

Soldiers' Bounties—Important Decision

WASHINGTON, Oct. 10, 1866.—The following opinion of the Attorney General was received by the Secretary of War yesterday: ANTHONY GENERAL'S OPINION. WASHINGTON, D. C. Oct. 8th, 1866.—Secretary of War:—I have considered the question which you have referred to me, on the point whether the Secretary of War has legal power to exclude authorized agents and agents from collecting bounties, and whether to be made by and to the claimants in person. I understand these questions in connection with the late act of Congress, approved July 28th, 1865, granting additional bounties, and upon the rules and regulations promulgated by the Secretary of War, under the fifteenth section of that act.

Upon a careful examination of all the sections of the act which provides for the additional bounty, I find no provision which requires the claimant to present his claim in person, or that requires the payment to be made to the claimants in person. Certainly there is nothing in which it can be implied. It is true the language of the act in certain cases has the effect of making the claimants in person, or in certain cases his widow, must be paid the additional bounty, and when application is made by any soldier for such bounty, &c.

It does not appear to me that the use of this language, to require the soldier to make his application in person, or to receive the bounty in person, nor can I find any policy of the Government which, in these or similar cases, would require the soldier to be present, or to be represented by an agent or attorney. The same language which is applied to the soldier to make the application and collect the bounty in person, is applied to his minor children, and if it holds in the one case, it holds in the other. The personal attention and action of the soldier, or his minor children, are not required by the agency of others, such as guardians, administrators, and agents, and are incompetent to do so.

To construe this language so as to require the personal intervention of the soldier to receive the bounty intended for them, until they should be released from their military obligations, would be to deprive the soldier of the right to be asserted or recovered, and in many cases, would require the actual personal intervention of the claimant, the right of which is necessarily preserved. This right is valuable and often absolutely necessary, and it seems to me that its denial in the matter of claims for bounties would in many cases lead to great expense and delay.

The bounty given by this act is not given to the soldier by name, in the way of an absolute gift, but is given to the soldier, and only claimant receive it. But the persons who claim must prove their claim, and must conform to the various forms and regulations which are prescribed by the act. The pursuit of a right to bounty is well called a claim, and might as well be called a suit. It is a right that is not acknowledged, as of course it is not established by proof made according to the forms, and finally adjudicated and allowed or rejected.

It is very analogous to a claim made in a court of law, especially to that class of claims which are made in a court of law, and in general may justly be called a claim. It is a right that is not acknowledged, as of course it is not established by proof made according to the forms, and finally adjudicated and allowed or rejected.

The statutes of the United States recognize such a class of persons as claim agents who prosecute claims against the Government, and pay to the claimants the amount of their claims. Their fees are in some cases regulated by statute. They are required to take an oath of loyalty to the Government, and in many cases to be approved by the Secretary of War. They are required to take an oath of loyalty to the Government, and in many cases to be approved by the Secretary of War.

Further, as to all claims against the United States, whether allowed by special laws or treaties, express provision is made for the payment of the claim to an attorney and direction given as to the manner in which the warrant of attorney is to be executed. Under the general act of July 28th, 1865, and since amended and now in force, every claim against the Government may be prosecuted and collected by an attorney in person, or by an agent appointed by him, and that in the presentation and payment of claims the claimant may act by attorney. I see nothing in the rules and regulations prescribed for the collection of these bounties, which excludes the intervention of attorneys. They are silent on the subject.

The form of affidavit prescribed to be made by the soldier, and referred to in the rules, contains the clause and he desires all communications concerning the claim to be sent to him.

This is no part of the oath, but only a request, for the convenience of the claimant, the matter of correspondence, and is subject to change by another subsequent request, even as to correspondence, and is not at all inconsistent with a special delegation to an attorney of power to present and collect the claim.

I have the honor to be, very respectfully, your obedient servant, HENRY STANBERRY, Attorney-General.

Appointments. The President has appointed the following: Massachusetts—John B. Bass, Quincy; New York—Levi Darbee, Williamsburg; Geo. H. Quarterman, Flushing; Pennsylvania—Matthew P. Welsh, Chambersburg; Cotton B. Davis, Henry; Henry Quilman, Norristown; David H. Missener, Pottstown; Ohio—Wm. H. Harper, Lima; Wm. H. Michler—Fritz H. Stevens, St. Joseph; Jas. Monroe, Marshall; Foster Pratt, Kalamazoo; Indiana—Samuel M. Cassin, Deobert; Illinois—James F. Coop, Rock Island; Benjamin A. Griffith, Mountburt; Joliffe Kimball, Elgin; Eversen L. Freyman, Macomb; W. F. Cook, Geneseo; Henry L. Weeks, Lockport; Iowa—John E. Page, Marshallton; Wisconsin—Henry Bertram, Watertown; Isaac W. Webster, Kenosha; Craig B. Beebe, Beaver.

Arrival and Sailing of Ocean Steamers

Table with columns: City, Ship Name, Arrival Date, Sailing Date. Includes entries for New York, Liverpool, London, and other ports.

COAL TRADE

WASHINGTON, Oct. 10.—The coal trade is reported to be in a state of depression. The price of coal is falling, and the demand is less than it was some time back. The coal companies are having a hard time to sell their coal, and are resorting to various expedients to dispose of it.

MEMORANDA

Steamer Whitehall, Fargo, hence at Charleston on 10th. Steamer Teutonia, from Hamburg Sept 23 via South. Steamer Costa Rica, from Rio de Janeiro via Cape Town. Steamer Ann Elizabeth, from London via Southampton.

DEUGS

WHITE GUM ARABIC—For sale by WILLIAM ELLIS & CO. Double distilled Rose water, containing the essence of the flower, for medicinal purposes. Double distilled Peppermint water, for medicinal purposes.

STOVES AND HEATERS

WATER-PROOF PATENT HEATER—Improved Cast Iron Low Steam and Hot Water Heater. Improved Cast Iron Low Steam and Hot Water Heater. Improved Cast Iron Low Steam and Hot Water Heater.

JOB BATHS

WATER-PROOF PATENT HEATER—Improved Cast Iron Low Steam and Hot Water Heater. Improved Cast Iron Low Steam and Hot Water Heater.

WARM WATER

WATER-PROOF PATENT HEATER—Improved Cast Iron Low Steam and Hot Water Heater. Improved Cast Iron Low Steam and Hot Water Heater.

WAR EAGLE SILVER MINING COMPANY—Office of the Company, 14 S. FOURTH ST. PHILADELPHIA.

FINANCIAL

5-20's, 7 3-10's, 1881's, 10-40's. COMPOUND INTEREST NOTES, BOUGHT AND SOLD.

DE HAVEN & BRO., 40 SOUTH THIRD STREET.

NATIONAL EXCHANGE BANK WILL REMOVE TO ITS NEW BANKING HOUSE Nos. 633 and 635 Chestnut Street, ON OR ABOUT THE 15th OCTOBER NEXT.

STOCK BROKER, GEO. HENDERSON, JR., NO. 223 DOCK STREET.

ISAAC C. JONES, JR., STOCK BROKER, No. 140 S. Third St.

SPECIALTY, SMITH, RANDOLPH & CO. BANKERS AND BROKERS, 140 South Third St., Philadelphia, New York.

STOCKS AND GOLD BOUGHT AND SOLD ON COMMISSION. INTEREST ALLOWED ON DEPOSITS.

BANKING HOUSE OF JAY COOKE & CO. 112 and 114 So. THIRD ST. PHILAD.

OLD 5 20'S WANTED IN EXCHANGE FOR NEW. A LIBERAL DIFFERENCE ALLOWED.

Compound Interest Notes Wanted. INTEREST ALLOWED ON DEPOSIT.

BANK STATEMENTS. Quarterly Report OF THE NATIONAL BANK OF THE REPUBLIC, 809 and 811 Chestnut Street.

RESOURCES. Notes and bills discounted, \$1,192,82. United States bonds deposited with the Treasurer of the United States, \$9,000,000.

LIABILITIES. Capital stock paid in full, \$1,000,000. Profits and surplus, \$1,192,82.

DR. M. KEIM, SURGEON DENTIST. Particular attention paid to filling and extracting. Teeth. Mineral Water, which is very pure and of an excellent quality.

NEW PUBLICATIONS

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AUCTION SALES

JAMES A. FREEMAN, AUCTIONEER. SIXTH EAL. SALE OF REAL ESTATE AND STOCKS, OCTOBER 11, 1866.

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AUCTION SALES

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