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ELEMENTARY  
MANUAL OF PRACTICE  
—  
CIVIL WAR CLAIMS

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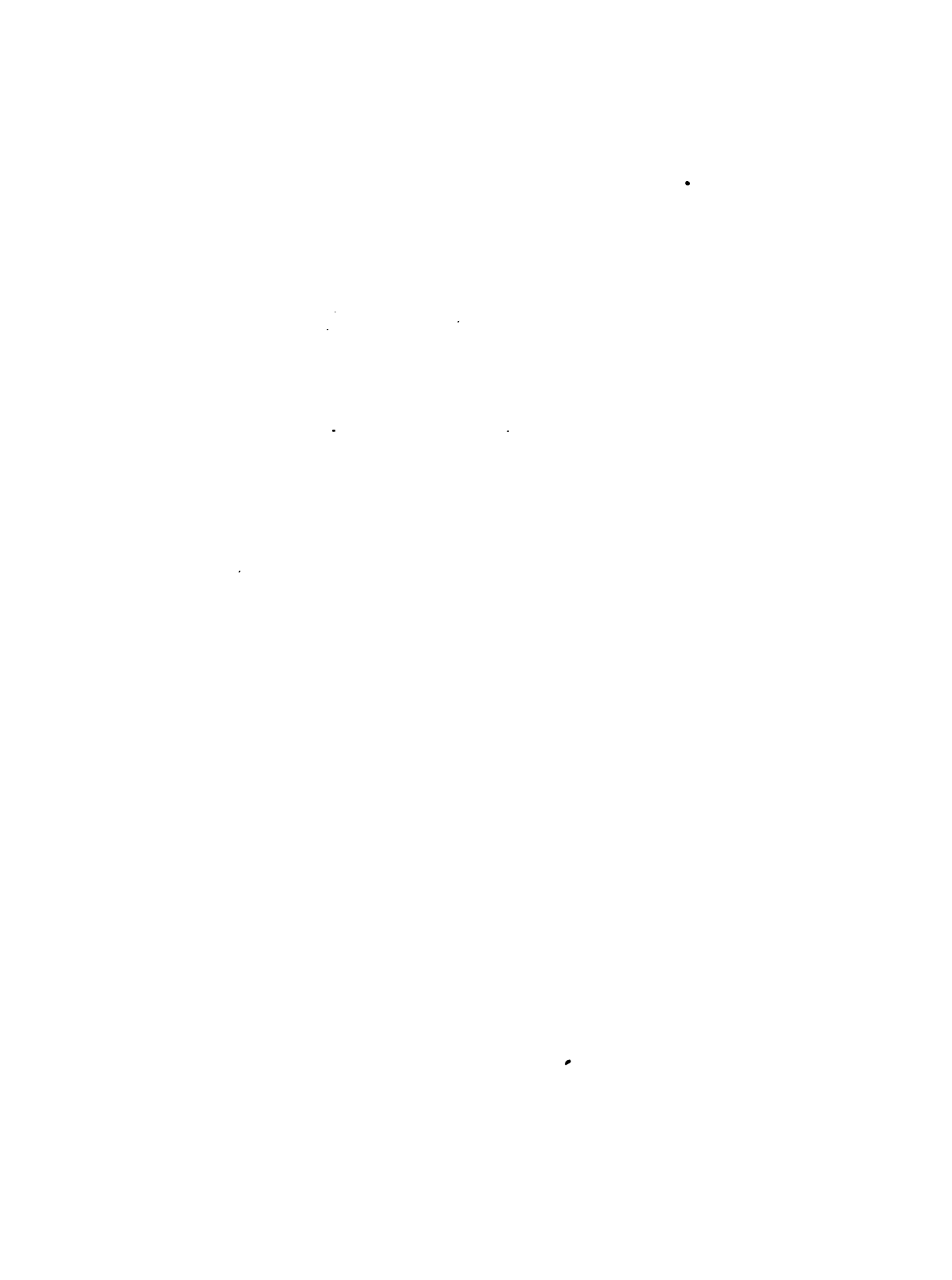
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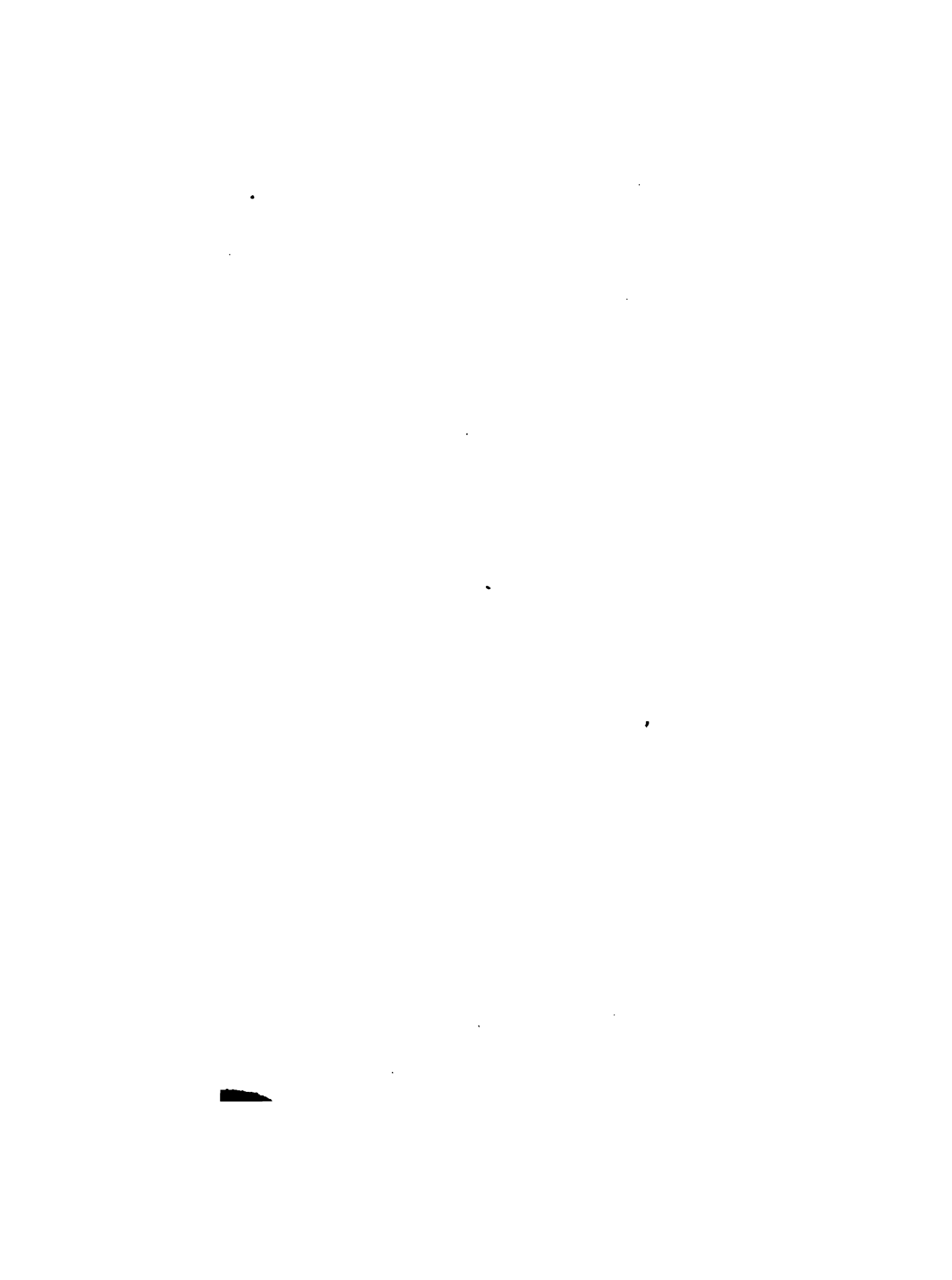
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ELEMENTARY

MANUAL OF PRACTICE.

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CIVIL WAR CLAIMS.

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COMPILED BY  
W. C. ELDRIDGE AND L. R. GINN.

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OFFICE OF THE  
AUDITOR FOR THE WAR DEPARTMENT.  
F. H. MORRIS, AUDITOR.

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WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1900.



## MANUAL OF PRACTICE, CIVIL WAR CLAIMS.

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### APPLICATIONS AND MEMBERSHIP.

**SOLDIER.**—If soldier or officer be alive, claim must be made by himself over his own signature.

No assignment of a claim against the United States, in any form, can be recognized. (See 3477, R. S.)

(The assignment of the soldier's final statements after his discharge and an officer's regular pay account after it becomes due are apparent exceptions to the rule.)

Evidence of soldier's identity must be furnished. If by comparison of signature to the application, with signature to vouchers in the office, soldier can not be identified, then there must be the affidavits of two persons showing the claimant to be the person who served as alleged.

**REPRESENTATIVES.**—If soldier be dead, anything that became due and payable to him is payable to his legal representatives or heirs.

Exceptions: In case of additional bounty, under act of July 28, 1866, and bounty under act of March 3, 1863, only certain specified heirs are entitled.

Extra pay in the Spanish war, under acts of January 12, 1899, and March 3, 1899, is not payable to the heirs of soldiers who became entitled but died before receiving it.

**ADMINISTRATOR OR EXECUTOR.**—If there be an administrator or executor of soldier's estate, he is entitled to whatever the soldier became entitled to before his death, with the exception of bounty and extra pay referred to in last section.

## MANUAL OF PRACTICE, CIVIL WAR CLAIMS.

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### APPLICATIONS AND HEIRSHP.

**SOLDIER.**—If soldier or officer be alive, claim must be made by himself over his own signature.

No assignment of a claim against the United States, in any form, can be recognized. (See 3477, R. S.)

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**REPRESENTATIVES.**—If soldier be dead, anything that became due and payable to him is payable to his legal representatives or heirs.

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Extra pay in the Spanish war, under acts of January 12, 1899, and March 3, 1899, is not payable to the heirs of soldiers who became entitled but died before receiving it.

**ADMINISTRATOR OR EXECUTOR.**—If there be an administrator or executor of soldier's estate, he is entitled to whatever the soldier became entitled to before his death, with the exception of bounty and extra pay referred to in last section.

In claims of heirs the death of soldier must be established by the affidavits of two persons, showing the date and place of his death, unless he died in service and the fact of death is of record, in which case claimants need not prove death.

**WIDOW.**—If widow claim, she must furnish evidence of her identity by the affidavits of two persons other than herself, showing that she is the soldier's widow.

**CHILDREN.**—In claim of children, they must prove their identity as in case of widow, and show by the affidavits of two person other than themselves the names of all of soldier's children, the death of such as have died, and whether such decedents left children surviving them. They must also show that soldier left no widow, or, that his widow is dead.

**FATHER.**—In claim by father, it must be shown that soldier is dead, and that there is no widow or child surviving.

**MOTHER.**—In claim by mother, same as in case of father, and, in addition, that the father is dead.

**BROTHERS AND SISTERS.**—In claims by brothers and sisters, same as in case of mother, and, in addition thereto, that the mother is dead. In case of no nearer relative than brothers and sisters, the amount due is payable to all the brothers and sisters soldier ever had, of the whole and half blood, in equal shares. If any brother or sister is dead, that one's share is payable to his or her children, if any; if there be no such children, it is distributed among the other heirs.

Before settlement of a claim of such heirs, it is necessary to have evidence showing all the brothers and sisters of the whole and half blood soldier ever had, the death of such as have died, and whether such decedents left children surviving.

**MINORS AND INSANE.**—If soldier or his heirs who are entitled are minors or insane, payment will be made to the legal guardian or committee. If, in such cases, the amount due be small,

the case will be submitted as to payment to natural guardian or otherwise.

The above rules of heirship apply in all cases where claimants take as representatives of soldier's estate, and are entitled because the soldier himself was entitled. In such cases residence of heirs has no bearing on their rights.

In all cases the regular office forms of application of current issue, or any form equivalent thereto, will, if properly filled up and executed, be accepted as sufficient evidence of heirship and identity, unless there be reason to suspect an error in the affidavits made.

#### CONSIDERATION OF CLAIMS.

In the examination of an ordinary claim, the following items are to be considered:

In case of an enlisted man, pay, bounty, clothing, and travel allowances.

In case of a commissioned officer, pay and subsistence for self, allowances for servants (pay, clothing, and subsistence), and travel allowances.

An enlisted man is entitled to pay and allowance for clothing from date of enrollment. Bounty is payable in advance, in installments, and on discharge, according to the act under which soldier enlisted, as hereafter described.

Officers are entitled to pay, subsistence, and allowances for servants (provided they employ such) from date of muster in.

Officers and enlisted men are, on discharge, entitled to travel pay and subsistence from place of discharge to place of entering the service, unless discharged for their own personal convenience or as punishment for an offense.

**PAY.**—A soldier is entitled to the full pay of his grade from date of enrollment to date of his final discharge and release

from the military service, excepting only for such periods as he may have been absent without leave or in desertion. Any balance due him on his entire account at date of desertion is forfeited thereby. The only other legal forfeiture of pay is by sentence of court-martial.

An officer is entitled to full pay and allowances from date of muster in, subject to the same conditions of absence and forfeiture as an enlisted man, with the added condition that, from March 3, 1863, to June 19, 1864, if on leave of absence for cause other than his own sickness, he is entitled during such time to one-half his regular pay and allowances; after June 19, 1864, he is entitled to full pay and allowances, excepting for time absent on leave for cause other than his own sickness in excess of thirty days in any one year. The leave year begins June 20, 1864.

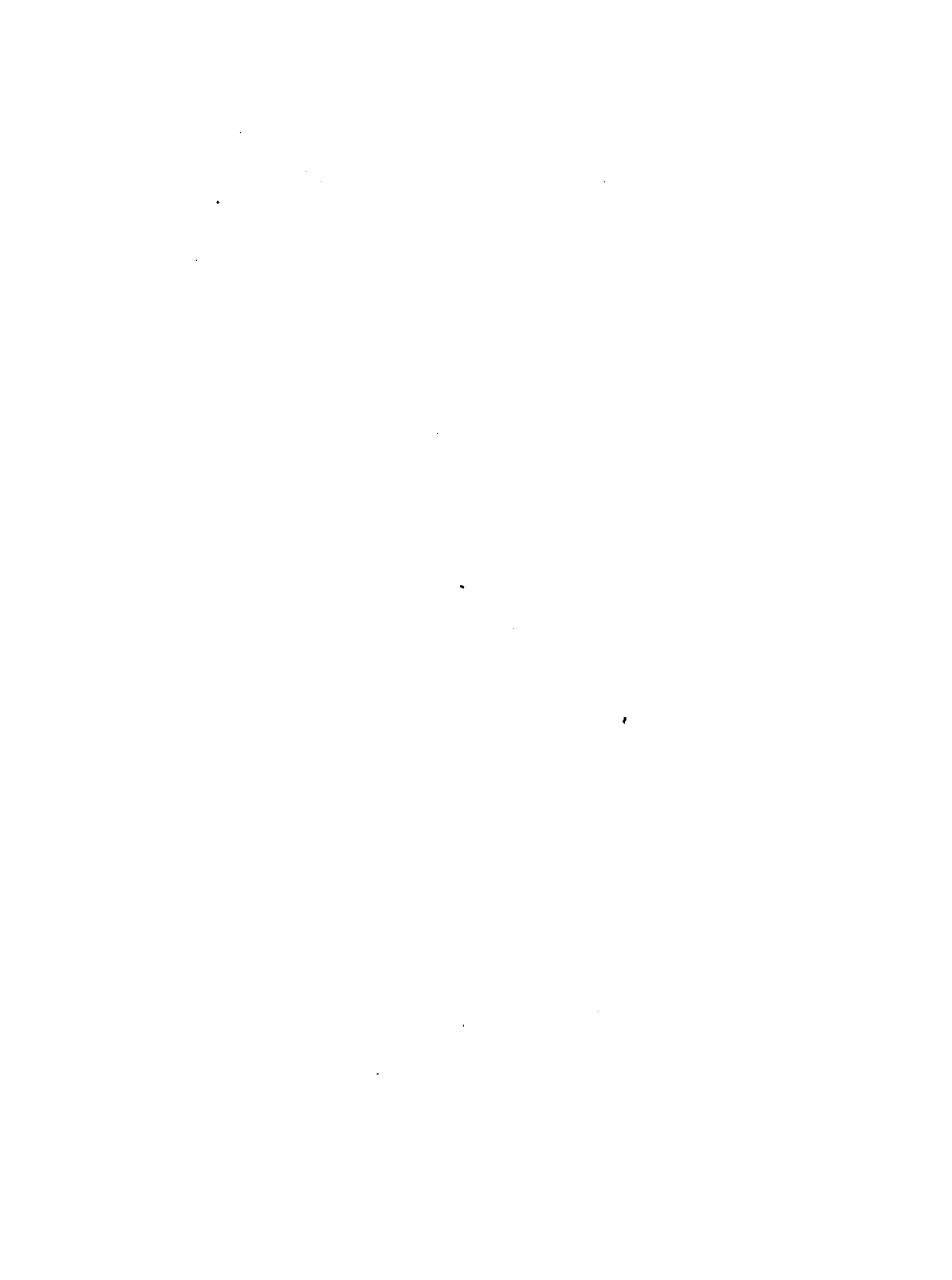
An officer's right to allowances for servant depends on the fact that he actually employed a private servant allowed by law, and did not employ an enlisted man as servant.

**CLOTHING.**—A soldier is entitled to his clothing allowance under the same conditions of service and forfeiture as govern in case of pay.

If clothing account of an enlisted man be settled on discharge and there is no apparent error in the settlement, a claim for clothing will be disallowed, without a statement of clothing account. If there was no settlement, and the amount of clothing drawn can not be determined from the records, claim for clothing will be disallowed. Clothing account should be called for in all cases of Spanish War Volunteers.

In all cases of disallowance of clothing, disallow the item for the reason "no clothing pay is due."

**DISCHARGE.**—In determining dates of discharge of soldiers and officers if mustered out with their commands prior to May



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ELEMENTARY

MANUAL OF PRACTICE.

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CIVIL WAR CLAIMS.

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COMPILED BY  
W. C. ELDRIDGE AND L. R. GINN.

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OFFICE OF THE  
AUDITOR FOR THE WAR DEPARTMENT.  
F. H. MORRIS, AUDITOR.

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WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1900.

discharged at place of enrollment." "Soldier having been discharged as punishment for an offense." "Soldier having been discharged for his personal convenience;" or, "Having been furnished transportation and subsistence in kind to place of enrollment."

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### BOUNTIES TO VOLUNTEERS.

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No bounty can be allowed for services as commissioned officer, or for enlistments made before April 12, 1861, or for enlistments or service as Confederate prisoners of war in the six regiments of the so-called United States Volunteers; or to the surviving members of regiments called into the service of the United States for one hundred days or three months; but in case of death in the service of any enlisted man belonging to the latter organizations, his widow, if living, is entitled, or, if she be dead, the children of any such soldier are entitled to \$100 bounty, under section 11, act of March 3, 1865.

No bounty is paid to volunteers who enlisted after April 30, 1865, except a few volunteers enlisting in the extreme southwest, where notice of the order discontinuing enlistments in the Volunteer Army had not been received.

#### BOUNTY ACT OF JULY 22, 1861.

All volunteers who enlisted under this act for a period not exceeding three years, or less than six months, were entitled to \$100 bounty, provided they served for a period of two years or during the war (i. e., were discharged after April 28, 1865, on account of services being no longer required); or were discharged on account of wounds received in the line of



## MANUAL OF PRACTICE, CIVIL WAR CLAIMS.

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### APPLICATIONS AND PREFERENCE.

**SOLDIER.**—If soldier or officer be alive, claim must be made by himself over his own signature.

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(The assignment of the soldier's final statements after his discharge and an officer's regular pay account after it becomes due are apparent exceptions to the rule.)

Evidence of soldier's identity must be furnished. If by comparison of signature to the application, with signature to vouchers in the office, soldier can not be identified, then there must be the affidavits of two persons showing the claimant to be the person who served as alleged.

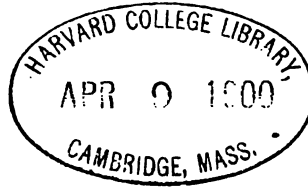
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Exceptions: In case of additional bounty, under act of July 28, 1866, and bounty under act of March 3, 1863, only certain specified heirs are entitled.

Extra pay in the Spanish war, under acts of January 12, 1899, and March 3, 1899, is not payable to the heirs of soldiers who became entitled but died before receiving it.

**ADMINISTRATOR OR EXECUTOR.**—If there be an administrator or executor of soldier's estate, he is entitled to whatever the soldier became entitled to before his death, with the exception of bounty and extra pay referred to in last section.

US 680: <sup>29.25</sup>~~76~~



TREASURY DEPARTMENT,  
Document No. 2171.  
AUDITOR FOR WAR DEPARTMENT.

## MANUAL OF PRACTICE, CIVIL WAR CLAIMS.

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### APPLICATIONS AND EVIDENCE.

**SOLDIER.**—If soldier or officer be alive, claim must be made by himself over his own signature.

No assignment of a claim against the United States, in any form, can be recognized. (See 3477, R. S.)

(The assignment of the soldier's final statements after his discharge and an officer's regular pay account after it becomes due are apparent exceptions to the rule.)

Evidence of soldier's identity must be furnished. If by comparison of signature to the application, with signature to vouchers in the office, soldier can not be identified, then there must be the affidavits of two persons showing the claimant to be the person who served as alleged.

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Exceptions: In case of additional bounty, under act of July 28, 1866, and bounty under act of March 3, 1863, only certain specified heirs are entitled.

Extra pay in the Spanish war, under acts of January 12, 1899, and March 3, 1899, is not payable to the heirs of soldiers who became entitled but died before receiving it.

**ADMINISTRATOR OR EXECUTOR.**—If there be an administrator or executor of soldier's estate, he is entitled to whatever the soldier became entitled to before his death, with the exception of bounty and extra pay referred to in last section.

If the amount due the estate of the soldier or officer is over \$500, payment can be made only to the administrator or executor.

The application by executor or administrator must be over his own signature and accompanied by certified copy of letters testamentary or letters of administration, or by certificate of the clerk of the court showing his appointment.

Payment will not be made to a public administrator unless it appear that he is acting at the request of the soldier's heirs.

Payment will not be made to a creditor administrator unless it be shown that amount claimed is necessary to pay the debts of the soldier and probable costs of administration.

An executor or administrator is not entitled to bounty due the soldier under act of March 3, 1863, or additional bounty under act of July 28, 1866, or extra pay under acts of January 12, 1899, and March 3, 1899.

An executor or administrator is not entitled to any bounty which was not payable to the soldier but was provided for certain specified heirs by act of Congress.

HEIRS.—Upon application by soldier's heirs, inquiry will not be made as to whether administration has been granted, unless the amount due soldier's estate is more than \$500, but payment will be made, on proper application and evidence, to the soldier's heirs, in the following order of precedence, viz, widow, children (in equal shares), father, mother, brothers and sisters (whole and half blood in equal shares).

In case of heirs more remote than brothers and sisters and their children, administration will be required, unless the amount is small and payment is directed upon submission.

In all cases applications must be over the signature of the claimant.

In claims of heirs the death of soldier must be established by the affidavits of two persons, showing the date and place of his death, unless he died in service and the fact of death is of record, in which case claimants need not prove death.

**WIDOW.**—If widow claim, she must furnish evidence of her identity by the affidavits of two persons other than herself, showing that she is the soldier's widow.

**CHILDREN.**—In claim of children, they must prove their identity as in case of widow, and show by the affidavits of two person other than themselves the names of all of soldier's children, the death of such as have died, and whether such decedents left children surviving them. They must also show that soldier left no widow, or, that his widow is dead.

**FATHER.**—In claim by father, it must be shown that soldier is dead, and that there is no widow or child surviving.

**MOTHER.**—In claim by mother, same as in case of father, and, in addition, that the father is dead.

**BROTHERS AND SISTERS.**—In claims by brothers and sisters, same as in case of mother, and, in addition thereto, that the mother is dead. In case of no nearer relative than brothers and sisters, the amount due is payable to all the brothers and sisters soldier ever had, of the whole and half blood, in equal shares. If any brother or sister is dead, that one's share is payable to his or her children, if any; if there be no such children, it is distributed among the other heirs.

Before settlement of a claim of such heirs, it is necessary to have evidence showing all the brothers and sisters of the whole and half blood soldier ever had, the death of such as have died, and whether such decedents left children surviving.

**MINORS AND INSANE.**—If soldier or his heirs who are entitled are minors or insane, payment will be made to the legal guardian or committee. If, in such cases, the amount due be small,

the case will be submitted as to payment to natural guardian or otherwise.

The above rules of heirship apply in all cases where claimants take as representatives of soldier's estate, and are entitled because the soldier himself was entitled. In such cases residence of heirs has no bearing on their rights.

In all cases the regular office forms of application of current issue, or any form equivalent thereto, will, if properly filled up and executed, be accepted as sufficient evidence of heirship and identity, unless there be reason to suspect an error in the affidavits made.

#### CONSIDERATION OF CLAIMS.

In the examination of an ordinary claim, the following items are to be considered:

In case of an enlisted man, pay, bounty, clothing, and travel allowances.

In case of a commissioned officer, pay and subsistence for self, allowances for servants (pay, clothing, and subsistence), and travel allowances.

An enlisted man is entitled to pay and allowance for clothing from date of enrollment. Bounty is payable in advance, in installments, and on discharge, according to the act under which soldier enlisted, as hereafter described.

Officers are entitled to pay, subsistence, and allowances for servants (provided they employ such) from date of muster in.

Officers and enlisted men are, on discharge, entitled to travel pay and subsistence from place of discharge to place of entering the service, unless discharged for their own personal convenience or as punishment for an offense.

**PAY.**—A soldier is entitled to the full pay of his grade from date of enrollment to date of his final discharge and release

from the military service, excepting only for such periods as he may have been absent without leave or in desertion. Any balance due him on his entire account at date of desertion is forfeited thereby. The only other legal forfeiture of pay is by sentence of court-martial.

An officer is entitled to full pay and allowances from date of muster in, subject to the same conditions of absence and forfeiture as an enlisted man, with the added condition that, from March 3, 1863, to June 19, 1864, if on leave of absence for cause other than his own sickness, he is entitled during such time to one-half his regular pay and allowances; after June 19, 1864, he is entitled to full pay and allowances, excepting for time absent on leave for cause other than his own sickness in excess of thirty days in any one year. The leave year begins June 20, 1864.

An officer's right to allowances for servant depends on the fact that he actually employed a private servant allowed by law, and did not employ an enlisted man as servant.

CLOTHING.—A soldier is entitled to his clothing allowance under the same conditions of service and forfeiture as govern in case of pay.

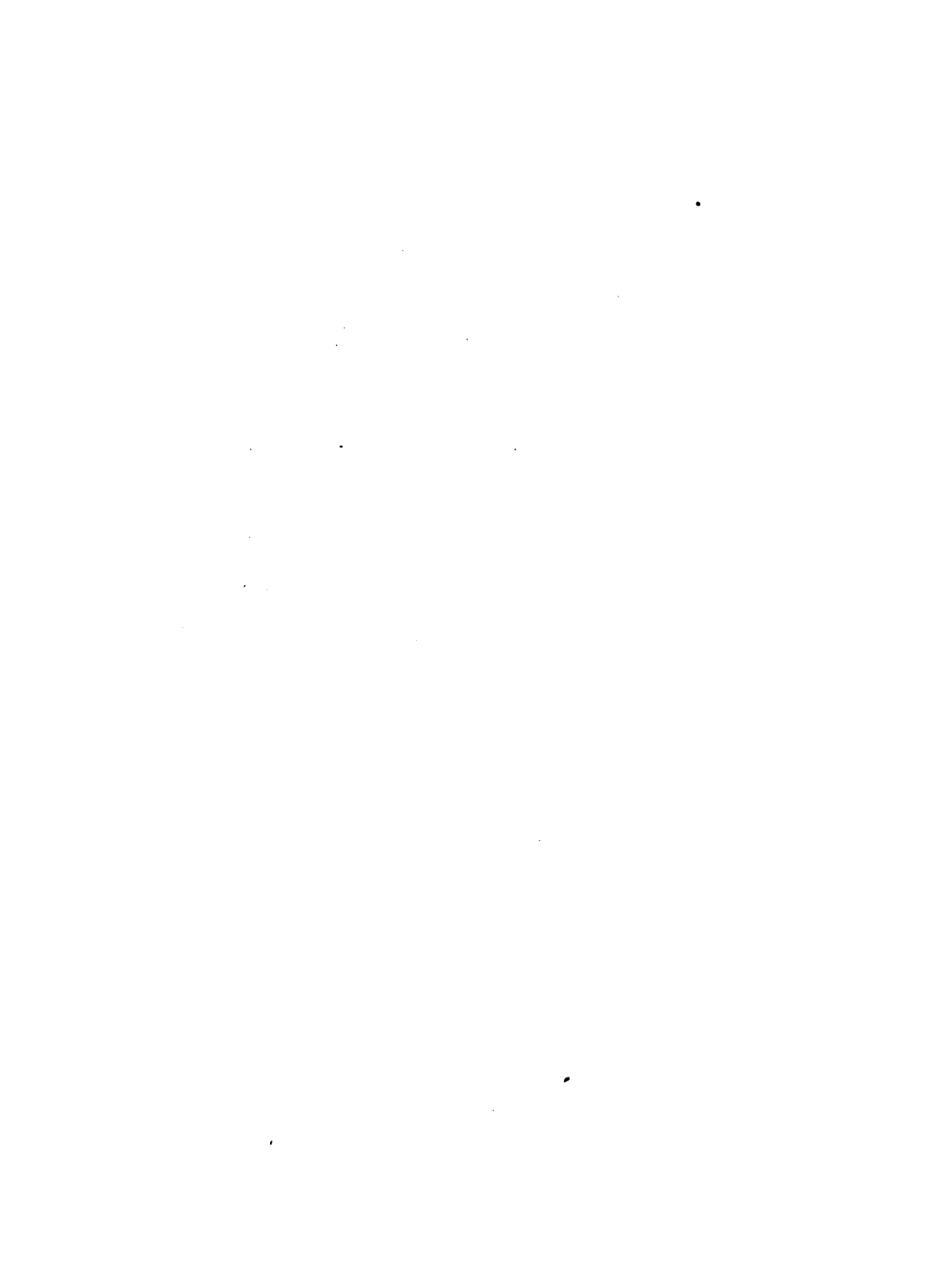
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In all cases of disallowance of clothing, disallow the item for the reason "no clothing pay is due."

DISCHARGE.—In determining dates of discharge of soldiers and officers if mustered out with their commands prior to May







longer required, or wounds received in line of duty, and who received or were entitled to receive no greater bounty than \$100 under other laws, are entitled to \$100 bounty.

Soldiers who enlisted for not less than two years from April 14, 1861, to October 23, 1863; from October 24, 1863, to December 23, 1863, in new organizations; from April 2, 1864, to July 17, 1864, and have been honorably discharged after serving two years, or by reason of their services being no longer required, or by reason of wounds received in the line of duty, and who have received, or were entitled to receive, no greater bounty than \$100 under other laws, are entitled to \$50 bounty.

The time for filing claims under the act of July 28, 1866, known as the "Additional Bounty Act," expired July 1, 1880. Claims under this act, not filed within the time limited, may be disallowed as follows: "No claim for bounty having been filed prior to July 2, 1880, payment of additional bounty is barred by limitation of statute."

#### · BOUNTIES TO REGULARS.

No bounty can be paid for enlistments in the Regular Army before July 1, 1861, except distant station bounty under act of June 17, 1850, and additional bounty act of July 28, 1866.

Soldiers who enlisted into the Regular Army between July 1, 1861, and June 25, 1863, are entitled to \$100 bounty, under the same conditions as volunteers. Additional bounty under act of July 28, 1866, is payable to regulars under the same conditions and limitations as volunteers.

All men enlisting into the Regular Army for five years, within ninety days from June 25, 1863 (the date of General Order, No. 190, A. G. O.), are entitled to a bounty of \$400, payable in installments as fixed by said order.

## MANUAL OF PRACTICE, CIVIL WAR CLAIMS.

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### APPLICATIONS AND PERSHIP.

**SOLDIER.**—If soldier or officer be alive, claim must be made by himself over his own signature.

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(The assignment of the soldier's final statements after his discharge and an officer's regular pay account after it becomes due are apparent exceptions to the rule.)

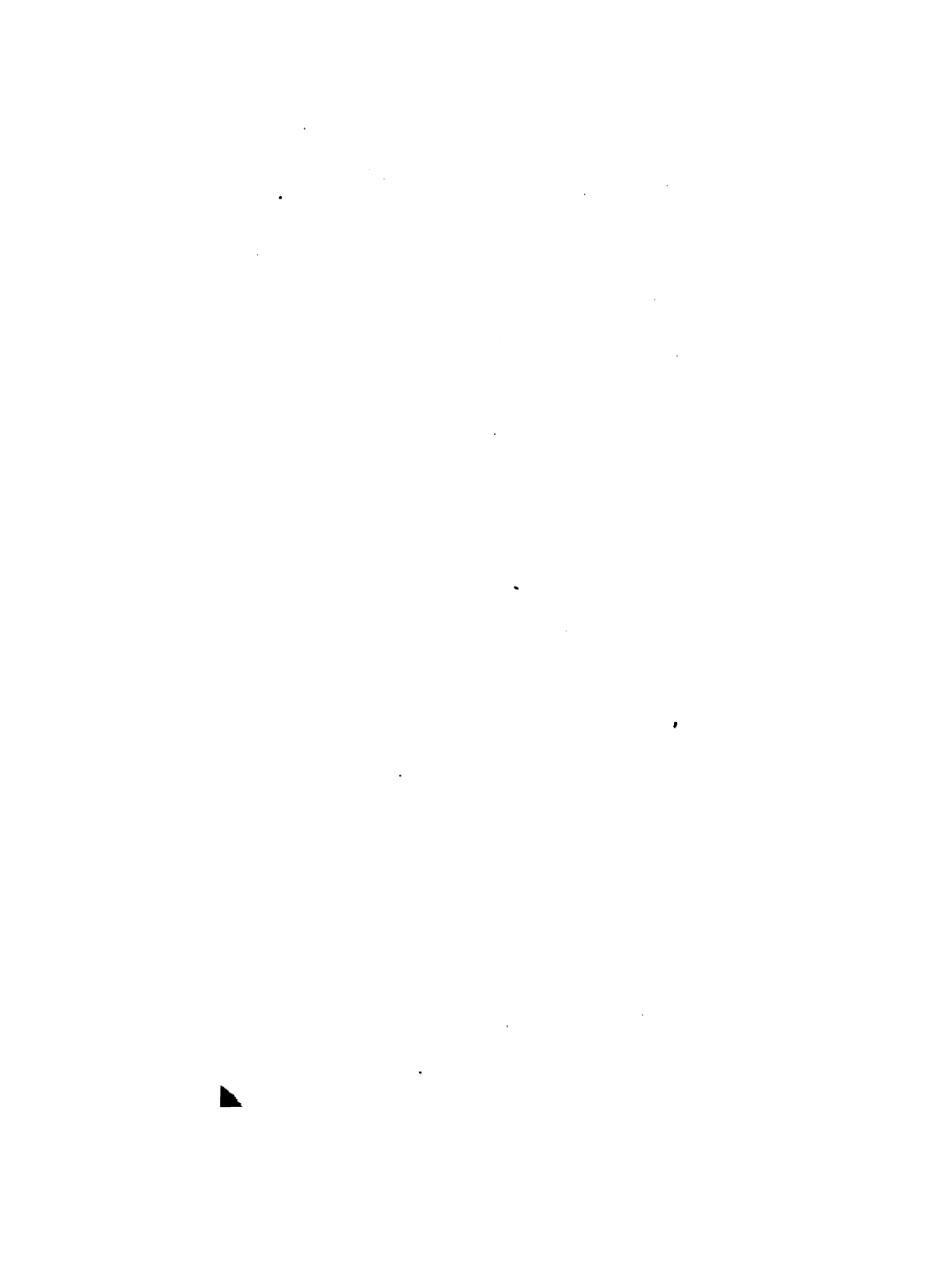
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**REPRESENTATIVES.**—If soldier be dead, anything that became due and payable to him is payable to his legal representatives or heirs.

Exceptions: In case of additional bounty, under act of July 28, 1866, and bounty under act of March 3, 1863, only certain specified heirs are entitled.

Extra pay in the Spanish war, under acts of January 12, 1899, and March 3, 1899, is not payable to the heirs of soldiers who became entitled but died before receiving it.

**ADMINISTRATOR OR EXECUTOR.**—If there be an administrator or executor of soldier's estate, he is entitled to whatever the soldier became entitled to before his death, with the exception of bounty and extra pay referred to in last section.



ELEMENTARY  
MANUAL OF PRACTICE.

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CIVIL WAR CLAIMS.

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COMPILED BY  
W. C. ELDRIDGE AND L. R. GINN.

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OFFICE OF THE  
AUDITOR FOR THE WAR DEPARTMENT.  
F. H. MORRIS, AUDITOR.

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WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1900.

as white soldiers and their heirs. See also under act of March 3, 1863.

#### DRAFTED MEN AND SUBSTITUTES.

See under act of March 3, 1863.

#### ASSIGNMENT OF BOUNTY CLAIMS.

The transfer or assignment of all bounty claims is prohibited by the joint resolution of April 10, 1869. See also section 3477, Revised Statutes.

#### HEIRSHIP IN BOUNTY CASES.

Any bounty that became due to the soldier in his lifetime, excepting bounty act of March 3, 1863, and additional bounty act of July 28, 1866, is payable to his heirs, the same as arrears of pay. This rule applies to bounty allowed under act of April 22, 1872.

If soldier died in service, certain heirs only are entitled to bounty which did not become due to him but which he would have received had he served out the term for which he enlisted. Bounty under act of July 22, 1861, and under joint resolution of January 13, 1864, in such cases, is payable first to the widow; second, to the children, in equal shares; third, to the father, provided he has not abandoned the support of his family; fourth, to the mother; and lastly, to the brothers and sisters of whole and half blood, in equal shares. If father, mother, brothers, or sisters were not residents of the United States at date of soldier's death, they are not entitled to any part of this bounty, and the right passes over to the ones next entitled. See act of July 11, 1862 (12 Stat., 535). Brothers and sisters who died before the soldier are not considered heirs under this act. Children of such heirs as were alive at date of soldier's death take their parent's share.

ACT OF MARCH 3, 1863.—In case soldier was discharged for wounds received in battle and became entitled to bounty under act of March 3, 1863, but died before receiving it, said bounty is payable to heirs as in case of soldier's death in service.

ACT OF JULY 4, 1864.—If soldier enlisted under act of July 4, 1864, and died in service, the unaccrued installments under said act are payable to his widow, or, if he left none, to his children. If no widow or children, then to his mother, if she were a widow at the date of soldier's death. Residence in the United States is not a condition under this act.

ACT OF JULY 28, 1866.—In case of soldier's death while in service, or subsequent to discharge and prior to July 28, 1866, by reason of wounds or disease contracted in service, this bounty becomes payable in the following order:

First, to the widow, if not remarried prior to July 28, 1866; second, to the children who were minors July 28, 1866; third, to the parents jointly or surviving parent, if resident in the United States July 28, 1866.

In case of soldier's death after having become entitled, or of the death of any heir entitled as above, this bounty becomes payable to the heirs in the following order:

First, to the widow, if not remarried prior to February 21, 1868; second, to the children, if minors February 21, 1868; third, to the parents jointly or surviving parent, if resident in the United States February 21, 1868. (See act of February 21, 1868.)

In case of a soldier's death prior to July 28, 1866, from other cause than wounds or disease contracted in service, who, if living, would be entitled under the law, this bounty is payable to the heirs or remaining heirs in the following order:

First, to the widow, if not remarried prior to March 3, 1869; second, to the children, if minors March 3, 1869; third, to the

parents jointly or surviving parent, if resident in the United States March 3, 1869. (See act of March 3, 1869.)

#### DESERTION.

A deserter forfeits all pay, bounty, and other allowances due him at date of desertion, and no pay or allowances can accrue to his credit while absent as a deserter or without leave. In all other respects his bounty account is settled the same as in cases of absences without leave.

In cases of soldiers discharged for wounds received in line of duty (not in battle) or for expiration of term, acts of July 22, 1861, July 4, 1864, March 3, 1865, March 3, 1869, and joint resolution of January 13, 1864, treat bounty account as if soldier had been discharged at the expiration of his term of enlistment by reason of expiration of term, and pay bounty as for his term of enlistment less the time absent.

ACT OF MARCH 3, 1863.—Desertion is no bar to the payment of bounty under this act. Any soldier who belonged to an organization called into service under section 1, act of July 22, 1861, and was discharged by reason of wounds received *in battle*, is entitled to \$100 bounty.

BOUNTY JOINT RESOLUTION JANUARY 13, 1864.—*Veterans*.—The bounty accounts of veterans reenlisted in the field, under General Order 191, General Order 216, and General Order 305, of 1863, who have been absent without leave and mustered out on account of close of the war, will be adjusted as follows:

Treat bounty account as if soldier had been discharged at the expiration of three years from date of reenlistment by reason of expiration of term, and pay bounty as for three years' service, less the time absent. Example: Veteran absent without leave ten months, mustered out under orders for the reduction of the army, credit for bounty three years, less ten months, equals two years and two months; pay \$310, the first six installments of veteran bounty.



This rule also applies in cases of deserters, with the exception that a deserter forfeits all bounty due at the date of desertion. It is understood that the above rule will apply to all veterans not enlisted under the Provost Marshal General's circular of October 24, 1863.

*Recruits.*—The bounty accounts of recruits enlisted under the provisions of the Provost Marshal General's circular of October 24, 1863, and his circular 98 of November 3, 1863, who have been absent without leave during service and are mustered out by reason of the close of the war, will be adjusted on the same plan as announced for veterans, viz, treat bounty account as if soldier had been discharged at the expiration of three years from the date of enlistment by reason of expiration of term, and pay bounty as for three years' service, less the time absent, with this exception: If the soldier has actually served two years, the full amount of bounty will be paid. Only actual service can be counted. This rule also applies to veteran recruits enlisted by provost marshals under the circular of October 24, 1863. It also applies to deserters, with the exception, of course, that a deserter forfeits all bounty due at date of desertion. In computing time for payment of bounty, no credit will be given for time that the soldier was in confinement undergoing sentence, or awaiting trial if subsequently convicted.

#### FORMS OF DISALLOWANCE OF BOUNTY.

In any case where a soldier or his heirs have received all the bounty due under whatever act or acts the soldier enlisted, bounty may be disallowed as follows: "He received \$—— bounty under act (or acts) of ——, all to which entitled."

If enlistment is for two or three years under the act of July 22, 1861, and the soldier is discharged for a disability other than wounds or injuries, disallow as follows: "Having been

discharged prior to a service of two years for a disability other than wounds received in line of duty, no bounty is due."

If discharge is not for disability, disallow as follows: "Having been discharged prior to a service of two years for cause other than wounds received in line of duty, expiration of term of service, or close of the war, no bounty is due."

If enlistment is for three years, prefix to the above disallowance: "Having been enrolled after July 21, 1861, and"

If enlistment is for less than six months, or in a militia organization, disallow as follows: "There is no law authorizing the payment of bounty for his service in the above-described organization.

If enrolled as a volunteer for six months, and less than two years, prior to July 18, 1864, and discharged for any cause, disallow as follows: "As he was enrolled for less than two years, and discharged for disability other than wounds received in battle, no bounty is due," or, "Discharged for cause other than wounds received in battle or close of the war, no bounty is due." (Certain nine months' men in Pennsylvania and Kentucky are exceptions to this rule.)

In cases of drafted men and substitutes enrolled for less than three years, disallow as follows: "Soldiers drafted for less than three years are not entitled to bounty," or, "Substitutes enrolled for less than three years are not entitled to bounty."

In cases of substitutes for men not actually drafted, disallow as follows: "A substitute for a man enrolled and liable to draft, but not actually drafted, is not entitled to bounty."

In cases of certain Kentucky regiments brought into service under the act of February 7, 1863, disallow as follows: "The soldier was enrolled under the act of February 7, 1863, the provisions of which preclude payment of bounty."

**COMMUTATION OF RATIONS TO PRISONERS OF WAR.**

In all claims for commutation of rations, while prisoner of war, inquiry will be made of the Civil Claims Division as to whether settlement has been made by the Third Auditor, or Old Claims Division of this office.

If no settlement has been made, claim should be referred to the Commissary General of Subsistence for report, on office form prepared for the purpose.

For heirs entitled to commutation of rations, see act March 2, 1867 (14 Stat. 423), decision of Comptroller of March 26, 1898, in case of Samuel C. Roberts, Company D, One hundred and thirty-fifth Ohio Volunteer Infantry, Settlement 283848, and decision of Auditor, May 5, 1898, in case of George S. Stewart, Company A, Twenty-first Illinois Volunteers, Settlement 256600.

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**CONSIDERATION OF ITEMS.**

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Cases will be examined with special reference to what is claimed, but any item clearly due will be allowed whether specifically claimed or not.

If nothing be due as claimed, or clearly due upon the record, evidence of identity of claimant will not be required, but claim will be disallowed.

Evidence from claimant will not be called for to complete a right to an item not claimed, unless the item is due upon the record.

Transcripts of all payments must be made in every case, and any overpayment made or other proper stoppage must be deducted from anything otherwise due. (In the Regular Army, follow 4 Comp., 148.)

Upon any claim, settlement will show payment in full of all items not allowed, if such fact appears from the record.

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Each item of a claim considered must be either "allowed," "disallowed," or "suspended."

Disallowances should be specific, clear, and brief. As a form for disallowance of an ordinary claim, when the records show payment in full, the following is suggested: "Soldier was paid pay and allowances in full and traveling allowances on discharge. He received \$—— bounty, under act of ——, all to which entitled."

(For disallowance of separate items see "Clothing," "Traveling allowances," and "Bounty.")

**DISCHARGE CERTIFICATE.**—Discharge certificate will not be required in the settlement of claim unless it is necessary as evidence in the case. Such certificate or evidence of its loss is generally necessary when question of payment to date of discharge, traveling allowances, or other items payable on discharge are involved.

**ATTORNEYS.**—No attorney will be recognized unless he be enrolled by the Secretary of the Treasury on the register of attorneys authorized to practice before this Department.

No attorney will be recognized unless he file, in this office, written authority from the claimant to act as his attorney or agent, and such authority must be filed at or before the time when the evidence required from the claimant to complete the case is received. (For Department regulations as to attorneys, see Department circulars as follows: Nos. 13 and 142, of 1886, and No. 94, of 1890.)

**ATTORNEYS' FEES.**—In cases of white soldiers and officers, Indian soldiers, sutlers, post traders, laundresses, laundrymen, company tailors, and matrons:

On sums not exceeding \$200, 10 per centum.

On sums more than \$200 and less than \$800, 10 per centum of first \$200 and 5 per centum of remainder thereof.

On sums of \$800 or more, \$50.

In cases of colored soldiers:

On sums of less than \$20, 10 per centum.

On sums from \$20 to \$50, \$5.

On sums from \$50.01 to \$99.99, \$7.50.

On sums of \$100 or more, \$10.

(See Department circular No. 77, of 1897.)

Fees in colored cases are fixed by law; in white cases, by regulation.

Colored soldiers within the meaning of the above rules include all colored men serving in the Army, and not merely so-called "United States Colored Troops." (See 3 Comp. Dec., 382.)

**REVISION ON APPEAL.**—Requests for revision on appeal and requests for rehearing must be carefully distinguished.

The right of appeal and right of rehearing do not exist at the same time.

For rules of appeal, see 1 Comp., 590, and decision of Comptroller, Feb. 24, 1900, with Settlement 243448.

**REHEARING OR REOPENING.**—Claims once settled can be reopened only by the officer making the settlement or his successor.

For rules governing the reopening of claims by the Comptroller of the Treasury, see 1 Comp., 592, and 4 Comp., 403.

For rules governing the reopening of claims by the Auditor, see 4 Comp., 403 and 471; also order of Auditor dated December 21, 1897.

**DECISIONS.**—For general reference to decisions applicable to all questions involved, see indices of vols. 1, 2, 3, and 4, Digest of Decisions of Second Comptroller, Rapp's Digest of Bounty Laws, and published Decisions of the Comptroller of the Treasury.

Many decisions in Rapp's Digest have been overruled or modified, and care must be exercised to verify decisions cited therein.

Decisions cited in vols. 3 and 4, Digest of Decisions of the Second Comptroller, may be generally followed.

In Rapp's Digest may be found extracts of all bounty laws prior to 1873.

For ready reference a brief general index to decisions relating to pay, bounty, clothing, and traveling allowances, published in vols. 1 to 5, Decisions of the Comptroller of the Treasury, may be found in the appendix following.



## APPENDIX.

### PAY.

Acceptance of appointment, oath of office may be taken after .....	4-496, 5-375
Acting officers, enlisted men not paid as such .....	4-120
Acts of June 3, 1864, and February 24, 1897, sections 3 and 4 construed .....	4-185
Allowances, pay does not include, in court-martial sentence .....	2-300
Appointment and qualification of successor, is notice of removal .....	4-466
Civil authority, arrested by, and released without trial .....	3-676
Commission, under act of March 3, 1865, is a military question .....	3-98
Court martial, sentence of, "Falsa descriptiona non nocet" .....	3-696
Desertion, charge of, illegally removed, does not remove forfeiture .....	5-302
Deserter enlists in violation of twenty-second article of war .....	3-393
Deserter forfeits pay and allowances; same begin at date of arrest .....	3-676, 4-279
Discharge, pay of enlisted men to date of .....	2-94
Discharged because of fraudulent enlistment .....	4-54
Discharged before three months, enlisted after August 3, 1861 .....	4-151
Disloyal persons, claims accrued prior to April 13, 1861 .....	1-349, 5-1
Divorce, <i>a mensa et thoro</i> , does not affect widow's rights .....	3-732
Drafted men and substitutes, no increase of pay for prior service .....	3-640
Drafted man exempted for disability or otherwise .....	3-553
Drafted man not accepted; presumed to have had transportation .....	3-553
Enrollment to be determined from all the facts and records .....	3-503
Extra duty, if continuous, may be under more than one order .....	4-372
Extra duty pay, to "army service men at West Point" .....	4-353
Extra duty pay, is for duty authorized by authority .....	4-72
Horse and horse equipments, use of, must be shown by record .....	3-114
Horse, etc, use of, must also show equipments furnished .....	3-114
Records, when clear, not to be controverted by evidence .....	4-151
Reenlisted and continuous service pay of enlisted men .....	1-459
Regular Army, how claims will be considered in .....	4-148
Retained pay, Secretary of War to determine honest and faithful service .....	3-557
Retained pay, after March 15, 1896 .....	3-16
Retained pay, act of June 16, 1890, interest on .....	3-124
Retained pay, construction of act of Feb. 12, 1895 .....	1-380
Veterinarian, within the meaning of act of March 3, 1885 .....	3-699



## BOUNTY.

Acts of April 22, 1872, and July 20, 1888:	
Require muster in .....	3-701
Allowed without rehearing .....	1-91
Enlistment on July 22, 1861 .....	3-503
Acts of July 22, 1861, and April 22, 1872:	
Not paid for same service .....	3-104
Act of July 22, 1861:	
Enlistments for one year or less; discharged by close of war .....	3-692
Fourth Arkansas Cavalry for one year, is under .....	3-114
Act of July 4, 1864:	
Discharged by close of war .....	1-489, 491
Act of July 28, 1866:	
Claim not barred when right arises after July 1, 1880 .....	3-96, 541, 676
Claim rejected by Paymaster General prior to July 2, 1880, avoids bar .....	4-376
Soldier entitled to more than \$100 under other acts .....	5-545
Limitations of statute applied to minors and insane .....	5-914
Act of February 8, 1897:	
Corrects record of Company I, Seventh Iowa Volunteers .....	4-92, 5-545
Veteran:	
Deserter reenlists and charge removed. Not a veteran .....	1-561
Improper reenlistment revoked .....	3-36
Prior service under General Orders 191 and 216 of 1863, must be nine full months .....	3-201
Prior service in nine months' regiment from which transferred for three years .....	4-19
Absence or imprisonment, period of, may be so short as to be ignored .....	3-433
Absence during service, discharged by close of war .....	3-569
Advance bounty unpaid, forfeited by desertion .....	3-676
Arrest, restored to duty without trial, time counted .....	3-676
Arrest, convicted by court-martial, time not counted .....	3-684, 692
Arrest, soldier dies while under, but not under sentence .....	3-697
Discharged as supernumerary prior to April 28, 1865 .....	3-480
Discharge to complete record, under act of Congress, is one for convenience .....	3-109
Discharged from Veteran Reserve Corps after original company is mustered out .....	5-396
Disloyal heirs not entitled .....	6-69
Enrollment to be determined from all the facts and records .....	3-503

Evidence not accepted to controvert the record when clear.....	4-151
Militia brought in under section 1, act of July 17, 1862 .....	4-129
Regular Army, reenlistments in, under General Order 154, 1863 .....	3-104
Regular Army, bounty to, discussed .....	3-104
Substitute for drafted man, entitled to same pay and bounty .....	3-640

## TRAVEL ALLOWANCES ON DISCHARGE.

Cooper case overruled.....	2-424
Calculated for fraction of a day.....	6-498
Discharged, soldier at place of enrollment.....	6-9
Discharged to accept civil appointment .....	6-326
Discharged by expiration of term ; reenlistment next day .....	5-488
Discharged to date in future and ordered home.....	6-26
Discharged for disability caused by misconduct.....	6-110
Discharged by sentence of court-martial .....	6-220
Discharged to accept another commission .....	2-504
Discharged to date, to complete record.....	3-109
Discharged by way of favor .....	3-397, 3-640, 5-939
Ordered home to await discharge. Not entitled.....	5-687
Resignation to accept civil appointment .....	2-252
Resignation on request of superior.....	2-424
Resignation for disability ; entitled unless.....	2-476
Transportation orders furnished ; can not claim .....	2-472
Transportation furnished as compensation for service.....	5-84

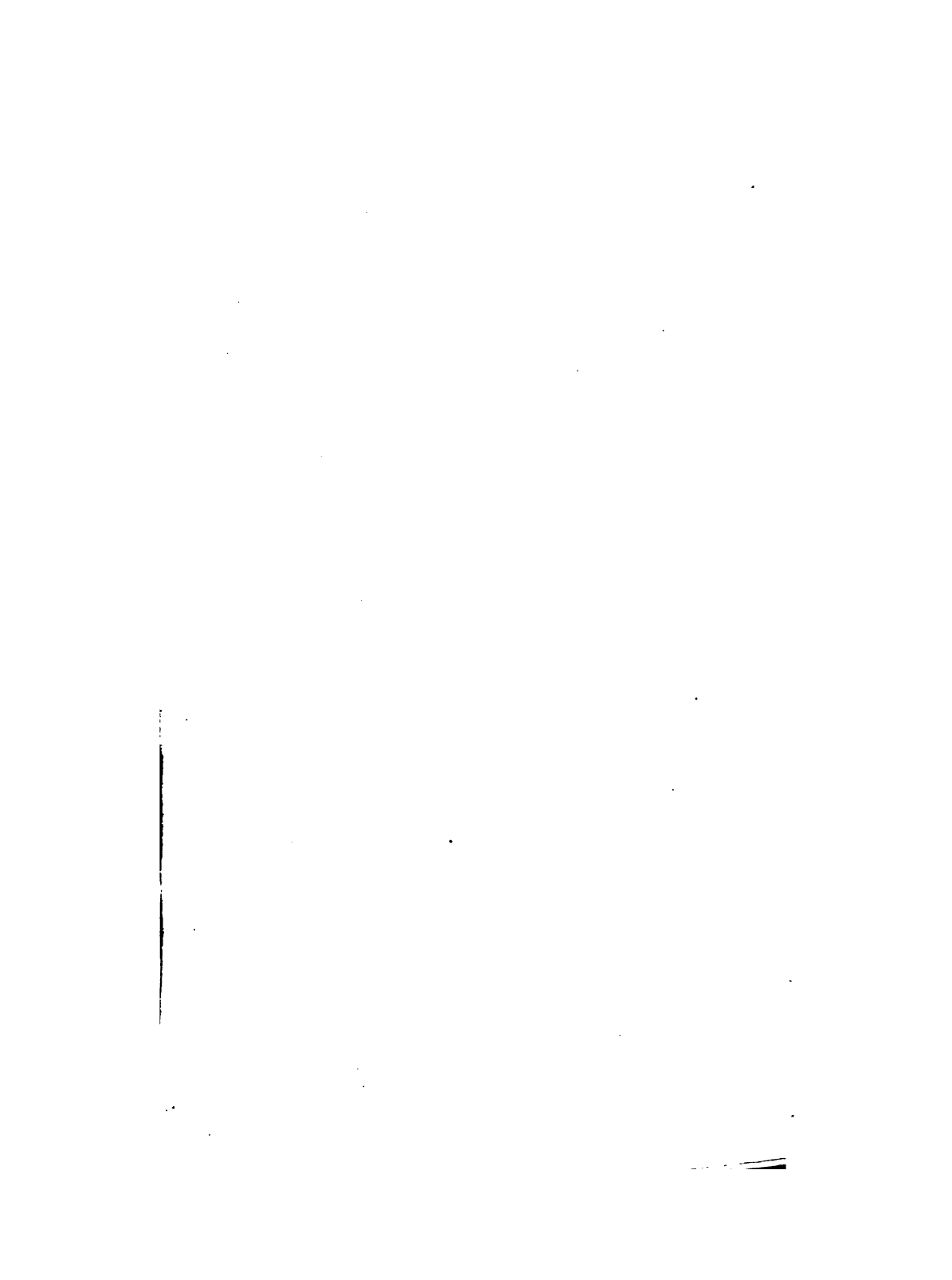
## CLOTHING.

Clothing furnished by State .....	5-81, 4-246
Discussion of record of clothing drawn .....	4-246
Gratuitous issue of, under 1296, E. S .....	4-26
Members of militia held as prisoners of war after term.....	1-469



1

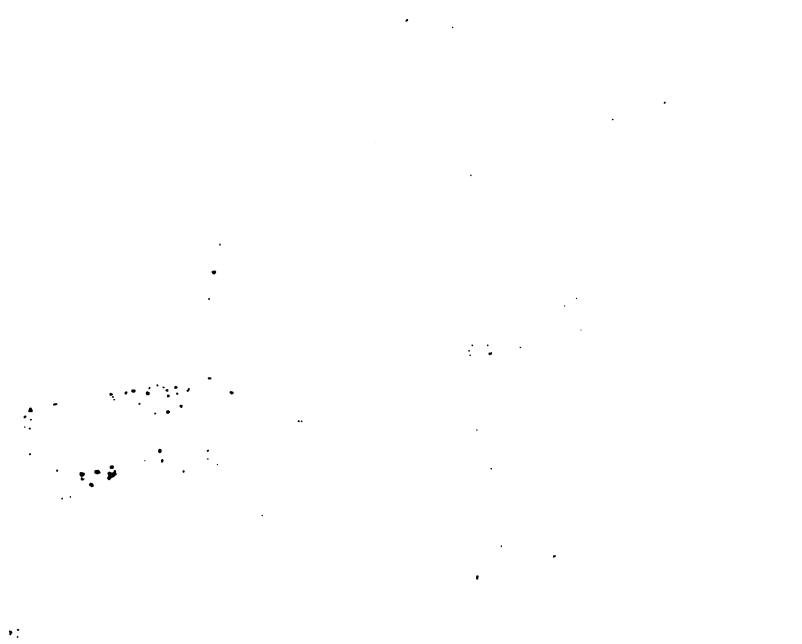












Number of children

Number of visits

100

80

60

40

20

0

0 2 4 6 8 10

100

80

60

40

20

0

0 2 4 6 8 10



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