

FINDING KINSHIP IN MILITARY RECORDS

Rick Sayre, CG, CGL, FUGA
14724 S. Evening Side Dr.
Herriman, UT 84096
E-mail: rick@sayreandsayre.com

INTRODUCTION

Military records often contain evidence of kinship. Most frequently researchers seek pension records as the first choice to find family information. This is a good choice, but there are many other military records that provide relevant family information and can be particularly important if the soldier or his dependents did not receive a pension. This webinar presentation explores both pension records and other important military records that may contain kinship data.

The specific records discussed today pertain to service in the Army, though many similar records exist for the Navy and the Marine Corps. Relevant record groups held by the National Archives include Record Group (RG) 15, Records of the Department of Veterans Affairs, RG 49, Records of the General Land Office, RG 94, Records of the Adjutant General, and RG 217, Records of the Accounting Officers of the Department of the Treasury. Other military records are found at the state and local level, but they are not the subject of today's webinar.

MILITARY RECORDS AS A SOURCE

Military records have other uses besides specific kinship information. They are one of the sources to deal with situations such as burned counties. Military units were often recruited locally; consequently many of the individuals in a unit may be from the same county or even related. Many researchers use these records to assemble the friends, associates, and neighbors of the individual being researched. Other possibilities to employing these records include the sorting of individuals of the same name. The article by Lennon, "Jonathan Turner—More than a Name: A Carolina Case Study in Dissecting Records" (#12 in the bibliography) illustrates a creative use of obscure Revolutionary War records to solve a difficult research problem.

The first element of the Genealogical Proof Standard (GPS) is the requirement to conduct "reasonably exhaustive research." Researchers should review Chapter 3, "GPS element 1: Thorough Research," of Jones' *Mastering Genealogical Proof* (#11) for suggestions on how to determine what records are appropriate for the relevant research question. For example, if a the subject of our research is a male born between 1820 and 1847, then the likelihood of his service in the Civil War is significant (see "Who Fought?" at <http://www.civilwar.org/education/history/warfare-and-logistics/warfare/who-fought.html>). This war had the highest rate of participation of the military-age population of any of the eighteenth- and nineteenth-century wars fought by the United States.

RECORDS OF THE ADJUTANT GENERAL (RG 94)

THE COMPILED MILITARY SERVICE RECORD (CMSR)

Though not as rich a record group for kinship data as other military records, there are many advantages to starting research with the CMSR. First, this record was compiled for nearly all veterans of conflicts in the eighteenth and nineteenth century, to include Confederate veterans. These records were compiled in the 1890s to allow the pension office to rapidly establish creditable

service. The Confederate files were created to combat fraud. The second advantage is that many of these records are digitized and online at *Fold3*. CMSRs for Confederates, all United States Colored Troops (USCT), and many of the Union states are online. The major hole in the online availability is that some of the large Union states such as Pennsylvania and New York are not yet filmed or digitized. The National Archives intends to eventually put these online through the partnerships with *Ancestry*. Finally, the Soldiers and Sailors Database hosted by the National Park Service, <https://www.nps.gov/civilwar/soldiers-and-sailors-database.htm>, indexes nearly all of the Civil War CMSRs held by the National Archives, both Union and Confederate.

The genealogical value of these records, beyond establishing service, is largely found in the personal papers envelope included in the file of many veterans. One example is the enlistment papers that may record place of birth and the name of a parent if a minor is enlisting.

Another example is a bed card that records the next of kin information should the soldier die in the hospital. More information may be in the separate series on Carded Medical Records, also part of NARA's Record Group 94, Records of the Adjutant General. The articles by Prechtel-Kluskens on the CMSR, cited in the bibliography (#23), provide additional information.

RECORDS OF THE DEPARTMENT OF VETERANS AFFAIRS (RG 15)

PENSIONS—A HISTORICAL PERSPECTIVE

With the passage of the National Pension Act in 1776 the Continental Congress provided half pay for life to all officers, non-commissioned officers, soldiers, and sailors who lost a limb or suffered other serious disability. Officers were eventually granted half pay for seven years, a form of service pension. In 1776 the Continental Congress established the bounty land entitlement; the benefit was scaled by rank. Both benefits carried limitations. Congress expected the states to pay the pensions since Congress had no money. In the case of bounty land, the U.S Military District in Ohio was not opened until 1796. These two themes of disability or service as the basis of a pension would continue throughout the nineteenth century. The state pensions granted in this period can be found in Bockstruck's *Revolutionary War Pensions Awarded by State Governments 1775–1874, the General and Federal Governments Prior to 1814, and by Private Acts of Congress to 1905* (#4).

The Act of 18 March 1818 (3 Stat. 410) that applied to Revolutionary War veterans opened a new category of entitlement, "reduced circumstances in life." This was neither a disability nor a service pension. Officers would receive twenty dollars a month and all others eight dollars a month. This was so popular that the criteria to prove indigence was made more stringent by the Act of 1 May 1820 (3 Stat. 569). By the Act of 1 March 1823 (3 Stat. 782) Congress relented and restored to the rolls some of the pensioners who had been removed by the 1820 act.

Under the leadership of President Andrew Jackson, Congress passed the first general service pension for veterans of the Revolutionary War. The Act of 7 June 1832 (4 Stat. 529) allowed those who had served two years to receive full pay for life. Those who had served less time received a proportionate reduction. The practice of enacting service pensions as the population of veterans aged and dwindled was a recurrent theme in the nineteenth century.

The first act to specifically provide for widows and children was passed on 4 July 1836 (5 Stat. 127). This act provided for a pension based on what the soldier was receiving under the Act of 1832. The widow must have married the soldier before his term of service expired. Congress would extend the

date of marriage required to obtain the benefit several times (see The Act of 7 July 1838 (5 Stat. 303), The Act of 2 February 1848 (9 Stat. 210), and The Act of 29 July 1848 (9 Stat. 265)). All restrictions pertaining to the date of marriage were removed by The Act of February 3, 1853 (10 Stat. 154). The initial act resulted in about 5,000 widows receiving pensions. The last specific act dealing with the Revolutionary War was 9 March 1878 (25 Stat. 235). This act allowed a soldier or a widow to receive a pension based on service of the soldier that was a little as 14 days or participation in any engagement.

WAR OF 1812

In 1802 Congress provided by way of the Act of 16 March 1802 (1 Stat. 121) an invalid pension for the Regular Army. although this act did not provide benefits to women or children, it formed the basis of benefits for service in the War of 1812. The Act of 24 April 1816 (3 Stat. 296) extended invalid pensions to those who served in the War of 1812 based on the preceding act.

Congress provided for dependents of veterans of the War of 1812 with the Act of 16 March 1816 (3 Stat. 285) which provided half pay for five years to widows and orphans of deceased soldiers whose cause of death was related to the war. The bounty land entitlement could also be converted to half pay for the benefit of orphans.

It was not until The Act of 14 February 1871 (16 Stat. 411) that soldiers were provided a pension for War of 1812 service. The act also provided that widows (no children) of deceased soldiers could apply for a pension. Two important provisions were that the widows must have been loyal to the United States and that they had married the veteran before the peace treaty of the War of 1812 (24 December 1812).

Although the population of soldiers and sailors had dwindled, 25,000 applied. An additional 7,000 widows applied. Congress considerably expanded the benefit to both classes with the Act of 9 March 1878 (20 Stat. 27). The benefit for soldiers, seaman, and widows was fixed at eight dollars a month based on service as little as 14 days or participation in any engagement. The restrictions on marriage date were totally removed. The loyalty requirement was also removed.

MEXICAN WAR (1846–1848)

The Act of 13 May 1846 (9 Stat. 9) entitled the volunteers to be treated the same as Regular forces as regarding the benefits if wounded or disabled. The Act of 21 July 1848 (9 Stat. 249) established a five year half pay benefit for widows and orphans. This benefit was extended for life by the Act of 3 June 1858 (11 Stat. 309). The Act of 29 January 1887 (24 Stat. 371) that provided service pensions of eight dollars a month for life to survivors also provided the same benefit to widows.

INDIAN WARS

Researchers should consult Glasson (#8) for a discussion of this topic.

PENSIONS FOR SERVICE AFTER 4 MARCH 1861

The Veterans Department calculated that on the eve of the Civil War the number of veterans was 80,000. The war changed many things, one of which was the size of the veteran population. In 1865 the number stood at 1.9 million. In recognition of the scope of the conflict, Congress passed the Pension Act of 14 July 1862 (12 Stat. 566). This act established what is often called “the general law pension system.” This was a very liberal law that provided pensions to all service members, their

widows, orphans, and other dependents. Researchers should review both Prechtel-Klusken's "A Reasonable Degree of Promptitude" (# 26) and Part II, Chapter 1, of Glasson (#8) for a detailed discussion of the impact of this law.

Congress took a major step to deal with the large and politically powerful Civil War veterans organizations, principally the Grand Army of the Republic (GAR), by the passage of the Dependent Pension Act of 1890 (26 Stat. 182). President Cleveland had vetoed a previous version. However, with the strong support of the GAR, President Harrison signed the bill on 27 June 1890. This act essentially provided a general service pension and had the effect of increasing the pension roll from 489,000 to 996,000 three years later.

The pension Act of 7 February 1907 (34 Stat. 879) was a true service pension act. A person that served 60 days in the Mexican War or 90 days in the Civil War and was 62 years of age was eligible for a pension. The pension increased as various age thresholds were met.

The concept of a general pension law was finally affirmed by the Sherwood Act of 1912 (37 Stat. 112) that provided pensions at age 62 to all veterans regardless of disability. The result is seen in these figures from 1914—of the 429,354 Civil War veterans on pension rolls only 52,572 were as a result of disability. Much of the information above is synopsised from the *VA History in Brief* (#42).

The creation of pensions was a complex process. Skocpol (#38) discusses the politics involved. Political party affiliation, sectional differences, social standing (officer versus enlisted), economic conditions, philosophical approach to pensions (disability versus service), and many other factors influenced the legislative process.

Reading the appropriate statute law allows us to understand the benefits offered and restrictions imposed. Officer or not, regular or militia, disabled or not, length of service, loyalty, indigence, and other factors affected the benefit awarded. Dependents may or may not have been eligible. Understanding these issues will allow the proper construction of a research strategy. Pursuing a pension for a War of 1812 soldier who was not disabled and died before 1871 would not be successful unless he successfully won relief by a private act of Congress.

PENSIONS—A SUMMARY

Below are some things to remember and consider when looking for kinship information in pension files:

- Pension benefits varied by conflict, especially as it related to dependents
- Over time benefits expanded and became more encompassing for each conflict
- Disability pensions were common; service pensions came later, as did benefits for spouses and other dependents
- Bounty land (land for service) was eventually available to almost all who served in conflicts before the Civil War
- Kinship information in military pensions is most often found in applications of widows and dependents
- As Congress extended benefits as the nineteenth century proceeded, many records of kinship were created that reach back all the way to the late eighteenth century.
- Understanding the applicable law is important to assess the potential for finding kinship information in the record

MAJOR PENSION INDEXES

The National Archives has produced filmed indexes to the major conflicts of the eighteenth and nineteenth century from the records of the Department of Veterans Affairs. Most of these are online at *Ancestry*, *Fold3*, or *FamilySearch*. Researchers may find the status at NARA's webpage *Microfilm Publications and Original Records Digitized by Our Digitization Partners*, <http://www.archives.gov/digitization/digitized-by-partners.html>.

AVAILABILITY OF PENSION RECORDS

Few pension records are filmed, as their scope is vast. Scanning these old and fragile papers is very time-consuming. The most notable online offering is *NARA Microfilm publication M804, Revolutionary War Pension and Bounty-Land Warrant Application Files*. Note the interfiling of the bounty land application files. The policy on this practice varied by bounty land act. For details on bounty lands see Rose's *Military Bounty Land* (#28). Two ongoing scanning efforts of original records are the War of 1812 Pension Files (65% complete) and the Civil War "Widows Pensions" (11% complete).

The National Archives has also filmed *Navy Widows Certificates* (M1279) from the Civil War and the *Mormon Battalion Pension Files* (T1196) from the Mexican War. Scans of these films are online at *Fold3*. For the most part, it is necessary to access the original pension files. This can be done onsite at the National Archives in Washington, D.C. Alternatively, the files maybe ordered online from the National Archives. For details access the *Veterans Service Records* webpage at <https://www.archives.gov/veterans/military-service-records/pre-ww-1-records.html>.

SOLDIERS HOMES

The federal government established the National Home for Disabled Volunteer Soldiers (NHDVS) after the Civil War. The criteria for admission was less stringent than the requirements to receive a pension. For those seeking information on children, spouses, and other kin, these records may provide the key. The home required the veteran to identify the next of kin since the law required the home to provide personal effects to the family at time of death. This information is found on the register created for each soldier living in the home. The approximately 400,000 registers are online at *FamilySearch*.

The homes did not admit women or spouses until the twentieth century. However, many state homes did. Always check for this possibility.

RECORDS OF THE ACCOUNTING OFFICERS OF THE DEPARTMENT OF THE TREASURY (RG 217)

PENSION PAYMENT RECORDS

Records of payments add another dimension to pension research. These records can provide evidence of kinship not found in the pension record. Payment records may exist even when the pension is lost or not locatable.

Begin by reading Prechtel-Kluszens article "Follow the Money" (#24), in which Final Payment Vouchers are explained. *Fold3* provides access to the *Final Payment Vouchers Index For Military Pensions, 1818–1864* and also to NARA microfilm publications M2079, *Final Revolutionary War Pension Payment Vouchers: Delaware*, and M1746, *Final Revolutionary War Pension Payment Vouchers: Georgia*. The

published works of Kathryn McPherson Gunning and Alycon Trubey Pierce provide information on other states. See the bibliography (#9 and #22) for information on each author.

“Lost Pensions,” a different series of accounting records, are also explained in Klusken’s article. *The “Lost” Pensions : Settled Accounts of the Act of 6 April 1838* (#36) by Scott provides an index to the final payments found in this series.

RECORDS OF THE GENERAL LAND OFFICE (RG 49)

Individuals who applied for military bounty land successfully received a warrant entitling them to a certain amount of unclaimed federal land. The successful applicant had a choice in most cases to sell the warrant for cash or to surrender the warrant at a federal land office in exchange for land. The record of surrender or assignment to a third party is recorded on the BLM website (www.glorerecords.blm.gov) if a patent was issued.

PENSIONS AWARDED BY PRIVATE ACT

Many individuals petitioned Congress for redress when they were denied pensions by the Pension Bureau. Their attempts are recorded by the records of Congress in the form of the *House* and *Senate Journals*, and in the *Serial Set* if a report was prepared. Successful petitions resulted in a private act recorded in the *Statutes at Large*. Schamel’s “Untapped Resources : Private Claims and Private Legislation in the Records of the U.S. Congress” (#35) provides a guide to these records. To search the *Journals* and *Statutes at Large* use *Century of Lawmaking* at <https://memory.loc.gov/ammem/amlaw/>. Most successful efforts are also identified by Bockstruck’s *Revolutionary War Pensions Awarded by State Governments 1775–1874, the General and Federal Governments Prior to 1814, and by Private Acts of Congress to 1905* (#4).

BIBLIOGRAPHY

1. Bacon, Lee D. “Civil War and Later Navy Personnel Records at the National Archives, 1861–1924.” *Prologue*, Vol. 27, No. 2 (Summer 1995).
2. Bacon, Lee D. “Early Navy Personnel Records at the National Archives, 1776–1860.” *Prologue*, Vol. 27, No. 1 (Spring 1995).
3. Board for the Certification of Genealogists. *Genealogy Standards*. Nashville, Tenn.: Ancestry, 2014.
4. Bockstruck, Lloyd DeWitt. *Revolutionary War Pensions Awarded by State Governments 1775–1874, the General and Federal Governments Prior to 1814, and by Private Acts of Congress to 1905*. Baltimore: Genealogical Pub. Co., 2011.
5. *Bounty-Land Warrants for Military Service, 1775–1855*. Reference Report 940 & 1101. Washington, DC: National Archives and Records Administration, 2010 (note that all the cited reference reports can be found online at the National Archives website, <http://www.archives.gov/>).
6. Butler, Stuart L. “Genealogical Records of the War of 1812.” *Prologue*, Vol. 23, No. 4 (Winter 1991).

7. Eales, Anne Bruner and Robert M. Kvasnicka. *Guide to Genealogical Research in the National Archives*. Washington, DC: National Archives and Trust Fund Board, 2000.
8. Glasson, William H. *Federal Military Pensions in the United States*. New York: Oxford University Press, 1918. Online at *Google Books*.
9. Gunning, Kathryn McPherson. *Selected Final Pension Payment Vouchers, 1818–1864, Pennsylvania*. 2 volumes. Westminster, MD: Heritage Books, 2003. She also has extracted the records for Rhode Island.
10. *Inventory of the Naval Records Collection of the Office of Naval Records and Library* (Inventory 18, RG 45). This inventory is online at <http://www.history.navy.mil/research/library/research-guides/inventory-naval-records-collection-office-naval-records-library.html> .
11. Jones, Thomas W. *Mastering Genealogical Proof*. Arlington, VA: National Genealogical Society, 2013.
12. Lennon, Rachal Mills. “Jonathan Turner—More than a Name: A Carolina Case Study in Dissecting Records.” *National Genealogical Society Quarterly* 97 (March 2009). Online at *Finding Southern Ancestors*, <https://www.findingsouthernancestors.com/download/jturnername.pdf> .
13. Melchiori, Marie Varrelman and Prechtel-Klusken, Claire. “Did your Union Civil War ancestor apply for a pension?” *NGS Magazine*, Vol. 40, No. 3 (July–September, 2014).
14. *Military Service during the Mexican War, 1846–1848*. Reference Report 916. Washington, DC: National Archives and Records Administration.
15. Mills, Elizabeth Shown. *Evidence Explained: Citing History Sources from Artifacts to Cyberspace*. Third Edition. Baltimore: Genealogical Publishing Company, 2015. See also the website, *Evidence Explained*, <https://www.evidenceexplained.com/> .
16. Neagles James C. *U.S. Military Records: A Guide to Federal and State Sources, Colonial America to the Present*. Salt Lake City: Ancestry, 1994.
17. *Navy Pension Fund Lists, 1802–1836*. Reference Report 905. Washington, DC: National Archives and Records Administration, 2010.
18. Oberly, James W. *Sixty Million Acres: American Veterans and the Public Lands before the Civil War*. Kent, OH: The Kent State University Press, 1990.
19. *Pensions for Service in the Regular Army, 1775–1912*. Reference Report 900. Washington, DC: National Archives and Records Administration, 2010.
20. *Pensions for Soldiers Who Served During the Civil War, 1861–1865*. Reference Report 917. Washington, DC: National Archives and Records Administration, 2010.
21. *Pension Records for Service in the United States Navy, 1776–1910*. Reference Report 906. Washington, DC: National Archives and Records Administration, 2010.
22. Pierce, Alycon Trubey. *Selected Final Pension Payment Vouchers, 1818–1864. Maryland: Baltimore*. Lovettsville, VA: Willow Bend Books, 1997. She also has publications that extract the data for Alabama, District of Columbia, Louisiana, Mississippi, New Jersey, South Carolina and Virginia.

23. Prechtel-Kluskens, Claire. "Compiled Military Service Records Part I-V." *NGS Magazine*, Vol. 38, No. 1, 2, 3; Vol. 40, No. 4; and Vol. 41, No. 1. Note that all of the references authored by Prechtel-Kluskens are available on her website, *The Twelve Key*, <http://twelvekey.com/articles/> .
24. ———. "Follow the Money: Tracking Revolutionary War Army Pension Payments." *Prologue*, Vol. 40, No. 4 (Winter 2008).
25. ———. "Pension Payment Cards, 1907–1933." *NGS Magazine*, Vol. 41, No. 3 (July–September, 2015).
26. ———. "'A Reasonable Degree of Promptitude': Civil War Pension Application Processing, 1861–1885." *Prologue*, Vol. 42, No. 1 (Spring 2012).
27. ———. "The Robert Archibald-Elizabeth McCormick Marriage and Other Details about the Archibald-McCormick-Johnson Families of Virginia, Ohio, and Indiana in a Bounty-Land Warrant Application." *National Genealogical Society Quarterly* 92 (September 2004).
28. ———. "For Love and Money: Pension Laws Affecting Widows of Military Veterans." *NGS Magazine*, Vol. 42, No. 1 (January–March, 2016).
29. Rose, Christine. *Military Bounty Land, 1776–1855*. San Jose: CR Publications, 2011.
30. ———. *Military Pension Laws, 1776–1858*. San Jose: Rose Family Association, 2001.
31. Russell, Judy G. "An Appealing Notion" *The Legal Genealogist*, posted 23 April 2015. <http://www.legalgenealogist.com/blog/2015/04/23/an-appealing-notion/> .
32. ———. "Chasing that pension file" *The Legal Genealogist*, posted 30 March 2013. <http://www.legalgenealogist.com/blog/2013/03/30/chasing-that-pension-file/> .
33. ———. "Guarding the Pension" *The Legal Genealogist*, posted 7 June 2016. <http://www.legalgenealogist.com/2016/06/07/guarding-the-pension/> .
34. ———. "The marriage and the pension" *The Legal Genealogist*, posted 4 December 2013. <http://www.legalgenealogist.com/blog/2013/12/04/the-marriage-and-the-pension/> .
35. Schamel, Charles E. "Untapped Resources Private Claims and Private Legislation in the Records of the U.S. Congress." *Prologue*, Vol. 27, No. 1 (Spring 1995).
36. Scott, Craig R. *The "Lost" Pensions : Settled Accounts of the Act of 6 April 1838*. Revised Edition. Berwyn Heights, MD: Heritage Books, 2013.
37. ———. *Understanding Revolutionary War and Invalid Pension Ledgers, 1818–1872, and the Pension Payment Vouchers They Represent*. Berwyn Heights, MD: Heritage Books, 2014.
38. Skocpol, Theda. *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States*. Cambridge, MA: Belknap Press of Harvard University Press, 1992.
39. Sherman, William F., compiler. *Records of the Accounting Offices of the Department of the Treasury, Inventory 14 (Revised)*, ed. with additions and an index by Craig R. Scott. Lovettsville, VA: Willow Bend Books, 1997.

40. Teipe, Emily J. *America's First Veterans and the Revolutionary War Pensions*. Lewiston, NY: The Edwin Mellen Press, 2002.
41. United States, Edward Payson Hall, John W. Bixler, and Ralph W. Kirkham. *Decisions of the Department of the Interior in Appealed Pension and Bounty-Land Claims Also a Table of Cases Reported, Cited, Overruled, and Modified, and of Statutes Cited and Construed*. Washington, DC: G.P.O., 1887-. Many volumes are online at Google Books.
42. *VA History in Brief*. Department of Veterans Affairs, Office of Public Affairs at http://www.va.gov/opa/publications/archives/docs/history_in_brief.pdf.
43. Weber, Gustavus A. and Schmeckebier, Laurence F. *The Veterans' Administration, Its History, Activities and Organization*. Washington, DC: The Brookings Institution, 1934.
44. Weber, Gustavus Adolphus. *The Bureau of Pensions : Its History, Activities and Organization*. Baltimore: The Johns Hopkins Press, 1923.

All websites current as of 22 August 2016

3-015.

DECLARATION FOR WIDOW'S PENSION.

Act of April 19, 1908,
Amended by Act of September 8, 1916.

STATE OF Ohio, COUNTY OF Meigs

On this 25 day of Nov., 1916, personally appeared before me, a Justice of Peace within and for the County and State aforesaid, Elizabeth Powell, who, being duly sworn by me according to law, declares that she is 83 years of age and that she was born Oct 3d, 1833 at Beaver County, Pa.

That she is the widow of William Powell, who enlisted March 23, 1860 at Marietta, Ohio, under the name of William Powell, as a Private (Rank.) in 63d Regt Ohio S. I.

(Here state company and regiment, if in the Army, or vessels, if in the Navy.)

and was honorably discharged May 18, 1862, having served ninety days or more during the CIVIL WAR.

That he also served States Militia, wounded in Morgan's Raid
(Here give a complete statement of all other military, naval, or coast guard service, if any, at whatever time rendered.)

That otherwise than as herein stated said soldier (or sailor) was not employed in the United States service.

That she was married to said soldier (or sailor) Oct 10, 1860, under the name of Elizabeth White, at Mason Co. Mason Co. W. Va. by E. M. Ryan, Minister; that she had not been previously married; that he had been previously married to Nancy Porter of Beaver Co. Pa.
(Here state all prior marriages of either, and give the names and dates and places of death or divorce of all former consorts.)

who died at New Brighton, Pa. Co. and State of Pa.

and that neither she nor said soldier (or sailor) was ever married otherwise than as stated above.

(If any former husband rendered military or naval service, here describe same and give number of any pension claim based thereon.)

That said soldier (or sailor) died April 14, 1915, at Stagail, Meigs Co. Ohio that she was not divorced from him; and that she has not remarried since his death.

That the following are the ONLY children of the soldier (or sailor) who are NOW living and under sixteen years of age, namely:
(If he left no children under sixteen years of age, the claimant should so state.)

born _____, I _____, at _____

born _____, I _____, at _____

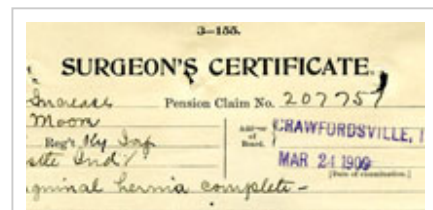
born _____, I _____, at _____

Figure 1. Declaration for Widows Pension, Elizabeth Powell, Widows Pension Application #1087702

Spring 2010, Vol. 42, No. 1

"A Reasonable Degree of Promptitude": Civil War Pension Application Processing, 1861–1885

By Claire Prechtel-Kluskens



Most disabled pensioners were required to submit to periodic examinations by physicians chosen by the Pension Office. (Records of the Department of Veterans Affairs, RG 15)



Doctors recorded their findings and opinions on the front and back of the Surgeon's Certificate. (Records of the Department of Veterans Affairs, RG 15)

The Civil War wrought monumental changes in many aspects of American life, in both the North and the South, that affect the nation's social, economic, and political character to this day.

The war not only strengthened the federal government, it also made it bigger. One example is the veterans' pension system, which grew from a small government program to one that for the first time affected hundreds of thousands of families.

Before the rebellion, the cumulative number of persons placed on the pension rolls had been relatively small—25,000 Revolutionary and post-Revolutionary veterans and widows. Twenty years after the war's end there were nearly 325,000 veterans, widows, and other dependents on the pension rolls, plus 20,000 War of 1812 veterans and widows.

Researchers recognize the immense value of [Civil War pension files](#) for genealogical and historical research, but few are aware of the issues that faced the pension office. The best sources of information are the annual reports of the commissioner of pensions, which were included by the secretary of the interior in his annual report to Congress.

In 1860, the pension office had a stable workload. At the end of the fiscal year, June 30, 1860, 11,284 pensioners on the rolls received an aggregate of just over \$1 million a year. Since the workload had not changed much since the previous year, Commissioner George C. Whiting concluded on November 16, 1860, "I am still of the opinion heretofore expressed that the clerical force of the office may soon be somewhat reduced." By 1865, 2,688,523 men served under Union orders, and the pension office grew accordingly. The pension office workforce of 72 in 1859 would mushroom to 1,500 in 1885. Annual pension payment costs of \$1 million annually in 1860 ballooned to \$36 million in 1885.

The outbreak of armed hostilities on April 12, 1861, resulted in suspension of payments to pensioners living in insurrectionary states,

although some remained on the rolls by transferring their names to pension payment agencies in loyal states. Under an act of July 17, 1862, all persons prosecuting claims with the government had to swear an oath of allegiance; this law was still in effect in 1874 when Commissioner J. H. Baker suggested its repeal. The pension office suspended payments to those about whom "credible and responsible information going to prove their active participation or avowed sympathy with the southern insurrection" had been received.



Pension clerks at work in the Pension Building, ca. 1900. Each trifolged bundle is one pension claim. (15-M-49)

Civil War Pension Laws

Called "the most liberal pension law ever enacted by this government" to that time, the pension act of July 14, 1862 (12 Stat. 566) increased pension rates and provided potential eligibility for pensions to every person in military or naval service since March 4, 1861, their widows and orphans, and for dependent orphan sisters. Indeed, some people feared the law would result in "an extravagant, if not insupportable, annual burden," even though it was "certainly no more liberal than simple justice demands toward the armed defenders of the country in this day of trial." By November 15, 1862, 10,804 applications "on account of the present war" had been received, but only 685 had been granted because the pension process relied upon the Adjutant General's Office and the Navy Department to confirm details of death or disability for each application.

Under pressure from veterans, Congress repeatedly modified pension laws to liberalize eligibility and increase payment rates. Between passage of an act of March 3, 1873 (17 Stat. 566), and June 30, 1874, the pension office reevaluated 30,000 claims of widows and children. An act of March 3, 1883, resulted in nearly 16,000 applications for increased payments by June 30, 1883. The system was complex; in 1873, there were 88 different rates for Army pensions and 58 for Navy pensions. In 1882, there were 117 different grades of pensions.

Minor variations in statutory language led to problems of interpretation. The act of July 14, 1862, provided an \$8 a month pension to private soldiers for "total disability" for the performance of manual labor, while the act of June 6, 1866, provided a pension of \$20 a month (increased to \$24 a month by the act of June 8, 1872) for a disability incapacitating for the performance of "any manual labor." In 1874 Commissioner J. H. Baker explained that the words "total disability" in the 1862 act "have been construed by this Office to mean a total disability for the performance of manual labor requiring severe and continuous exertion" while the words "any manual labor" in the 1866 and 1872 acts "have been construed to include also the lighter kinds of labor which require education and skill." Baker believed that this construction was "in accordance with the intention of their framers; but, as it is difficult to draw a line of distinction between the two kinds of labor, there is to some extent a conflict between the acts referred to, which renders their execution difficult, and the decision of the Office thereunder unsatisfactory to claimants."

Another conundrum was the prohibition against pension payments to "any person who in any manner aided or abetted the rebellion." Some former Confederates had subsequently joined the U.S. Army or Navy but now found themselves unable to obtain a pension for injuries received or disease contracted during their post-Civil War military service. Also, volunteer officers and privates received different pensions based on rank as well as on disability, even though both had "been drawn from and returned to the same walks of civil life." Commissioner W. W. Dudley in 1882 suggested that men who deserted after incurring a disability should not forfeit their right to a pension, which was not granted for meritorious service, but as "payment for loss of physical ability to earn a livelihood." Although fewer in number, claims related to veterans who were Native American, imprisoned, insane, or residing in a

National Military Home also posed special problems of various kinds.

Medical Examination

Some veterans returned home with temporary disabilities. Commissioner Joseph H. Barrett noted that "the number of soldiers discharged on a certificate of disability is by no means a measure of the number that are entitled to receive invalid pensions" since disability for military service did not necessarily mean the soldier was disabled from civilian employment. Army and Navy medical officers received no definite instructions on rating the degree of disability of soldiers and seamen to be discharged for injuries or disease. As a result, in a study of 300 veterans consecutively examined by William M. Chamberlain, M.D., 10 percent had no current disability, and the remaining 90 percent had disability ranging from one-fourth to total, averaging about two-thirds disabled.

While the 1862 act did not expressly define disabled, the pension office continued to follow the express language of the act of April 10, 1806 (2 Stat. 376) and the office's established precedents that disability was measured by the veteran's capacity "for procuring a subsistence by manual labor"—not by whether he could perform the particular kind of employment he had before military service.

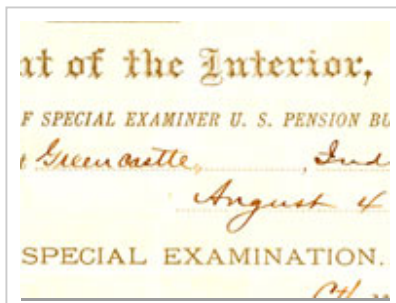
Loss of limb or its extremity was always rated as a total disability, but other types proved more complex and troublesome to rate. Was the disability permanent or temporary? Incurable or treatable? An organic or functional disease? "Superinduced" by military service or "partly constitutional"? An unavoidable result of climate, exposure, or battle, or from carelessness or self-neglect? (If from carelessness or self-neglect, disability was not pensionable.) These complex questions vexed the commissioner of pensions, who at least three times requested that Congress consider appointing a commission of surgeons to prepare a scale of disabilities or authorize the bureau to have its own supervising surgeon to wrestle with these details. He eventually got his wish.

To ensure that veterans receiving pensions remained entitled to them, the act of July 14, 1862, required invalids to submit to physical examination every two years with a physician chosen by the commissioner of pensions. An act of July 4, 1864 (13 Stat. 387), authorized special examinations of enrolled pensioners, "as justice might seem to require," resulting in annual or semiannual examinations of some pensioners "in cases of manifestly temporary and variable disability." Congress left the number and locations of these civilian physicians to the discretion of the commissioner, and 172 civilian doctors were appointed by November 15, 1862, in those places "where the convenience of applicants seemed to require such an officer." As the number of veterans needing examination grew, so did the number of physicians appointed, from 172 in 1862 to 1,578 in 1877. Totally disabled veterans were not required to go to biennial examinations.

Ensuring that competent and scrupulous physicians and surgeons did examinations was an important concern. In most counties, a single physician conducted the examination; in larger cities, boards of three or more physicians were established, with the requirement that at least two of them jointly conduct the examination. In 1882–1883, the pension office changed the system so that a board "of three first-class physicians and surgeons" jointly conducted all examinations. Although the cost of paying three doctors \$2 each was greater than paying a single examining doctor, the more accurate results saved the government money. Boards were geographically established so that no claimant was required "to travel over 40 miles to reach one by rail," an important concern since roads were unpaved.

These examinations could sometimes result in reductions in pension payments or complete removal from the pension rolls. In 1865, George S. Jones, M.D., and A. B. Bancroft, M.D., examined 407 pensioners on the Boston pension roll whose payments totaled \$29,596 annually. After their examinations, four pensioners were dropped, "a few" received increases, and determinations of

decreased disability in many others resulted in savings of \$6,520 annually (about 22 percent).



Beginning in 1881, Special Examiners investigating questionable claims gave the pension applicant a written notice, such as this one to John W. Moore. (Records of the Department of Veterans Affairs, RG 15)

By 1871, the commissioner established a Medical Division "of competent surgeons" within the pension office to "rigidly inspect all returned [examination] certificates and to correct and adjust all medical questions." Efforts to ensure that physicians knew what was required resulted in "increased care in conducting the examinations and in the construction of the certificates of examination" so that, in 1873, only 5 percent had to be returned for correction or greater detail, down from 40 percent two years earlier. But it remained a constant struggle to get medical examinations—arguably the most important part of the claims adjudication process—properly done and documented. Doctors were predisposed to favor claimants to maintain community favor, and the judgment calls were getting harder. By 1876, claims had mutated from being for "disability contracted in the service" to questions "of sequels to disabilities incurred in service." In 1883, a 22-person "Medical Department" dealt with these "intricate medical problems [that] are multiform and perplexing" and performed work "astonishing in quality and quantity."

Two alternative systems were proposed but not enacted. One idea was a system of physicians employed "at an ample salary to enable them to devote their entire attention to the duties" of examining claimants and writing examination certificates to the satisfaction of the pension office. A second idea was to require examinations only when necessary, which Commissioner J. A. Bentley proposed after experiencing the difficulties of the first biennial examination of his tenure (1877), since it was clear that the survivors of the war, whose average age was 41, would not, due to their "advanced years," experience less disability than they now had.

Legal Formalities

As early as 1862, some people were under "erroneous impressions" that there were "serious obstacles, and the interposition of needless and burdensome formalities, in the prosecution of a just claim for a pension." On the contrary, the commissioner believed that

any claimant of ordinary intelligence and education can on applying directly to this office for forms and instructions suited to the particular case, establish his claim, and secure its prompt administration, without any other aid than that which will readily be given him by the magistrate before whom his declaration is to be executed. Nothing is required of the claimant which is not necessary and, in most instances, conveniently obtainable.

In 1863, he noted that decisions on claims with complete evidence would not be delayed more than two months before a final decision. Some cases languished due to "the inattention of applicants or their attorneys to essential requirements distinctly made known to them" or because the pension office was waiting for other government departments to provide necessary record evidence of service, death, or disability. In 1871 Commissioner Barrett noted the "general policy" was "liberal construction" of the "manifest letter and spirit" of the pension laws without any "unreasonable or unwarrantable" requirements yet "exact[ing] a rigid compliance with such rules and regulations as are deemed essential to guard against the admission of fraudulent or improper claims."

Then, as now, claimants wanted swift action on their claims. Despite the "reasonable degree of promptitude" with which the pension office dealt with claims, "one of the principal sources of complaint" was the "failure to answer promptly letters of inquiry." It was a perception problem because

"the greater number of claimants for pension are persons who have but little idea of the extent of the operations of the Government, and consequently, the time necessarily consumed in attending to their demands appears to them unreasonable delay.

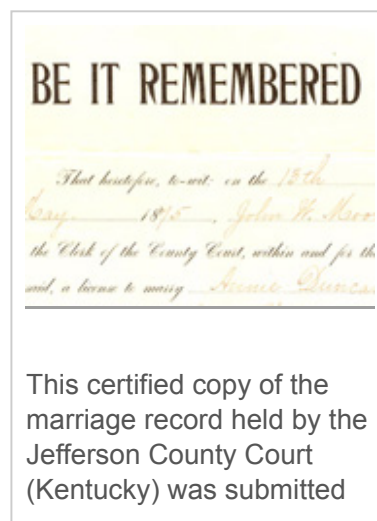
During the fiscal year ended June 30, 1875, the bureau received 24,494 pension claims, 51,000 reports from the War Department about soldiers' service and hospital treatment, 15,600 communications from other government departments, and 81,000 pieces of additional evidence from other sources. The pension office used nearly \$23 million in postage (almost \$74 a day) responding to inquiries. (Postage was 3 cents per 1/2 ounce to U.S. addresses.) Even with all this activity, some claims lingered unresolved for years due to difficulties in obtaining evidence. Of the 1,651 pension applications filed before July 1862, fewer than half—721—were approved before July 1865; another 126 were approved during 1866–1875; and another 204 were approved during 1876–1885. (The remaining 600 had been disapproved, abandoned, or remained pending.)



James Heaton Baker served as Commissioner of Pensions from 1871 to 1875 during the Grant Administration. (15-PC-6)

Over time, proving disability from military service became more difficult due to "death and removal of witnesses by whom the facts . . . could have been proved, [and] the difficulty of obtaining evidence in support of claims." Commissioner Baker noted that "a large proportion of cases presented in recent years remain unestablished" because, "although disability arising from obscure disease may have had its origin in the service, yet there being no medical or other record of its existence . . . as they were not under medical treatment for the same for a considerable period after the date of discharge." Moreover, "the difficulty of rendering a just decision" was complicated by "habits of applicants since the date of discharge [that] are productive of disease."

The pension office could allow a widow's pension based on evidence of cohabitation but, ironically, could not legally terminate a widow's pension because of cohabitation. Because marriage records had been created haphazardly in many places, or not at all, pension office custom was "to accept evidence of cohabitation and general recognition as husband and wife, as sufficient proof of marriage to entitle to pension in cases where it is clearly shown that more satisfactory proof cannot be furnished." The pension files are replete with affidavits of persons who may not have witnessed the marriage ceremony but who could testify that John Doe and Mary Doe held themselves out as being husband and wife and were so accepted in the community.



On the flip side, since remarriage meant the loss of a widow's pension, some "widows, in increasing numbers, cohabit without marriage . . . for fear of losing their pensions thereby," while others "openly live in prostitution for the same object." Thus the government was placed in "in the strange attitude of offering a premium upon immorality, of which it should be relieved." In the 1870s this "condition of lewdness destructive of good morals" was still rampant, but the pension office remained legally powerless to end a pension by declaring the cohabitation a remarriage.

Special Investigations

When government gives away money, some people hope to benefit by fraudulent means. Pension office policy was "to detect, in advance, any

by the widow Anna Moore to prove her marriage to veteran John W. Moore. (Records of the Department of Veterans Affairs, RG 15)

intended frauds, so far as possible," and to promptly prosecute those who committed fraud despite its vigilance. Commissioner Christopher C. Cox acknowledged in 1868 that "impositions are daily practiced upon this bureau" despite its best efforts at detection. Clerks investigated cases of reported fraud, a "much sought for" assignment, for it was "customary to intrust this work to those who while on leave of absence desire to defray

the expenses of the journey by some official occupation *in via*." Thus clerks conducted compensated government business in the middle of personal travel.

The work of the "special service," as it was often called, saved money. In 1873, for instance, focus on "cases of suspected fraud, where pension has already been allowed," resulted in "direct saving to the Treasury . . . many times greater than the sum expended in maintaining it" in addition to indirect savings through deterrence of other potential offenders. In 1874, 411 pensioners were dropped whose claims had "had been established through intentional violations of law" at an annual savings of \$41,525. Other special agents were assigned to investigate pending claims; in 1874, those agents recommended rejecting 133 claims that probably would have been allowed, saving \$61,660. In 1878, Commissioner Bentley bemoaned his lack of authority "to go out and hunt for fraud" since he was statutorily limited to investigate "only as suspicion attaches . . . in the usual routine of the office."

On July 15, 1881, the Pension Office changed the manner of conducting special examinations. Before that date, special examiners obtained evidence without claimants being notified or present to hear testimony by others. Under the new quasi-judicial system, examiners worked their cases "from the ground up" as claimants were notified of a hearing scheduled at their own home and given opportunity to testify and to present witnesses on their behalf. Testimony was recorded in the form of a narrative affidavit made under oath. The new system was "conducive to the establishment of a good feeling between claimants and the Pension Office." During the 1883 fiscal year, 240 special examiners completed 6,290 investigations.

Two cases investigated by special examiners show the breadth of their work. On, May 3, 1880, 75-year-old Mercy Ives of Denmark Township, Ashtabula County, Ohio, finally applied for a mother's pension. Her claim that she had been dependent upon son Harrison P. Ives rang hollow due to the 15 years that had passed between his wartime death and her application. Special Examiner Joseph M. McCoy took testimony from Mercy and others in July 1889 and concluded that Mercy's husband, Giles, who was still living, "has been in comfortable circumstances all his life and the idea of the claimant [Mercy] being dependent on the soldier [Harrison] is not entertained seriously in their neighborhood." Even after the death of another son, Lewis, in 1873, "they were not cramped even then." The pension application was denied.

John W. Moore, a pensioner based on a hernia caused by military service, later requested an increase due to foot problems. To determine the merit of this additional claim, three separate special examiners went to Indiana (Moore's home), Kentucky (his original home), and Nebraska (where one comrade-in-arms lived) to take testimony regarding whether Moore had developed corns and bunions on his feet during military service near Vicksburg, Mississippi. The Nebraska special examiner, H. J. Brown, concluded there was no merit to the claim and that it should be denied "without further expense to the Government."

In 1871, Commissioner Baker suggested that he be authorized to publish a list of pensioners so that each "would have to confront his neighbors and the public as to his right to a pension" since invariably "suggestions leading to the detection of fraudulent pensions" reached Washington from neighbors in "the vicinity of the pensioner's residence." This list was finally published in five volumes as the *List of Pensioners on the Roll, January 1, 1883* (Washington: Government Printing Office, 1883).

Payment

"A simpler system is urgently demanded," noted Commissioner Barrett in 1862. Under the existing system a pensioner obtained his semiannual payment from the designated pension agent; there were 58 by 1871. If the pensioner could not travel to the agent, he could designate an attorney-in-fact to collect the pension for him. This designee could be a relative but more often was an enterprising person who charged a fee for the service. In 1865 the commissioner again found himself lamenting the exorbitant charge of \$2 to \$5 charged by intermediaries for their services, "who, availing themselves of the ignorance of the pensioner" create the impression that "their services are indispensable to their clients" despite the reality that free blanks, "furnished, without expense, to all pensioners who desire them," could be "readily made out by any intelligent person who can read and write, requiring only the expense of fees for administering the oaths required." The pension office solved part of the problem in 1865 by requiring those who lived near payment agencies to present themselves in person, but the overall system required improvement.

Commissioner Barrett's November 1864 report concluded that "there is apparently general satisfaction with the present organization for the disbursement of pensions." Despite the "urgency" originally declared in 1862, the system remained in place for decades. The number of agencies was reduced from 58 to 18 in 1877.

Pension Office Employees and Buildings

By 1866, pension office employees were already busy enough to be considered overworked and underpaid. Pension office clerks held positions "eagerly sought, and secured only upon the highest testimonials" from members of Congress and others. But once they left home, family, and friends and began living in Washington, D.C., they discovered that "they are accumulating nothing, but are actually worse off than those associates left at home to pursue private vocations." In 1871, Commissioner Baker noted that the workload had been "largely increased by new legislation, repeated modification of old acts, necessary changes in the ruling resulting therefrom, and . . . many of the claims now pending are old and difficult, requiring more time and care to establish or reject." Over the years, pension commissioners repeatedly asked Congress for modest increases in staff and increased pay rates, especially for key "clerks" (division heads) to place them on par with those performing similar duties at other agencies. Hiring decisions gave preference to veterans and to their widows and children.



Constructed during 1882-1887 with over 15 million red bricks, the Pension Building was at one time the largest brick building in the world. (Photo from author's collection)

At the end of the fiscal year, June 30, 1881, there were 784 pension office employees annually earning \$931,350. Congress chose to appropriate only \$794,630 for salaries for the fiscal year beginning July 1, 1881, which "made necessary a very large reduction of the force, already too small to keep up with the increasing annual influx of cases." The reductions in force, including the loss of "many efficient men," plus reductions in salary, "were soon and disastrously felt in the work of the office."

On July 2, 1881, President Garfield was assassinated. His long fluctuation between life and death, his funeral, and the inevitable distractions of a new presidential administration cost "the whole force" two months of work. Finally, about November 1, the reduced staff returned to its previously efficient pace of work. The reduction was temporary; the staff grew to 1,500 employees by June 30, 1885.



Gen. William T. Sherman (center front) poses with other veterans, ca. 1884. (Library of Congress)

In 1868, working conditions were rather pitiful. The rooms in which clerks worked were too crowded to efficiently conduct government business and unsanitary enough to be blamed, in part, for "a number of deaths from typhoid fever [that] have occurred in the department within a few months." In 1875, Commissioner H. M. Atkinson noted he had the same objections to the continued use of Seaton House and other nearby buildings as his predecessors. Pending claims files were stored on the ground floor in the hope that they could be extracted in case of fire. But files of approved claims had to remain elsewhere in the building. "In the event of destruction of the building by fire, but a small portion, if any, of them could probably be removed," judged Commissioner Atkinson. He soberly concluded that the "destruction of the valuable records of the Bureau would be equally disastrous to the Government" as it would be to claimants. Congress was again "urged to provide for a building better adapted for the purposes of a public office."

By September 15, 1876, thanks to Congress, the pension office was able to lease "a better building for an office." However, accommodations at the "Old Kirkwood House" at 12th Street, NW, and Pennsylvania Avenue, and the "Eagle Building" at 13th Street, NW, and Pennsylvania Avenue, were still crowded and not fireproof. Site work for a new pension building finally began on November 2, 1882, covering the entire block bounded by Fourth and Fifth Streets, NW, and F and G Streets, NW. By December 1885, the entire workforce and all its voluminous records were housed under one roof for the first time in years. By September 3, 1887, \$886 million had been spent on this magnificent building, which today serves as the home of the [National Building Museum](#).

Military forces begin to stand down at the cessation of armed hostilities, but a war's effects do not end until the last veteran enters the bivouac of the dead. Instead, war's end signals the ramping up of civilian services for veterans. After the Civil War, the pension office expanded to handle the unprecedented 4,000-percent growth in its caseload from 1861 to 1885. It devised better policies and procedures by which to fairly evaluate the complex and evolving medical claims of Union veterans as well as the marriage claims of widows and the relationship and dependency claims of other family members. The requirement to submit adequate evidence and records to prove claims was not insisted upon to glorify the bureaucratic process, but to attempt to ensure that taxpayers' dollars were not fraudulently or wastefully expended.

Number of U.S. Military Pensioners, 1861–1885

Year	Army Invalids	Navy Invalids	Widows Etc.*	Total
1861	4,723	427	2,766	7,916
1862	3,878	421	1,968	6,267
1863	7,248	544	5,397	13,189
1864	22,767	712	26,226	49,705
1865	35,041	839	48,989	84,869
1866	54,620	1,032	70,138	125,790
1867	70,802	1,054	82,621	154,477

1868	74,682	1,175	92,797	168,654
1869	81,579	1,280	105,104	187,963
1870	86,187	1,334	111,165	198,686
1871	91,290	1,377	114,101	206,768
1872	95,405	1,449	115,248	212,102
1873	99,804	1,430	113,858	215,092
1874	102,457	1,551	109,301	213,309
1875	105,478	1,636	106,669	213,783
1876	108,390	1,643	102,911	212,944
1877	114,199	1,722	98,772	214,693
1878	119,461	1,781	88,624	209,866
1879	125,150	1,844	82,946	209,940
1880	132,924	2,060	80,616	215,600
1881	153,025	2,187	78,691	233,903
1882	173,138	2,361	78,403	253,902
1883	198,643	2,468	76,280	277,391
1884	218,956	2,616	77,774	299,346
1885	241,456	2,745	80,767	324,968

* Includes dependent minor children under age 16, fathers, mothers, and sisters.

Claire Prechtel-Kluskens is a projects archivist in the Research Support Branch of the National Archives and Records Administration in Washington, D.C. She specializes in records of high genealogical value and writes and lectures frequently.

Note on Sources

This article uses the generic term "pension office" to describe the government agency that handled veterans' claims. The official agency name changed many times, and has been called the Department of Veterans Affairs since March 15, 1989.

Quotations in this article are mainly taken from the annual reports of the commissioners of pensions. The year mentioned in text matches the year of the annual report. These reports were published in the [U.S. Congressional Serial Set](#). Statistical data in annual reports pertain to the fiscal year ending June 30. However, since they were frequently written several months into the new fiscal year (October or November), the commissioner's commentary frequently includes information about the new fiscal year.

Statistics on the size of the pension office workforce are from the [Official Register of the United States, Containing a List of Officers and Employees in the Civil, Military, and Naval Service](#) for the appropriate year.

The numbers of pensioners given in the first paragraph understate the total number who had received

pensions to 1885, since some pensioners had been dropped from the rolls for various reasons. There were also many "dead" files, which claimants had abandoned. More claimants were yet to come; in 1882, there were still 1 million living Union Civil War veterans for whom no pension file had yet been created.

Complete rosters of the civilian doctors who conducted medical examinations for the pension office are provided in the 1863 to 1870 and 1872 to 1875 reports. The 1870 report included facsimiles of the forms and instructions given to them.

The two cases of denied claims cited are documented in Report by Special Examiner Joseph M. McCoy, July 21, 1889, in Harrison P. Ives (mother, Mercy Ives), private, Co. E, 39th Ohio Infantry; Civil War Pension File MO 264599; and Report by Special Examiner H. J. Brown, Nov. 5, 1886, in John W. Moore (widow Anna Moore), Private, Co. I, 19th Kentucky Infantry; Civil War Pension File WC 708353, both in [Records of the Department of Veterans Affairs, Record Group 15](#), National Archives Building, Washington, DC.

For another examination of the pension office during this period, see John William Oliver, *History of the Civil War Military Pensions, 1861–1885* (Bulletin of the University of Wisconsin No. 844) (Madison, WI: 1917).

Articles published in *Prologue* do not necessarily represent the views of NARA or of any other agency of the United States Government.

[Purchase This Issue](#) | [Subscribe to Prologue](#)

[Contact Us](#) [Accessibility](#) [Privacy Policy](#) [Freedom of Information Act](#) [No FEAR Act](#) [USA.gov](#)

The U.S. National Archives and Records Administration

1-86-NARA-NARA or 1-866-272-6272

Winter 2008, Vol. 40, No. 4

Follow the Money

Tracking Revolutionary War Army Pension Payments

By Claire Prechtel-Kluskens



Image of a Revolutionary War soldier from a March 1820 pension payment voucher. (Records of the Accounting Officers of the Department of the Treasury, RG 217)

Pension files of Revolutionary War veterans and their widows are well known as excellent genealogical and historical research sources. Few researchers, however, venture beyond the pension file to follow the "money trail" of records documenting the actual pension payments.

"The Check's (not) in the Mail"

Twenty-first-century recipients of veterans' benefits can have payments deposited electronically into a bank account or receive checks by postal mail. That was not the case for Revolutionary War veterans and widows. Collecting pension money was an arduous process. It meant traveling long distances to appear in person before the U.S. Government agent who paid pensions. If the pensioner did not wish to personally travel—due to physical infirmity, inconvenience, or any reason—the pensioner could appoint an attorney-in-fact (an agent) to appear to collect on his or her behalf. That agent might have been a family member or a stranger who may have collected a fee.

The Research Process

Researching the records relating to pension payments is time consuming and involves understanding and using arcane, obscure, and unindexed records. It is not surprising, therefore, that no guide to this research has ever been published. This article attempts to fill this gap by going step-by-step through the research process using a veteran of the 15th Massachusetts Regiment, William McCullar, and his widow, Chloe, as a case study. For Revolutionary Army veterans, the research process primarily involves two record groups, Record Group (RG) 15, Records of the Veterans Administration, and RG 217, Records of the Accounting Officers of the Treasury.¹

RG 15, Records of the Veterans Administration

The earliest pension and bounty-land awards for Revolutionary War service were granted by the Continental Congress and then by the Confederation Congress. After the ratification of the Constitution, the U.S. Congress enacted pension legislation. The War Department held the military service records necessary to determine an alleged veteran's eligibility for a pension or bounty land. The name of the War Department component that handled these matters changed over time, from Military Bounty Lands and Pension Branch (ca. 1810–1815), to Pension Bureau (1815–1833), to Office of Commissioner of Pensions (1833–1849). Pension matters were then transferred to the Department of the Interior's Bureau of Pensions (1849–1930). This article will refer to these units simply as the "pension office."

Pension File

The first essential step is to obtain a complete copy of the subject's file from National Archives Microfilm Publication M804, *Revolutionary War Pension and Bounty-Land Warrant Application Files*

(2,670 rolls).² Genealogists typically focus on the declarations for pension, affidavits, and correspondence in pension files for their personal and family informational value. To track pension payments, the emphasis needs to be on minute details. The researcher should make a chronological listing of every identifiable action taken on the file. This list should include dates of all correspondence, including the names of the persons who sent and received it. Identify the acts of Congress under which pension applications were made, the pension agencies that made the payments, pension file and certificate numbers, dates that pension certificates were issued, and even cryptic numbers whose meaning is not immediately obvious.

William McCullar made his original declaration for a pension based on the Act of March 18, 1818 (3 Stat. 410), on April 1, 1818, and subsequently made a new declaration on June 28, 1820. His pension was first paid by the Vermont pension agency at Burlington. He moved to Salem, Washington County, New York, in autumn 1819, then belatedly applied in 1826 to have his pension transferred to the New York (City) pension agency. A pension agency was established at Albany in 1831, and its records mention William even though he died early that year. Chloe's widow's pension, which she received based on legislation enacted on July 7, 1838 (5 Stat. 303), March 3, 1843 (5 Stat. 647), and June 17, 1844 (5 Stat. 680), was paid by the Cincinnati (Ohio) pension agency since she resided at Alexandria, Licking County, Ohio.

Identifying the acts of Congress under which a pension was granted and the date the pension certificate was issued will help the researcher locate pension payment vouchers in Record Group 217 series. Pensions were typically paid semiannually in arrears.

Index to Pension Agency Payment Books, 1805–1909

The Index to Pension Agency Payment Books, 1805–1909 (RG 15, NM-21, Series 1), consists of oversize index cards arranged by pension agency, then by act of Congress or type of service (such as Revolutionary). Each card names the pension agency, type of pension, and date span covered by each volume in the next series, the payment books.

Pension Agency Payment Books, 1805–1909

The Pension Agency Payment Books, 1805–1909 (RG 15, NM-21, Series 2), are 2,404 large leather-bound volumes. The Boston agency's records date as early as 1805, and a few others begin in the 1850s, which is early enough to include a few Revolutionary War widows. For each payment, these volumes include the pensioner's name, rank, monthly pension allowance, semiannual pension payment amount, and when and to whom it was paid. Remarks may include the pensioner's death date. Unfortunately, these volumes do not provide an additional source of pension payment data for William and Chloe since there are no volumes for Vermont, New York, or Ohio agencies predating their deaths.

Control Registers and Lists

Most of the RG 15 control registers and lists relate to veterans of later wars, but there is one that is pertinent to Revolutionary War veterans and widows. Lists of Veterans and Widows and Other Dependents of Veterans Pensioned Under Various Laws Enacted from 1818 to 1853 (RG 15, NM-21, Series 37), consist of 14 oversize bound volumes arranged by pension agency, then by act of Congress. McCullar is listed in volume 2, which contains the Vermont and Georgia agencies. Page 24 contains this information: certificate no. 12660; rank, private; paid \$8 per month; admitted to pension rolls, July 20, 1819; pension commenced April 1, 1818; transferred to New York agency, July 12, 1826; last paid to March 4, 1826; and "Struck off Aug. 2, 1821." The "struck off" notation corresponds to the period of the general pension scandal that resulted in legislation requiring most pensioners to reapply

and prove financial need.³ The date of McCuller's restoration to the pension roll is not given. Pension certificate numbers for widows who were paid under pension acts of 1836, 1838, and 1844 are also noted.

McCuller is also listed in volume 12 (New York agency), 1818–1832, page 61, with this information: certificate no. 12660; rank, private; paid \$8 per month; admitted July 20, 1819; pension commenced April 1, 1818; date of death, February 3, 1832 [sic]; transferred from Vermont agency, July 12, 1826; last paid by the Vermont agency to March 4, 1826; act under which widow or children admitted, 1838 No. 1935. This last reference is to Chloe's pension certificate number granted pursuant to the Act of July 7, 1838 (5 Stat. 303) which gave a five-year pension to widows, commencing retroactively to March 4, 1836. This reference to his death in "1832" introduces a mystery to solve: Why do these War Department records—as well as Treasury records discussed later—indicate McCuller's year of death as 1832 when all other credible sources—a newspaper death notice, probate records, and his widow's affidavit in the pension file indicate he died in 1831? This presents an interesting discrepancy that we will attempt to trace to its origin.⁴

Widow Chloe McCuller is listed in volume 8, which contains Ohio and Massachusetts, under Cincinnati agency on page 114, a page that relates to pensions granted under the act of July 7, 1838, unless otherwise indicated. The following information is given: certificate no. 1935; husband William McCuller, private; \$80 per annum; date of pension certificate, February 28, 1839. On page 129, Chloe is listed again on a page relating to pensions granted under the acts of March 3, 1843 and June 17, 1844. The following information is given: certificate no. 5518; husband William McCullen [sic], private; \$80 per annum; date of pension certificate, May 21, 1844; date of commencement of pension, March 4, 1843. Learning these details will help the researcher track down the pertinent pension payment vouchers in Record Group 217, discussed below.

Pension Correspondence

There are many 19th-century correspondence series. The first pertinent series is Letters Sent, 1800–1866 (RG 15, NM-22, Series 1), which consists of 496 bound volumes. Although most correspondence sent by the War Department about a particular pensioner will be found in his pension file, additional correspondence may be found in this series. The letters are arranged chronologically. Some of the volumes contain an index indicating the name of the person to whom the letter was sent, which may be someone other than the pensioner discussed in the letter. Thus, if the researcher has made a note of the persons who wrote to the pension office on the pensioner's behalf, using these indexes will make research easier but does not guarantee that all pertinent letters will be found without a page-by-page search. On June 17, 1826, the pension office wrote to William McCuller to advise him that "Before your name can be transferd [sic] from the roll of revolutionary Pensioners of the Vermont agency to that of New York, you must make an affidavit agreeably to the enclosed blank form. The proof of your Identity is satisfactory."⁵ This letter is not in McCuller's pension file, but McCuller refers to it in his own pension file letter of July 3, 1826. The indexes for several volumes were consulted for the names of family members and several Vermonters who wrote to the pension office on behalf of others, but the pension office letters to those persons do not mention McCuller.⁶

RG 217, Records of the Accounting Officers of the Treasury

The records created and collected by the Treasury's accounting officers are rich in data and worth exploring even though identifying and searching through them requires much time and patience. The most accessible published guide to these records is William F. Sherman, comp., *Records of the Accounting Officers of the Department of the Treasury, Inventory 14* (Revised) (Lovettsville, VA: Willow Bend Books, 1997).⁷ The officer involved in accounting for the payment of army pension claims was

the Third Auditor of the Treasury, originally established as the "Office of the Additional Accountant for the War Department" by the act of April 29, 1816 (3 Stat. 322). The structure of the office varied over the years.

Pension Payment Ledgers

The logical starting point in Treasury records is National Archives Microfilm Publication T718, *Ledgers of Payments, 1818–1872, to U.S. Pensioners Under Acts of 1818 Through 1858, from Records of the Office of the Third Auditor of the Treasury* (23 rolls). This publication reproduces oversize ledger books that provide basic information about the amount, duration, and changes in a pensioner's payment. The information is arranged by act of Congress, then by pension agency, then in rough alphabetical order by the first letter of the pensioner's surname. For each pensioner, the following information is given: name, rank, monthly allowance, semiannual allowance, date of commencement of payments, a mark (or number) in a column for each month and year in which paid, and miscellaneous remarks such as date of death or transfer to another pension agency.

Revolutionary soldier pensioners from both the Vermont and New York agencies are listed in volume A on roll 1. Under the Vermont agency listing on page 37, William McCuller's pension is shown as \$8 per month, \$48 semiannually, commencing April 1, 1818. There is a "1" marked for each March and September semiannual payment from March 1820 to March 1826. There is a "3" marked for the September 1818, March 1819, and September 1819 payments. The meaning of the "3" is not immediately obvious. There is also a notation that his pension was transferred "to New York from 4 March 1826."

Turning to the New York agency, on page 152, McCuller's pension is again shown as \$8 per month, \$48 semiannually, and transferred "from Vt. from 4 March 1826." There is a "1" marked for each March and September payment from September 1826 through September 1830, a "4" marked for March 1826, and a "3" marked for each of March 1831 and September 1831. Again, the meaning of the "3" and "4" is not immediately obvious. There is also the notation that McCuller "Died 3 Feby 1832 [sic] pd 2d qtr 1831."

Chloe is listed in volume Q on roll 18 with other widow pensioners under the Acts of July 7, 1838, March 3, 1843, and June 17, 1844. On page 294 she is shown as Chloe McCuller, widow of William, \$40 half yearly allowance, commencing March 4, 1836. There is a "1," "2," "3," or "4" marked for each semiannual payment from September 1836 through March 1840, September 1840, and September 1843 to September 1845; these numbers correspond to the quarter for which the payment was made. The notations "39," "40," "44," and "45"—for 1839, 1840, 1844, and 1845—that appear above certain semiannual installments indicate if the year of the payment was different from the one stated in the column heading. The September 1840 column has no mark, which indicates no payment was made for this semiannual payment even though she was entitled to it. Her date of death is not noted, which suggests it was not reported to the pension agent. It is likely she died between September 4, 1845, when she executed her "mark" on her pension payment voucher paperwork, and March 4, 1846, the date when she could collect her next semiannual payment. Chloe (and most other Revolutionary War widows) received no semiannual payments from September 1841 to March 1843 since there was no law authorizing them pensions.

A second, less complete set of Registers of Pension Payments, ca. 1811–1868 (RG 217, Inventory 14, Series 206), also exists. These 14 oversize volumes contain entries of payments made under the pension acts of 1816, 1818, 1832, 1838, 1843, 1844, 1848, and 1862, showing location of pension agency, soldier's name and rank or pensioner's name and relationship to soldier, pension rate, and dates of payment. Dates of death, final payments, and transfers of pensioners from the rolls of one

agency to another are also sometimes shown. Some volumes contain information about payments made under more than one pension act; coverage for some pension acts is incomplete, such as the lists of pensioners paid under the 1818 act. Chloe McCuller was named on page 306 of volume 5 in a list of Ohio pensioners paid under the acts of 1843, 1844, and February 2, 1848, that indicated she had received payments in the quarters ending September 1843, March and September 1844, and March and September 1845. William McCullar could not be located in this set.

Index to Selected Final Payment Vouchers, 1818–1864

Researchers should next consult the Index to Selected Final Payment Vouchers, 1818–64 (RG 217 Inventory 14, Series 722A). This card index was created by Archives staff decades ago. The cards are arranged alphabetically by state, then by name of pensioner. For each pensioner, the following information is given: name, pension payment agency, date of pension act, date of payment, and date of death. Most cards have a rubber-stamped star on them, which indicates that a final payment voucher is included in the Selected Final Payment Vouchers. William McCuller's card indicates Albany, NY; 1818; 2 qr 1832, February 3, 1832 [*sic*]; and has no star.

McCULLER	
NAME	McCuller, William
AGENCY OF PAYMENT	Albany, NY
DATE OF ACT	1818
DATE OF PAYMENT	2d qr 1832
DATE OF DEATH	Feb. 3, 1832
FINAL PAYMENT VOUCHER	

The index to selected final pension payment vouchers provides the basic information about the pensioner's last payment. (Records of the Accounting Officers of the Department of the Treasury, RG 217)

Selected Final Payment Vouchers, 1818–1864

If an index card *with* a star is found, the researcher should next request the veteran's final payment voucher file from the Selected Final Pension Payment Vouchers, 1818–64 (RG 217, Inventory 14, Series 722). The records in this series were culled by Archives staff in the early 1960s from the voluminous Settled Accounts of Pension Agents, apparently to make servicing reference requests for these records easier.⁸ The records typically consist of the paperwork relating to the last pension payment made to the pensioner, or to the surviving widow, or to the pensioner's heirs. The widow or heirs could collect the amount owed to the pensioner upon death by submitting an affidavit identifying the pensioner, date of death, and relationship to the pensioner. Likewise a power of attorney would be signed and submitted if a third party personally visited the pension agent to collect the funds.

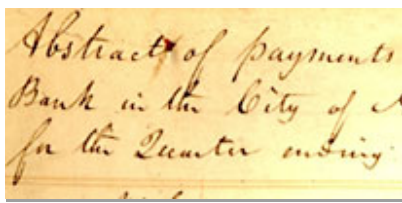
For many veterans without a widow, or for widow pensioners, the final payment voucher file includes an authoritative list of their surviving children. For example, the file for Dinah Chamberlain, widow of Wyatt Chamberlain, identifies six children—Calvin C. Chamberlain, Zadock B. Chamberlain, Wyatt Chamberlain, Israel Chamberlain, Lucy Whalen, and Charlotte Phelps—and includes their places of residence.⁹ Sometimes the widow or heirs did not collect the arrears if the amount was too small to warrant the trouble or expense involved, particularly if the pensioner's heirs lived far away from each other.

Vouchers for Delaware and Georgia have been microfilmed as M2079, *Final Revolutionary War Pension Payment Vouchers: Delaware* (1 roll), and M1746, *Final Revolutionary War Pension Payment Vouchers: Georgia* (6 rolls). Vouchers from several states have been abstracted by Alycon Trubey Pierce¹⁰ and Kathryn McPherson Gunning.¹¹

Final pension payment vouchers are in specific Revolutionary War pension files in M804, *Revolutionary War Pension and Bounty-Land Warrant Application Files* (2,670 rolls) that have the statement "This Envelope Includes FINAL PAYMENT VOUCHER Received from GAO" printed on the file jacket (envelope).

Quarterly Abstracts of Pensions Paid by Pension Agencies, July 1818–September 1907

The researcher will next consult the Quarterly Abstracts of Pensions Paid by Pension Agencies, July 1818–September 1907 (RG 217, Inventory 14, Series 723), if the appropriate pension agency is in this series. Quarterly abstracts for selected pension agencies were removed from the Settled Accounts of Pension Agents, described below, and then bound into volumes.¹² Pension agencies included are Albany, New York, 1831–1832, 1835–1864; Boston, Massachusetts, 1905; Concord, New Hampshire, 1865 and 1885; Hartford, Connecticut, 1824–1850; Indianapolis, Indiana, 1892 and 1907; Knoxville, Tennessee, 1865–1884; Middletown, Connecticut, 1818–1823; Nashville, Tennessee, 1877–1882; New Orleans, Louisiana, 1879–1882; New York, New York, 1819–1830, 1832–1835, and 1862–1864; Norfolk, Virginia, 1877–1882; Raleigh, North Carolina, 1877–1882; and Wheeling, West Virginia, 1877–1882. The abstracts are arranged by agency, then quarter year, then by type of pension, then roughly alphabetically by the pensioner's surname. The voucher number and amount of payment are indicated. Locating the voucher numbers in these abstracts makes finding the related voucher in the Settled Accounts less time consuming.



Quarterly abstracts of pensions paid by pension agencies provide the pension payment voucher (PPV) number needed to locate the PPV in the related series of Settled Accounts of Pension Agents. (Records of the Accounting Officers of the Department of the Treasury, RG 217)

McCullar's pension was automatically transferred to the Albany agency upon its creation in 1831. His name is listed in the third quarter 1831 abstract (September 1831) with this information: William McCuller, \$8 per month, [to be] paid from September 4, 1830, to September 4, 1831, \$96 for 12 months, voucher 825. The "\$96" is written in red ink.¹³ McCullar is not listed in the fourth quarter 1831 (December 1831) or first quarter (March 1832) quarterly abstracts, but he is again listed in the second quarter 1832 (June 1832) abstract as follows: William McCuller (decd.), \$8 month, [to be] paid from September 4, 1831 to February 3, 1832, \$40 for 5 months, voucher 351. The "\$40" is written in red ink.¹⁴ There are a few other "red ink" dollar amounts throughout the abstracts; the most reasonable conclusion is that these amounts were not claimed and not paid, even though it is odd for a voucher number to be assigned to a claim that was not paid. The related vouchers, 825 and 351, could not be found in the Settled Accounts discussed below. Someone apparently reported McCullar's death to the pension agent, but the year was

incorrectly recorded.

Settled Accounts of Pension Agents, Jan. 1813–June 1899

The Settled Accounts of Pension Agents, January 1813–June 1899 (RG 217, Inventory 14, Series 721), comprise 5,000 feet of records. These are more commonly known as "pension payment vouchers" (PPV) and are arranged by pension agency, then by quarter-year, then by type of pension (such as invalid, Revolutionary, widow, or by act of Congress), then in voucher number order, which, happily, also means they are in rough alphabetical order by the first letter of the surname. If voucher numbers were obtained from the bound Quarterly Abstracts, then it is a relatively simple matter to identify the desired voucher. For pension agencies not included in the Quarterly Abstracts, the unbound abstract, if extant, is usually the first trifolded record for that quarter. If no abstract is available, then the researcher will need to examine the outside of each trifolded PPV until the correct pensioner is located. Repeat the process until each quarter's payment is found. The researcher must understand, however, that not all payments were made in the first (March) and third (September) quarters of the year. If the pensioner was "slow" in submitting paperwork, the payment might have been made in the second or fourth quarter of that year, or even in the next year. Sometimes two or more semiannual payments were paid at one time with just one related voucher.

These records are delicate and require careful handling. They are trifolded with the pensioner's name, amount of pension, quarter or dates for which paid, and voucher number written at the top on the outside. If the pensioner appeared in person, the PPV consists of the pensioner's oath of identity and receipt of payment. If the pensioner sent an agent to collect his money, the PPV consists of the pensioner's oath of identity, appointment of attorney-in-fact (his agent), and acknowledgment of receipt of payment by the attorney-in-fact. The witness(es) to the appointment of agent may be a public official or a relative.

The Vermont agency was in Burlington, about 78 miles from McCullar's home in Ira, Vermont, and 96 miles from his subsequent home at Salem, Washington County, New York. He traveled three times to Burlington and five times appointed a non-relative agent to collect on his behalf. Because the New York City agency was more than 200 miles from McCullar's home in Salem, he never traveled to there but relied upon relatives or friends of his son-in-law, Isaac Bining. ¹⁵ In the [accompanying table](#), "Date Paid" is the date that McCullar or the attorney-in-fact collected money from the pension agent. The date of witnessing the oath of identity and the power of attorney was several days or weeks before the "Date Paid," and it is omitted from this table due to lack of space.

Analysis of the pension payment vouchers shows that McCullar relied upon his own business contacts during the time he received his pension from the Vermont agency. After it was transferred to the New York agency, he had to rely upon his son-in-law's relatives and business contacts to collect his pension. Two Binings and another son-in-law, James Hayford, witnessed the execution of powers of attorney. Chloe McCullar's execution by mark of her oath of identity and powers of attorney were frequently witnessed by relatives in addition to a justice of the peace. These relatives included her daughter Nancy Blake; son-in-law William Ward Blake; and granddaughter Mary Jane Blake. After another granddaughter, Roxana, married James W. Ward of Cincinnati, he was appointed Chloe's agent to collect her pension. In executing her second quarter 1839 PPV paperwork on April 18, 1839, Chloe noted that she had resided in Alexandria, Licking County, Ohio, for two years, and that she had previously lived in Columbus, Franklin County, Ohio. This useful tidbit helps trace her movements in an era when few women left records.



In a pension payment voucher dated September 6, 1819, pensioner William McCullar authorized James E. Cheney to collect pension monies owed him retroactively to April 1818. (Records of the Accounting Officers of the Department of the Treasury, RG 217)

Pension Reports, January 1818–December 1869

The Pension Reports, January 1818–December 1869 (RG 217, Inventory 14, Series 591), were sent to the Third Auditor by the Pension Office showing names of persons added or dropped from the pension rolls. Also included are some pensioners' dates of death or changes in rates. Copies of similar reports from pension agents were sometimes included. Portions of this series are arranged by state, while other portions are arranged chronologically, then by pension office. The series is not comprehensive; not all agencies or all years are included. McCuller is mentioned in one 1819 Vermont report and in an 1832 New York report. ¹⁶

Pension Correspondence

Just as the War Department has many correspondence series, so did Treasury officials. Correspondence relating to Revolutionary pensioners is found in Miscellaneous Letters Sent by the Pension Division, November 1838–April 1887 (RG 217, Inventory 14, Series 571), which consists of

60 volumes of chronologically arranged copies of letters to pensioners, their heirs or legal representatives, and to pension agents. Each volume has an index that lists both the name of the pensioner and the name of the letter writer. Many of the letters relate to payments made under the act of April 6, 1838, discussed below. Additional correspondence is found in a series called Claim Files Relating to Service in the Revolutionary War, November 1775–June 1851 (RG 217, Inventory 14, Series 636), which relate to military service during the American Revolution and the early years of the republic. The files are arranged alphabetically by the soldier's surname and consist of correspondence, affidavits, and other documents submitted either by the veteran or his heirs. Letters Received Relating to Pensions, June 4, 1819–November 5, 1842 (RG 217, Inventory 14, Series 202), is a single volume that has letters of an administrative nature from the War Department's Pension Office. Specific pensioners are rarely mentioned.

Records Created as a Result of Special Acts of Congress

Act of May 15, 1828

The act of Congress of May 15, 1828 (4 Stat. 269), "An Act for the relief of certain surviving officers and soldiers of the army of the revolution," set in motion the creation of several record series relating to these claims. This act pertained to American officers who had been entitled to half pay under the resolve of October 21, 1780, and noncommissioned officers, musicians, and privates who served until termination of the war who had become entitled to the \$80 reward under a resolve of Congress passed May 15, 1788. The 1828 act granted full pay by rank, not to exceed the pay of a captain, to eligible veterans beginning March 3, 1826, and continuing to the end of the veteran's life. In Record Group 15, there are several correspondence series.¹⁷ In Record Group 217, pertinent records include registers and abstracts of these claims, auditor's reports, and payment vouchers.¹⁸

Act of July 5, 1832

The act of Congress of July 5, 1832 (4 Stat. 529), provided for the payment of claims based on Revolutionary War service made against Virginia by officers of the Virginia line and the Virginia navy. Pension files have been published in National Archives Microfilm Publication M910, *Virginia Half Pay and Other Related Revolutionary War Pension Application Files* (18 rolls). In addition, Record Group 15 includes a register of claims received and several correspondence series.¹⁹

Act of April 6, 1838

The Settled Accounts for Payment of Accrued Pensions (Final Payments), August 1838–September 1865 (RG 217, Inventory 14, Series 724), relate to pensions claimed under the act of Congress of April 6, 1838 (5 Stat. 225), that allowed heirs of pensioners to claim—directly from the Treasury Department—the amount of pension accrued to a pensioner between the date of last payment and the date of death. These records frequently show the pensioner's date and place of death and names of heirs and include supporting documents, such as proof of identity of claimant, pension certificates, power of attorney, and related correspondence. The records are arranged by year of payment [updated Jan 25 2010], then by account number. An alphabetical name index was published as Craig R. Scott, *The "Lost" Pensions: Settled Accounts of the Act of 6 April 1838* (Lovettsville, VA: Willow Bend Books, 1996).

Other Wars and Records

Researchers may follow a similar process in researching pension payments to veterans and widows of other wars or the Regular Army and Navy since there are many other record series relating to 19th-century pension payment claims that postdate claims of Revolutionary War veterans and widows.

Researchers would follow the process outlined in this article, starting with the basic RG 15 and RG 217 series described above, and then use National Archives finding aids to identify other pertinent record series. In addition, there are pension-related records in other record groups.

The Records of the Bureau of Accounts (RG 39) contain additional payment records, including the ledger of accounts of the pension agent, depository at Louisville, Kentucky, 1860–1864; register of pension moneys deposited with the assistant treasurer at New York, New York, 1891–1902; journal of Navy pension fund accounts, 1798–1830; register of investments for the Navy pension fund, 1807–1829; and record book of Army pensioners and of activities of the Santa Fe Gazette Joint Stock Company, 1858–1869.

The Records of the Office of the Secretary of the Interior (RG 48) contain many records relating to pensions, including letters sent, 1849–1883 and 1896–1908, with indexes, 1849–1869 and 1896–1907; registers of letters sent concerning Navy pensions and hospitals, 1832–1833; letters received, 1849–1883 and 1896–1907, with registers, 1855–1886, 1896–1907, and indexes, 1881–1883 and 1896–1907; miscellaneous letters received, 1849–1880; miscellaneous letters received, reports, and other records concerning bounty-land claims, 1842–1879; pension appeal docket books, 1867–1920, with indexes, 1881–1911; registers of pension appeals, 1849–1883; digest of decisions of the secretary of the interior in pension appeal cases, 1852–1875; and reports of the commissioner of pensions concerning appeals, 1849–1881.

The Records of the United States Senate (RG 46) and the Records of the United States House of Representatives (RG 233) include petitions, correspondence, legislation, and other records relating to veterans' and widows' claims. Many veterans and widows who were unable to secure an increase in pension from the Pension Office sought the assistance of their senator or representative to obtain an increase in pension through legislative action in the form of a private bill.[20](#)

The Records of the Bureau of Land Management (RG 49), which include its predecessor, the General Land Office, contain records relating to the exchange of the bounty land warrant (BLW) issued by the Pension Office for title to property in the federal domain. Many veterans who received BLWs sold them to speculators instead of taking the land, but researchers who follow the paper trail will discover "the rest of the story"—to whom the veteran sold the warrant and the location of the land that person received as a result.[21](#)

Publications of the U.S. Government (RG 287) includes lists of pensioners that were occasionally published by the U.S. Government. Some of these have been commercially republished.[22](#) McCuller was included in the 1835 list along with the incorrectly reported February 3, 1832, death date.[23](#)

Claire Prectel-Kluskens is a projects archivist in the Research Support Branch of the National Archives and Records Administration in Washington, D.C. She specializes in records of high genealogical value and writes and lectures frequently.

Table of Pension Payments Made to Revolutionary War Pensioner William McCullar and Widow Chloe McCullar

Notes

1. Researching Navy veterans involves a similar process and would also include using naval record groups.

The two unpublished National Archives finding aids that are useful for these records are *Preliminary*

Inventory of the Financial Records and Pension Control Registers of the Bureau of Pensions and the Veterans Administration, 1805–1933 (NM-21), and Preliminary Inventory of Bureau of Pensions Correspondence and Pension and Bounty-Land Case Files Relating to Military Service Performed Between 1775 and 1861 (NM-22), both compiled by Evelyn Wade in 1964.

McCullar clearly signed and spelled his name as "McCullar" but most records written by other people, including those described in this article, spelled it "McCuller."

2. Researchers should avoid using its sister publication, M805, *Selected Revolutionary War Pension and Bounty-Land Warrant Application Files* (898 rolls), since it has—as its name hints—only selected records from each file. Researchers relying on the "short" file in M805 may miss clues contained in the full file in M804. For more information, see Claire Prechtel-Kluskens, "Revolutionary War Pension Files—An Introduction," *NGS NewsMagazine* 32 (April–June 2006): 34–37.

3. For more information, see John P. Resch, *Suffering Soldiers: Revolutionary War Veterans, Moral Sentiment, and Political Culture in the Early Republic* (Amherst: University of Massachusetts Press, 1999).

4. "Deaths," *Vermont Chronicle*, February 18, 1831.

His estate was settled in Rutland County, VT, by July 1831. See Margaret R. Jenks, et al., *Rutland County, Vermont, Probate Extracts, Rutland District, Part 3, Volumes 13–1, 1827–1828*, pp. 268, 270 (2007), citing vol. 14, pp. 159–160, 218, FHL Film No. 28786.

Declaration for Pension by Chloe McCuller, Jan. 22, 1839; William McCullar/McCuller (widow Chloe) Pension File W5363; *Revolutionary War Pension and Bounty-Land Warrant Application Files*; National Archives Microfilm Publication M804; roll 1674.

5. Letter from Pension Office, War Department, to William McCuller, Salem, NY, June 17, 1826, [Pension Office] Letters Sent, Vol. 18 (Mar. 27, 1826–Oct. 31, 1826), p. 263; NM-22, Series 1; RG 15.

6. Specifically, Vols. 8–11 (Nov. 15, 1819–Feb. 15, 1822), 18 (Mar. 27, 1826–Oct. 31, 1826), and 26–27 (aka Vols. 5–6) (Aug. 13, 1830–June 7, 1832).

7. An earlier version (which omitted several hundred "undescribed" series and lacked an index) was published by the National Archives as William F. Sherman, comp., *Inventory of the Records of the Accounting Officers of the Department of the Treasury*, Inventory 14 (microfiche, 1987).

8. The basic archival principle of retaining original order frowns upon rearranging records or culling records from series to create another, since doing so damages the completeness of the records as they were originally created. Therefore it is difficult to understand the rationale that resulted in this artificial series. The "early 1960s" date for the creation of this series is based upon the charge-out card for Henry Louck, Act of 1818, 4th Quarter, New York Agency, RG 721, which indicates it was removed to the "GAO small collection" on 7-29-63.

9. Pension Payment Voucher File for Dinah Chamberlain (widow of Wyatt Chamberlain), New York; Series 722, Final Pension Payment Vouchers; RG 217.

10. Alycon Trubey Pierce, *Selected Final Pension Payment Vouchers, 1818–1864, Alabama: Decatur, Huntsville, Mobile, Tuscaloosa* (Lovettville, VA: Willow Bend Books, 1997); *Selected Final Pension Payment Vouchers, 1818–1864, District of Columbia* (Leesburg, VA: Willow Bend Books, 1998); *Selected Final Pension Payment Vouchers, 1818–1864, Louisiana: New Orleans* (Athens, GA: Iberian Publishing, 1996); *Selected Final Pension Payment Vouchers, 1818–1864, Maryland: Baltimore*

(Lovettsville, VA: Willow Bend Books, 1997); *Selected Final Pension Payment Vouchers, 1818–1864, Mississippi: Natchez and Jackson* (Athens, GA: Iberian Publishing Co., 1997); *Selected Final Pension Payment Vouchers, 1818–1864, New Jersey: Trenton*, 2 vols. (Westminster, MD: Willow Bend Books, 2000); and *Selected Final Pension Payment Vouchers, 1818–1864, South Carolina: Charleston* (Athens, GA: Iberian Publishing Co., 1996). She also wrote about these records in "Adding 'Final Pension Payment Voucher' Records to the Researcher's Toolbox," *NGS NewsMagazine* 34 (April–June 2008): 42–47.

11. Kathryn McPherson Gunning, *Selected Final Pension Payment Vouchers, 1818–1864, Pennsylvania: Philadelphia & Pittsburgh* (Westminster, MD: Willow Bend Books, 2003) and *Selected Final Pension Payment Vouchers, 1818–1864, Rhode Island* (Westminster, MD: Willow Bend Books, 1999).

12. It appears that some agencies' abstracts were culled and bound by Treasury officials. Some agencies' abstracts were bound by the National Archives; it is unclear whether Archives staff culled them from the Settled Accounts.

13. Entry for William McCuller, p. 20, of "Abstract of payments to Revolutionary Pensioners, by the President of the Mechanics & Farmer's Bank in the City of Albany, agent for paying pensions, in Albany, State of New York, for the Quarter ending 30th Sept. 1831," Albany Vol. 1831–32, Series 723, RG 217.

14. Entry for William McCuller, p. 8, of "Abstract of payments to Revolutionary pensioners, by Benjamin Knowler, President &c and acting agent for Paying pensions in the City of Albany, State of New York, for the Quarter ending June 30, 1832," *ibid.*

15. Chrisfield Johnson, *History of Washington County, New York*, p. 132B (Philadelphia, PA: Everts & Ensign, 1878).

16. "Vermont. Heman Allen, Esq^{re}, agent for paying US Pensioners at Burlington. Names of Pensioners under the Law of the 18 of March 1818, which have been added to the roll of this agency, between the 4th of March and the 4th of September 1819," box 7, Series 591, Pension Reports, Jan. 1818–Dec. 1869, RG 217.

"New York. Statement of the Alterations which have taken place on the Rolls of this Agency (including the late Albany agency) since the 4th of March 1832," New York folder, box 9, Series 591, Pension Reports, Jan. 1818–Dec. 1869, RG 217. His "3 Feby 1832" death date is noted on page 6 (unpaginated).

17. RG 15, NM-22, Series 2, Letters Sent, June 1828–January 1836 (22 vols.); Series 3, Letters Received, May 1828–Jan. 1836 (18 vols.); Series 4, Letters Received from State Officials, June 1828–March 1834 (1 vol.); Series 5, Letters Received by the Secretary of the Treasury from the War Department Pension Office, July 14, 1828–Sept. 19, 1834 (1 vol.); and Series 6, Letters Received and Miscellaneous Papers Relating to the Prosecution of Pension Frauds in U.S. District Courts in Virginia and Ohio. (2 vols.).

18. RG 217, Inventory 14, Series 505, Indexes to Letters and Settled Claims for Revolutionary War Service, ca. 1828–May 28, 1835 (2 vols.); Series 506, Register of Audits for Revolutionary War Claims, May 31, 1828–Apr. 22, 1835 (1 vol.); Series 507, Audit Reports on Revolutionary War Claims, May 31, 1828–Apr. 28, 1835 (19 vols.); Series 508, Auditor's Reports on Revolutionary War Claims, Aug. 5, 1828–Feb. 17, 1835 (2 boxes); Series 509, Abstracts of Settled Revolutionary War Claims, Jan. 1831–Sept. 1833 (1 box); Series 510, Register of Vouchers for Revolutionary War Claims, Mar. 3,

1831–Mar. 3, 1834 (1 vol.); Series 511, Vouchers for Payments for Revolutionary War Claims, September 1829–March 1834 (9 boxes); Series 512, Settled Accounts for Revolutionary War Claims, July 1828–March 1831 (12 boxes); Series 513, Claims Filed by Revolutionary War Veterans, Sept. 16, 1828–Aug. 3, 1835 (53 vols.); Registers of Pay Certificates Issued in Settlement of Revolutionary War Claims, Aug. 3, 1829–Aug. 7, 1835 (2 vols.).

19. RG 15, NM-22, Series 7, Register of Claims Received, July 1832–November 1856 (1 vol.); Series 8, Name Index to Series 9 and 11 for July 1832–May 1835 (1 vol.); Series 9, Letters Sent, July 1832–December 1835 and January 1851–January 1861 (5 vols.); Series 10, Register of Letters Received, July 1832–May 1835 (1 vol.); Series 11, Letters Received, July 1832–December 1835 (3 vols.); Series 12, Letters Received from the Auditor of Virginia Enclosing Copies of Revolutionary War Records, July 26, 1832–Mar. 14, 1835 (1 vol.); and Series 13, Correspondence, Memoranda, and Lists of Virginia State Officers, 1832–51 (1 vol.).

20. For additional information, see Charles E. Schamel, et al., *Guide to the Records of the United States House of Representatives at the National Archives, 1789–1989: Bicentennial Edition* (H. Doc. No. 100-245), and Robert W. Coren, et al., *Guide to the Records of the United States Senate at the National Archives, 1789–1989: Bicentennial Edition* (S. Doc. No. 100-42) both available at www.archives.gov.

21. For an example, see Claire Prechtel-Klusens, "The Robert Archibald-Elizabeth McCormick Marriage and Other Details about the Archibald-McCormick-Johnson Families of Virginia, Ohio, and Indiana in a Bounty-Land Warrant Application," *NGS Quarterly* 92 (September 2004): 221–227.

22. *The Pension List of 1820: U.S. War Department* (Baltimore, MD: Genealogical Publishing Co., 1991; *The Pension Roll of 1835* (Baltimore, MD: Genealogical Publishing Co., 1968; reprinted with a new index, 1992); *A Census of Pensioners for Revolutionary or Military Services; with their Names, Ages, and Places of Residence, Returned by the Marshals of the Several Judicial Districts, Under the Act for Taking the Sixth Census* (Washington: Blair & Reeves, 1841); *List of Pensioners on the Roll, January 1, 1883* (Washington, DC: Government Printing Office, 1883).

23. *The Pension Roll of 1835*, II: 348 (Baltimore, MD: Genealogical Publishing Co., 1992).

Articles published in *Prologue* do not necessarily represent the views of NARA or of any other agency of the United States Government.

[Purchase This Issue](#) | [Subscribe to Prologue](#)

PDF files require the [free Adobe Reader](#).

More information on Adobe Acrobat PDF files is available on our [Accessibility page](#). [FEAR Act](#) [USA.gov](#)

The U.S. National Archives and Records Administration

1-86-NARA-NARA or 1-866-272-6272

Untapped Resources

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

By Charles E. Schamel

© 1995 Charles E. Schamel

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."¹

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.² 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.³ 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.⁴

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.⁵ 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.⁶ 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.⁷

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.⁸ 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.⁹ 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.¹⁰

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.¹¹ 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.¹²

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.¹³

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.

Private Claims Committees in the House of Representatives	
Committee Name	Dates of Existence
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
Private Claims Committees in the Senate	
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.¹⁴

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.¹⁵ 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.¹⁶ 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.¹⁷ 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.¹⁸ Today the House of Representatives reserves the first and third Tuesdays of each month for the Private Calendar.¹⁹ 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.²⁵

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.²⁶

In 1871 Congress established the [Southern Claims Commission](#) to settle the claims of Southerners who remained loyal to the Union during the Civil War.²⁷ 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. ²⁸

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.²⁹

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 bill³⁰— 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.³¹ 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.³²

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.³³

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.³⁴

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."³⁵ 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 54.³⁶

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](#)

Charles E. Schamel is an archivist at the Center for Legislative Archives of the National Archives, where he has worked with the records of Congress since 1979. He is the principle author of the *Guide to the Records of the United States House of Representatives at the National Archives, 1789-1989*, and more recently Reference Information Paper 90, *Records Relating to American Prisoners of War and Missing in Action from the Vietnam War Era, 1960-1994*.

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.

Articles published in *Prologue* do not necessarily represent the views of NARA or of any other agency of the United States Government.

[Contact Us](#) [Accessibility](#) [Privacy Policy](#) [Freedom of Information Act](#) [No FEAR Act](#) [USA.gov](#)

The U.S. National Archives and Records Administration

1-86-NARA-NARA or 1-866-272-6272