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[Act of April 24, 1906, ch. 1862.]

[SEC. 1.] [Age made permanent specific disability.] * * * That the age of sixty-two years and over shall be considered a permanent specific disability within the meaning of the pension laws. [34 Stat. L. 133.]

This paragraph is from the Pension Appropriation Act of April 24, 1906, ch. 1862.

This provision is repeated in the Pension Appropriation Act of March 4, 1907, ch. 2920, 34 Stat. L. 1406.

An Act Granting pensions to certain enlisted men, soldiers, and officers who served in the civil war and the war with Mexico.

[Act of Feb. 6, 1907, ch. 468, 34 Stat. L. 879.]

[SEC. 1.] [*Pensions — allowed at age of 62 for service in civil and Mexican wars — rating — present pensioners and applicants entitled — double pensions prohibited — restriction.*] That any person who served ninety days or more in the military or naval service of the United States during the late civil war or sixty days in the war with Mexico, and who has been honorably discharged therefrom, and who has reached the age of sixty-two years or over, shall, upon making proof of such facts according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the pension roll, and be entitled to receive a pension as follows: In case such person has reached the age of sixty-two years, twelve dollars per month; seventy years, fifteen dollars per month; seventy-five years or over, twenty dollars per month; and such pension shall commence from the date of the filing of the application in the Bureau of Pensions after the passage and approval of this Act: *Provided*, That pensioners who are sixty-two years of age or over, and 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, receive the benefits of this Act; and nothing herein contained shall prevent any pensioner or person entitled to a pension from prosecuting his claim and receiving a pension under any other general or special Act: *Provided*, That no person shall receive a pension under any other law at the same time or for the same period that he is receiving a pension under the provisions of this Act: *Provided further*, That no person who is now receiving or shall hereafter receive a greater pension under any other general or special law than he would be entitled to receive under the provisions herein shall be pensionable under this Act. [34 Stat. L. 879.]

SEC. 2. [*Rank in service not considered.*] That rank in the service shall not be considered in applications filed hereunder. [34 Stat. L. 879.]

SEC. 3. [*Agents not entitled to compensation.*] That no pension attorney, claim agent, or other person shall be entitled to receive any compensation for services rendered in presenting any claim to the Bureau of Pensions, or securing any pension, under this Act. [34 Stat. L. 879.]

Extension of benefits of this Act, see provision from the Pension Appropriation Act of March 4, 1907, ch. 2920, immediately following.

[*Benefits of Act of Feb. 6, 1907, extended.*] * * * That the benefits of the Act of February sixth, nineteen hundred and seven, entitled "An Act granting pensions to certain enlisted men, soldiers, and officers who served in the civil war and the war with Mexico," are hereby extended to include any person who served the period of time therein specified during the late civil war or in the war with Mexico and who is now or may hereafter become entitled to pension under the Acts of June twenty-seventh, eighteen hundred and ninety, February fifteenth, eighteen hundred and ninety-five, and the joint resolution of July first, nineteen hundred and two, or the Acts of January twenty-ninth, eighteen hundred and eighty-seven, March third, eighteen hundred and ninety-one, and February seventeenth, eighteen hundred and ninety-seven. [34 Stat. L. 1406.]

[SEC. 1.] [*Pension attorneys, etc. — penalty for receiving, etc., pay for securing special legislation.*] * * * That 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 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. [34 Stat. L. 1407.]

This is from the Pension Appropriation Act of March 4, 1907, ch. 2920.

Joint Resolution Amending section two of joint resolution approved July first, nineteen hundred and two, construing the Act of June twenty-seventh, eighteen hundred and ninety, and for other purposes.

[Joint Resolution No. 39 of June 28, 1906, 34 Stat. L. 836.]

[*Disability, etc., pensions — effect of final honorable discharge — extended to officers.*] That section two of joint resolution approved July first, nineteen hundred and two, be amended to read as follows:

“SEC. 2. That in the administration of the pension laws any enlisted man or commissioned officer of the Army, including regulars, volunteers, and militia, or any appointed or enlisted man or commissioned officer of the Navy or Marine Corps, who was honorably discharged from any subsequent 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 previous contracts of service as commissioned officer or enlisted man previously entered into by him with the United States during said war; *Provided*, That such enlisted or appointed man or commissioned officer served not less than six months under any subsequent enlistment, appointment, or commission; that his entire service under any said subsequent enlistment, appointment, or commission was faithful, and that he did not receive by reason of said enlistment, appointment, or commission 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.” [34 Stat. L. 836.]

The Joint Resolution of July 1, 1902, here amended, is given in 5 Fed. Stat. Annot. 618.

An Act To increase the pension of widows, minor children, and so forth, of deceased soldiers and sailors of the late civil war, the war with Mexico, the various Indian wars, and so forth, and to grant a pension to certain widows of the deceased soldiers and sailors of the late civil war.

[Act of Aug. 19, 1908, ch. 147, 35 Stat. L. 64.]

[SEC. 1.] [*Increase of pensions to widows and minors.*] That from and after the passage of this Act the rate of pension for widows, minor children under the age of sixteen years, and helpless minors as defined by existing laws, now on the 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 and for each helpless child; and all Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed: *Provided, however,* That this Act shall not be so construed as to reduce any pension under any Act, public or private. [35 Stat. L. 64.]

SEC. 2. [*Widows of soldiers and sailors who served 90 days, etc.*] 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 civil war and who has been honorably discharged therefrom has died or shall hereafter die, leaving a widow, such widow shall, upon due proof of her husband's death, without proving his death to be the result of his army or navy service, be placed on the pension roll from the date of the filing of her application therefor under this Act at the rate of twelve dollars per month during her widowhood, provided that said widow shall have married said soldier or sailor prior to June twenty-seventh, eighteen hundred and ninety; and the benefits of this section shall include those widows whose husbands if living would have a pensionable status under the Joint Resolutions of February fifteenth, eighteen hundred and ninety-five, July first, nineteen hundred and two, and June twenty-eighth, nineteen hundred and six. [35 Stat. L. 64.]

The Joint Resolution of Feb. 15, 1895, is given in 5 Fed. Stat. Annot. 648; that of July 1, 1902, is given in 5 Fed. Stat. Annot. 618; that of June 28, 1906, *supra*, p. 508.

SEC. 3. [*Attorneys', etc., fees restricted.*] That no claim agent or attorney shall be recognized in the adjudication of claims under the first section of this Act, and that no agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of the second section 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 the 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 offense, 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. [35 Stat. L. 64.]

[*Permanent appropriation for trusses repealed.*] * * * So much of section eleven hundred and seventy-eight of the Revised Statutes of the United States as makes a permanent indefinite appropriation to purchase trusses for soldiers is repealed, to take effect after June thirtieth, nineteen hundred and nine, and estimates of sufficient sums for the purchase of such trusses shall be submitted to Congress for the fiscal year nineteen hundred and ten, and annually thereafter, in the regular Book of Estimates. [35 Stat. L. 367.]

This is from the Sundry Civil Appropriation Act of May 27, 1906, ch. 200. For R. S. sec. 1178, see 5 Fed. Stat. Annot. 700.

[*Soldiers' homes, etc. — payments to inmates of, direct.*] * * * That from and after the passage of this Act all pensioners who may be inmates of any soldiers' and sailors' home, or other institution maintained by any State for the benefit of dependent or other disabled volunteer soldiers, shall have their respective pensions paid to them directly instead of to the treasurer or other officer of the home or institution at which they may be respectively located. [35 Stat. L. 419.]

This and the paragraph following are from the Pension Appropriation Act of May 28, 1908, ch. 208.

[*Examining surgeons — increase of fee — examinations — fees for, if made at claimant's residence — traveling expenses — personal presence required — ratings to be specifically stated, etc. — inspection of reports, etc. — penalty for attempting to secure special legislation.*] * * * For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year nineteen hundred and nine, five hundred thousand dollars. And hereafter each member of each examining board shall receive the sum of three 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, and the fee shall be three dollars when the examination is made by one surgeon, and the fee for each examination at the claimant's residence provided his residence is outside of the corporate limits of the place of the regular meeting of the examining board or of the place of residence of the surgeon, making the examination shall be five dollars in addition to the payment of the actual traveling expenses of the surgeon: *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: *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. 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: *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 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. [35 Stat. L. 419.]

A like provision, except for the word "hereafter," is contained in the Pension Appropriation Act of April 24, 1906, ch. 1862, 34 Stat. L. 133.

An Act Pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from eighteen hundred and fifty-five to eighteen hundred and sixty, inclusive, and for other purposes.

[Act of May 30, 1908, ch. 230, 35 Stat. L. 553.]

[*Indian wars — pensions for service in, extended to Texas volunteers, etc. — surviving widows included — proofs — contracts with attorneys.*] That the provisions, limitations, and benefits of an 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 of the Texas volunteers who served in the defense of the frontier of that State against Mexican marauders and Indian depredations from the year eighteen hundred and fifty-five to the year eighteen hundred and sixty, inclusive; and also to include the surviving widows of such of said officers and enlisted men: *Provided*, That such widows have not remarried: *Provided further*, That where there is no record of enlistment or muster into the service of the United States in the service mentioned in this Act the fact of reimbursement to Texas by the United States, as evidenced by the muster rolls and vouchers on file in the War Department, 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. [35 Stat. L. 553.]

The Act of July 27, 1892, above mentioned, is set forth in 5 Fed. Stat. Annot. 659.

[*Additional, because of helpless child — prior rate to widow not affected.*]

* * * That when an additional pension has been, or may hereafter be, granted by special act to a widow or guardian on account of a helpless child, such additional pension shall in no wise affect the rate of pension the widow may be entitled to independent of such additional allowance. [35 Stat. L. 1058.]

This and the three paragraphs following are from the Pension Appropriation Act of March 4, 1909, ch. 302.

[*Clerk hire at agencies — salaries.*] * * * That the amount of clerk hire and other services 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. [35 Stat. L. 1058.]

[*Franked envelopes for pensioners.*] That the Secretary of the Interior shall hereafter furnish free to all pensioners franked or penalty envelopes, properly addressed, to be used by said pensioners only for the return of their pension vouchers. [35 Stat. L. 1058.]

A like provision, except for the word "hereafter," occurs in the Pension Appropriation Act of May 28, 1908, ch. 208, 35 Stat. L. 1058.

[*Reimbursement for burial, etc., expenses.*] * * * That hereafter the settlement of all claims for the reimbursement of expenses of the last sickness and burial of deceased pensioners shall be under the direction of the Commissioner of Pensions. [35 Stat. L. 1058.]