

3-015.

Act of May 1, 1920.

### NO DECLARATION FOR WIDOW'S PENSION.

Number 248261

Claimant

Soldier Benjamin Welch

Service "D" 19" U.S.C. Inf.

#### INSTRUCTIONS.

This form is to be used ONLY by or in behalf of a widow who desires to claim pension under the Act of May 1, 1920, above named, on account of the service of an officer or enlisted man who served in the Army, Navy, or Marine Corps during the Civil War.

Declaration and testimony in support of same to be executed before some officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer under his official seal, unless a certificate has been filed in the Bureau of Pensions for general reference.



### Act of April 19, 1908.

Sec. 2. That if any officer or enlisted man who served ninety days or more in the Army or Navy of the United States during the late civil war, and who has been honorably discharged therefrom, has died, or shall hereafter die, leaving a widow, such widow shall, upon due proof of her husband's death, without proving his death to be the result of his army or navy service, be placed on the pension roll from the date of the filing of her application therefor under this Act at the rate of twelve dollars per month during her widowhood, provided that said widow shall have married said soldier or sailor prior to June twenty-seventh, eighteen hundred and ninety; and the benefits of this section shall include those widows whose husbands, if living, would have a pensionable status under the Joint Resolution of February fifteenth, eighteen hundred and ninety-five; July first, nineteen hundred and two, and June twenty-eighth, nineteen hundred and six.

Sec. 3. That no claim agent or attorney shall be recognized in the adjudication of claims under the first section of this Act, and that no agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of the second section of this Act shall, directly or indirectly, contract for, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claim a sum greater than ten dollars, which sum shall be payable only upon the order of the Commissioner of Pensions by the pension agent making payment of the pension allowed; and any person who shall violate any of the provisions of this section, or who shall wrongfully withhold from the pensioner or claimant the whole or any part of a pension or claim allowed or due such pensioner or claimant under this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every such offense, be fined not exceeding five hundred dollars or be imprisoned at hard labor not exceeding two years, or both, in the discretion of the court.

Section 3 of the act of Congress, approved by the President September 8, 1916, reads as follows:

Sec. 3. That any widow, as described in section two of the Act approved April nineteenth, nineteen hundred and eight, who married the soldier or sailor prior to June twenty-seventh, nineteen hundred and five, shall have title to pension under the provisions of said section of said Act, to commence from the date of filing her application in the Bureau of Pensions after the passage of this Act: *Provided, however,* That where a pension has been granted to a soldier's or sailor's helpless or idiotic child or children, or child or children under the age of sixteen years, his widow shall not be entitled to pension under this section, unless the pension to such child or children has terminated, or unless such child or children be a member or members of her family and cared for by her, and upon allowance of pension to the widow, payment of pension to such child or children shall cease.

Section 4 of the Act of May 1, 1920, provides: That the widow of any person who served in the Army, Navy, or Marine Corps of the United States during the Civil War for ninety days or more, and was honorably discharged from such service, or regardless of the length of service, was discharged for or died in service of a disability incurred in the service and in the line of duty, such widow having been married to such soldier, sailor, or marine prior to the 27th day of June, 1905, shall be entitled to and shall be paid a pension at the rate of \$30 per month; and any widow as mentioned in this section, shall also be paid \$6 per month for each child of such officer or enlisted man under the age of sixteen years;

*And provided further,* That the rate of pension for the widow of any person who served in the Army, Navy, or Marine Corps of the United States in the War of 1812, or for sixty days or more in the War with Mexico, on the coasts or frontier thereof, or en route thereto, during the war with that nation, and was honorably discharged therefrom, shall be \$30 per month.

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