

**MILITARY PENSION LAWS**  
**1776-1858**

*from the*  
*Journals of the Continental Congress*  
*and the*  
*United States Statutes-at-Large*

Christine Rose, CG, CGL, FASG



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Compiled by  
Christine Rose, CG, CGL, FASG

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## INTRODUCTION

This booklet is a presentation of the pension acts—those passed 1776-1789 by the Continental Congress and 1789-1858 by the United States government. The National Archives' micropublication M804, *Revolutionary War Pension and Bounty Land Warrant Application Files 1800-1900*<sup>1</sup> includes the complete pension application files primarily under the acts of 1818 and later. As will be seen by this current booklet, there were numerous earlier acts and pensions.<sup>2</sup>

The National Pension Act passed by the Continental Congress on August 26, 1776 covered those who were wounded or disabled during the revolutionary war. That act was only the first of a number of acts constantly revised, rewritten, and extended. They later covered regular army, navy, militia, later wars, and various others who were eligible.<sup>3</sup>

Widows and orphans of commissioned officers received early pensions. Other widows and orphans of non-commissioned officers and privates did not generally receive a pension until the first major act on their behalf in 1836. (There were some exceptions such as naval and militia. In some cases, special acts of congress came to their relief of widows and their orphans. These special acts are found in private claims rather than in the public laws. In other cases, the county court assisted widows and parents who were in financial need because of the service of their husbands or sons.)

The pension act of March 18, 1818 (included in M804) was based not on death, disability or general service. Instead, it awarded military pensions to those in "reduced circumstances." The resulting number of claims which flooded the Department of War necessitated the curtailment of benefits, and thus the subsequent act of May 1, 1820 with its limitations. The first "general" pension was passed June 7, 1832 to award all those who served in the revolutionary war (some for as little as six months revolutionary service).

Marginal notes have been inserted by the present compiler beside the text, to assist in locating pertinent acts. A reading of the acts

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1 *Revolutionary War Pension and Bounty-Land-Warrant Application Files*. (Washington, D.C.: General Services Adm., 1974).

2 Disastrous fires in 1800 destroyed application files for pensions to that date. However, other sources have helped to provide information on names of pensioners, and some details. For the period 1800 to 1818 (not covered in M804 heretofore discussed) a variety of mostly textual materials exist.

3 During the years before the federal government officially commenced (1789), some military pensions were granted by states. These state pensions were later assumed by the federal government.



## MILITARY PENSIONS

themselves are of interest. Often they included limitations which assist in explaining records and traditions found within families.

Pension laws are included in this booklet up to 1858. There were wars fought before 1858 whose acts are not reproduced in this booklet because the date of their general pension laws (based solely on service) was not until after 1858. Thus, they were beyond the scope of this present publication. However, if death or disability was involved in these pre-1858 wars, a pension was available for that death or disability and falls within the statutes listed here.

This booklet is not intended as a definitive study of pensions. An intended second edition will treat the matter further. However, a study of the statutes concerning pensions will bring some clarity to our understanding of the early pension system.

Spellings in the acts and capitalization are as shown in the published acts. Thus, "compleat," "seperate" and other spellings are retained.

The following are a few sources which can be used to locate information on the recipients of the early acts.

Census of Pensioners for Revolutionary or Military Services. Baltimore: Southern Book Co., 1954.

Clark, Murtie June. *Index to U.S. Invalid Pension Records 1801-1815*. Baltimore: Genealogical Publishing Co., 1991.

———. *Pension Lists of 1792-1795, The*. Baltimore: Genealogical Publishing Co., 1991.

Guide to Genealogical Research in the National Archives. 3rd ed. Washington, D.C.: National Archives and Records Service, 2000.

Index of Revolutionary War Pension Applications in the National Archives. Bicentennial Ed. Revised & Enlarged. Arlington, Va.: National Genealogical Society, 1976.

Pension Roll of 1835, The Indexed Ed. in 4 vol. Baltimore, Md.: Genealogical Publishing Co., 1992. Orig. publ. 1835 in 3 vol. as Senate Doc. 514, Serial Nos. 249-51 (23rd Cong., 1st Sess.) as Reports from the Secretary of War in Obedience to Resolutions of the Senate of the 5th and 30th of June, 1834, and the 3rd of March, 1835, in Relation to the Pension Establishment of the United States. Rearranged and printed in 4 vol. in 1968; again in 1992 with a new index.

Pensioners of Revolutionary War Struck off the Roll: With an Added Index to States. Reprint. Baltimore: Clearfield, 1989. Orig. publ. Washington, D.C., 1836. From Doc. No. 127, 24th Congr., 1st Session, House of Rep., War Dept.

Rejected or Suspended Applications for Revolutionary War Pensions: With an *Added Index to States*. Reprint. Baltimore: Clearfield, 1969. Orig. printed Wash. D.C., 1852 as Report of the Secretary of the Interior, 32nd Congr., 1st Sess., Senate, Ex. Doc. No. 37.

Revolutionary Pensioners of 1818. Reprint of Message from the President of the *United States, Transmitting A Report of the Secretary of War, in Compliance with a Resolution of the Senate ...* Washington: E. DeKrafft, 1818. Reprint Baltimore: Clearfield, 1991.

## MILITARY PENSIONS

Revolutionary Pensioners: A Transcript of the Pension List of the United States for 1813. Baltimore: Clearfield, 1994, 1995. Reprint of a *Letter from the Secretary of War Communicating a Transcript of the Pension List*, 1 June 1813, and referred to the Committee of Claims. Wash.: A. and G. Way, Printers, 1813.

Weber, Gustavus A. *The Bureau of Pensions: Its History, Activities and Organization*. Baltimore: Johns Hopkins Press, 1923.

White, Virgil D. *Genealogical Abstracts of Revolutionary War Pension Files*. 4 vols. Waynesboro, Tenn.: Natl. Hist. Publ. Co., 1990.

\_\_\_\_\_. *Index to Old Wars Pension Files 1815-1926*. Waynesboro, Tenn.: Natl. Hist. Publ. Co., 1993.

\_\_\_\_\_. *Index to War of 1812 Pension Files*. Waynesboro, Tenn.: Natl. Hist. Publ. Co., 1989.

The introductions to the above volumes can offer additional guidance.

Those seeking information from private claims before the House of Representatives should examine:

Digested Summary and Alphabetical List of Private Claims which have been Presented to the House of Representatives from the First to the Thirty First Congress ... published by order of the House of Representatives. 3 vols., Baltimore: Genealogical Publishing Co., 1970, orig. publ. 1853, House Misc. Doc. Series 653-655.

In addition to the above volume, there are other indexes to later sessions of the House of Representatives, and to the Senate sessions. They are available in most libraries which have a Government Documents section, and are also available at the National Archives in Washington, D.C.

In using this present booklet, it will be noted that sections of acts not directly relating to pensions have been omitted. Those deleted sections are so noted. The notation "Stat." in the citations refers to the U.S. Statutes at Large. That multi-volume series of United States laws,<sup>1</sup> presenting the laws in chronological order, is available at law libraries and various other large libraries across the country. *The Journals of the Continental Congress*,<sup>2</sup> which preceded our federal laws, have also been published and are available in many libraries. The full text of early volumes of both the *U. S. Statutes at Large* and the *Journals of the Continental Congress* are also available at the Library of Congress website.<sup>3</sup>

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1 The *United States Statutes at Large* have been published during the years by a variety of printing houses and at various dates. Many libraries hold the complete set either in book form, or as microfiche.

2 *Journals of the Continental Congress 1774-1789 1777- .* 38 vol., (Washington, D.C.: Gov. Printing Office, 1907). An index was created by Kenneth E. Harris and Steven D. Tilley, *The Journals of the Continental Congress 1774-1789*, (Washington D.C.: National Archives, 1978).

3 Access it at <http://lcweb2.loc.gov/ammem/amlaw/lawhome.html>, then click on links.

## **MILITARY PENSIONS**

Additional sources to guide researchers to textual materials include published materials of the National Archives. The Preliminary Inventories prepared by the Archives give an overview of their holdings, mostly still in textual (original) form. Some of those Preliminary Inventories are particularly useful in locating material relating to the military pension records. Two of the volumes are suggested here. A study of them will reveal a surprising number of records—either in loose form, registers, or other formats, which contain lists, affidavits and other related documents concerning pensions.

Lucille H. Pendell and Elizabeth Bethell, *Preliminary Inventory of the Records of the Adjutant General's Office*, referred to as Preliminary Inventory No. 17, (Washington, D.C.: National Archives, 1949).

William F. Sherman with additions and index by Craig R. Scott, CGRS, *Records of the Accounting Officers of the Department of the Treasury*, referred to as Preliminary Inventory No. 217, (Lovettsville, Va.: Willow Bend Press, 1997).

Pension records can reveal many heretofore unknown facts on a family. The statutes involving them will assist in understanding the records produced by those statutes.

C.R.

# JOURNALS OF THE CONTINENTAL CONGRESS

1776-1789

## Journals of the Continental Congress

Vol. V pp. 700-706

August 26, 1776

... *Whereas*, in the course of the present war, some commissioned and non-commissioned officers of the army and navy, as also private soldiers, marines, and seamen, may lose a limb, or be otherwise so disabled as to prevent their serving in the army or navy, or getting their livelihood, and may stand in need of relief:

The act of 1776 is known as the National Pension Act.

Resolved, That every commissioned officer, non-commissioned officer and private soldier, who shall lose a limb in any engagement, or be so disabled in the service of the United States of America as to render him incapable afterwards of getting a livelihood, shall receive, during his life, or the continuance of such disability, the one half of his monthly pay from and after the time that his pay as an officer or soldier ceases; to be paid by the committee as hereafter mentioned:

[Here are set out specific benefits: those who will in case of loss of a limb or other disability share in prize profits, etc.]

Provided, that all such officers and soldiers that may be entitled to the aforesaid pension, and are found to be capable of doing guard or garrison duty, shall be formed in a corps of invalids, and subject to the said duty; and all officers, marines, and seamen of the navy who shall be entitled to the pension aforesaid, and shall be found capable of doing any duty on board the navy, or any department thereof, shall be liable to be so employed ...

## Journals of the Continental Congress

Vol. XI p. 502

May 15, 1778

Resolved, unanimously, That all military officers commissioned by Congress, who now are, or hereafter may be, in the service of these United States, and shall continue therein during the war, and not hold any office of profit under these States, or any of them, shall, after the conclusion of the war, be entitled to receive annually, for the term of seven years, if they live so long, one-half of the present pay of such officers; *Provided*, That no general officer of the cavalry, artillery, or infantry shall be entitled to receive more than the one-half part of the pay of a colonel of such corps respectively: And provided, that this resolution shall not extend to any officer in the service of the United States, unless he shall have taken an oath of allegiance to, and shall actually reside within, some one of the United States.

Provides for one-half pay for commissioned officers for seven years, if they remain in the service. The provision that they could not "hold any office of profit" was later repealed.

## Journals of the Continental Congress

Vol. XII p. 953.

September 25, 1778

Resolved, That all provisions and regulations contained in the said resolve of 26th of August, 1776, shall extend to all persons who lost a limb or were otherwise disabled as aforesaid in the service of the United Colonies or States of America, before the said 26th of August, and since the commencement of hostilities on the 19th of April, 1775.

Makes the invalid provisions of the resolution of 26 August 1776 retroactive to 19 April 1775.

And whereas doubts may arise in some cases, whether certain persons maimed or disabled and claiming pensions, were at the time in the service of the said colonies or states; for removing the same,

Resolved, That every commissioned and non-commissioned officer and private man who, since the commencement of hostilities, as aforesaid has been, or hereafter shall be, drawn forth for the common defence, (and not for the service of any particular State,) or who has turned out, or shall hereafter turn out, voluntarily to oppose the enemies of the said United Colonies or States, upon any sudden attack or evasion,

## MILITARY PENSIONS

or upon any enterprise carried on under their authority, and in such service has lost or shall lose a limb, or has been or shall be otherwise disabled as aforesaid, shall be entitled to the pension allowed in the said resolve of the 26th of August, 1776; provided, that any such commissioned or non-commissioned officer or private man, being found capable of doing guard or garrison duty, shall be subject thereto, and serve in the corps of invalids when required, or on refusing so to do, shall be struck off the list of pensioners; unless the person so refusing have a family, or be otherwise peculiarly circumstanced, and the governor or president and council of the State he belongs to, or in which he resides are of opinion an exception should be made in his favour, and an exemption granted him from such service, a certificate of which opinion he shall produce, previous to his receiving his pension.

And whereas it may happen, that any persons, maimed or disabled as aforesaid, by reason of their falling into the hands of the enemy, the deaths of their officers and surgeons, or other accidents, may not have it in their power to procure the certificates required by the aforementioned resolve, to entitle them to their pensions,

Resolved, That in such cases application be made to the governor or president and council of the State to which any person maimed or disabled as aforesaid belongs, or or [*sic*] in which he resides, and upon showing to him or them satisfactory proof, that he was maimed or disabled in the manner before mentioned, and producing his or their certificate thereof, he shall be entitled to and receive a pension in like manner as if he produced the certificates required by the said resolve.

**Journals of the Continental Congress**  
**Vol. XII p. 1156**  
**November 24, 1778**

Whereas, from the alteration of the establishment, and other causes, many valuable officers have been, and may be, omitted in the new arrangement as being supernumerary, who, from their conduct and services, are entitled to the honorable notice of Congress, and to a suitable provision until they can return to civil life with advantage:

**Supernumerary officers entitled to one year's pay**

Resolved, therefore, That Congress gratefully acknowledges the faithful services of such officers, and that all supernumerary officers be entitled to one year's pay of their commissions respectively, to be computed from the time such officers had leave of absence from the commander-in-chief on this account: and Congress do earnestly recommend to the several States to which such officers belong, to make such further provision for them as their respective circumstances may entitle them to. [An act of May 22, 1779 added "That all continental officers who are or may be exchanged, and not continued in the service, be, after such exchange, considered as supernumerary officers, and entitled to the pay provided by the resolution of Congress of the 24th November last."

**Journals of the Continental Congress**  
**Vol. XIII p. 271**  
**March 4, 1779**

Resolved, That the supernumerary officers, under the resolution of congress, of 24 November last, are not entitled to subsistence from Congress.

**Extends the benefits of the resolution of 15 May 1778, half pay for seven years to commissioned officers, to the widows or orphans of those who died or will die in service. Also repeals the provision that the officers cannot "hold any office of profit"**

**Journals of the Continental Congress**  
**Vol. XVII p. 773**  
**August 24, 1780.**

Resolved, That the resolution of the 15th day of May, 1778, granting half pay for seven years to the officers of the army who should continue in the service to the end of the war, be extended to the widows of those officers who have died, or shall hereafter die, in the service; to commence from the time of such officers' death, and continue for the term of seven years: or if there be no widow, or in case of her death or intermarriage, the said half pay be given to the orphan children of the officer dying as aforesaid, if he shall have left any: and that it be recommended to the Legislatures

## **MILITARY PENSIONS**

of the respective States to which such officers belong, to make provision for paying the same on account of the United States; that the restricting clause in the resolution of May 15, 1778, granting half pay to the officers for seven years, expressed in these words, viz: "and not hold any office of profit under these States, or any of them," be, and is hereby, repealed.

### **Journals of the Continental Congress**

**Vol. XVIII p. 896-897**

**October 3, 1780**

Whereas, by the foregoing arrangement [refers to several previous sections, same date, which set up number of men, regiments, etc.], many deserving officers must become supernumerary, and it is proper that regard be held to them:

**Half pay for seven years and other benefits extended to supernumerary officers.**

Resolved, That, from the time the reform of the army takes place, they be entitled to half pay for seven years, in specie, or other current money equivalent, and also grants of land at the close of war, agreeable to the resolution of the 18th September, 1776.

### **Journals of the Continental Congress**

**Vol. XVIII p. 960**

**October 21, 1780**

Resolved, That the commander-in-chief and commanding officer in the southern department direct the officers of each State to meet and agree upon the officers for the regiments to be raised by their respective States, from those who incline to continue in service, and where it cannot be done by agreement, to be determined by seniority, and make return of those who are to remain; which is to be transmitted to Congress; together with the names of the officers reduced, who are to be allowed half pay for life.

**Officers who continue to end of war to be entitled to half pay during life.**

That the officers who shall continue in the service to the end of the war shall also be entitled to half pay during life, to commence from the time of their reduction.

### **Journals of the Continental Congress**

**Vol. XVIII p. 1100**

**November 28, 1780**

Some doubts have arisen in the minds of the general officers, whether the resolution of the 21st October last, granting half pay for life to the officers who shall remain in service to the end of the war, was meant to extend to them:

**Half Pay for life to include major generals and brigadier generals who continue to end of war.**

Resolved, That the said half pay for life be extended to all major generals and brigadier generals who shall continue in service to the end of the war:

That the resolution of the 21st October was so meant and intended.

### **Journals of the Continental Congress**

**Vol. XXII p. 210**

**April 23, 1782**

Resolved, that all such sick and wounded soldiers of the armies of the United States, who shall in future be reported by the inspector general, or the inspector of a separate department, and approved by the Commander in Chief, or commanding officer of a separate department, as unfit for further duty, either in the field or in garrison, and who apply for a discharge in preference to being placed or continued in the corps of invalids ... shall be discharged, and be entitled to receive as a pension ... five dollars per month, in lieu of all pay and emoluments.

Resolved, That it be, and hereby is, recommended to the several states to discharge such pensions annually, and draw on the Superintendent of finance for the payment of the money they shall so advance.

**Recommendation to states to discharge pensions annually.**

## **MILITARY PENSIONS**

**Journals of the Continental Congress  
Vol. XXIV pp. 207-208  
March 22, 1783**

**This is the Commutation Act, commuting full pay promised for life, to half-pay for five years, to agree collectively.**

Therefore, *Resolved*, That such officers as are now in service, and shall continue therein to the end of the war, shall be entitled to receive the amount of five years' full pay in money, or securities on interest at six per cent, per annum, as Congress shall find most convenient, instead of the half pay promised for life, by the resolution of the 21 day of October, 1780 ... [officers cannot individually accept or refuse the same, they must do it collectively at the option of the lines of the respective states within six months from the date of this Resolution] ... That the same commutation shall extend to the corps not belonging to the lines of particular states, (and who are entitled to half pay for life as aforesaid); the acceptance or refusal to be determined by corps, and to be signified in the same manner, and within the same time as abovementioned ... [All officers belonging to the hospital department who are entitled to half pay are given the same privilege, and must collectively refuse or accept within six months] ... That all officers entitled to half pay for life not included in the preceding resolution, may also collectively agree to accept or refuse the aforesaid commutation, signifying the same ... within six months from this time.

**Journals of the Continental Congress  
Vol. XXVIII pp. 435-436.  
June 7, 1785**

*Resolved*, That it be, and it is hereby recommended to the several States, to make provision for Officers, soldiers or seamen, who have been disabled in the service of the United States, in the following manner.

**Conditions for receiving benefits for disability.**

1. A compleat list shall be made out by such person or persons as each state shall direct, of all the officers, soldiers or seamen resident in their respective states, who have served in the army or navy of the United States, or in the militia in the service of the United States, and have been disabled in such service, so as to be incapable of military duty, or of obtaining a livelihood by labour. In this list shall be expressed the pay, age, and disability of each invalid, also the regiment, corps or ship to which he belonged, and a copy of the same shall be transmitted to the office of the Secretary at War, within one year after each state shall pass a law for this purpose; and a like descriptive list of the invalids resident in the respective states, shall, from year to year, be annually transmitted to the Office of the Secretary of War.

**To produce certificates.**

2. No officer, soldier or seamen, shall be considered as an invalid, or entitled to pay, unless he can produce a certificate from the commanding officer or surgeon of the regiment, ship, corps or company in which he served, or from a physician or surgeon of a military hospital, or other good and sufficient testimony, setting forth his disability, and that he was then disabled while in the service of the United States.

3. That all commissioned officers within the aforesaid description, disabled in the service of the United States, so as to be wholly incapable of military duty, or of obtaining a livelihood, be allowed a yearly pension equal to half of their pay respectively; and all commissioned officers as aforesaid, who shall not have been disabled in so great a degree, be allowed a yearly pension, which shall correspond with the degree of their disability, compared with that of an Officer wholly disabled. That all non-commissioned officers and privates within the aforesaid description, disabled in the service of the United States, so as to be wholly incapable of military or garrison duty, or of obtaining a livelihood of labour, be allowed a sum not exceeding five dollars per month: and all non-commissioned officers and privates as aforesaid, who shall not have been disabled in so great a degree, be allowed such a sum as shall correspond with the degree of their disability, compared with that of a non-commissioned officer or private wholly disabled.

[Rest omitted.]

**MILITARY PENSIONS**

**U. S. STATUTES AT LARGE 1789-1858<sup>1</sup>**

**1 (Stat.) 95.**

**FIRST CONGRESS. Sess. I. 1789.**

Chap. XXIV. *An Act providing for the payment of the Invalid Pensioners of the United States.*

Section 1. *Be it enacted ...* That the military pensions which have been granted and paid by the states respectively, in pursuance of the acts of the United States in Congress assembled, to the invalids who were wounded and disabled during the late war, shall be continued and paid by the United States from the fourth day of March last, for the space of one year, under such regulations as the President of the United States may direct.

Approved, September 29, 1789.

**State invalid pensions to be paid for one year by the federal government.**

**1 (Stat.) 119 [& 120-121].**

**FIRST CONGRESS. Sess. II. 1790.**

Chap. X. *An Act for regulating the Military Establishment of the United States.*

[Sec. 1 -10 omitted]

Sec. 11. *And be it further enacted,* That if any commissioned officer, non-commissioned officer, private or musician aforesaid, shall be wounded or disabled while in the line of duty in public service, he shall be placed on the list of the invalids of the United States, at such rate of pay, and under such regulations as shall be directed by the President of the United States, for the time being ... [provides also rates and limitation].

Approved, April 30, 1790.

**Provision for invalid pensions for the regular establishment.**

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*1These published acts are produced chronologically as the acts are passed. This multi-volume series is available in law libraries, and many other large libraries. Not only are public acts contained in the United States Statutes at Large; the series also include private acts passed to benefit an individual or a group of individuals. Some of these private acts involve pensions for revolutionary and later military service. One method to locate private acts is by using the indexes in the individual volumes but care should be undertaken to examine the index under various subject heads. The private acts are sometimes listed under the name of the individual for whom the act was passed, or may be indexed under "Private Acts," or "Pensions" or other subject heads, and thereunder by name of the individual. (This present volume on military pensions includes only the public military pension acts.)*

*A further note - a number of books have been published during the years by individuals charged with assembling the laws involving the military. One such book, John F. Callan, The Military Laws of the United States, (Baltimore: John Murphy & Co., 1858), will serve to demonstrate the records reproduced. Often the compilations include a List of Contents reproducing the titles of the acts in the volume. This can further assist in locating statutes of interest.*



## MILITARY PENSIONS

1 (Stat.) 129 [& 130].

FIRST CONGRESS. Sess. II. 1790.

Chap. XXVII. *An Act further to provide for the Payment of the Invalid Pensioners of the United States.*

State invalid pensions to be paid for one year by federal government.

Be it enacted ... , That the military pensions which have been granted and paid by the states respectively, in pursuance of former acts of the United States in Congress assembled, and such as by acts passed in the present session of Congress, are or shall be declared to be due to invalids who were wounded and disabled during the late war, shall be continued and paid by the United States from the fourth day of March last, for the space of one year, under such regulations as the President of the United States may direct.

Approved, July 16, 1790.

1 (Stat.) 243 [& 244].

SECOND CONGRESS. Sess. I. 1792.

Chap. XI. *An Act to provide for the settlement of the Claims of Widows and Orphans barred by the limitations heretofore established, and to regulate the Claims of Invalid Pensions.*

Suspension for two years of certain resolutions of Congress barring claims.

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the operation of the resolutions of the late Congress of the United States, passed on the second day of November, one thousand seven hundred and eighty-five, and the twenty-third day of July, one thousand seven hundred and eighty-seven, so far as they have barred, or may be construed to bar the claims of the widow or orphans of any officer of the late army, to the seven years half pay of such officer, shall, from and after the passing of this act, shall be suspended for and during the term of two years.

Any commissioned officer, not having received commutation of half pay, and any non-commissioned officer, soldier or seaman, disabled in service during the late war, to receive invalid pension.

Sec. 2. *And be it further enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any commissioned officer, not having received the commutation of half pay, and any non-commissioned officer, soldier or seaman, disabled in the actual service of the United States, during the late war, by wounds or other known cause, who did not desert from the said service, shall be entitled to be placed on the pension list of the United States, during life or the continuance of such disability, and shall also be allowed such further sum for the arrears of pension, from the time of such disability, not exceeding the rate of the annual allowance, in consequence of his disability, as the circuit court of the district, in which they respectively reside, may think just. *Provided*, That in every such case, the rules and regulations following shall be complied with; that is to say:—First. Every applicant shall attend the court in person, except where it shall be certified by two magistrates that he is unable to do so, and shall produce to the circuit court, the following proofs, to wit:—A certificate from the commanding officer of the ship, regiment, corps or company, in which he served, setting forth his disability, and that he was thus disabled while in the service of the United States; or the affidavits of two credible witnesses to the same effect.—The affidavits of three reputable freeholders of the city, town, or county, in which he resides, ascertaining of their own knowledge, the mode of life, employment, labour, or means of support of such applicant, for the last twelve months—Secondly. The circuit court, upon receipt of the proofs aforesaid, shall forthwith proceed to examine into the nature of the wound, or other cause of disability of such applicant, and having ascertained the degree thereof, shall certify the same, and transmit the result of their inquiry, in case, in their opinion, the applicant should be put on the pension list, to the Secretary at War, together with their opinion in writing, what proportion of the monthly pay of such applicant will be equivalent to the degree of disability ascertained in manner aforesaid.

[Sec. 3-4 omitted. Provided for the publishing of the act, etc.]

Sec. 5. *And be it further enacted*, That all non-commissioned officers, soldiers and seamen, disabled in the actual service of the United States, during the late war, whose disability and rate of allowance have been ascertained, pursuant to the regulations prescribed by the late Congress, and have not applied to be placed on the pension

## MILITARY PENSIONS

list, until after the time, limited by the act of Congress for that purpose, was expired, shall now be placed on the pension list, and be entitled to demand and receive their respective pensions, according to the allowances ascertained as aforesaid, any thing in this act, or any act of the late Congress, to the contrary, notwithstanding.

Sec. 6. *And be it further enacted*, That from and after the passing of this act, no sale, transfer or mortgage of the whole or any part of the pension or arrearages of pension, payable to any non-commissioned officer, soldier or seaman, before the same shall become due, shall be valid. And every person, claiming such pension or arrears of pension, or any part thereof, under power of attorney or substitution, shall, before the same is paid, make oath or affirmation before some justice of the peace of the place where the same is payable, that such power or substitution is not given by reason of any transfer of such pension, or arrears of pension, and any person, who shall swear or affirm falsely in the premises, and be thereon convicted shall suffer, as for wilful and corrupt perjury.

Approved, March 23, 1792.

1 (Stat.) 271 [& 272-274].

SECOND CONGRESS. Sess. I. 1792.

Chap. XXXIII. *An act more effectually to provide for the national Defence by establishing an Uniform Military throughout the United States.*

[Sec. 1-8 omitted.]

Sec. 9. *And be it further enacted*, That if any person, whether officer or soldier, belonging to the militia of any state, and called out into the service of the United States, be wounded or disabled while in actual service, he shall be taken care of and provided for at the public expense.

[Sec. 10-11 omitted.]

Approved, May 8, 1792.

1 (Stat.) 324 [& 325].

SECOND CONGRESS. Sess. II. 1793.

Chap. XVII. *An Act to regulate the Claims to Invalid Pensions.*

WHEREAS the act, passed at the last session of Congress, intituled "An act to provide for the settlement of the claims of widows and orphans barred by the limitations heretofore established, and to regulate the claims to invalid pensions," is found by experience inadequate to prevent the admission of improper claims to invalid pensions, and not to contain a sufficient facility for the allowance of such as may be well founded: Therefore,

Section 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the second, third and fourth sections of the said act, be repealed, and that in future, all claims to such pensions shall be regulated in the manner following, to wit:

First.—All evidence relative to Invalids shall be taken upon oath or affirmation, before the judge of the district, in which such invalids reside, or before any three persons specially authorized by commission from the said judge.

Secondly.—the evidence relative to any claimant must prove decisive disability to have been the effect of known wounds, received while in the actual line of his duty, in the service of the United States, during the late war. That this evidence must be the affidavits of the commanding officer or surgeon of the ship, regiment, corps or company, in which such claimant served, or two other credible witnesses, to the same effect, setting forth the time and place of such known wound.

Thirdly.—Every claimant shall be examined upon oath or affirmation, by two physicians or surgeons, to be authorized by commission from the said judge, who shall report, in writing, their opinion, upon oath or affirmation, of the nature of the said disability, and, in what degree, it prevents the claimant from obtaining his livelihood, by labor.

After passage if this act, no sale, transfer or mortgage of pension before due shall be valid.

Extends invalid pensions to those in the militia.

Tightens procedure on invalid claims.

## MILITARY PENSIONS

Fourthly.—Every claimant shall produce evidence of the time of his leaving the service of the United States. He must also produce evidence of three reputable freeholders of the city, town or county, in which he usually resided for the two years immediately after he left the service, as aforesaid, of the existence of his disability, during that period; and ascertaining, of their own knowledge, the mode of life, employment, labour or means of support of the claimant.

Fifthly.—And the said claimant must produce the evidence of two credible witnesses, of the continuance of his disability, from the expiration of the said two years, to the time of his application.

Sixthly.—Each claimant must show a good and sufficient cause why he did not apply for a pension to the person or persons authorized to examine his claim, on or before the eleventh of December, one thousand seven hundred and eight-eight, the time limited for applications of this nature.

Seventhly.—No evidence of any claimant shall be admitted whose claim has been examined and rejected, on or before the aforesaid eleventh of December, one thousand seven hundred and eighty-eight.

*Sec. 2. And be it further enacted,* That the judge of the district shall transmit a list of such claims, accompanied by the evidence herein directed, to the Secretary for the department of War, in order that the same may be compared with the muster-rolls, and other documents in his office; and the said Secretary shall make a statement of the cases of the said claimants to Congress, with such circumstances and remarks, as may be necessary, in order to enable them to take such order thereon, as they may judge proper.

*Sec. 3. And be it further enacted,* That no person not on the pension list, before the twenty-third day of March, one thousand seven hundred and ninety-two, shall be entitled to a pension, who shall not have complied with the rules and regulations herein prescribed; saving however to all persons, all and singular their rights founded upon legal adjudications under the act, intituled "An act to provide for the settlement of the claims of widows and orphans, barred by the limitations heretofore established, and to regulate the claims to invalid pensions:" But it shall be the duty of the Secretary at War, in conjunction with the Attorney General, to take such measures as may be necessary to obtain an adjudication of the Supreme Court of the United States, on the validity of any such rights claimed under the act aforesaid, by the determination of certain persons styling themselves commissioners.

*Sec. 4. And be it further enacted,* That no claim to a pension shall be allowed under this act, which shall not be presented within two years from the passing the same.

Approved, February 28, 1793.

1 (Stat.) 392 [& 393].

THIRD CONGRESS. Sess. I. 1794.

Chap. LVII. *An act concerning invalids.*

Be it enacted ... That the Secretary of the War department be, and he is hereby directed to place upon the list of invalid pensioners of the United States, all persons who have been returned as such by the judges of the several districts under the act of Congress of the twenty-eighth of February, one thousand seven hundred and ninety-three, intituled "An act to regulate the claims to invalid pensions," and who by legal proofs, are by him found to come clearly within the provisions of the said act, and are reported as having complete evidence of their claims in the report of the said secretary upon that subject, made to Congress the twenty-fifth day of April, one thousand seven hundred and ninety four; and all persons placed by virtue of this act on the list of invalid pensioners, shall receive such sums as the returns of the district judges have respectively specified, and be paid, in the same manner as invalid pensioners are paid, who have been heretofore placed on the list: *Provided*, that every commissioned officer, who shall, be virtue of this act, be placed on the pension list, as entitled to a sum less than a full pension, shall receive such pension, only upon compliance with the same rule respecting a return of the commutation which he may

Places persons who have qualified under act of February 28, 1793 on the rolls.

## MILITARY PENSIONS

have received, as is provided for in the case of Captain David Cook, by an act of Congress passed December the sixteenth, one thousand seven hundred and ninety-one.

Approved, June 7, 1794.

1 (Stat.) 450.

**FOURTH CONGRESS. Sess. I. 1796.**

Chap. VIII. *An Act for the relief of certain officers and soldiers who have been wounded or disabled in the actual service of the United States.*

Be it enacted ... , That every commissioned, non-commissioned officer, private or musician, who has been wounded or disabled, while in the line of his duty in actual service, called out by authority of any law of the United States, while he belonged to the militia; or any volunteer not belonging to the militia, who has been wounded or disabled, while in the line of his duty, in actual service, as aforesaid, shall be placed on the list of invalids of the United States, at such rate of pay, and under such regulations, as shall be directed by the President of the United States for the time being: *Provided*, the rate of compensation for such wounds and disabilities shall never exceed for the highest disabilities, half the monthly pay received by any commissioned officer, at the time of being so wounded or disabled; and that the rate of compensation to non-commissioned officers, privates and musicians shall never exceed five dollars per month; and that all inferior disabilities shall entitle the person so disabled, to receive only a sum in proportion to the highest disability: *And provided*, that these provisions shall not be construed to extend to any person wounded or disabled, before the fourth of March, one thousand seven hundred and eighty-nine, nor to any person wounded or disabled since that time, who has made application for a pension, under any existing law of the United States, and has been denied, or admitted on the pension list: *And provided*, that all applications herein shall be made within one year after the end of the present session of Congress

Approved, March 23, 1796.

1 (Stat.) 523 [& 524-525].

**FIFTH CONGRESS. Sess. I. 1797.**

Chap. VII. *An Act providing a Naval Armament.*  
[Section 1 through 10 omitted.]

Section 11. ... That if any officer, non-commissioned officer or seamen belonging to the navy of the United States, shall be wounded or disabled, while in the line of his duty in public service, he shall be placed on the list of the invalids of the United States at such rate of pay and under such regulations as shall be directed by the President of the United States.

[Sec. 12-14 omitted.]

Approved, July 1, 1797.

1 (Stat.) 540.

**FIFTH CONGRESS. Sess. II. 1798.**

Chap. XV. *An Act to provide for the Widows and Orphans of certain deceased Officers.*

Be it enacted ... That the provisions for widows and orphans of commissioned officers of troops of the United States, contained in the first section of the law passed on the seventh day of June, one thousand seven hundred and ninety-four, intituled "An act in addition to the act making further and more effectual provisions for the protection of the frontiers of the United States," be and the same are hereby extended to the widows and orphan children of commissioned officers of the troops of the United States, and of the militia, who have died by reason of wounds received since the fourth day of March, one thousand seven hundred and eighty-nine, in the actual service of the United States: *Provided*, application shall be made within two years after the end of the present session of Congress.

Approved March 14, 1798.

**Provisions for invalid pensions who belonged to militia, or to volunteers not belonging to the militia.**

**Naval invalid pensioners.**

**Widows and orphans of commissioned officers under act of June 7, 1794 extended to widows and orphans of commissioned officers, and of the militia, who have died from wounds since March 4, 1789.**

## MILITARY PENSIONS

2 (Stat.) 45 [& 46-53].

SIXTH CONGRESS. Sess. I. 1800.

Chap. XXXIII. *An Act for the better government of the Navy of the United States.*

[Sec. 1 through 8 omitted.]

Naval invalid pensions.

Sec. 8. *And be it further enacted*, that every officer, seaman, or marine, disabled in the line of his duty, shall be entitled to receive for life, or during his disability, a pension from the United States according to the nature and degree of his disability, not exceeding one half his monthly pay.

[Sec. 9 through 11 omitted.]

Approved, April 23, 1800.

2 (Stat.) 132 [& 133-137].

SEVENTH CONGRESS. Sess. I. 1802.

Chap. IX. *An Act fixing the military peace establishment of the United States.*

[Sec. 1-13 omitted.]

Fixes the military peace establishment.

Sec. 14. *And be it further enacted*, That if any officer, non-commissioned officer, musician, or private, in the corps composing the peace establishment, shall be disabled by wounds or otherwise, while in the line of his duty in public service, he shall be placed on the list of invalids of the United States, at such rate of pay, and under such regulation, as may be directed by the President of the United States, for the time being: *Provided always*, That the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed, for the highest rate of disability, half the monthly pay of such officer at the time of his being disabled or wounded; and that no officer shall receive more than the half pay of a lieutenant colonel; and that the rate of compensation to non-commissioned officers, musicians, and privates, shall not exceed five dollars per month: *And provided, also*, That all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

Sec. 15. *And be it further enacted*, That if any commissioned officer in the military peace establishment of the United States, shall, while in the service of the United States, die, by reason of any wound received in actual service of the United States, and leave 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 and receive half the monthly pay to which the deceased was entitled at the time of his death, for and during the term of five years. But in the case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay, for the remainder of the time, shall go to the child or children of such deceased officer: *Provided always*, That such half pay shall cease on the decease of such child or children.

Approved, March 16, 1802.

2 (Stat.) 170.

SEVENTH CONGRESS. Sess. I. 1802.

Naval pensions to widows and orphans, of those who were lost on the ship *Insurgent* and brigantine *Pickering*, entitled to four months pay.

Chap. XXXIII. *An Act for the relief of the widows and orphans of certain persons who have died in the naval service of the United States.*

Be it enacted . . . That the widows, if any such there be, and in case there be no widow, the child or children of the officers, seamen and marines who were in the service of the United States, and lost in the ship *Insurgent* and brigantine *Pickering*, shall be entitled to, and receive out of any money in the treasury not otherwise appropriated, a sum equal to four months pay of their respective husbands or fathers, as aforesaid.

Approved, April 29, 1802.

## MILITARY PENSIONS

2 (Stat.) 242 [& 243].

SEVENTH CONGRESS. Sess. II. 1803.

Chap. XXXVII. *An Act to make provision for persons that have been disabled by known wounds received in the actual service of the United States, during the Revolutionary war.*

Be it enacted . . . That any commissioned officer, non-commissioned officer, soldier, or seaman, disabled in the actual service of the United States, by wounds received during the revolutionary war, and who did not desert the said service, shall be entitled to be placed on the pension list of the United States during life. *Provided*, that, in substantiating the claims thereto, the rules and regulations, following, shall be complied with.

**Invalid pensions for life for revolutionary service to comply with provisions.**

[Here follows provisions that all evidence shall be by oath or affirmation before a judge of the district in which the invalid resides, or before some person specially authorized by commission from the said judge; that the evidence must prove decisive disability during revolutionary war; must be in the form of affidavits by the commanding officer or surgeon of the ship, regiment, corps, or company in which such claimant served, or two other credible witnesses to the same setting forth the time and place of the wound; and further provisions as specified.]

[Sec. 2 omitted. Provides that a copy of the transcript of the evidence shall be given to each claimant, that no pension shall commence before 1 Jan. 1803, (with certain exceptions), etc.]

[Sec. 3 & 4 omitted. Provides for sums and methods of payment.]

Approved, March 3, 1803.

2 (Stat.) 260 [& 261].

EIGHTH CONGRESS. Sess. I. 1804.

Chap. XVIII. *An Act for the relief of certain military pensioners in the state of South Carolina.*

Be it enacted . . . That the persons to whom military pensions have been heretofore granted and paid by the state of South Carolina, in pursuance of the resolves of the United States in congress assembled, for the payment of pensions to the invalids who were wounded and disabled during the late war with Great Britain, and who have not been placed on the books, in the office of the Secretary for the department of War, shall be, and the same hereby are directed to be placed on said books, and their said pensions shall be hereafter paid by the United States, in the same manner as to other pensioners of the United States, out of the funds already appropriated for that purpose.

**Pension relief for certain South Carolina pensioners.**

[Sec. 2 omitted. Provides that in placing the names of pensioners on the books, the Secretary of War shall be guided by a certificate from the state of South Carolina which shall specify the names of pensioners and sums of pension, that they have not been paid since Mar, 4, 1789 by the state, and that the certificates shall be recorded in the books of the department of war, and the original kept on file. Each officer, non-commissioned officer and soldier, whose name shall be placed on the list, or in the case of death of any, his heirs or legal representatives shall receive a sum equal to the arrears of his pension which has accrued from 4 Mar. 1789 until passage of this act or until death of such pensioners, etc.]

Approved, March 3, 1804.

2 (Stat.) 345 [& 346].

EIGHTH CONGRESS. Sess. II. 1805.

XLIV. *An Act in addition to "An act to make provision for persons that have been disabled by known wounds received in the actual service of the United States during the revolutionary war."*

Be it enacted . . . That the provisions contained in the first section of "An act to make provision for persons that have been disabled by known wounds, received in the actual service of the United States, during the revolutionary war," passed the third

**Additional act for invalid pensions for the revolutionary war.**

## MILITARY PENSIONS

day of March, one thousand eight hundred and three, are hereby extended to all those persons in the service of the United States, who, in consequence of their disability by known wounds, received in actual service during the revolutionary war, resigned their commissions, or took discharges; or who, after incurring their disability, were taken captive by the enemy, and remained either in captivity or on parole, until the close of the war; or who, in consequence of known wounds received in the actual service of the United States, have at any period since, become and continued disabled, in such manner as to tender them unable to procure a subsistence by manual labour. *Provided*, that every person of the several descriptions herein mentioned, applying for a pension, shall in all other respects conform to the requirements of the act to which this is an addition.

Approved, March 3, 1805.

**2 (Stat.) 376 [& 378-378].**

**NINTH CONGRESS. Sess. I. 1806.**

[Note: In Henry C. Harmon, *Manual of the Pension Laws of the United States of America*, (Washington, D.C.: W. H. & O. W. Morrison, 1867), this statute is prefaced: "This act forms the basis of the pension laws since enacted. They are all extensions, modifications, or additions to this as the foundation. This act expired by its own limitation in six years, but was revived and kept in force by the acts of April 25, 1812; May 15, 1820; July 4, 1822; and by the act of May 24, 1828, was revived and made permanent."

Chap. XXV. *An Act to provide for persons who were disabled by known wounds received in the Revolutionary war.*

**New 1806 consolidated pension act; the basis of subsequent acts.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any commissioned or non-commissioned officer, musician, soldier, marine or seaman, disabled in the actual service of the United States, while in the line of his duty, by known wounds received during the revolutionary war, and who did not desert the service; or who, in consequence of disability as aforesaid, resigned his commission or took a discharge; and who, after incurring disability as aforesaid, was taken captive by the enemy, and remained either in captivity or on parole, until the close of said revolutionary war; or who, in consequence of known wounds received as aforesaid, has at any period since, become and continued disabled in such manner as to render him unable to procure a subsistence by manual labour; whether such officer, musician, soldier, marine or seaman, served as a volunteer, in any proper service against the common enemy, or belonged to a detachment of the militia, which served against the common enemy, or to the regular force of the United States, or of any particular state, he shall, upon substantiating his claim, in the manner herein after described, be placed on the pension list of the United States, during life, or the continuance of such disability, and be entitled, under the regulations herein after mentioned, to receive such sum as shall be found just and proper, by the testimony adduced.

[Sec. 2 omitted. Provides that oath or affirmation before the judge of the district, or one of the judges of the territory in which the claimant resides, or before some person specially authorized by commission from said judge. Disability is to be proved by the affidavit of the commanding officer or of two other credible witnesses. The nature of the disability and its debilitation must be included. Must also prove, by at least one credible witness, that he continued in service during the time for which he was detached or for which he engaged, unless discharged, or left in consequence of some derangement of the army, or in consequence of his disability resigned his commission, or was in captivity or on parole. Must give reasons why he did not make application for a pension previously, and that he is not on the pension list of any state.]

[Sec. 3 and 4 omitted. Provides for transmittal of the list to the Secretary of War. Also that the pension shall commence on the day the claimant completed testimony.]

[Sec. 5 omitted. Provides for increase of pension in certain cases. Also that applicants to be examined by two reputable physicians or surgeons to be authorized by the judge of the district where such invalid resides.]

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[Sec. 6 through 8 omitted. Provides for the sums to be paid, how they are to be paid, and specifies that transfers of pensions before due are not valid.]

Sec. 9. *And be it further enacted*, That all laws of the United States heretofore passed, so far as they authorize persons to be placed on the pension list of the United States, for, and in consequence of, disabilities derived from known wounds received in the revolutionary war, shall be, and they are hereby repealed: *Provided*, that nothing in this repealing clause shall injure, or in any way affect, those persons already upon the pension list of the United States; and that the secretary for the department of war shall proceed upon the testimony which has been transmitted to him by any claimant, before the passage of this act, in the same manner as though this act had never passed.

[Sec. 10 omitted. Provides that this act, so far as it authorizes the admission of persons upon the pension list, shall remain in force for and during the space of six years from the passage thereof, and no longer.]

Approved, April 10, 1806.

2 (Stat.) 491-496.

TENTH CONGRESS. Sess. I. 1808.

Chap. LVIII. *An Act concerning invalid pensioners.*

Be it enacted ... that the Secretary of War be, and he is hereby directed to place the following named persons, whose claims have been transmitted to Congress, pursuant to a law passed the tenth of April, one thousand eight hundred and six, on the pension list of invalid pensioners of the United States, according to the rates, and to commence at the times herein mentioned, that is to say ... [here follows over two pages of names, with amounts due and dates]

**Specific individuals added to invalid pension list.**

Sec. 2. *And be it further enacted*, That the pensions of the following persons already placed on the pension list of the United States, whose claims for an increase of pension have been transmitted to Congress, pursuant to the act aforesaid, be increased to the sums herein respectively annexed to their names, the said increase to commence at the times herein mentioned, that is to say ... [here follows about two pages of names and amounts and dates.]

Sec. 3. *And be it further enacted*, That the Secretary of War be, and he is hereby authorized and directed to place on the pension list of the United States, all persons who now remain on the pension list of any of the states, and who were placed on the same in consequence of disability occasioned by known wounds received during the revolutionary war, whether such person or persons served in the land or sea service of the forces of the United States, or of any particular state, in the regular corps, or the militia, or as volunteers. *Provided*, that in no case the pensions allowed to each person or persons, shall exceed the sums specified by the sixth section of an Act, intituled "An act to provide for persons who were disabled by known wounds received in the revolutionary war," passed the tenth day of April, one thousand eight hundred and six: *And provided*, that in every case where application shall be made, to have such person or persons placed on the pension list of the United States, under this law, satisfactory documents from the proper officers of the state, shall be adduced to establish the fact of such person or persons having been placed on the state pension list in consequence of disability occasioned by known wounds received during the revolutionary war.

**State invalid pensioners added to pension list of the United States.**

Sec. 4. *And be it further enacted*, that any officer, non-commissioned officer, musician, or private, who has been wounded or disabled since the revolutionary war, while in the line of his duty, in the actual service of the United States, whether he belong to the military establishment or the militia, or any volunteer corps, called into service under the authority of the United States, may be placed on the pension list of the United States, at such rate of compensation, and under such regulations as are prescribed by the act, intituled "An act to provide for persons who were disabled by known wounds received in the revolutionary war," passed April the tenth, one thousand eight hundred and six.

**Invalids since the revolutionary war wounded or disabled in line of duty, whether in the military establishment, militia, or volunteer corps may be placed on pension list under act of April 10, 1806.**



## MILITARY PENSIONS

Sec. 5. *And be it further enacted*, That the pensions becoming such in virtue of this act, shall be paid in the same manner as invalid pensioners are paid, who have heretofore been placed on the pension list of the United States, under such restrictions and regulations in all respects, as are prescribed by the laws of the United States, in such cases provided.

Approved, April 25, 1808.

2 (Stat.) 671 [&672-674].

TWELFTH CONGRESS. Sess. I. 1812.

Chap. XIV. *An Act to raise an additional Military Force.*

[Sec. 1-13 omitted.]

**Provides for invalid pensions in order to raise a military force [for the War of 1812].**

Sec. 14. *And be it further enacted*, That if any officer, non-commissioned officer, musician, or private, shall be disabled by wounds, or otherwise, while in the line of his duty in public service, he shall be placed on the list of invalids of the United States, at such rate of pension, and under such regulations, as are or may be directed by law: *Provided, always*, That the compensation to be allowed for such wounds or disabilities, to a commissioned officer, shall not exceed, for the highest rate of disability, half the monthly pay of such officer, at the time of his being disabled or wounded; and that no officer shall receive more than the half pay of a lieutenant colonel; and that the rate of compensation to non-commissioned officers, musicians, and privates, shall not exceed five dollars per month: *And provided, also*, That all inferior disabilities shall entitle the person so disabled to receive an allowance proportionate to the highest disability.

[Sec. 15-25 omitted.]

Approved, January 11, 1812.

2 (Stat.) 704 [& 705.]

TWELFTH CONGRESS. Sess. I. 1812.

Chap. LIV. *An Act for the relief of the officers and soldiers who served in the late campaign on the Wabash.*

**Provides for pensions for those who died during the campaign on the Wabash.**

Be it enacted . . . , That the officers, according to the rank assigned them by Governor Harrison, and which they held on the seventh day of November, one thousand eight hundred and eleven, the non-commissioned officers and soldiers of the volunteers and militia, and the legal representatives of those who were killed or died of their wounds, composing the army that served in the late campaign on the Wabash against the hostile Indians, shall receive the same compensation which is allowed by law to the militia of the United States when called into the actual service of the United States.

**Provides for widows or orphans to receive one-half pay for five years.**

Sec. 2. *And be it further enacted*, That the officers, according to the rank which they held as aforesaid, the non-commissioned officers and soldiers, of the volunteers or militia, who served in the said campaign, and who were killed or died of wounds received in said service, leaving a widow, or if no widow, shall have left a child or children, under the age of sixteen years, such widow, or if no widow, such child or children, shall be entitled to, and receive the half of the monthly pay to which the deceased was entitled at the time of his death, or receiving the wound of which he died, for and during the term of five years; and in case of the death or intermarriage of such widow, before the expiration of the term of five years, the half pay for the remainder of the term, shall go to the child or children of such deceased officer or soldier, wilst under the age of sixteen years; and in like manner the allowance to the child or children of such deceased, where there is no widow, shall be paid no longer than while there is a child or children under the age aforesaid; *Provided*, that no greater sum shall be allowed in any case to the widow or to the child or children of any officer than the half pay of a lieutenant colonel.

Sec. 3. *And be it further enacted*, That every officer, according to the rank which he held as aforesaid, non-commissioned officer and private, of the volunteers and militia, who served in the said campaign, and who have been disabled by known

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wounds received in said service, shall be placed on the list of invalids of the United States, at such rate of pension as shall be directed . . . [provides that the pay will be paid according to the wound, etc.]

[Sec. 4 and 5 omitted. Sec. 4 provides for the payment of a horse killed; Sec. 5 provides that the heirs or legal representatives of those who were killed or wounded and who were purchasers of public lands which had not been sold before 7 November 1811 for non-payment of part of the purchase money, will have three years, in addition the time allowed by former laws, to pay.]

Approved, April 10, 1812.

### 2 (Stat.) 718 [& 719].

#### TWELFTH CONGRESS. Sess. I. 1812.

Chap. LXIX. *An Act to revive and continue in force "An act to provide for the persons who were disabled by known wounds received in the Revolutionary War," and for other purposes.*

Be it enacted . . . That the act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war," passed on the tenth of April, one thousand eight hundred and six, shall be, and the same is hereby revived and continued in force for and during the space of six years from the passage of this act, and from thence to the end of the next session of Congress thereafter, and no longer.

Sec. 2. *And be it further enacted,* That the agents for the payment of invalid pensioners of the United States, shall in future be required to give bond with two or more sureties, to be approved by the secretary for the department of war, in a sum not exceeding five thousand dollars for the faithful discharge of the duties confided to them respectively.

Approved, April 25, 1812.

**Invalid pensions for revolutionary service under act of April 10, 1806 continued for six years.**

### 3 (Stat.) 73. (& 74.)

#### THIRTEENTH CONGRESS. Sess. I. 1813.

Chap. XL. *An Act to provide for the widows and orphans of militia slain, and for militia disabled in the service of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That if any commissioned officer of the militia, or of any volunteer corps, shall while in the service of the United States die by reason of any wound received in actual service of the United States, and leave 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, for and during the term of five years; but in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the remainder of the time shall go to the child or children of such deceased officer: *Provided always,* That such half pay shall cease on the death of such child or children.

[Sec. 2. *And be it further enacted,* That if any officer, non-commissioned officer, musician, or private of the militia, or of any volunteer corps, shall be disabled by known wounds received in the actual service of the United States, while in the line of his duty, he shall upon substantiating his claim in the manner described by an act, entitled "An act to provide for persons who are disabled by known wounds received in the revolutionary war," passed the tenth day of April, one thousand eight hundred and six, be placed on the list of invalids . . . [here provides for rate of compensation.]

Sec. 3 omitted, provides that the provisions of this act should be constructed to have effect from and after 18 June 1812; Sec. 4 omitted.]

Approved, August 2, 1813.

**Provides for half-pay pension for widow or orphans of commissioned officers who died or were disabled in the militia.**

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3 (Stat.) 103. (& 104).

THIRTEENTH CONGRESS. Sess. II. 1814.

Chap. XX. *An Act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any officer, seaman or marine serving on board of any private armed ship or vessel bearing a commission of letter of marque, shall die, or shall have died since the eighteenth day of June, in the year of our Lord one thousand eight hundred and twelve, by reason of a wound received in the line of his duty, leaving 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 placed on the pension list by the Secretary of the Navy, who shall allow to such widow, child or children, half the monthly pension to which the rank of the deceased would have entitled him for the highest rate of disability, under "An act regulating pensions to persons on board private armed ships," which allowance shall continue for the term of five years; but in case of the death or intermarriage of such widow before the expiration of the term of five years, the half-pay for the remainder of the term shall go to the child or children of the deceased: *Provided*, That the half-pay shall cease on the death of such child or children. And the several pensions hereby directed shall be paid by direction of the Secretary of the Navy out of the fund provided by the seventeenth section of an act, entitled "An act concerning letters of marque, prizes and prize goods," and from no other.

Provides for widows and children of seamen,

Sec. 2. *And be it further enacted*, That if any seaman or marine belonging to the navy of the United States shall die, or if any officer, seaman or marine belonging to the navy of the United States, shall have died, since the eighteenth day of June, in the year of our Lord one thousand eight hundred and twelve, by reason of a wound received in the line of his duty, leaving 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, which allowance shall continue for the term of five years; but in case of the death or intermarriage of such widow before the expiration of the said term of five years the half-pay for the remainder of the term shall go to the child or children of the deceased: *Provided*, That such half-pay shall cease on the death of such child or children. And the money required for this purpose shall be paid out of the navy pension fund under the direction of the commissioners of that fund.

Approved, March 14, 1814.

3 (Stat.) 285 [& 286].

FOURTEENTH CONGRESS. Sess. I. 1816.

Chap. LV. *An Act making further provision for military services during the late war, and for other purposes.*

Pensions awarded to widows or orphans of officers, private soldiers of the militia including rangers, sea fencibles, and volunteers or non-commissioned officers, musicians, or privates. Must have served a minimum term specified in the late war and died in service or while returning home in consequence of wounds.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That when any officer or private soldier of the militia, including rangers, sea fencibles and volunteers, or any non-commissioned officer, musician or private, enlisted for either of the terms of one year or eighteen months, or any commissioned officer of the regular army shall have died while in the service of the United States, during the late war, or in returning to his place of residence, after being mustered out of service, or who shall have died at any time thereafter, in consequence of wounds received whilst in the service, and shall have left 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, for and during the term of five years; and in case of death or intermarriage of such widow before the expiration of said five years, the half pay for the remainder of the time shall go to the child or children of said decedent. *Provided* always, That the secretary of war shall adopt such forms of evidence in applications under this act, as the President of the United States may prescribe. *Provided also*, that the officers and private soldiers of the militia, as

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aforsaid, who have been disabled by wounds or otherwise, while in the service of the United States in the discharge of their duty, during the late war, shall be placed on the list of pensioners in the same manner as the officers and soldiers of the regular army, under such forms of evidence, as the President of the United States may prescribe.

Provided also, That the provisions of this act shall not extend to any person embraced in the provision of an act, entitled "An act to provide for the widows and orphans of militia slain, and for militia disabled in the service of the United States," passed the second day of August, one thousand eight hundred and thirteen.

Sec. 2. *And be it further enacted*, That when any non-commissioned officer, musician or private soldier of the regular army of the United States shall have been killed in battle, or have died of wounds or disease, while in the service of the United States, during the late war, and have left a child or children under sixteen years of age, it shall be lawful for the guardian of such child or children, within one year from the passing of this act, to relinquish the bounty land, to which such non-commissioned officer, musician or private soldier, had he survived the war, would have been entitled, and, in lieu thereof, to receive half the monthly pay to which such deceased person was entitled, at the time of his death, for and during the term of five years, to be computed from and after the seventeenth day of February, one thousand eight hundred and fifteen, the payment thereof to be made when and where other military pensions are or shall be paid; and where a warrant for the military bounty land aforesaid shall have been issued to or for the use of the child or children of any such deceased non-commissioned officer, musician or private soldier, such child or children, or either of them, being under sixteen years of age, it shall be lawful for the guardian of such minor or minors, to surrender and deliver such warrant into the office for the department of war, within one year from the passing of this act; of which surrender and delivery, the secretary of that department shall give notice to the Secretary of the Treasury, who shall thereupon give the requisite orders for the payment of the half pay hereby provided for.

[Sec. 3 omitted - refers to bounty land.]

[Sec. 4 omitted - provides for Congress to appropriate additional lands for bounty.]

Sec. 5. ... That no transfer of land, granted in virtue of this or any other law, giving bounties of land to non-commissioned officers, musicians and privates enlisted during the late war, shall be valid, unless the contract or agreement therefor, or letter of attorney, giving power to sell or convey, shall have been executed after the patents shall be issued and delivered to the persons entitled thereto.

Approved, April 16, 1816.

3 (Stat.) 296 [& 297].

FOURTEENTH CONGRESS. Sess. I. 1816.

Chap. LXVIII. *An Act to increase the pensions of invalids in certain cases; for the relief of invalids of the militia; and for the appointment of pension agents in those states where there is no commissioner of loans.*

[Sec. 1-2 omitted - establishes new sums for military pensions for those now on the military pension roll; Sec. 2 provides that those entitled shall be placed on the military pension roll according to ranks and degrees of disabilities, in lieu of those heretofore established.]

Sec. 3. *And be it further enacted*, That all laws and regulations, relating to the admission of the officers and soldiers of the regular army to be placed on the pension roll of the United States, shall, and they are hereby declared to, relate equally to the officers and soldiers of the militia, whilst in the service of the United States.

[Sec. 4 - omitted.]

Approved, April 24, 1816.

**Provisions do not apply to those embraced in provision of act of August 2, 1813.**

**Makes provision that orphans of those who died in the regular army and who were eligible for bounty land may instead obtain a half pay pension for five years.**

**Provisions for officers and soldiers of the regular army extended to officers and soldiers of the militia.**

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3 (Stat.) 410 [& 411].

FIFTEENTH CONGRESS. Sess. I. 1818.

Chap. XIX. *An Act to provide for certain persons engaged in the land and naval service of the United States, in the Revolutionary War.*

Revolutionary land and naval service veterans in need of assistance and who served a specified time to be placed on the pension rolls. [So many applied that the act of 1820 was passed to limit the number.]

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That every commissioned officer, non-commissioned officer, musician, and private soldier, and all officers in the hospital department and medical staff, who served in the war of the revolution until the end thereof, or for the term of nine months, or longer, at any period of the war, on the continental establishment; and every commissioned officer, non-commissioned officer, mariner, or marine, who served at the same time, and for a like term, in the naval service of the United States, who is yet a resident citizen to the United States, and who is, or hereafter, by reason of his reduced circumstances in life, shall be, in need of assistance from his county for support, and shall have substantiated his claim to a pension in the manner hereinafter directed, shall receive a pension from the United States; if an officer, of twenty dollars per month during life; if a non-commissioned officer, musician, mariner, marine, or private soldier, of eight dollars per month during life; *Provided*, No person shall be entitled to the provisions of this act, until he shall have relinquished his claim to every pension heretofore allowed him by the laws of the United States.

Sec. 2. *And be it further enacted*, That to entitle any person to the provisions of this act, he shall make a declaration, under the oath or affirmation, before the district judge of the United States of the district, or before any judge or court of record of the county, state, or territory, in which the applicant shall reside, setting forth, if he belonged to the army, the company, regiment, and line, to which he belonged: the time he entered the service, and the time and manner of leaving the service; and in case he belonged to the navy, a like declaration, setting forth the name of the vessel, and particular service in which he was employed, and the time and manner of leaving the service, and shall offer such other evidence as may be in his power; and, on its appearing, to the satisfaction of the said judge, that the applicant served in the revolutionary war as aforesaid against the common enemy, he shall certify and transmit the testimony in the case, and the proceedings had thereon, to the Secretary of the Department of War, whose duty it shall be, if satisfied the applicant comes under the provisions of this act, to place such officer, musician, mariner, marine, or soldier, on the pension list of the United States, to be paid in the same manner as pensions to invalids who have been placed on the pension list are now paid, and under such restrictions and regulations, in all respects, as are prescribed by law.

Sec. 3. *And be it further enacted*, That every pension by virtue of this act shall commence on the day that the declaration under oath or affirmation, prescribed in the foregoing section, shall be made.

Sec. 4. *And be it further enacted*, That from and after the passage of this act, no sale, transfer, or mortgage, of the whole, or any part, of the pension payable in pursuance of this act, shall be valid; and any person who shall swear or affirm falsely in the premises, and be thereof convicted, shall suffer as for wilful and corrupt perjury.

Approved, March 18, 1818.

3 (Stat.) 427 [& 428].

FIFTEENTH CONGRESS. Sess. I. 1818.

Chap. LXV. *An Act in addition to "An act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States."*

Pensions for widows and orphans of those slain in public or private armed vessels.

Sec. 1. *Be it enacted by the Senate and House of Representatives...* That in every case where a person has been put on the pension list, or granted a certificate of pension, by virtue of the first section of an act passed the fourth day of March, in the year eighteen hundred and fourteen, entitled "An Act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," the Secretary of the navy be, and he is hereby, authorized, at the expiration of the term of five years, for which any pension certificate shall have been granted as

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aforesaid, to allow the full monthly pension to which the rank of the deceased would have entitled him for the highest rate of disability, and that each pension shall continue to such person for the further term of five years: *Provided*, That such pension shall cease on the death of such widow, child, or children.

Sec. 2. *And be it further enacted*, That if any officer, seaman, or marine, shall have died since the eighteenth day of June, in the year eighteen hundred and twelve, in consequence of an accident or casualty, which occurred while in the line of his duty on board a private armed vessel, leaving a widow, or if no widow, a child or children under sixteen years of age, the Secretary of the Navy be, and he is hereby, authorized to place such widow, child, or children, on the pension list, and allow to such widow, child, or children, the same monthly pension as if the deceased had died by reason of wounds received in the line of his duty; *Provided*, That all moneys paid by virtue of this act shall be paid out of the privateer pension fund, and no other.

Approved, April 16, 1818.

**Provides for pension for widows or orphans of those who died since June 18, 1812 in consequence of accident or casualty while in line of duty.**

### 3 (Stat.) 502.

#### FIFTEENTH CONGRESS. Sess. II. 1819.

Chap. LX. *An Act extending the term of half pay pensions to the widows and children of certain officers, seamen, and marines, who died in the public service.*

Sec. 1. *Be it enacted by the Senate and House of Representatives ...* That in all cases where provision has been made by law for five years' half pay to the widows and children of officers, seamen, and marines, who were killed in battle or died of wounds received in battle, or who died in the naval service of the United States, during the late war, the said provision shall be continued for the additional term of five years, to commence at the end of the first term of five years, in each case, respectively, making the provision equal to ten years' half pay; which shall be paid in the manner, and out of the fund, heretofore designated by law; and the said pensions shall also cease for the reasons mentioned in the said law.

Approved, March 3, 1819.

**Extends half pay pensions to widows and orphans of certain officers, seaman and marines for five years.**

### 3 (Stat.) 569 [& 570].

#### SIXTEENTH CONGRESS. Sess 1. 1820.

Chap. LIII. *An Act in addition to an act, entitled "An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war," passed the eighteenth day of March, one thousand eight hundred and eighteen.*

Be it enacted ... That no person who now is, or hereafter may be, placed on the pension list of the United States, by virtue of the act, entitled "An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war," passed on the eighteenth day of March, one thousand eight hundred and eighteen, shall, after the payment of that part of the pension which became due on the fourth day of March, one thousand eight hundred and twenty, continue to receive the pension granted by the said act, until he shall have exhibited to some court of record, in the county, city, or borough, in which he resides, a schedule, subscribed by him, containing his whole estate and income, (his necessary clothing and bedding excepted) and shall have (before the said court, or some one of the judges thereof,) taken and subscribed, and produced to the said court, the following oath or affirmation, to wit: I, A. B. do solemnly swear or affirm, (as the case may be) that I was a resident citizen of the United States on the eighteen day of March, one thousand eight hundred and eighteen and that I have not, since that time, by gift, sale, or in any manner whatever, disposed of my property, or any part thereof, with intent thereby so to diminish it as to bring myself within the provisions of an act of Congress, entitled "An act to provide for certain persons engaged in the land and naval services of the United States in the revolutionary war," passed on the eighteen day of March, one thousand eight hundred and eighteen; and that I have not, nor has any person in trust for me, any property, or securities, contract, or debts, due to me; nor have I any income, other than what is contained in the schedule hereto annexed and by me subscribed: Nor until such person shall have delivered, or caused to be

**Pensioners under act of March 18, 1818 must fill further provisions to stay on the rolls.**

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delivered, to the Secretary of War, a copy of the aforesaid schedule and oath of affirmation, certified by the clerk of the court to which the said schedule was delivered, together with the opinion of the said court, also certified by their clerk, of the value of the property contained in the said schedule: *Provided*, That in the every case in which the pensioner may be insane, or incapable of taking an oath, the court may secure the said schedule, without the aforesaid oath or affirmation, from the committee, or other person authorized to take care of such person.

### Provisions on filing.

Sec. 2. *And be it further enacted*, That the original schedule and oath or affirmation shall be filed in the clerk's office, of the court to which the schedule and oath or affirmation aforesaid shall be exhibited.

And any person who shall swear or affirm falsely in the premises, and be thereof convicted, shall suffer as for willful and corrupt perjury.

Sec. 3. *And be it further enacted*, That on the receipt of the copy of the schedule and oath, or affirmation aforesaid, it shall be the duty of the Secretary of the War Department to cause to be struck from the list of pensioners under the said act, the name of such person, in case the said person shall not, in his opinion, be in such indigent circumstances as to be unable to support himself without the assistance of his security: *Provided*, That every person, who shall have been placed on the pension list in consequence of disability, from known wounds received in the revolutionary war, and who shall have relinquished such pension in order to avail themselves of the benefit of the provisions of the act, to which this is an amendment, who, by virtue of this section, may be stricken from the pension list, shall be forthwith restored to the pension so relinquished.

Approved, May 1, 1820.

### 3 (Stat.) 650.

#### SEVENTEENTH CONGRESS. Sess. I. 1822.

Chap. VI. *An Act to revive and continue in force an act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war."*

### Act of April 10, 1806 revived and extended.

Be it enacted ... That the act, entitled "An act to provide for persons who were disabled by known wounds received in the revolutionary war," passed on the tenth day of April, one thousand eight hundred and six, and limited, as in said act declared, to the term of six years, and afterwards, revived and continued in force, for and during the term of six years ... [by act of 25 April 1812, afterwards continued for one year by act of 15 May 1820] shall be, and the same act is hereby revived and continued ... during the term of six years ... *Provided*, That any evidence which has been taken to support any claim of any person disabled in the revolutionary war, under the authority of the act of the fifteenth of May, one thousand eight hundred and twenty, reviving and continuing in force, for one year, "An act to provide for persons who were disabled by known wounds received in the revolutionary war," shall be received and acted upon by the Secretary of War, in the same manner as if said act was still in force and had not expired: *And provided also*, "That this act, and any thing contained in the act hereby revived and continued in force, shall not be construed to repeal or make void the fourth section of an act, entitled "An act concerning invalid pensions," passed the third of March, one thousand eight hundred and nineteen; and the said fourth section of the said last-mentioned act shall be, and the same is hereby declared to be, and to continue to be, in full force and effect; anything in the said act hereby revived and continued in force to the contrary notwithstanding.

[Sec. 2 and 3 omitted.]

Approved, February 4, 1822.

### 3 (Stat) 782 [& 783].

#### SEVENTEENTH CONGRESS. Sess II. 1823.

Chap. LIX. *An Act supplementary to the acts to provide for certain persons engaged in the land and naval services of the United States in the revolutionary war.*

Be it enacted by the Senate and House of Representatives ... That the Secretary of War be, and he is hereby, authorized and required to restore to the list of pensioners

## MILITARY PENSIONS

the name of any person who may have been, or hereafter shall be stricken therefrom, in pursuance of the act of Congress, passed the first day of May, one thousand eight hundred and twenty, entitled, "An act in addition to an act, entitled, "An act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war," passed the eighteenth day of March, one thousand eight hundred and eighteen, if such person, so stricken from the list of pensioners, has heretofore furnished, or hereafter shall furnish, evidence, in pursuance of the provisions of said act, to satisfy the Secretary of War that he is in such indigent circumstances as to be unable to support himself without the assistance of his country, and that he has not disposed of or transferred his property, or any portion thereof with a view to obtain a pension.

**This act restores some of the revolutionary pensioners who had been stricken from the pension rolls.**

*Sec. 2. And be it further enacted,* That, when any person, coming within the provisions of the acts to which this is supplementary, shall, by reason of bodily infirmity, be unable to attend in court to make his schedule, and furnish the evidence by said acts required, it shall be lawful for any judge or justice of a court of record in the district, city, county, or borough, in which such person resides, to attend at his place of abode and receive his schedule, and oath or affirmation, and said judge or justice shall certify that said applicant was, from bodily infirmity, unable to attend such court; which schedule, and oath or affirmation, and certificate, shall, by said judge or justice, be produced in the court of which he is a judge; and the opinion of said court, of the value of the property contained in said schedule, shall be entered thereon, and certified by the clerk of said court; and such schedule shall be valid for all the purposes contemplated by the acts aforesaid.

*Sec. 3. And be it further enacted,* That no pension hereafter to be allowed on claims or schedules heretofore filed under the act or acts to which this act is a supplement, or under the provisions of this act, shall commence before the passage thereof; and all other pensions hereafter to be allowed under the acts aforesaid, shall commence from the time of completing the proof.

Approved, March 1, 1823.

### 4 (Stat.) 4.

#### **EIGHTEENTH CONGRESS. Sess. I. 1824.**

*Chap. XV. An Act further extending the term of half pay pensions to the widows and children of officers, seamen, and marines, who died in the public service.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases where provision has been made by law for five years' half pay to the widows and children of officers, seaman, and marines, who were killed in battle, or who died in the naval service of the United States, during the late war; and, also, in all cases where provision has been made for extending the term for five years, in addition to the first term of five years, the said provision shall be further extended for an additional term of five years, to commence at the end of the second term of five years, in each case, respectively, making the provision equal to fifteen years' half pay; which shall be paid out of the fund heretofore provided by law; and the said pensions shall cease, for the causes mentioned in the laws providing the same respectively.

**Extends term of half pay pensions for five years to widows and children of officers, seamen and marines.**

*Sec. 2. And be it further enacted,* That from and after the passing of this act, the act, entitled "An act to amend and explain an act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States," passed March the third, one thousand eight hundred and seventeen, be, and the same is hereby, repealed. *Provided, however,* That nothing in this act contained shall be construed to prevent the payment of any pension already granted, until the full expiration of the period thereof; nor to affect or impair the rights of any person or persons which may have accrued during the existence of the act hereby repealed, as aforesaid.

Approved, January 22, 1824.



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4 (Stat.) 18.

EIGHTEENTH CONGRESS. Sess. I. 1824.

Chap. XXXIV. *An Act extending the term of pensions granted to persons disabled and to the widows and orphans of those who have been slain, or who have died, in consequence of wounds or casualties, received while in the line of their duty, on board the private armed ships of the United States, during the late war.*

Extends pensions for those who died on board the private armed ships during the late war.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That, the pensions of all persons, who now are in the receipt thereof, under the provisions of the following laws of the United States, or either of them, to wit: an act passed March fourth, one thousand eight hundred and fourteen, entitled "An act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States;" and an act passed April sixteenth, one thousand eight hundred and eighteen, entitled "An act in addition to an act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States;" so far as regards persons receiving pensions from the fund arising from captures and salvage, made by the private armed vessels of the United States, be, and the same are hereby, continued, under the restrictions and regulations in the said acts contained, for and during the additional term of five years, from and after the period of the expiration of the said pensions, respectively: *Provided, however,* That the said pensions shall alone be paid from the proceeds of the privateer pension fund so called, and without recourse to the United States for any deficiency (should such occur,) which may hereafter arise thereon: And provided, further, That no pension shall be paid to any such widow after her intermarriage, nor to any orphan children of such officer, seamen, or mariners, after they shall have attained the age of sixteen years.

Approved, April 9, 1824.

4 (Stat.) 71.

EIGHTEENTH CONGRESS. Sess. I. 1824.

Chap. CXC. *An Act to revive and extend the term of certain pensions which have expired by limitation.*

Revives and extends widows and orphans' pensions of officers, seamen and marines.

Be it enacted... That the pensions heretofore granted, and paid out of the privateer pension fund, to the widows and orphans of such officers, seamen, and marines, as were slain, or died in consequence of wounds, or casualties, received, while in the line of their duty, on board the private armed ships of the United States, and the terms of payment of which had expired by limitation, before the ninth day of April, in the year of our Lord one thousand eight hundred and twenty-four, be, and the same are hereby, revived, and all extended to such widows and orphans, with all the advantages, and in the same manner, as if their respective terms had not expired; subject to the provisions, restrictions, and limitations, of an act, passed the ninth day of April, in the year of our Lord one thousand eight hundred and twenty-four, entitled "An act extending the term of pensions granted to persons disabled, and to the widows and orphans of those who have been slain, or who have died in consequence of wounds, or casualties, received while in the line of their duty, on board the private armed ships of the United States, during the late war."

Approved, May 26, 1824.

4 (Stat.) 269 [& 270].

TWENTIETH CONGRESS. Sess. I. 1828.

Chap. LIII. *An Act for the relief of certain surviving officers and soldiers of the army of the revolution.*

Surviving officers who were entitled to half pay under resolve of October 21, 1780, to receive full pay for life starting March 3, 1826.

Sec. 1. *Be it enacted ...* That each of the surviving officers of the army of the revolution, in the continental line, who was entitled to half pay by the resolve of October twenty-first, seventeen hundred and eighty, be authorized to receive, out of any money in the Treasury not otherwise appropriated, the amount of his full pay in said line, according to his rank in the line, to begin on the third of March, one thousand eight hundred and twenty-six, and to continue during his natural life: *Provided,* that

## MILITARY PENSIONS

under this act, no officer shall be entitled to receive a larger sum than the full pay of a captain in said line.

*Sec. 2. And be it further enacted,* That whenever any of said officers has received money of the United States, as a pensioner, since the third day of March, one thousand eight hundred and twenty-six, aforesaid, the sum so received shall be deducted from what said officer would otherwise be entitled to under the first section of this act; and every pension to which said officer is now entitled shall cease after the passage of this act.

Approved, May 15, 1828.

### 4 (Stat.) 288 (& 289).

#### TWENTIETH CONGRESS. Sess. I. 1828.

Chap. LCXVII. *An Act to provide for extending the term of certain pensions, chargeable on the navy and privateer pension fund.*

[Sec. 1-2 omitted. Provides that all widows who within one year last past have been receiving pensions under provisions of acts of March 4, 1814 and April 16, 1818 are continued for five years.

And provided further, That no such pension shall be paid to any such widow after her intermarriage, had, or to be had, after she shall have become such widow.

Approved, May 23, 1828.

### 4 (Stat.) 529 [& 530].

#### TWENTY-SECOND CONGRESS. Sess. I. 1832.

Chap. CXXVI. *An Act supplementary to the "Act for the relief of certain surviving officers and soldiers of the revolution."*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That each of the surviving officers, non-commissioned officers, musicians, soldiers and Indian spies, who shall have served in the continental line, or state troops, volunteers or militia, at one or more terms, a period of two years, during the war of the revolution, and who are not entitled to any benefit under the act for the relief of certain surviving officers and soldiers of the revolution, passed the fifteenth day of May, eighteen hundred and twenty-eight, be authorized to receive, out of any money in the treasury not otherwise appropriated, the amount of his full pay in the said line, according to his rank, but not exceeding, in any case, the pay of a captain in the said line; such pay to commence from the fourth day of March, one thousand eight hundred and thirty-one, and shall continue during his natural life; and that any officer, non-commissioned officer, musician, or private, as aforesaid, who shall have served in the continental line, state troops, volunteers or militia, a term or terms in the whole less than the above period but not less than six months, shall be authorized to receive out of any unappropriated money in the treasury, during his natural life, each according to his term of service, an amount bearing such proportion to the annuity granted to the same rank for the service of two years, as his term of service did to the term aforesaid; to commence from the fourth day of March, one thousand eight hundred and thirty-one.

*Sec. 2. And be it further enacted,* That no person, receiving any annuity or pension under any law of the United States providing for revolutionary officers and soldiers, shall be entitled to the benefits of this act, unless he shall first relinquish his further claim to such pension; and in all payments under this act, the amount which may have been received under any other act as aforesaid, since the date at which the payments under this act shall commence, shall first be deducted from such payment.

*Sec. 3. And be it further enacted,* That the pay allowed by this act shall, under the direction of the Secretary of the Treasury, be paid to the officer, non-commissioned officer, musician or private, entitled thereto, or his or their authorized attorney, at such places and times as the Secretary of the Treasury may direct, and that no foreign officer shall be entitled to said pay, nor shall any officer, non-commissioned officer, musician or private, receive the same until he furnish the said Secretary satisfactory

**Extends for five years certain pensions to widows under acts of March 4, 1814 and April 16, 1818.**

**A general service pension for revolutionary officers, musicians, soldiers and Indian spies who served at one or more terms for two years, the amount of his full pay. Those who served less than two years but not less than six months received a proportionate amount.**

**Must relinquish claims under other acts to be eligible.**

## MILITARY PENSIONS

evidence that he is entitled to the same in conformity to the provisions of this act; and the pay hereby allowed shall not be in any way transferable or liable to attachment, levy, or seizure, by any legal process whatever, but shall inure wholly to the personal benefit of the officer, non-commissioned officer, musician, or soldier, entitled to the same.

Sec. 4. *And be it further enacted*, That so much of the said pay as accrued before the approval of this act, shall be paid to the person entitled to the same as soon as may be, in the manner and under the provisions above mentioned; and the pay which shall accrue thereafter shall be paid semi-annually, in the manner above directed; and, in case of the death of any person embraced by the provisions of this act, or of the act to which it is supplementary, during the period intervening between the semi-annual payments directed to be made by said acts, the proportionate amount of pay which shall accrue between the last preceding semi-annual payment, and the death of such person, shall be paid to his widow, or, if he leave no widow, to his children.

Sec. 5. *And be it further enacted*, That the officers, non-commissioned officers, mariners, or marines, who served for a like term in the naval service during the revolutionary war, shall be entitled to the benefits of this act, in the same manner as is provided for the officers and soldiers of the army of the revolution.

Approved, June 7, 1832.

4 (Stat.) 533.

**TWENTY-SECOND CONGRESS. Sess. I. 1832.**

Chap. CXXCXI *An Act to authorize the President to raise mounted volunteers for the defence of the frontier.*

[Sec. 1-3 omitted.]

Invalid pensions granted to raise mounted volunteers on the frontier.

Sec. 4. *And be it further enacted*, That the officers, non-commissioned officers, and privates, raised pursuant to this act, shall be entitled to the like compensation, in case of disability by wounds or otherwise, incurred in the service, as has heretofore been allowed to officers, non-commissioned officers, and privates in the military establishment of the United States; and shall be subject to the rules and articles of war, and such regulations as have been or shall be established according to law for the government of the army of the United States, as far as the same may be applicable to the said ranges within the intent and meaning of this act, for the protection and defence of the northwestern frontier of the United States.

Approved, June 15, 1832.

4 (Stat.) 550.

**TWENTY-SECOND CONGRESS. Sess. I. 1832.**

Chap. CLI. *An Act further to extend the pension heretofore granted to the widows of persons killed or who died in the naval service.*

Naval pensions for five years for widows and orphans of those killed.

Be it enacted . . . That in all cases where provision has been made by law, for the five years' half-pay to widows and children of officers, seamen, and marines, who were killed in battle, or who died in the naval service of the United States; and, also, in all cases where provision has been made for extending the term for five years, in addition to any term of five years, the said provision shall be, and is hereby, further extended for an additional term of five years, so far as respects widows only, to commence at the end of the current or last expired term of five years in each case, respectively; which pension shall be paid out of the fund heretofore provided by law. And the pension herein continued shall cease for the causes mentioned in the laws granting the same, respectively.

Sec. 2. *And be it further enacted*, That the provisions of this act shall be extended to the widows of all those who may have died by reason of wounds received during the war.

Approved, June 28, 1832.

## MILITARY PENSIONS

5 (Stat.) 7.

TWENTY-FOURTH CONGRESS. Sess. I. 1836.

Chap. XLIV. *An Act to provide for the payment of volunteers and militia corps, in the services of the United States.*

Sec. 1-3 omitted.]

Sec. 4. *And be it further enacted*, That the volunteers or militia, who have been or who may be 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 or militia who served in the Indian depredations in Florida entitled to invalid pensions.**

Sec. 5. *And be it further enacted*, That when any officer, non-commissioned officer, artificer, or private, of said militia or volunteer corps, who shall die in the service of the United States, or returning to his place of residence after being mustered out of service or at any time in consequence of wounds received in service, and shall leave 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, for and 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 said decedent: *Provided always*, That the Secretary of War shall adopt such forms of evidence, in applications under this act, as the President of the United States may prescribe.

**Half pay for five years to widow and orphans' of those who died in service or died of wounds while returning home.**

[Sec. 6 - omitted]

Approved, March 19, 1836.

5 (Stat.) 127 [& 128].

TWENTY-FOURTH CONGRESS. Sess. I. 1836.

Chap. CCCLXII. *An Act granting half pay to widows or orphans, where their husbands and fathers have died of wounds received in the military service of the United States, in certain cases, and for other purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when any officer, non-commissioned officer, musician or private of the militia, including rangers, sea fencibles, and volunteers, shall have died while in the service of the United States, since the twentieth of April, eighteen hundred and eighteen, or who shall have died in consequence of a wound received whilst in the service, since the day aforesaid, and shall have left 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 or receiving such wound, for and during the term of five years; and in case of the death or marriage of such widow before the expiration of said five years, the half pay for the remainder of the time shall go to the said decedent [*sic*, children?].: *Provided*, That the half pay aforesaid 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: *Provided, also*, That no greater sum shall be allowed to the widow or to the child or children of any officer, than the half pay of a lieutenant colonel.

**Grants half pay for five years to widows and orphans of revolutionary soldiers who died in service since April 20, 1818.**

Sec. 2. *And be it further enacted*, That if any officer, non-commissioned officer, musician, soldier, Indian spy, mariner or marine, whose service during the revolutionary war was such as is specified in the act passed the seventh day of June eighteen hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution," have died since the fourth day of March, eighteen hundred and thirty-one, and before the date of said act, the amount of pension which would have accrued from the fourth day of March, eighteen hundred and thirty-one, to the time of his death, and become payable to him by virtue of that act, if he had survived the passage thereof, shall be paid to his widow; and if he left no widow, to his children, in the manner prescribed in the act hereby amended.

**Special provisions for widows and orphans of those who served in the revolution and died since March 4, 1831 and the date of act passed June 7, 1832.**

## MILITARY PENSIONS

Special provisions for widows of those who died whose marriage took place before the expiration of the last period of his service.

Sec. 3. *And be it further enacted*, That if any person who served in the war of the revolution, in the manner specified in the act passed the seventh day of June, eighteen hundred and thirty-two, entitled "An act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution," have died, leaving a widow whose marriage took place before the expiration of the last period of his service, such widow shall be entitled to receive, during the time she may remain unmarried, the annuity or pension which might have been allowed to her husband, by virtue of the act aforesaid, if living at the time it was passed.

[Sec. 4 and 5 omitted.]

Approved, July 4, 1836.

Widow under special circumstances to receive pension of her husband while she remains unmarried,

5 (Stat.) 180.

TWENTY-FOURTH CONGRESS. Sess. II. 1837.

Chap. XXXVIII. *An Act for the more equitable administration of the Navy Pension Fund. [See an act for the regulation of the Navy and Privateer pensions and Navy Hospital fund. July 10, 1832, chap. 194.]*

Provides for Naval pensions for widows and orphans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any officer, seaman or marine have died, or may hereafter die, in the naval service, leaving a widow, and, if no widow, a child or children, such widow, and if no widow, such child or children, shall be entitled to receive half the monthly pay to which the deceased would have been entitled, under the acts regulating the pay of the navy, in force on the first day of January, one thousand eight hundred and thirty-five, to commence from the time of the death of such officer, seaman, or marine; but in case of the death or intermarriage of such widow, the half-pay shall go to the child or children of such deceased officer, seaman, or marine, *Provided*, That the half-pay granted to the child or children shall cease on their death, or on their attaining the age of twenty-one years.

[Sec. 2 through Sec. 3 omitted.]

Approved, March 3, 1837.

5 (Stat.) 187.

TWENTY-FOURTH CONGRESS. Sess. II. 1837.

Chap. XLII. *An Act explanatory of the act entitled An Act granting half-pay to widows and orphans where their husbands and fathers have died of wounds received in the military service of the United States, and for other purposes.*

Further explains the act of July 4, 1836 providing for widows and orphans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the benefits of the third section of the act entitled, "An Act granting half-pay to widows and orphans, where their husbands and fathers have died of wounds received in the military service of the United States, and for other purposes," approved the fourth of July, eighteen hundred and thirty-six, shall not be withheld from any widow, in consequence of her having married after the decease of the husband for whose services she may claim to be allowed a pension under said act. *Provided*, That she was a widow at the time it was passed.

Sec. 2. *And be it further enacted*, That the widow of any person who continued in the service of the United States until the third day of November seventeen hundred and eighty-three, and was married before that day, and while her husband was in such service, shall be entitled to the benefits of the third section of the aforesaid act.

Approved, March 3, 1837.

5 (Stat.) 303.

TWENTY-FIFTH CONGRESS. Sess. II. 1838.

Chap. CLXXXIX. *An Act granting half pay and pensions to certain widows.*

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That if any person who served in the war of the Revolution, in the manner specified in the act passed the seventh day of June, eighteen hundred and thirty-two, entitled "An act supplementary to the act for the relief

## MILITARY PENSIONS

of certain surviving officers and soldiers of the Revolution," have died, leaving a widow, whose marriage took place after the expiration of the last period of his service, and before the first day of January, seventeen hundred and ninety-four, such widow shall be entitled to receive, for and during the term of five years from the fourth day of March, eighteen hundred and thirty-six, the annuity or pension which might have been allowed to her husband in virtue of said act, if living at the time it was passed; *Provided*, That in the event of the marriage of such widow, said annuity or pension shall be discontinued.

[Sec. 2 through Sec. 3 omitted. Provides that that no transfer of any nature of any annuity, half-pay, or pension granted by this act shall be valid, nor any of any former act.]

Approved, July 7, 1838.

5 (Stat.) 311.

**TWENTY-FIFTH CONGRESS. Sess. II. 1838.**

No. 7. *A Resolution for the benefit of the widows of certain revolutionary officers and soldiers.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the benefits of the third section of an act entitled, "An act granting half pay to widows or orphans where their husbands and father have died of wounds received in the military service of the United States in certain cases, and for other purposes," approved the fourth day of July, eighteen hundred and thirty-six, shall not be withheld from any widow whose husband has died since the passage of the said act, or who shall hereafter die, if said widow shall otherwise be entitled to the same.

Approved, July 7, 1838.

**Half pay for five years to widows of those who served in the revolution and married before January 1, 1794..**

**Benefits widows and orphans of certain revolutionary officers and soldiers.**

5 (Stat.) 647.

**TWENTY-SEVENTH CONGRESS. Sess. III. 1843.**

Chap. CII. *An Act granting a pension to certain revolutionary soldiers.*

[This act refers to the revolutionary war, and the act approved June 7, 1832, the act approved July 7, 1838, the act approved August 23, 1842. It extends the previously granted five year half-pay widow's pension from March 4, 1836 for the additional term of one year from March 4, 1843.]

Approved, March 3, 1843.

**Extends widows' half-pay pension for one year.**

5 (Stat.) 680.

**TWENTY-EIGHTH CONGRESS. Sess. I. 1844.**

Chap. CII. *An act to continue the pensions of certain widows.*

[This act refers to the act of March 3, 1843 granting pensions to widows of certain revolutionary soldiers, and extends that act for four years from and after March 4, 1844. Also provides that such widows as have been or shall be admitted by special acts to benefit under the pension act approved July 7, 1838 shall be entitled to the extension.]

Approved, June 17, 1844.

**Extends widows' half-pay pension for four years.**

5 (Stat.) 731.

**TWENTY-EIGHTH CONGRESS. Sess. II. 1845.**

Chap. XLI. *An act renewing certain naval pensions for the term of five years.*

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America ....* That the pensions for the period of five years, which have been heretofore granted out of the naval pension fund, to the widows of officers, seamen, and marines, who have been killed or died by reason of a wound received in the line of their duty, or who have died by occasion of disease contracted, or of a casualty by drowning or otherwise, or of injury received while in the line of their duty, and which pensions have ceased in consequence of the expiration of the period for which they

**Renews certain Naval pensions for widows for five years.**

## MILITARY PENSIONS

were originally granted, or for which they were subsequently renewed, shall be continued for another period of five years, to such of the said widows as have remained unmarried; to commence from the day on which such pensions, respectively, terminated; and to be paid out of any money in the treasury not otherwise appropriated: *Provided*, That every pension hereby renewed shall cease on the death or intermarriage of the widow to whom the same is hereby granted.

Approved, March 3, 1845.

9 (Stat.) 174.

TWENTY-NINTH CONGRESS. Sess. II. 1847.

Chap. XLIX. *An Act making Appropriations for the Payment of Navy Pensions for the year ending thirtieth June, eighteen hundred and forty-eight.*

[Sec. 1 omitted.]

Extends certain Naval pensions.

Sec. 2. *And be it further enacted*, That the provisions of the act of eighteen hundred and forty-five, chapter forty-one, entitled "An act renewing certain naval pensions for the term of five years, be, and the same are hereby, extended to all pensions of similar kind which have expired since the passage of said acts, and the pensions which were renewed by the said act for the term of five years, and which may expire before the next session of Congress, shall be, and hereby are, renewed and continued for another term of five years, to the persons entitled thereto, in the same manner, and subject to the same conditions as are in said act contained, and to commence from the time they may severally expire, and to be paid out of any money in the Treasury not otherwise appropriated. ...

Approved, March 3, 1847.

9 (Stat.) 210 [& 211].

THIRTIETH CONGRESS. Sess. I. 1848

Chap. VIII. *An Act making further Provisions for surviving Widows of the soldiers of the Revolution.*

Provisions for widows of revolutionary soldiers unless she remarries.

Be it enacted ... That if any person who served in the war of the revolution in the manner specified in the act passed the seventh day of June, eighteen hundred and thirty-two, entitled "An Act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution," have died, or shall hereafter die, leaving a widow, whose marriage took place before the first day of January, one thousand seven hundred and ninety-four, such widow shall be entitled to receive, for an during her natural life, from and after the fourth day of March, eighteen hundred and forty-eight, the annuity or pension which might have been allowed to her husband, in virtue of said act, if living at the time it was passed, under the same rules, regulations, and restrictions as are prescribed in the act approved July seventh, eighteen hundred and thirty-eight, entitled "An Act granting half-pay and pensions to certain widows:" *Provided*, That in the event of the marriage of such widow, said annuity or pension shall be discontinued.

This act extended to widows who are pensioners by special acts.

Sec. II. *And be it further enacted*, That such widows as have been admitted to special acts of Congress to the benefit of the pension act, approved the seventh day of July one thousand eight hundred and thirty-eight, or to the benefit of the act approved the seventeenth of June, one thousand eight hundred and forty-four, shall be entitled, and shall be admitted to the benefit of this act; subject, however, to the rules, limitations, and restrictions in and by aid acts prescribed.

Approved, February 2, 1848.

9 (Stat.) 265 [& 266].

THIRTIETH CONGRESS. Sess. I. 1848.

Chap. CXX. *An Act for the Relief of certain surviving Widows of Officers and Soldiers of the Revolutionary Army.*

Be it enacted ... That the widows of all officers, non-commissioned officers, musicians, soldiers, mariners, or marines, and Indian spies, who shall have served in the Continental line, State troops, volunteers, militia, or in the naval service, in the

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revolutionary war with Great Britain, shall be entitled to a pension during such widowhood, of equal amount per annum that their husbands would be entitled to, if living, under existing pension laws; to commence on the fourth day of March, eighteen hundred and forty-eight, and to be paid in the same manner that other pensions are paid to widows; but no widow now receiving a pension shall be entitled to receive a further pension under the provisions of this act; and no widow married after the first day of January, one thousand eight hundred, shall be entitled to receive a pension under this act.

Sec. 2. *And be it further enacted*, That any pledge, mortgage, sale, assignment, or transfer of any right, claim, or interest, in any way granted by this act, shall be utterly void and of no effect, nor shall the annuities or pension granted by this act be liable to attachment, levy, or seizure by any process of law or equity, but shall enure wholly to the personal benefit of the pensioner or annuitant entitled to the same. The same rules of evidence, regulations, and prescriptions shall apply and govern the Commissioner of pensions and pension agents under this act as now prevail under existing pension laws which relate to widows of revolutionary officers and soldiers.

Sec. 3. *And be it further enacted*, That this act shall take effect immediately.  
Approved, July 29, 1848.

9 (Stat.) 282 [& 283].

THIRTIETH CONGRESS. Sess. I. 1848.

Chap. CLV. *An Act renewing certain Naval Pensions, and extending the benefit of existing Law, respecting Naval Pensions, to Engineers, Firemen, and Coal-heavers in the navy, and to their Widows.*

Sec. 1. *Be it enacted by the Senate and House of Representatives ...*, That all those widows and such child or children as are now receiving a pension under any of the laws of Congress passed prior to the first of August eighteen hundred and forty-one, (excepting the law passed the third of March, eighteen hundred and thirty-seven,) and those widows and children who have received pensions at any time within five years prior to the passage of this act, may and shall continue to receive the same amount as they have received under any special act, from the time such special act expired: *Provided*, Such act ceased on or after the first day of September, eighteen hundred and forty-five, or may hereafter terminate. And all such pensions as are now in force, and such as are now renewed by this act, shall be paid out of any money in the Treasury not otherwise appropriated, so long as the said widows shall live as widows; and in case of the death, before or after the passage of this act, of the widows, to the orphan child or children of the deceased parties, until they respectively arrive at the age of sixteen years; and to the child or children of said widows in case of marriage by said widows, until said child or children shall respectively arrive at the age of sixteen years; and that the act approved thirtieth April, eighteen hundred and forty-four, shall not be so construed as to exclude officers, seamen, or marines from their pensions when disabled for sea service: *Provided*, That the whole amount received by the pensioner, including pay for his service and pension, shall not exceed his lowest duty pay. That the orphan child or children of the deceased parties shall have a pension in case the widow has died after drawing a five years' pension, to commence at the time when the widow dies, and to continue until the child or children shall respectively reach the age of sixteen years; and that any casualty by which an officer, seamen, or marine has lost or may lose his life while in the line of his duty, shall be considered sufficient to entitle the widow, child, or children to all the benefits of this act.

Sec. 2. *And be it further enacted*, That engineers, firemen, and coal-heavers in the navy shall be entitled to pensions in the same manner as officers, seamen, and marines; and the widows of engineers, coal-heavers, and firemen in the same manner as the widows of officers, seamen and marines ... [here provides for specific remuneration].

Sec. 3. *And be it further enacted*, That the amount of pension in every case arising under this law [is] not to exceed the half pay of the deceased officer, seaman, or

**Certain surviving widows of the revolutionary war officers, soldier, etc. to be entitled to a pension of equal amount of their husbands if living. No widow now receiving a pension shall be entitled to a further pension under this act, nor any widow who married after January 1, 1800.**

**Renews and extends naval pensions.**



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marine, as it existed in January, eighteen hundred and thirty-five, or such rate of pension as is allowed by this act.

Approved, August 11, 1848.

10 (Stat.) 154.

THIRTY-SECOND CONGRESS. Sess. II. 1853.

Chap. XLI. *An Act to continue Half-Pay to certain Widows and Orphans.*

[Provides that all widows and orphans that were granted and allowed five years half-pay by the provisions of acts of July 21, 1848, February 22, 1849, are granted a continuance of said half-pay, "under like limitations and restrictions, for a further period of five years, to commence at the expiration of the half-pay provided for by the aforesaid acts ....] *Provided, however,* That in case of the death or marriage of such widow before the expiration of said term of five years, the half-pay for the remainder of the term shall go to the child or children of the deceased officer or soldier, whilst under the age of sixteen years; and in like manner, the child or children of such deceased, when there is no widow, shall be paid no longer than while there is a child or children under the age aforesaid: *And provided further,* That no greater sum shall be allowed in any case to the widow or the child or children if any officer than the half-pay of a Lieutenant-Colonel: *And provided further,* That the act approved the twenty-second of February, eighteen hundred and forty-nine, "granting five years half-pay to certain widows and orphans of officers, non-commissioned officers, musicians, and privates, both regular and volunteers," be so extended and construed as to embrace the widows and minor heirs of the officer, non-commissioned officers, musicians, and privates of the regulars, militia, and volunteers of the war of eighteen hundred and twelve, and of the various Indian wars since seventeen hundred and ninety."

Half-pay extended.

Half-pay for widows and orphans receiving 5 years half-pay by acts of July 21, 1848 and February 22, 1849 continuance for 5 years. Extended to widows and orphans of officers, non-commissioned officers, musicians and privates of the regulars, militia, and volunteers of the War of 1812 and the various Indian wars since 1790.

Pensions of widows who married subsequent to January 1800 to be entitled to pension in same manner as those married before that date.

Sec. 2. *And be it further enacted,* That the widows of all officers, non-commissioned officers, musicians, and privates of the Revolutionary army, who were married subsequent to January, anno Domini eighteen hundred, shall be entitled to a pension in the same manner as those who were married before that date.

Approved, February 3, 1853.

10 (Stat.) 615 [& 616].

THIRTY-THIRD CONGRESS. Sess. 11. 1855.

Chap. CXXVI. *An Act making Appropriations for the Payment of Invalid and other Pensions of the United States for the year ending the thirtieth of June, one thousand eight hundred and fifty-six, and other Purposes.*

[The preamble and Sec. 1-2 provide for appropriations to pay for the pension. Omitted.]

Widows of officers, non-commissioned officer, marines or marines who served during the revolutionary war entitled to same pensions as widows of officers and soldiers of the army, under act of February 3, 1853.

Sec. 3. *And be it further enacted,* That the widows of the officers, non-commissioned officers, marines or mariners who served in the navy of the United States during the revolutionary war, and who were married since the first day of January, eighteen hundred, shall be entitled to pensions in the same manner and to the same extent as the widows of the officers and soldiers of the army of the Revolution, under the second section of the act of February third, eighteen hundred and fifty-three.

Approved, February 28, 1855.

11 (Stat.) 8.

THIRTY-FOURTH CONGRESS. Sess. I. 1856.

Chap. XXVI. *An Act to amend an Act in addition to certain Acts granting Bounty Land to certain officers and Soldiers who have been engaged in the Military Service of the United States, approved March third, eighteen hundred and fifty-five.*

Be it enacted by the Senate and House ... That in all cases where a certificate or warrant for bounty land for any less quantity than one hundred and sixty acres shall have been issued to any officer or soldier, or to the widow or minor child or children of any officer or soldier, under existing laws, the evidence upon which such certificate or warrant was issued shall be received to establish the service of such officer or soldier in the application of himself or of his widow or minor child or children, for a

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certificate or warrant for so much land as may be required to make up the full sum of one hundred and sixty acres, on proof of the identity of such officer or soldier, or, in case of his death, of the marriage and identity of his widow, or, in case of her death, of the identity of his minor child or children: *Provided, nevertheless*, That if upon a review of such evidence the Commissioner of Pensions shall not be satisfied that the former certificate or warrant was properly granted, he may require additional evidences as well of the term as of the fact of service

(Sec. 1 - none so designated in this act.).

Sec. 2. *And be it further enacted*, That in all cases where a pension has been granted to any officer or soldier, the evidence upon which such pension was granted shall be received to establish the service of such officer or soldier in his application for bounty land under existing laws, and upon proof of his identity as such pensioner, a certificate or warrant may be issued to him for the quantity of land to which he shall be entitled, and in case of the death of such pensioned officer or soldier, his widow shall be entitled to a certificate or warrant for the same quantity of land to which her husband would have been entitled, if living, upon proof that she is such widow; and in case of the death of such officer or soldier, leaving a minor child or children and no widow, or where the widow may have deceased before the issuing of any certificate or warrant, such minor child or children shall be entitled to a certificate or warrant for the same quantity of land as the father would have been entitled to receive, if living, upon proof of the decease of father and mother: *Provided, nevertheless*, that if upon a review of such evidence the Commissioner of Pensions shall not be satisfied that the pension was properly granted, he may require additional evidence as well of the term as of the fact of service.

**Provisions allowing the proof for a pension to be used for bounty land application.**

Sec. 3. *And be it further enacted*, That so much of the third section of the "Act in addition to certain acts granting bounty land to certain officers and soldiers who have been engaged in the military service of the United States," approved March third, eighteen hundred and fifty-five, as requires the party claiming a certificate or warrant under the provisions of said act, to establish his or her right thereto by record evidence of the service for which such certificate or warrant has been or may be claimed, be, and the same is hereby, repealed, and parole evidence, where no record evidence exists, may be admitted to prove the service performed, under such rules and regulations as the Commissioner of Pensions may prescribe.

Sec. 4. *And be it further enacted*, That the eighth section of the act above mentioned, approved the third day of March, in the year eighteen hundred and fifty-five, shall be construed as embracing officers, marines, seamen, and other persons engaged in the naval service of the United States during the revolutionary war, and the widows and minor children of all such officers, marines, seamen, and other persons engaged as aforesaid.

Sec. 5. *And be it further enacted*, That the provisions of the said act shall extend to all persons who have served as volunteers with the armed forces of the United States, subject to military orders, for the space of fourteen days, in any of the wars specified in the first section of the said act, whether such persons were or were not mustered into service of the United States.

Sec. 6. *And be it further enacted*, that the widows and minor children of all such persons as are specified in the past preceding section of this act, and are now dead, shall be entitled to the same privileges as the widows and minor children of the beneficiaries named in the act to which this is an amendment.

[Sec. 7. omitted.]

Approved, May 14, 1856.

11 (Stat.) 309.

THIRTY-FIFTH CONGRESS. Sess. I. 1858.

Chap. LXXXV *An Act to extend an Act entitled "An Act to continue Half-pay to certain Widows and Orphans," approved February three, eighteen hundred and fifty-three.*

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Half pay for widows during life, and to children, (if no widow), under 16 years of age.

[Provided that all surviving widows and minor children who have been, or may be, granted and allowed five years' half-pay under the provisions of any law of the United States, be granted a continuance of such half-pay, as follows.] To such widows during life, and to such child or children, where there is no widow, whilst under the age of sixteen years, to commence from the expiration of the half-pay provided for by the first section of the act entitled "An act to continue half-pay to certain widows and orphans, approved February three, eighteen hundred and fifty-three; *Provided, however,* That in case of the marriage or death of any such widow, the half-pay shall go to the child or children of the deceased officer or soldier whilst under the age of sixteen years; and, in like manner, the child or children of such deceased officer or soldier, when there is no widow, shall be paid no longer than while there are children or a child under the age aforesaid: *And provided further* [here refers to rates] ... That this act shall not be construed to apply to or embrace the case of any person or persons now receiving a pension for life; and, further, that whenever half-pay shall have been granted by any special act of Congress, and is renewed or continued under the provision of this act, the same shall commence from the date hereof.

[Sec. 2 omitted.]

Approved, June 3, 1858.