

REVOLUTIONARY CLAIMS.

AN ACT for the relief of certain surviving officers and soldiers of the army of the Revolution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the surviving officers of the army of the Revolution, in the Continental Line, who was entitled to half pay by the Resolve of October twenty-first, seventeen hundred and eighty, be authorized to receive, out of any money in the Treasury, not otherwise appropriated, the amount of his full pay in said line, according to his rank in the line, to begin with the third day of March, one thousand eight hundred and twenty-nine, and to continue during his natural life: Provided, That, under this act, no officer shall be entitled to receive a larger sum than the full pay of a captain in said line.

SEC. 2. And be it further enacted, That, whenever any of said officers has received money of the United States, as a pensioner, since the third day of March, one thousand eight hundred and twenty-six, aforesaid, the sum so received shall be deducted from what said officer would otherwise be entitled to, under the first section of this act; and every pension to which said officer is now entitled shall cease after the passage of this act.

SEC. 3. And be it further enacted, That every surviving non-commissioned officer, musician, or private, in said army, who enlisted therein for and during the war, and continued in its service until its termination, and thereby became entitled to receive a reward of eighty dollars, under a resolve of Congress, passed May fifteenth, seventeen hundred and seventy-eight, shall be entitled to receive, out of his full monthly pay in said service, out of any money in the treasury not otherwise appropriated; to begin on the third day of March, one thousand eight hundred and twenty-six, and to continue during his natural life: Provided, That no non-commissioned officer, musician or private in said army, who is now on the pension list of the United States, shall be entitled to the benefits of this act.

SEC. 4. And be it further enacted, That the pay allowed by this act shall, under the direction of the Secretary of the Treasury, be paid to the officer or soldier entitled thereto, or to their authorized attorney, at such places and days as said Secretary may direct; and that no foreign officer shall be entitled to said pay nor shall any officer or soldier receive the same, until he furnishes to said Secretary satisfactory evidence that he is entitled to the same, in conformity to the provisions of this act; and the pay allowed by this act shall not, in any way, be transferable or liable to attachment, levy, or seizure, by any legal process whatever, but shall enure wholly to the personal benefit of the officer or soldier entitled to the same by this act.

SEC. 5. And be it further enacted, That so much of said pay as accrued by the provisions of his act, before the third day of March, eighteen hundred and twenty-eight, shall be paid to the officers and soldiers entitled to the same, as soon as may be, in the manner and under the provisions before mentioned; and the pay which shall accrue after said day, shall be paid semi-annually, in like manner, and under the same provisions.

A. STEVENSON,
Speaker of the House of Representatives.

S. SMITH,

President of the Senate pro tempore.

Approved—16th May, 1828.

JOHN QUINCY ADAMS.

TREASURY DEPARTMENT

May 23, 1828

The "Act for the relief of certain surviving Officers and Soldiers of the Revolution," approved on the 15th day of May, 1828 (of which the foregoing is a copy) will be carried into effect under the following regulations:

Each Officer claiming under the act, will transmit to the Secretary of the Treasury a declaration, according to the form hereto annexed, marked A, and each non-commissioned Officer, Musician, and Private according to the form marked B, accompanied by the oath of two respectable witnesses, as to his identity, which oath is to be taken before a Justice of the Peace, or other Magistrate, duly empowered to administer oaths in the State or Territory in which he resides, and authenticated under the seal of the Court of the County in which the oath was administered, as shown in the said forms.

Each Officer will also transmit his commission, if in existence and attainable, and each non-commissioned Officer, Musician, and Private, his discharge; which documents after being registered, will be returned. If the commission or discharge has been lost or destroyed, he will transmit such other evidence as he may possess or can obtain, corroborative of the statements set forth in his declaration.

If the evidence transmitted, taken in connection with that afforded by the public records at Washington, be found satisfactory, the amount of two years' full pay, at the rate to which the Officer or Soldier was entitled, according to his rank in the line, at the close of the war, or at the time of his reduction, (as the case may be) but in no instance exceeding the full pay of a Captain of the Continental Line, will be transmitted to him, at the place of his residence, after deducting therefrom the amount of any pension which he may have received from the United States since the 1st day of March, 1826. He may, however authorize,

any other person to receive it for him; in which case, he will execute a power of attorney, according to the annexed form, marked C, which must be acknowledged before a Justice of the Peace, or other Magistrate, and authenticated under the seal of the Court of the County, in the same manner as is already prescribed in regard to declarations. But no payment will be made to any such attorney, until he has made oath, according to the annexed form D, that the pay which he is authorized to receive is intended to enure wholly to the personal benefit of the Officer or Soldier whose attorney he is.

It is requested that all letters to the Secretary of the Treasury on the subjects, may be endorsed on the cover, "Revolutionary Claims."

RICHARD RUSH.

[A.]

Form of a Declaration to be made by the Officers.

For the purpose of obtaining the benefits of an act, entitled "An act for the relief of certain surviving officers and soldiers of the Army of the Revolution," approved on the 15th of May, 1828, I, —, in the county of —, in the State of —, do hereby declare that I was an officer in the Continental Line of the Army of the Revolution, and served as such, there to the end of the war, or (as the case may be) to the time when the arrangement of the Army provided by the resolves of Congress of the 3rd and 21st of October, 1780, was carried into effect, and was reduced under that arrangement, at which period I was — in the regiment of the — line.

And I also declare, that I afterwards received a certificate (commonly called a commutation certificate) for a sum equal to the amount of five years' full pay; which sum was offered by the resolve of Congress, of the 2d of March, 1781, instead of the usual pay for life, to which I was entitled under the resolve of the 21st of October, 1780.

And I do further declare, that I have received of the United States, as a pensioner, since the 3d day of March, 1816 [here insert, No money, or (as the case may be) that I have received, as a pensioner of the United States, since the 3d day of March, 1828, the sum of — dollars, paid to me by the agent for paying pensions in the State of —.]

(Signed)

I, —, Clerk of the Court of the County of —, in the State of —, do hereby certify, that —, before whom the foregoing affidavit was sworn, was, at the time, — [here insert either Justice of the Peace, or other Magistrate, duly empowered to administer oaths,] and duly empowered to administer oaths.

In testimony whereof, I have hereunto set my hand, and affixed the seal of the said Court, this — day of —, in the year —.

(Signed)

[B.]

Form of a declaration to be made by the non-commissioned Officers, Musicians, & Privates.

For the purpose of obtaining the benefit of "An act for the relief of certain surviving officers and soldiers of the Army of the Revolution," approved on the 15th of May, 1828, I, —, in the County of —, in the State of —, do hereby declare that I enlisted in the Continental Line of the Army of the Revolution, for and during the war, and continued in its service until its termination, at which period I was a (Sergeant, Corporal, Musician, or Private, as the case may be) in Captain —'s Company, in the — regiment of the — line. And I also declare that I afterwards received a certificate for the reward of eighty dollars, to which I was entitled, under a resolve of Congress, passed the 15th of May, 1778.

And I further declare that I was not on the fifteenth day of March, 1828, on the Pension List of the United States.

(Signed)

Before me, — [here insert either Justice of the Peace or other Magistrate, duly empowered to administer oaths,] in the county of —, in the State of —, personally appeared, this day, —, —, of the said county, who did severely make oath that —, whom the foregoing declaration was subscribed, is generally reputed and believed to have been an officer in the Army of the Revolution, in manner as herein stated.

Witness my hand, this — day of —, in the year —.

(Signed)

I, —, Clerk of the Court of the County of —, in the State of —, do certify, that —, before whom the foregoing affidavit was sworn, was, at the time, — [here insert either Justice of the Peace, or other Magistrate, and duly empowered to administer oaths.]

In testimony whereof, I have hereunto set my hand, and affixed the seal of the said Court, this — day of —, in the year —.

(Signed)

[C.]

Form of a Power of Attorney.

Know all men by these presents, that I, —, in the county of —, in the State of —, do hereby constitute and appoint — my true and lawful attorney, with a power of substitution, for me, and in my name, to receive from the United States the amount of pay now due to me, under the act for the relief of certain surviving officers and soldiers of the Revolution, approved 15th May, 1828, as a — in the regiment of the — line of the Army of the Revolution.

Witness my hand and seal, this — day of —, in the year —.

Sealed and delivered in the presence of —, —.

(Signed)

Before me, — Justice of the Peace in the county of —, in the State of —, personally appeared, this day, —, whose name is subscribed to the foregoing power of attorney, and acknowledged the same to be his act and deed.

Witness my hand, this — day of —, in the year —.

(Signed)

I, — Clerk of the Court of the county of —, in the State of —, do hereby certify, that —, before whom the foregoing power of attorney was acknowledged, is a Justice of the Peace.

In testimony whereof, I have hereunto set my hand, and affixed the seal of the said court, this — day of —, in the year —.

(Signed)

[D.]

Form of Affidavit to be taken by Attorneys.

Before me, —, a Justice of the Peace in the county of —, in the — personally appeared, this day, —, the attorney named in the foregoing power of attorney, and made oath that the same was not given to him by reason of any transfer, or of any attachment, levy, or seizure, by any legal process whatever, of the pay therein authorized to be received, but that the said pay is intended to enure wholly to the personal benefit of the person by whom the said power was executed.

Witness my hand, this — day of —, in the year —.

Before me, — [here insert either Justice of the Peace or other Magistrate, duly empowered to administer oaths,] in the county of —, in the State of —, personally appeared, this day, —, of the said county, who did severely make oath that —, whom the foregoing declaration was subscribed, is generally reputed and believed to have been an officer in the Army of the Revolution, in manner as herein stated.

Witness my hand, this — day of —, in the year —.

Before me, — [here insert either Justice of the Peace or other Magistrate, duly empowered to administer oaths,] in the county of —, in the State of —, personally appeared, this day, —, of the said county, who did severely make oath that —, whom the foregoing declaration was subscribed, is generally reputed and believed to have been an officer in the Army of the Revolution, in manner as herein stated.

Witness my hand, this — day of —, in the year —.

Before me, — [here insert either Justice of the Peace or other Magistrate, duly empowered to administer oaths,] in the county of —, in the State of —, personally appeared, this day, —, of the said county, who did severely make oath that —, whom the foregoing declaration was subscribed, is generally reputed and believed to have been an officer in the Army of the Revolution, in manner as herein stated.

Witness my hand, this — day of —, in the year —.

(Signed)

I, — Clerk of the Court of the county of —, in the State of —, do hereby certify, that —, before whom the foregoing affidavit was sworn, was, at the time, — [here insert either Justice of the Peace or other Magistrate, duly empowered to administer oaths,] and duly empowered to administer oaths.

In testimony whereof, I have hereunto set my hand, and affixed the seal of the said Court, this — day of —, in the year —.

(Signed)

I, — Clerk of the Court of the county of —, in the State of —, do hereby certify, that —, before whom the foregoing affidavit was sworn, was, at the time, — [here insert either Justice of the Peace or other Magistrate, duly empowered to administer oaths,] and duly empowered to administer oaths.

In testimony whereof, I have hereunto set my hand, and affixed the seal of the said Court, this — day of —, in the year —.

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