: \_\_\_\_\_ [state date of each change, as nearly as possible].

That she was married under the name of \_\_\_\_\_ to said soldier at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 18—, by \_\_\_\_\_; that there was no legal barrier to the marriage; that she had \_\_\_\_\_ been previously married; that the soldier had \_\_\_\_\_ been previously married \_\_\_\_\_ [if there was a prior marriage of either, the date and place of death or divorce of former consort or consorts should be stated].

That the soldier died \_\_\_\_\_, 18—, at \_\_\_\_\_; that she was not divorced from him; that she has \_\_\_\_\_ remarried since his death \_\_\_\_\_ [if remarried, the date and place of remarriage should be stated].

That she has \_\_\_\_\_ heretofore applied for pension \_\_\_\_\_ [if prior application has been made, the number thereof, the service on which it was based, and the name of the soldier should be stated].

That she is an actual and bona fide resident of the United States; that her post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Attest:

- (1) \_\_\_\_\_  
(2) \_\_\_\_\_

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say that they were present and saw \_\_\_\_\_, the claimant, sign her name (or make her mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with her of \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that she is the

identical person she represents herself to be, and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_

[Signature of witnesses.]

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, A. D. 190—; and I hereby certify that the contents of the above declaration, etc., were fully [L. s.] made known and explained to the applicant and witnesses before swearing, including the words \_\_\_\_\_, erased, and the words \_\_\_\_\_, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_

[Signature.]

[Official character.]

To be executed before some officer of a court of record having custody of its seal, a notary public, justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer, under his official seal, unless such a certificate has been filed in the Bureau of Pensions for general reference.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

INDIAN WARS.

CLAIM FOR PENSION.

[Acts of July 27, 1892, and June 27, 1902.]

WIDOW.

Claimant: \_\_\_\_\_  
Soldier: \_\_\_\_\_  
Service: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FILED BY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[3-002. Old No. 3-010a.]

AA

[Act of June 27, 1890.]

AA

DECLARATION FOR INVALID PENSION.

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, declares that he is the identical person who was enrolled at \_\_\_\_\_ under the name of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 18—, as a \_\_\_\_\_ in \_\_\_\_\_ [here state rank and company and regiment in the Army, or vessel, if in the Navy] in the service of the United States, in the war of the rebellion, and served at least ninety days, and was honorably discharged at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 18—. That he also served \_\_\_\_\_ [here give a complete statement of all other services, if any]. That he was not employed in the military or naval service prior to \_\_\_\_\_, 18—. That he has not been employed in the military or naval service since \_\_\_\_\_, 18—. That his personal description at enlistment was as follows: Age, \_\_\_\_\_ years; height, \_\_\_\_\_ feet \_\_\_\_\_ inches; complexion, \_\_\_\_\_; hair, \_\_\_\_\_; eyes, \_\_\_\_\_. That he is \_\_\_\_\_ [wholly or in part] incapacitated for earning a support by manual labor by reason of \_\_\_\_\_ [here name the disease or injuries by which disabled]. That said disability \_\_\_\_\_ not due to his vicious habits, and \_\_\_\_\_ to the best of his knowledge and belief of a permanent character. That he is \_\_\_\_\_ a pensioner. That he has \_\_\_\_\_ heretofore applied for pension. [If a pensioner, the certificate number only need be given. If not, give the number of the former application if one was made.] That he makes this declaration for the purpose of being placed on the pension roll of the United States under the provisions of the act of June 27, 1890.

That he hereby appoints \_\_\_\_\_, of \_\_\_\_\_, his true and lawful attorney to prosecute his claim. That his post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Attest:

- (1) \_\_\_\_\_.
- (2) \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign his name (or make his mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with him of \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that he is the identical person he represents himself to be; and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signatures of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190—, and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, [L. s.] including the words \_\_\_\_\_, erased, and the words \_\_\_\_\_, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_  
[Signature.]

\_\_\_\_\_  
[Official character.]



To be executed before some officer of a court of record having custody of its seal, a notary public, justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer under his official seal, unless such a certificate has been filed in the Bureau of Pensions for general reference.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

AA [Act of June 27, 1890.] AA

CLAIM FOR PENSION.—INVALID.

Name \_\_\_\_\_

Service \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FILED BY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[3-004. Old No. 3-011a]

DECLARATION FOR INCREASE OF PENSION.

[Under the act of June 27, 1890.]

[The pension certificate should not be forwarded with the application.]

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, late a member of Co. \_\_\_\_\_, \_\_\_\_\_ Regiment, \_\_\_\_\_, a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, declares that he is a pensioner of the United States under the act of June 27, 1890, enrolled at the \_\_\_\_\_ pension agency at the rate of \_\_\_\_\_ dollars per month, by reason of partial inability to earn a support by manual labor, his pension certificate being numbered \_\_\_\_\_. That he believes himself to be entitled to an increase of pension on account of the following-named disabilities, to wit: \_\_\_\_\_ [state when and where disabilities originated, and if wounds or injuries; give circumstances of incurrence].

That none of said disabilities are due to vicious habits, and that they are, to the best of his knowledge and belief, of a permanent character; \_\_\_\_\_; that he was \_\_\_\_\_ employed in the military or naval service prior to \_\_\_\_\_, 18—; that he has \_\_\_\_\_ been employed in the military or naval service since \_\_\_\_\_, 18—. \_\_\_\_\_ [here state what the service was, whether prior or subsequently to that stated above, and the dates at which it began and ended]. That his post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Attest:

- (1) \_\_\_\_\_.
- (2) \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign his name (or make his mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with him of \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that he is the identical person he represents himself to be, and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signatures of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190—; and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, [L. s.] including the words \_\_\_\_\_, erased, and the words \_\_\_\_\_, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_  
[Signature.]

\_\_\_\_\_  
[Official character.]

To be executed before some officer of a court of record having custody of its seal, a notary public, justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer under his official seal, unless such a certificate has been filed in the Bureau of Pensions for general reference.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

[3-004. Old No. 3-011a.]

**CLAIM FOR INCREASE.**

[Act of June 27, 1890.]

Name: \_\_\_\_\_  
 Service: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

FILED BY  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

[3-023. Old No. 3-022.]

DECLARATION FOR RESTORATION OF PENSION.

[Act of June 27, 1890.]

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, late a member of Co. \_\_\_\_\_, \_\_\_\_\_ Regiment, \_\_\_\_\_ a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, declares:

That he was a pensioner of the United States at the rate of \_\_\_\_\_ dollars per month under the act of June 27, 1890, until \_\_\_\_\_, 189—, when his pension was \_\_\_\_\_ [reduced or discontinued] on the ground that \_\_\_\_\_. That he believes such action was improper for the following reasons: \_\_\_\_\_. That the number of his pension certificate is \_\_\_\_\_. That he has not been employed in the military or naval service of the United States since \_\_\_\_\_, 18—.

That he makes this declaration for the purpose of having his pension restored at the rate of \_\_\_\_\_ dollars per month from \_\_\_\_\_.

That he appoints \_\_\_\_\_, of \_\_\_\_\_, State of \_\_\_\_\_, his true and lawful attorney to prosecute his claim.

That his post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Attest:

- (1) \_\_\_\_\_.
- (2) \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign his name (or make his mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with him of \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that he is the identical person he represents himself to be, and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signatures of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190—, and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swear-  
[L. s.] ing, including the words \_\_\_\_\_, erased, and the words \_\_\_\_\_, added, and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_  
[Signature.]

\_\_\_\_\_  
[Official character.]

To be executed before some officer of a court of record having custody of its seal, a notary public, justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer under his official seal, unless such certificate has been filed in the Bureau of Pensions for general reference.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

CLAIM FOR RESTORATION OF  
PENSION.—INVALID.

[Act of June 27, 1890.]

Name: \_\_\_\_\_

Service: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

FILED BY

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[3-007. Old No. 3-012 a.]

[Act of June 27, 1890, as amended by act of May 9, 1900.]

DECLARATION FOR WIDOW'S PENSION.

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, makes the following declaration in order to obtain pension under the provisions of the act of Congress approved June 27, 1890, as amended by the act of May 9, 1900.

That she is the widow of \_\_\_\_\_, who was \_\_\_\_\_ [enrolled or commissioned] under the name of \_\_\_\_\_ at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_, as a \_\_\_\_\_ in \_\_\_\_\_ [here state rank and designation of organization or name of vessel], and honorably discharged \_\_\_\_\_, 18\_\_\_\_, having served ninety days or more during the late war of the rebellion. That the soldier was \_\_\_\_\_ in the military or naval service of the United States except as stated above. \_\_\_\_\_ [If any other service, it should be stated in full].

That she was married under the name of \_\_\_\_\_ to said soldier at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_, by \_\_\_\_\_; that there was no legal barrier to the marriage; that she had \_\_\_\_\_ been previously married; that the soldier had \_\_\_\_\_ been previously married. \_\_\_\_\_ [If there was a prior marriage of either, the date and place of death or divorce of former consort or consorts should be stated.]

That the said soldier died \_\_\_\_\_, 18\_\_\_\_, at \_\_\_\_\_; that she was not divorced from him; that she has not remarried since his death, and that she is without other means of support than her daily labor and an actual net income not exceeding two hundred and fifty dollars per year.

That the said soldier left the following-named children who are now living and under sixteen years of age, to wit: [If the soldier left no children, the claimant should so state.]

- \_\_\_\_\_, born \_\_\_\_\_, 18\_\_\_\_, at \_\_\_\_\_.
- \_\_\_\_\_, born \_\_\_\_\_, 18\_\_\_\_, at \_\_\_\_\_.
- \_\_\_\_\_, born \_\_\_\_\_, 18\_\_\_\_, at \_\_\_\_\_.
- \_\_\_\_\_, born \_\_\_\_\_, 18\_\_\_\_, at \_\_\_\_\_.
- \_\_\_\_\_, born \_\_\_\_\_, 18\_\_\_\_, at \_\_\_\_\_.
- \_\_\_\_\_, born \_\_\_\_\_, 18\_\_\_\_, at \_\_\_\_\_.

That she has \_\_\_\_\_ heretofore applied for pension. \_\_\_\_\_ [If prior application has been made, the number thereof, the service on which it was based, and the name of the soldier should be stated.]

That she hereby appoints \_\_\_\_\_ [if she desires to employ an attorney], of \_\_\_\_\_, her true and lawful attorney, to prosecute this claim.

That her post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Attest:

- (1) \_\_\_\_\_.
- (2) \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign her name (or make her mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with her of \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that she is

the identical person she represents herself to be; that she is without other means of support than her daily labor and an actual net income of not exceeding two hundred and fifty dollars per year; and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signatures of witnesses.]

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, A. D. 190—; and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, [L. s.] including the words \_\_\_\_\_, erased, and the words \_\_\_\_\_, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_  
[Signature.]  
\_\_\_\_\_  
[Official character.]

To be executed before some officer of a court of record having custody of its seal, a notary public, justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer under his official seal, unless such a certificate has been filed in the Bureau of Pensions for general reference.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

[Act of June 27, 1890, as amended by act of May 9, 1900.]

CLAIM FOR PENSION.

WIDOW.

Claimant: \_\_\_\_\_  
Soldier: \_\_\_\_\_  
Service: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FILED BY \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[3-043.]

DECLARATION FOR WIDOW'S PENSION.

[Under the act of June 27, 1890, as amended by the act of May 9, 1900.]

[Applicable to pending or rejected claims.]

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, makes the following declaration, in order to obtain pension under the provisions of the act of Congress approved June 27, 1890, as amended by the act of Congress approved May 9, 1900:

That she is the widow of \_\_\_\_\_, who served as a \_\_\_\_\_ in \_\_\_\_\_; that she has not remarried since his death; that she is without other means of support than her daily labor and an actual net income not exceeding two hundred and fifty dollars per year, and all the sources of her income are as follows, to wit: \_\_\_\_\_.

That she hereby adopts and reiterates all and singular the averments made in her claim for pension, number \_\_\_\_\_, heretofore filed under the act of June 27, 1890.

<sup>1</sup>That she hereby appoints \_\_\_\_\_ of \_\_\_\_\_, her true and lawful attorney, to prosecute this claim.

That her post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Attest:

- (1) \_\_\_\_\_.
- (2) \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say that they were present and saw \_\_\_\_\_, the claimant, sign her name (or make her mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with her of \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that she is the identical person she represents herself to be; that she is without other means of support than her daily labor and an actual net income of not exceeding two hundred and fifty dollars per year; and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signatures of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190-, and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, [L. s.] including the words \_\_\_\_\_, erased, and the words \_\_\_\_\_, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_  
[Signature.]

\_\_\_\_\_  
[Official character.]

<sup>1</sup>This blank not to be filled unless she desires to employ an attorney.



[8-043.]

**CLAIM FOR PENSION.**

[Under act of June 27, 1890, as amended by the act  
May 9, 1900.]

(APPLICABLE TO PENDING OR REJECTED  
CLAIMS.)

WIDOW.

Claimant \_\_\_\_\_

Soldier \_\_\_\_\_

Service \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

FILED BY

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[3-010. Old No. 3-015a.]

FF [Act of June 27, 1890.] FF

DECLARATION FOR CHILDREN UNDER SIXTEEN YEARS OF AGE.

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, makes the following declaration in order to obtain pension under the provisions of the act of Congress approved June 27, 1890: That—he is the guardian of \_\_\_\_\_, legitimate child— of \_\_\_\_\_, who was \_\_\_\_\_ [enrolled or commissioned] under the name of \_\_\_\_\_, at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 18—, as a \_\_\_\_\_ in— [here state rank and designation of organization or name of vessel] and honorably discharged \_\_\_\_\_, 18—, having served ninety days or more during the late war of the rebellion. That the soldier was \_\_\_\_\_ in the military or naval service of the United States except as stated above. \_\_\_\_\_ [if any other service it should be stated in full].

That the mother of said child— was married under the name of \_\_\_\_\_ to the soldier at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 18—, by \_\_\_\_\_; that there was no legal barrier to the marriage; that she had \_\_\_\_\_ been previously married; that he had \_\_\_\_\_ been previously married. \_\_\_\_\_ [if there was a prior marriage of either, the date and place of death or divorce of former consort or consorts should be stated].

That the said soldier died \_\_\_\_\_, 18—, at \_\_\_\_\_; that he left \_\_\_\_\_ widow surviving— [state date of death or remarriage].

That the following named are the only children of the soldier who are now living and under sixteen years of age, to-wit:

- \_\_\_\_\_ , born \_\_\_\_\_, 18—, at \_\_\_\_\_.
- \_\_\_\_\_ , born \_\_\_\_\_, 18—, at \_\_\_\_\_.
- \_\_\_\_\_ , born \_\_\_\_\_, 18—, at \_\_\_\_\_.
- \_\_\_\_\_ , born \_\_\_\_\_, 18—, at \_\_\_\_\_.
- \_\_\_\_\_ , born \_\_\_\_\_, 18—, at \_\_\_\_\_.
- \_\_\_\_\_ , born \_\_\_\_\_, 18—, at \_\_\_\_\_.

That \_\_\_\_\_ prior claim on behalf of said child— has been filed. \_\_\_\_\_ [if prior application has been made, the number thereof, the service on which it was based, and the name of the soldier should be stated].

That h— post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Attest:

- (1) \_\_\_\_\_.
- (2) \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign h— name (or make h— mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with h— of \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that —he is the identical person —he represents h—self to be; and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signatures of witnesses.]

Sworn to and subscribed before me this — day of —, A. D. 190—, and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, [L. s.] including the words —, —, —, erased, and the words —, —, —, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_  
[Signature.]

\_\_\_\_\_  
[Official character.]

To be executed before some officer of a court of record having custody of its seal, a notary public, justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer under his official seal, unless such a certificate has been filed in the Bureau of Pensions for general reference.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

MINOR CHILDREN.

CLAIM FOR PENSION.

[Act of June 27, 1890.]

Claimant \_\_\_\_\_  
 Soldier \_\_\_\_\_  
 Service \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

FILED BY \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

[3-008.]

DECLARATION OF A WIDOW FOR RESTORATION OF PENSION.

[Act of March 3, 1901, amending section 4708, Revised Statutes.]

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, makes the following declaration for the purpose of having her name restored to the pension roll under the act of March 3, 1901, amending section 4708, Revised Statutes:

That she was formerly pensioned as widow of \_\_\_\_\_, who died \_\_\_\_\_, 18—, by reason of wound or injury received or disease contracted while serving as \_\_\_\_\_ in \_\_\_\_\_ [state rank and designation of organization or name of vessel], in the war \_\_\_\_\_ [name the war in which he served]. That she was his lawful wife during the period of his service in said war, and that she remained his lawful wife to the date of his death. That her pension was paid by the United States pension agent at \_\_\_\_\_, and that the number of her pension certificate was \_\_\_\_\_. That she never received any other pension from the United States nor made any other application for pension. \_\_\_\_\_ [if she was ever pensioned or made a claim for pension on account of any other soldier, his name, service, and relationship should be stated].

That her pension terminated because of her marriage to \_\_\_\_\_. That said marriage took place \_\_\_\_\_, 18—, at \_\_\_\_\_. That said husband died \_\_\_\_\_, 18—, at \_\_\_\_\_, (or) that she was divorced from said husband, upon her own application and without fault on her part, on the \_\_\_\_\_ day of \_\_\_\_\_, 18—, at \_\_\_\_\_. That said husband did \_\_\_\_\_ serve in the Army or Navy of the United States. \_\_\_\_\_ [a full statement of his service, if any, should be given].

That she did \_\_\_\_\_ marry again after the death of the soldier except to \_\_\_\_\_ named above. \_\_\_\_\_ [if she contracted any other marriage after the death of the soldier, the name of the husband, the date and place of the marriage, and the date and manner of dissolution of the marriage should be stated]. That she is without other means of support than her daily labor and an actual net income not exceeding two hundred and fifty dollars per year. That her post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Attest:

- (1) \_\_\_\_\_  
(2) \_\_\_\_\_

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_ and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign her name (or make her mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with her of \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that she is the identical person she represents herself to be, and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signatures of witnesses.]

Sworn to and subscribed before me this — day of —, A. D. 190—, and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, including the words — —, erased, and the words — —, added; [L. s.] and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_,  
[Signature.]  
\_\_\_\_\_,  
[Official character.]

To be executed before some officer of a court of record having custody of its seal, a notary public, justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer under his official seal, unless such a certificate has been filed in the Bureau of Pensions for general reference.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

WIDOW.

CLAIM FOR RESTORATION.

[Act of March 8, 1901.]

Claimant: \_\_\_\_\_  
Soldier: \_\_\_\_\_  
Service: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[3—019. Old No. 3—019a.]

JJ

[Act of June 27, 1890.]

JJ

*DECLARATION FOR SOLDIER'S CHILD WHO IS PERMANENTLY HELPLESS.*

[To be executed before a court of record or some officer thereof having custody of its seal, a notary public, or a justice of the peace, whose official signature shall be verified by his official seal; and in case he has none, his signature and official character shall be certified by a clerk of a court of record or a city or county clerk.]

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ of the \_\_\_\_\_ in and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, who, being duly sworn according to law, makes the following declaration in order to obtain the pension provided by act of Congress approved June 27, 1890; that \_\_\_\_\_ is the legal guardian of \_\_\_\_\_, who is at the present time suffering from \_\_\_\_\_, which said disability, to \_\_\_\_\_ best knowledge and belief, is permanent in its character, and renders \_\_\_\_\_ said ward permanently helpless; that \_\_\_\_\_ said ward is the legitimate child of \_\_\_\_\_, who enlisted under the name of \_\_\_\_\_, at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_, in \_\_\_\_\_ [here state rank, company, and regiment, if in the military service, or vessel, if Navy], and served at least ninety days in the war of the rebellion in the service of the United States, who was honorably discharged \_\_\_\_\_, and died \_\_\_\_\_; that he left \_\_\_\_\_ widow surviving him \_\_\_\_\_ [here state date of death or of remarriage]; that the said child was born \_\_\_\_\_, 18\_\_\_\_; that the father was married under the name of \_\_\_\_\_ to \_\_\_\_\_, there being no legal barrier to such marriage; that \_\_\_\_\_ application has heretofore been made for a minor's pension numbered \_\_\_\_\_, and a certificate number \_\_\_\_\_ granted; that the declarant hereby appoints \_\_\_\_\_, of \_\_\_\_\_, State of \_\_\_\_\_, true and lawful attorney to prosecute this claim and receive a fee of \$\_\_\_\_; that \_\_\_\_\_ post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Attest:

1. \_\_\_\_\_.
2. \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being duly sworn, say that they were present and saw \_\_\_\_\_, the claimant, sign \_\_\_\_\_ name (or make \_\_\_\_\_ mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with \_\_\_\_\_ for \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that \_\_\_\_\_ is the identical person \_\_\_\_\_ represents \_\_\_\_\_ to be; and that they have no interest in the prosecution of this claim.

- 1 \_\_\_\_\_.
- 2 \_\_\_\_\_.

[Signatures of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 189\_\_\_\_; and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, including the words \_\_\_\_\_, erased, and the words \_\_\_\_\_, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_  
[Signature.]

[Official character.]

The act of June 27, 1890, requires that in minor children's cases who are permanently helpless—

1. That the soldier served at least ninety days in the war of the rebellion and was HONORABLY DISCHARGED.

2. Proof of soldier's death [cause need not have been due to army service], his marriage to mother, and proof of her death or divestment of title.

3. In case a minor child is insane, idiotic, or otherwise permanently helpless, the pension shall continue during the life of said child, or during the period of such disability, and this proviso shall apply to all pensions heretofore granted or hereafter to be granted under this or any former statute, and such pensions shall commence from the date of application therefor after the passage of this act.

4. That the child of soldier was under the age of sixteen years at date of the death or remarriage of widow.

DECLARATION OF SOLDIER'S CHILD WHO IS PERMANENTLY HELPLESS.

\_\_\_\_\_

Guardian, \_\_\_\_\_

Claimant, \_\_\_\_\_

Soldier, \_\_\_\_\_

Service, \_\_\_\_\_

\_\_\_\_\_

Attorney, \_\_\_\_\_

Address, \_\_\_\_\_

[3-030. Old No. 3-029.]

DECLARATION FOR NURSE'S PENSION.

[To be executed before some officer authorized to administer oaths for general purposes. The official character and signature of any such officer not required by law to use a seal must be certified by the clerk of the proper court, giving dates of beginning and close of official term.]

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, a resident of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, states that she was born in the year 18—, and is \_\_\_\_\_ years of age. That she is the identical person who was employed by \_\_\_\_\_ as nurse, and that she served under the name of \_\_\_\_\_ from the \_\_\_\_\_ day of \_\_\_\_\_, 186—, to the \_\_\_\_\_ day of \_\_\_\_\_, 186—, when she was honorably released at \_\_\_\_\_. That her service was rendered in \_\_\_\_\_ [here state post, camp, or general hospital], where she served at least \_\_\_\_\_ months during the war of the rebellion. That she is unable to earn a support by reason of \_\_\_\_\_ [here name causes for inability to earn a support]. The said disabilities are to the best of her knowledge and belief of a permanent character. That claimant has \_\_\_\_\_ applied for \_\_\_\_\_ received a pension as \_\_\_\_\_ [widow, mother, or nurse] under the general law or by special act of Congress, \_\_\_\_\_. [If claimant's husband or sons have rendered service in the Army or Navy, that fact must be stated, with name of soldier in full, giving company and regiment. If they are pensioners or applicants for pension, the number of their claims must be stated.] That she makes this declaration for the purpose of having her named placed on the pension roll of the United States under the provisions of the act of August 5, 1892.

She hereby requests that \_\_\_\_\_, of \_\_\_\_\_, State of \_\_\_\_\_, be allowed to act as her attorney to prosecute her claim, which service he agrees to render without compensation, under the penalty of the law.

That her post-office address is No. \_\_\_\_\_, \_\_\_\_\_ street, \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Signature of claimant in full.]

Attest:

\_\_\_\_\_  
\_\_\_\_\_

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_ [give street and number, if in city], persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign her name (or make her mark) to the foregoing declaration; that they have every reason to believe from the appearance of said claimant and their acquaintance with her for \_\_\_\_\_ years and \_\_\_\_\_ years respectively, that she is the identical person she represents herself to be; and that they have no interest in the prosecution of this claim.

(1) \_\_\_\_\_.

(2) \_\_\_\_\_.

[Signatures of witnesses.]

\_\_\_\_\_  
\_\_\_\_\_

[If witnesses sign by mark, their signatures must be attested by persons who write.]



Sworn to and subscribed before me this — day of —, A. D. 190—, and I hereby certify that the contents of the above declaration, etc., were fully [L. s.] including the words —, erased, and the words —, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_,  
[Signature.]

\_\_\_\_\_.  
[Official character.]

NURSE'S APPLICATION.

Name, \_\_\_\_\_

Service, \_\_\_\_\_

FILED BY \_\_\_\_\_

INSTRUCTIONS.

If the rolls of the hospital show employment for the period named, it can be ascertained by this office, and no other proof of this fact will be required.

If the Surgeon-General has no record of the service, other proof will be required as to the fact and period of service, which will be considered in the following order: Original documents; evidence of surgeons or assistant surgeons in charge of hospital; hospital stewards or enlisted men who were on duty with claimant and whose service is of record.

Claimant's inability to earn a support may be shown by the affidavit of her family physician, or by the evidence of two witnesses. The nature of the disability need not be named. If, however, claimant is sixty-five (65) years of age, and that fact is stated in her declaration, and she will furnish the evidence of one credible witness to corroborate her statement, the same can be accepted as sufficient to show inability to earn a support.

If claimant has married or remarried since her service, that fact should be shown.

Act granting pensions to army nurses.

*Be it enacted, &c.,* That all women employed by the Surgeon-General of the Army as nurses, under contract or otherwise, during the late War of the Rebellion, or who were employed as nurses during such period by authority which is recognized by the War Department, and who rendered actual service as nurses in attendance upon the sick or wounded in any regimental, post, camp, or general hospital of the armies of the United States for the period of six months or more, and who were honorably relieved from such service, and who are now or may hereafter be unable to earn a support, shall, upon making due proof of the fact according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of pensioners of the United States and be entitled to receive a pension of twelve dollars per month, and such pension shall commence from the date of the filing of the application in the Pension Office after the passage of this act: *Provided,* That no person shall receive more than one pension for the same period.

Sec. 2. That no fee, compensation, or allowance, shall be paid to, received, or accepted by any agent, attorney, or other person instrumental in the prosecution of any claim for pension under this act; and any person who may make any claim upon any applicant for any fee, compensation, or allowance shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five hundred dollars, or imprisonment at hard labor not exceeding one year, or both, in the discretion of the court; and it shall be the duty of the Interior and War Departments to render all proper aid to applicants under this act. [August 5, 1892.]

[3-087. Old No. 3-560.]

DECLARATION OF A WIDOW FOR ACCRUED PENSION.

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. one thousand nine hundred and \_\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, makes the following declaration in order to obtain the pension which had accrued to her husband, named below, at the time of his death.

That she is the widow of \_\_\_\_\_, who served as \_\_\_\_\_ in \_\_\_\_\_ [state rank and designation of organization or name of vessel], and who was a pensioner of the United States by certificate No. \_\_\_\_\_, on the roll of the pension agency at \_\_\_\_\_; that the last payment of his pension was made to the \_\_\_\_\_ day of \_\_\_\_\_, 190—; that he died on the \_\_\_\_\_ day of \_\_\_\_\_, 190—.

That she was married under the name of \_\_\_\_\_ to said pensioner at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 18—, by \_\_\_\_\_; that there was no legal barrier to the marriage; that she had \_\_\_\_\_ been previously married; that the soldier had \_\_\_\_\_ been previously married. \_\_\_\_\_ [if there was a prior marriage of either, the date and place of death or divorce of former consort or consorts should be stated].

That her post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

Attest:

\_\_\_\_\_  
[Applicant's signature.]

- (1) \_\_\_\_\_.
- (2) \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign her name (or make her mark) to the foregoing declaration; and that they have every reason to believe, from the appearance of said claimant and their acquaintance with her of \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that she is the identical person she represents herself to be; and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signatures of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190—, and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, [L. s.] including the words \_\_\_\_\_, erased, and the words \_\_\_\_\_, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_  
[Signature.]  
\_\_\_\_\_  
[Official character.]

## ACCRUED PENSION.

## WIDOW'S APPLICATION.

Applicant: \_\_\_\_\_

Soldier: \_\_\_\_\_

Service: \_\_\_\_\_

To be executed before some officer of a court of record having custody of its seal, a notary public, justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer under his official seal, unless such a certificate has been filed in the Bureau of Pensions for general reference.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

The evidence indicated below should accompany the declaration:

1. A verified copy of the public record, or, if no such record exists, the testimony of the attending physician or of credible witnesses, showing the date of the soldier's death.

2. A verified copy of the public or church record of the claimant's marriage to the soldier; or, if no such record exists, the affidavit of the person who performed the ceremony; or, if that can not be procured, the testimony of credible persons who were present at the marriage, showing the date thereof.

3. If the claimant or soldier had been previously married, the death or divorce of the former husband or wife should be proved—in case of death by a verified copy of the public record; or, if no such record exists, by the testimony of credible witnesses; in case of divorce, by a certified copy of the decree of the court. If there was no prior marriage of either party, the fact should be shown by the testimony of credible witnesses.

4. Testimony of credible witnesses showing whether the claimant lived with the soldier to the date of his death; and, if not, whether she was divorced from him.

*Copies of records should be attested by the officer having custody thereof; and if he has no seal by which to authenticate his signature, the attestation should be under oath.*

*Witnesses must state their post-office addresses, ages, and means of knowledge of the facts to which they testify; and write their names immediately after their statements, leaving no blank space over their signatures; and it should appear in the jurats that they knew the contents of their affidavits, and that erasures or alterations, if any, were made before the oath was administered.*

[3-088. Old No. 3-561.]

APPLICATION FOR ACCRUED PENSION (MINORS).

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, personally appeared \_\_\_\_\_, who, being duly sworn, declare that \_\_\_\_\_, deceased, was granted a pension by certificate No. \_\_\_\_\_, payable by the pension agent at \_\_\_\_\_, which certificate is herewith surrendered (if not, state why not), \_\_\_\_\_; that said pensioner died on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, having been last paid to include the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_; and that application is hereby made for the pension which had accrued up to the date of the pensioner's death.

\_\_\_\_\_ further swear to the truth of the following statements:

If the deceased was pensioned as an *invalid*, state whether he was paid or employed in the Army, Navy, or Marine Service of the United States subsequent to the date to which the pension was paid. \_\_\_\_\_.

If pensioned as a *widow*, state whether she had remarried, giving, if she had, the date and the husband's name. Give also the number of children for whom she was granted \$2.00 per month additional, and the names and dates of death of any of these who have since died. \_\_\_\_\_.

If the deceased was pensioned as a *father* or *mother*, state whether dependence continued till death, and whether *mother* had remarried. \_\_\_\_\_.

If the deceased was a *male pensioner*, state whether he left a widow, giving, if he did, the date of her death. \_\_\_\_\_.

\_\_\_\_\_ further swear that the following are the names, with the dates of birth, or the dates of death, of all the children left by the deceased pensioner who were under sixteen at pensioner's death, viz: \_\_\_\_\_.

The affiant's residence is (give street and number) \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ post-office address is \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

[Signatures of affiants.]

Also personally appeared \_\_\_\_\_ and \_\_\_\_\_, residing at \_\_\_\_\_, who, being duly sworn, make oath that they were present and saw \_\_\_\_\_ sign \_\_\_\_\_ name (make \_\_\_\_\_ mark) to the foregoing declaration; that they know that the widow is dead, and that the above-named children are the legitimate children of \_\_\_\_\_, who died on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and the dates of birth and death of said children to be as above stated; and that their means of knowledge as to the date of the pensioner's death, as to the fact of the widow's death, and as to the legitimacy, ages, and death of the children, are as follows: \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_.

[Signatures of witnesses.]

Sworn to and subscribed before me on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and I certify that the affiants are reputable persons; that they know the contents of their depositions; and that their statements are entitled to full faith and credit. I further certify that I have no interest, direct or indirect, in the above claim.

\_\_\_\_\_  
[Signature.]

[Official character.]

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

I, \_\_\_\_\_, clerk of the \_\_\_\_\_ court of the county and State aforesaid, do hereby certify that \_\_\_\_\_ is \_\_\_\_\_, duly commissioned and qualified; that his commission was dated on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and will expire on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and that his signature above written is genuine.

Given under my hand and the seal of said court this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_. \_\_\_\_\_, Clerk.

When the applicant is a guardian, letters of guardianship should be furnished.

This application should be properly executed and forwarded to the Commissioner of Pensions.

It is desirable that the witnesses should be able to write their own names; if not, their marks should be witnessed.

APPLICATION FOR ACCRUED  
PENSION.—MINORS.

Certificate No. \_\_\_\_\_  
Pensioner \_\_\_\_\_  
\_\_\_\_\_

[3-006. Old No. 3-012.]

DECLARATION OF WIFE UNDER ACT OF MARCH 3, 1899.

State of \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190\_\_\_\_, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, who, being duly sworn according to law, makes the following declaration in order to obtain one-half of the pension due or to become due her husband \_\_\_\_\_, who is a resident pensioner of the United States, and who \_\_\_\_\_. [If an inmate of a State or National Soldiers' Home, the name and location of the Home should be fully stated. If not an inmate of a Soldiers' Home, but the pensioner has deserted his lawful wife for a period of over six months, the facts should be fully stated here.]

That her said husband served as a \_\_\_\_\_ [rank] in \_\_\_\_\_ [here give full service of husband] and is a pensioner by certificate number \_\_\_\_\_.

That she was married under the name of \_\_\_\_\_ to said \_\_\_\_\_ at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_, by \_\_\_\_\_; that there was no legal barrier to the marriage; that she had \_\_\_\_\_ been previously married; that the \_\_\_\_\_ had \_\_\_\_\_ been previously married. [If there was a prior marriage of either, the date and place of death or divorce of former consort or consorts should be stated.]

That she has not been divorced from her said husband; that she is a woman of good moral character and in necessitous circumstances, and is \_\_\_\_\_ an inmate of any institution or home provided for the wives and children of soldiers and sailors.

That her post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_  
[Claimant's signature.]

Attest:

- 1 \_\_\_\_\_.
- 2 \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign her name (or make her mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with her for \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that she is the identical person she represents herself to be; and that they have no interest in the prosecution of this claim.

- 1 \_\_\_\_\_.
- 2 \_\_\_\_\_.

[Signatures of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190\_\_\_\_, and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, including the words \_\_\_\_\_ erased, and the words \_\_\_\_\_ added; and that I have no interest, direct or indirect, in the prosecution of this claim.

\_\_\_\_\_  
[Signature.]

\_\_\_\_\_  
[Official character.]

To be executed before some officer or a court of record having custody of its seal, a notary public, justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer under his official seal, unless such a certificate has been filed in the Bureau of Pensions for general reference.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

WIFE OF PENSIONER.

CLAIM FOR ONE-HALF PENSION.

[Act of March 3, 1899.]

Applicant: \_\_\_\_\_  
Soldier: \_\_\_\_\_  
Service: \_\_\_\_\_  
No. of certificate: \_\_\_\_\_

[3-011. Old No. 3-015 b.]

DECLARATION OF MINOR CHILDREN, UNDER ACT OF MARCH 3, 1899.

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190—, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, a resident of \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_, aged \_\_\_\_\_ years, who, being duly sworn according to law, makes the following declaration as the guardian of the minor children hereinafter named, in order to obtain one-half of the pension due or to become due their father, \_\_\_\_\_, who is a resident pensioner of the United States, and who \_\_\_\_\_. [If an inmate of a State or National Soldiers' Home, the name and location of the Home should be fully stated. If not an inmate of a Soldiers' Home, but the pensioner has deserted his legitimate minor children for a period of over six months, the facts should be fully stated here.]

That said pensioner served as a \_\_\_\_\_ [rank] in \_\_\_\_\_ [give full service of father] and is pensioned by certificate number \_\_\_\_\_, and has the following-named legitimate children, who are now living and under sixteen years of age, to wit:

- \_\_\_\_\_ \_\_\_\_\_, born \_\_\_\_\_, 18—, at \_\_\_\_\_.
- \_\_\_\_\_ \_\_\_\_\_, born \_\_\_\_\_, 18—, at \_\_\_\_\_.
- \_\_\_\_\_ \_\_\_\_\_, born \_\_\_\_\_, 18—, at \_\_\_\_\_.
- \_\_\_\_\_ \_\_\_\_\_, born \_\_\_\_\_, 18—, at \_\_\_\_\_.
- \_\_\_\_\_ \_\_\_\_\_, born \_\_\_\_\_, 18—, at \_\_\_\_\_.
- \_\_\_\_\_ \_\_\_\_\_, born \_\_\_\_\_, 18—, at \_\_\_\_\_.

That the father was married to the mother of said children at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 1—, by \_\_\_\_\_; that there was no legal barrier to said marriage.

That the pensioner has no lawful wife living, and that said children are the only legitimate children of pensioner who are now under sixteen years of age.

That said children are \_\_\_\_\_ inmates of any institution or home provided for the wives and children of soldiers and sailors.

That h— post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_,  
\_\_\_\_\_.

[Claimant's signature.]

Attest:

- 1 \_\_\_\_\_.
- 2 \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign h— name (or make h— mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with h— of \_\_\_\_\_ years and \_\_\_\_\_ years, respectively, that \_\_\_\_\_ is the identical person \_\_\_\_\_ represents \_\_\_\_\_ self to be; and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_

[Signature of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 190—, and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, including the



words ———, erased, and the words ———, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

[L. s.]

\_\_\_\_\_  
[Signature.]

\_\_\_\_\_  
[Official character.]

To be executed before some officer of a court of record having custody of its seal, a notary public, justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer under his official seal, unless such a certificate has been filed in the Bureau of Pensions for general reference.

Testimony in support of allegations made in a declaration may be taken before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

MINORS OF PENSIONER.

CLAIM FOR ONE-HALF PENSION.

[Act of March 3, 1899.]

Soldier: \_\_\_\_\_

Service: \_\_\_\_\_

No. of certificate: \_\_\_\_\_

[3—020. Old No. 13—019 b.]

DECLARATION OF PERMANENTLY HELPLESS AND DEPENDENT CHILD.

[Under act of March 3, 1899.]

STATE OF \_\_\_\_\_, County of \_\_\_\_\_, ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19—, personally appeared before me, a \_\_\_\_\_ within and for the county and State aforesaid, \_\_\_\_\_, aged \_\_\_\_\_ years, who, being duly sworn according to law, makes the following declaration as the guardian of the permanently helpless and dependent child hereinafter named, in order to obtain one-half of the pension due or to become due h— father, \_\_\_\_\_, who is a resident pensioner of the United States, and who \_\_\_\_\_. [If an inmate of a State or National Soldiers' Home, the name and location of the Home should be fully stated. If not an inmate of a Soldiers' Home, but the pensioner has deserted his permanently helpless and dependent child for a period of over six months, the facts should be fully stated here.]

That said pensioner served as a \_\_\_\_\_ [rank] in \_\_\_\_\_ [give full service of father], and is pensioned by certificate number \_\_\_\_\_.

That said child \_\_\_\_\_ [name] is the legitimate child of the pensioner, and is at the present time suffering from \_\_\_\_\_, which said disability to h— best knowledge and belief is permanent in its character and renders the said child permanently helpless.

That said child was born on \_\_\_\_\_ day of \_\_\_\_\_, A. D. 1—, and is dependent on h— father for support.

That the father was married to the mother of said child at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 1—, there being no legal barrier to such marriage, and that said pensioner has no lawful wife living.

That there are \_\_\_\_\_ legitimate children of said soldier now living under the age of sixteen years; that said permanently helpless and dependent child is \_\_\_\_\_ an inmate of an institution or home provided for the wives and children of soldiers and sailors.

That h— post-office address is \_\_\_\_\_, county of \_\_\_\_\_, State of \_\_\_\_\_.

Attest:

- 1 \_\_\_\_\_.
- 2 \_\_\_\_\_.

Also personally appeared \_\_\_\_\_, residing at \_\_\_\_\_, and \_\_\_\_\_, residing at \_\_\_\_\_, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw \_\_\_\_\_, the claimant, sign h— name (or make h— mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said claimant and their acquaintance with h— of \_\_\_\_\_ years and \_\_\_\_\_ years respectively, that \_\_\_\_\_ is the identical person h— represents h—self to be; and that they have no interest in the prosecution of this claim.

\_\_\_\_\_  
\_\_\_\_\_  
[Signature of witnesses.]

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19—, and I hereby certify that the contents of the above declaration, etc., were fully made known and explained to the applicant and witnesses before swearing, including the

words \_\_\_\_\_, erased, and the words \_\_\_\_\_, added; and that I have no interest, direct or indirect, in the prosecution of this claim.

[L. s.]

\_\_\_\_\_  
[Signature.]

\_\_\_\_\_  
[Official character.]

To be executed before some officer of a court of record having custody of its seal, a notary public justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and terms of office must be certified by the proper State, county, or city officer under his official seal, unless such a certificate has been filed in the Bureau of Pensions for general reference.

Testimony in support of allegations made in a declaration may be made before any officer whose authority and signature are duly certified, and who shall disclaim any interest, direct or indirect, in the prosecution of the claim.

PERMANENTLY HELPLESS AND  
DEPENDENT CHILD OF PEN-  
SIONER.

[Act of March 3, 1899.]

\_\_\_\_\_  
Soldier, \_\_\_\_\_  
Service, \_\_\_\_\_  
No. of certificate, \_\_\_\_\_

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**ADDENDA**

**TO THE**

**LAWS OF THE UNITED STATES**

**GOVERNING THE GRANTING OF**

**ARMY AND NAVY PENSIONS.**

**JULY, 1902.**

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ADDENDA TO THE LAWS OF THE UNITED STATES GOVERNING  
THE GRANTING OF ARMY AND NAVY PENSIONS.—JULY, 1902.

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AN ACT for the better organization of the line of the Army of the United States. Act 26 Apr., 1896.  
Stat. L., v. 30,  
p. 365.

\* \* \* \* \*  
SEC. 6. \* \* \* *Provided further*, That any soldier who deserts shall, besides incurring the penalties now attaching to the crime of desertion, forfeit all right to pension which he might otherwise have acquired. Desertion forfeits pensionable rights.

Approved, April 26, 1898.

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AN ACT making appropriations for the naval service for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes. Act 4 May, 1898.  
Stat. L., v. 30,  
p. 377.

\* \* \* \* \*  
\* \* \* And whenever any officer, seaman, or marine entitled to a pension is admitted to the Naval Home at Philadelphia, or to a naval hospital his pension, while he remains there, shall be deducted from his accounts and paid to the Secretary of the Navy for the benefit of the fund from which such home or hospital, respectively, is maintained; and section forty-eight hundred and thirteen of the Revised Statutes of the United States is hereby amended accordingly. Sec. 4813, R. S., amended.  
Pension of inmates of Naval Home, Philadelphia, or a naval hospital, paid to Secretary of the Navy. \* \* \*

Approved, May 4, 1898.

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AN ACT to remove the disability imposed by section three of the Fourteenth Amendment to the Constitution of the United States. Act 6 June, 1898.  
Stat. L., v. 30, p. 482.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the disability imposed by section three of the Fourteenth Amendment of the Constitution of the United States heretofore incurred is hereby removed. Political disability removed.

Approved, June 6, 1898.

Act 13 June, AN ACT to provide ways and means to meet war expenditures and 1898.

Stat. L., v. 30, p. 462.

\* \* \* \* \*

Spanish war taxes removed from pension papers.

*Provided*, That no stamps shall be required upon any papers necessary to be used for the collection of claims from the United States for pensions, back pay, bounty, or for property lost in the military or naval service.

Approved, June 13, 1898.

Act 18 Apr., AN ACT repealing section forty-seven hundred and sixteen of the 1900.

Stat. L., v. 31, p. 136.

Revised Statutes, so far as the same may be applicable to the claims of dependent parents of soldiers, sailors, and marines who served in the Army or Navy of the United States during the war with Spain.

Dependent ex-Confederate parents may draw pension for sons' services in Spanish war.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section forty-seven hundred and sixteen of the Revised Statutes be, and the same is hereby, repealed, so far as the same may be applicable to the claims to pension of dependent parents of soldiers, sailors, and marines who served in the Army or Navy of the United States during the war with Spain.

Sec. 4716 repealed.

Approved, April 18, 1900.

Act 23 Apr., AN ACT to extend the provisions of an Act entitled "An Act grant- 1900.

Stat. L., v. 31, p. 137.

ing increase of pension to soldiers of the Mexican war in certain cases," approved January fifth, eighteen hundred and ninety-three.

Mexican war survivors.

Increase of pension in certain cases.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the benefits of the Act entitled "An Act granting increase of pension to soldiers of the Mexican war in certain cases," approved January fifth, eighteen hundred and ninety-three, be, and they are hereby, extended to all survivors of the Mexican war who are pensionable under existing Mexican war service pension laws, and who have become or may hereafter become wholly disabled for manual labor and in such destitute circumstances that eight dollars per month are insufficient to provide them the necessaries of life, irrespective of the date of the granting of the said service pension.

Approved, April 23, 1900.

AN ACT in amendment of sections two and three of an Act entitled Act 9 May, 1900.  
 "An Act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," approved June twenty-seventh, eighteen hundred and ninety. Stat. L., v. 31, p. 170.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* Act 27 June, 1890, secs. 2 and 3 amended.  
 That sections two and three of an Act entitled "An Act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," be, and the same are hereby, amended so as to read as follows:

"SEC. 2. That all persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which so incapacitates them from the performance of manual labor as to render them unable to earn a support, shall upon making due proof of the fact, according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States, and be entitled to receive a pension not exceeding twelve dollars per month and not less than six dollars per month, proportioned to the degree of inability to earn a support; and in determining such inability each and every infirmity shall be duly considered, and the aggregate of the disabilities shown be rated, and such pension shall commence from the date of the filing of the application in the Bureau of Pensions, after the passage of this Act, upon proof that the disability or disabilities then existed, and shall continue during the existence of the same:

Disabled soldiers and sailors entitled.

Honorable discharge prerequisite.

Vicious habits a bar.

Rate.

Determination of inability to earn a support.

Aggregate of disabilities rated.

Commencement and continuance of pension.

"*Provided,* That persons who are now receiving pensions under existing laws, or whose claims are pending in the Bureau of Pensions, may, by application to the Commissioner of Pensions, in such form as he may prescribe, showing themselves entitled thereto, receive the benefits of this Act; and nothing herein contained shall be so construed as to prevent any pensioner thereunder from prosecuting his claim and receiving his pension under any other general or special Act:

Pensioners under existing laws, etc., not barred.



One pension only for same period.

*“Provided however,* That no person shall receive more than one pension for the same period:

Service rank not considered.

*And provided further,* That rank in the service shall not be considered in applications filed under this Act.

Dependent widows and minors entitled.

**SEC. 3.** That if any officer or enlisted man who served ninety days or more in the Army or Navy of the United States during the late war of the rebellion, and who was honorably discharged has died, or shall hereafter die, leaving a widow without means of support other than her daily labor, and an actual net income not exceeding two hundred and fifty dollars per year, or minor children under the age of sixteen years, such widow shall, upon due proof of her husband's death, without proving his death to be the result of his army service, be placed on the pension roll from the date of the application therefor under this Act, at the rate of eight dollars per month during her widowhood, and shall also be paid two dollars per month for each child of such officer or enlisted man under sixteen years of age; and in case of the death or remarriage of the widow, leaving a child or children of such officer or enlisted man under the age of sixteen years, such pension shall be paid such child or children until the age of sixteen:

Amount of income to disqualify widow.

Rate.

Minors' title.

Insane or helpless children.

*“Provided,* That in case a minor child is insane, idiotic, or otherwise physically or mentally helpless, the pension shall continue during the life of said child, or during the period of such disability; and this proviso shall apply to all pensions heretofore granted or hereafter to be granted under this or any former statute; and such pensions shall commence from the date of application therefor after the passage of this Act:

Commencement of pensions.

Limitation as to time of marriage.

*“And provided further,* That said widow shall have married said soldier prior to the passage of the said Act of June twenty-seventh, eighteen hundred and ninety.”

Approved May 9, 1900.

Act 24 May 1900.  
Stat. L., v. 31, p. 183.

AN ACT to amend section five of an Act to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion, approved August fourteenth, eighteen hundred and eighty-eight.

Navy and Marine Corps.  
Act 14 Aug., 1888, removing charge of desertion, revived and—

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That chapter eight hundred and ninety, volume twenty-five, of the United States Statutes at Large, entitled “An

Act to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion," approved August fourteenth, eighteen hundred and eighty-eight, be, and the same is hereby, revived and reenacted.

SEC. 2. That section five of the said Act be, and is hereby, so amended as to remove the limitation of time within which applications for relief may be received and acted upon under the provisions of said Act.

Approved, May 24, 1900.

limitation as to filing claims removed.

AN ACT amending section forty-seven hundred and eight of the Revised Statutes of the United States in relation to pensions to remarried widows.

Act 3 Mar. 1901. Stat. L., v. 31, p. 1445.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section forty-seven hundred and eight of the laws of the United States governing the granting of army and navy pensions be, and the same is, amended to read as follows:

Sec. 4708, R. S., amended.

The remarriage of any widow, dependent mother, or dependent sister entitled to pension shall not bar her right to such pension to the date of her remarriage, whether an application therefor was filed before or after such marriage; but on the remarriage of any widow, dependent mother, or dependent sister having a pension, such pension shall cease:

Pension of widow, dependent mother, etc., ceases on remarriage.

*Provided, however,* That any widow who was the lawful wife of any officer or enlisted man in the Army, Navy, or Marine Corps of the United States, during the period of his service in any war, and whose name was placed or shall hereafter be placed on the pension roll because of her husband's death as the result of wound or injury received or disease contracted in such military or naval service, and whose name has been or shall hereafter be dropped from said pension roll by reason of her marriage to another person who has since died or shall hereafter die, or from whom she has been heretofore or shall be hereafter divorced, upon her own application and without fault on her part, and if she is without means of support other than her daily labor as defined by the Acts of June twenty-seventh, eighteen hundred and ninety, and May ninth, nineteen hundred, shall be entitled to have her name again placed on the pension roll at the rate now

*Proviso.* Pension restored to widows on renewed widowhood (by death or divorce), provided —

provided for widows by the Acts of July fourteenth, eighteen hundred and sixty-two, March third, eighteen hundred and seventy-three, and March nineteenth, eighteen hundred and eighty-six, such pension to commence from the date of the filing of her application in the Pension Bureau after the approval of this Act:

Commencement of pension.

Not restored if drawing pension.

*And provided further,* That where such widow is already in receipt of a pension from the United States she shall not be entitled to restoration under this Act:

— if pension has accrued to minor or helpless child no title, unless.

*And provided further,* That where the pension of said widow on her second or subsequent marriage has accrued to a helpless or idiotic child, or a child or children under the age of sixteen years, she shall not be entitled to restoration under this Act unless said helpless or idiotic child, or child or children under sixteen years of age, be then a member or members of her family and cared for by her, and upon the restoration of said widow the payment of pension to said child or children shall cease.

No attorney fee.

SEC. 2. No claim agent or other person shall be entitled to receive any compensation for services in making application for pension under this Act.

Approved, March 3, 1901.

NOTE.—Conditions to be shown by widow to gain restoration under this act:

First. That she was the wife of soldier during his military service;

Second. That pension had been allowed her under the provisions of the general law;

Third. That she is dependent within the meaning of the act of 27th June, 1890; and

Fourth. That if pension has accrued to helpless or idiotic child, or a minor under 16 years, said child or children is or are in her care and is or are members of her family.

Act 10 Mar. 1902.

AN ACT Making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes.

Pensions appropriation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes, namely:

Invalid, etc., pensions.

For army and navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, army

nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all Acts of Congress, one hundred and thirty-eight million five hundred thousand dollars:

*Provided*, That the appropriation aforesaid for navy pensions shall be paid from the income of the navy pension fund, so far as the same shall be sufficient for that purpose: Navy pensions.

*Provided further*, That the amount expended under each of the above items shall be accounted for separately. Accounts kept separate.

For fees and expenses of examining surgeons, for services rendered within the fiscal year nineteen hundred and three, eight hundred thousand dollars. And each member of each examining board shall, as now authorized by law, receive the sum of two dollars for the examination of each applicant whenever five or a less number shall be examined on any one day, and one dollar for the examination of each additional applicant on such day: Fees, etc., examining surgeons.

*Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of one dollar only until twenty examinations shall have been made: Examinations limited.

*Provided further*, That no fee shall be paid to any member of an examining board unless personally present and assisting in the examination of applicant: No fee unless service rendered.

*And provided further*, That the report of such examining surgeons shall specifically state the rating which in their judgment the applicant is entitled to, and the report of such examining surgeons shall specifically and accurately set forth the physical condition of the applicant, each and every existing disability being fully and carefully described. Reports to state ratings and disabilities.

The reports of the special examiners of the Bureau of Pensions shall be open to inspection and copy by the applicant or his attorney, under such rules and regulations as the Secretary of the Interior may prescribe: Reports of special examiners open to inspection and copy.

*And provided further*, That hereafter no pension attorney, claim agent, or other person shall be entitled to receive any compensation for services rendered in securing the introduction of a bill or the passage thereof through Congress granting pension or increase of pension; and any person who shall, directly or indirectly, contract for, demand, receive, or retain any compensation for such No attorney fee for introduction or passage of special act claim through Congress.

services shall be deemed guilty of an offense, and upon conviction thereof shall, for each and every such offense, be fined not exceeding five hundred dollars, or imprisoned not exceeding two years. or both, in the discretion of the court.

**Agents' salary.** For salaries of eighteen agents for the payment of pensions, at four thousand dollars each, seventy-two thousand dollars.

**Clerk hire.** For clerk hire, four hundred and thirty thousand dollars: *Provided*, That the amount of clerk hire for each agency shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency, and the salaries paid shall be subject to the approval of the Secretary of the Interior.

**Rents.** For rents, nine thousand four hundred and eighty dollars.

**Stationery, etc.** For stationery and other necessary expenses, including fuel and lights, thirty thousand seven hundred and fifty dollars.

Approved, March 10, 1902.

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Act 28 Apr., AN ACT making appropriations for the legislative, executive, and 1902.

judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes.

Legislative,  
etc., appropriation  
act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June thirtieth, nineteen hundred and three, for the objects hereinafter expressed, namely:

Salaries officers  
Bureau of Pen-  
sions.

**PENSION OFFICE:** For the Commissioner of Pensions, five thousand dollars; First Deputy Commissioner, three thousand six hundred dollars; Second Deputy Commissioner, three thousand six hundred dollars; chief clerk, two thousand two hundred and fifty dollars; assistant chief clerk, two thousand dollars; medical referee three thousand dollars; assistant medical referee, two thousand two hundred and fifty dollars; two qualified surgeons who shall be experts in their profession, at two thousand dollars each; thirty-eight medical examiners, who shall be surgeons of education, skill, and experience in their profession, at one thousand eight hundred dollars each;

ten chiefs of division, at two thousand dollars each; law clerk, two thousand two hundred and fifty dollars; chief of board of review, two thousand two hundred and fifty dollars; fifty-seven principal examiners, at two thousand dollars each; twenty assistant chiefs of division, at one thousand eight hundred dollars each; three stenographers, at one thousand six hundred dollars each; seventy clerks of class four; eighty-five clerks of class three; three hundred and thirty clerks of class two; four hundred clerks of class one; two hundred and fifty clerks, at one thousand dollars each; one hundred and forty-five copyists; superintendent of building, one thousand four hundred dollars; two engineers, at one thousand two hundred dollars each; three firemen; thirty-three messengers; twelve assistant messengers; twenty messenger boys, at four hundred dollars each; forty-five laborers; ten female laborers, at four hundred dollars each; fifteen charwomen; one painter, skilled in his trade, nine hundred dollars; one cabinetmaker, skilled in his trade, nine hundred dollars; captain of the watch, eight hundred and forty dollars; three sergeants of the watch, at seven hundred and fifty dollars each, twenty watchmen; in all, one million nine hundred and sixty-four thousand eight hundred and ten dollars.

For per diem, when absent from home and traveling on duty outside the District of Columbia, for special examiners, or other persons employed in the Bureau of Pensions detailed for the purpose of making special investigations pertaining to said Bureau, in lieu of expenses for subsistence, not exceeding three dollars per day, and for actual and necessary expenses for transportation and assistance and any other necessary expenses, including telegrams, three hundred and fifty thousand dollars:

Per diem—  
when allowed.

*Provided*, That two special examiners or clerks detailed and acting as chief and assistant chief of the division of special examiners may be allowed, from this appropriation, in addition to their salaries and in lieu of per diem and all expenses for subsistence, a sum sufficient to make their annual compensation two thousand dollars and one thousand eight hundred dollars, respectively, and whenever it may be necessary for either of them to travel on official business outside the District of Columbia by special direction of the Commissioner, he shall receive the same allowance in lieu of subsistence and for transportation as is herein provided for special examiners and de-

*Provido.*

Chief and assistant chief special examiners' division.

tailed clerks engaged in field service; and the Secretary of the Interior shall so apportion the sum herein appropriated as to prevent a deficiency therein.

Additional special examiners.

For an additional force of one hundred and fifty special examiners for one year, at a salary of one thousand three hundred dollars each, one hundred and ninety-five thousand dollars; and no person so appointed shall be employed in the State from which he is appointed; and any of those now employed in the Pension Office or as special examiners may be reappointed if they be found to be qualified.

Approved, April 28, 1902.

Act 27 June, 1902.

AN ACT to extend the provisions, limitations, and benefits of an Act entitled "An Act granting pensions to the survivors of the Indian wars of eighteen hundred and thirty-two to eighteen hundred and forty-two, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war," approved July twenty-seventh, eighteen hundred and ninety-two.

Survivors of Indian wars pensioned.

Act 27 July, 1892, amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That the provisions, limitations, and benefits of the Act entitled "An Act granting pensions to survivors of the Indian wars of eighteen hundred and thirty-two to eighteen hundred and forty-two, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war," approved July twenty-seventh, eighteen hundred and ninety-two, be, and the same are hereby, extended, from the date of the passage of this Act, to the surviving officers and enlisted men, including marines, militia, and volunteers of the military and naval service of the United States who served for thirty days or more and were honorably discharged under the United States military, State, Territorial, or provisional authorities in the Florida and Georgia Seminole Indian war of eighteen hundred and seventeen and eighteen hundred and eighteen; the Fevre River Indian war of Illinois of eighteen hundred and twenty-seven; the Sac and Fox Indian war of eighteen hundred and thirty-one; the Sabine Indian disturbances of eighteen hundred and thirty-six and eighteen hundred and thirty-seven; the Cayuse Indian war of eighteen hundred and forty-seven and eighteen hundred and forty-eight, on the Pacific coast; the Florida wars with the Seminole Indians, from eighteen hundred and forty-two to eighteen hundred and fifty-eight, inclu-

Thirty days' service and an honorable discharge prerequisite.

sive; the Texas and New Mexico Indian war of eighteen hundred and forty-nine to eighteen hundred and fifty-six; the California Indian disturbances of eighteen hundred and fifty-one and eighteen hundred and fifty-two; the Utah Indian disturbances of eighteen hundred and fifty to eighteen hundred and fifty-three, inclusive, and the Oregon and Washington Territory Indian wars from eighteen hundred and fifty-one to eighteen hundred and fifty-six, inclusive; and also to include the surviving widows of such officers and enlisted men:

*Provided*, That such widows have not remarried:

*And provided further*, That where there is no record of enlistment or muster into the service of the United States in any of the wars mentioned in this Act the record of pay by the United States shall be accepted as full and satisfactory proof of such enlistment and service:

*And provided further*, That all contracts heretofore made between the beneficiaries under this Act and pension attorneys and claim agents are hereby declared null and void.

Approved, June 27, 1902.

Surviving widows entitled.  
Record of pay accepted in absence of record of enlistment or muster.

Fee contracts null and void.

JOINT RESOLUTION construing the Act approved June twenty-seventh, eighteen hundred and ninety, entitled "An Act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents, and for other purposes."

Act 1 July, 1902.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act approved June twenty-seventh, eighteen hundred and ninety, entitled "An Act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," is construed and held to include all persons and the widows and minor children of all deceased persons, subject to the limitations of said Act, who served for ninety days in the military or naval service of the United States during the late war of the rebellion, and who have been honorably discharged therefrom, and section forty-seven hundred and sixteen, Revised Statutes United States, is amended accordingly:

*Provided, however*, That the foregoing shall not apply to those who served in the First, Second, Third, Fourth, Fifth, and Sixth regiments United States Volunteer

Construction Act 27 June, 1890. Limitation of Sec. 4716, R. S., removed, except—

as to certain regiments, etc.



Infantry who had a prior service in the Confederate army or navy and who enlisted in said regiments while confined as prisoners of war under a stipulation that they were not to be pensionable under the laws of the United States, nor to those who, having had such prior service, enlisted in the military or naval service of the United States after the first day of January, eighteen hundred and sixty-five.

Final honorable discharge governs, provided—

SEC. 2. That in the administration of the pension laws any enlisted man of the Army, including regulars, volunteers, and militia, or any appointed or enlisted man of the Navy or Marine Corps, who was honorably discharged from the last contract of service entered into by him during the late war of the rebellion, shall be held and considered to have been honorably discharged from all similar contracts of service previously entered into by him with the United States during said war:

six months' service under last enlistment, etc., is shown.

*Provided,* That such enlisted or appointed man served not less than six months under said last enlistment or appointment, that his entire service under said last enlistment or appointment was faithful, and that he did not receive by reason of said last enlistment or appointment any bounty or gratuity other than from the United States in excess of that to which he would have been entitled if he had continued to serve faithfully until honorably discharged under any contract of service previously entered into by him, either in the Army, Navy, or Marine Corps, during the war of the rebellion.

Approved, July 1, 1902.

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