

# The Genealogy in Government Documents

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## INTRODUCTION

The printed documents of the United States Government represent an enormous collection of information that has considerable genealogical research application. In the context of this lecture, the phrase “government documents” refers to publications of the executive branch and the Congress. Some examples include the *American State Papers (ASP)*, the *United States Serial Set (SS)*, and the *Territorial Papers of the United States (TPUS)*. Judicial records, though valuable for genealogical research, are beyond the scope of this presentation.

The objective of this webinar is to acquaint viewers with the genealogical value of these records and to describe how to locate them. We will also discuss the original source records that underpin the publications.

The genealogical value is quite broad. For example, a petition for a post road could be a census substitute. A claim for a pension could yield kinship data that is not available anywhere else. Adjudication of land ownership is frequently found in government documents. Reports by government agencies locate people in place and time. Evidence of migration may be found. These reports may provide contextual information such as occupation and identification of friends and associates. The possibilities are endless.

## KEY COMPETENCIES

Advanced genealogical methods require the analysis, interpretation, and correlation of many sources. The use of the many, varied, and often obscure publications of the government is one of those methods. The development of the scanned and searchable databases of many of the core government documents has made their use more practical by solving the problems of limited indexing and limited distribution. Consequently, researchers at the advanced level must master the use of this body of information. The competencies listed below enable this ability:

- An understanding of the scope and diversity of documents published by the government
- An understanding of the resources available at *A Century of Lawmaking For a New Nation*
- An understanding of the core documents of the Congress: *Journals of the House and Senate*, *United States Serial Set (SS)*, and the *Statutes at Large*.
- An understanding of the online resources relevant to government document research
- An understanding of the linkages of the published documents to archival research
- An understanding of the role of the *ASP* and *TPUS* as historical publications important to genealogical research
- The ability to develop an effective research plan to use legislative and executive records
- An understanding of the Federal Depository Library Program (FDLP)

## TYPES OF DOCUMENTS FOUND IN THE RECORDS OF CONGRESS

- Journals and debates

- Statutes (private and public acts)
- Reports by committees, executive departments, and other agencies. Some examples:
  - ✓ Committee on Revolutionary Claims and many other claim committees
  - ✓ Annual reports of agencies like the War Department
  - ✓ Reports of organizations such as the Daughters of the American Revolution (DAR) or the American Historical Association

### **A CENTURY OF LAWMAKING FOR A NEW NATION**

This website (<http://memory.loc.gov/ammem/amlaw/lawhome.html>) provides access to the published debates, journals, statutes, and some documents generated by the Continental, Confederation, and U.S. Congresses. The scope of the collection extends to 1875. In addition to the digitized materials, researchers should familiarize themselves with the material on the splash page entitled “Understanding the Collection.”

### **JOURNALS & PAPERS OF THE CONTINENTAL AND CONFEDERATION CONGRESSES (1774–1789)**

The various debates and journals of Congress are online at *A Century of Lawmaking*. The fully searchable *Journals of the Continental Congress* combined with *Papers of the Continental Congress*, offered online by Fold3, provide a powerful tool for Revolutionary War-era research. The *Papers of the Continental Congress* are indexed by Butler’s *Index to the Papers of the Continental Congress, 1773–1789* (Washington: GSA 1978). The index encompasses National Archives and Records Administration (NARA) Microfilm Publications M40, *Domestic Letters of the Department of State, 1784–1906*, M61; *Foreign Letters of the Continental Congress and the Department of State, 1785–1790*; M247, *Papers of the Continental Congress, 1774–1789*; M332, *Miscellaneous Papers of the Continental Congress, 1774–1789*; and M866, *Records of the Constitutional Convention of 1787*, all of which are online and searchable by name at Fold3. Butler citations are provided in the Fold3 search results.

### **THE UNITED STATES CONGRESSIONAL SERIAL SET (SS) (1789– )**

Quoting from *A Century of Lawmaking*:

The *Serial Set* contains the House and Senate Documents and the House and Senate Reports. The reports are usually from congressional committees dealing with proposed legislation and issues under investigation. The documents include all other papers ordered printed by the House or Senate. Documents cover a wide variety of topics and may include reports of executive departments and independent organizations, reports of special investigations made for Congress, and annual reports of nongovernmental organizations. During the late nineteenth and early twentieth centuries, executive-branch materials were also published in the *Serial Set*.

The *Serial Set* began publication with the 15th Congress. Selected documents and reports (1833–1917) have been digitized and are online at *A Century of Lawmaking for a New Nation*. Collections of the bound volumes may be found in varying degrees of completeness in depository libraries. Many depository libraries offer the microfiche version of the *Serial Set*. Many volumes are online at *Google Books*.

### **CIS UNITED STATES SERIAL SET INDEX, 1789–1969**

This index (12 parts in 36 volumes) published by Congressional Information Services (CIS) (now part of LexisNexis) allows name and subject searching to locate information in the approximately

14,000 volumes that comprise the *Serial Set* and *American State Papers*. The index is available in depository libraries and many large libraries.

### **CIS UNITED STATES SERIAL SET INDEX, PART XIV, INDEX AND CARTO-BIBLIOGRAPHY OF MAPS, 1789–1969**

This index (16 volumes) catalogs the 52,000 maps found in the *Serial Set* (including *American State Papers*). The maps were originally published by the U.S. Senate and House of Representatives as part of official reports. In the process of converting these to electronic format it was discovered that there are actually 74,000 maps.

### **THE ONLINE VERSIONS OF THE COMPLETE SERIAL SET (INCLUDING THE ASP)**

Readex and ProQuest offer competing products. Both provide completely searchable databases with download options. Both companies offer color scans of the *SS* maps, but not all repositories subscribe to this module. Each product has a variety of search options. Readex makes its product available through GenealogyBank, however there are fewer advanced search options. It is important to understand these databases are as accurate as the OCR technology used by the companies. Secondly, these databases are configured based on the needs and budget of the subscribing institution. For these reasons, we as researchers need to understand that we may get different results based on the product selected and its configuration. All facilities of the National Archives provide access to a version of the ProQuest *Congressional Serial Set* that meets the needs of most genealogical research. More fully configured editions may be found in law libraries.

### **ORIGINAL DOCUMENTS SUPPORTING THE PUBLISHED RECORDS OF CONGRESS**

Many of the original documents of the Congress still exist and are held by the Center for Legislative Archives, <https://www.archives.gov/legislative>. This activity is part of the National Archives and is located in Washington, D.C. The archivists are very helpful and will assist researchers in finding original records. It is important to find the original records as a matter of sound genealogical practice that requires us to find the best available source material. It is also important because in many cases the published records may have been synopsisized or some of the original submitted information may have been eliminated. In some cases, the original material has been lost; this is more prevalent in the early congresses. Much of the information held by the Center relates to the claim process.

### **PRIVATE CLAIMS AND PRIVATE LEGISLATION**

The absence of effective appeal processes in the executive branch in the nineteenth century led to an enormous volume of requests for private legislative acts by Congress. Three *Prologue* articles online at <https://www.archives.gov/publications/prologue> provide an excellent discussion of the operation of the claims committees of Congress and assist in locating the materials that supported the claims held by the National Archives. They are cited below:

- Deeben, John. “A Final Appeal to Capitol Hill: The U.S. House's Accompanying Papers File, 1865–1903.” *Prologue* 39 (Spring 2007).
- Naylor, Chris. “Those Early Americans: Public Lands and Claims in the American State Papers, 1789–1837.” *Prologue* 37 (Summer 2005).
- Schamel, Charles E. “Untapped Resources: Private Claims and Private Legislation in the Records of the U.S. Congress.” *Prologue* 27 (Spring 1995).

In addition to these publications, another useful reference has been provided by Elizabeth Shown Mills. Her QuickLesson 14, “Petitions—What Can We Do with a List of Names” found on her *Evidence Explained* website (<https://www.evidenceexplained.com/content/quicklesson-14-petitions%E2%80%94what-can-we-do-list-names>) describes, through an example from the *TPUS*, the information that can be lost in the process of transcription and publication.

The National Archives has provided an example of the claim process in the form of the private land claim of Luis Mesa online at <https://www.archives.gov/legislative/features/mesa>. This example shows both the value of these records and the sometimes complex process involved in pursuing the claims.

Many claims are indexed by *Digested Summary and Alphabetical List of Private Claims* (3 volumes plus supplements issued in 1873, 1882, and 1891). Some volumes are online at Hathi Trust, Internet Archive, and Google Books. All of these volumes are part of the *Serial Set*.

### **U.S. STATUTES AT LARGE**

The laws of the first forty-three Congresses, 1789–1875, are online at A Century of Lawmaking. The entire run of the series, 1789–2012 is online at the Constitution Society ([www.constitution.org/uslaw/sal/sal.htm](http://www.constitution.org/uslaw/sal/sal.htm)). The volumes are downloadable as individual PDF files. Of particular importance are private acts. These are laws that give relief to an individual. They were very prevalent in the nineteenth century. Not all private acts are found at the Constitution Society. The online or physical resources of a law library may be necessary.

### **KEY HISTORICAL PUBLICATIONS**

#### ***AMERICAN STATE PAPERS (ASP) (1789–1838)***

The *American State Papers* were created by Congress to provide selected documentation of Congressional sessions before 1817 and continuing until 1838. The collection consists of 6,278 documents, arranged in ten classes, and published in 38 volumes. The *ASP* volumes were privately printed by the publisher Gales and Seaton. The *ASP* have been digitized and are online at A Century of Lawmaking. However, their online *ASP* collection is not fully searchable; the table of contents and index may be searched. Links to more detailed explanations can be found on the website. There are several other alternatives to find the *ASP* in a fully searchable format. Individual volumes are available as a free download on the Internet Archive. Though the entire individual volume cannot be downloaded, they can be searched and individual pages downloaded at the Hathi Trust. The *ASP* is also available at GenealogyBank, a subscription service.

#### ***TERRITORIAL PAPERS OF THE UNITED STATES (TPUS)***

In 1911 David W. Parker in his *Calendar of Papers in Washington Archives Relating to the Territories of the United States (to 1873)* described the papers held by various Washington, D.C., repositories that pertained to the territorial period. Lobbying by historians persuaded Congress to make these papers more readily available to the public and resulted in the passage of the *Ralston Act of March 3, 1925* (43 Stat. 1104). The provisions of this act required the Secretary of State to have the important papers of the territories “collected, edited, copied, and suitably arranged for publication.” Publication began in 1934 with the first volume of the *Territorial Papers of the United States*. The printed volumes, compiled and edited first by Clarence Carter and then by John Bloom, were published from 1934–1975. The

volumes, organized by territory, contain transcribed original documents from the territorial period (1787–1845). Many of the documents are cross-referenced to the *ASP*. The published volumes are listed below.

- ✓ Vol. I, *The Territorial Papers of the United States, General*.
- ✓ Vols. II & III, *The Territory Northwest of the River Ohio, 1787–1803*.
- ✓ Vol. IV, *The Territory South of the River Ohio, 1790–1796*.
- ✓ Vols. V & VI, *The Territory of Mississippi, 1798–1817*.
- ✓ Vols. VII & VIII, *The Territory of Indiana, 1800–1816*.
- ✓ Vol. IX, *The Territory of Orleans, 1803–1812*.
- ✓ Vols. X – XII, *The Territory of Michigan, 1805–1837*.
- ✓ Vols. XIII – XV, *The Territory of Louisiana-Missouri, 1803–1821*.
- ✓ Vols. XVI & XVII, *The Territory of Illinois, 1809–1818*.
- ✓ Vol. XVIII, *The Territory of Alabama, 1817–1819*.
- ✓ Vols. XIX, - XXI *The Territory of Arkansas, 1819–1836*.
- ✓ Vols. XXII, & XXIII *The Territory of Florida, 1821–1828*.
- ✓ Vols. XXIV, - XXVI *The Territory of Florida, 1828–1845*.
- ✓ Vols. XXVII, & XXVIII *The Territory of Wisconsin, 1836–1848*.

The published volumes have been converted to electronic format and are online at the HathiTrust. FamilySearch Books has 27 of the 28 volumes (volume 11 is not scanned) online as downloadable PDFs. Heinonline, a subscription website, also has the *TPUS* online. Genealogists now have easy access to these vastly underutilized resources.

Over time, resource limitations allowed the effort to continue only as a microfilm project of selected documents from the remaining territories. Further resource limitations led to a decision by NARA to conclude the effort with a series of finding aids, *The Trans-Mississippi West, 1804–1912: A Guide to the Records of the Territorial Period*. This multi-volume guide is available on Hathi Trust.

## **EXAMPLES OF PUBLICATIONS WITH GENEALOGICAL APPLICATION**

### **ANNUAL REPORTS OF GOVERNMENT AGENCIES**

Agencies publishing reports useful to genealogists:

- Bureau of Ethnology (online at <http://gallica.bnf.fr/ark:/12148/cb37575968z/date> )
- Bureau of Indian Affairs
- Bureau of Land Management
- Bureau of Mines
- Bureau of Rolls and Library
- Civil Service Commission (*Official Register*)
- Coast Survey (see discussion below on Coast Survey)
- Commissioner of Claims
- Department of the Army (previously the War Department)
- Chief of Engineers
- Department of the Interior
- Department of the Navy
- National Home for Disabled Volunteer Soldiers

## EXECUTIVE DEPARTMENTS REPORTS, PUBLICATIONS, AND REPOSITORIES

### MILITARY DOCUMENTS

Many military documents of genealogical value have been published by the historical activities of the various Services. Some are for sale at the Government Printing Office online store (Center for Military History publications can be found at <https://bookstore.gpo.gov/agency/1061>). Additionally, many of these publications are migrating to the Internet. Some examples are listed below.

- *The War of the Rebellion: A Complete Compilation of the Official Records of the Union and Confederate Armies of the War of the Rebellion* (OR). 70 vols. Washington, DC: GPO, 1880–1901. Online at <http://ebooks.library.cornell.edu/m/moawar/waro.html>.
- Duncan, Louis C. *Medical Men in the American Revolution, 1775–1783*. Carlisle barracks, PA: Medical Field Service School, 1931. Online at <http://history.amedd.army.mil/books.html>.
- Navy Department, Office of the Chief of Naval Operations, Naval Historical Center. *Dictionary of American Fighting Ships*. 9 vols. Washington, DC: GPO, 1959–91. Online at <https://www.history.navy.mil/research/histories/ship-histories/danfs.html>. The online version at the Naval History Center is periodically updated with new or corrected information and is the official version of the 10,000+ entries. See also other historical documents relating to the nineteenth-century Navy that are either online or for sale on this website.

### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OFFICE OF COAST SURVEY

The *Office of Coast Survey's Historical Map & Chart Collection*

(<http://historicalcharts.noaa.gov/historicals/search>) contains more than 38,000 maps and charts from the late 1700s to the present day. The site includes early nautical charts, topographic surveys, city plans and Civil War battle maps. The library has scanned in PDF format the annual reports of the Coast and Geodetic Survey from 1852 to 1950. The national daily weather maps from 1871–2002 are online at [https://www.lib.noaa.gov/collections/imgdocmaps/daily\\_weather\\_maps.html](https://www.lib.noaa.gov/collections/imgdocmaps/daily_weather_maps.html).

### THE OTIS HISTORICAL ARCHIVES

This archive was created in 1971 to house the documents and collections of the U.S. Army Medical Museum. The collections date back to 1862, the date of the establishment of the Museum. The archive has an extensive collection on military medicine and a large photographic collection. The Otis Archive is the repository for much of the material used to compile the *Medical and Surgical History of the War of the Rebellion* (MSHWR) (online at the Internet Archive). The archive is now part of the National Museum of Health and Medicine, Washington, D.C. (<http://www.medicalmuseum.mil/>) and is open by appointment. Some images (approximately 3,660) from the collection are posted to Flickr ([www.flickr.com/photos/99129398@N00](http://www.flickr.com/photos/99129398@N00)). Sharp and Wings article (#4 in the bibliography) presents a case study using resources of the Archives and the MSHWR.

## DEVELOPING A RESEARCH PLAN TO USE LEGISLATIVE AND EXECUTIVE RECORDS

A research plan begins with the development of a research focus. In this case we are going to consider a generic research focus related to the resources we are discussing rather than a specific genealogical problem. Start by developing a series of questions to determine how a person may have interacted with the federal government. Map the results to specific resources. Consider the following questions and illustrative records to be checked:



- When did this person live?
  - If the answer is the Revolutionary War era, consider the *Journals and Papers of the Continental Congress*.
- Where did this person live?
  - If the answer is a public-land state consider searching federal land records. If the answer is a territory, consider searching the *TPUS*. Conduct a locality search; read the local county histories and newspapers. For example, an individual may have signed a petition that was submitted to Congress to establish a postal route. However, the published version in the *Serial Set* may not list all of the signers. Diligent research may discover that such a petition exists and alert us to look for the original records at NARA.
- Did the person serve in the military?
  - If the answer is yes search NARA records. Consider also the *Serial Set* and *TPUS* as many people are identified performing some role in a military action. Correlate the person's age to dates of conflict. Assess if it is likely he served. If the person served in the Civil War, consider using the *Official Record (OR)* to find information on his unit.
- Was the person a government employee?
  - Search the *Official Register*. Consider records of the Post Office. Again search the *Serial Set*.
- Was the person a diplomat or in the Foreign Service?
  - Consider the Foreign Affairs volumes in the *ASP*.
- Might he or she have filed a claim against the government?
  - Consider searching the *Serial Set*.
- Might this person have provided contractual services to the government?
  - Search the *Serial Set* as many times disputes arose that individuals took to Congress
- Might the person have had an adverse interaction with the government?
  - Consider prison records and records of the FBI
- Could the person have filed for a patent?
  - Use Google Patent search to find if he was awarded a patent.
- Could the person have gone abroad (both military and civilian)?
  - Consider the records of the State Department and War Department
- Did he or she buy land from the government?
  - Consider searching the General Land Office website, <https://glorerecords.blm.gov/default.aspx>.
- Did he or she have pension of any kind?
  - Consider searching pension indexes on FamilySearch, pension records found on Fold3, and pensions awarded by private act found in the *Serial Set*. Also consider pensions awarded by states. See Bockstruck's *Revolutionary War Pensions...* (#1 in the bibliography).

## THE FEDERAL DEPOSITORY LIBRARY PROGRAM

The U.S. Government Printing Office (GPO) operates the Federal Depository Library Program (FLDP). There are more than 1,200 depository libraries nationwide. A list of depository libraries may be found at <https://www.gpo.gov/libraries/>. Designation as a regional depository means the library retains at least one copy of all U.S. Government publications. Libraries or divisions in a library that receive selected publications are known as selective depository libraries. Typically, a state has at least one regional depository. Frequently a library's web page indicates the strengths and focus of its collection.

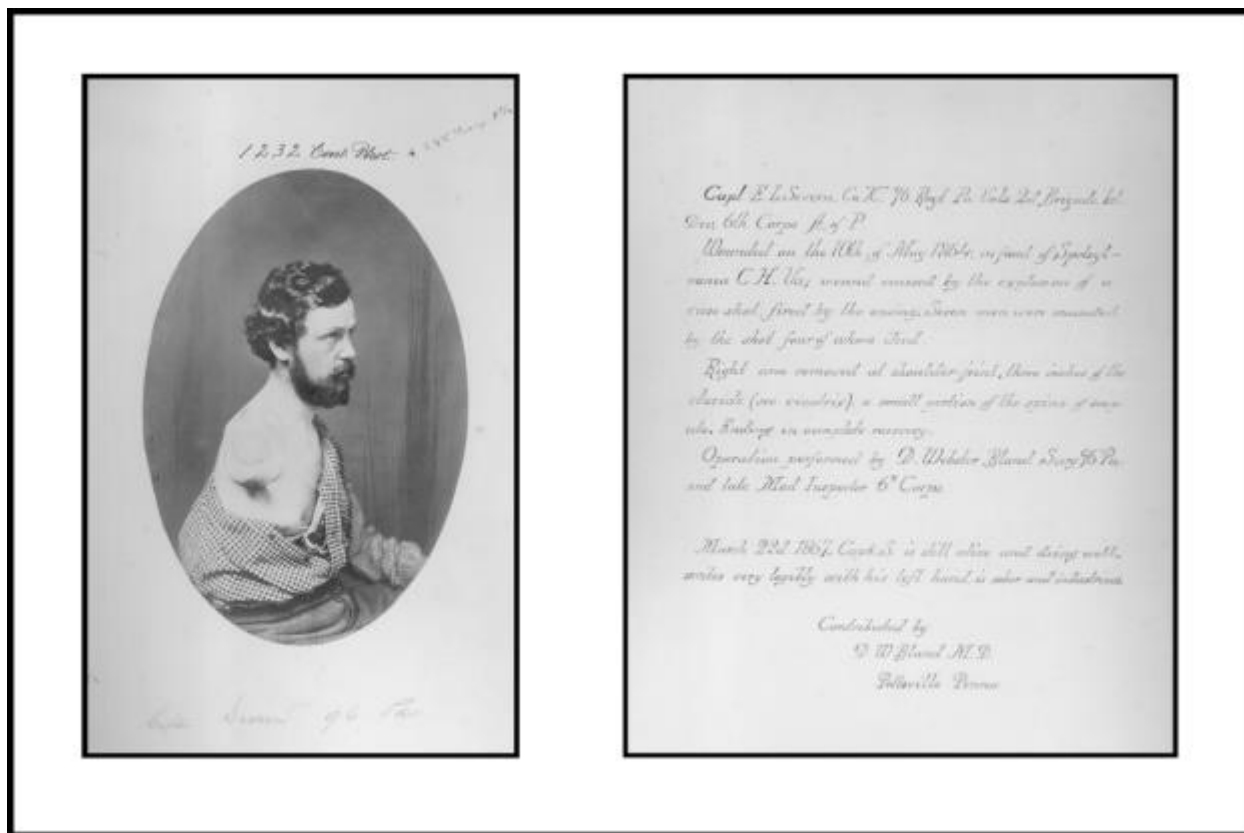


Figure 1: Capt. E.L. Severn, Co. K, 96th Pennsylvania Volunteers  
 (https://www.flickr.com/photos/medicalmuseum/5716536846/in/photostream/)

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All websites current as of 1 April 2017



## Using the Congressional Serial Set for Genealogical Research

By Jeffery Hartley

Genealogists use whatever sources are available to them in pursuit of their family history: diaries, family Bibles, census records, passenger arrival records, and other federal records. One set of materials that is often overlooked, however, is the Congressional Serial Set. This large multivolume resource contains various congressional reports and documents from the beginning of the federal government, and its coverage is wide and varied. Women, African Americans, Native Americans, students, soldiers and sailors, pensioners, landowners, and inventors are all represented in some fashion. While a beginning genealogist would not use the Serial Set to begin a family history, it nevertheless can serve as a valuable tool and resource for someone helping to flesh out an ancestor's life, especially where it coincided with the interests of the U.S. federal government.

Since its inception, the U.S. government has gathered information, held hearings, compiled reports, and published those findings in literally millions of pages, the majority of which have been published by the Government Printing Office (GPO). These publications include annual reports of the various executive branch agencies, congressional hearings and documents, registers of employees, and telephone directories. Their topics cover a wide range, from the Ku Klux Klan to child labor practices to immigration to western exploration.

In 1817, the Serial Set was begun with the intent of being the official, collective, definitive publication documenting the activities of the federal government. Following the destruction of the Capitol in 1814 by the British, Congress became interested in publishing their records to make them more accessible and less vulnerable to loss. In the early Federal period, printing of congressional documents had been haphazard, and the Serial Set was an effort designed to rectify that situation. Although initially there were no regulations concerning what should be included, several laws and regulations were promulgated over the years. The contents, therefore, vary depending on the year in question.

In 1831, 14 years after the Serial Set was begun, the printers Gales & Seaton proposed that a compilation of the documents from the first Congresses be printed. The secretary of the Senate and the clerk of the House were to direct the selection of those documents, 6,278 of which were published in 38 volumes between 1832 and 1861. This collection was known as the *American State Papers*. Because it was a retrospective effort, these 38 volumes were arranged chronologically within 10 subject areas: Foreign Relations, Indian Affairs, Finance, Commerce & Navigation, Military Affairs, Naval Affairs, Post Office, Public Lands, Claims, and Miscellaneous.

Although not technically a part of the Serial Set, the volumes were certainly related, and therefore the volumes were designated with a leading zero so that these volumes would be shelved properly, i.e. before the volumes of the Serial Set.<sup>1</sup>

The Congressional Serial Set itself includes six distinct series: House and Senate journals (until 1953), House and Senate reports, House and Senate documents, Senate treaty documents, Senate executive reports, and miscellaneous reports. The journals provide information about the daily activities of each chamber. The House and Senate reports relate to public and private legislation under consideration during each session. Documents generally relate to other investigations or subjects that have come to the attention of Congress. Nominations for office and military promotion appear in the Senate Executive Reports. Miscellaneous reports are just that widely varied in subject matter and content. With the

possible exception of the treaty documents, any of these can have some relevance for genealogists.

The documents and reports in the Serial Set are numbered sequentially within each Congress, no matter what their subject or origin. The documents were then collected into volumes, which were then given a sequential number within the Serial Set. The set currently stands at over 15,000 volumes, accounting for more than 325,000 individual documents and 11 million pages.

The Serial Set amounts to an incredible amount of documentation for the 19th century. Agency annual reports, reports on surveys and military expeditions, statistics and other investigations all appear and thoroughly document the activities of the federal government. In 1907, however, the Public Printing and Binding Act provided guidelines for what should be included, resulting in many of these types of reports no longer being included as they were also issued separately by the individual agencies. The number of copies was also trimmed. With that stroke, the value of the Serial Set was lessened, but it nevertheless stands as a valuable genealogical resource for the 19th century.

So what is available for genealogists? The following examples are just some of the types of reports and information that are available.

## **Land**

The Serial Set contains much information concerning land claims. These claims relate to bounty for service to the government as well as to contested lands once under the jurisdiction of another nation.

In House Report 78 (21-2), there is a report entitled "Archibald Jackson." This report, from the House Committee on Private Land Claims, in 1831, relates to Jackson's claim for the land due to James Gammons. Gammons, a soldier in the 11th U.S. Infantry, died on February 19, 1813, "in service of the United States." The act under which he enlisted provided for an extra three month's pay and 160 acres of land to those who died while in service to the United States. However, Gammons was a slave, owned by Archibald Jackson, who apparently never overtly consented to the enlistment but allowed it to continue. That Gammons was eligible for the extra pay and bounty land was not in dispute, but the recipient of that bounty was Jackson. Jackson had already collected the back pay in 1823 and was petitioning for the land as well. The report provides a decision in favor of Jackson, as he was the legal representative of Gammons, and as such entitled to all of his property.<sup>2</sup>

Land as bounty was one issue, and another was claims for newly annexed land as the country spread west. In 1838, the House of Representatives published a report related to Senate Bill 89 concerning the lands acquired through the treaty with Spain in 1819 that ceded East and West Florida to the United States. Claims to land between the Mississippi and the Perdido Rivers, however, were not a part of that treaty and had been unresolved since the Louisiana Purchase, which had taken the Perdido River as one of its limits. The report provides a background on the claims as well as lists of the claimants, the names of original claimants, the date and nature of the claim, and the amount of the land involved.<sup>3</sup>

Other land claims are represented as well. In 1820, the Senate ordered a report to be printed from the General Land Office containing reports of the land commissioners at Jackson Court House. These lands are located in Louisiana and include information that would help a genealogist locate their ancestor in this area. Included in this report is a table entitled "A List of Actual Settlers, in the District East of Pearl River, in Louisiana, prior to the 3d March, 1819, who have no claims derived from either the French, British, or Spanish, Governments." The information is varied, but a typical entry reads: No. 14, present claimant George B. Dameson, original claimant Mde. Neait Pacquet, originally settled 1779, located above White's Point, Pascag. River, for about 6 years.<sup>4</sup>

## Annual Reports

Among the reports in the Serial Set for the 19th century are the annual reports to Congress from the various executive branch agencies. Congress had funded the activities of these organizations and required that each provide a report concerning their annual activities. Many of these are printed in the Serial Set, often twice: the same content with both a House and a Senate document number. Annual reports in the 19th century were very different from the public relations pieces that they tend to be today. Besides providing information about the organization and its activities, many included research reports and other (almost academic) papers. In the annual reports of the Bureau of Ethnology, for instance, one can find dictionaries of Native American languages, reports on artifacts, and in one case, even a genealogy for the descendants of a chief.<sup>5</sup>

These reports can often serendipitously include information of interest to the family historian. For instance, the annual report of the solicitor of the Treasury would not necessarily be a place to expect to find family information. The 1844 report, however, does have some information that could be useful. For instance, pages 36 and 37 of this report contains a "tabular list of suits now pending in the courts of the United States, in which the government is a part and interested." Many on the opposite side of the case were individuals. An example is the case of Roswell Lee, late a lieutenant in the U.S. Army, against whom there has been a judgment for over \$5,000 in 1838. Lee was sued in a court in Massachusetts and in 1844 still owed over \$4,000. In a letter dated May 5, 1840, the district attorney informed the office<sup>6</sup>

that Mr. Lee is not now a resident of the district of Massachusetts, and that whether he ever returns is quite uncertain; that nothing, however, will be lost by his absence, as the United States have now a judgment against him, which probably will forever remain unsatisfied.

Another set of annual reports that appear in the Serial Set are those for the Patent Office. The annual reports of the commissioner of patents often include an index to the patents that were granted that year, arranged by subject and containing the names of the invention and the patentee and the patent number. The report included a further description of the patent, and often a diagram of it as well. Each year's report also included an index by patentee. Unfortunately, the numbers of patents granted in later years, as well as their complexity, led to more limited information being included in later reports. The 1910 report, for instance, simply contains an alphabetical list of inventions, with the entries listing the patentee, number, date, and where additional information can be found in the Official Patent Office Gazette.<sup>7</sup>

The Civil War gave rise to a number of medical enhancements and innovations in battlefield medicine, and the annual report for 1865, published in 1867, contains a reminder of that in the patent awarded to G. B. Jewett, of Salem, Massachusetts, for "Legs, artificial." Patent 51,593 was granted December 19, 1865, and the description of the patent on page 990 provides information on the several improvements that Jewett had developed. The patent diagram on page 760 illustrated the text.<sup>8</sup>

This annual report relates to a report from May 1866, also published in the Serial Set that same session of Congress, entitled "Artificial Limbs Furnished to Soldiers." This report, dated May 1866, came from the secretary of war in response to a congressional inquiry concerning artificial limbs furnished to soldiers at the government's expense. Within its 128 pages are a short list of the manufacturers of these limbs, including several owned by members of the Jewett family in Salem, Massachusetts, New York, and Washington, D.C., as well as an alphabetical list of soldiers, detailing their rank, regiment and state, residence, limb, cost, date, and manufacturer. Constantine Elsner, a private in B Company of the 20th Massachusetts living in Boston, received a leg made by G. B. Jewett at a cost of \$75 on April 8, 1865.<sup>9</sup> This may have been an older version of the one that Jewett would have patented later in the

year, or it may have been an early model of that one. Either way, a researcher would have some idea not only of what Elsner's military career was like, but also some sense of what elements of life for him would be like after the war.

Congress also was interested in the activities of organizations that were granted congressional charters. Many of the charters included the requirement that an annual report be supplied to Congress, and these were then ordered to be printed in the Serial Set.

One such organization is the Daughters of the American Revolution (DAR). As one would expect, the DAR annual reports contain a great deal of genealogical and family history information. The 18th annual report is no exception. Among other things, it includes, in appendix A, a list of the graves of almost 3,000 Revolutionary War soldiers. The list includes not just a name and location, but other narrative information as well:

Abston, John. Born Jan. 2, 1757; died 1856. Son of Joshua Abston, captain of Virginia militia; served two years in War of the American Revolution. Enlisted from Pittsylvania County, Va.; was in Capt. John Ellis' company under Col. Washington. The evening before the battle of Kings Mountain, Col. Washington, who was in command of the starving Americans at this point, sent soldiers out to forage for food. At a late hour a steer was driven into camp, killed, and made into a stew. The almost famished soldiers ate the stew, without bread, and slept the sleep of the just. Much strengthened by their repast and rest, the next morning they made the gallant charge that won the battle of Kings Mountain, one of the decisive battles of the American Revolution.

Washington found one of the steer's horns and gave it to Abston, a personal friend, who carried it as a powder horn the rest of the war.<sup>10</sup>

Another organization whose annual reports appear is the Columbia Institution for the Deaf and Dumb, which later became Gallaudet University. These reports, found in the annual reports of the secretary of the interior, contain much of what one would expect: lists of faculty and students, enrollment statistics, and other narrative. While that information can help to provide information about one's ancestor's time there, there are other parts of the narrative that include information one would not expect to find. For instance, the 10th annual report for 1867 has a section entitled "The Health of the Institution." It concerns not the fiscal viability of the institution but rather the occurrences of illness and other calamities. One student from Maryland, John A. Unglebower, was seized with gastric fever and died: "He was a boy of exemplary character, whose early death is mourned by all who knew him." Two other students drowned that year, and the circumstances of their deaths recounted, with the hope that "they were not unprepared to meet the sudden and unexpected summons."<sup>11</sup> Both the faculty and the student body contributed their memorials to these two students in the report.

Other organizations represented in the Serial Set are the Boy Scouts and Girl Scouts of America, Veterans of World War I of the United States, proceedings of the National Encampment, United Spanish War Veterans, the American Historical Association, and the National Convention of Disabled American Veterans.

## **Lists of Pensioners**

The history of pensions provided by the federal government is beyond the scope of this article. However, the Serial Set is a source of information about who was on the rolls at various times. For instance, an 1818 letter from the secretary of war was published containing a list of the persons who had been added to the pension list since May 28, 1813. The list provides information on the likes of Susanna Coyle, certificate of pension no. 9, heiress of deceased soldier William Coyle, alias Coil, a private who received pay of four dollars per month.<sup>12</sup>



Sundry lists of pensions appeared in 1850, related to the regulation of Navy, privateer, and Navy hospital funds. The report included four lists: those placed in the invalid list who were injured while in the line of duty; those drawing pensions from wounds received while serving on private armed vessels; widows drawing pensions from their husbands who were engineers, firemen, and coal-heavers; and orphan children of officers, seamen, and marines pensioned under the act of August 11, 1848.<sup>13</sup>

One of the most widely consulted lists is that for 1883, "List of Pensioners on the Roll, January 1, 1883" (Senate Executive Document 84 [47-2]). This five-volume title, arranged by state and then county of residence, provides a list of each pensioner's name, his post office, the monthly amount received, the date of the original allowance, the reason for the pension, and the certificate number. An example is the case of Eli G. Biddle, who served in the 54th Massachusetts. Biddle can be found on page 439 of volume 5 of the "List," and a researcher can learn several things without even having seen his pension file: his middle name is George, he was living in Boston in 1883, and he was receiving four dollars each month after having suffered a gunshot wound in the right shoulder. His pension certificate number is also provided 99,053 and with that one could easily order the appropriate records from the National Archives.

## Registers

The Serial Set serves as a source of military registers and other lists of government personnel as well. Both Army and Navy registers appear after 1896. The Army registers for 1848–1860 and the Navy registers for 1848–1863 are transcripts of the lists that appeared the preceding January and include pay and allowances, with corrections to that earlier edition for deaths and resignations.

The Official Register, or "Blue Book," a biannual register of the employees of the federal government, appears for 10 years, from 1883 to 1893. If one's ancestors were employees at this time, their current location and position, place from which they were appointed, date of appointment, and annual compensation can be gleaned from this source.

The Serial Set often provides unexpected finds, and the area of registers is no exception. There is a great deal of material on the Civil War, from the 130 volumes of the *Official Records of the War of the Rebellion* to other investigations and the aforementioned registers and lists of pensions. There are not, however, large amounts of compiled unit histories. One exception, however, is the report from the adjutant general of Arkansas. Shortly after the Civil War, the adjutant general offices of the various Union states prepared reports detailing the activities of the men from their states. The same was done in Arkansas, but the state legislature there, "under disloyal control," declined to publish the report. Senator Henry Wilson of Massachusetts, chairman of the Senate Committee on Military Affairs, brought it to the committee in 1867, and it was ordered to be printed in the Serial Set so that the loyal activities of these 10,000 men would be recognized.<sup>14</sup> The report includes brief histories of each unit as well as a roster of the unit and rank, enlistment date, and other notes on each soldier.

## Accessing Information in the Serial Set

The indexing for the Serial Set has long been troublesome to researchers. Various attempts have been made to provide subject access, with varying degrees of success. Many of the indexes in the volumes themselves are primarily title indexes to the reports from that Congress and session. The *Checklist of United States Public Documents, 1789–1909*, does provide information about what reports listed therein do appear in the Serial Set, but the researcher has to know the name of the issuing agency in order to access that information. The *Document Index* provides some subject indexing by Congress, and other efforts such as those by John Ames and Benjamin Poore can also be used, but none index the tables and contents of many of the reports that have been discussed in this article.<sup>15</sup>

The best comprehensive print index is the Congressional Information Service's (CIS) *U.S. Serial Set Index*, produced in conjunction with their microfilming of the volumes through 1969 beginning in the mid-1970s. In this index, a two-volume subject index covers groups of Congresses, with a third volume providing an index to individual names for relief actions, as well as a complete numerical list in each report/document category. The index, however, does not index the contents of the documents. For instance, although the title given for the Archibald Jackson land claim includes James Gammons's name, the latter does not appear in the index to private relief actions. In addition, users must often be creative in the terms applied in order to be sure that they have exhausted all possibilities. In the mid-1990s CIS released these indexes on CD-ROM, which makes them somewhat easier to use, although the contents are essentially the same.

The indexing problems have been rectified by the digitization of the Serial Set. At least two private companies, LexisNexis and Readex, have digitized it and made it full-text searchable. HeritageQuest, available through the National Archives' Archives Library Information Center (ALIC), provides searching and digital images of memorials, petitions, and private relief actions from the LexisNexis version. Those who do not have access to the digital resource, however, must rely on the paper or CD-ROM indexes.

Researchers at the National Archives can read the printed volumes of the Serial Set in the National Archives Building in Washington, D.C., or on microfiche at the National Archives at College Park, Maryland. Both facilities have access to HeritageQuest and to the CIS CD-ROM indexes.

\* \* \*

This article can only hint at some of the genealogical possibilities that can be found in the Congressional Serial Set. It has not touched on the land survey, railroad, western exploration, or lighthouse keeper's reports or many of the private relief petitions and claims. Nonetheless, the reports and documents in the Serial Set provide a tremendous and varied amount of information for researchers interested in family history.

## Author

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## Notes

<sup>1</sup> For a more complete description of the *American State Papers*, and their genealogical relevance, see Chris Naylor, "Those Elusive Early Americans: Public Lands and Claims in the *American State Papers, 1789–1837*," *Prologue: Quarterly of the National Archives and Records Administration* 37 (Summer 2005): 54–61.

<sup>2</sup> H. Rept. 78 (21-2), 1831, "Archibald Jackson" (Serial 210).

<sup>3</sup> H. Rept. 818 (25-2), 1838, "Land Claims between Perdido and Mississippi" Serial 335.

<sup>4</sup> S. Doc. 3 (16-2), 1820, "Reports of the Land Commissioners at Jackson Court House" (Serial 42).

<sup>5</sup> H. Misc. Doc. 32 (48-2), 1882, "3rd Annual Report of the Bureau of Ethnology" (Serial 2317).



- <sup>6</sup> H. Doc. 35 (28-1), 1844, "Annual Report of Solicitor of the Treasury" (Serial 441), p. 37.
- <sup>7</sup> H. Doc. 1348 (61-3), 1911, "Annual Report of the Commissioner of Patents for the Year 1910" (Serial 6020).
- <sup>8</sup> H. Exec. Doc. 62 (39-1), 1867, "Annual Report of the Commissioner of Patents for the Year 1865" (Serial 1257-1259).
- <sup>9</sup> H. Exec. Doc. 108 (39-1), 1866, "Artificial Limbs Furnished to Soldiers" (Serial 1263).
- <sup>10</sup> S. Doc. 392 (64-1), 1916, "Eighteenth Report of the National Society of the Daughters of the American Revolution, October 11, 1914, to October 11, 1915" (Serial 6924), p.155.
- <sup>11</sup> H. Exec. Doc. 1 (40-2), "Tenth Annual Report of the Columbia Institution for the Deaf and Dumb" (Serial 1326), pp. 429–430.
- <sup>12</sup> H. Doc. 35 (15-1), 1818 (Serial 6), p. 17.
- <sup>13</sup> See H. Ex. Doc. 10 (31-2), 1850, "Sundry Lists of Pensioners" (Serial 597).
- <sup>14</sup> See S. Misc. Doc 53 (39-2), 1867, "Report of the Adjutant General for the State of Arkansas, for the Period of the Late Rebellion, and to November 1, 1866" (Serial 1278).
- <sup>15</sup> A good discussion of how some of these indexes work can be found in Mary Lardgaard, "Beginner's Guide to Indexes to the Nineteenth Century U.S. Serial Set," *Government Publications Review* 2 (1975): 303–311.

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## Untapped Resources

### Private Claims and Private Legislation in the Records of the U.S. Congress, Indexes

By **Charles E. Schamel**

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## Published Indexes to Claims before Congress

A number of published sources exist that facilitate research in the private claims submitted to Congress. Listed below are indexes to the claims presented to both the House and Senate.

### House Claims Indexes

1st-31st Congresses (1789-1851)	H. Misc. Doc. (unnumbered) 32d Cong., 1st sess. (serial vols. 653-655) 3 vols.
32d-41st Congresses (1851-71)	H. Misc. Doc. 109, 42d Congress, 3d sess. (serial Vol. 1574) 526 pp.
42d-46th Congresses (1871-81)	H. Misc. Doc. 53., 47th Cong., 1st sess. (serial Vol. 2036) 744 pp.
47th-51st Congresses (1881-91)	H. Misc. Doc. 213, 53d Cong., 2d sess. (serial Vol. 3268) 749 pp.
Southern Claims Commission, 1871-80	<i>Consolidated Index of Claims reported by The Commissioners of Claims to the House of Representatives from 1871 to 1880.</i> Compiled under the supervision of J.B. Holloway and Walter H. French (Washington: Government Printing Office, 1892) 262 pp.

### Senate Claims Indexes

14th-46th Congresses (1815-81)	S. Misc. Doc. 14, 46th Cong., 3d sess. (serial vols. 1945, 1946) 2 vols.
47th-51st Congresses (1881-91)	S. Misc. Doc. 266, 53d Cong., 2d sess. (serial Vol. 3175) 3 vols.
52d-55th Congresses (1891-99)	S. Doc. 449, 56th Cong., 1st sess. (serial Vol. 3881) 2 vols.
56th-57th Congresses (1899-1903)	S. Doc. 221, 57th Cong., 2d sess. (serial Vol. 4433) 197 pp.
58th Congress (1903-5)	S. Doc. 3, 59th Congress, 1st sess. (serial Vol. 4917) 709 pp.
59th-61st Congresses (1905-09)	S. Doc. 646, 62d Congress, 2d sess. (serial Vol. 6165) 865 pp.

The indexes shown above were published as part of the Congressional Serial Set and list the claims that were introduced on the floor of the House and Senate. They generally provide the name of the claimant, the nature of the claim, committee of referral, Congress and session, number and nature of report, number of bill, disposition in the other House, and date of the act or other remarks. There are no comparable indexes for twentieth-century claims. Several sources exist that may be helpful in locating twentieth-century claims, but none of them have the scope and completeness of the serial set indexes.

One of the modern sources is the *CIS U.S. Serial Set Index, 1789-1969* (Bethesda, MD: Congressional Information Service, Inc., 1975). In compiling the index, the Congressional Information Service (CIS) divided the period 1789-1969 into twelve chronological segments. Each segment is indexed by two volumes arranged alphabetically by subject, subtitled "Subject Lists," and by one volume subtitled "Numerical Lists and Schedule of Volumes." The volumes of "Numerical Lists" contain a section called "Private Relief and Related Actions, Index to Names of Individuals and Organizations" that provides citations to published reports and documents. It should be emphasized that the citations are to congressional documents published in the Congressional Serial Set and not to the original petitions or claims documents found among the records of the claims committees. Many claims documents in the records were not published. Also useful to researchers are the published committee calendars of the claims committees (until the committees were abolished in 1946) and the Judiciary Committee. The [House Judiciary Committee](#) calendars list all claims legislation referred to the committee separately from other types of bills and resolutions.

#### Other related information:

- [NARA Genealogy Resources](#)
- [Records of Congress at the Center for Legislative Archives](#)
- [Records of the Claims Committees of the U.S. House of Representatives](#)
- [Records of the Claims Committees of the U.S. Senate](#)
- [Records of the U.S. Court of Claims](#)

#### Untapped Resources: Private Claims and Private Legislation in the Records of the U.S. Congress

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## **Untapped Resources**

### **Private Claims and Private Legislation in the Records of the U.S. Congress**

*By Charles E. Schamel*

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The incident began just after dawn on a spring morning in 1814 in New York State, about a mile upriver from Oswego. Its aftermath ended over twenty years later in Washington, D.C., in the committee rooms of the U.S. House of Representatives. William Baker owned a mercantile business in Sacketts Harbor with his partner, Gersham Tuttle. Being businessmen, and having a good quantity of butter, cheese, dried beef, and ham on hand that year, they hired a boat to carry some of their goods to Oswego, where they thought they would fetch a better price. They sent the store clerk, Dennis Tuttle, along to oversee the cargo.

The boat arrived at Oswego late in the evening, and the early light of the next morning revealed British enemy ships in the harbor. Dennis Tuttle and the boat's captain, fearful of the enemy, attempted to move the boat up the rapids, away from the danger at the mouth of the river.

As they moved into the rapids, Baker later claimed, the boat was stopped by a file of soldiers commanded by an American officer who commandeered the boat and ordered its contents unloaded onto the riverbank. The officer needed the boat to move his troops across the river should they need to retreat, and Dennis Tuttle's concern for the safety of the goods fell on deaf ears.

After securing the goods on the beach, Tuttle returned to Oswego and volunteered to fight in its defense. That day the British took possession of the village, and Dennis was taken prisoner and held captive on one of their ships. While he was held a prisoner of war, British troops confiscated the goods he had left on the shore and loaded them onto the ship. The British jeered Tuttle when he protested that the goods were private property, and that was the last the goods were seen. Gersham Tuttle died later in the year, and William Baker wrote the loss off to the cost of the war.

The occurrence outlined above could have been part of a Washington Irving story, but the plot is not fiction. The events, as they were recounted by witnesses, are preserved in the committee papers and the petition and memorial files of the U.S. House of Representatives at the National Archives.

William Baker's story is part of the records of the U.S. House of Representatives because nineteen years after the taking of Oswego, he learned that citizens could petition Congress for damages suffered due to government actions. He wrote a petition to Congress and attached sworn depositions from witnesses to support his claim petition. The original petition, depositions, and committee report are part of the petition and memorial files of the House Committee on Claims from the Twenty-third Congress.

William Baker's petition was supported by depositions from Dennis Tuttle, who swore to his actions on that day, and Peter Huginnin and Matthew McNair, who testified that American officers had pressed several small boats into service that spring in case they were obliged to retreat. But when the Claims Committee met to consider its merits, they found the claim lacking.

The Claims Committee reported that the claim did not demonstrate that the loss was directly due to the American soldiers' actions and, the report continued, "the committee would require the statement to be proven with more certainty than it is by this deposition. The deponent does not mention the day nor the time when the boat was taken by the United States officer, nor what exertions he used to secure the goods after the boat was taken, nor on what his belief is founded that the goods would have been

saved if the boat had not been taken, nor the deposition, that he was not in possession of the goods when they were captured."<sup>1</sup>

Furthermore, one member of the committee, Rufus McIntire, thought that the claimant and the deponents had remembered the incidents erroneously, and he added his comments to the committee report. McIntire was a powerful and respected man. He had been a young American army officer serving in the area on the day Oswego was taken. He had graduated from Dartmouth College with a law degree before the war, and after the war he served as a member of the Maine State House of Representatives. He was elected on the Jacksonian ticket to the United States House of Representatives and was a member of that body from 1827 to 1835.

He had been in command of the troops stationed at the ferry that day, and neither he nor any officer, to his knowledge, took possession of a boat for the purpose of crossing the river. They needed no boats for retreat because retreat would have been up the river and not across the river.

Although this claim was rejected, William Baker's claim for damages to a building during the war, which is discussed below, was granted.

The records of the U.S. Senate and House of Representatives contain a vast and relatively unused wealth of family history and local history information. Most of the documentation is contained in the *archival records* of the House and Senate at the National Archives, but a substantial amount is contained in the published records of the House and Senate in the Congressional Serial Set and the *Congressional Record* and its predecessors.

The records of Congress are not a familiar source of documentation for local history researchers and genealogists.<sup>2</sup> Congress is generally associated with important public policy matters, budgets, tax legislation, and treaties, not with the small amount of private legislation that is brought before Congress today. And yet the eighteenth-, nineteenth-, and early twentieth-century records of Congress contain detailed descriptions of the lives, families, activities, living conditions, possessions, and thoughts of hundreds of thousands of private individuals. Indeed, the records of Congress may be the most underutilized genealogical resource in the National Archives.

Private claims records make up a significant portion of the total documentation of Congress from 1789 to World War 11. They account for over one-sixth of all the unpublished records of the House of Representatives of the first seventy-nine Congresses.<sup>3</sup> More than 500,000 private claims were brought before Congress between 1789 and 1909 (First through Sixtieth Congresses), and many thousands more since that date. The records of the House and Senate from 1789 to 1946 include over 1,600 cubic feet of private bill files (roughly 1,500 feet from the House claims committees and 100 feet from Senate claims committees).

Between 1909 and 1946 (Sixty-first through Seventy-ninth Congresses) the four House claims committees created more than 890 feet of private claims records.

After 1946 the Legislative Reorganization Act eliminated the private claims committees and directed all private legislation to the House and Senate Judiciary Committees. From 1946 to 1970 (Eightieth through Ninety-first Congresses) the records of the House Judiciary Committee contain more than 870 linear feet of private legislative records consisting of files on over 55,000 private bills.<sup>4</sup>

But these records are largely unused. Only one small collection of House records, the barred and disallowed claims of the Southern Claims Commission (accounting for 180 feet, less than 8 percent of the private claim records) are regularly researched by genealogists.



This article is intended to alert historians to the wealth of local and family documentation that exists in the records of Congress. The United States Congress is the most thoroughly documented organization of its type in the world, and knowledge of the complex relationships among the various record types is a prerequisite to efficient research using its resources.

This article will discuss the history of private legislation in Congress, describe some of the structures and procedures that have been used to process private legislation, and give examples of some of the types of genealogical information that can be found in legislative records.

## **The Nature of Private Claims and Petitions to Congress**

The right to petition the government for redress of grievances is among the most fundamental individual rights guaranteed in the First Amendment to the Constitution.<sup>5</sup> Grievances arise when conflicts exist between the interests of individuals and the policies and actions of the government. It has been one of the principal tasks of the legislature to decide between the demands of the public interest and the interests and rights of private individuals or local groups.

From the earliest days, Americans have freely used the right to petition Congress, and its use is well documented in the petition and memorial files preserved in the records of the Senate and House of Representatives at the National Archives. Petitions and memorials account for over half the total volume of the unpublished records of Congress before 1900.

The right to petition allows individuals to present opinions or requests to the government on any issue, public or private. A large part of the petitions and memorials to Congress have always dealt with public policy issues.<sup>6</sup> Issues such as slavery, tariffs, immigration, veterans benefits, and taxes have generated massive petition drives.

All petitions and memorials contain the names of individuals. Some contain many thousands of signatures; others contain only the signatures of one or more officials representing an organization; and many contain the signature of a single individual. They document the desires or opinions of towns, states, fraternal organizations, churches, unions, fellowships, and many other types of groups, and of individuals.

Petitions for private claims are a valuable source of family and local history. When Congress accepts private claims, it serves as a court of last resort where persons injured by the actions of government can seek redress after all the administrative and judicial procedures have been exhausted.

The courts and agencies are bound to act under authority of public laws. Public laws must be applied universally and do not make exceptions for circumstances under which their application causes hardship to individuals. A large part of the private laws passed by Congress provide compensation to individuals or small groups that have been unfairly damaged by the actions of government applying policies or laws.

Private claims generally fall into three categories: refund cases, waiver cases, and tort claims. Refund cases wipe out an individual's obligations to repay money that the government has paid them in error, such as when an agency pays a bill that it is not authorized to pay. Waiver cases set aside statutory provisions that restrict benefits or impose other limitations, such as restrictions on immigration. Tort claims involve payment for injury or damages done through wrongful acts.

William Baker's second private claim illustrates a situation in which the government recognized that it owed money to a citizen, but no law existed authorizing the government to pay the particular type of debt. Since no legal way existed to pay Baker, the executive agencies and the courts were powerless

to help, and appeal to Congress was the last resort.

Mr. Baker owned a house in Sacketts Harbor, New York, and in February of 1813 American troops took possession of the house and used it as a barracks for four militia companies. The army occupied the house for over two months, and after their departure, a committee of two commissioned officers and one local man evaluated the condition of William Baker's house. They agreed that \$252.32 damages had been done to the property.

Baker billed the commanding officer for payment of rent and damages but was informed by the War Department that no existing law authorized payment for such damages. Unaware that appeal to Congress offered another avenue to recover his losses, Baker wrote these losses off to the costs of war.

Nineteen years later, when he learned that he could petition the federal Congress for damages, he prepared a petition asking for passage of a private law to repay his damages.

Mr. Baker submitted the petition to Representative Joel Turrill, the congressman representing the Oswego district of New York, who introduced it on the floor of the House of Representatives. In the House the petition was referred to the Committee on Claims. The committee reported that the bill to pay Baker's claim should pass, and in accordance with their recommendation, it passed the House and the Senate and was signed into law on February 17, 1836. The committee report explained the reasoning behind its recommendation and discussed the steps taken in fact-finding:

Your committee also addressed a note to the Third Auditor for information relative to this claim and to inform them what were the reasons assigned for not paying the damages assessed to Baker, when presented to the War Department, and his answer has been received and is referred to and made a part of this report. The only reason which he alleges why this demand was not paid, is, that the Department did not suppose they were authorized by any existing law to pay for damages done to the house, for the use thereof, separate, they would have paid. Your committee cannot conceive why the use or rent of the house should have been allowed and the damages rejected for they consider the one as legitimate and just a claim as the other, for the damages were done to the house by the United States troops, at the time they had the entire possession of the property, and when the owner could have no control over the same, and therefore in the opinion of your Committee, the government is bound in good faith, as well as by the principles of common law, not only to pay what was right for the rent of the property, but to return it in as good condition as it was when they entered into possession. Your Committee therefore, consider this claim equitable and that it ought to be paid, and report the bill accordingly.<sup>7</sup>

H.R. 450, the Twenty-third Congress bill providing for Baker's claim, did not pass the House, but when he resubmitted the petition two years later, both houses of the Twenty-fourth Congress passed H.R. 12, and it was signed into law.

### **Private Legislation in History**

Today Congress spends only a small part of its time on private matters. During the 101st Congress (1989-1991) less than 3 percent of the legislative activity involved private matters: ninety-six private bills were introduced in the House, and only sixteen were enacted to become private laws, while 5,881 public bills were introduced, and 650 became law.<sup>8</sup> During earlier periods, private legislation accounted for a much larger proportion of Congress's business, and at times it dominated the legislature's work schedule.

From 1789 to 1813, private legislation accounted for 24 percent of the laws enacted by Congress. During the next 158 years, its role increased, accounting for over 35 percent of all legislation enacted in

seventy-four of the seventy-nine Congresses between 1814 and 1971. In ten Congresses, private legislation accounted for over 75 percent of all legislation passed.<sup>9</sup> During the Fifty-ninth Congress (1905-1907) private legislation reached a high-water mark with the passage of 6,249 private acts, accounting for 90 percent of the total legislation enacted, while only 692 public acts were passed.<sup>10</sup>

During the Fiftieth Congress (1887- 1889), when 1,254 private laws were enacted compared to 570 public laws, Congressman James P. Walker (D-Missouri) observed that 40 percent of all the bills brought before the House were referred to a single committee—the Committee on Invalid Pensions.<sup>11</sup> The proportion of private bills to public bills was substantially higher than 40 percent because, in addition to the Committee on Invalid Pensions, five other House committees existed primarily to handle private legislation, and another ten committees handled private legislation that fell within their larger jurisdictions.

But even while it accounted for a major part of the work of Congress, the appropriateness of private legislation in Congress remained a disputable subject. The principal purpose of private legislation was to create special exceptions to the general public laws that had been passed by Congress. This situation gave rise to substantial controversy. John Quincy Adams (W-Mass.) was one legislator who found private legislation to be inappropriate, arbitrary, and wasteful of the legislator's time. When a resolution to reduce the days reserved for private legislation failed, Adams voiced his opinion on private legislation:

There ought to be no private business before Congress. There is a great defect in our institutions by the want of a Court of Exchequer or Chamber of Accounts. It is a judicial business, and legislative assemblies ought to have nothing to do with it. One-half of the time of Congress is consumed by it, and there is no common rule of justice for any two of the cases to be decided. . . . A deliberative assembly is the worst of all tribunals for the administration of justice.<sup>12</sup>

But while the appropriateness of private legislation, and the strain it put on the congressional workload, made it a point of controversy, members of Congress never seriously considered relinquishing the power to grant dispensations to private and local interests. The good will that could be generated by bestowing private favors was far too attractive to give up. Instead, myriad procedures and organizational structures were created to manage the private legislative workload as it increased over the years.

Lauros McConachie, the nineteenth-century historian of Congress, described the machinations of the members of the House and Senate to deal with the burgeoning private workload:

By every device, by iron laws for speedy legislative action, by a continual multiplication of committees, by enlisting the services of the executive departments, and by establishing a Court of Claims and a Pension Bureau, Congress has sought to meet its obligation without relinquishing the power of finally deciding on each case.<sup>13</sup>

## **Claims Committees**

Since 1789 Congress has made use of committees to conduct business. In the earliest years, both houses referred legislative business to various select committees, which were created to consider a single subject and then dissolved. The process of creating a select committee for each bill, petition, claim, or message from the President soon proved unwieldy, and permanent or standing committees were created with well-defined areas of jurisdiction.

The use of committees provided a forum for the full consideration of documents by a small group of members, thereby relieving pressure on scarce time on the floor. The use of standing committees

allowed their members to become expert in the subject area in the jurisdiction. In all, more than two hundred standing committees and thousands of temporary, special, and select committees were created in the House and Senate.

Many of the committees handled private legislation in addition to a busy workload of public business. The committees on the judiciary, military affairs, naval affairs, patents, immigration and naturalization, public lands, and veterans affairs dealt largely with public legislative subjects but also received substantial numbers of petitions from private claimants.

But the workload created by private legislation made it an area worthy of specialization and pointed to the need for committees devoted primarily to processing private claims. In both the House and Senate, the claims committees were among the first standing committees to be established. In 1794 the Committee on Claims became the third standing committee created in the House of Representatives, and the Senate Claims Committee, established in 1816, was preceded by only three older standing committees.

Over the next 150 years the volume of private legislation led to a multiplication and specialization of the private claims committees. By 1813 the number of petitions requesting settlement of military pensions and other war-related claims became so great that the House divided the jurisdiction of the Claims Committee, giving jurisdiction over the types of claims named in its title to the new Committee on Pensions and Revolutionary War Claims. By 1825 the workload of the new committee grew enough to justify further dividing the jurisdiction between two newer committees, the Committee on Military Pensions and the Committee on Revolutionary Claims. In 1831 the jurisdiction of the Committee on Military Pensions was divided again, and a Committee on Invalid Pensions and a Committee on Revolutionary Pensions were created.

In all, ten private claims committees were created in the House of Representatives. The Senate created three private claims committees. Their principal mission was to receive and examine petitions from private claimants and draft and report private legislation to provide relief for the claims.

The House and Senate committees that were created primarily to process private legislation are listed below, along with the dates of their existence. Between 1880 and 1911 the number of claims committees concurrently in existence peaked with five claims committee in the House and three in the Senate. In 1946 Congress passed the Legislative Reorganization Act to promote efficiency in government. Under the act, the number of committees in each house was reduced drastically, and all the claims and pensions committees were eliminated, their jurisdictions being transferred to the House and Senate judiciary committees.

<b>Private Claims Committees in the House of Representatives</b>	
<b>Committee Name</b>	<b>Dates of Existence</b>
Claims	1794-1946
Pensions and Revolutionary Claims	1813-1825
Private Land Claims	1813-1911
Revolutionary Claims	1825-1825
Military Pensions	1825-1831
Invalid Pensions	1831-1846
Revolutionary Pensions	1813-1880

Revolutionary Claims	1825-1873
War Claims	1873-1946
Pensions	1880-1946
<b>Private Claims Committees in the Senate</b>	
Claims	1816-1946
Private Land Claims	1826-1921
Revolutionary Claims	1832-1921

While the private claims committees played an important role in processing private legislation in both the House and Senate, they did not eliminate the responsibilities of the regular legislative committees to handle private legislation in their specialized areas of jurisdiction. For example, during the Thirty-third Congress (1853-1855) the records related to private claims from the five claims committees total seventy-three inches, while the private claims records from fourteen regular legislative committees total fifty-eight inches.<sup>14</sup>

### **Private Calendar and Private Bill Days**

Specialized legislative committees were not enough to alleviate the deluge of petitions for private legislation. Special rules were instituted, mainly in the House, to control the flow of legislation on the floor. As early as 1820 a system of calendars came into use in the House and Senate to organize and expedite the business on the floor of each chamber.

In the House all bills and resolutions are placed on one of three calendars: the Union Calendar, the House Calendar, or the Private Calendar, and the calendars themselves are brought on the floor in a formally prescribed order of business.<sup>15</sup> In the Senate all business is scheduled on one of two calendars: treaties and nominations on the Executive Calendar, and all legislation on the Calendar of Business.

Beginning as early as 1810, Fridays were set aside for the consideration of private legislation, and for some periods both Fridays and Saturdays were reserved for that purpose.<sup>16</sup> By 1839 the House facilitated the consideration of private legislation by a rule referring to a calendar of private bills and by providing for special private bill days.<sup>17</sup> After the Civil War the deluge of petitions for military pensions and for removal of political disabilities became so great that evening sessions were sometimes called to process the private legislation.<sup>18</sup> Today the House of Representatives reserves the first and third Tuesdays of each month for the Private Calendar.<sup>19</sup> The Senate considers private bills on any day.

The days set aside for the Private Calendar were seedbeds for the controversy that surrounded the very issue of private legislation. McConachie described the House sessions set aside for private legislation in negative terms:

It is a remarkable sight, a dozen or more men of both parties gathered in front of the Speaker's chair, with papers held high over their heads, each silently pleading for recognition. They are grotesque witnesses to the travesty and futility of trying such matters before so immense a court of interested and uninterested judges. By special order the House, on May 5, 1896, cleared the private calendar of seventy out of four hundred pending pension measures, devoting ten minutes to each bill. A history of the frauds upon the treasury which have probably succeeded through a system which has thus specially tempted men to buy consideration of their schemes, of the days and weeks which Congress has spent in wrangling over petty money bills involving but a small fraction of its running expenses while considering them, of the long succession of martyrs, worthy claimants to



whom reparation has been delayed and denied until death has put them beyond its possibility— such a history would intermingle the most pathetic and the most reprehensible phases of human life. [20](#)

Overwhelmed legislators saw a siege of claimants upon Congress, and to Alexander Duncan, a representative from Ohio, the needed action was clear:

"Vigilance, sleepless vigilance, is necessary on our part. We are beset at every corner and in every street and alley with loafers, agents, and separate county court lawyers. Every applicant for relief who attends the Capital has his ten agents to importune you, and every agent has his ten claims to present. And every claim amounts to from ten thousand dollars to one hundred thousand dollars. Every sympathetic feeling is aroused with the tale of woe and poverty; every applicant has a wife and nine small children and one at the breast, and over and above John Roger's number, an aged and tottering father and mother to support, and some cousins. Sir, look at our desks every morning, piled high with fresh claims dripping from the press, while we are swamped knee-deep with those that preceded them the day before, all reported by the Committee on Claims."[21](#)

But for every member who bemoaned the time and resources spent on private claims, there were others who spoke with compassion for the wrongs done to the private citizen that could be corrected only by private legislation:

Claimants come to us and their heirs and descendants for all the years from the beginning of the Government to the present time. And do they get their pay? Not one out of ten. The cases serve as footballs between the two Houses of Congress. In one Congress the case goes through the Senate; in the next Congress it goes through the House; in the next Congress, through the Senate; and in the next Congress, through the House; and so for generations cases act as footballs and are kicked back and forth between the two branches.[22](#)

Congressman Selwyn Z. Bowman of Massachusetts deeply felt the plight of the injured claimant and wrote legislation to improve the private claims process.[23](#) His emotional speech on their behalf in the House is in the April 21, 1882, Congressional Record:

"Look at this book, [holding it up in his hand] the Calendar of the House, a veritable tomb of the Capulets, a grave of dead hopes. There are more tragedies bound up within the covers of this book than in any novel or set of novels ever written. This book represents money due to poor widows and children, and heirs of Revolutionary soldiers, or other worthy and suffering claimants. It represents hopes that have been abandoned. It represents claimants who have come here, year after year, praying the United States to pay its honest debts; and it represents the disgrace of the United States in not paying its just dues to honest men, women, and children, and to soldiers and sailors, and to many a one who deserved better treatment at his country's hands."[24](#)

Regardless of how one felt about private legislation, the sheer number of claims for private relief was overwhelming the national legislature. Special committees and special days for private legislation were not enough to solve the problem.

### **Administrative and Judicial Referrals**

One of the tools Congress used to reduce its workload was the executive agencies. From the earliest years, the agencies were expected to examine and report on legislation referred to them by Congress. Consideration of claims against the government was made possible when the Treasury Department was established in 1789, and later acts of Congress provided for settlement of claims by that department.



If the Treasury Department rejected a claim, the claimant's only recourse was to appeal directly to Congress. By the middle of the nineteenth century the petitions to Congress were so numerous that it became impossible for House or Senate committee members to make the necessary and proper investigations for informed action on the claims.

In 1855 Congress created the [Court of Claims](#) to alleviate the pressure. The court provided a means by which claims could be enforced by suit. It was authorized to investigate contractual and other legal claims against the government and to report on them to Congress. But its authority extended only to reporting findings to Congress and preparing bills for Congress. It had no power to award a judgment in its own right.

Over the next century, numerous acts of Congress enlarged the jurisdiction of the court and gave it authority to render a wide range of judgments. The jurisdiction of the court was broadened in 1863, and it was authorized to render final judgments, but even with the enlarged jurisdiction, there were still numerous claims pending before Congress. Through the Bowman Act of 1883 and the Tucker Act of 1887, Congress expanded the jurisdiction of the court to include all claims founded upon the Constitution. By 1925, however, the workload of the court had increased so much that the five judges of the court were overwhelmed, and a new law provided for seven commissioners to hear evidence and report findings to the judges.

The jurisdiction of the court allows it to render judgment upon any claim against the United States founded upon the Constitution, upon any act of Congress, upon any regulation of an executive department, and upon any express or implied contract with the United States. It includes damages for patent infringements, unlawful imprisonment, and damages incurred by Indian tribes and other special jurisdictions.

In addition to the cases that normally fall within the court's jurisdiction, there are two special groups of cases that the court hears, and can report on, but cannot make judgments on. These are the "congressional jurisdiction cases" and "departmental jurisdiction cases," cases referred to the court by Congress or an executive department.

When Congress referred cases to the Court of Claims, the case files were sent to the court, where they were usually retained and not returned to Congress. Consequently, the court's congressional jurisdiction files contain many original petitions and other papers that had once been part of the records of Congress. The private claims files in the House and Senate records contain charge-out cards that indicate that the papers related to the claim are still among the records of the Court of Claims.<sup>25</sup>

There are 17,845 case files in the Court of Claims Congressional Jurisdiction Case Records at the National Archives. The records cover the years 1884-1943 and total 2,037 linear feet. The Preliminary Inventory for Record Group 123 describes the case files as follows:

Each case file may contain some or all of the following: letters of reference from congressional committees to the Court of Claims transmitting petitions for investigation and determination of facts, with accompanying copies of congressional bills and resolutions, memorials, and other pertinent papers; orders referring claims to the commissioners; and petitions, answers, and other pleadings, motions, briefs (a great many on loyalty), depositions, affidavits, interrogatories, orders (including those remanding cases), findings on loyalty, findings of facts and opinions of the court, and summary reports of commissioners. Some of the court papers filed in these cases extend through 1946. There are also evidentiary materials, many of which were furnished by Government departments to both claimant and defendant, including correspondence, contracts, muster rolls, certificates of burial, oaths of allegiance, military service records, records of proceedings under courts martial, records of Confederate archives relating to questions of loyalty and

disloyalty, and offers to furnish stores to assist in defense work. Some of the evidentiary documents predate the filing of the petitions by several decades.<sup>26</sup>

In 1871 Congress established the [Southern Claims Commission](#) to settle the claims of Southerners who remained loyal to the Union during the Civil War.<sup>27</sup> This special board of commissioners examined 22,298 claims for over \$60 million in damages. They were empowered to receive, examine, and consider the justice and validity of claims of loyal citizens for property losses during the Civil War, but they had no final jurisdiction in the claims they considered. The commission was required to report its decisions to Congress for appropriate action.

The commissioners examined claims between 1871 and 1880 and, barring 5,250 of the claims, authorized payment of \$4,636,229.75 in claims and disallowed over \$55 million. The claims submitted to the Southern Claims Commission are listed in alphabetical order by name of claimant in the [Consolidated Index of Claims Reported by the Commissioners of Claims to the House of Representatives from 1871 to 1880](#).

The case files of the allowed claims are among the records of the [U.S. General Accounting Office](#) (Record Group 217), and the case files of the barred and disallowed claims are among the records of the House of Representatives.

The case files contain valuable genealogical information. A typical case file contains the following types of records: a form petition; an application to have testimony taken by a special commissioner; a deposition or testimony of the claimant and by at least one witness; a summary report of the commissioners of claims; and miscellaneous other papers such as oaths, memorandums, and evidential documents that give information regarding the claimant, circumstances of the purchase or seizure of goods, and the value of each item. <sup>28</sup>

While the Court of Claims and the Southern Claims Commission relieved Congress of part of the private claim workload, they were far from a solution to the overload. Over time, new types of claims emerged as historical circumstances created new needs for Americans. In the late nineteenth century, in response to growing numbers of petitions for exemptions from proliferating immigration restrictions, Congress empowered the attorney general to suspend the deportation of certain classes of aliens. In 1923 Congress enacted the Meritorious Claims Act, which authorized the comptroller general to direct Congress's attention to cases where citizens, business concerns, or institutions merited relief not authorized by existing law.

Since the Second World War, Congress has passed several important acts that have drastically reduced the private workload. The 1946 Legislative Reorganization Act provided for settlement of two types of private matters without legislative action: Title IV, the Federal Tort Claims Act, permitted settlement of certain tort claims, and Section 207 permitted correction of military records by civilian review boards. In 1951 Representative Carl Vinson said that Section 207 alone had relieved Congress of considering fifteen thousand private claims bills.<sup>29</sup>

The legislation described above has reduced the private claims in Congress to a trickle— only sixteen private laws were enacted by the 101st Congress (1989-1991).

### **Omnibus Private Pensions and Claims Bills**

No matter how many organizational arrangements were used or how the order of business was controlled, the petitions for claims and other private legislation required much more time than was available. McConachie cites an example of the time consumed by private legislation: "By special order the House, on May 5, 1896, cleared the private calendar of seventy out of four hundred pending

pension measures, devoting ten minutes to each bill"<sup>30</sup>— a rate that would have required twelve hours for the seventy-two claims, or over sixty hours to process all four hundred claims.

Another technique that was developed to process the large numbers of private bills, but minimized the use of precious floor time, was the omnibus claims and pensions bill. Omnibus claims bills combined into a single bill large numbers of claims that had been referred to one committee.<sup>31</sup> The claims thus combined into the omnibus bill had often been introduced earlier as single bills but had not been considered on the floor because of lack of time.

Omnibus bills for private claims had been in use since the earliest days of Congress. The act of August 11, 1790, "An Act for the relief of disabled soldiers and seamen lately in the service of the United States, and of certain other persons," combined the claims of thirty-six persons including pensions of disabled soldiers and officers; back pay for soldiers held captive by the Indians; and payment for certain medical expenses for an officer injured in military service.<sup>32</sup>

An omnibus pensions bill passed in the Sixty-ninth Congress (1925-1927), H.R. 8815, illustrates some of the reasons this type of bill became a popular technique for processing legislation. The House Committee on Invalid Pensions' report on the omnibus bill describes the plight of claimants during this period and the consequences of the heavy workload on Congress. House Report 183, Sixty-ninth Congress, first session, begins:

As a matter of information the Committee on Invalid Pensions wishes to state that only private bills which have passed the House during the Sixty-eighth Congress are included in this omnibus bill and report accompanying it. Further, most of these claims were favorably reported by the Senate Committee on Pensions, but because of the congestion of bills on the Senate calendar no action was taken by the Senate last Congress.<sup>33</sup>

House Report 1418, Sixty-ninth Congress, first session, the report of the conference committee on H.R. 8815 tells more of the story:

The managers on the part of the House on HR 8815 state that the House bills included in HR 8815 have been pending for nearly two years. The committee on conference carefully examined the merits of each individual case, over which any difference of opinion existed, and mutually agreed to restore all bills of a meritorious character. As agreed upon by the committee on conference HR 8815 contains 892 House bills and 220 Senate bills. Since the bill passed the House February 26, 1926, 20 of the proposed beneficiaries have died.<sup>34</sup>

The claim of Mary F. Randall, the widow of a Civil War veteran, is typical of the claims included in the omnibus bill. In the fall of 1924, Mary F. Randall of Rhode Island submitted her pension claim to Richard S. Aldrich, the representative in her district. Aldrich introduced a bill, H.R. 9829, Sixty-eighth Congress, to grant a pension to Mrs. Randall. The bill was referred to the Committee on Invalid Pensions, which examined and requested additional evidence. To promote efficiency, the committee drafted an omnibus pensions bill, H.R. 11354, to substitute for H.R. 9829 and almost seven hundred other pensions bills that were in its jurisdiction. The committee favorably reported the omnibus bill, H.R. 11354, and the bill passed the House. The bill, however, did not come to a vote in the Senate and therefore did not become law.

In the Sixty-ninth Congress, Mary Randall's claim was introduced again, this time as H.R. 504, Sixty-ninth Congress (a bill worded exactly the same as the Sixty-eighth Congress bill H.R. 9829), again in the Invalid Pensions Committee. The committee combined H.R. 504 with 892 other similar bills that had also been referred to the committee to form the Omnibus Pensions Bill, H.R. 8815, Sixty-ninth Congress.

The House passed the omnibus bill, and the Senate amended it to include 220 additional private bills

before it passed that body. When the amended version was returned to the House, the chairman of the Invalid Pensions Committee, Charles Fuller of Illinois, encouraged his committee to agree to the Senate amendments because he "believed there would be a danger of losing the entire bill for this session if the bill should go to conference. He encouraged fellow members to pass the bill as amended and then reintroduce their rejected bills for inclusion in the next Omnibus bill."<sup>35</sup> When the conference committee met, the House members agreed to the Senate form of H.R. 8815, which contained a total of 1,112 pension cases. The 357-page report contains a description of each of the 1,112 pension cases included in it. The entry for Mary F. Randall is printed on page 54.<sup>36</sup>

The documentation of Mary Randall's claim includes four House bills (H. R. 9829 and H.R. 11354 from the Sixty-eighth Congress and H.R. 504 and H.R. 8815 from the Sixty-ninth Congress), committee reports on the bills, and the original documents submitted with Mary Randall's claim, including a letter from the Adjutant General's Office reporting Nathan Randall's military record; a widow's affidavit; a physician's affidavit, and witness affidavits.

### **Stalking the Elusive Claim File**

Documentation related to Mary Randall's pension claim exists at many locations in the records of Congress. Tracking the documentation requires knowledge of the processes and records of Congress and the finding aids that provide access to them.

The sources searched to locate the pension claim papers of Mary F. Randall illustrate some of the types of documents and finding aids common to most legislative research. A large part of the research can be conducted at depository libraries or other research libraries at many locations throughout the country, while other parts of the search can only be conducted in the unpublished records of Congress at the National Archives. Listed below are some of the steps in the search path; those that can be conducted at a depository library are marked by "Library" and steps that must be done at the National Archives are marked by "NARA"

Much of the research that could be conducted at research libraries when this article was originally written can now be conducted on the Internet.

**Library 1.** Search the subject indexes in the appropriate volumes of the *Congressional Record*, the *Journal of the House of Representatives*, and the *Journal of the U.S. Senate* for Mary F. Randall. The index entry indicates page numbers when the name appears and bill numbers for associated legislation.

**Library 2.** Search the legislative bill indexes in the *Congressional Record* or the *Journals* of the House and Senate to determine the legislative history of the bills cited in the subject index. This record tells to which committee the bill was referred as well as reporting numbers and when floor discussion occurred.

**Library 3.** Consult the *CIS Index to the Congressional Serial Set* to determine the serial set volume that contains the committee reports.

**Library 4.** Examine the House Reports and Senate Reports on the legislation. They are published in the Congressional Serial Set.

**Library 5.** Consult the *CIS Index to Published Congressional Committee Hearings* to determine if a hearing on the claim of Mary F. Randall was published. Published hearings are available at many depository libraries.

**NARA 6.** Consult the "Preliminary Inventory of the Records of the U.S. House of Representatives at the National Archives" and the "Preliminary Inventory of the Records of the U.S. Senate" to determine the location of the unpublished committee records at the National Archives, which should contain documentation on the claim.

**NARA 7.** Search bill files for each bill that was introduced for Mary F. Randall.

**NARA 8.** Examine the minute and docket books of the committee if necessary to obtain additional information.

**Library 9.** Locate the private law entry for Mary F. Randall in *U.S. Statutes at Large*. Mary F. Randall is listed on page 1510 of the *Statutes at Large* for the Sixty-ninth Congress.

The researcher who is familiar with the congressional records and finding aids will find a large field of family and local history at his or her fingertips.

#### **Other related information:**

- [NARA Genealogy Resources](#)
- [Records of Congress at the Center for Legislative Archives](#)
- [Records of the Claims Committees of the U.S. House of Representatives](#)
- [Records of the Claims Committees of the U.S. Senate](#)
- [Records of the U.S. Court of Claims](#)
- [Published Indexes to House and Senate Private Claims](#)

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#### **Notes**

1. House Rept. 224, 23d Cong., 2d sess., p. 1. The circumstances in this story are found in two series of records at the Center for Legislative Archives: the Committee Papers (H.R. 24A-D2.1) and the Petition and Memorials (H.R. 24A-G2.1) referred to the House Committee on Claims, 24th Congress. The original petitions, depositions, and committee reports are preserved in these archival records. Published versions of the committee reports can also be found in the *Congressional Serial Set*, which is available at many research libraries throughout the United States. The biographical data on Rufus McIntire is from the *Biographical Directory of the United States Congress, 1774-1989*, which is printed in the serial set as Senate Document 100-34, 100th Cong., 2d sess.

2. The archival records of Congress at the National Archives are contained in three record groups: Record Group 46, Records of the U.S. Senate; Record Group 233, Records of the U.S. House of Representatives; and Record Group 128, Records of the joint Committees of Congress. The published records of Congress may be found in National Archives Record Group 287, Publications of the U.S. Government, and at certain government depository libraries.

3. There are a total of 9,100 feet of House records before 1946, and of these about 1,460 feet are records of the ten claims and pensions committees whose entire purpose for existing was to process private legislation. In addition, a great number of private claims and grievances were referred to



committees such as the Judiciary, Military Affairs, Naval Affairs, Foreign Affairs, Patents, Immigration, and other committees that had broader jurisdictions within which a certain type of claim fell.

4. There are 261 feet of private claims and 610 feet of immigration and naturalization bills.

5. Constitution of the United States, Amendment 1, "Congress shall make no law ... abridging the freedom ... to petition the Government for a redress of grievances."

6. A petition is a written request to either house of Congress asking that something be done. The petition contains a prayer that the requested action be taken. A memorial contains no prayer and is generally a document in the form of a petition that opposes a contemplated or proposed action. Some petitions, especially those of state legislatures, take the form of resolutions.

7. Original Committee Report on the Claim of William Baker, Committee on Claims, H.R. 23A-D3. 1, Records of the U.S. House of Representatives, Record Group 233, Center for Legislative Archives, National Archives, Washington, DC (hereinafter cited as RG 233, NA). The report is published as House Report 224, 23d Congress, 1st session, in volume 261 of the Congressional Serial Set.

8. Sources include Jeffrey S. Hill and Kenneth C. Williams, "Resource Allocation in the U.S. Congress: The Decline of Private Bills," an unpublished manuscript prepared April 24, 1992; *Congressional Quarterly's Guide to Congress*, 4th ed. (1993), p. 360; and *Journal of the United States House of Representatives, 101st Congress (1989-1991)* (1992).

9. George Galloway (revised by Sidney Wise), *History of the House of Representatives* (1976), pp. 374-376. Statistics compiled by Christine Desan-Hussan. The statistics in this report understate the actual number and importance of private legislation because "omnibus" claims and pensions legislation combined the private claims of hundreds or thousands of petitioners into one bill, thereby greatly reducing the number of actual private laws required to satisfy the demand for settlement.

10. *Congressional Quarterly's Guide to Congress*, p. 360.

11. Lauros C. McConachie, *Congressional Committees: A Study of The Origins and Development of Our National and Local Legislative Methods* (1898, reprinted 1973), p. 73. Comment by Congressman Walker is from the *Congressional Record*, Jan. 23, 1888.

12. Charles Francis Adams, ed., *Memoirs of John Quincy Adams: Comprising Portions of His Diary from 1795 to 1848*, Vol. 7 (1874-1879, reprinted 1969), p. 480. This was during the 23d Congress, and at that time, more than two-thirds of the 390 pieces of legislation enacted into law were private.

13. McConachie, *Congressional Committees*, p. 73.

14. The specialized claims committees were Claims, Invalid Claims, Private Land Claims, Revolutionary Claims, and Revolutionary Pensions. The regular legislative committees that had private claims files were Commerce, District of Columbia, Expenditures in Public Buildings, Foreign Affairs, Indian Affairs, Judiciary, Manufactures, Military Affairs, Naval Affairs, Patents, Post Office and Post Roads, Public Lands, Territories, and the Select Committee on the Colt Patent.

15. Floyd M. Riddick, *The United States Congress: Organization and Procedure* (1949), pp. 205-207. There are two additional House calendars: the Consent Calendar and the Discharge Calendar, which provide techniques to expedite bringing legislation to the floor.

16. McConachie, *Congressional Committees*, p. 76. See also House Rule 19 in the *Journal of the House of Representatives*, 22d Cong., 2d sess., or 19th Cong., 2d sess.



17. Asher C. Hinds, *Hinds' Precedents of the House of Representatives of the United States*, Vol. 4 (1907), p. 172. Note that *Hinds' Precedents* is printed in the Congressional Serial Set as House Document 355, 59th Cong., 2d sess.
18. McConachie, *Congressional Committees*, P. 75; and Riddick, *United States Congress*, pp. 231-234.
19. U.S. House of Representatives, *Constitution, Jefferson's Manual and Rules of the House of Representatives of the United States, One Hundred First Congress* (1988), p. 654, para. 893. See also Riddick, *United States Congress*, p. 204.
20. McConachie, *Congressional Committees*, P. 75.
21. Speech of Alexander Duncan of Ohio, Mar. 30, 1838, *Congressional Globe*, 25th Cong., 2d sess., appendix, pp. 241-242. See also McConachie, *Congressional Committees*, pp. 76-77.
22. *Congressional Record*, 47th Cong., 1st sess., 1882, 13, pt. 4: 3153, speech of Representative Selwyn Z. Bowman. See also McConachie, *Congressional Committees*, p. 77.
23. Congressman Bowman authored the Bowman Act of March 3, 1883 (22 Stat. L. 485), which increased the effectiveness of the Court of Claims to deal with its workload and provided for further adjudication for some of the disallowed cases before the Court of Claims.
24. *Congressional Record*, 47th Cong., 1st sess., 1882, 13, pt. 4: 3153, speech of Representative Selwyn Z. Bowman of Massachusetts.
25. Gaiselle Kerner, *Preliminary Inventory of the Records of the United States Court of Claims* (1953), pp. 1-3.
26. *Ibid.*, pp. 16-17.
27. Frank W. Klingberg, *The Southern Claims Commission* (1951).
28. Charles E. Schamel, et al., *Guide to the Records of the United States House of Representatives at the National Archives: 1789-1989*, House Document 100-245, 100th Cong., 2d sess., p. 88.
29. Hill and Williams, "Resource Allocation in the U.S. Congress: The Decline of Private Bills," p. 5; and *Congressional Quarterly's Guide to Congress*, 3d ed. (1982), p. 359.
30. McConachie, *Congressional Committees*, pp. 75--76.
31. Hinds, *Hinds' Precedents*, Vol. 4, pp. 1023-1025, para. 4784.
32. *Statutes at Large*, Vol. 6, Private Acts 1789-1845 (1st-28th Congresses). The individual names do not appear in the index to volume 6.
33. H. Rept. 183, 69th Cong., 1st sess., serial 8538, p. 1.
34. H. Rept 1418, 69th Cong., 1st sess., serial 8538, p. 8.
35. U.S. House of Representatives, Minute Book of the Committee on Invalid Pensions, 68th-69th Congresses (H.R. 68A-F23), RG 233, NA.
36. H. Rept. 183, 69th Cong., 1st sess., serial 8538, p. 8.

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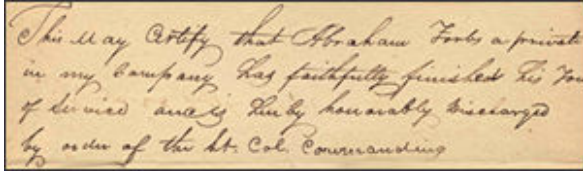
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Those Elusive Early Americans:

Public Lands and Claims in the *American State Papers*, 1789–1837

By **Chris Naylor**



**An entry for Abraham Forbes in the *American State Papers* led to Forbes's original discharge certificate from the 48th New York State Infantry in House of Representatives Private Land Claims Committee files. (Records of the U.S. House of Representatives, RG 233) [\[full image\]](#)**

Abraham Forbes served in the United States Army during the War of 1812 and received an honorable discharge. Proof of his service, however, would likely remain a mystery to a researcher who had not consulted congressional records such as the *American State Papers*, because there is no mention of Forbes in the customary War Department files. Such situations often arise due to inadequate recordkeeping or a lack of documentation surviving from the 18th and early 19th centuries. One widely available, yet largely untapped, resource for genealogical information in this period is the *American State Papers*.

The *American State Papers* is a 38-volume published compilation of executive and legislative records dating from 1789 to 1838. In these years, Congress retained a prominent role in settling claims against the federal government. The thousands of claims and other records in the *American State Papers* preserved from the archives and manuscript records of the Senate and House of Representatives contain a wealth of information on individuals and families living in America during this period. One of these claims appearing in the *American State Papers* discloses Abraham Forbes's military service.

During the early Congresses, there was no general provision of law to establish guidelines for printing congressional documents. Printing was done unsystematically, with the majority of congressional records located solely in the archives of the two Houses. The burning of the Capitol by the British in 1814 exposed the vulnerability of these documents and heightened the Congress's interest in publishing the records in an organized and accessible form.

In 1817 Congress began distributing the *United States Congressional Serial Set*. This set of volumes contained reports and documents created by or presented to Congress that it felt needed wider circulation. The *U.S. Serial Set* was not retroactive and therefore did not contain the records for the first 14 Congresses. Recognizing the importance of preserving and making available to the public the records from the formative years of the country, Congress acted on a proposal by the printers Gales & Seaton and made provision in the following act of March 2, 1831, for that firm to publish executive and legislative writings from the first 13 Congresses:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the clerk of the House of Representatives hereby is authorized and directed to subscribe for 750 copies of the compilation of the Congressional documents proposed to be made by Gales & Seaton: Provided, That the documents shall be selected under the direction of the secretary of the Senate and the clerk of the House: And Provided also, That the price paid for the printing of copies shall be at the rate not exceeding that of the price paid to the printer of Congress for printing the documents of the*

two Houses.

As a result of the above act (and the subsequent joint resolution of March 2, 1833 and act of June 12, 1858), between 1832 and 1861, Gales & Seaton published 38 volumes. The volumes contain documents covering the years 1789–1838, although not every class has documents from the entire period. The collection is titled the *American State Papers* and is organized into the following 10 classes or series:

1. Foreign Relations
2. Indian Affairs
3. Finances
4. Commerce and Navigation
5. Military Affairs
6. Naval Affairs
7. Post Office Department
8. Public Lands
9. Claims
10. Miscellaneous

While every class can be a valuable resource for genealogists, this article focuses on Class VIII (Public Lands) and Class IX (Claims). The tens of thousands of claims contained in these two classes can provide genealogical information, such as ages of claimants, locations of claims, places of residence, names of spouses, children and other relatives as well as record of the claimants' military service.

### **Class VIII. Public Lands (1789–1837)**

The public domain (public land) is land owned by the federal government that is subject to sale or transfer of ownership under laws passed by Congress. It includes western lands that the original states ceded to the United States as well as acquisitions from foreign governments. Congress was therefore initially responsible for many matters relating to the settlement of land in the public domain. The eight volumes of the Public Lands Class record thousands of diverse land claims and transactions regarding public domain, including military bounty lands, preemption rights, claims by refugees, agreements with Indian Nations, and the settlement of private land claims on public domain that the United States acquired from foreign governments.

Public land states are states that the federal government formed from the public domain. The Public Lands Class deals directly with land claims in these public land states: Alabama, Arkansas, Florida, Illinois, Indiana, Iowa, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio, and Wisconsin.

The original 13 states and Hawaii, Kentucky, Maine, Tennessee, Texas, Vermont, and West Virginia have no public domain. However, several of these states ceded land to Congress for the benefit of the United States. This land then became part of the public domain. The Public Lands Class contains information on these states or their cessions to the United States: Georgia, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, and Virginia.

To successfully claim land located within the public domain, one had to prove right to the land as recognized under public land laws. This meant that the claimant often had to produce evidence or at least explain the basis for the claim. One type of land claim, private land claims on public domain that the United States acquired from foreign governments, often offers researchers a unique opportunity to gain detailed information on the claimants and their families. The British, French, and Spanish governments granted a great deal of land within their American holdings to the inhabitants prior to the

acquisition of the territories by the United States. After taking control of the land, the U.S. Government had to validate the titles originally granted by foreign authorities before the claimant could have legal possession of the land.

Although some claims offer little more than name of claimant and location of claim, others, such as Thomas Bassett's claims for two properties along the Tombigbee River in the Mississippi Territory (present-day Alabama), contain detailed information on the claimant and his family. In 1804 Bassett petitioned the "Commissioners appointed in pursuance of the act of Congress, passed the third day of March, 1803, for receiving and adjusting the claims to lands south of Tennessee and east of Pearl river" for rights to these two properties that his family had previously owned under British and Spanish grants. As with many land claims presented before boards of commissioners or other federal agencies, the board forwarded the records to Congress. To prove his case, Bassett submitted notarized depositions, translations of Spanish petitions and titles, surveys, and other documents, which supply information on his family dating back to 1780. This documentation accompanying these two claims builds an interesting portrait of the Bassett family.



The entry for Bassett's claim in the *American State Papers* led to land plats in records of the General Land Office. (Records of the Bureau of Land Management, RG 49) [\[full image\]](#)

In 1780 the Bassett family received from the British Government of West Florida grants for two properties. Indians killed Thomas Bassett, the father of the family, on or near his land in 1781. He was about 37 years old. His wife, Lucy, and two sons, Nathaniel and Thomas, survived. The region came under Spanish control in 1783 as a result of Spain's support for the United States during the American Revolution. In June 1787, the Spanish governor of the territory, Don Stephen Miro, signed and confirmed property and rights to Nathaniel Bassett, son of the late Thomas Bassett. Thomas Bassett, son of the late Thomas Bassett and Nathaniel's brother, was approximately 21 years old in 1787.

In 1788 the Bassett family went to New Orleans to manage business in the area. In their absence, the Bassett family allowed a William Powell to live on a section of their land. Lucy Bassett then suffered a series of accidents. The government seized her property, including the Bassetts' titles to their land, and placed the titles into the public deposit in New Orleans. A fire there in 1794 destroyed the original British and Spanish titles to the two properties.

On July 7, 1800, Nathaniel Bassett wrote to the Spanish government to confirm his title to the land, which had become part of the United States in 1798. By August 4, 1800, Spain had confirmed Nathaniel Bassett's petition. On March 19, 1804, Thomas Bassett, acting as administrator for his late brother, Nathaniel, petitioned the U.S. Government for the rights to his family's lands. The Board of Commissioners confirmed the land to Thomas Bassett, stating that each claim was "supported



agreeably to the requirements of the law." Such detail and quantity of family information depicts the true value of the *American State Papers* to researchers interested in family and social history of the early American period.

Congress also was responsible for the relief of veterans of the Revolutionary War and War of 1812 and passed many acts relating to bounty land, pensions, and other assistance to the soldiers and their families. Congress passed several public acts regulating veterans' claims that established common eligibility requirements and delegated to the secretary of war the responsibility for administering the provisions.

Many veterans and their heirs, however, brought their claims directly to Congress for adjudication, and Congress passed private acts to reward these individuals. Bounty land claims within the Public Lands volumes can supply information about the claimants' military service and subsequent lives. For many veterans of these two wars, the bounty land claims supplement the compiled military service records and pension bounty land files available at the National Archives.

As Abraham Forbes's bounty land claim shows, the *American State Papers* can be especially valuable in locating information relating to the military service and bounty land records of veterans who do not appear in War Department files. Abraham Forbes does not have a compiled military service record, pension application, or bounty land application at the National Archives, and he is not listed on the army register of enlistments. However, a report from the House of Representatives Committee on Private Land Claims in the *American State Papers* reveals:

That said Forbes was a citizen of the United States, and removed to Upper Canada prior to the last war; that he joined the troops of the United States, and was employed as a spy, and had the entire confidence of the officers of the United States, and performed many valuable and important services to the United States in that character; that he had been promised a handsome remuneration by Col. Christie, whose premature death perhaps, prevented any communication to the government in behalf of said Forbes; that he acted with the United States troops until the close of the war, and was honorably discharged. . . .

In recognition of these services, Congress ultimately passed a bill granting Forbes 320 acres of land.

After locating a claim in the *American State Papers*, the researcher can also contact the Center for Legislative Archives at the National Archives for assistance in finding more information on the claim in congressional records. For many of the claims that appear in the *American State Papers*, there is an original petition and supporting documentation in House and Senate committee files. To contact the Center, write to Center for Legislative Archives, National Archives and Records Administration, 700 Pennsylvania Avenue NW, Washington, DC 20408-0001 (telephone 202-357-5350).

### **Class IX. Claims (1789–1823)**

Congress derives its authority for settling claims against the United States from the first clause of Article 1, section 8, of the Constitution:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.

This duty to pay the debts of the United States led Congress to assume many responsibilities in settling or overseeing the adjudication of claims against the United States. The single volume of the Claims class contains a wide array of non-land-related claims from 1789 to 1823, including pensions, property destroyed by the enemy, relief of army contractors, militia claims, compensation for wages, and numerous other unique situations. The assortment of claims in this volume offers researchers a rare

glimpse into the daily lives of Americans living at that time.

Congress authorized the Treasury Department to settle many types of claims against the U.S. Government. If the Treasury Department rejected a claim, the claimant's only recourse was to appeal directly to Congress. One example of congressional oversight of the adjudication of claims by the Treasury Department, titled "Claims Barred by the Statutes of Limitations," appears in the Claims volume. On December 13, 1810, the secretary of the treasury sent to the Senate a list of all the claims for which the Treasury Department had adjusted, allowed, and issued certificates of registered debt under an act of March 27, 1792. The act was responsible for "providing for the settlement of the claims of persons under particular circumstances barred by the limitations heretofore established." The list contains the names of almost 1,500 Revolutionary War servicemen along with the date of certificate, statement number, explanation of service, date on which interest commenced, and amount of money issued for each individual.

The Claims volume of the *American State Papers* proves particularly valuable in the case of pre-1800 Revolutionary War pensions. A fire in the War Department on November 8, 1800, destroyed all Revolutionary War pension and bounty land applications that had been submitted up to that date. Much information on these applicants would have been lost were it not for several War Department reports based on original applications that the secretary of war sent to Congress between 1792 and 1795. The lists for 1792, 1794, and 1795 are printed in the Claims volume and contain name, rank, disability, date and location where disabled, residence, pension entitlement, and other remarks.

Take, for example, Thomas Toms, a private in Capt. George Maxwell's company of militia. There is no compiled military service record for Toms at the National Archives, and most of the information regarding him in *Revolutionary War Pension and Bounty Land Warrant Application Files* (National Archives Microfilm Publication M804) comes directly from the *American State Papers*.

Names.	Rank, regiment, or company.	Disability.
Thomas Toms,	Private, Captain George Maxwell's company of militia.	Severely wounded on the head, being scalped on the left temple with a stroke from a hatchet, which does much injury to that eye; is also disabled in two fingers on the left hand, and wounded in the right

**An entry for Thomas Toms appears on the 1794 list of Invalid Pension Claims for Virginia. (*American State Papers*) [\[full image\]](#)**

His entry on the 1794 list of invalid pensioners for Virginia in the Claims volume states that he lived in Albemarle County, Virginia. He was wounded in 1780 at King's Mountain and claimed a pension relating to the following disability:

Severely wounded on the head, being scalped on the left temple with a stroke from a hatchet, which does much injury to that eye; is also disabled in two fingers on the left hand, and wounded in the right hip and neck; all which he received in the service of the United States, against Major Ferguson, on King's mountain.

The examining physician gave no recommendation for pension entitlement.

### Locating and Using the Records

The value of the *American State Papers* in conducting genealogical research is enhanced by the availability of the records and their ease of use. Although each volume of the *American State Papers* contains an index, their fragmentary nature has led to the creation of more comprehensive indexes.

In 1972 Phillip W. McMullin created a complete name index to the nine volumes comprising Class VIII (Public Lands) and Class IX (Claims) titled *Grassroots of America; A Computerized Index to the*



*American State Papers: Land Grants and Claims 1789–1837 with Other Aids to Research* (Salt Lake City: Gendex Corporation, 1972). By listing all the volume and page references for each name entry, the index allows researchers to locate individuals or families throughout the volumes.

The *Congressional Information Service (CIS) U.S. Serial Set Index, 1789–1969* (Bethesda, MD: Congressional Information Service, 1975–) also indexes the *American State Papers*. Although the CIS index is not as comprehensive as *Grassroots of America* for individual names, it can lead to information in the other classes of the *American State Papers* or the *U.S. Serial Set* that is not contained in Classes VIII and IX.

The Library of Congress American Memory web site offers a full-text collection of the *American State Papers* online at <http://memory.loc.gov/ammem/amlaw/lwsp.html>, and the table of contents and index for each of the volumes are searchable. Volumes 1–3 of the Public Lands Class that appear on the web site were printed by Duff Green, and the page numbers may not correspond with the Gales & Seaton version.

The thousands of claims in the Public Lands and Claims classes of the *American State Papers*, complemented by the above-mentioned indexes, provide researchers with a rich resource for locating information on individuals living in America from 1789 to 1837. The *American State Papers, Grassroots of America*, and the *CIS Congressional Masterfile 1, 1789–1969*, a CD-ROM containing the *CIS U.S. Serial Set Index*, are available in the Archives Library Information Center (ALIC) at the National Archives Buildings in Washington D.C., and College Park, Maryland. The *American State Papers*, various reprints, and other related books are available at libraries around the country.

For more information on researching claims at the National Archives, consult Anne Bruner Eales and Robert M. Kvasnicka, eds., *Guide to Genealogical Research in the National Archives of the United States*, 3rd ed. (Washington: National Archives and Records Administration, 2000). Chapter 15, Land Records, covers various topics relating to land claims and grants on public domain of the United States. Chapter 16, Claim Records, provides detailed information on researching claims against the U.S. Government at the National Archives.

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**A Final Appeal to Capitol Hill**  
**The U.S. House's Accompanying Papers File, 1865–1903**

*By John P. Deeben*

Widow Sarah Maynard of Pike County, Kentucky found herself in a quandary. Her husband, Thomas Maynard, died on October 2, 1864, while serving as a civilian in the U.S. military during the Civil War. Several months before his death, Thomas had been recruited by Col. George W. Gallup of the 14th Kentucky Volunteer Infantry as a "secret service man" to watch and report the movements of roving Confederate guerrillas in eastern Kentucky. Sometime later, Gallup authorized Maynard to raise a company of men for the 39th Kentucky Mounted Infantry. While recruiting volunteers along the West Virginia border, Maynard fell into enemy hands near Peach Orchard, Kentucky. The rebels carried him across the border to Wayne County, West Virginia, where they promptly executed him. As witnesses later attested, when Sarah Maynard traveled to Wayne County to retrieve her husband's body, she discovered him "shot through the breast apparently with a musket ball."<sup>1</sup>

After the war, Sarah attempted to apply for a widow's military pension on January 10, 1867. After considering the application for some time, the Pension Bureau rejected Sarah's claim on September 19, 1871. The grounds for rejection cited the apparent lack of proof that Thomas Maynard had ever served in the U.S. military or that he died while in the line of duty. A statement from Frank Wolford, adjutant general of Kentucky, bluntly asserted: "There is no evidence on file in this office of the enrollment, muster, service, duty, and cause of death of Thomas Maynard, who is alleged to have been a captain recruiting in 1864 for the State of Kentucky."<sup>2</sup> A report from the Adjutant General's Office in Washington, D.C., likewise failed to locate Thomas Maynard among the list of known recruiting officers in Kentucky.

Undaunted, Sarah immediately turned to the U.S. Congress for help. She submitted a petition to the House of Representatives that outlined her needy circumstances as well as her futile attempt to obtain a pension. To underscore the fact that she "was left very poor and had a large family to support," Sarah provided a complete list of her eight children, including Richard K. (b. May 15, 1848), Elizabeth (b. October 19, 1849), Vacey (b. July 27, 1851), Nancy J. (b. June 17, 1853), Caroline (b. February 5, 1855), Moses (b. December 23, 1856), Jacob (b. May 1, 1859), and Amey (b. May 4, 1861). That evidence, together with testimony from Colonel Gallup asserting Maynard's employment as a secret scout and recruiting agent, swayed the opinion of the Committee on Invalid Pensions, to whom Sarah's petition had been referred. On April 24, 1872, the committee recommended passage of private bill H.R. 2550 to grant Maynard a pension, although the Senate subsequently sided with the opinion of the Pension Office and rejected the bill on February 6, 1873.<sup>3</sup>

Sarah Maynard's efforts to obtain compensation through the process of petitioning Congress for a private claim, and the useful family evidence contained therein, highlight the value of private claims for genealogical research. Since the formation of the federal government in 1789, Americans regularly petitioned Congress regarding any private or public matter. Congress received and filed these claims in a variety of ways. From 1865 to 1903, the House of Representatives organized many private claims into a separate body of records called the Accompanying Papers File. Because it is a distinct series, the Accompanying Papers File represents perhaps one of the most useful and readily accessible segments of congressional records that reflect in microcosm the complete spectrum of private claims as well as their genealogical value.

## Nature and Arrangement of Private Claims

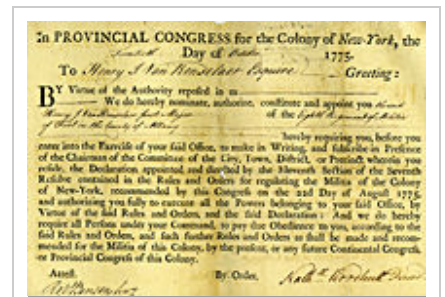
From 1789 to 1946 many Americans used Congress as the final arbiter to obtain justice or recompense for alleged grievances after exhausting all other legal and administrative options. The first amendment of the U.S. Constitution guaranteed this right to petition, while Article I, section 8, authorized Congress to adjudicate and settle any such claims against the United States.<sup>4</sup> Claims often involved expressions of opinion on public policies in the form of a memorial. More typically they requested, in the form of a petition, some type of compensation for alleged personal or financial injury that resulted from government actions. Some claims also sought congressional sponsorship (including funding) of a private cause or enterprise. Monetary redress usually included relief from repaying certain debts, exemption from statutory provisions, or damages for negligent acts committed by the government.<sup>5</sup>

To cope with the ever-increasing volume of private claims, the Senate and House of Representatives created 14 different standing committees between 1794 and 1946. Both chambers initially established a generic Committee on Claims—the House in 1794 and the Senate in 1816—to deal with all types of private petitions. The House created a more specialized Committee on Private Land Claims in 1813, followed by a similar committee in the Senate in 1826. Realizing that the committee format allowed small quorums of members to develop an ongoing expertise in private legislation, the House over time formed eight additional committees to deal specifically with pensions and war-related compensation, including:

- Pensions and Revolutionary War Claims (1813–1825)
- Revolutionary Pensions (1825)
- Military Pensions (1825–1831)
- Revolutionary Claims (1825–1873)
- Revolutionary Pensions (1831–1880)
- Invalid Pensions (1831–1946)
- War Claims (1873–1946)
- Pensions (1880–1946)

The Senate also maintained a Committee on Pensions from 1816 to 1946 as well as a Committee on Revolutionary Claims from 1832 to 1921. The House Committee on the Judiciary, established in 1813, also dealt with a variety of claims against the federal government. The Legislative Reorganization Act of 1946, however, eliminated all claims committees and transferred responsibility for remaining private claims to the Judiciary Committee of each house.<sup>6</sup>

Initially, Congress filed early claims among the papers of the House or Senate committee that reviewed them or in a related series of petitions, memorials, resolutions of state legislatures, and other associated documents referred to specific committees. From 1865 to 1903 the House of Representatives arranged private claims into an artificial series called the Accompanying Papers File. (The Senate maintained a similar series from 1887 to 1901 called the Supporting Papers File.) Other claims still appeared among the files of petitions and memorials, depending on the way each petition worked its way through the administrative bureaucracy of Congress. After 1903, however, Congress organized all private claims into a more systematic scheme of bill files and related records, called



A colonial commission for Henry Van Rensselaer is one of several rare documents included in the pension claim of Margaretta Van Rensselaer. (Records of the U.S. House of Representatives, RG 233)

Papers Accompanying Specific Bills and Resolutions, arranged numerically by legislative bill number.<sup>7</sup>

In these various filing schemes from 1789 to 1903, Congress generally arranged claims alphabetically by the name of the claimant, but sometimes also by subject matter. Particularly in the Accompanying Papers File, numerous subject files appear, such as Bridges, Ships, Citizenship, Harbors, Rivers, Pensions, and Indian Affairs. For the most part they contain miscellaneous claims submitted by organizations or groups of citizens rather than individuals. More common subject files also relate to individual states and include petitions and memorials submitted by state legislatures and communities. The file for Pennsylvania from the 43rd Congress in the Accompanying Papers, for example, holds petitions from the citizens of Erie concerning improvements to their harbor, a request from bank officials to reimburse the Columbia National Bank of Pennsylvania for the destruction of the Columbia Bridge during the Civil War, and a remonstrance from concerned citizens against the removal of the U.S. Naval Asylum from Philadelphia to Annapolis.<sup>8</sup>

## Types of Private Claims



Inventor Joshua C. Stoddard submitted a private claim to Congress in 1976 to renew his patent for "an apparatus for producing music by steam or compressed air," commonly known as the calliope. (Records of the U.S. House of Representatives, RG 233)

Private claims covered the gamut of personal issues and topics, and the Accompanying Papers File reflects a revealing cross-section. Requests for military pensions obviously composed the most prevalent claim. A survey of the files in the Accompanying Papers covering Reconstruction (1865–1877) shows that almost half (4,259 claims, 42 percent) of the 10,136 claims submitted to the House of Representatives from the 39th to 44th Congresses dealt with pensions for military service. The vast majority of those claims, not surprisingly, related to service in the Civil War (2,995 claims, 70 percent). The second largest group comprised surviving veterans or dependents of the War of 1812 (552 claims, 13 percent), followed by those of the Mexican War (125 claims, 3 percent), the Revolutionary War (99 claims, 2 percent), and the various Indian wars of the early to mid-19th century (54 claims, 1 percent), including one veteran of the Barbary War of 1805 as well as one claim from the Mormon Expedition of 1857–1858. The remaining 10 percent, or 434 claims, covered pension requests for miscellaneous or undetermined peacetime service in the Regular Army.<sup>9</sup>

Most citizens typically submitted pension claims to Congress because they failed to obtain benefits through the regular application process to the Bureau of Pensions. As in the case of Sarah Maynard, rejected applications usually involved a lack of adequate documentation to verify a veteran's service record, the failure of the applicant to prove disabilities stemmed directly from active duty, or ignorance regarding the filing deadlines. Widows frequently proved unfamiliar with the existing pension

laws, often failing to prove a legal relationship to a deceased veteran or filing for benefits after remarrying, which negated their claim. In these instances, people turned to Congress to receive justice, although many, like Sarah Maynard, ultimately failed to receive benefits.

Civil War–related indemnity claims comprise another significant portion of the Accompanying Papers, although a small handful of petitions sought reparations from the War of 1812 as well. The Reconstruction-era sampling contained 1,265 files (12.5 percent) of this type of compensation. War-related claims dealt not only with real estate, personal property, livestock, and crops destroyed or confiscated by Union or Confederate troops during the war, but also financial losses resulting from



wartime military contracts for supplies such as quartermaster goods, commissary stores, or manufactured military items. Other claims sought reimbursement for services as military surgeons, chaplains, nurses, recruiting agents, and spies, or just personal aid and comfort provided to Union refugees and prisoners of war.

Typical is the claim for property damages from William Jewell College. On two occasions during the Civil War, Federal troops occupied the college campus at Liberty, Clay County, Missouri. Following the battle of Blue Mills on September 17, 1861, Union soldiers appropriated the college building as a hospital for approximately 60 wounded men. In August 1862 the Fifth Cavalry, Missouri State Militia, again occupied the college grounds in response to Confederate activity at Independence in nearby Jackson County. On both occasions, according to college trustee O. P. Moss, "it was physically impossible for the Trustees of the college to exercise any control over the college property, real or personal." Resulting damage, estimated at \$12,000, included broken windows and furniture; the loss of valuable books, a mineral collection, maps, manuscripts, and a philosophical apparatus; and disfigurement of the campus grounds caused by the construction of trenches and other fortifications.<sup>10</sup>

In 1874 the trustees submitted a petition for reimbursement, along with a supporting petition from the General Assembly of Missouri, to the House of Representatives. Requesting Missouri Congressman Abram Comingo to sponsor their claim, the trustees noted that "Institutions like William Jewell College which depend for their prosperity, yes life, upon private liberality, need far more the assistance of the General Government in cases like this than [other state-funded] colleges or educational foundations."<sup>11</sup> Comingo introduced private bill H.R. 3460 for the relief of William Jewell College on May 25, 1874. The legislation was read twice on the House floor and then referred to the Committee on War Claims for consideration. Unfortunately, the records do not indicate any subsequent action or a resolution to the claim.

In the aftermath of the Civil War, claims seeking relief from court-martial sentences and penalties imposed during the war became prevalent as well. Documentation for 130 such claims appear in the Accompanying Papers from 1865 to 1877. Most of these claims involved private soldiers who petitioned Congress to overturn convictions for desertion or absence without leave and to grant honorable discharges. The underlying motivation for such relief involved a desire to receive back pay, allowances, and pension benefits. Other claimants sought a reversal of fines and penalties relating to the usual spectrum of officer infractions, such as showing disrespect to superiors, conduct unbecoming an officer and a gentleman, and submitting false reports and accounts to the government.

Perhaps one of the more unusual court-martial claims involved the petition of Lt. William S. Spriggs of Company H, 116th Ohio Volunteers. In 1875 Spriggs asked Congress to dismiss a wartime conviction and dishonorable discharge for what amounted to an early form of DUI—he had been tried in the aftermath of the Gettysburg campaign for public intoxication while riding a horse. Even though Spriggs readily admitted to an indulgence in alcoholic celebration after the battle—"That I may have sometimes tasted liquor, as every other officer did, during the jollification after our victory at Gettysburg, I do not deny"—he staunchly disavowed it impaired his ability to perform his duty. As Sgt. Maj. James M. Dalzell of the 116th Ohio later attested, "Lt. Spriggs although he may like all the rest of us who could get it, have tasted liquor, was not at any time so rendered unfit for duty, or at any other time."<sup>12</sup> According to the House legislative journal, Ohio Congressman Lorenzo Danford introduced two private bills on Spriggs's behalf, one (H.R. 4082) to remove legal disabilities resulting from the conviction, and another (H.R. 4737) to authorize the Secretary of War to issue Spriggs an honorable discharge. Neither bill apparently passed.<sup>13</sup>

Of course, the great majority of private claims cover an array of miscellaneous but interesting topics. Some of the more common claims sought compensation for various government contracts, including

numerous contracts to carry the U.S. mail along remote routes in the western territories, and reimbursement to federal employees for stolen government property. Many of the latter involved robberies committed against post offices, in which case the postmasters petitioned Congress to be relieved from liability for the stolen merchandise. Shipowners salvaging foreign wrecks often asked Congress to issue an American registry or grant permission to change the names of their vessels. Patent claims appeared as well, seeking compensation for patent violations or congressional funding for experiments and trials of new inventions. Musical inventor Joshua C. Stoddard, for example, petitioned Congress in 1876 to renew his patent for "an apparatus for producing music by steam or compressed air," commonly known as the calliope.<sup>14</sup>

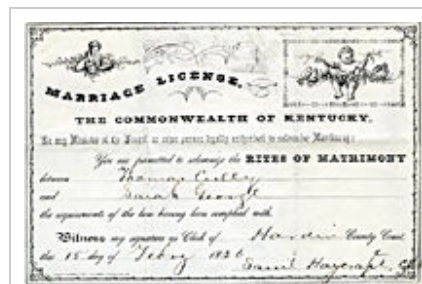
A few interesting claims also relate to specific historical events, such as the 1876 Centennial Exhibition in Philadelphia or property destroyed in the Great Chicago Fire of 1871. Claims from a few nationally known figures appear as well, including Clara Barton's 1866 request for Congress to establish a national system to identify missing soldiers, Dorothea Dix's petition to receive franking privileges, and Confederate general George E. Pickett's 1874 application to remove political disabilities imposed by the 14th amendment.

## Records of Genealogical Value

As the broadly diverse nature of these records indicate, congressional private claims document, at their most basic level, the lives and activities—even the hopes and tribulations—of countless ordinary individuals. This essential characteristic in turn highlights the value of private claims as a useful source for family information. Many petitions in the Accompanying Papers provide basic information and vital statistics about the claimants and their families. When aging Revolutionary War widow Sarah P. Cully petitioned Congress in 1872 for a military pension, she identified in her affidavit her birth date (September 12, 1787), her maiden name (George), and the date and location of her marriage to veteran Thomas Cully (February 15, 1826, at Hardin County, Kentucky.)<sup>15</sup>

The 1876 pension claim of Nancy True, whose three sons perished in the Civil War, likewise identified three generations of her family, including grandfather John Blunt (a major in the Revolutionary War) and parents William and Mary Atkinson; named the residence of her parents (Somerset County, Maine); and verified her maiden name (Atkinson) as well as that of her mother (Blunt). In a manner similar to the Sarah Maynard claim, the 1874 petition of Nathaniel L. Greer of Morrill, Maine, who also lost three sons killed in the Civil War, included a separate listing of his 12 children, along with their dates of birth, as evidence of his needy circumstances.<sup>16</sup>

Personal and family records appear most prevalently in the pension-related claims because of the need for a widow and dependents to document their relationship to a deceased soldier. The claim of Mary E. Wainwright, whose husband Britton died while serving with Kunkle's Company, Seventh Indiana Legion (Home Guards) during the Civil War, included a notarized copy of their marriage record from the probate court of Hamilton County, Ohio. The record identified their wedding date (May 1, 1847), Mary's maiden name (Darby), and the name of the presiding minister (Rev. James H. Perkins). Sarah Cully's claim held a similar copy of her marriage license and certificate, signed by the clerk of the Hardin County Court. The 1873 pension claim of Annie M. Wright of Chelsea, Massachusetts, whose late husband William served in Company H, First Massachusetts Infantry, contained not only a



When aging Revolutionary War widow Sarah P. Cully petitioned Congress in 1872 for a military pension, she submitted her marriage certificates showing the date and location of her marriage to Thomas Cully. (Records of the U.S. House of Representatives, RG 233)

notarized copy of their marriage record but also a death certificate for William. The certificate, copied from the Chelsea Registry of Deaths, identified William's cause of death (consumption) as well as his occupation (varnisher) and the names of his parents (Peter and Ellen Wright).<sup>17</sup>



Pension claimants frequently submitted important evidence of military service, including narratives as well as original commissions, enlistment papers, and discharge certificates. A very descriptive military history accompanied the pension claim of Mary A. Morris, whose husband, Gen. William W. Morris, served in the U.S. Army from 1820 until his death in 1865. The handwritten, résumé-like account outlined all the vital events of Morris's career, from his early dates of study at West Point and his various unit assignments and tours of frontier duty, to his final command of the Baltimore harbor defenses during the Civil War, detailing along the way his activities in the Second and Third Seminole Wars and the Mexican War and his promotions from second lieutenant to brevet major general (received the day before his death on December 11, 1865).<sup>18</sup>

The survivor's pension claim of Margaretta Van Rensselaer, whose father Solomon Van Rensselaer served a distinguished career in the War of 1812, contained handwritten copies of several impressive military appointments, from lieutenant and captain of light dragoons in 1793 and 1795 (both issued by George Washington), to major of cavalry in 1800 (issued by John Adams), as well as an 1819 appointment as major general of New York State militia signed by Governor DeWitt Clinton. Surprisingly, the claim also included a rare colonial commission for another relative, Henry J. Van Rensselaer, who was appointed first major of the Eighth Regiment, Albany County (N.Y.) Militia of Foot on October 20, 1775.<sup>19</sup>

Other types of vital records sometimes found their way into the Accompanying Papers as well, often through unusual circumstances. The last will and testament of John Elgar of Baltimore, who invented a self-regulating windmill wheel in 1855, later surfaced as an essential piece of evidence in the patent claim of nephew William H. Farquhar. Farquhar inherited the windmill patent when Elgar died in 1858, but the outbreak of the Civil War interrupted efforts to produce the device on a commercial level. Renewed business interest in the windmill after the war caused Farquhar to seek a patent extension in 1869, but the patent expired before the required 90-day renewal notice. He therefore petitioned Congress to grant a patent renewal and submitted a copy of Elgar's will—as well as the original patent letter—as proof of ownership.<sup>20</sup> Similarly, Christian Burging, a German-born citizen of Richmond, submitted a war claim to Congress in 1871 for personal property seized by Union forces during the Civil War. Congress rejected Burging's petition because, among other things, he failed to prove he was a naturalized U.S. citizen. In 1876 Burging resubmitted his claim, this time enclosing his naturalization certificate from the Commonwealth of Virginia, which verified his status as a citizen since October 17, 1860.<sup>21</sup>

Land-related private claims also sporadically contain useful documents such as original deeds or land warrants among their paperwork. As with the Farquhar patent claim, the issue of legal ownership usually influenced the submission of these types of records. In 1873, John and James Scott petitioned Congress to settle an old land claim for a homestead in the former Northwest Territory. The Scotts filed the claim in response to legislation passed in 1872 that offered compensation to former tract holders in the Northwest and Indiana Territories whose land had been confirmed by the territorial governors but later disavowed and sold by the federal government. The paperwork for the claim included the original title, dated February 12, 1799, to the 778-acre tract in St. Clair County, Illinois. The deed contained the signatures of Gen. Arthur St. Clair, governor of the Northwest Territory, and Secretary of the Territory



(and future President) William Henry Harrison.<sup>22</sup>

In a similar manner, Frederick Berlin of Upshur County, West Virginia, petitioned Congress in 1866 to validate an old 40-acre bounty-land warrant he acquired in 1859 from the heirs of Peter Hess, a veteran of the War of 1812. According to the General Land Office, the warrant had expired because Hess never applied for the land before he died on December 28, 1850. In his effort to convince Congress to honor the land warrant—which included an affidavit from the postmaster of Buckhannon, Upshur County, verifying that Peter Hess had in fact mailed an application to validate the warrant two days before he died—Berlin also submitted a duplicate but equally decorative copy of the original bounty-land warrant, dated September 8, 1851. The certificate identified Peter Hess's military rank (ensign) and his unit (Hurry's Company, Virginia Militia), while the reverse side contained a handwritten transcript of the legal transfer agreement between Berlin and the Hess heirs, all of whom were identified by name.<sup>23</sup>

Original photographs of ancestors constitute one final and quite valuable type of document that occasionally turns up in private claims. The reasons photographs appear in these files, especially in the pension-related petitions, remain unclear, except perhaps to provide a human dimension to the claim. Two noteworthy examples in the Accompanying Papers involve the claims of Helen Harrell and Thomas N. McAfrey. In 1874 Helen O'Hara Harrell applied to Congress for a Navy pension following the death on December 16, 1871, of her husband, Capt. Abram Davis Harrell. Her lengthy and sometimes dramatic petition recounted Harrell's naval career, his resulting service-related illnesses, and forced retirement at the close of the Civil War, which left the couple destitute at the time of his death. Affixed to the petition with a black ribbon, probably for added dramatic affect, Helen enclosed a photograph of Captain Harrell, taken in Naples, Italy, in 1859 while he was serving as first lieutenant on the USS *Macedonian*, the flagship of the U.S. Navy's Mediterranean Squadron. Somewhat ironically, the photograph featured a rather stout and healthy-looking naval officer bedecked in his finest uniform and presentation sword.<sup>24</sup>



Helen O'Hara Harrell submitted a photograph of her husband, Capt. Abram Davis Harrell, in support of her claim for a pension. (Records of the U.S. House of Representatives, RG 233)

The opposite effect proved true for Thomas N. McAfrey. A veteran of the Mexican War from Tennessee, McAfrey originally received a pension through the normal application process for illnesses contracted during military service. At the outbreak of the Civil War, however, the federal government promptly suspended all benefits for Southern pensioners. In 1876 McAfrey applied to both Congress and the Pension Bureau for a reinstatement of his pension with arrearages to March 4, 1861, the date of his last regular pension payment. To emphasize his sickly circumstances, which included chronic rheumatism, diarrhea, and heart disease, McAfrey enclosed a "photographical exhibit" of himself so that "the Honorable Congress of the United States may see his physical condition."<sup>25</sup> His portrait provided compelling evidence, displaying an aged, sickly man with rather gaunt facial features and body frame, clothed in a very loose-fitting suit. A handwritten caption at the bottom of the photograph also identified McAfrey's military rank (lieutenant) and unit (Co. D, 4th Tennessee Infantry) from the "War of 1846."

### Access to the Accompanying Papers File

The Accompanying Papers File is part of Record Group 233, Records of the U.S. House of Representatives. (Private claims submitted directly to the Senate likewise make up part of Record Group 46, Records of the U.S. Senate.) All claims records of Congress are in the custody of the [Center for Legislative Archives](#) at the National Archives Building in Washington, D.C. A modern guide to House records is Charles E. Schamel et al., *Guide to the Records of the United States House of*

*Representatives at the National Archives, 1789–1989*. The standard finding aid for the records of the House, however, is Buford Rowland, Handy B. Fant, and Harold E. Hufford, *Preliminary Inventory of the Records of the United States House of Representatives, 1789–1946*, Preliminary Inventory No. 113 (Washington, DC: National Archives and Records Service, 1959.) Listed under the Records of Legislative Proceedings for the 39th to 57th Congresses, each series of the Accompanying Papers File from 1865 to 1903 is identified by separate entry number.<sup>26</sup>

The U.S. Congressional Serial Set, an ongoing government publication of House and Senate reports issued since 1817, contains the principal published indexes for congressional private claims. Serial Set volumes that cover House claims from the Accompanying Papers File include No. 1574 (32nd to 41st Congresses), No. 2036 (42nd to 46th Congresses), and No. 3268 (47th to 51st Congresses.) The indexes are arranged alphabetically by the claimant's name and identify the nature of the claim, the Congress and session into which the claim was introduced, the committee of referral, the nature and number of any committee reports, the number and disposition of related bills including their dates of passage in both chambers, and the date of presidential approval. A related published index is also available in the *Congressional Information Service (CIS) U.S. Serial Set Index, 1789–1969* (Baltimore, MD: Congressional Information Service, 1975.) Recipients of private relief appear under the index heading "Private Relief and Related Actions—Index of Names of Individuals and Organizations."<sup>27</sup>

In January 2006 the Archives I Research Support Branch produced a descriptive file folder list for the claims from the first six Congresses of the Accompanying Papers File (1865–1877). This enhanced finding aid provides an alphabetical listing of files by container, along with a brief description of the nature of each claim. Staff compiled additional indexes for the numerous pension-related claims from these six Congresses as well. Identifying the name of each claimant or veteran, the type of pension claim, and the Congress under which each claim was filed, the indexes cover the Revolutionary War, War of 1812, Mexican War, Civil War, and various early Indian wars, including the Northwest Indian War of 1794; the First, Second, and Third Seminole Wars; the Black Hawk War of 1831; the Creek Indian War of 1836; the Cherokee Disturbances and Removal of 1836–1839, the Cayuse (Oregon) Indian War of 1848, and the Rogue River Indian War of 1853.

Other prevalent claims that were indexed include Civil War reparations, patent claims, Civil War amnesty and court-martial claims, and Indian depredations. These indexes, in MS-Word document form, are available on CD-ROM in the Microfilm Research Room of the Robert M. Warner Research Center in the National Archives Building. These various finding aids, along with the able assistance of legislative archives reference staff, make the private claims records of the Accompanying Papers File a readily accessible resource for genealogy, unlocking valuable information and often hard-to-find documents to determined family historians.

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## Notes

1. Affidavit of Linza Maynard, Jan. 17, 1871; Sarah Maynard Pension File, No. 140.300; Case Files of Disapproved Pension Applications (Civil War and Later Widows' Originals); Civil War and Later Pension Files, 1861–1942 (Civil War Files); Records Relating to Pension and Bounty-Land Claims, 1773–1942 (Pension and Bounty-Land Claims); Records of the Department of Veterans Affairs, Record Group (RG) 15; National Archives Building, Washington, DC (NAB).



2. Report of Frank Wolford, Adjutant General of Kentucky, May 14, 1869, *ibid.*
3. Petition of Sarah Maynard, *ibid.*; U.S. House Journal, 42nd Congress, 2nd sess., Apr. 24, 1872, p. 750; Senate Report No. 398, 42nd Cong., 3rd sess. (1873).
4. Chris Naylor, "Those Elusive Early Americans: Public Lands and Claims in the *American State Papers, 1789–1837*," *Prologue: Quarterly of the National Archives and Records Administration* 37 (Summer 2005): 60. A legal explanation of the first amendment and Article I of the U.S. Constitution may be found at the [Cornell Law School web site](#).
5. Charles E. Schamel, "Untapped Resources: Private Claims and Private Legislation in the Records of the U.S. Congress," *Prologue* 27:1 (Spring 1995): 48.
6. *Ibid.*; Charles E. Schamel et al., *Guide to the Records of the United States House of Representatives at the National Archives, 1789–1989* (1989: House Document No. 100-245, 100th Congress, 2nd sess.), pp. 75–91; Robert W. Coren et al., *Guide to the Records of the United States Senate at the National Archives, 1789–1989* (1989: Senate Document No. 100-42, 100th Congress, 2nd sess., Serial 13853), pp. 53–58.
7. *Ibid.*
8. Pennsylvania File; Accompanying Papers [43A-D1]; Legislative Proceedings, 43rd Cong., RG 233; NAB.
9. Statistics relating to pension claims were derived by the author from a descriptive project conducted by the Archives I Research Support Branch to compile a file folder list of the claims from the first six Congresses in the Accompanying Papers File, including the 39th through 44th Congresses. The folder list included the claimant's name and a brief statement about the nature of the claim.
10. Statement of O. P. Moss, in Proof of Damages, *The Trustees of William Jewell College v. The United States*, May 12, 1874; Missouri (William Jewell College) File; Accompanying Papers [43A-D1]; Legislative Proceedings; 43rd Cong.; RG 233; NAB.
11. D. C. Allen, Secretary of the Board of Trustees, William Jewell College, to the Hon. Abram Comingo, May 14, 1874, *ibid.*
12. Petition of William S. Spriggs, Jan. 18, 1875, and affidavit of James M. Dalzell, Jan. 18, 1875; Lt. William S. Spriggs File; Accompanying Papers [44A-D1]; Legislative Proceedings; 44th Cong.; RG 233; NAB.
13. House Journal, 43rd Cong., 2nd sess., Dec. 21, 1874, 89; House Journal, 43rd Cong., 2nd sess., Feb. 16, 1875, p. 475.
14. Joshua C. Stoddard petition for a patent renewal, Mar. 18, 1876; Joshua C. Stoddard File; Accompanying Papers [44A-D1]; Legislative Proceedings; 44th Cong.; RG 233; NAB.
15. Affidavit of Sarah P. Cully, Sept. 14, 1872; Sarah P. Cully File; Accompanying Papers [43A-D1]; Legislative Proceedings; 43rd Cong.; RG 233; NAB.
16. Petition of Nancy True, Jan. 5, 1876; Nancy True File; Accompanying Papers [44A-D1]; Legislative Proceedings; 44th Cong.; RG 233; NAB. List of Nathaniel L. Greer's children, entitled "This is a record of my famuelly," n.d.; Nathaniel L. Greer File; Accompanying Papers [43A-D1]; Legislative Proceedings; 43rd Cong.; RG 233; NAB.

17. Notarized copy of Wainwright marriage license, Jan. 10, 1866; Mary E. Wainwright File; Accompanying Papers [43A-D1]; Legislative Proceedings; 43rd Cong.; RG 233; NAB. Death certificate of William Wright, Jan. 21, 1873; Annie M. Wright File; Accompanying Papers [42A-D1]; Legislative Proceedings; 42nd Cong.; RG 233; NAB.
18. Military career of William W. Morris, compiled by the Adjutant General's Office, n.d.; Mary A. Morris File; Accompanying Papers [42A-D1]; Legislative Proceedings; 42nd Cong.; RG 233; NAB.
19. Handwritten commissions; Margaretta Van Rensselaer File; Accompanying Papers [43A-D1]; Legislative Proceedings; 43rd Cong.; RG 233; NAB.
20. Last will and testament of John Elgar, Jan. 14, 1858; William H. Farquhar File; Accompanying Papers File [41A-D1]; Legislative Proceedings; 41st Cong.; RG 233; NAB.
21. Certificate of citizenship for Christian Burging, Oct. 17, 1860; Christian Burging File; Accompanying Papers [44A-D1]; Legislative Proceedings; 44th Congress; RG 233; NAB.
22. Land Deed, Feb. 12, 1799; John and James Scott File; Accompanying Papers [42A-D1]; Legislative Proceedings; 42nd Cong.; RG 233; NAB.
23. Petition of Frederick Berlin, Mar. 16, 1866; Bounty Land Warrant (copy), dated Sept. 8, 1851; Frederick Berlin File; Accompanying Papers [39A-D1]; Legislative Proceedings; 39th Cong.; RG 233; NAB.
24. Helen O'Hara Harrell File; Accompanying Papers [43A-D1]; Legislative Proceedings; 43rd Cong.; RG 233; NAB.
25. Petition of Thomas N. McAfrey, July 25, 1875; Thomas N. McAfrey File; Accompanying Papers [44A-D1]; Legislative Proceedings; 44th Cong.; RG 233; NAB.
26. Entry numbers for the Accompanying Papers File include: 39th Cong. (E489); 40th Cong. (E502); 41st Cong. (E516); 42nd Cong. (E530); 43rd Cong. (E544); 44th Cong. (E556); 45th Cong. (E570); 46th Cong. (E584); 47th Cong. (E597); 48th Cong. (E608); 49th Cong. (E621); 50th Cong. (E633); 51st Cong. (E646); 52nd Cong. (E659); 53rd Cong. (E670); 54th Cong. (E684); 55th Cong. (E695); 56th Cong. (E706); and 57th Cong. (E717).
27. Naylor, "Those Elusive Early Americans," p. 61.

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