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INSTRUCTIONS AND FORMS

TO BE OBSERVED BY

PERSONS APPLYING TO THE PENSION OFFICE

FOR

BOUNTY LAND

UNDER THE ACT OF MARCH 3, 1855,

ENTITLED "AN ACT IN ADDITION TO CERTAIN ACTS GRANTING
BOUNTY LAND TO CERTAIN OFFICERS AND SOLDIERS WHO
HAVE BEEN ENGAGED IN THE MILITARY SERVICE
OF THE UNITED STATES."

WASHINGTON:

A. O. P. NICHOLSON, PUBLIC PRINTER.

1855.

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BOUNTY LAND

UNDER THE ACT OF MARCH 3, 1855.

1998693

PENSION OFFICE,

March 5, 1855.

The act entitled "An act in addition to certain acts granting bounty land to certain officers and soldiers who have been engaged in the military service of the United States," approved March 3, 1855, entitles each of the surviving persons in the following classes to a certificate or warrant for such quantity of land as shall make, in the whole, with what he may have heretofore received, one hundred and sixty acres, provided he shall have served a period not less than fourteen days, and shall establish said service by record evidence, to wit:

1. Commissioned and non-commissioned officers, musicians, and privates, whether of the regulars, volunteers, rangers, or militia, who were regularly mustered into the service of the United States in any of the wars in which this country has been engaged since 1790.

2. Commissioned and non-commissioned officers, seamen, ordinary seamen, marines, clerks, and landsmen in the navy in any of said wars.

3. Militia, volunteers, and State troops of any State or Territory called into military service, and regularly mustered therein, and whose services have been paid by the United States.

4. Wagonmasters and teamsters who have been employed, under the direction of competent authority, in time of war, in the transportation of military stores and supplies.

5. Officers and soldiers of the revolutionary war.

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6. Chaplains who served with the army in the several wars of this country.

7. Flotilla-men who served in the war of 1812.

Each of the surviving persons in the following classes are entitled to a like certificate for a like quantity of land, without regard to the length of service, provided he was regularly mustered into service, and shall establish the same by record evidence, to wit:

1. Officers and soldiers who have been actually engaged in any battle in any of the wars in which this country has been engaged.

2. Those volunteers who served at the invasion of Plattsburg, in September, 1814.

3. The volunteers who served at the battle of King's Mountain in the revolutionary war.

4. The volunteers who served at the battle of Nicko-jack against the confederated savages of the South.

5. The volunteers who served at the attack on Lewistown, in Delaware, by the British fleet, in the war of 1812.

In addition to these classes, this act also extends to all Indians who have served the United States in any of their wars the provisions of this and all the bounty-land laws heretofore passed, in the same manner, and to the same extent, as if said Indians had been white men.

Where the service has been rendered by a substitute, he is the person entitled to the benefit of this act, and not his employer.

In the event of the death of any person who, if living, would be entitled to a certificate or warrant as aforesaid, leaving a widow, or, if no widow, a minor child or children, such widow, or, if no widow, such minor child or children, is entitled to a certificate or warrant for the same quantity of land such deceased persons would be entitled to receive under the provisions of said act, if now living.

A subsequent marriage will not impair the right of any such widow to such warrant, if she be a widow at the time of her application. Persons within the age of twenty-one years on the 3d day of March, 1855, are deemed minors within the intent and meaning of said act.

To obtain the benefits of this act, the claimant must make a declaration, under oath, substantially according to the forms hereto annexed. The signature of the applicant must be attested, and his or her personal identity established by the affidavits of two witnesses, whose residences must be given, and whose credibility must be sustained by the certificate of the magistrate before whom the application is verified.

No certificate will be deemed sufficient in any case, unless the facts are certified to be within the personal knowledge of the magistrate or other officer who shall sign the certificate, or the names and places of residence of the witnesses by whom the facts are established be given, or their affidavits, properly authenticated, be appended to the certificate.

The official character and signature of the magistrate who may administer the oath must be certified by the clerk of the proper court of record of his county, under the seal of the court. Whenever the certificate of the officer who authenticates the signature of the magistrate is not written on the same sheet of paper which contains the signature to be authenticated, the certificate must be attached to said paper by a piece of tape or ribbon, the ends of which must pass under the official seal, so as to prevent any paper from being improperly attached to the certificate.

Applications in behalf of minors should be made in their names by their guardian or next friend. Where there are several minors entitled to the same gratuity,

one may make the declaration. The warrant will be issued to all jointly. In addition to proof of service, as in other cases, the minor must prove the death of his father, that no widow survives him, and that he and those he represents are the only minor children of the deceased.

If a party die before the issue of a warrant to which he would be entitled, if living, the right to said warrant dies with him. In such case, the warrant becomes void, and should be cancelled, and the party next entitled in right of the service claimed should make an application; and if there be no such party, the grant lapses under the limitation of the beneficiaries to the bounty. If the claimant die after the issue of the warrant, the title thereto vests in his heirs at law in the same manner as real estate in the place of the domicile of the deceased, and can only be assigned or located by said heirs.

Applications made by Indians must be authenticated according to the regulations to be prescribed by the Commissioner of Indian Affairs.

L. P. WALDO,
Commissioner of Pensions.

FORM OF A DECLARATION

To be made by a person who has never before had a land warrant, or made a declaration therefor.

STATE OF _____, }
 County of _____, } ss:

On this _____ day of _____, A. D. one thousand eight hundred and _____, personally appeared before me, a justice of the peace, (or other officer authorized to administer oaths for general purposes,) within and for the county and State aforesaid, _____, aged _____ years, a resident of _____, in the State of _____, who, being duly sworn according to law, declares that he is the identical _____, who was a _____ in the company* commanded by Captain _____, in the _____ regiment of _____, commanded by _____, in the war with Great Britain, declared by the United States on the 18th day of June, 1812, (or other war embraced in said act, describing what war,) that he enlisted (or volunteered, or was drafted) at _____, on or about the _____ day of _____, A. D. _____, for the term of _____, and continued in actual service in said war for the term of fourteen days, and was honorably discharged at _____, on the _____ day of _____, A. D. _____.†

He makes this declaration for the purpose of obtaining the bounty land to which he may be entitled under the act approved March 3, 1855. He also declares that he has not received a warrant for bounty land under this or any other act of Congress, nor made any other application therefor.

(Signature of the claimant.)

* If the claimant was a regimental or staff officer, the declaration must be varied according to the facts of the case.

† If the claimant was discharged in consequence of disability incurred by the service, or if he was in captivity with the enemy, he must vary his declaration so as to set forth the facts of the case.

We, _____ and _____, residents of _____, in the State of _____, upon our oaths, declare that the foregoing declaration was signed and acknowledged by _____ in our presence, and that we believe, from the appearance and statements of the applicant, that he is the identical person he represents himself to be.

(Signatures of witnesses.)

—

The foregoing declaration and affidavit were sworn to and subscribed before me on the day and year above written; and I certify that I know the affiants to be credible persons; that the claimant is the person he represents himself to be, and that I have no interest in this claim.

_____,
J. P.

FORM OF A DECLARATION

To be made where the party has had a warrant, and desires another.

STATE OF _____, }
County of _____, }

On this _____ day of _____, A. D. one thousand eight hundred and _____, personally appeared before me, a justice of the peace, (or other officer authorized to administer oaths for general purposes,) within and for the county and State aforesaid, _____, aged _____ years, a resident of _____, in the State of _____, who, being duly sworn according to law, declares that he is the identical _____, who was a _____ in the company commanded by Captain _____, in the _____ regiment of _____, commanded by _____, in

the war with Great Britain, declared by the United States on the 18th day of June, 1812, (or other war, as the case may be,) for the term of ———, and continued in actual service in said war for fourteen days; that he has heretofore made application for bounty land under the act of September 28, 1850, (or other act, as the case may be,) and received a land warrant, No. ———, for ——— acres, which he has since legally disposed of, and cannot now return.

He makes this declaration for the purpose of obtaining the additional bounty land to which he may be entitled under the act approved the 3d day of March, 1855. He also declares, that he has never applied for nor received, under this or any other act of Congress, any bounty-land warrant except the one above mentioned.

(Signature of the claimant.)

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We, ——— and ———, residents of ———, in the State of ———, upon our oaths, declare that the foregoing declaration was signed and acknowledged by ———, in our presence, and that we believe, from the appearance and statements of the applicant, that he is the identical person he represents himself to be.

(Signatures of witnesses.)

—

The foregoing declaration and affidavit were sworn to and subscribed before me on the day and year above written; and I certify that I know the affiants to be credible persons; that the claimant is the person he represents himself to be, and that I have no interest in this claim.

—————, ———,

J. P.

FORM OF DECLARATION

To be made by the widow of a deceased person who has not had a land warrant.

STATE OF _____, }
County of _____, } ss.

On this _____ day of _____, A. D. one thousand eight hundred and _____, personally appeared before me, a justice of the peace, (*or other officer authorized to administer oaths for general purposes,*) within and for the county and State aforesaid, _____, aged _____ years, a resident of _____, in the State of _____, who, being duly sworn according to law, declares that she is the widow of _____, deceased, who was a _____ in the company commanded by Captain _____, in the _____ regiment of _____, commanded by _____, in the war with Great Britain, declared by the United States on the 18th day of June, 1812, (*or other war, as the case may be;*) that her said husband enlisted (*or volunteered, or was drafted*) at _____, on or about the _____ day of _____, A. D. _____, for the term of _____, and continued in actual service in said war for the term of _____, and was honorably discharged at _____, on the _____ day of _____, A. D. _____.

She further states that she was married to the said _____ in _____ on the _____ day of _____, A. D. _____, by one _____, a _____, and that her name before her said marriage was _____; that her said husband died at _____ on the _____ day of _____, A. D. _____, and that she is now a widow.*

* This declaration must be accompanied by satisfactory proof of the marriage, of the husband's death, and the present widowhood of the claimant. If there be a public record of the marriage, a duly certified copy of it should be forwarded, if possible. If there be none but a private, or family record, such family record, or a certified copy of the same, should be forwarded, with the affidavit of some disinterested persons proving the genuine-

She further declares that she has heretofore made application for bounty land under the act approved September 28, 1850, (*or other act, as the case may be,*) and obtained a land warrant for — acres, No. —, which she has legally disposed of, and it cannot now be returned.

She makes this declaration for the purpose of obtaining the bounty land to which she may be entitled under the “act approved March 3, 1855.”

(Claimant's signature.)

—

We, — — and — —, residents of —, in the State of —, upon our oaths declare that the foregoing declaration was signed and acknowledged by — in our presence, and that we believe, from the appearance and statements of the applicant, that she is the identical person she represents herself to be.

(Signatures of witnesses.)

—

The foregoing declaration and affidavit were sworn to and subscribed before me on the day and year above written; and I certify that I know the affiants to be credible persons; that the claimant is the person she represents herself to be, and that I have no interest in this claim.

—————, J. P.

ness of the original and the correctness of the copy. If no public or private record of the marriage exist, or can be procured, that fact should be set forth in the declaration; and in such case, other evidence—such as the testimony of persons who knew the parties in the lifetime of the husband, and knew them to cohabit as husband and wife, and to be so reputed—will be admissible.

☞ In no case, however, will the mere statement of witnesses that the claimant is the widow of the deceased be taken as evidence of the marriage; but the witnesses must state *facts* and *circumstances* from which they derive their knowledge or opinion that she is the widow of the deceased.

FORM OF DECLARATION

To be made by the widow of a deceased person who has had a land warrant, and desires another.

STATE OF _____, }
County of _____, } ss.

On this _____ day of _____, A. D. one thousand eight hundred and _____, personally appeared before me, a justice of the peace, (*or other officer authorized to administer oaths for general purposes,*) within and for the county and State aforesaid, _____, aged _____ years, a resident of _____, in the State of _____, who, being duly sworn according to law, declares that she is the widow of _____, deceased, who was a _____ in the company commanded by Captain _____, in the _____ regiment of _____, commanded by _____, in the war with Great Britain, declared by the United States on the 18th day of June, 1812, (*or other war, as the case may be;*) that her said husband enlisted (*or volunteered, or was drafted*) at _____, on or about the _____ day of _____, A. D. _____, for the term of _____, and continued in actual service in said war for the term of _____, and was honorably discharged at _____, on the _____ day _____, A. D. _____.

She further states that she was married to the said _____ in _____ on the _____ day of _____, A. D. _____, by one _____, a _____, and that her name before her said marriage was _____; that her said husband died at _____ on the _____ day of _____, A. D. _____, and that she is now a widow.*

She makes this declaration for the purpose of obtain-

*This declaration must be accompanied by satisfactory proof of the marriage, of the husband's death, and the present widowhood of the claimant. If there be a public record of the marriage, a duly certified copy of it should be forwarded, if possible. If there be none but a private or family record, such family record, or a certified copy of the same, should be for-

ing the bounty land to which she may be entitled under the "act approved March 3, 1855."

(Claimant's signature.)

We, _____ and _____, residents of _____, in the State of _____, upon our oaths declare that the foregoing declaration was signed and acknowledged by _____ in our presence; and that we believe, from the appearance and statements of the applicant, that she is the identical person she represents herself to be.

(Signatures of witnesses.)

—

The foregoing declaration and affidavit were sworn to and subscribed before me on the day and year above written; and I certify that I know the affiants to be credible persons; that the claimant is the person she represents herself to be, and that I have no interest in this claim.

_____, J. P.

NOTE.—The preceding forms may be used for applications for minors, *mutatis mutandis*.

warded, with the affidavit of some disinterested persons proving the genuineness of the original and the correctness of the copy. If no public or private record of the marriage exist, or can be procured, that fact should be set forth in the declaration; and in such case, other evidence—such as the testimony of persons who knew the parties in the lifetime of the husband, and knew them to cohabit as husband and wife, and to be so reputed—will be admissible.

In no case, however, will the mere statement of witnesses that the claimant is the widow of the deceased be taken as evidence of the marriage; but the witnesses must state the facts and circumstances from which they derive their knowledge or opinion that she is the widow of the deceased.

AN ACT

In addition to certain acts granting bounty land to certain officers and soldiers who have been engaged in the military service of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the surviving commissioned and non-commissioned officers, musicians, and privates, whether of regulars, volunteers, rangers, or militia, who were regularly mustered into the service of the United States, and every officer, commissioned or non-commissioned, seaman, ordinary seaman, marine, clerk, and landsman in the navy, in any of the wars in which this country has been engaged since seventeen hundred and ninety, and each of the survivors of the militia, or volunteers, or State troops of any State or Territory, called into military service, and regularly mustered therein, and whose services have been paid by the United States, shall be entitled to receive a certificate or warrant from the Department of the Interior for one hundred and sixty acres of land; and where any of those who have been so mustered into service and paid shall have received a certificate or warrant, he shall be entitled to a certificate or warrant for such quantity of land as will make, in the whole, with what he may have heretofore received, one hundred and sixty acres to each such person having served as aforesaid: *Provided,* The person so having been in service shall not receive said land warrant if it shall appear by the muster rolls of his regiment or corps that he deserted, or was dishonorably discharged from service:

Provided, further, That the benefits of this section shall be held to extend to wagonmasters and teamsters

who may have been employed, under the direction of competent authority, in time of war, in the transportation of military stores and supplies.

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SEC. 2. *And be it further enacted*, That, in case of the death of any person who, if living, would be entitled to a certificate or warrant, as aforesaid, under this act, leaving a widow, or, if no widow, a minor child or children, such widow, or, if no widow, such minor child or children, shall be entitled to receive a certificate or warrant for the same quantity of land that such deceased person would be entitled to receive under the provisions of this act, if now living: *Provided*, That a subsequent marriage shall not impair the right of any such widow to such warrant, if she be a widow at the time of making her application: *And provided further*, That those shall be considered minors who are so at the time this act shall take effect.

SEC. 3. *And be it further enacted*, That in no case shall any such certificate or warrant be issued for any service less than fourteen days, except where the person shall actually have been engaged in battle, and unless the party claiming such certificate or warrant shall establish his or her right thereto by recorded evidence of said service.

SEC. 4. *And be it further enacted*, That said certificates or warrants may be assigned, transferred, and located by the warrantees, their assignees, or their heirs-at-law, according to the provisions of existing laws regulating the assignment, transfer, and location of bounty-land warrants.

SEC. 5. *And be it further enacted*, That no warrant issued under the provisions of this act shall be located on any public lands, except such as shall at the time be subject to sale at either the minimum or lower graduated prices.

SEC. 6. *And be it further enacted*, That the registers and receivers of the several land offices shall be severally authorized to charge and receive for their services in locating all warrants under the provisions of this act the same compensation or per-centage to which they are entitled by law for sales of the public lands, for cash, at the rate of one dollar and twenty-five cents per acre; the said compensation to be paid by the assignees or holders of such warrants.

SEC. 7. *And be it further enacted*, That the provisions of this act, and all the bounty-land laws heretofore passed by Congress, shall be extended to Indians, in the same manner and to the same extent as if the said Indians had been white men.

SEC. 8. *And be it further enacted*, That the officers and soldiers of the revolutionary war, or their widows or minor children, shall be entitled to the benefits of this act.

SEC. 9. *And be it further enacted*, That the benefits of this act shall be applied to and embrace those who served as volunteers at the invasion of Plattsburg, in September, eighteen hundred and fourteen; also at the battle of King's Mountain, in the revolutionary war, and the battle of Nickojack against the confederated savages of the South.

SEC. 10. *And be it further enacted*, That the provisions of this act shall apply to the chaplains who served with the army in the several wars of the country.

SEC. 11. *And be it further enacted*, That the provisions of this act be applied to flotilla-men and to those who served as volunteers at the attack on Lewistown, in Delaware, by the British fleet, in the war of eighteen hundred and twelve—fifteen.

APPROVED *March 3, 1855.*

