Certificate was issued on March 7, 1907, to allow pension under the act of February 6, 1907, at the rate of $12 per month from February 12, 1907, the date of the filing of an application therefor by the pensioner. On the issue of March 7, 1907, under the act of June 27, 1890, a fee of $2 was certified in favor of appellant. The fund created by reason of said allowance was at the rate of $2 per month from February 2, 1907, to and including February 11, 1907, or the difference between $10 and $12 per month for that period.

It will thus be observed that the fund which accrued by reason of the said issue was not sufficient to pay the fee of $2 certified in favor of appellant, and, under the decisions of the Department, the fund that was created by reason of the issue of the same date to allow pension under the act of February 6, 1907, cannot be invaded for the purpose of making up the deficiency between the fund that accrued by reason of the issue under the act of June 27, 1890, and the amount of fee certified in favor of appellant, as no fee can be paid upon the allowance of any particular claim for pension in excess of the fund that accrues by reason of the allowance of such claim.

It is, therefore, believed that appellant's contention for the payment of the balance of fee from the fund that accrued by reason of the issue of March 7, 1907, under the act of February 6, 1907, should be denied, and it is respectfully so recommended.