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THE CIVIL WAR PENSION LAW

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### **ABSTRACT**

This paper provides the background information necessary to interpret the Military, Pension, and Medical Records and Surgeon's Certificates data sets. The paper begins with a brief historical review of the pensions' legislation and the possible driving forces behind its changes over the years. I then present a description of the legal changes introduced after the Civil War through the implementation of the "General Law", a war related disability pension system, and the Disability Act of 1890, a service origin disability pension program. I go on to discuss the process veterans were required to undertake in order to obtain a pension, the examination process instituted to establish the severity of veteran's disabilities, and the reasons veterans might hire attorneys to help them obtain a pension. In the final sections I conclude and provide a list of further reading materials that may be helpful to those researching the field of Civil War pension law.

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## **I. Introduction<sup>1</sup>**

This document presents a concise overview of the main legal changes in Civil War pensions, as well as a description of the procedure used by the Pension Bureau in accepting claims for pensions, in order to enable a better understanding of the various pension systems and a more accurate interpretation of the Military and Surgeon's Certificates datasets.

A significant legacy of the U.S. Civil War was the expansion of the country's military pension system. The scope, duration, and intensity of the Civil War, which make it one of the most devastating events in United States history, also created the conditions for the extension and increasing generosity of the pension system. Of primary importance in this process was the large number of survivors of the war. Out of the 2.7 million men who enlisted in the Union Army, 2.4 million (87%) survived the war.<sup>2</sup> The war thus produced a large number of wounded or otherwise disabled veterans who might claim reward for their service. In addition, there were widows and other dependents of soldiers who had died in the war who were allowed to claim a pension.

Throughout the war and, afterwards, from the Reconstruction period through the early twentieth century, Congress continually modified the Union Army pension legislation, making it more flexible and generous. The trend of this legislation followed a simple pattern: more money for more veterans over time. From its inception, the Union Army pension program was costly. Costs rose even more with the passage of the Arrears Act of January 25, 1879, which permitted veterans and their dependents to collect, in addition to a monthly pension, a lump sum payment based on the

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<sup>1</sup> Valuable input for this document was obtained from Sanders, Matthew "History of the Civil War Pension Laws" in Public Use Tape on the Aging of Veterans of the Union Army: Military, Pension, and Medical records 1820-1940 Version M-5 by Robert Fogel. Center for Population Economics, University of Chicago Graduate School of Business, and Department of Economics, Brigham Young University, 2000.

<sup>2</sup> Frederick Dyer, A Compendium of the War Rebellion, Vol. 1. (New York: T Yoseloff, 1959), 11.

date of death or discharge from service.<sup>3</sup> Thus, from this point on, arrears were a constant stimulus for the presentation of new claims. The number of veterans making applications for pensions rose dramatically after that date. The other major source for the expansion of the pension system was the Disability Act of 1890, which allowed for pensions based only on time of service, without regard to the existence of war-related disabilities. **Chart 1** clearly illustrates the effect of these two events. It shows a sharp increase in the number of General Law pensioners after 1879, the date of the Arrears Act.<sup>4</sup> By 1891, pensioners formed three times (419,330) their number in 1879 (138,615). The number of pensioners also rose after 1890 from 520,442 invalids registered under both the General Law and the 1890 Act to its peak ten years later at 742,468, with pensioners registered under the General Law decreasing after that year (see **Chart 1**).

In 1870, the expenditure of the U.S. government for military pensions was \$29 million. By 1880, this had doubled to \$57 million. A decade later, expenditure had doubled again, reaching \$106 million. By 1900, expenditure reached \$138.5 million and, by 1910, \$160 million.<sup>5</sup> Although these figures include pensions for veterans of other wars, **Chart 2** shows that more than 90% of the pension expenditures between 1886 and 1920 went for veterans of the Civil War.

The yearly increase in total expenditure for Civil War veterans is represented in **Chart 3**, which shows the impact of the application of the 1890 Act. In 1892, the total expenses for Civil War

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<sup>3</sup> After a long political debate, the Arrears Law was approved thanks mainly to the efforts of the claims agents, who tried to make the process of pension application more attractive to veterans and widows. With the approval of this law, pensions were granted from either the date of death or of discharge from service, and not from the date of filing of the pension application. William Glasson, Federal Military Pensions in the US. (New York: Oxford University Press, 1918), 164.

<sup>4</sup> The General Law pension system was implemented by the act of July 14, 1862. It authorized pension to Civil War veterans with war-related disabilities. The Arrears Act affected veterans under the General Law Act. In part C of this paper the General Law system is widely developed.

<sup>5</sup> Glasson, 123.

pensions were \$127,265.50, a value that, compared to \$42,641.90 for 1886, represents a significant increment. **Chart 4** shows average pension expenditures and their allotment by recipient group. Expenditures per pensioner remained fairly constant until 1912, when they rose as a result of increases in the provision of old age pensions in 1912 and 1918.

Three possible reasons have been put forward for the expansion of the pension system: the influence of veterans' organizations; the link between trade protective tariffs and the expansion of pension expenditures; and the political maneuvering of the major political parties which used pension legislation as a strategy to recruit voters.

Among veterans associations, The Grand Army of the Republic (GAR) played a vital role in gaining more benefits for Civil War soldiers. The passage of the Arrears Act brought with it more applications for membership in veteran organizations and these organizations simultaneously showed more interest in the legislation.<sup>6</sup> The GAR was crucial to the passage of largest liberalization of the pension system, the 1890 Act. After 1881, the GAR regularly sent representatives to speak during congressional sessions, turning pensions into an important political issue. In response to this activity, all of the major political parties included Civil War pension proposals in their party platforms. By the time of the Disability Act of 1890, the GAR had become very strong, comprising 427,891 members.<sup>7</sup>

The second proposed explanation for the increase of the pension system is that the pension system arose as an attempt to spend the fiscal surplus that had been generated by the protective tariffs then prevalent. The trade-protectionist policy applied by the Republican Party in order to favor the

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<sup>6</sup> Dora Costa, The Evolution of Retirement. (Chicago: The University of Chicago Press, 1998), 161-2.

<sup>7</sup> Mary Dearing, Veterans in Politics: The Story of the GAR. (Louisiana: Louisiana State University Press, 1952), 72.

North generated a fiscal surplus that was used to expand the Civil War pension system and that at the same time disproportionately benefitted that region. The Democratic Party opposed both policy measures.<sup>8</sup> This explanation is not accepted by all scholars. Theda Skocpol, for example, demonstrated in her book, *Protecting Soldiers and Mothers*, that the relationship between tariffs and pensions was coincidental to the 1890 expansion, while the approval of the Arrears Act occurred at a time of practically no fiscal expansion.<sup>9</sup>

A third explanation, advanced most notably by Skocpol herself, is that the expansion of the pension system must be understood in the framework of political party competition following the Civil War. Soon after the war, both parties had begun making efforts to gain the political support of veterans, both for the number of votes they represented and for the symbolic importance of the army for public opinion. More liberal legislation, then, would have maximized the opportunity for using pensions to obtain votes.<sup>10</sup>

## **II. The Military Pension System Before the Civil War**

Although the concept of military pensions had been part of U.S. legislation since colonial times,<sup>11</sup> the military pension system was developed mainly as an instrument for recruiting volunteers to fight in wars on the side of the U.S. The evolution of the pension system corresponded to the changing

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<sup>8</sup> Richard Bansel, *Sectionalism and American Political Development 1880-1980*. (Madison: University of Wisconsin Press, 1984), 69-72.

<sup>9</sup> Theda Skocpol, *Protecting Soldiers and Mothers*. (Cambridge: Harvard University Press, 1996), 107-110.

<sup>10</sup> Skocpol, 110-115.

<sup>11</sup> As W. Glasson has described in detail, the Plymouth colony was probably the first American colony to issue legislation promising soldiers who returned seriously wounded or disfigured that they would be maintained throughout their life by the colony. Other colonies (Massachusetts Bay, Maryland, New York, Rhode Island and Virginia) followed Plymouth's lead, taking measures to encourage enlistment in the wars against the Indians. Glasson, 9-18.

complexity of the wars in which the U.S. engaged. Military pensions were of two types: invalid/disability pensions and service pensions. The former type of pension was granted on the basis of wounds or injuries received or disease contracted in the course of military service; the latter type of pension was granted on the basis of a specific length of military service time, regardless of whether or not injury or disability had resulted from military service.

Before the Civil War, the most important pension legislation was that providing for Revolutionary War pensions. Other wars, such as the War of 1812, the U.S.-Mexican War, and the Indian Wars, led to more or less the same type of benefits as the Revolutionary and Civil Wars. The most relevant aspects of the history of this pension legislation are highlighted here.

### 1. The Revolutionary War

The need for a disabled-pension system became a pressing concern right after the conflict began. On August 26, 1776, Congress adopted a national pension law to be applied by the states and covering people disabled after 1775. This Act promised half-pay (\$5) for life or during disability to every officer (soldier or sailor) who had lost a limb or become so disabled as to render him incapable of earning a livelihood. In case of partial disability, proportional pay was granted.<sup>12</sup> In 1783, the Commutation Act was approved. It provided half-pay for five years, instead of for life. This measure met opposition in some of the states, but gradually was accepted.

After the establishment of the federal government in 1789, and the refusal of some states to pay for pensions, administration of pensions was transferred to the federal level, under the

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<sup>12</sup> Gustavus Weber and Laurence Schmeckebier, The Veterans Administration: its History Activities and Organization. (Washington: The Brookings Institute, 1934), 5-7.

supervision of the Secretary of War. The federal government agreed to pay for the arrears that the states could not afford.

In 1818, a service pension system was implemented. It provided that any person who had served in the Revolutionary War for nine months or longer, was a resident citizen of the United States, and was in need of assistance from his country should receive a pension. The evidence in support of the claim was to be evaluated either by state or county courts or by district judges. The rate was fixed at \$20 per month for officers and \$8 per month for enlisted men, and it was granted for life.

In 1832, there was an extension of the service pension. It granted full pay for life to survivors of soldiers of the Revolutionary War who had completed at least two years of total service. Those who had only six months of service were to receive a proportional amount.<sup>13</sup>

## 2. War of 1812

In June 1812, the U.S. declared war on Great Britain. Pensions for survivors or dependents of survivors of the War of 1812 were provided in 1813. The law authorized disability pensions for those incurring disabilities during the war at the rate of half-pay for officers and \$5 per month for enlisted men. Officers' widows and children were granted half-pay for five years. The pension system for the veterans of the War of 1812 was a disability-based system until the Act of 1871 granted service pensions to those who had served at least 60 days.

## 3. U.S.-Mexican War

The Act of May 13, 1846 declared a state of war between Mexico and the U.S., and it also authorized the President to recruit volunteers and offer them the benefits of a pension provision for regular

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<sup>13</sup> For a discussion of this part of the history, see Glasson, 19-90 and Weber and Schmeckebier, 1-53.

soldiers. Subsequent acts up to 1862 concerning veterans of the War of 1812 also were applied to veterans of the U.S.-Mexican War. The General Law system was then also applied to U.S.-Mexican War veterans. The service-pension for this group was established in 1887.

#### 4. The Indian Wars

Several laws made provision for people incurring disabilities in the course of the Indian Wars: the laws of January 8, 1812, April 10, 1812, and July 14, 1862. A service pension was introduced in 1892, covering the Indian Wars between 1832 and 1842. In 1902, the range of years was extended from 1817 to 1858.

### **III. Civil War Pensions**

During the Civil War as in previous wars two main pension systems were applied: "The General Law" where pensions were granted only to soldiers who had war-related disabilities, and the Disability Act of 1890 which instituted a pension for disabilities even if their origin was unrelated to war. The service-based pension system coexisted with the disability-based system after 1890. In what follows these two systems are analyzed in more detail.

#### 1. General Law

The need for volunteers to fight in the Civil War developed into an offer of a pension. In keeping with promises made to volunteers on July 22, 1861, Congress passed a law providing pensions for disabled veterans and for widows and orphans of deceased soldiers. An updated, expanded version of this pension law was approved on July 14, 1862. This General Law system provided pensions for soldiers who suffered permanent bodily injury or had any disability as a direct consequence of

military duty. The system also extended to widows, children under sixteen years of age, and dependent relatives of soldiers who died in military service from causes directly related to the war.<sup>14</sup>

Initially, the rates for "total disability" ranged, according to rank, from \$30 per month for an officer of higher grade to \$8 per month for non-commissioned officers and privates in the Army and for petty officers and common sailors in the Navy. A total disability rate was defined in terms of the inability to perform manual labor, where the definition of manual labor in the pension law included not only labor with the hands, but labor requiring bodily exertion or muscular effort.

Under the General Law, proportionate pensions were also to be allowed in each rank for partial disabilities. For any degree of disability less than total (\$8), veterans received a disability rating as a fraction of 8 in the form of  $x/8$ . The numerator ( $x$ ) was a degree of disability less than total, and also represented the amount in dollars that the veteran was to receive monthly for his disability. For example, a veteran who lost a finger in the war was rated "2/8 totally disabled" by the examination board, and granted \$2 for his pension.<sup>15</sup>

An important element of the evolution of the pension legislation consisted of a series of laws that greatly increased the rates for permanent specific disabilities. Disability rates established by law, called *statutory rates*, were introduced to compensate more appropriately those pensioners that, falling in the category of totally disabled, had permanent specific disabilities of a severe character. It was felt that the rate of \$8 per month was inadequate in those cases. The loss of a hand or a foot, for example, would not be considered the same as, thus not rated equal to, the loss of both hands.

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<sup>14</sup> Glasson, 125.

<sup>15</sup> US Congress Senate. Federal Laws Relating to Veterans of Wars of the United States (Annotated), 72nd Cong., 1st sess. (Washington: Government Printing Office, 1932), 131.

To give an example: by 1873, for the loss of a hand a pensioner would receive \$18 per month and for the loss of both hands the veteran would get \$31.25 per month.

Congress also defined rates according to three grades of disability. For disability of such a character as to require the regular aid and attendance of another person (called first grade of disability), the legislation established initially a rate of \$25 per month. For inability to perform any manual labor (second grade of disability), the initial rate was \$20 per month. For disability equivalent to the loss of a hand or a foot (third grade of disability) a rate of \$15 per month was initially authorized. The statutory rates increased over time, as is shown in **Table 1**.<sup>16</sup>

In 1892, a new disability grade, called intermediate, was created. This grade was defined as disability to such a degree as to require frequent and periodical, but not regular and constant, personal aid and attendance of another person. It was rated at \$50 per month (Act of July 14, 1892).

In 1873, the Senate made the rate system more flexible by sanctioning the possibility of fractionating the third grade (\$18 per month at that time). The commissioner of the Pension Bureau was empowered to fix rates for any degree of disability not sufficient to warrant the \$18 per month but more than the total disability of \$8 per month (Act of February 12, 1873). Those disabilities were expressed in fractions of eighteen and initially covered just the following rates: 10/18, 12/18, 14/18 and 16/18. Then, in 1884, the range was extended from 9/18 to 17/18. From 1883 to 1889, disabilities in fractions of eight (less than total disability) and those in fractions of eighteen (more

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<sup>16</sup> The definition of “total disability” was a source of confusion, as the legislation defined the second grade of disability in a very similar way. The difference according to Commissioner Baker was the word “any” in the definition of disability of second grade, because in his opinion it also embraced other kinds of labor that requires some level of education in performing manual labor. However, the Commissioner recognized that it was difficult to draw a clear line between these two types of manual labor and asked for more definite standards for the comparison of degrees of disability. Glasson, 129-131.

than total but less than that for the loss of a hand or a foot) coexisted. In 1889, fractions expressed in eight were eliminated and all disabilities less than the loss of a hand or a foot were expressed in fractions of 18, with a range going from 2/18 to 17/18. A rate of 2/8 in 1884 was equivalent to a rate of 2/18 in 1889. The appendix gives a detailed account of the chronological changes in the ratings of pension disabilities.

The discretion of the Commissioner of the Pension Bureau was further increased when he was authorized to fix rates for partial deafness as fractions of 30, the maximum rate per month authorized in case of total deafness (Act of August 27, 1888). The commissioner of pensions fixed rates for fifty other disabilities besides those established by law. (See **Table 2.**)

An increase in the minimum pension provided to pensioners was authorized in 1895. The minimum was fixed at \$6 per month (Act of March 2, 1895), which also was the minimum under the 1890 Disability Act.

The General Law system also granted pensions to widows or, if there was no widow, to the children under 16 years of age of any person deceased after March 4, 1861 as a result of any wound or disease contracted while in the service. The pension was the same as would have been allowed to the husband or father for total disability (\$8 per month). Several years later, legislation was enacted which granted each widow-pensioner an additional amount of \$2 per month for each child under 16 years of age (Act of July 27, 1868). In cases where a deceased soldier left no widow or legitimate child, a dependent mother or sister was given the right to receive his pension. Initially, the legislation did not include dependent fathers and brothers. Later they were included according to the following order of precedence: mothers, fathers, orphan brothers or sisters under sixteen years of age.

If there were more than one orphan brother and/or sister, they would be pensioned jointly (Act of June 6, 1866).<sup>17</sup>

Subsequent legislation increased the amount of pension for widows and dependents from \$8 to \$12 (Acts of 1886 and 1908), to \$20 per month (Act of September 8, 1916) and to \$50 per month (Act of July 3, 1926).<sup>18</sup>

## 2. Act of 1890

The other pension system, most commonly known as "The Disability Act," was launched in simultaneous operation with the General Law through the Act of June 27, 1890. In contrast to the General Law system, this was a service-based system. The pension was provided based on proof of at least ninety days of military service in the Civil War, of having been honorably discharged, and of the existence of a bodily disability not caused by vicious habits but not necessarily of service origin. Pensions were also given to the widows and children of Civil War soldiers without regard to the cause of the soldier's death.<sup>19</sup>

Pensioners were entitled to receive a pension not exceeding \$12 per month and not less than \$6 per month, proportionate to the degree of inability to earn a living. The pension commenced from the date of filing the application after the passage of this Act, and with the proof that the disability existed.<sup>20</sup>

Two different interpretations were followed in implementing the 1890 Act. The first was described in order 164 issued by Commissioner Green B. Raum on October 15, 1890. According to

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<sup>17</sup> Glasson, 73-74.

<sup>18</sup> US Pension Bureau, Synopsis of Pension Laws of the United States (Washington: Government Printing Office, 1926), 12.

<sup>19</sup> Glasson, 126.

<sup>20</sup> US Pension Bureau, 11.

this order, veterans with disabilities rated under \$12 per month, should be rated the same as if their disabilities were of service origin, at \$12 or above the rate should be \$12 per month. This rating method favored pensioners with minor disabilities not of service origin, for example a pensioner with stiffness of a wrist would obtain the same monthly pension (\$8 per month) for his disability under both systems, but if the veteran was totally blind he should receive only \$12 per month under the Disability Act, while the same disability would get \$72 under the General Law system. Claimants were also permitted to aggregate disabilities between 1890 and 1893, if a veteran received \$4 per month for rheumatism and \$2 for nasal catarrh and \$2 for the loss of a finger, he could have a pension of \$8 per month.<sup>21</sup>

The second interpretation adopted in 1893 by commissioner WM. Lochren, led to a new rating system for veterans under the Disability Act. Rates and pensions depended upon the combination of incapacity to perform manual labor and the inability to earn a living; giving \$12 per month in the case of greatest and six per month in the case of lowest.

The order 164 was revoked on January 7, 1893 and a Board of revision of pensions approved under it was created. The practice of adding, as well as the rating method, were disapproved by the interior Department under the assumption that having more than one disability did not necessarily mean that the person was disabled in a greater degree to perform manual labor. As a result a large number of pensioners were dropped from the rolls, and pensions of many others were reduced.

In 1899 an adjustment to this second interpretation took place when Commissioner H. Clay Evans questioned Lochren's interpretation of the Law saying that the capacity of the claimant to earn

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<sup>21</sup> Glasson Federal Military Pensions in the US, 239.

a living was never considered in practice.<sup>22</sup> He kept the idea that ratings under the two systems were widely different and it was impossible to make a parallel between them except in general terms. Only a few comparisons of 1899 rates under the two systems could be established<sup>23</sup>:

General Law		Act of June 27, 1890	
Second Grade	\$30	Maximum Rate	\$12
Third Grade	\$24	Eq. to loss of hand foot	\$10
Single Hernia	\$6 to \$10	Single Hernia	\$ 6
Double Hernia	\$8 to \$14	Double Hernia	\$ 8
Deafness:		Deafness:	
Total Both Ears	\$30	Total Both Ears	\$12
Nearly Total	\$27	Nearly total	\$10
Total one ear, Severe other	\$25	Total one ear, Severe other	\$ 8
Severe of both ears	\$22	Severe of both ears	\$ 6
Loss of one eye	\$17	Loss of one eye	\$ 6
Loss of sight of one eye	\$12	Loss of sight of one eye	\$ 6
Anchylosis of Elbow	\$10	Anchylosis of Elbow	\$ 6
Anchylosis of knee	\$10	Anchylosis of knee	\$ 6
Anchylosis of shoulder	\$12	Anchylosis of shoulder	\$ 6
Loss of portions of hand or foot: rates vary according to extent of amputations from	\$10 to \$17.	Loss of portions of hand or foot: rates vary according to extent of amputations from	\$6 to \$12.

He also instructed surgeons to eliminate separate ratings:

There are no schedule rates for incapacity resulting from any separate or combined disabilities. If a pension is allowed under this section it will be either for \$6, \$8, \$10 or \$12 per month, \$6 being the minimum and \$12 the maximum. The Act of April 4, 1900 requires that the report of examining surgeons shall specifically state the rating to which, in their judgement, the claimant is entitled. This will be determined by giving due consideration to each and every infirmity and rating the degree or extent to which all these infirmities, whether minor or serious, when considered together, render the claimant unable to earn a support by manual labor. The result be stated as \$6, \$8, \$10, \$12 per month, and not as 6/18, 8/18, 10/18, etc, nor should there be a separate rating of separate disabilities, as heretofore.<sup>24</sup>

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<sup>22</sup> "The Department's interpretation of the Law has been that under said act pension is provided only in cases where incapacity to labor joins with incapacity to earn a support. I am free to say that the practice has never been to inquire into the capacity of the claimant to earn a support. The prosperous have been pensioned alike, on application, with the less fortunate, plainly in showing disabilities or disease, without any reference to the claimant's wealth or capacity to earn a support" U.S. Pension Bureau, Report of the Commissioner of Pensions to the Secretary of the Interior, June 30 1899. (Washington: Government Printing Office, 1899), 40.

<sup>23</sup> U.S. Pension Bureau, Report of the Commissioner of Pensions, June 30, 1899.39.

<sup>24</sup> U.S. Pension Bureau, Report of the Commissioner of Pensions, June 30, 1899. 26.

The point of eliminating the separate rating was to avoid in practice the problem of the aggregation of rates created in 1890.

As can be seen, pension rates under the General Law system and the 1890 Act differed significantly. A veteran pensioned under the General Law system received anywhere from \$2 to \$100 per month in 1890, while an individual applying for a pension under the 1890 system could receive only between \$6 and \$12 under the Disability Act. For example, a person who suffered from total blindness received \$72 under the General Law system, while he would receive only \$12 in the 1890 system. Conversely a person who received a 2/18 rating (\$2) under the General Law could apply for a pension under the 1890 law, where the minimum was \$6.<sup>25</sup> Although pensioners under either system were permitted to apply under the other, no person could receive more than one pension covering the same period of time.

A considerable number of General Law claims for an increment in pension based on disabilities not of service origin were filed after 1890. The pension Bureau stated that if the service origin disability was rated \$12 or more the pensioner could not receive a rate or more pension for disabilities not of war origin. Disabilities of service origin could only be combined with not war-related disabilities for cases rated under \$12 to have at most that amount of pension per month, under the Act of 1890<sup>26</sup>.

The Act of 1890 also gave benefits to more widows and dependents. After 1890, the widows of those who served 90 days or more in the Civil War were entitled to be pensioned at the rate of \$8 per month (also different from the rate received by widows under the General Law), without regard

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<sup>25</sup> This was the case until 1895, when the minimum was equated to \$6 in both systems.

<sup>26</sup> U.S. Pension Bureau, Report of the Commissioner of Pensions, June 30 1899, 29.

to the cause of the soldier's death. Before that date, a widow was only eligible for a pension if she could prove that her husband's death was war-related.

The law originally limited pensions to widows who were dependent upon their daily labor for support, but a later amendment established a more liberal rule on this point and granted pensions to widows without this limitation. The rate was increased to \$12 per month (Act of April 19, 1908). The rise in the number of widows within both systems is displayed in **Chart 5**. After 1890, the number of widows and dependents covered by the General Law system topped 800,000 while the Disability Act registered around a million widows and dependents.<sup>27</sup>

#### *A. Legislation Related to Age and Time of Service*

President Theodore Roosevelt's Executive Order for Old Age Pensions (1904) granted pensions as follows: a veteran over 62 years of age was considered to be one-half disabled and entitled to receive a pension of \$6 per month for life; after 65 years of age, \$8; and after 70 years of age, \$12. The system functioned within the 1890 framework of inability to perform manual labor, and was the precedent for later legislative action in 1907, 1912, and 1918 that increased pensions for old age.

#### *B. The Service and Age Pension: Act of February 6, 1907*

The 1904 order equated age and disability based on the 1890-rating scheme. The 1907 Act, however, granted pensions based on a veteran's age and length of service, producing a unique pension system. Any person, irrespective of rank, who had fulfilled all the requirements of the 1890 Act to obtain a pension was eligible for a pension of \$12 per month if at least 62 years of age, \$15 per month if at least 70 years of age, and \$20 per month if 75 years or older. Pensions commenced from the date of filing a claim with the Pension Bureau.

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<sup>27</sup> Glasson, 230-237.

*C. The Service and Age Act of May 11, 1912:*

In response to political pressure from veterans, President Taft signed a bill on May 11, 1912 extending the 1907-rating schedule of service and age pensions. **Table 3** illustrates that the longer the veteran served in the war, the larger the pension, regardless of the disabilities incurred during that service. If a soldier was wounded in battle or in the line of duty and received an honorable discharge, and if he was unfit for manual labor, he would be paid the maximum pension under this Act without regard to the length of service or age. Pensions granted under the Act of May 11, 1912 commenced from the date of filing of the application with the Bureau of Pensions. The pension rates were subsequently increased (Act of June 10, 1918) (see **Table 4**).<sup>28</sup>

#### **IV. The Civil War Pension Process**

As of 1830 the Department of War was the only office responsible for the administration of pensions, but given the great increase in the amount of claims as a result of the Revolutionary War, Congress in 1833 established a new branch of the War Department, under the name of the Pension Office, with an officer known as Commissioner of Pensions responsible for the administration of the pension laws under the general direction of the Secretary of War. By the Act of March 3, 1849, the Department of Interior was established and the Pension Office became a Bureau of that department, under the supervision of the Secretary of Interior. As a consequence of fraudulent claims, regional offices were created to avoid the accumulation of cases and to facilitate the process of verifying

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<sup>28</sup> US Pension Bureau, 5-6.

information. By the time of the Civil War, the pension office was a large bureaucracy with agencies in many states. By 1891, there were 18 regional offices.

### 1. Application Process

The regional office received the claims from veterans for a pension. Once the claim for adjudication was received in any pension office, it was assigned to one of the examiners, who was in charge of the process. The first thing the examiner did in order to adjudicate a claim was to determine whether the declaration was properly executed and sufficient to its allegations. He then asked the War Department for a report showing the full military history of the soldier and his hospital treatment. If there was no clear evidence of the origin in the line of duty or existence in service from the files of the War Department, the claimant was required to establish these points by the testimony of officers or comrades having personal knowledge of the facts who were required to set out all the circumstances in which the disability was incurred. After receiving this evidence, the Adjutant General of the U.S. Army was asked for a report showing whether the people who testified were present at the time and place their affidavits had referenced. An order was then sent to the claimant, or to his attorney if he had one, for the claimant to appear for examination before a Board of United States examining surgeons at a location near his place of residence.

### 2. Instructions to Surgeons

The boards of surgeons were instructed to confirm that the veteran's medical conditions were genuine and to rate the severity of disabilities. During the examination, surgeons were to evaluate what disability, if any, existed, the degree to which the disability rendered the applicant unable to perform manual labor, whether or not the disability was a consequence of military service (on the

basis of the soldier's history given to him), the probable duration of the disability and how the habits of the applicant affected the origin and continued duration of the disability.<sup>29</sup>

Each board consisted of a group of physicians,<sup>30</sup> appointed by the Commissioner of Pensions. The Pension Bureau required that the appointees be graduates of a reputable school of medicine and had practiced medicine for at least five years.<sup>31</sup> The members of the surgeons board were to be in attendance during all pension examinations. Individual board members could not delegate their responsibilities, nor carry out business without the consent of the other board members.

Based upon findings of the examination, the board would rate each disability according to the rates established by law or fixed by the Pension Bureau under each system (General Law and Disability Act) and following the instructions to surgeons given by the Pension Bureau. For disabilities not specified by law or the Bureau, the board was to give a rate according to established standards. When an applicant alleged two or more causes of disability, each would receive attention and be rated separately. The Pension Bureau emphasized this point because several disabilities could co-exist without all of them being supported by evidence of having been caused by war service.

Any knowledge by a member of the board indicating that the disability evaluated was caused or exacerbated by an injury or accident out of service, or by the claimant's own vicious habits, was to be noted. If a disability was found and there was evidence to relate it to war service, the surgeons were to describe and rate it separately. The board was also required to note questionable claims, and

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<sup>29</sup> US Pension Bureau, Instructions to Examining Surgeons for Pensions (Washington, D.C.: Government Printing Office, 1870), 4.

<sup>30</sup> Initially from 2 to 5, but after the Act of March 3, 1873 it was restricted to 3.

<sup>31</sup> US Pension Bureau, Report of the Commissioner of Pensions, June 30 1891, 19.

to issue an opinion regarding the validity of claims. In both cases, the Pension Bureau had the last word.

After each examination, the board generated a surgeons certificate. Every certificate had information about the physical condition of the pensioner at the date of the examination. The surgeons had to describe and rate separately everything they found. The certificate also had information about the rate of respiration per minute, pulse and the weight of the patient. If doctors found a disability not alleged by the claimant, they had to specify this information and tell the Pension Bureau if in their opinion this disability was independent of the other disabilities alleged by the veteran. These certificates remained as a permanent record of the claimant's medical history.

The surgeons were to determine the degree of disability. If they were asked to rate it in dollars, this did not mean that they were expected to determine the pension value. Ultimately, it was the law and the Pension Bureau that fixed the sum of money to be paid for each degree of disability. If the claim was based upon a disability arising from a disease contracted in service the pension office accepted the veteran's claim and rated the disability based on the surgeon's certificate.

In the opposite case, if the board of surgeons reported no evidence of the existence of disability from the cause or causes alleged, the claimant was advised of this fact and had the opportunity to find evidence showing that he was in some degree incapacitated for the performance of manual labor by reason of such cause. For that purpose the claim was held open for about 100 days, at which time the pension application was rejected if no other evidence was shown.

Veterans whose claims were rejected or whose requests for pension increases were denied received notice from the Bureau and had twelve months to supply the evidence needed to sustain the claim. Upon re-submission, a Bureau examiner would prepare a brief to summarize the facts of the

case, assess the weight and character of the evidence, and decide whether the claim should be accepted or rejected. A Review Board considered the brief, with rules that specified that questions of fact were the province of the examiner who prepared the brief and that the sole function of the Review Board was to treat cases judicially, upon the papers. After considering the papers, the Review Board solicited an opinion on the medical evidence in the case from a medical reviewer. If it was sustained the claim was accepted.

Congress approved biennial follow-up examinations of Army and Navy invalid pensioners by the Act of March 3, 1873, to be held every alternate odd year. Every pensioner had to take the biennial exam unless his pension certificate exempted him from it. At this examinations, the only issue to determine was the persistence of the disability on account of which the claimant was originally pensioned. Periodical examinations would continue for two subsequent biennial examinations from the date at which the certificate was issued. The surgeon was to describe in full the condition of the pensioner at each biennial examination and rate the disability in each case as it then existed. If the surgeon found decreased disability, the certificate would have the effect of reducing the pension from the date of the immediately preceding quarterly payment. If the surgeon found increased disability, it was to be described and rated, but an increased pension rate could only be allowed after formal application for increase by the pensioner and the issuance of a new certificate by the Pension Bureau.

Certificates of examination for increase were, if possible, to include a comparison of the existing disability with the originally constituted grounds for granting the pension. In cases where

the surgeons regarded the original rating as unfairly low, though no increase of disability may have occurred, they were to recommend the correct rating, giving their reasons for it.<sup>32</sup>

Although the instructions to surgeons were very explicit, the pension system still relied on physicians' discretion. According to Blanck and Song (2001), physicians implemented the Bureau's rules in surprising ways: "Physicians favored claimants who worked on the land over craft workers and professionals, belying critics' assumption that the system disproportionately rewarded middle-class union veterans." They also provided differential treatment for some disabilities. Before the Disability Act of 1890, claimants of nervous disorders received higher severity ratings; afterwards, the same disability was rejected at much higher rates and received lower disability severity ratings.<sup>33</sup>

### 3. Pension Attorneys

Through the application process, the Bureau's practice allowed veterans to hire lawyers to shepherd their cases. Lawyers played a significant role in the increasing number of applications for pensions. Some law firms at the end of the nineteenth century specialized in military pensions, with attorneys traveling around the country drumming up people eligible for pensions. The approval of the Arrears and 1890 Acts served as important incentives for lawyers to intervene in the pension application process.

The complexity of many cases and the large number of veterans who sought legal assistance empowered veterans in their dealings with the pension office because lawyers tried to sustain their clients' claims, solicit independent medical opinions for clients who were rejected by the bureau's

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<sup>32</sup> U.S. Pension Bureau, Instructions to Examining Surgeons for Pensions 1874, 8-9.

<sup>33</sup> Peter Blanck and Chen Song, Civil War pensions, Pension Attorneys, and Disability in America (Draft Paper, 2001), 13 -15.

medical board, and pursue appeals. Legislation also fixed the compensation that attorneys should receive to \$10 per successful claim (July 4, 1864) in order to protect veterans.

## **V. Conclusion**

The Civil War pension systems were expansive and generous. According to related literature there were three possible reasons for this expansion: The significant role of veteran organizations, specially the GAR; the interest of the Republican Party in spending within the North the fiscal surplus that resulted from the application of a trade protectionist policy favoring this region; and the competition between political parties for the votes of veterans.

This study of pension legislation has highlighted the implementation of two systems: a disability-based system called the General Law and a service-based system introduced by the Disability Act, the latter which gained more flexibility after 1907 with the passage of legislation establishing pensions of the basis of age. These pension schemes, which coexisted after 1890, differed in both their rules and rates.

This document has also presented the process veterans were required to undertake in order to obtain a pension, the examination process instituted to establish the severity of veteran's disabilities and the reasons veterans might hire an attorney to help obtain a pension.

## VI. Further Reading

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**VII. Appendix**

**Chronological Changes in Pension Legislation 1862-1927**

<b>1862</b>	Definition of “Total Disability” as equivalent to stiffness of the wrist.
<b>1864</b>	Introduction of first categories of “Statutory Rates”: -Loss of sight in both eyes: \$25 -Loss of both hands: \$25 -Loss of both feet: \$20 -Total disability for rank of private: \$8
<b>1866</b>	Definition of degrees of disability: -First Grade: \$25 -Second Grade: \$20 -Third Grade: \$15  New statutory rates: -Loss of an eye having previously lost the other: \$25 -Total disability of one hand and one foot: \$20 -Loss of a hand or a foot: \$15 -Loss of a leg above the knee: \$15 -Loss of an arm at the shoulder joint: \$15
<b>1870</b>	Establishment of total disability fractions: -1/4 equivalent to \$2/month -3/8 equivalent to \$3/month -1/2 equivalent to \$4/month -5/8 equivalent to \$5/month -3/4 equivalent to \$6/month and -7/8 equivalent to \$7/month  Ratings that involved fractional parts of a dollar such as 1/3 or 2/3 were not allowed.  Specific rates were established for disabilities less than total: -Loss of an eye: 1/2 -Loss of a thumb: 1/2 -Loss of an index finger and great toe: 3/8 -Loss of other finger and small toes: 1/4 -Single Hernia uncomplicated: 1/2 -Double Hernia: 3/4
<b>1872</b>	New statutory rates: -Loss of sight in both eyes: \$31.25 -Loss of one eye having previously lost the other: \$31.25 -Loss of both hands: \$31.25

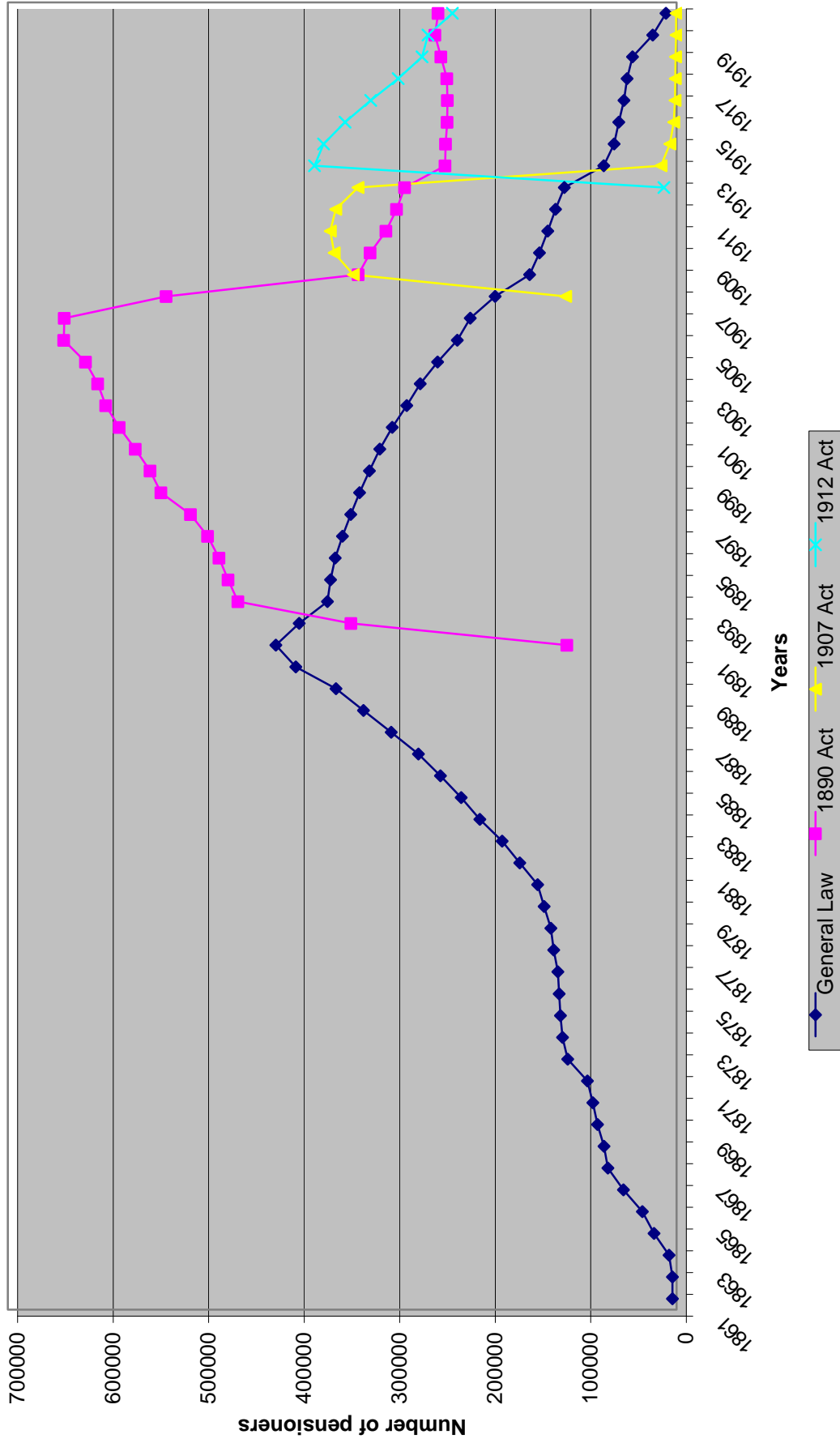
<p><b>1872</b></p>	<ul style="list-style-type: none"> <li>-Loss of both feet: \$31.25</li> <li>-Loss of a hand and a foot: \$24</li> <li>-Loss of a leg above the knee: \$24</li> <li>-Loss of a hand or a foot: \$18</li> <li>-Loss of an arm at the shoulder joint: \$18</li> <li>-First Grade: \$31.25</li> <li>-Second Grade: \$24</li> <li>-Third Grade: \$18</li> <li>-Total deafness: \$13</li> </ul> <p>Fractions of third grade allowed for privates (in excess of Total (\$8) and less than equivalent to the loss of a hand or a foot (\$18)):</p> <ul style="list-style-type: none"> <li>- \$10 (10/18)</li> <li>- \$12 (12/18)</li> <li>- \$14 (14/18)</li> <li>- \$16 (16/18)</li> </ul>
<p><b>1874</b></p>	<p>New statutory rates:</p> <ul style="list-style-type: none"> <li>-Loss of sight in both eyes: \$50</li> <li>-Loss of one eye having previously lost the other: \$50</li> <li>-Loss of both hands: \$50</li> <li>-Loss of both feet: \$50</li> <li>-Loss of an arm at the shoulder joint: \$24</li> </ul>
<p><b>1877</b></p>	<p>New statutory rates:</p> <ul style="list-style-type: none"> <li>-Loss of a hand and a foot: \$36</li> </ul> <p>Fraction 1/8 (\$1) authorized.</p>
<p><b>1878</b></p>	<p>New statutory rates:</p> <ul style="list-style-type: none"> <li>-Loss of sight in both eyes: \$72</li> <li>-Loss of one eye having previously lost the other: \$72</li> <li>-Loss of both hands: \$72</li> <li>-Loss of both feet: \$72</li> <li>-Rate of \$72 was established for disabilities rated \$50 by Act of 1874</li> </ul>
<p><b>1879</b></p>	<p>New statutory rate:</p> <ul style="list-style-type: none"> <li>-Amputation of either leg at the hip joint: \$37.50</li> </ul>
<p><b>1883</b></p>	<p>New statutory rates:</p> <ul style="list-style-type: none"> <li>-Loss of a hand or a foot or being totally disabled in the same: \$24</li> <li>-Loss of an arm at or above the elbow or leg at or above the knee: \$30</li> <li>-Third grade (\$24) cannot be fractionalized. Fractions of 18 continue.</li> <li>-Second Grade: \$30</li> </ul>
<p><b>1884</b></p>	<p>A disability greater than total but less than 18 should be rated at 9/18, 10/18, 11/18, 12/18, 13/18, 14/18, 15/18, 16/18, 17/18.</p> <p>Some of the rates established by practice and authorized by the Pension Bureau:</p>

<b>1884</b>	<ul style="list-style-type: none"> <li>-Anchylosis of an elbow or a knee: \$10 (10/18)</li> <li>-Loss of sight in one eye: \$8 (Total)</li> <li>-Single uncomplicated hernia: \$8 (Total)</li> <li>-Double hernia: \$12 (12/18)</li> <li>-Chopart's operation: \$14 (14/18)</li> <li>-Pyrigoff's modification of symes operation: \$17 (17/18). An unsuccessful operation might cause a disability equivalent to the loss of a foot and entitle a pensioner to the third grade (\$24).</li> </ul>
<b>1885</b>	<p>New statutory rate:</p> <ul style="list-style-type: none"> <li>-Loss of an arm at the shoulder joint or a leg at the hip joint: \$37.50</li> </ul>
<b>1886</b>	<p>New statutory rates:</p> <ul style="list-style-type: none"> <li>-Loss or total disability of a hand or a foot: \$30</li> <li>-Loss or total disability of either an arm at or above the elbow or a leg at or above the knee: \$36</li> <li>-Loss of an arm at the shoulder joint or a leg at the hip joint or so near as to prevent the use of artificial limbs: \$45</li> </ul> <p>The third grade should always be expressed as fractions of 18, never as fractions such as 1/4, 1/3, 1/2, 3/4.</p>
<b>1888</b>	<p>New statutory rates:</p> <ul style="list-style-type: none"> <li>-Total deafness \$30, and such proportion thereof in cases of partial deafness as the Secretary of Interior may deem equitable.</li> </ul>
<b>1889</b>	<p>New statutory rates:</p> <ul style="list-style-type: none"> <li>-Loss of both hands: \$100</li> </ul> <p>Disability rates not provided by the Pension Bureau will be rated by the surgeons in fractions of 18. The lowest rate allowed is 2/18 or \$2 per month and the highest 17/18 or \$17 per month. No fractions of 8 allowed.</p> <p>Total disabilities according to rank: Private: \$8, Second Lieutenant: \$15, First Lieutenant: \$17, Captain: \$20, Major: \$25, Lieutenant Colonel and up: \$30. The use of the word "total" and "fractions thereof" (1/4, 1/2, 3/4) would be used only to rate commissioned officers.</p> <p>Fractions of ear diseases expressed as fractions of 30. Total deafness or deafness approaching total but affecting one ear: \$10 (10/30)</p> <ul style="list-style-type: none"> <li>-Slight deafness of both ears: \$15 (15/30)</li> <li>-Severe deafness of one and slight deafness in the other: \$20 (20/30)</li> <li>-Severe deafness in both ears: \$22 (22/30)</li> <li>-Total deafness in one ear and severe deafness in the other: \$25 (25/30)</li> <li>-Deafness approaching total: \$27 (27/30)</li> </ul>
<b>1890</b>	<p>New statutory rates:</p> <ul style="list-style-type: none"> <li>-First Grade: \$72 for anyone</li> </ul> <p>Introduction of the service-based pension system (Disability Act). Rates from \$6 to \$12. No fractions allowed for rates under this system.</p>

<b>1892</b>	New intermediate grade to rate pensioners disabled to such a degree as to require frequent and periodical but not regular and constant aid of another person: \$50 per month
<b>1895</b>	Minimum rate established for both systems: \$6 per month
<b>1898</b>	New categories of deafness were added: - Nearly total deafness of one ear: \$6 (6/30) - Nearly total deafness of one ear and slight of the other: \$15 (15/30) - Total deafness of one ear and slight of the other: \$20 (20/30)
<b>1903</b>	New statutory rates: - Total deafness: \$40 per month - Loss or total disability of a hand or a foot: \$40 - Loss or total disability of an arm at or above the elbow or a leg at or above the knee: \$46 per month - Loss of an arm at the shoulder joint or a leg at the hip joint: \$55 per month - Loss or total disability of one hand and one foot: \$60 per month - Loss of both feet: \$100 per month
<b>1904</b>	New statutory rates: - Loss of total blindness in both eyes or loss of one eye having previously lost the other: \$100
<b>1907</b>	Age pension (Act of 2/6/1907). Granted pensions for veterans based on age and length of service: - At age of 62: \$12 per month - At age of 70: \$15 per month - At age of 75 and over: \$20 per month
<b>1908</b>	The pension bureau specified a method to rate enlisted men: - All disabilities below those warranting the third grade rate (\$24) should be rated in fractions of 18. - Since ankylosis of a wrist or ankle is rated at 8/18, disabilities compared therewith that were less in degree should be rated as 2/18, 4/18, or 6/18; disabilities equivalent received 8/18. - A disability greater in degree than ankylosis of a wrist or ankle, but less than one equivalent to the loss of a hand or a foot, is therefore rated 10/18, 12/18, 14/18, or 17/18. The numerator of the fraction represents the amount of money, in dollars per month, that the board thinks the claimant should receive for the degree of disability rated. - There should not be rates between 17/18 and third grade or disability equivalent to the loss of a hand or a foot (\$24), except in the case of certain degrees of deafness and the total rank of captain (\$20). - Officer whose disability is less than total will be rated in fractions of their total rank, 1/4, 1/2, 3/4, as the case may seem to require. For the equivalent disability rated 8/18 for enlisted men (privates), the officer would receive the total of his rank (Lieutenant Col.: \$30, Major: \$25,

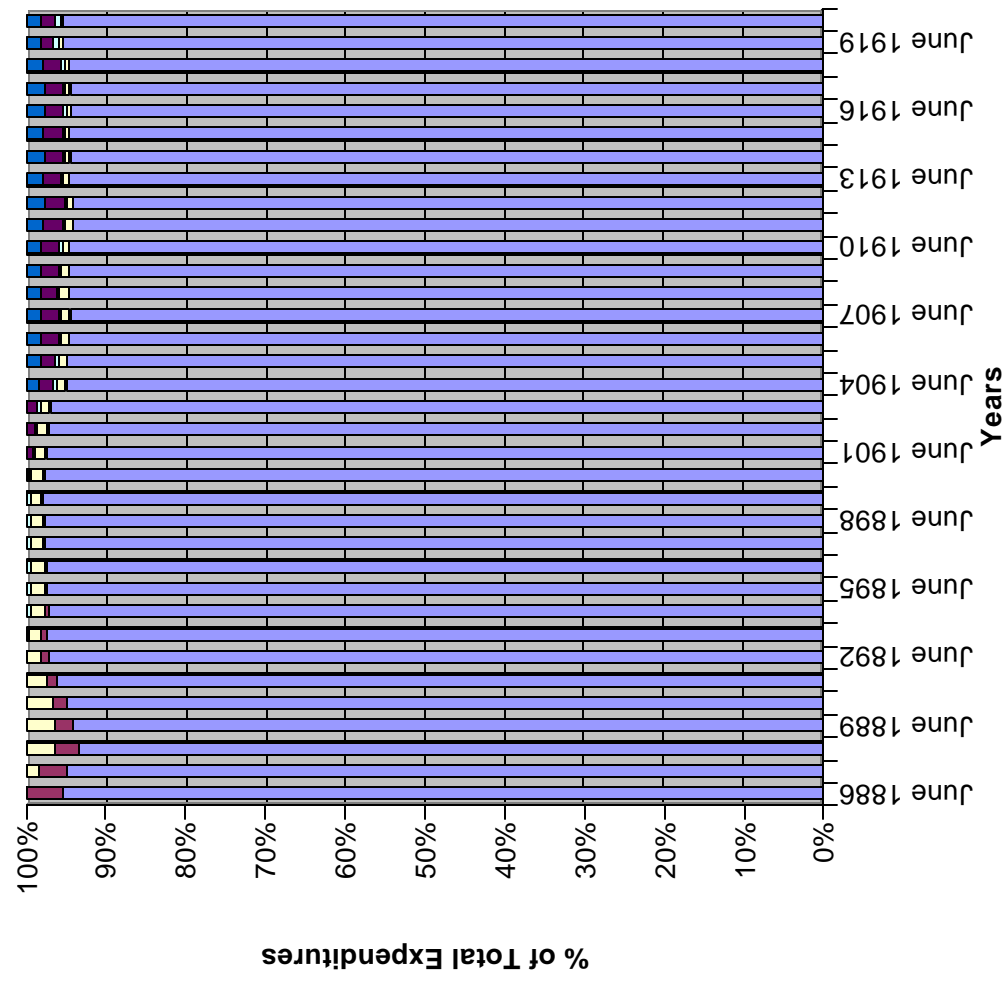
<b>1908</b>	<p>Captain: \$20, First Lieutenant: \$17, Second Lieutenant: \$15). For the disability of an enlisted man rated 2/18, the officer would receive 1/4 of his total rank, for 4/18 the officer would have 1/2 and for the 6/8 the rate would be 3/4.</p> <p>-First Grade: \$72, Intermediate Grade: \$50, Second Grade: \$30, Third Grade: \$24</p> <p>-The conditions under which pensioners are entitled to a grade rate are exactly the same, both for commissioned officers and for privates.</p> <p>-Rating under 1890 system goes from \$6 minimum to \$12 maximum. Possible rates are: \$6, \$8, \$10 and \$12.</p>
<b>1916</b>	<p>Elimination of fractions for privates. All ratings for specific disabilities should be expressed in dollars. The rest of the rates remain equal. No fractions except for officers.</p>
<b>1920</b>	<p>New statutory rates:</p> <ul style="list-style-type: none"> <li>-Loss or total disability of a hand or a foot: \$60</li> <li>-Loss of an arm at or above the elbow or a leg at or above the knee: \$65</li> <li>-Loss of an arm at the shoulder joint or a leg at the hip joint: \$72</li> <li>-Loss or total disability of a hand and a foot: \$90</li> <li>-Loss or total disability of both eyes or totally disabled in the same: \$100</li> </ul>
<b>1926</b>	<p>New statutory rates:</p> <ul style="list-style-type: none"> <li>-Loss or total disability of a hand or a foot: \$65</li> <li>-Loss or total disability of an arm at or above the elbow or a leg at or above the knee: \$75</li> <li>-Loss of a hand or foot having been lost a portion of the other hand or foot: \$85</li> <li>-Loss of a hand and a foot: \$100</li> <li>-Loss or total disability of both arms and both legs: \$125</li> <li>-Loss of sight in both eyes: \$125</li> </ul>
<b>1927</b>	<p>New statutory rates:</p> <ul style="list-style-type: none"> <li>-Loss or total disability of a hand or a foot: \$80</li> <li>-Loss of a total disability of an arm at or above the elbow or a leg at or above the knee: \$90</li> </ul>

**CHART 1: NUMBER OF PENSIONERS UNDER GENERAL LAW AND DISABILITY ACT SYSTEMS**



Source: U.S. Pension Bureau. Commissioner of Pension Report, 1885-1921. Washington D.C., Government printing office. Glasson W. Federal Military Pensions in the U.S. New York: Oxford University Press, 1918. 144, 271-2.

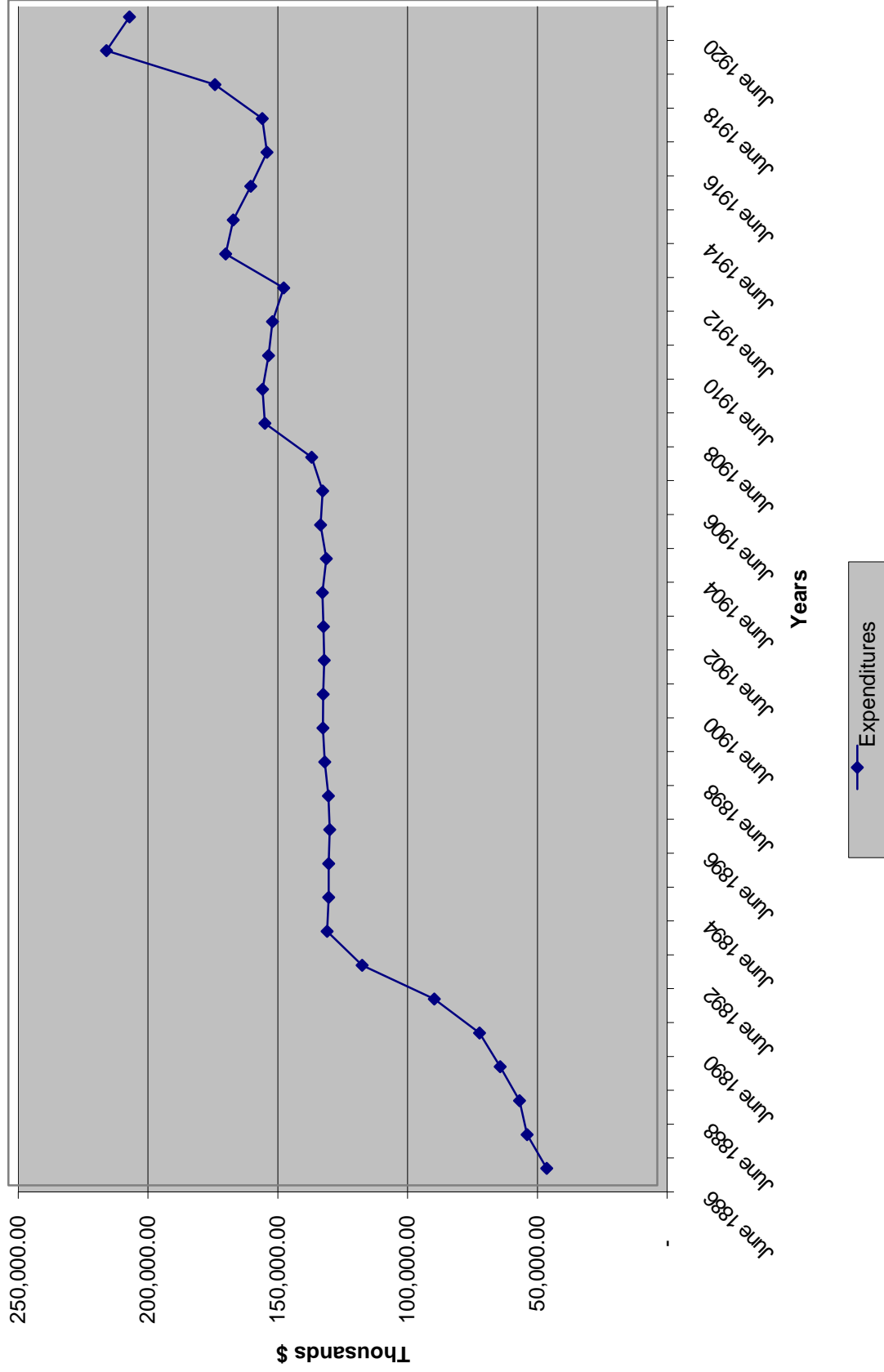
**CHART 2: PENSION EXPENDITURES BY WAR**



■ Civil War   
 ■ 1812 War   
 ■ Mexican War   
 ■ Indian Wars   
 ■ Spanish War   
 ■ Establishment

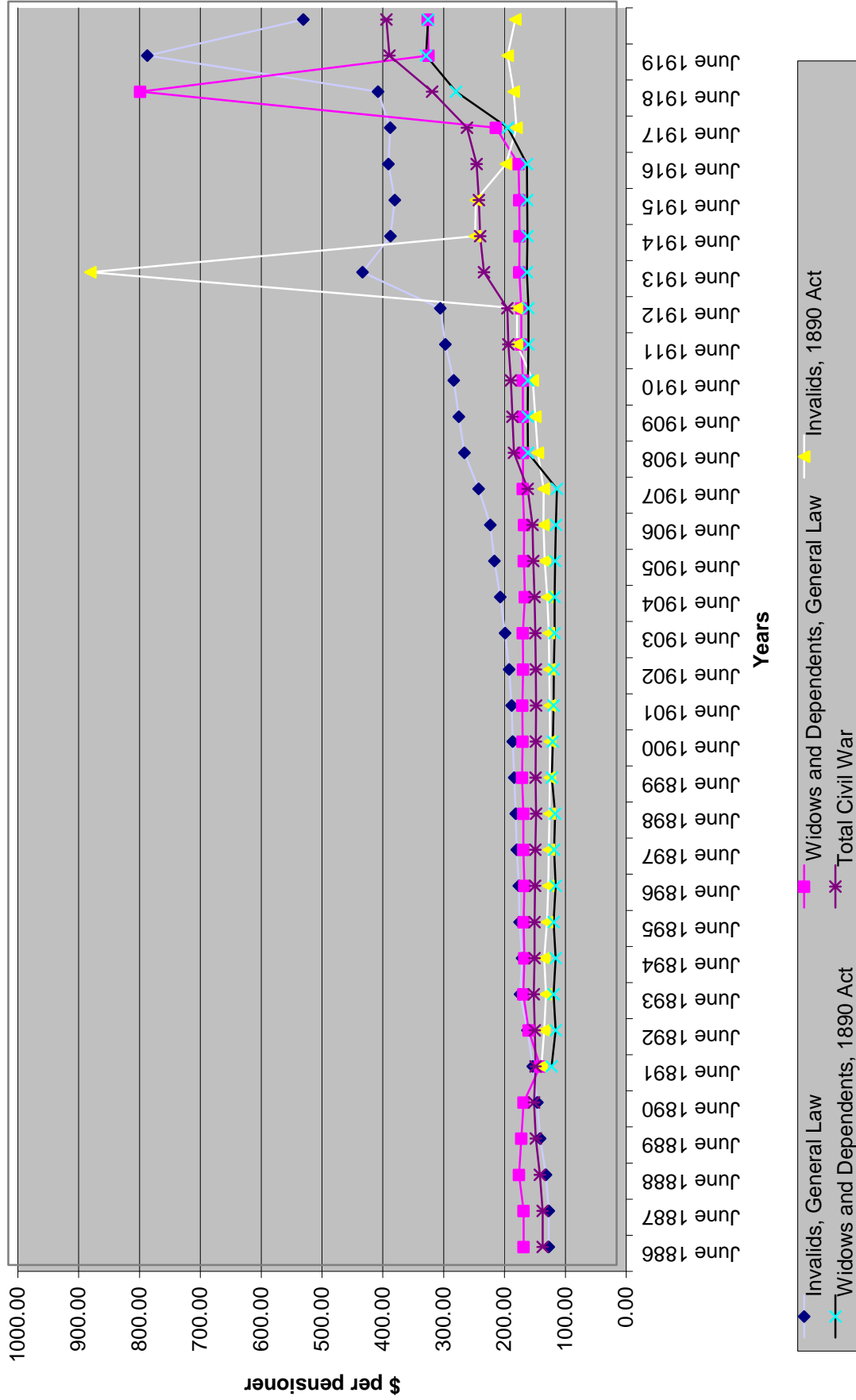
Source: US Pension Bureau. Commissioner of Pension Report 1885-1921, Exhibit No.1. Washington D.C., Government printing office. Calculations by the author.

**CHART 3: CIVIL WAR PENSION EXPENDITURES**



Source: U.S. Pension Bureau. Commission of Pension Report 1885-1921. Exhibit No.1 Washington D.C., Government printing office.

**CHART 4: CIVIL WAR AVERAGE PENSION EXPENDITURES**



Source: U.S. Pension Bureau. Commissioner of Pensions Report 1885-1921. Exhibit No.1. Washington D.C., Government printing office. Calculations by the author.



**TABLE No. 1**  
**STATUTORY RATES PER MONTH FOR PERMANENT DISABILITIES**  
**(General Law)**

PERMANENT DISABILITIES	Jul 4	Mar 3	Jun 6	Jun 4	Jun 4	Feb. 28	Jun 17	Mar 3	Mar 3	Aug. 4	Aug. 27	Feb. 12	Mar. 4	July 14	Jan 15	Mar 2	Apr 8	May 1	May 5	Feb 11
	1864	1865	1866	1872	1874	1877	1878	1879	1883	1886	1888	1889	1890	1892	1903	1903	1904	1920	1926	1927
Loss of sight of both eyes	\$25			\$31.25	\$50		\$72										\$100		\$125	
Total disability in both hands			\$25	\$31.25	\$50		\$72										\$100		\$125	
Loss of both hands	\$25		\$25	\$31.25	\$50		\$72										\$100		\$125	
Loss of one eye, the other lost before			\$25	\$31.25	\$50		\$72										\$100		\$125	
Loss or Total disability of both arms or legs	\$20		\$20	\$31.25	\$50		\$72										\$100		\$125	
Total disability of both feet			\$20	\$31.25	\$50		\$72										\$100		\$125	
Loss of one hand and one foot		\$20	\$20	\$24	\$36	\$36											\$100		\$125	
Total disability in one hand and one foot		\$20	\$20	\$24	\$36	\$36											\$100		\$125	
Loss of a hand or a foot and a portion of the other hand or foot			\$15	\$18	\$24												\$100		\$125	
Total disability in a hand or a foot			\$15	\$18	\$24												\$100		\$125	
Loss of an arm at or above the elbow or a leg at or above the knee			\$15	\$18	\$24												\$100		\$125	
Loss of a leg at hip joint			\$15	\$18	\$24												\$100		\$125	
Loss of a leg above the knee causing inability to wear an artificial limb			\$15	\$18	\$24												\$100		\$125	
Loss of an arm at shoulder joint			\$15	\$18	\$24												\$100		\$125	
Total disability in arm or leg			\$15	\$18	\$24												\$100		\$125	
Total deafness			\$15	\$18	\$24												\$100		\$125	
Total disability			\$8	\$13	\$24												\$100		\$125	
First Grade: Require regular aid and attendance of another			\$25	\$31.25	\$50		\$72										\$100		\$125	
Second Grade: Incapacity to perform any manual labor			\$20	\$24	\$36												\$100		\$125	
Third Grade: Disability equivalent to the loss of a hand or a foot			\$15	\$18	\$24												\$100		\$125	
Intermediate Grade: Frequent and periodical not constant aid of another			\$15	\$18	\$24												\$100		\$125	

(a) 72 from June 17/1878, only when the rate was \$50 under the Act of June 18/1874, and granted prior to June 16/1880, First Grade proper is \$50, amended by act of March 4 1890 which increases rate to a \$72.  
(b) from date of medical examination held after July 14, 1892.

Source: Glasston, William. Federal Military Pensions in the US (1918), 133., U.S. Pension Bureau Synopses of Pensions Laws of the US (1928), U.S. Pension Bureau. Report of the Commissioner of Pensions to the Secretary of Interior (1899), 110, U.S. Senate. Federal Laws relating to veterans of wars of the U.S., (1832), 196-236.

TABLE No. 2

RATES FIXED BY THE PENSION BUREAU FOR DISABILITIES NOT SPECIFIED BY LAW

	1870	1871	Apr. 1 1872	Aug. 15 1874	May 1 1875	Sep. 10 1877	Jan. 1 1882	Aug. 1 1884	Jan. 1 1886	Aug. 12 1889	1898 (g)	1899 (g)	1900 (g)	Oct. 12 1908	Jun. 23 1913	(b) 1915 (g)	Jan. 3 1916	Nov. 13 1920	1926 (g)	Jul. 1 1928
Loss of an eye	1/2	1/2	1/2	1/2	1/2	1/2	1/2			17/18	17/18	17/18	17/18	17/18	17/18	17/18	17		17	17
Loss of the sight of an eye	1/2	1/2	1/2	1/2	1/2	1/2	1/2	8	8	8/18	12/18	12/18	12/18	12/18	12/18	12/18	12		12	12
Loss of a thumb	3/8	3/8	3/8	3/8	3/8	3/8	3/8			8/18	8/18	8/18	8/18	8/18	8/18	8/18	8		8	12
Loss of index finger	3/8	3/8	3/8	3/8	3/8	3/8	3/8			4/18	4/18	4/18	4/18	4/18	4/18	4/18	4		6	6
Loss of great toe	1/4	1/4	1/4	1/4	1/4	1/4	1/4			6/18	6/18	6/18	6/18	6/18	6/18	6/18	6		8	8
Loss of another finger	1/4	1/4	1/4	1/4	1/4	1/4	1/4			2/18	2/18	2/18	2/18	2/18	2/18	2/18	2		2	2
Loss of smaller toes	1/2	1/2	1/2	1/2	1/2	1/2	1/2	8	8	2/18	2/18	2/18	2/18	2/18	2/18	2/18	2		2	2
Double Hernia	3/4	3/4	3/4	3/4	3/4	3/4	3/4			12/18	10/30	10/30	10/30	10/30	10/30	10/30	10		10	10
Total deafness approaching total affecting but one ear										15/30	6/30	6/30	6/30	6/30	6/30	6/30	6		6	6
Slight deafness of both ears										20/30	10/30	10/30	10/30	10/30	10/30	10/30	10		10	10
Severe deafness of one ear and slight of the other										22/30	22/30	22/30	22/30	22/30	22/30	22/30	22		22	22
Severe deafness of both ears										25/30	25/30	25/30	25/30	25/30	25/30	25/30	25		25	25
Total deafness of one ear and severe of the other										27/30	27/30	27/30	27/30	27/30	27/30	27/30	27		27	27
Deafness approach absolutely total deafness										6/30	6/30	6/30	6/30	6/30	6/30	6/30	6		6	6
Nearly total deafness of one ear										15/30	15/30	15/30	15/30	15/30	15/30	15/30	15		15	15
Nearly total deafness of one ear and slight of the other										20/30	20/30	20/30	20/30	20/30	20/30	20/30	20		20	20
Total deafness of one ear and slight of the other										10/18	10/18	10/18	10/18	10/18	10/18	10/18	10		10	10
Anchylosis of knee								10/18	10/18	10/18	10/18	10/18	10/18	10/18	10/18	10/18	10		10	10
Chopart's operation when best results have been obtained								14/18	14/18	14/18	14/18	14/18	14/18	14/18	14/18	14/18	14		14	14
Prigoff's modification of symes's operation								17/18	17/18	17/18	17/18	17/18	17/18	17/18	17/18	17/18	17		17	17
Anchylosis of shoulder joint								12/18	12/18	8/18	8/18	8/18	8/18	8/18	8/18	8/18	8		12	12
Anchylosis of ankle										8/18	8/18	8/18	8/18	8/18	8/18	8/18	8		8	8
Anchylosis of wrist										17/18	17/18	17/18	17/18	17/18	17/18	17/18	17		17	17
Loss of palm of a hand and all fingers thumb remaining										16/18	16/18	16/18	16/18	16/18	16/18	16/18	16		16	16
Loss of thumb, index, middle, ring fingers										16/18	16/18	16/18	16/18	16/18	16/18	16/18	16		16	16
Loss of all the fingers, thumb and palm remaining										12/18	12/18	12/18	12/18	12/18	12/18	12/18	12		12	12
Loss of thumb, index, middle fingers										16/18	16/18	16/18	16/18	16/18	16/18	16/18	16		16	16
Loss of thumb, index, middle fingers										12/18	12/18	12/18	12/18	12/18	12/18	12/18	12		12	12
Loss of index, middle, and ring fingers										16/18	16/18	16/18	16/18	16/18	16/18	16/18	16		16	16
Loss of middle, ring and little fingers										14/18	14/18	14/18	14/18	14/18	14/18	14/18	14		14	14
Loss of index and middle fingers										8/18	8/18	8/18	8/18	8/18	8/18	8/18	8		8	8
Loss of little and middle fingers										6/18	6/18	6/18	6/18	6/18	6/18	6/18	6		6	6
Loss of little and ring fingers										6/18	6/18	6/18	6/18	6/18	6/18	6/18	6		6	6
Loss of rings and middle fingers										6/18	6/18	6/18	6/18	6/18	6/18	6/18	6		6	6
Loss of index and little fingers										10/18	10/18	10/18	10/18	10/18	10/18	10/18	10		10	10
Loss of thumb and little finger										16/18	16/18	16/18	16/18	16/18	16/18	16/18	16		16	16
Loss of thumb, index and little fingers										12/18	12/18	12/18	12/18	12/18	12/18	12/18	12		12	12
Loss of thumb and metacarpal bone										10/18	10/18	10/18	10/18	10/18	10/18	10/18	10		10	10
Loss of all the toes of one foot										8/18	8/18	8/18	8/18	8/18	8/18	8/18	8		8	8
Loss of great, second and third toes										8/18	8/18	8/18	8/18	8/18	8/18	8/18	8		8	8
Loss of great toe and metatarsal										8/18	8/18	8/18	8/18	8/18	8/18	8/18	8		8	8
Loss of great and second toes										8/18	8/18	8/18	8/18	8/18	8/18	8/18	8		8	8
Loss of any other toe and metatarsal										6/18	6/18	6/18	6/18	6/18	6/18	6/18	6		6	6
Inguinal femoral or ventral hernia										10/18	10/18	10/18	10/18	10/18	10/18	10/18	10		10	10
Inguinal hernia, which passes through the external ring										6/18	6/18	6/18	6/18	6/18	6/18	6/18	6		6	6
Inguinal hernia, which does not pass through the external ring										14/18	14/18	14/18	14/18	14/18	14/18	14/18	14		14	14
Double inguinal hernia, each of which passes through the external ring										12/18	12/18	12/18	12/18	12/18	12/18	12/18	12		12	12
Double inguinal hernia, one of which passes through the external ring and the other does not										8/18	8/18	8/18	8/18	8/18	8/18	8/18	8		8	8
Double inguinal hernia, neither of which passes through the external ring										10/18	10/18	10/18	10/18	10/18	10/18	10/18	10		10	10
Femoral hernia										2/18	2/18	2/18	2/18	2/18	2/18	2/18	2		2	2
Small varicocele										4/18	4/18	4/18	4/18	4/18	4/18	4/18	4		4	4
well marked varicocele										4/18	4/18	4/18	4/18	4/18	4/18	4/18	4		4	4

(a) Section 4699 of the Revised Statutes provides that the rate of eighteen dollars per month may be proportionately divided for any degree of disability established for which Section 495 makes no provision. The highest rating approved by law can be allowed by considering separate and compounding disabilities as to allow the full amount which the disabilities would aggregate.

(b) The Act of Aug. 27/1888 provides a \$30 rate for total deafness and authorizes the Secretary of Interior to grant such proportion thereof in cases of partial deafness as he may deem equitable. Act of Jan. 15, 1903 increases total deafness rate to \$40. Rates for partial degrees of deafness not affected. The act of March 2 1895, provides that all pensioners now on the rolls, who are pensioned at less than \$6/month, for any degree of disability or several combined disabilities shall be rated at not less than \$6 per month. The Act authorized rating for cases covering periods prior to the passage of this Act.

**TABLE No. 3**

RATES BASED UPON AGE AND LENGTH OF SERVICE (Act of May 11, 1912)

	90 days	6 Months	1 Year	1.5 Year	2 Years	2.5 Year	3 Years
62 years	\$13	\$13.5	\$14	\$14.5	\$15	\$15.5	\$16
66 years	\$15	\$15.5	\$16	\$16.5	\$17	\$18	\$19
70 years	\$18	\$19	\$20	\$21.5	\$23	\$24	\$25
75 years	\$21	\$22.5	\$24	\$27	\$30	\$30	\$30

Source: U.S. Pension Bureau. Orders, Instructions and Regulations Governing the Pension Bureau (1915),105

**TABLE No. 4**

INCREASED RATES BASED UPON AGE AND LENGTH OF SERVICE (Act of June 10, 1918)

	90 days	6 Months	1 Year	1.5 Year	2 Years	2.5 Year	3 Years
Any	\$30						
72 Years		\$32	\$35	\$38	\$40	\$40	\$40

Source: U.S. Pension Bureau. Orders, Instructions and Regulations Governing the Pension Bureau (1915),105