

LAW AND PROCEDURE IN PENSION CLAIMS

INFORMATION FOR THE GUIDANCE OF APPLICANTS.

Congressman Connell Cites the Statutes Bearing on the Preparation of Claims—Proofs Needed and Rules Governing Applications and Rejections—Cut This Out and Preserve for Future Reference.

Editor of The Tribune. Sir—For the guidance of a number of constituents who have recently asked information concerning the procedure in the preparation of pension claims under the late war with Spain, I submit herewith extracts from the laws now in force relative to the preparation of claims under the old law and under the Act of June 27, 1890, and will state in brief the general principles which govern the preparation of claims under the Spanish-American war as governed by the same rules, laws and regulations as pertain to those of the war of the rebellion. I would especially call attention to the proofs required in all cases, as upon these essential requisites depend the success and speedy adjudication of a claim for pension of any character or description whatsoever. William Connell.

Granting Pensions to Dependent Relatives Under the Old Law.

Sec. 4707. If any person embraced within the provisions of sections 4692 and 4693 has died since the fourth day of March, 1861, or shall hereafter die, by reason of any wound, injury, casualty, or disease, which, under the conditions and limitations of such sections, would have entitled him to an invalid pension had he not died, or shall not leave a widow or legitimate child, but has left or shall leave other relative or relatives who were dependent upon him for support in whole or in part at the date of his death, such relative or relatives shall be entitled, in the following order of precedence, to receive the same pension as such person would have been entitled to had he been totally disabled, to commence from the date of his death, namely: First, the mother; secondly, the father; thirdly, orphan brothers and sisters under sixteen years of age, who shall be pensioned jointly.

Provided, That where orphan children of the same parent have different guardians, or a portion of them only are under guardianship, the share of the joint pension to which each ward shall be entitled shall be paid to the guardian of such ward.

Provided, That if in any case said person shall have left father and mother, or mother and father, or both, or the father shall be deemed entitled to the pension, commencing from and after the death of the mother; and upon the death of the mother and father, or upon the death of the father and the remarriage of the mother, the dependent brothers and sisters under sixteen years of age shall jointly become entitled to such pension until they attain the age of sixteen years, respectively, commencing from the death or remarriage of the party who had the prior right to the pension.

Provided, That a mother shall be assumed to have been dependent upon her son within the meaning of this section if, at the date of his death, she had no other adequate means of support than the ordinary proceeds of her own manual labor and the contributions of said son or of any other persons not legally bound to aid in her support; and if, by actual contributions, or in any other way, she had recognized his obligations to aid in her support of his mother, or was by law bound to such support, and that a father or a minor brother or sister shall, in like manner and under like conditions, be assumed to have been dependent, except that the income which would have been derived from his actual or possible manual labor shall be taken into account in estimating a father's means of independent support. Provided further, That the pension allowed to any person on account of his or her dependence, as hereinbefore provided, shall not be paid for any period during which it shall not be necessary as a means of adequate subsistence.

Act of June 27, 1890.

An Act granting pensions to soldiers and sailors who are incapable of the performance of manual labor, and providing for pensions to widows, minor children and dependent parents. Be it enacted by the senate and house of representatives of the United States of America, in congress assembled, That in considering the pension claims of dependent parents, the fact of the soldier's death by reason of any wound, injury, casualty, or disease which, under the conditions and limitations of existing laws, would have entitled him to an invalid pension, and the fact that the soldier left no widow or minor children having been shown as required by law, it shall be necessary only to show by competent and sufficient evidence that such parent or parents are without other present means of support than their own manual labor or the contribution of others not legally bound for their support. Provided, That all pensions allowed to dependent parents under this act shall commence from the date of the filing of the application hereunder and shall continue so long as the existence of the dependence. Sec. 2. That all persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion and thereafter, and who are now or may be hereafter suffering from a mental or physical disability of a permanent

character, not the result of their own vicious habits, which incapacitates them from the performance of manual labor, in such a degree as to render them unable to earn a support, shall, upon making due proof of the fact according to such rules and regulations as the secretary of the interior may provide, be placed upon the list of invalid pensioners of the United States, and be entitled to receive a pension not exceeding twelve dollars per month and not less than six dollars per month, proportioned to the degree of inability to earn a support; and such pension shall commence from the date of the filing of the application in the pension office, after the passage of this act upon proof that the disability then existed, and shall continue during the existence of the same. Provided, That persons who are now receiving pensions under existing laws, or whose claims are pending in the pension office, may, by application to the commissioner of pensions, in such form as he may prescribe, showing themselves entitled thereto, receive the benefits of this act; and nothing herein contained shall be so construed as to prevent any pensioner thereunder from prosecuting his claim and receiving his pension under any other general or special act. Provided, however, That a person shall receive more than one pension for the same period: And provided further, That rank in the service shall not be considered in applications filed under this act. Sec. 3. 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 war of the rebellion, and who was honorably discharged, died, or shall hereafter die, leaving a widow without other means of support than her daily labor, or minor children under the age of sixteen years, such widow shall upon due proof of her husband's death, without proving his death to be the result of his military service, be placed on the pension roll from the date of the application hereunder for under this act, at the rate of eight dollars per month during her widowhood, and shall also be paid two dollars per month for each child of such officer or enlisted man under sixteen years of age, and in case of the death or remarriage of the widow, leaving a child or children of such officer or enlisted man under the age of sixteen years, such pension shall be paid such child or children until the age of sixteen years, provided, That in case a minor child is insane, idiotic, or otherwise permanently helpless, the pension shall continue during the life of said child, or during the period of such disability, and this proviso shall apply to all pensions heretofore granted or hereafter to be granted under this or any former statute, and such pensions shall commence from the date of application therefor after the passage of this act: And provided further, That said widow shall have married said soldier prior to the passage of this act. Sec. 4. That no parent, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions 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 to any and every person who shall violate any of the provisions of this section, or who shall wrongfully withhold from a 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.

Proof Required in a Claim of Dependent Parents Under Act of June 27, 1890.

(a) That the soldier died of wound, injury or disease, which, under prior laws, would have given him a pension.

(b) That he left no widow or minor child.

(c) That the mother or father is at present dependent on her or his manual labor, being without other present means of support than their own manual labor or the contributions of others not legally bound for their support.

The benefits of the above-stated section of the act of June 27th, 1890, are not confined to the parents of those who served in the war of the rebellion, but are extended to all parents whose dependent dependents are or have been pensioned on account of the death of a son who served since said war in the army or navy of the United States. Pensions of dependent parents are rated at \$12 per month, and rank in the service shall not be considered in applications filed under this act.

The rules with reference to proof of present dependence of parents that apply to claims under the general law also apply to claims under this act. The marriage of a mother after the death of her soldier is a bar to pension under this act.

The words "other present means of support" as used in the first section of the act of June 27, 1890, are held to mean "other present means of an adequate support."

The first section of the said act permits the pensioning of those who can establish dependence at the date of filing the application instead of the date of the soldier's death, but the pensioner attaching to dependents is not changed by the act of June 27, 1890.

When a declaration is filed by dependent parents under the general law subsequent to June 27, 1890, and the claimant requests in writing before final action is taken in said claim that the said declaration be accepted as a claim under the act of June 27, 1890.

Sunday School Lesson for November 20.

Manasseh's Sin and Repentance.

2 Chronicles, XXXIII. 9-16.

BY J. E. GILBERT, D. D., LL. D.,

Secretary of American Society of Religious Education.

INTRODUCTION.—Hezekiah, of whom we have two lessons, was succeeded by Manasseh, his son, who reigned in Jerusalem more than half a century. Many influences combined to induce this son to be a faithful servant of God. There was the noble example of his pious father, and the splendid record of at least seven other kings, whose deeds adorned the pages of Judah's history. There was the sad story of Israel's captivity, resulting from the evil wrought by her kings, with all of which Manasseh must have been familiar, added to the dreary tale of individual reigns in his own country, such as those of Roboam, who departed from God. Besides, there were the sacred Scriptures, the writings of the prophets and of Moses, together with the voices of Nahum and Joel then living, who pleaded for righteousness against all these Manassehs turned his heart and preferred to follow in the ways of those Kings of Israel who practiced the abominations of the heathen (Verse 2), the original inhabitants of the land. A remarkable and unaccountable instance of depravity and folly.

WICKEDNESS.—The departure of the king from the right way was very serious than the apostasy of any other individual however prominent. The king was the government. The people were expected to obey his will and to conform to his customs. His very actions even in private life were an unwritten law of all his subjects, and courtiers, in the hope of gaining favor, copied after him. Besides this influence he had authority and might which would have been observed and have penalties (Dan. ix. 19). The exercise of that authority was most gratifying to his pride. It came to pass, therefore, that Manasseh, by both these methods, made Judah and Jerusalem to err (Verse 3). In any place, at any time, any soul may be reconciled to God. On receiving pardon Manasseh was brought home and restored to his kingdom (Verse 13). He had learned that Jehovah was God (Psalm ix. 16), learned it in the school of experience, as Nebuchadnezzar had (Dan. iv. 37), and he could now be trusted with kingly authority.

REPENTANCE.—How Manasseh was released from Babylon we are not informed. He returned to Jerusalem and to the throne was an acknowledgment of Judah's independence from Assyria, and the converted king immediately set about strengthening the defenses of the city, presumably to resist a future attack (Verse 14). His built a wall on the west side of Gibon, a place not far distant from Jerusalem, the scene of the anointing and proclamation of Solomon as king (1 Kings i. 33). That wall was continued around the fish gate and compassed about Ophel, thus connecting with fortifications established by the time of Jehoshaphat (2 Chron. xxxiii. 3). The tower at that point was made very high so that the watch might command a view of the country about. In all the fenced cities of Judah he placed captain of war with men under them, of course, this is not to be taken as a sign of the good example of Aahz (2 Chron. xiv. 8). It is worthy of commendation that idolatrous kings suffered the fortifications to fall to decay, per-

ever the people of God, on departing into heathen ways, might justly be deprived of his throne.

PENITENCE.—The capture of Manasseh was virtually the subjugation of Judah to Assyria. Babylon having been previously taken, the dominions of Esarhaddon were extended over all of western Asia. But the time for complete absorption had not yet come in the plans of the Almighty. As a prisoner Manasseh reflected upon his ways and repented. Prosperity and the flattery of princes had proved his ruin, but affliction opened his mind to holier purposes. He must have understood that his misfortunes were due to his sins. He may have observed the condition of heathenism in all of its grosser abominations. It is probable that the Spirit of God wrought with him to make him know the truth and choose the right. Manasseh humbled himself and prayed (Verse 13). Heavy often in the lives of men have days of trouble been sanctified to their spiritual good! Removal from home and bondage in a strange land were the means employed to bring the young king to himself and to God. (Luke xvi. 14-17.)

PARDON.—God heard the penitent, pleading kingly even in his prison among strangers, and his sins were pardoned. Here is another excellent illustration of the mode of Divine mercy. There was no officiating priest, no imposing ceremonial, no advocates or intercessors. A human soul in distress cast itself directly upon God. Seven hundred years before the beginning of the Christian dispensation a great sinner was forgiven upon the conditions of repentance and obedience. That is not to say that means of grace and methods of winning and nursing are of no value, but that all such are merely helps. The essential and primary condition of salvation is a spirit of penitence (Eph. i. 1). In any place, at any time, any soul may be reconciled to God. On receiving pardon Manasseh was brought home and restored to his kingdom (Verse 13). He had learned that Jehovah was God (Psalm ix. 16), learned it in the school of experience, as Nebuchadnezzar had (Dan. iv. 37), and he could now be trusted with kingly authority.

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haps through the influence of their vices, while the kings who feared God restored the strongholds.

REFORMS.—Manasseh did not pause with merely protecting the citizens of Judah against foreign enemies. As a proof of his changed heart he set himself to the reform of religion. It must have seemed very strange to his people, and to some it was not accountable (Verse 17) that the king should undertake to undo after his return from Babylon the very things which he did before his captivity. What appeared to be inconsistency and fickleness was nevertheless the product of a new purpose and a higher mission. (Verse 15.) The idol which he had set up in the house of the Lord, the image to the right of the altar, and the bronze altar, the better class of the heathen, was removed; and the strange gods—Baal, Asherah, Molech and numerous others—were all taken away and cast out of the city. Jerusalem was cleansed of idolatry, at least as far as the king's command and patronage could effect it. Thus once more the nation's capital was dedicated to Jehovah. It presented quite the appearance it had under all the good kings.

SACRIFICES.—The reforms instituted by Manasseh were not all negative and destructive. He did not expect the forms of heathen worship and leave the people without any religious institutions. Such an attempt would have failed, because man must have some religion and that must be nurtured by some public exercises. Accordingly, the king repaired the old altar of the patriarchs the same that was built by King Solomon. (Verse 16.) Thereon sacrifices were offered, peace offerings and thank offerings, eucharistic, indicating that the king was in conformity with Jehovah. (Lev. iii. 2.) In this public manner Manasseh announced to the people of Jerusalem that he entered into the service of God, that henceforth his reign would be as viceregent of God, according to the terms of the theocratic monarchy. The eating of the flesh on that occasion, a partaking of "the table of the Lord" was a joyous feast in which the people joined.

REFLECTIONS.—The vilest sinner may return to God. "The heart of the eternal is wondrously kind." He who punishes will forgive him who repents. If Manasseh whose sin was so great could be restored to Divine favor let no one despair of pardon. Praise the glad tidings far and wide. "Hail, every one that thirsteth come to the waters." (Isa. lv. 1.) Here is the gospel in the pre-Christian time, the same as that published today. The only difference is that the historic Christ, standing with Jehovah. (Lev. iii. 2.) In this public manner Manasseh announced to the people of Jerusalem that he entered into the service of God, that henceforth his reign would be as viceregent of God, according to the terms of the theocratic monarchy. The eating of the flesh on that occasion, a partaking of "the table of the Lord" was a joyous feast in which the people joined.

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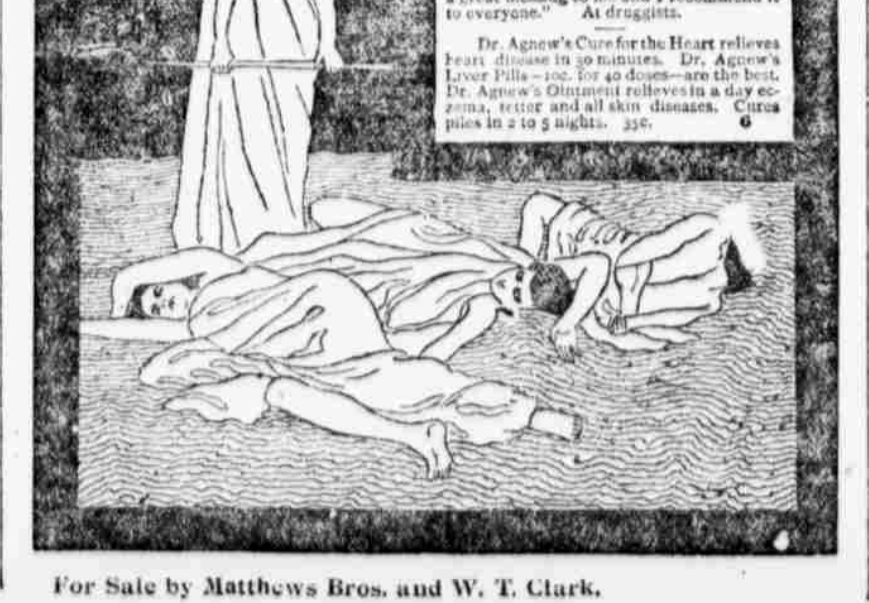
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