

Dear Patron:

We regret that the enclosed photocopies are the best we were able to obtain using our normal reproduction process. This is caused primarily by the age and faded conditions of some of the documents from which these copies were made.

COMPLETE FILE ENCLOSED

BEST AVAILABLE COPY.

THE NATIONAL ARCHIVES

CERT. NO. 1566 780

PENSIONER:

William S.

Widow

OF

VETERAN:

Franklin D. Denny

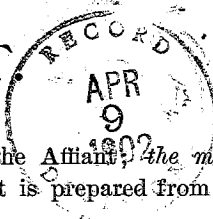
CAN NO:

70579

BUNDLE NO:

3

PHYSICIAN'S AFFIDAVIT



TAKE NOTICE.—This Affidavit should, if possible, be in the handwriting of the Affiant; the marginal instructions should be carefully observed before writing out the statement. If the affidavit is prepared from memoranda in possession of the physician, that fact should be stated.

In the matter of the Claim for Pension No. Certificate No. 923899

of Frank E. Emery
Claimant's name.

NOTE.
 The Physician's Affidavit should set forth:—

late of Company 2nd Battery Maine, Light Art'y Volunteers
Company and regiment of service, if in the Army; or name of vessel, if in the Navy.

I, Arthur J. Shaw, a resident of Bocton
Physician's name.

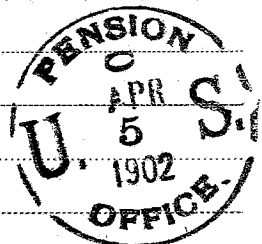
County of Suffolk, State of Massachusetts, on oath declare:—

That I am a practising physician; that I have been acquainted with said soldier for about 2 and 1/2

years, and that I have examined Mr Emery as follows.
Affiant should here embody all the facts known to him in accordance with the marginal instructions.

Previous History: Patient's statement: Says he has suffered for years from rheumatism, mostly in the legs and body. Examination October 7, 1898 showed intense iritis, which began 2 weeks previous to this examination; vision right eye, subsequently $\frac{20}{30}$. Marked posterior synechiae remaining and much pigment on the anterior capsule of lens from the lower angle of the iris. (From memoranda)

Examination June 30, 1902 showed vision right $\frac{20}{50}$ + 1 sph bring the vision up slightly $\frac{20}{50}$ +. The sight of the eye has been impaired ever since and will be permanent; and liable to recur at any time—also, said trouble, impairs the usefulness of the other eye very much.



All diseases or injuries that soldier has suffered from, to his knowledge, and the EXTENT to which he has THEREBY been disabled for performing manual labor, from to

I further declare that I have been a practitioner of medicine for 9 years, and that I have no interest, either direct or indirect, in the prosecution of this claim.

My post office address is

551 Baylston St Boston

Arthur J. Shaw
Affiant's signature.

Give rank and service, if in Army or Navy.

State of

Mass

ss.

County of

Cape

On this

second

day of

April 1907

189

, personally appeared

before me the above-named

Arthur J. Shaw

to me well-known as a reputable physician in good professional standing, and made oath that the foregoing statement by him subscribed is true.

I certify that the words

were erased, and the words

were added before execution, and that I have no interest, direct or indirect, in the prosecution

[L. S.]

of this claim.

{ Any erasures or inter-
lineations in the foregoing
affidavit should be certified
by the Magistrate, in his
jurat, as having been made
before execution. }

William H. Rogers
Magistrate's signature.

NOTARY PUBLIC,
PENSION DEPARTMENT,
STATE HOUSE,
BOSTON, MASS.

Oct March 6. 1896
Name of Claimant, }
Russell & Inwood

No. 923899

Claimant Frank E. Emory

Late 2 Battery Reg't,
Maine Artillery Vols.

MEDICAL EVIDENCE.

AFFIDAVIT OF

Dr. Arthur J. Shaw

551 Baylston St
Boston Mass

FILED BY

FREEMAN EMMONS,
No. 37 Tremont Street,
BOSTON, MASS.

Printed by W. H. Russell, Wakefield, Mass

WILLIAM C. RICHARDSON,
37 Tremont Street,
Boston, Mass.

PHYSICIAN'S AFFIDAVIT.

TAKE NOTICE.—This Affidavit should, if possible, be in the handwriting of the Affiant; the marginal instructions should be carefully observed before writing out the statement. If the affidavit is prepared from memoranda in possession of the physician, that fact should be stated.

NOTE.

The Physician's Affidavit should set forth:—

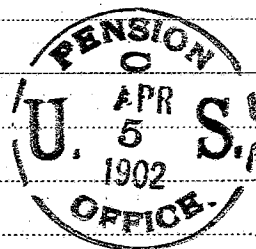
All diseases or injuries that soldier has suffered from, to his knowledge, and the EXTENT to which he has THEREBY been disabled for performing manual labor, from to

In the matter of the Claim for Pension No. Certificate No. 923899
of Frank E. Emery
Claimant's name.
late of Company 2nd Battery Maine, Light Arty Volunteers
Company and regiment of service, if in the Army; or name of vessel, if in the Navy.
I, Isaac L. Pickard M.D., a resident of Lowell
Physician's name.

County of Middlesex, State of Mass, on oath declare:—

That I am a practising physician; that I have been acquainted with said soldier for about 4 years, and that said Frank E. Emery was under my care for lites in eye from October 5th to 30th 1898. There were adhesions to lens & consequent impairment of sight. This lites was of rheumatic origin. These dates are taken from my case book.

Affiant should here embody all the facts known to him in accordance with the marginal instructions.



I further declare that I have been a practitioner of medicine for 6 years, and that I have no interest, either direct or indirect, in the prosecution of this claim.

My post office address is Concord, Mass.

J. L. Pickard M.D.
Affiant's signature.

Give rank and service, if in Army or Navy.

State of Mass

ss.

County of Middlesex

On this 22^d day of March 1902, personally appeared
before me the above-named J. L. Pickard M.D.

to me well-known as a reputable physician in good professional standing, and made oath that the foregoing statement by him subscribed is true.

I certify that the words

were erased, and the words

were added before execution, and that I have no interest, direct or indirect, in the prosecution

[L. S.]

of this claim.

Any erasures or interlineations in the foregoing affidavit should be certified by the Magistrate, in his jurat, as having been made before execution.

Loring N. Fowler
Magistrate's signature.

Justice of the Peace
Official character.

Filed - Feb. 11, 1891 to Feb. 23, 1906
J.B.E.

RECEIVED
APR 10 1902
CITY OF BOSTON

Oct March 1896
Nature of Claim, Reissue & Increase

No. 14 923899

Claimant Frank E. Emery

Late 2^d Batt. Me. Lt. Col. Reg't,

Vols.

MEDICAL EVIDENCE.

AFFIDAVIT OF

J. L. Pickard M.D.

Concord, Mass.

RECORDED
APR 9 1902
FILED BY
FRIEMAN EMMONS,

No. 37 Tremont Street,
BOSTON, MASS.

FILED FOR
PUBLICATION
BY A. W. BROWNELL, Watchdog, Mass.
ELMER C. RICHARDSON,
37 Tremont Street,
Boston, Mass.

PHYSICIAN'S AFFIDAVIT.

PROOF OF PHYSICAL DISABILITY.—Act of June 27, 1890.

TAKE NOTICE.—The affidavit should, if possible, be in the handwriting of the affiant; the marginal instructions must be carefully observed before writing out the statement. All the facts in possession of affiant as to the origin and continuance of the disability should be fully set forth, and the dates of treatment should be specifically given.

State of Massachusetts, County of Worcester, ss:

In the Pension Claim No. 1072135

of Frank E. Emery, late of Co. 2^d Heavy Maine Vol. 1st Art.
for invalid pension, (Company and regiment of service, if in the army; or vessel and rank if in the navy.)

Personally came before me, a Justice of the Peace in and for the aforesaid

County and State H. O. Rumburgh M.D. a citizen of Attol Mass

whose Post Office address is Attol Massachusetts

well known to me to be reputable and entitled to credit; and who, being duly sworn, declares in relation to aforesaid case as follows:

That he is a Practicing Physician, and that he has been acquainted with said soldier for about Five years, and that

(Here embody all the facts known to the affiant in accordance with the marginal instructions. No erasures or interlineations will be permitted unless the magistrate certifies in his jurat that they were made before executing the paper.)

Since August 1889 Rumburgh more or less intimately acquainted with Frank E. Emery formerly of Gardner Mass prescribed for him at intervals since my first knowledge of him was when called to him. Since for Rheumatism following this as a sequel he had a valvular lesion of his heart viz mitral regurgitation and mitral insufficiency. His Rheumatism at present time is not bad. But he is a great Barometer. Every time there is any barometric change he suffers extreme pain in lower extremities. Last last until the day atmosphere improving. In Feb 1890 he had an attack of Fever of Ague while performing official duty as a lecturer in Chicago and from Massachusetts at present he is not able to perform any kind manual labor. His habits or general there is nothing in his way of living conducive to ill health.

NOTES.

The Physician's Affidavit must show the following facts:

- 1st. A complete diagnosis of the disabilities upon which the claim for pension is based, and the period during which he treated him.
- 2d. That the soldier is suffering at present from a mental or physical disability of a permanent character not the result of his own vicious habits which incapacitates him from the performance of manual labor in such a degree as to render him unable to earn a support. The degree or extent he has been disabled since the filing of his application should be plainly stated.

He further declares that he has been a practitioner of medicine for 17 1/2 years, and that he has no interest, either direct or indirect, in the prosecution of this claim.

H. Q. Dunbar, M.D.
(Affiant's Signature. Give rank and service, if in the army)

Sworn to and subscribed before me this Seventh day of April A. D. 18 92

and I hereby certify that the affiant is a practicing physician in good professional standing; that the contents of the above declaration, &c., were fully made known to him before swearing, including the words _____ erased, and the words _____

_____ added; and that I have no interest, direct or indirect, in the prosecution of this claim.

Certification file
Person Dept Washington D.C.
Nemy R Vaile
(Official Signature)
Judge of the Peace
(Official Character)

[L. S.]

I, _____ Clerk of the County Court in and for aforesaid County and State do certify that _____, Esq., who has signed his name to the foregoing declaration and affidavit was at the time of so doing _____ in and for said County and State duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.

Witness my hand and seal of office, this _____ day of _____, 18 ____.

[L. S.]

PHYSICIAN'S EVIDENCE

Act of June 27, 1890.

OFFICE OF THE
COMMISSIONER OF
PENSIONS
WASHINGTON, D.C.

Nature of claim General

Soldier Frank C. Green

Co. 2nd Battery Maine

Vol. 1st, 1861

Massachusetts

No. 1072, 135

Filed by
George W. H. Co.
Attorney, Worcester
Massachusetts

Printed and for sale by J. H. SOULE, Washington, D.C.
George W. H. Co.

GENERAL AFFIDAVIT.

State of Massachusetts, County of Middlesex, ss:

In the matter of Claim for Invalid Pension No 1072, 185-
of Frank E. Emory late Private, 2^d Battery, Maine S. I.

ON THIS 25 day of February A. D. 1897, personally appeared before me
a Justice of the Peace in and for the aforesaid County duly authorized to administer oaths,
Uriam P. Bean aged 48 years, a resident of Hudson
 in the County of Middlesex and State of Massachusetts

well known to me to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case
 as follows:

That he is well and personally acquainted
[NOTE.—Affiants should state how they gain a knowledge of the facts to which they testify.]
 with Frank E. Emory the Claimant in this case
 and has known him since 1893 to the present
 time. Worked in the same shop with him from
1875 to 1880 when he gave up his work and was
 appointed Station Agent of the Pitchburg Rail
road in this Town of Hudson. While in the shop
 has frequently heard him complain of his heart
 It would beat hard and fast at times and
 appeared to take his strength away. And further
 Affiant declares that he knew Claimant's Ankle
 would at times be swelled and look inflamed
 when he would be quite lame. Said complaints
 were not due to vicious habits as Claimant was
 a man of industrial habits and bore a good
 reputation in this Town

His Post Office address is Hudson, Middlesex Co. Mass

He further declares that he has no interest in said case and is not concerned
 in its prosecution.

Uriam P. Bean
Hudson Mass

[Signature of Affiants.]

[If Affiants sign by mark, two persons who can write sign here.]

STATE OF Massachusetts, COUNTY OF Middlesex, ss:

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant, ~~including the words~~ ~~erased, and the words~~ ~~added~~ and acquainted him with its contents before he executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me and that he is a credible person.

Certificate on file
in Pension Office

[L. S.]

John F. Nolan
(Official Signature.)
Justice of the Peace
(Official Character.)

I, _____ Clerk of the County Court in and for aforesaid County and State, do certify that _____, Esq., who has signed his name to the foregoing declaration and affidavit was at the time of so doing _____ in and for said County and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.

Witness my hand and seal of office, this _____ day of _____, 18 _____

[L. S.]

Clerk of the _____

NOTE.—This can be executed before any officer authorized to administer oaths for general purposes. If such officer uses a seal, certificate of Clerk of Court is not necessary. If no seal is used, then such certificate must be attached.

act June 27 th 1890	ADDITIONAL EVIDENCE.	CLAIM OF	24 th Regt. Battery, Mass.	L. H. and Wright for	Inmate of Prison	AFFIDAVIT OF	William P. Bean	P. O. Acknowledgment	Middlesex Co. Mass.	Pension Office	Filed by	George M. Wood	Arthur Wood	M. M. Wood	Printed and for sale by J. H. SOULE, Washington, D. C.	From George M. Wood
No. 10722133																

GENERAL AFFIDAVIT.

State of Massachusetts, County of Middlesex, ss.

In the matter of Claim for Invalid Pension No 1072135

of Frank E. Emory, late Private, 2nd Battery Maine

Vol. 1, Sec. A. ON THIS 25 day of February A. D. 1899 personally appeared before me

a Justice of the Peace in and for the aforesaid County duly authorized to administer oaths,

William D. Ordway aged 49 years, a resident of Hudson

in the County of Middlesex and State of Massachusetts

well known to me to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case as follows:

That he is personally acquainted with

[NOTE.—Affiants should state how they gain a knowledge of the facts to which they testify.]

Frank E. Emory the Claimant in this case and
has known him for the past 18 years. That he
worked with him in the same Shop from 1873
to 1880. During that time he frequently heard
the said Emory complain of trouble with his heart.
It would palpitate strong and rapid and seemed
to affect his strength. When he gave up his work
in the shop he was appointed station agent on the
Pitchburg Railroad. He was also troubled with his
ankle which at times would swell and look
inflamed and at such times he would be quite
lame. He was a man of good character and was
industrious so far as he was able, and respected
in this Town.

His Post Office address is Hudson Middlesex Co. Mass

He further declares that he has no interest in said case and is not concerned in its prosecution.

William D. Ordway

[If Affiants sign by mark, two persons who can write sign here.]

[Signature of Affiants.]

STATE OF Massachusetts, COUNTY OF Middlesex, ss.

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant, including the words "They" in second last line erased, and the words "he" in same line added added and acquainted him with its contents before he executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me and that he is a credible person.

*Certificates on file
in Pension Office*

John F. Nolan
(Official Signature.)
Justice of the Peace
(Official Character.)

[L. S.]

I, _____, Clerk of the County Court in and for aforesaid County

and State, do certify that _____, Esq., who has signed his name to the foregoing declaration and affidavit was at the time of so doing _____ in and for said County and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.

Witness my hand and seal of office, this _____ day of _____, 18 ____.

[L. S.]

Clerk of the _____

NOTE.—This can be executed before any officer authorized to administer oaths for general purposes. If such officer uses a seal, certificate of Clerk of Court is not necessary. If no seal is used, then such certificate must be attached.

ADDITIONAL EVIDENCE.

CLAIM OF

Frank C. Every
2d Regt. Battery Maine
L. H. 20 Feb 1875
Unpaid Pension
AFFIDAVIT OF

William D. Ordway
P.O. address, Hudson

Middlesex Co.
Massachusetts

To the Hon. the Commissioner of Pensions:
I have the honor to
forward two affidavits
which are, that of Every
is signed by the Justice of the Peace
Every, instead of Every, as
the Commission speaks of; but it is
Every, as signed by my name, as

Every, as signed by my name, as
Every, as signed by my name, as
Every, as signed by my name, as
Every, as signed by my name, as

Printed and for sale by J. H. SOULE, Washington, D. C.

From George W. Clark

PHYSICIAN'S AFFIDAVIT.

TAKE NOTICE.—This Affidavit should, if possible be in the handwriting of the Affiant; the marginal instructions should be carefully observed before writing out the statement. All the facts in possession of Affiant, as to the origin and continuance of the disability, should be fully set forth, and the dates of treatment should be specifically given. If the Affidavit is prepared from memoranda in possession of the physician, that fact should be stated.

In the matter for the Claim for Pension No. 1,072,135,

of Frank E. Emery
Claimant's name.

late of Company 2nd Battery L. A. Regiment, Maine Volunteers.
Company and regiment of service, if in the Army; or name of vessel, if in the Navy.

I, George S. Fitch a resident of Concord Mass.
Physician's name.

County of Widdoway, State of Mass., on oath declare:—

That I am a practising physician; and that I have been acquainted with said soldier for about three

years, and that I treated said soldier for malaria & an abscess
Affiant should here embody all the facts known to him in accordance with the marginal instructions.

on one of his fingers in the spring of 1895. I saw
said soldier at the Mass. Reformatory where I am
the physician & he a watchman almost daily for about
three years. It is my opinion that said soldier
could not have earned a living by manual labor
during the time that I have known him

NOTES.

The Physician's Affidavit should set forth:—

1st. If he knew the soldier prior to enlistment, he should state the length of time he knew him; how intimately; and what opportunities he had of observing his physical condition, whether as his family physician, or as a neighbor; how near he lived to him. If he knew that he was a sound man at enlistment, he should so state, adding, if true, that had he been unsound he would have known it.

2d. If he treated soldier while in the service, either as his regimental surgeon, or while soldier was home on furlough he should so state, giving the nature of the disability, with the date, place, and duration of treatment.

3d. If he has treated soldier since discharge, he should state the date of first treatment; his physical condition at the time, with complete diagnosis of the disability; and the dates and duration of all subsequent treatment.

4th. The extent or degree to which soldier has been disabled for manual labor during each year of the time he has been under treatment or observation should be shown.

5th. If the soldier is dead, the date and cause of death should be fully stated.

I further declare that I have been a practitioner of medicine for 16 years, and that I have no interest, either direct or indirect, in the prosecution of this claim.

My Post-office address is Concord, Mass.

George E. Fitcham, M.D.
Affiant's Signature.

Give rank and service, if in Army or Navy.

State of Massachusetts }
County of Middlesex } ss.

On this twenty second day of November 1896, personally appeared before me the above-named George E. Fitcham to me well-known as a reputable physician in good professional standing, and made oath that the foregoing statement by him subscribed is true.

I certify that the words
were erased, and the words
were added before execution, and that I have no interest, direct or indirect, in the prosecution of this claim.

[L.S.]

Any erasures or interlineations in the foregoing affidavit should be certified by the Magistrate, in his jurat, as having been made before execution.

Wm. S. Hayes
Magistrate's Signature.

Justice of the Peace Court of Central Middlesex
Official Character.

NOTE.—This may be sworn to before a Clerk of Court, Notary Public, or Justice of the Peace. If sworn before a Notary or Justice, then the official character and signature of such officer should be verified by certificate of the Clerk of Court on the form which follows:—

I, _____ Clerk of the _____ Court in and for aforesaid County and State, do certify that _____ Esq., who hath signed his name to foregoing affidavit, was, at the time of so doing, a _____ in and for said County and State, duly commissioned and sworn to, and all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.

Witness my hand and the seal of said Court, this _____ day of _____ 1896.

[L.S.]

Clerk.

Nature of Claim.

No. 1072-135

Client

Frank E. Emery

Date

2nd Dec 1896

Reg'd

Wm. S. Hayes

Vols.

MEDICAL EVIDENCE.

AFFIDAVIT OF

George E. Fitcham

M.D.

FILED BY

FILED BY

J. EMMONS,
BOSTON, MASS.

SOLD BY

T. H. BALL, LAW STATIONER,
24 TREMONT STREET,
BOSTON.

Memorandum

When Certificate
is issued Case
to be returned
to Civil War Division
for action upon
Claim of Pensioner
for reconsideration
of his rejected
June Act Claim

DIVISION.

DAILY REPORT.

Submissions:

Invalid General Law -----

Invalid Increase -----

Reissue Act of May 11, 1912 -----

Increase Act of May 11, 1912 -----

Original Act of February 6, 1907

Reissue Act of February 6, 1907 ---

Increase Act of February 6, 1907 --

Widows General Law -----

Widows Act of April 19, 1908

Accrued _____

Resubmissions

Reopening -----

Miscellaneous:

Letters _____

Circulars -----

Cases referred

Cases for Medical Examination

Calls on Adjutant General -----

Indexes for Special Examination - - - - -

Cases handled 17149

Cases on hand -----

RECEIVED BY THE
BUREAU OF THE
INDIAN AFFAIRS

Memo,
All statements as
to age indicate
birth year

1846

Hilger
Exr.

Concord Junction, Mass. March 17, 1915

Ans. May 27, '15.
The Commissioner of Pensions J. G. H.
Washington, D. C.

Dear Sir:

Certificate No. 923889

Frank. E. Emery

2^d Battery Light Artillery, Maine Volunteers.

I am pensioned under the Act of May 11, 1912, at the rate of \$15.50 per month, and claim such benefits under said Act as I may be entitled to by reason of age and length of service, and the provisions of the Act of March 4, 1913.

I was 69 years old on the 21st day of January 1915.



Frank. E. Emery

Concord Junction.

Massachusetts.



Reissue
ACT OF MAY 11, 1912.

Cert. No. *923889*

Claimant, *Frank E. Emery*

P. O., *Concord Junction*

Rank, *Private*

County, *Middlesex*

Service, *2 Batt*

State, *Massachusetts*

1" Maine Lt. Arif

Rate, \$ *15.50*

per month, commencing *May 20, 1912.*

ATTORNEY OR STATE REPRESENTATIVE.

(Order April 25, 1907.)

Name, _____

Fee, \$ _____; Agent to pay.

P. O., _____

Articles filed _____, 19 _____

APPROVAL.

Submitted for *Adm*, *Sept 10, 1912*

F. D. Griffin Examiner.

Approved for *Admission*

Rate \$ *15.50*

per month; age *66*

years.

Reissue from Act February 6, 1907

Length of pensionable service: *0* years, *8* months, *7* days.

Deductions in service from any cause: *None* years, _____ months, _____ days,

on account of _____

Sept 14, 1912, *Legal Reviewer.*

Sept 16, 1912, *Re Reviewer.*

Enlisted *Oct 10*, 18 *64* honorably discharged *June 16*, 18 *65*

Enlisted _____, 18 _____; honorably discharged _____, 18 _____

Enlisted _____, 18 _____; honorably discharged _____, 18 _____

Length of pensionable service: _____ years, *8* months, *7* days.

Pensioned at \$ *12* per month, under *Act July 6 1907*

PRESENT CLAIM, ACT OF MAY 11, 1912.

Declaration filed *May 20, 1912*

Age shown by evidence *66* years; date of birth alleged *Jan'y 21, 1846*

Claimant does _____ write.

CIVIL WAR

CERTIFICATE OF MEDICAL EXAMINATION

Insert number of claim.

No.

723889 ✓

Date of examination

Sept 13, 1924

Name of claimant.

Frank E. Emery

Address of Board.

Marlboro Mass

Claimant's post office address.

R. F. D.
Concord Junction Mass.

Names of disabilities.

Cannot walk more than 100 yds. without resting, cannot chew food as usual. He receives a pension of \$50.00 dollars per month.

Here give the claimant's statement (as briefly and as compactly as possible) in regard to the date of origin and cause of his disabilities and the manner in which they affect him.

He makes the following statement in regard to the origin of his disabilities and date when first discovered by him: Since January 16th. has had paralysis of soft palate and finds difficulty in swallowing. Cannot walk much without resting.

Birthplace, Portland Maine; age, 76 years; height, 5ft 8in weight, 143 pounds; complexion, Gray; color of eyes, Blue; color of hair, Gray; occupation, retired; permanent marks and scars other than those described below, none.

It is hereby certified that upon examination the following objective conditions are found:

Pulse rate, 60, 68, 80; respiration, 18, 22, 34; temperature, 98.6;

[Sitting, standing, after exercise.]

[Sitting, standing, after exercise.]

Here give a full description of the disabilities, in accordance with Book of instructions, and make a separate paragraph for each disability.

Claimant is unable to talk plainly - and from the look of his soft palate which is fallen, I believe that he cannot chew properly nor can he swallow.

Facts within the knowledge of the Board, or any member thereof, relative to the cause of any disability found should be stated.

Blood Pressure Diastolic 132
Systolic 84.

Heart action weak but regular.

If he talks for two minutes without stopping he gets very short of breath.

Act June 5-20, Survivors Spanish War: Estimate incapacity from all causes not due to vicious habits at one-tenth, one-fourth, one-half, three-fourths, or total.

Vision is good with glasses.

Hearing is fair - he can hear loud talking at a distance of 10 feet - with both ears.

Whenever a disability is shown or is believed to be due to or aggravated by vicious habits, the opinion of the Board must be stated. When not due to such habits, this fact must be stated.

Can eat, dress, and attend to the calls of nature alone. He is not too feeble to wait on himself. He goes about safely unattended.

§72 Cases: In every instance where aid and attendance is alleged, the Board will state (in so many words) whether the regular aid and attendance of another person is or is not required.

He can eat and dress alone, and attend to the calls of nature alone.

When rates are recommended solely on subjective evidence the strongest reasons must be given therefor.

I do not recommend him for any increase in pension.

Pres.

Sec'y.

W. E. Columbia

SURGEON'S CERTIFICATE.

Insert character and number of claim.

Name of claimant.

Claimant's post-office address.

Names of disabilities.

Here give the claimant's statement (as briefly and as compactly as possible) in regard to the date of origin and cause of his disabilities and the manner in which they affect him.

Here give a full description of the disabilities, in accordance with Book of instructions, and make a separate paragraph for each disability.

Facts within the knowledge of the Board, or any member thereof, relative to the cause of any disability found should be stated.

Whenever a disability is shown or is believed to be due to or aggravated by vicious habits the opinion of the board must be stated. When not due to such habits this fact must be stated.

When rates are recommended solely on subjective evidence the strongest reasons must be given therefor.

Increase Pension Claim No. 923889

Frank E. Emery. Address of Board. { Marlboro P. O.

Priv. 1st Reg't Me. Vol. St. art. Mass. State.

Concord Junction, Middlesex Co. Mass. March 18, 1903. [Date of examination.]

Rheumatism, disease of the heart, chills and fever, enlarged prostate, injury to right heel, malarial poisoning.

He receives a pension of six dollars per month.

He makes the following statement in regard to the origin of his disabilities and date when first discovered by him: Says he has rheumatism in back and both legs, cannot walk fast without being quite oppressed for breath; does not have any chills or fever at present, passes his water quite often during the day and twice at night.

Birthplace, Portland, Me.; age, 57 years; height, 5 ft. 7 3/4 in.; weight, 183 pounds; complexion, light; color of eyes, blue; color of hair, gray; occupation, watchman; permanent marks and scars other than those described below, none.

We hereby certify that upon examination we find the following objective conditions:

Pulse rate, 76 92 72; respiration, 24 24 30; temperature, 98-6; [Sitting, standing, after exercise.] [Sitting, standing, after exercise.]

Rheumatism; has more or less muscular rheumatism in his back and legs but no joints are affected there are signs of a slight lumbago.

Disease of heart; Apex beat not felt or seen but probably is in 6 interspace 1/2 inch to left of left mammary line. Percussion, dullness from 3 costal cartilage on left in left mammary line and laterally to 1/2 inch to left of left mammary line. Auscultation; there is a prolonged indefinite 1st sound with a slight murmur heard between nipple and axilla; rhythm fair, no oedema, cyanosis or dyspnoea present.

Chills and fever; not now suffering from chills or fever or sequelae of same; liver corresponds at its upper border to 6 rib, at its lower border to margin of ribs.

Splenic dullness, extends from 9th to 11th rib in left axillary line.

Enlarged prostate; prostate is 1 1/3 inches in diameter.

Urine Sp. Gr. 1000, acid reaction, amber color, no sugar, no albumen.

Injury to right heel; there is a scar on the right heel 2 inches long, well healed and does not affect use of foot.

Except as above no other disabilities are found to exist.

No evidence of vicious habits.

We find that the aggregate permanent disability for earning a support by manual labor is due to rheumatism, disease of heart and enlarged prostate not due to vicious habits and warrants a rate of \$8 per month.

Joseph Harriman, Pres. E. H. Ellis, Sec'y. Wm. S. Richards, Treas.

Single surgeons will use this blank, changing "we" to read "I."

Marginal entries must never be made.

Certificate to be filled in and signed by the secretary when the full board is present.)

"I hereby certify that Dr. Jas L. Harriman, Dr. E. H. Ellis, and Dr. Wm S Richardson, were personally present and actually participated in the examination of Frank E. Emery, the claimant in this case, on 18 day of March, 1903."

(Signature.)

E. H. Ellis

(This certificate to be filled in by the member of the board acting as secretary, and signed by the applicant, when a full board is not present.)

"I, _____, the applicant for (increase or original) pension referred to in this medical certificate, hereby consent to be examined by Dr. _____ and Dr. _____, the examining surgeons here present (waiving examination by full board), on this _____ day of _____, 190 ."

Witnesses to mark.

(Signature of Applicant.)

IN CASE OF

Frank E. Emery

Co. Battery 1st Reg't Mass. Vol. St. Art.

APPLICANT FOR Increase.

No. 923889

DATE OF EXAMINATION:

March 18, 1903.

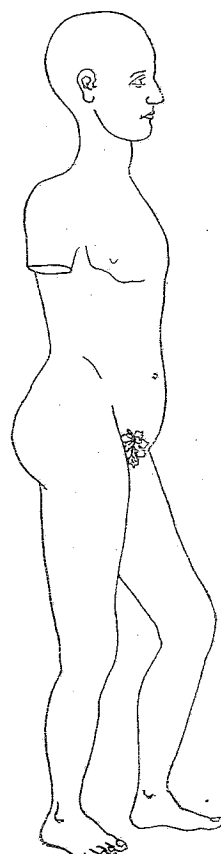
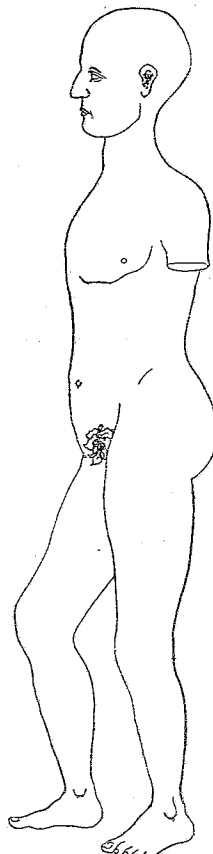
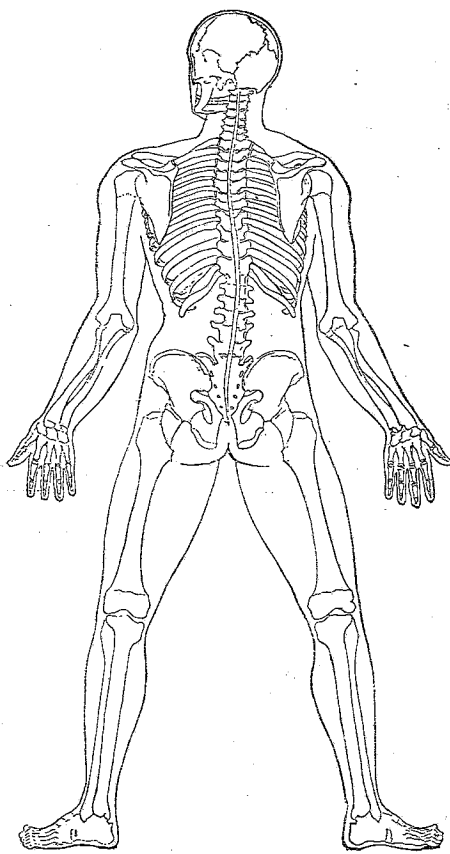
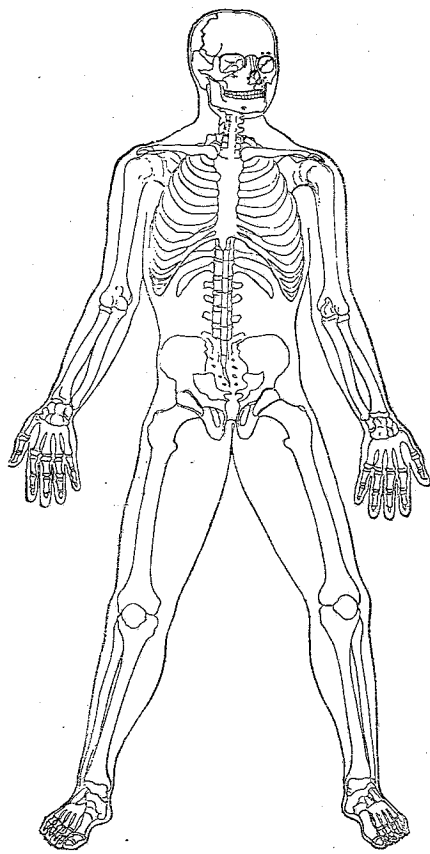
BOARD.
Jas. L. Harriman Pres.,
E. H. Ellis Sec'y,
Wm S Richardson Treas.,

Post office, Marlboro,

County, Middlesex,

State, Mass.

Do not use backs of certificates for any purpose other than indicated by printed matter thereon. 6-532a



The outlines of the human skeleton and figure should be used to indicate precisely the location of a disease or injury, the entrance and exit of a missile, an amputation, etc.

all
growth 3

Increase

ACT OF MAY 11, 1912.
ACT OF MARCH 4, 1913

No. 923,889/

Claimant,

P. O., Concord Junction,

Rank, Private

County, Middlesex,

Service, 2^d Batty,

State, Massachusetts

1 Maine Lt. Art.

Rate, \$ 19.- per month, commencing January 21, 1916

\$ 22.50 " from January 21, 1921.

ATTORNEY OR STATE REPRESENTATIVE

(Order April 25, 1907.)

Name, None

Fee, \$

P. O.,

Articles filed

APR 32 from June 10, 1916
from 19
Act of June 10, 1913
Agent to pay. Ext.
JUL 16 1918

APPROVAL.

Submitted for adm. Feby 25, 1916, W. R. Hittler, Examiner.

Approved for increase Rate \$19. per month, age 70 years.

date of birth January 21, 1846

Length of pensionable service: 0 years, 8 months, 7 days.

Deductions in service from any cause: none years, months, days,

on account of

March 4, 1914, B. G. Scott Legal Reviewer. March 4, 1916, W. R. Hittler Re-Reviewer.

Enlisted Oct 10, 1864, honorably discharged June 16, 1865

Enlisted, 18 ; honorably discharged, 18

Enlisted, 18 ; honorably discharged, 18

Length of pensionable service: 8 years, 8 months, 7 days.

Pensioned at \$ 15.00 per month, under Act of May 11, 1912

PRESENT CLAIM, ACT OF MAY 11, 1912.

Letter Feby 14, 1916

Age shown by evidence 70 years; date of birth alleged, Jan'y 21, 1846

Claimant does write.

No. M. C.

100 No. 1566180

3-367

ACT OF

May 1, 1920

WIDOW'S PENSION.

Feb 16

Claimant

Lydia S. Emery

P. O.

Central St.
Concord Junction

County

Massachusetts

Soldier
Sailor

Franklin C. Emery

Service

Private

(Rank)

Me. L. Art.

(Regiment-Ship)

2

Bally

Rate, \$ 30 per month, commencing

January 3, 1927

and \$ per month as follows:

additional for each child,

All pension to terminate , 1, date of

Payments on all former certificates covering any portion of same time to be deducted.

Born		Commencing
Sixteen		
Born		Commencing
Sixteen		
Born		Commencing
Sixteen		
Born		Commencing
Sixteen		
Born		Commencing
Sixteen		
Born		Commencing
Sixteen		
Born		Commencing
Sixteen		
Born		Commencing
Sixteen		

INCREASED TO \$40 PER MONTH FROM
JUNE 4, 1928 - ACT MAY 23, 1928

AUG 6 - 1928
2 m 12

RECOGNIZED ATTORNEY.

Name

R.R. Flynn

Fee, \$

100

P. O.

State House - Boston - Mass

APPROVALS.

Submitted for

Adm - Feb - 9, 1927

M. D. Buss

Examiner.

Approved for

Admission

Act May 1, 1920

FEB 10 1927

R.R. Flynn

The soldier was

pensioned at \$

72

per month under

Act May 1, 1920

Enlisted

Oct 10

1

864

Discharged

June 16

1

865

Reenlisted

1

Discharged

1

Invalid claim filed

Nov - 14

1

894

Died

Nov - 27

1

926

Widow's claim filed

Jan - 3

1

927

Cl't's app'n under other laws

No -

1

Former marriage of soldier

June 18, 1870

Death

Divorce

of former wife

Dec - 11, 1874

Former marriage of claimant

No

1

Death

Divorce

of former husband

Sept - 6, 1876

Cl't's marriage to soldier

not remarried

1

Claimant does write.

Admission as of rank 3. Emery

MAR 25 623337

Write nothing above this line.

(3-060 a.)

MILITARY SERVICE.

NAME OF SOLDIER:

Frank E. Emery

East- Div. Bureau of Pensions,
107 B. Ex'r. Mich 22 1892
No. 1072. 135-
2^d Batty Me. L. a.

SIR:

It is alleged that the above-named man enlisted 10
Oct., 18 64 and served as a private-
in Batty B Regt Me. Vol. L. a.
also as a in Co. , Reg't
, and was discharged at
Augusta, Me.
on 16 June, 18 65-

No. of prior claim

The War Department will please furnish an official statement
in this case, showing date of enrollment and date and mode of
termination of service.

Very respectfully,

Green B. Brown
Commissioner.
THE OFFICER IN CHARGE OF THE
RECORD AND PENSION DIVISION,
WAR DEPARTMENT.

0-4

War Department,

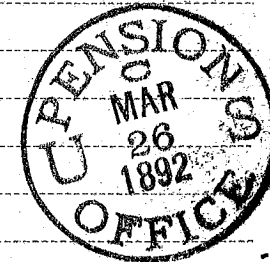
Record and Pension Division,

MAR 25 1892

Respectfully returned to the

COMMISSIONER OF PENSIONS.

The rolls show that Frank E. Emery
2^d Batty Me. L. a.
mentioned in the preceding indorsement, was enrolled
Oct. 10, 1864 and U. S. A. as Pr.
June 16, 1865.



BY AUTHORITY OF THE SECRETARY OF WAR:

Per *Heaneworth*
Major Captain and As't Surgeon, U. S. Army.

4000 b-50 m

ADJUTANT GENERAL'S OFFICE

SEP 9 3096696 2161
WAR DEPARTMENT

CIVIL WAR 8-094.
6-3304

FRG.

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,

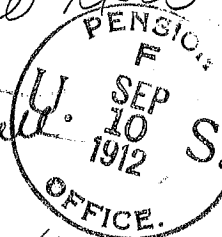
Washington, D. C., Sept-6 -1912

Respectfully referred to
The Adjutant General
War Department-
for personal description
Age at enlistment-
And any other age
shown in service

2 Enclosures

of 923,889
Frank E Emery
2. Batty 1st Me R.A.

L. Stillwell
Commissioner

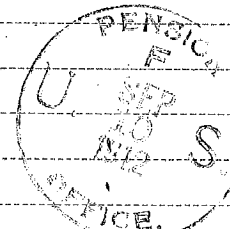


WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE.
WASHINGTON, SEP 9 - 1912

Respectfully returned to the
Commissioner of Pensions,

with the information that in the case of

Frank E Emery
2 Batty / Bath Me 2 Ar
the records show personal description as follows:
Age / 8, height 5 feet, 6 inches,
complexion florid
eyes blue, hair brown
place of birth Portland Me.
occupation Machinist
MOR also shows
age 18 yrs



Geo. Andrews
The Adjutant General.

(A. G. O. 136)

Per 7

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY

DIVISION OF VITAL STATISTICS

YEAR 1876
VOL. 281
PAGE 86
NO. 24

ABSTRACT OF RECORD

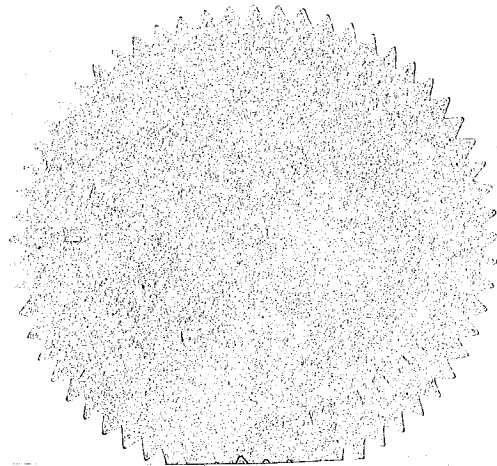
I, the undersigned, hereby certify that I am the Secretary of the Commonwealth of Massachusetts, that as such I have the custody of the records of births, marriages, and deaths required by law to be kept in my office, and from such records it appears that

*Franklin E. Emery, 30 yrs, 2nd mar, son of Alfred H. & Harriet
B. (Stockman) and Lydia S. Mann, 27 yrs, 1st mar, dau of Andrew
J. & Lydia S. (Fay) were mar. at Hudson, Sept. 6, 1876.*
And I do hereby certify that the foregoing is a true abstract from said records.

Witness my hand and the GREAT SEAL of the COMMON-
WEALTH at Boston on this 31st day of December,
A. D. 1926.

F. C. Cook

Secretary of the Commonwealth



GENERAL AFFIDAVIT.

State of Massachusetts County of Middlesex ss:

In the matter of claim of Frank E. Emery, Adm'r of

Notary Morris Light Atty. for Adm'r's pension

ON THIS ninth day of June A. D. 1893 personally appeared before me

a Justice of the Peace in and for the aforesaid County duly authorized to administer oaths.

Geo. B. Cochran aged 50 years, a resident of Hudson

in the County of Middlesex and State of Massachusetts

well known to me to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case as follows:

I have known Frank E. Emery

[NOTE.—Affiant should state how he gained a knowledge of the facts to which he testifies.]

for about 20 years. For several years prior to 1881 he passed my store in going to and from his work and I saw him very often. I have been in business in Hudson as a Druggist 21 years. I have sold him medicines and put up physicians prescriptions for him for Rheumatism at intervals for several years.

According to my best knowledge & belief his disability did not result from vicious habits or any course within his own control

H^{is} Post Office address is Hudson Mass

He further declares that he has no interest in said case and is not concerned in its prosecution.

[If Affiant signs by mark, two persons who can write sign here.]

Geo B. Cochran M.D

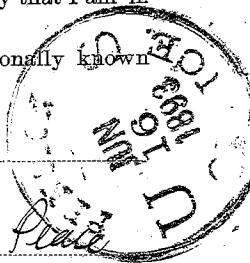
[Signature of Affiant.]

STATE OF Massachusetts, COUNTY OF Middlesex, ss.

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant, including the words _____, erased, and the words _____ added and acquainted _____ with its contents before _____ executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution; and that said affiant _____ personally known to me and that _____ a credible person.

Fred O. Nash
[Official Signature.]

Justice of the Peace
[Official Character.]



Certificate on file
[L.S.]
in County Office

I, _____, Clerk of the County Court in and for aforesaid County and State, do certify that _____, Esq., who has signed his name to the foregoing declaration and affidavit was at the time of so doing _____ in and for said County and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.

Witness my hand and seal of office, this _____ day of _____, 189_____.

[L. S.]

Clerk of the _____

To be executed before some officer authorized to administer oaths for general purposes. The official character and signature of any such officer not required by law to use a seal must be certified by the clerk of the proper court, giving dates of beginning and close of official term.

under act June 8 1890
Nov 11 1893
ADDITIONAL EVIDENCE.
CLAIM OF
George B. Cochrane No. 2
P.O. Hendon, Middlesex
County, Massachusetts
AFFIDAVIT OF
George B. Cochrane No. 2
P.O. Hendon, Middlesex
County, Massachusetts

Filed by
George B. Cochrane
Nov 11 1893
J. H. SOULE, Washington, D. C.
George B. Cochrane

GENERAL AFFIDAVIT.

State of Massachusetts, County of Worcester; ss:

In the matter of Claim of Frank E. Emery

Notary No 2 A. for Period from Nov. 10 1895

ON THIS 29th day of May A. D. 1899 personally appeared before me

Clark 1st Dist. Court No Worcester in and for the aforesaid County duly authorized to administer oaths.

Henry C. Farnes aged 52 years, a resident of Quincy

in the County of Worcester and State of Massachusetts

well known to me to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case as follows:

[NOTE.—Affiant should state how he gained a knowledge of the facts to which he testifies.]

I have known the above named Frank E. Emery since February 1889, our business being such that we were together nearly every day, and also lived near neighbors, and well known to me to be perfectly reliable. I was not with him at time of accident but see him very soon after he reached home and have every reason to believe his statement correct. He told me he was at Worcester and ^{got} left on train, and did jump on a Freight to get home and got his foot caught on draw shackles between cars. I see and helped dress his foot the second day after it was injured. And I do know that he was laid up a long time with the same.

His Post Office address is

Gardner Mass. Worcester County

and I further declare that I have no interest in said case and am not concerned in its prosecution.

[If Affiant signs by mark, two persons who can write sign here.]

Henry A. Farnes

[Signature of Affiant]

GENERAL AFFIDAVIT.

State of Massachusetts, County of Worcester, ss:

In the matter of Claim of Frank E. Emery, late of 2

Holby U. S. La. for invalid pension, No. 1072, 135

ON THIS 29th day of May A. D. 1899; personally appeared before me

Clerk of 1st Dist. Court of Northern Worcester in and for the aforesaid County duly authorized to administer oaths.

Edw. A. Sawyer aged 36 years, a resident of Gardner

in the County of Worcester and State of Mass.

well known to me to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case as follows:

That about midnight on the 12th of Sept '91

[NOTE.—Affiant should state how he gained a knowledge of the facts to which he testifies.]

I was called by Mr. Emery to dress injuries to his right foot at the heel, received while riding on a night freight from Worcester to Gardner. Which injuries consisted of a bad laceration of the tissues about the heel and fracture of the Os Calcis. So badly were the tissues lacerated and torn that Mr. Emery had little use of his foot for a long time. Said injuries were occasioned by foot getting caught between the draw-bars as he was changing his position on cars. Have known Mr. Emery since Feb. 1889 and have been intimately acquainted with him as his family physician and have seen him nearly every day, and know him to be a man of good character and with no bad habits.

✓

His Post Office address is Gardner Mass.

He further declares that he has no interest in said case and is not concerned in its prosecution.

[If Affiant signs by mark, two persons who can write sign here.]

Edw. A. Sawyer, M.D.
[Signature of Affiant]

STATE OF Massachusetts, COUNTY OF Worcester, ss:

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant, including the words.....erased, and the words

.....added

and acquainted him with its contents before he executed the same. I further certify that I am in

nowise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known

to me and that he is a credible person.

[L. S.]

Charles B. Boyington
[Official Signature.]
Clerk of the Superior Court
County of Worcester, Massachusetts.
[Official Character.]

I, _____, Clerk of the County Court in and for aforesaid County

and State, do certify that _____, Esq., who has signed his name to the

foregoing declaration and affidavit was at the time of so doing _____ in and

for said County and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and

that his signature thereunto is genuine.

Witness my hand and seal of office, this _____ day of _____, 189_____.

[L. S.]

Clerk of the _____

To be executed before some officer authorized to administer oaths for general purposes. The official character and signature of any such officer not required by law to use a seal must be certified by the clerk of the proper court, giving dates of beginning and close of official term.

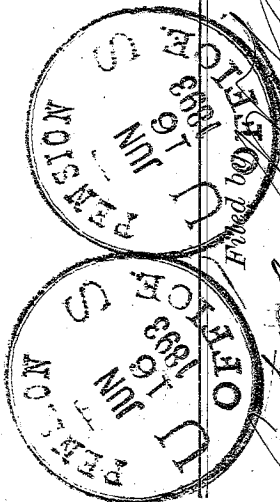
act June 27 "1890.
No. 1072. 185

CLAIM OF

Frank E. Conner
State of Mass.
Worcester

AFFIDAVIT OF

County of Worcester, Mass.
Geo. Gardner, Worcester, Mass.
Massachusetts.



Worcester, Mass.
Massachusetts
Printed and Published by H. SOULE, Washington, D. C.
Worcester, Mass.

GENERAL AFFIDAVIT.

State of Massachusetts, County of Middlesex, ss.

In the matter of John E. Emery, late of Boston, Marine Light Artillery, for invalid's pension.

ON THIS ninth day of June A. D. 1893, personally appeared before me

a Justice of the Peace in and for the aforesaid County duly authorized to administer oaths,

L. Warren Jenkinson aged 53 years, a resident of Hudson

in the County of Middlesex and State of Massachusetts

well known to me to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case as follows:

[NOTE.—Affiant should state how he gained a knowledge of the facts to which he testifies.]

That I have known Frank E. Emery for the past twenty three years and have had dealings with him in many ways. I have the best of reasons for knowing of his injuries to foot and as far as to his other disabilities to the best knowledge and belief were not caused by any vicious habits

His Post Office address is Hudson Mass

He further declares that he has no interest in said case and is not concerned in its prosecution.

[If Affiant signs by mark, two persons who can write sign here.]

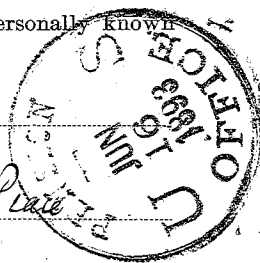
L. Warren Jenkinson
[Signature of Affiant.]

STATE OF Massachusetts, COUNTY OF Worcester, ss.

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant, including the words.....erased, and the words.....added and acquainted him with its contents before he executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me and that he is a credible person.

Frederic O. Webb
[Official Signature.]

Justice of the Peace
[Official Character.]



*Certificate on file
in Pension Office*
[L. S.]

I, _____, Clerk of the County Court in and for aforesaid County and State, do certify that _____, Esq., who has signed his name to the foregoing declaration and affidavit was at the time of so doing _____ in and for said County and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.

Witness my hand and seal of office, this _____ day of _____, 189_____.

[L. S.] Clerk of the _____

To be executed before some officer authorized to administer oaths for general purposes. The official character and signature of any such officer not required by law to use a seal must be certified by the clerk of the proper court, giving dates of beginning and close of official term.

*under act June 27/1898
M-11072, 125*
ADDITIONAL EVIDENCE.
CLAIM OF
Frank C. Garrison
late of 2nd Battery, 1st Mass
Light Artillery - 1st Mass

AFFIDAVIT OF
L. Warren Garrison No.
Henderson, Middlesex Co.,
Massachusetts.

Filed by
James M. Wood
Robert W. Wood
James M. Wood
Printed and on sale by J. H. SOULE, Washington, D. C.
James M. Wood

GENERAL AFFIDAVIT

COMMONWEALTH OF MASSACHUSETTS
Middlesex ss.

Personally came before me, a Notary Public, in and for aforesaid County and State, Etta M. Hunt, age 59 years, residing at Hudson, County of Middlesex, State of Massachusetts, who being duly sworn, declares: that she has been well acquainted with Franklin E. Emery (commonly called Frank E. Emery) since the early part of 1870, that she knew of his marriage to Helen M. Merrill in June of that year, which she understood and believed to be the first marriage of both, and that they lived together continuously without divorce until her death in December 1874, she and they being residents of the town of Hudson, Middlesex County, Massachusetts, and meeting each other frequently during that period. That she also has been well acquainted with Lydia S. Emery, the present wife of the soldier, Frank E. Emery from the time that she was about fifteen years of age, and knows that she was not married until she married the soldier, Frank E. Emery in September 1876, and she knows that she has lived with him continuously without divorce since the date of her said marriage.

Etta M. Hunt,

Sworn to and subscribed before me this seventh day of February, A. D. 1910, and I hereby certify that the contents of the foregoing affidavit were fully made known and explained to the affiant before swearing thereto, that the affiant is to me well known and is credible.

John J. Hartwell
Notary Public.

GENERAL AFFIDAVIT.

Commonwealth of Massachusetts
County of Middlesex ss

Personally came before me, John J. Hartnett, a Notary Public in and for said State and County, Franklin E. Emery, residing at Concord Junction, in the County of Middlesex and Commonwealth of Massachusetts, who being duly sworn, deposes and says that he was born January 21, 1846, in the City of Portland, County of Cumberland and State of Maine, son of Alfred H. and Harriet (Stockman) Emery, that the name given him by his parents as shown by the records in the office of the City Clerk of said Portland, was Franklin Eaton Emery, which was, and still is his full and legal name, that about the time he was eighteen years of age he adopted the custom of writing his first name in the abbreviated form of "Frank", that at the time of his enlistment as a private in the 2nd. Maine Battery of Light Artillery in October, 1864 his name was signed in said abbreviated form, that he is a pensioner, and that he is the identical person named in Certificate No. 923889 under the Act of February 6, 1907 as Frank.E. Emery, and also the identical person who was married June 18, 1870 to Helen M. Merrill and on September 6, 1876 to Lydia S. Mann, that he never was married to any woman except the two herein named, and that he makes this affidavit to explain the technical variance in name between his record as a soldier, and as the husband of Lydia S. Emery, who if she should survive him, would be his lawful widow, and an applicant for a pension as such.

Franklin E. Emery
.....
Affiant.

Subscribed and sworn to before me this nineteenth day of January, A. D., 1910 and I hereby certify that the contents of the foregoing affidavit were fully made known and explained to the affiant before swearing thereto; that the affiant is to me well known and is credible.

John J. Hartnett
Notary Public.



GENERAL AFFIDAVIT.

State of Massachusetts, County of Middlesex, ss:

IN THE MATTER OF claim of Frank, E. Emery late
Private of 2nd Battery Maine L. A. No. -1,072,135

ON THIS 24 day of October, A. D., 1896, personally appeared before me, a

Justice of the Peace in and for the aforesaid County, duly authorized to administer oaths,

L. Warren Jernison aged 57 years, a resident of Hudson

in the County of Middlesex and State of Massachusetts

whose Post Office address is Hudson Mass and

Oscar W. Holt aged 53 years, a resident of Hudson

in the County of Middlesex and State of Massachusetts

whose Post Office address is Hudson Massachusetts

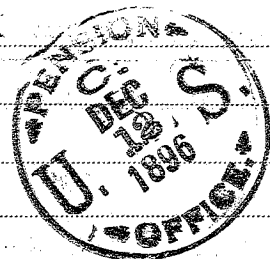
well known to me to be reputable and entitled to credit, and who, being duly sworn, declare in relation to the aforesaid case as follows:

that we have been acquainted with the above
Affiants should state how they gain a knowledge of the facts to which they testify

Claimant for the period of twenty five years for the
first ten years of that time we met him nearly
every day since then we have been in communication
with him and have kept up our acquaintance
and have met him at least once a year we
know him to be a man of good habits and we
willingly certify that the disability he suffers
from is not caused from vicious habits we
further certify that this was written in our presence
from our oral statements by Charles H. Hill of
Hudson Mass this the twenty four day of October
in the year of our Lord Eighteen hundred and Ninety six

Instructions—
Read Carefully.
Under the order of the Commissioner of Pensions number 222 in the preparation of testimony in support of claims in pension cases, all statements affecting the particular case and not merely formal, must be written or prepared to be type-written, in the presence of the witness, and from his oral declarations then made to the person who then reduces the testimony to writing or then prepares the same to be type-written. And such testimony must embody a statement by the witness that such testimony was all written or prepared for type-writing (as the case may be) in his presence, and only from his oral statements then made; stating also the time, place, and person, when, where and to whom he made such oral statements, and that in making the same he did not use, and was not aided or prompted by any written or printed statement or recital, prepared or dictated by any other person; and not attached as an exhibit to his testimony.

NOTE.—The above instructions do not apply to cases in which the affidavit is in the hand writing of the witness. In such case the witness should state that the affidavit was written by him, and that he was not prompted thereto by any written memorandum not attached as an exhibit to his testimony.



we further declare that we have no interest in said case and are not concerned in its prosecution.

Witness to both

L. Warren Jernison
Oscar W. Holt

If Affiants sign by mark, two witnesses who can write sign here

Signatures of Affiants

State of Massachusetts, County of Middlesex, ss.:

Sworn to and subscribed before me this day by the above-named affiant and I certify that I read said affidavit to said affiant including the words _____ erased, and the words _____ added, and acquainted them with its contents before they executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution; and that said affiant are personally known to me and that they are credible persons.

[L. S.]

Charles H. Hill
Official Signature
Justice of the Peace
Official Character

I, _____, Clerk of the County Court in and for aforesaid County and State, do certify that _____, Esq., who has signed his name to the foregoing declaration and affidavit was at the time of so doing _____ in and for said County and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.

Witness my hand and seal of office, this _____ day of _____, 189_____.

[L. S.]

Clerk of the _____

To be executed before some officer authorized to administer oaths for general purposes. The official character and signature of any such officer not required by law to use a seal must be certified by the clerk of the proper court, giving dates of beginning and close of official term.

Certificate on file at pension Dept

Additional Evidence.

CLAIM OF

Frank E. Emery
2nd Battery Me. L. Art.

AFFIDAVIT OF

L. W. Garrison
and
Oscar W. Holt

1072-135

FILED BY

FREEMAN EMMONS,

ATTORNEY,

**37 Fremont Street,
BOSTON, MASS.**

GENERAL AFFIDAVIT.

NOTE.—Write the affidavit just as you would write a letter, stating all the facts, circumstances, dates and places, as near as you can remember, according to the requirements in the case in which your testimony is to be used; also state how you know what you say to be true; whether from personal observation or otherwise. This blank can be used for the testimony of either one or two persons.

STATE OF Massachusetts

COUNTY OF Middlesex

ss.

In the matter of the claim for Invalid pension No. 1072.135
of Frank E. Emery

late of Company 2nd Battery L.A. Regiment Maine

Volunteers.

Personally came before me, a Justice of the Peace in and for aforesaid County
and State, Rufus R. Wade, aged 68 years,

resident of Somerville, in the County of Middlesex, State of Massachusetts,

who being duly sworn, declares in relation to aforesaid case, as follows:

that the said Frank E. Emery was a member of the detective department of the Massachusetts District Police; during the time he was such member and ever since his retirement from said department I have been the Chief Officer of said District Police; on the thirtieth day of February 1890 I gave him instructions to go to the City of Chicago in the State of Illinois to do some detective work in a case which was part of his duty to perform.

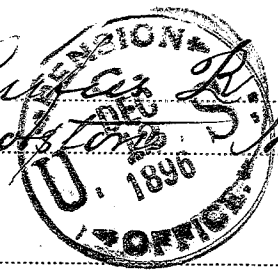
He thereupon went to Chicago and remained for about five days. While there he had an attack of Chills and fever. On the twentieth of said February he left Chicago and went to New York City, where he was confined at a hotel for two days and two nights under the care of a physician who was treating him for said chills and fever. He was then pronounced by said physician to be unable to attend to his regular duties. From New York City he reported to me in Boston in person when I found him suffering from Chills and fever, and I immediately sent him to his home, assisted by another officer where he the said Emery remained suffering from said sickness for about three weeks.

The dates and the time which I have above mentioned are taken from the records which show the duties performed and the times thereof by each officer of this department.

and that I have no interest in said case, and I am not concerned in its prosecution.

Attest—when any affiant signs BY MARK two persons sign here.

Affiant's Signature, Rufus R. Wade
P. O. Address, Boston, Mass.
Affiant's Signature, _____
P. O. Address, _____



and subscribed before me this day by the above-named affiant ; and I certify that I read said affidavit to said affiant , and acquainted him with its contents before he executed the same; that said affiant is personally known to me; that he is a credible person and so reputed in the community in which he resides . I further certify that the words were erased, and the words were added before execution, and that I have no interest, direct or indirect, in the prosecution of this claim.

Witness my hand and seal this Seventeenth day of November 1896

ADD SEAL HERE.

{ Any erasures or interlineations in the foregoing affidavit should be certified by the Magistrate, in his jurat, as having been made before execution. }

Edwin Y. Brown
Magistrate's Signature.
Justice of the Peace
Official Character.

NOTE.—This may be sworn to before a CLERK OF COURT, NOTARY PUBLIC, or JUSTICE OF THE PEACE. If sworn before a NOTARY or JUSTICE, then the official character and signature of such officer should be verified by certificate of the Clerk of Court, on the form which follows:

I, _____ Clerk of the _____ Court, in and for aforesaid County and State, do certify that _____ Esq., who hath signed his name to the foregoing affidavit, was, at the time of so doing, a _____ in and for said County and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.

Witness my hand and the seal of said Court, this _____ day of _____ 189 .

Clerk.

[L. S.]

Nature of Claim.

No. 1072-135

Claimant, Frank E. Emery

Date.

2nd Battery
Co.,

Reg't.

Vols.

Wm. L. A.

AFFIDAVIT OF

Rufus R. Wade,

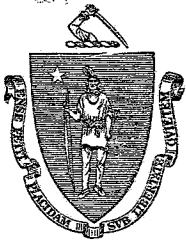
FILED BY

RECEIVED BY

U. S. MARSHAL
FOR THE DISTRICT OF MASS.

SOLD BY

T. H. BALL, LAW STATIONER,
24 TREMONT STREET,
BOSTON.



The Commonwealth of Massachusetts

STATE AID AND PENSION DEPARTMENT,

STATE HOUSE, BOSTON

AFFIDAVIT.

State of Massachusetts,

SS.

County of _____

In the matter of the claim for Increased pension
of Franklin E. Emery

of Company, _____ Regiment 2 Batty. 1 Regt. Me. L. A. _____ Vol.: _____

Personally came before me, a _____ in and for
aforesaid County and State, Franklin E. Emery aged 78 and

Acton, resident of Acton
in the County of Middlesex, State of Mass., who being

duly sworn, declare in relation to aforesaid claim, as follows:—

Since Dec. 8, 1922 I have been suffering from throat trouble diagnosed at that time by Dr. George Leland of Commonwealth Ave., Boston, a noted throat specialist, as "partial paralysis of some part and an infection of fourth tonsil." On Dec. 10, 1922 my own physician, Dr. George E. Titcomb, of Concord, Mass., ordered my removal to the Deaconess Hospital at Concord for treatment, where I remained until Dec. 19, 1922, and treatments were continued at my home until the latter part of February 1923. The treatments included the administration of food, in liquid form by mechanical means, which Dr. Titcomb told my wife was the only thing that kept me alive. Soon after that time Dr. Titcomb became ill and died several months later. I afterwards learned that Dr. Leland had also died, and therefore I cannot furnish medical evidence covering above mentioned period other than could be shown from the records of the Hospital from Dec. 10 to Dec. 19, 1922. During the spring, summer and early fall of 1923 my health seemed to improve, and my condition became nearly normal, but on Jan. 16, 1924 I again experienced the same trouble as before and consulted Dr. Frederick K. Shaw of Concord, Mass., who sent me to a specialist, Dr. George L. Vogel, 536 Commonwealth Ave., Boston, from and since which date I have been treated by and under the direction of the two physicians last named herein, both of whom are of the opinion that the disability is a continuation of that for which I had previously been treated by Dr. Titcomb and Dr. Leland. Since Dec. 6, 1922 I have required the constant care of one person and still require it. With the exception of the time I was a patient in the hospital my wife has ministered to my wants unremittingly. I have lost over 50 pounds in weight.

My condition is such that I cannot go before the pension medical examination and I request that it be made at my home at East Acton, near Fuller's Acton Garage.

Affiant's Signature, _____

P. O. Address, _____

Affiant's Signature, _____

P. O. Address, _____

Attest—when any affiant signs BY MAKE two persons sign here.

CLERK

DEC 11 1925

(Here insert affiant's name or names.)

Sworn to and subscribed before me this day by the above-named affiant ;-----
-----; and I certify that I read
said affidavit to said affiant , and acquainted-----with its contents before-----executed the same

I further certify that I am in no wise interested in said claim, nor am I concerned in its prosecution.

Witness my hand and official seal this _____ day of _____ 192

Sign here.

This affidavit may be executed by any officer authorized to administer oaths for general purposes in the State, city or county where said officer resides. If such officer has a seal and uses it upon such paper, no certificate of a county clerk or clerk of a court shall be necessary; but when no seal is used by the officer taking such affidavit, then a clerk of a court of record, or a county or city clerk, shall affix his official seal thereto, and shall certify to the signature and official character of said officer.

CLAIM FOR

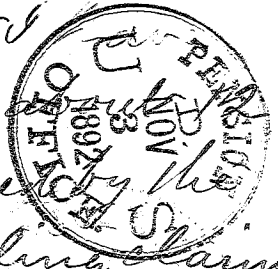
AFFIDAVIT OF

FILED BY

STATE AID AND PENSION

DEPARTMENT

BOSTON, MASS.

This is to certify that I, Frank E. Emery, a resident of the Town of Concord, County of Middlesex and Commonwealth of Massachusetts on oath depose and say, that I was a Private of 2nd Battery Me, L. A. from Oct. 10, 1864 to June 16, 1865. That my claim for pension is entitled "Inv. No. 1072135," and in answer to inquiry as to when I incurred "enlarged prostate and injury to right heel" will say that I suffered the effects of enlarged prostate  years, first learned cause when examined by the Board of Surgeons at Fitchburg since filing claim. The injury to my right heel was incurred Sept. 12 1891. I was unable to walk without the aid of crutches at time of filing claim, and used a cane for months afterwards. I further declare that said disabilities are not due to vicious habits and to the best of my knowledge and belief are of a permanent character. My present Post Office address is Concord Junction Middlesex County, Mass.

Witness S. A. Clough Frank E. Emery

State Massachusetts } On this 31st day of Oct- 1892.
 County of Middlesex ss.) Personally appeared the
 Withers named Frank E. Emery. before me a
 Justice of the Peace in and for the aforesaid County
 and made oath that the above statement was
 true to his best knowledge and belief.

L. V. Clough.
 Justice of the Peace

Under act, June 27th 1892.
 No. 1042, 186-
 Claim of
 Frank E. Emery
 late Private 2nd Regt
 20th Infantry, for unpaid
 pension, act June
 27th 1890.

Affidavit of
 Claimant, Post
 Office address,
 Concord Junction,
 Middlesex County
 Mass^{ts}.

Filed by George W. Hall
 at Worcester
 Massachusetts.

Application for Re-Issue, under Act of March 6, 1896.

ACT OF JUNE 27, 1890.

DECLARATION FOR INVALID PENSION.

To be executed before a Court of Record or some officer thereof having custody of its seal, a Notary Public or a Justice of the Peace, whose official signature shall be verified by his official seal, and in case he has none, his signature and official character shall be certified by a Clerk of a Court of Record, or a City or County Clerk.

STATE OF Mass.
COUNTY OF Middlesex } ss.

On this 26 day of November A.D. one thousand ^{nine} hundred and two, personally appeared before me a Justice of the Peace within and for the county and State aforesaid Frank E. Emery aged 56 years, a resident of the Town of Acton, county of Middlesex State of Mass. who, being duly sworn according to law, declares that he is the identical person who was ENROLLED on the 4th day of Oct., 1864, in 2nd Batt. of the Regiment of Me L.A. Vol.

in the war of the rebellion, and served at least ninety days, and was HONORABLY DISCHARGED at Augusta, Me. on the 16th day of June, 1865. That he has not been in any military or naval service, U. S., since then. That he is partially unable to earn a support by reason of rheumatism, disease of heart, chills and fever, enlarged prostate, and injury to right heel.
(Here give names of each wound, injury or disease from which disabled.)

and that said disability existed, in a pensionable degree, Nov. 7, 1891. ~~June 27, 1890.~~ That he makes this application for Re-issue of Pension under Act of March 6, 1896, which provides:

"That whenever a claim for pension under Act of June 27, 1890, has been, or shall hereafter be, rejected, suspended, or dismissed, and a new application shall have been, or shall hereafter be, filed, and a pension has been, or shall hereafter be, allowed in such claim, such pension shall date from the time of filing the first application, provided the evidence in the case shall show a pensionable disability to have existed, or to exist, at the time of filing such first application, anything in any law or ruling of the Department to the contrary notwithstanding."

That his disabilities are not due to vicious habits, and are to the best of his knowledge and belief permanent. That he has applied for pension under application No. 923899 That he is a pensioner under Certificate No. 923899 That he makes this declaration for the purpose (If a pensioner, the Certificate number only need be given. If not, give the number of the former application, if one was made.) of being placed on the pension roll of the United States under the provisions of the Act of June 27, 1890.

He hereby appoints Elmer C. Richardson of 37 Tremont St., Boston, Mass. his true and lawful attorney to prosecute his claim; attorney fee to be ten dollars. That his Post Office Address is Concord Junction, Mass.

Frank E. Emery
(Claimant's signature.)

Attest Lucius B. Hodgman
Justice of the Peace

ATTY FILED

PENSION
NOV 29 1902
OFFICE

personally appeared Marshall E Wright residing at Concord Mass
and George M Brown residing at Concord Mass
persons whom I certify to be respectable and entitled to credit, and
who, being by me duly sworn, say that they were present and saw Frank E. Emery
the claimant sign his name (make his mark) to the foregoing declaration; that they have every reason
to believe from the appearance of said claimant and their acquaintance with him, for three years, and
less years respectively, that he is the identical person he represents himself to be; and that they have
no interest in the prosecution of this claim.

(If Affiants sign by mark, two persons who can write sign here.)

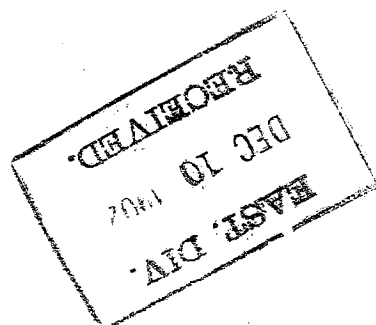
Marshall E. Wright
George M Brown
(Signature of Affiants)

Sworn to and subscribed before me this 26 day of November A.D. 1902,
and I hereby certify that the contents of the above declaration, &c., were fully made known and explained to the
applicant and witnesses before swearing, including the words
erased, and the words added; and
that I have no interest, direct or indirect, in the prosecution of this claim.

[L. S.]

Record Division,
Certificate of covering
Aug 1902 Aug 1909

Lucius R Hodgman
Justice of the Peace



J.C. 923,889. 2
SOLDIER'S APPLICATION.

Name.....

Frank E. Emery

Service.....

1st Battery, 1st Me.

L. A. Fols.

APPLICATION FOR RE-ISSUE,

ACT OF MARCH 6, 1896.

FILED BY

ELMER C. RICHARDSON,
37 Tremont Street,
Boston, Mass.

Sold by

T. H. BALL, Law Stationer,
24 Tremont Street, Boston.

923,889

Issue
DECLARATION FOR THE RE-RATING OF AN INVALID PENSION.
[UNDER ANY LAW.]

State of Mass.
County of Middlesex } SS:

On the date hereinafter mentioned, personally appeared before me, a Justice of the Peace
within and for the County and State aforesaid Frank E. Emery
aged 64 years, a resident of Concord Junction County of
Middlesex State of Mass. who being duly sworn
according to law, declares that he is a pensioner of the United States, under Act Feb. 6, 1907
enrolled at the Boston Pension Agency at the rate of 12 Dollars
per month, Certificate No. 923,889, by reason of age.

That he served as a private, 2nd Battery, Light Artillery, Maine Vols.
State rank, company and regiment, if in the army; or the name of the vessel, if in the navy.

That he believes himself to be entitled to a *Re-Issue* re-rating of his pension for the following reasons, to
wit: He believes that he was ratably disabled when
he made his first application for pension about
Nov. 1891. He is confident that an inspection of
the findings of the Board of Surgeons by whom he was
examined on said application, will bear out his statement.

He hereby appoints, with full power of substitution,
R. W. SHOPPELL, & Co. WASHINGTON, D. C.

their successors or legal representatives, his true and lawful attorneys, to present and prosecute his
claim, requesting that, in the event of an allowance being made, his said attorneys be paid a fee, as pro-
vided by law for the successful prosecution of a pension claim. His Post-office address is
Concord Junction, Mass.

Frank E. Emery
Signature of Claimant.

Also personally appeared George E. Newton residing at Weymouth Mass
and Frank E. Sandersen, residing at Weymouth Mass, persons whom I
certify to be respectable and entitled to credit, and who, being by me duly sworn, say that they were present
and saw Frank E. Emery, the claimant, sign his name (or make his
mark) to the foregoing declaration; that they have every reason to believe, from the appearance of said
claimant and their acquaintance with him, that he is the identical person he represents himself to be;
and that they have no interest in the prosecution of this claim.

George E. Newton
Frank E. Sandersen
Signature of Witnesses.

If witnesses sign by mark, two persons who can write must sign here.

ATTORNEY FILED
JAN 11 1910
LAW DIVISION

RECEIVED
NOV 1 1910
PENSION

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me this 29th
 day of October 1910, and I hereby certify that the contents of
 the above declaration and power of attorney were fully and truly made known and
 explained to the applicant and witnesses before swearing to the same; and that
 (L.S.) Frank E. Emery acknowledged the signing and sealing of the
 power of attorney to be his free act and deed for the purposes herein named. I
 further certify that I have no interest, direct or indirect, in the prosecution of
 this claim.

Certificate on file to cover
 date

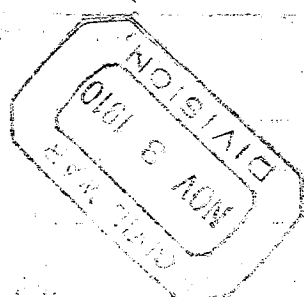
Charles L. Purvis
 Signature of Magistrate

Justice of the Peace
 Official title of Magistrate

Wayward Mass

Certificate on file

NOTE.—This paper may be executed before any officer authorized to administer oaths for general purposes. Certificate of Clerk of Court need NOT be attached, but will be procured when called for. In numerous instances the official character of the Notary or Magistrate is already officially known at the Pension Bureau, and in that case the fact should be stated.



Declaration and
 power of attorney (214)
 as to execution
 1910

Leave
CLAIM FOR A RE-RATING

OF AN

INVALID PENSION.

Frank E. Emery Applicant.

2nd Battery Lt. Artillery Reg't.

Maine

Vols.

Cyf. No. 923,889

FILED BY

**R. W. SHOPPELL,
 WASHINGTON, D. C.**

Declaration for Invalid Pension.

Act of June 27, 1890.

Note.—This can be executed before any officer authorized to administer oaths for general purposes. If such officer uses a seal, certificate of clerk of court is not necessary. If no seal is used, then such certificate must be attached.

State of Mass., County of Middlesex, ss:

ON THIS 8th day of Sept, A. D., one thousand, eight hundred and ninety Six

personally appeared before me, a Justice of the Peace

within and for the County and State aforesaid, Frank E. Emery

aged 50 years, a resident of the Town of East Acton

County of Middlesex, State of Mass, who, being

duly sworn according to law, declares that he is the identical Frank E. Emery

who was ENROLLED on the 4 day of October, 1864 in Camp Here state rank, company, and

2nd Battery Maine Light Artillery Co regiment, if in the army; vessel, if in the navy.

Injury to right foot

in the service of the United States in the war of the rebellion, and served at least ninety

days, and was HONORABLY DISCHARGED at Angola Mo, on the 16 day of

June, 1865. That he is partially unable to earn a support by manual

labor by reason of

Heart disease, Rheumatism, Chills and fever and enlargement of prostate gland
Injury to right heel

That said disabilities are not due to vicious habits, and are, to the best of his knowledge and belief, of a permanent character.

That he has — applied for pension under application No. 1072135 That he is a pensioner

under Certificate No. — If a pensioner, the certificate number only need be given. If not, give the number of the former application

if one was made. That he has not been employed in the military or naval service otherwise than as stated above.

not prior to 4 October 1864 nor since 16 June 1865 That he makes this declaration for the purpose of being placed on the pension-roll of the United States, under the provis-

ions of the Act of June 27, 1890. He hereby appoints

FREEMAN EMMONS, of Boston, Mass.,

his true and lawful Attorney, to prosecute his claim, and he directs that the sum of Ten Dollars be paid to said Attorney.

That his Post Office address is Concord Junction

County of Middlesex, State of Mass

John H. Plunkett Frank E. Emery
Joseph Walstrick Signature of Claimant.

Two witnesses who can write, sign here.

ATTY FILED

Also personally appeared James P. Campbell, residing at 56 Walter St. Roxbury
Bat. Mass. and Josephus H. Whitney
 residing at 14 Franklin St. Medford Mass, persons whom I
 CERTIFY to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw
Frank Emery, the claimant, sign his name (or make his mark) to
 the foregoing declaration; that they have every reason to believe from the appearance of said claimant and their acquaintance
 with him for nine years and eight years, respectively, that he is the
 identical person he represents himself to be, and that they have no interest in the prosecution of this claim.

James P. Campbell
Josephus H. Whitney
 Signatures of Witnesses.

Sworn to and subscribed before me this eighth day of Sept, A. D., 1896
 and I hereby certify that the contents of the above declaration, &c., were fully made known and explained to the
 applicant and witnesses before swearing, including the words.....
 erased, and the words
 added,

and that I have no interest direct or indirect, in the prosecution of this claim.

[L. S.]

Joseph A. Moore
 Official Signature.
Justice of the Peace
 Official Character.

I,, Clerk of the County Court in and for aforesaid County
 and State, do certify that, Esq., who has signed his name to the
 foregoing declaration and affidavit was at the time of so doing in
 and for said County and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and
 that his signature thereunto is genuine.

Witness my hand and seal of office, this day of, 189

[L. S.]

Clerk of the

The Act of June 27, 1890, REQUIRES in case of a soldier :

1. An honorable discharge (but the certificate need not be filed unless called for.)
2. A minimum service of ninety days.
3. A permanent physical disability not due to vicious habits. (It need not have originated in the service.)
4. The rates under the act are graded from \$6 to \$12, proportioned to the degree of inability to earn a support, and are not affected by the rank held.
5. A pensioner under prior laws may apply under this one, or a pensioner under this one may apply under other laws, but he cannot draw more than ONE pension for the same period.

Soldier's Application.

Act of June 27, 1890.

Name

Frank C. Emery

Service

2 Bally M. Co.

Address

Carleton Junction

Mass

PENSION
 U. S. SEP
 10 1896

RECORDED
 SEP 19 1896

RECEIVED BY

FREEMAN EMMONS,

LAW DIVISION,
 B. SEP 11 1896

No. 4 RECEIVED
 BOSTON, MASS.

For sale by J. H. SOULE, Washington, D. C.

21/97

Declaration for Invalid Pension.

Act of June 27, 1890.

NOTE.—This can be executed before any officer authorized to administer oaths for general purposes. If such officer uses a seal, certificate of Clerk of Court is not necessary. If no seal is used, then such certificate must be attached.

State of Massachusetts, County of Worcester, ss:

ON THIS 7th day of November, A. D. one thousand eight hundred and ninety one

personally appeared before me, Clerk 1st Dist. Court of Northern Worcester,

within and for the County and State aforesaid, Frank E. Emery

aged 45 years, a resident of the town of Gardner

County of Worcester State of Massachusetts, who, being

duly sworn according to law, declares that he is the identical Frank E. Emery

who was ENROLLED on the 10th day of October, 1864, in 2nd Battery
(Here state rank, company)

Mr. Vol. 3, Lt. Col. at a Private
and regiment, in Military service, or vessel, if in the Navy.)

..... in the war of the rebellion, and served at least

ninety days, and was HONORABLY DISCHARGED at Augusta, Me. on the 16th

day of June, 1866 That he is partially unable to earn a support by

manual labor by reason of Rheumatism and Disease of Heart
(Here name the diseases or injuries from which disabled.)

That said disabilities are not due to his vicious habits, and are to the best of his knowledge and belief permanent. That

he has not applied for pension under application No. That he is a pensioner

under Certificate No.

(If a pensioner, Certificate only need be given. If not, give the number of the

former application if one was made.)

That he has not been employed in the military or naval service otherwise than as stated above.

That he has not been employed in the military or naval service otherwise than as stated above

That he makes this declaration for the purpose of being placed on the pension-roll of the United States under the provi-

sions of the Act of June 27, 1890. He hereby appoints

George W. Corr of Arthur Wadsworth Co, Mass^{ts}

his true and lawful attorney to prosecute his claim, and he directs that the sum of ten dollars be paid to said attorney

That his POST OFFICE ADDRESS is Gardner

County of Worcester State of Massachusetts

Phutetur B. Remm
Francis J. Whitmore
(Two witnesses who can write, sign here.)

Frank E. Emery
Signature of Claimant.)

fully appeared Thatcher B. Whinn, residing at Gardner, Mass.

and Francis S. Whittier, residing at Gosdun, Mass., persons whom I

certify to be respectable and entitled to credit, and who, being by me duly sworn, say they were present and saw

Frank E. Emery....., the claimant, sign his name (or make his mark) to

the foregoing declaration; that they have every reason to believe from the appearance of said claimant and their acquaint-

ance with him for two years and two years, respectively, that he is the

identical person he represents himself to be; and that they have no interest in the prosecution of this claim.

have no interest in the prosecution of this claim.

Thatcher B. Dunn
Francis J. Whittemore
(Signatures of Witnesses.)

(Signatures of Witnesses.)

Sworn to and subscribed before me this....17.....day of...November....., A. D. 1899.

and I hereby certify that the contents of the above declaration, &c., were fully made known and explained

to the applicant and witnesses before swearing, including the words.....

.....erased, and the words.....

.....added; and that I have no interest, direct or indirect, in the

prosecution of this claim.

Charles B. Bragdon
 (Official Signature)
Clerk of the First District Court
of Worcester, Massachusetts,
 (Official Character.)

(Official Signature)

(Official Character.)

[L. S.]

I, _____, Clerk of the County Court in and for aforesaid County
and State, do certify that _____ Esq. who has signed his name to the

foregoing declaration and affidavit was at the time of so doing.....in and

for said County and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.

Witness my hand and seal of office, this day of, 189....

[L. S.]

The Act of June 27, 1890, REQUIRES, in case of a soldier:

1. An honorable discharge (but the certificate need not be filed unless called for.)
2. A minimum service of ninety days.
3. A permanent physical disability not due to vicious habits. (It need not have originated in the service.)
4. The rates under the act are graded from \$6 to \$12, proportioned to the degree of inability to earn a support, and are not affected by the rank held.
5. A pensioner under prior laws may apply under this one, or a pensioner under this one may apply under other laws, but he cannot draw more than ONE pension for the same period.

SOLDIER'S APPLICATION.

Act of June 27, 1890.

Name Frank, E. Ramsey
Service 2nd Battery, Missouri

St. Paul

Address Yazobner.

Worcester Co. Mass.

~~Feb 19th 1896.~~

of Peruvians. See page 119.

most we can't do is apply Court

called or ~~not~~ burned here, that;

and pay to them the Attorney's
fees, and interest of said

could per A. J. Tarnes
conceal from J. H. Thos.
conceal from J. H. Thos.

Gardner, 3000 S. 1st St.,
 de. wicked - me to act, for him,
 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840,

They planned - in a clandestine way - to steal
a map of muscle in the glaciers and,
i.e. in 1911, filled by the first claim.

am/pted. Sed, it is a $\frac{1}{2}$ way off."

2000

~~John W. McCord~~

M. J. L.

Printed and for sale by J. H. SOULE, Washington, D. C.

George M. Davis

Act of June 27, 1890.

6. INVALID PENSION.

Claimant, Frank E. Emery No. 1072, 135
P.O., Concord Junction Rank, Private
County, Middlesex Company, 2^d Batt.
State, Mass. Regiment, Me. Vol. St. Art.
Rate, \$ _____, per month, commencing _____

REJECTED.

Disabled by _____

RECOGNIZED ATTORNEY.

Name, George W. Horr Fee, \$ 10 Agent to pay.
P.O., Attol, Mass. Articles filed, _____, 189 .

APPROVALS.

Submitted for rejection, Sept. 1, 1893 Brayton, Examiner.
Approved for rejection, no pensionable disability under Act of June 27, 1890 Approved for rejection, no pensionable disability under Act of June 27, 1890
from alleged rheumatism disease of heart enlarged prostate and injury of right heel, as per action of Medical Referee.
Singletary Legal Reviewer Nov 21, 1893
Ed Stora Nov. 16, 1893
Thos. H. Henshaw Medical Referee.

Not now pensioned under other laws. Last paid to _____, 189 ., at \$ _____
Pensioned from _____, 18 _____, at \$ _____, for _____

SERVICE SHOWN BY RECORD.

Enlisted Oct. 10, 1864 honorably discharged June 16, 1865
Re-enlisted _____, 18 _____, honorably discharged _____, 18 _____
Declaration filed Nov. 14, 1891, alleges permanent disability, not due to vicious habits, from rheumatism and disease of heart Nov. 3/92 Enlarged prostate and injury to right heel No M. L.
Winters

(3-145 a.)

ACT OF JUNE 27, 1890.

INVALID PENSION. 1,072,135.

Claimant,

P. O.,

County,

State,

Rate, \$

Rank,

Company,

Regiment,

per month, commencing

Disabled by

RECOGNIZED ATTORNEY.

Name,

P. O.,

Fee, \$

Articles filed,

Agent to pay.

, 189

APPROVALS.

Submitted for

, 14

, 1896,

Examiner.

Approved for

Approved for

of heart & malarial poisoning
Reject enlargement of prostate
gland & injury to right heel, and
disability under Act of June
27/90, subject to approval of Med. Ref.
Dec 28, 1896

of heart and malarial
poisoning & b. See slip.
No other disability to affect rate.
Wm. H. Thompson, M.D.
Jan 11, 1897.

Not

now pensioned under other laws. Last paid to

, 18

Pensioned from

, 18

, at \$

, for

SERVICE SHOWN BY RECORD.

Enlisted

October 10

, 1864,

honorably discharged

June 16

, 1865.

Re-enlisted

, 18

honorably discharged

, 18

Declaration filed

Sept 10

, 1896,

alleges permanent disability, not due to vicious habits,

from disease of heart, rheumatism, shills and from
enlargement of prostate gland & injury of right heel.

Hon. L. Spoley

written

L. C. No. 923, 889

BRIEF FOR REOPENING.

Claimant Frank E. Emery Soldier Same
P. O. Concord Junction, Rank Private
County Middlesex, Company 2 Battery
State Massachusetts, Regiment 1 Maine Lt. Art.

Attorney None P. O. Nov 21, 1893

Claim under act of June 27, 1890 filed Nov 14, 1891 rejected Aug 9, 1894
on the ground that the claimant had no ratable disability
under said act

Submitted to Board of Review _____, 191 _____ Examiner.

Evidence indicated below, filed since above rejection, is _____ deemed sufficient to warrant reopening of claim

(If not sufficient give reasons here.)

_____, 191 _____, 191
Reviewer. Re-Reviewer.

Submitted to Medical Referee Mar 13, 1916 Wm R. Kelly
Examiner.

Claimant's letter
Evidence indicated below, filed since above rejection, is not deemed sufficient to warrant reopening of claim
under act of June 27, 1890, as it fails to demonstrate the existence of a ratable disability under said act between
Nov 14, 1891, and Nov 22, 1893.
(If not sufficient give reasons here.)

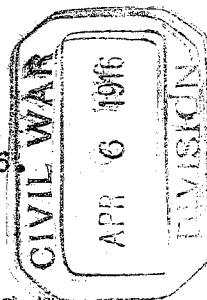
March 17, 1916 Theo. Mead Foster Thos. Fisher
Medical Examiner. Medical Reviewer. Medical Referee.

EVIDENCE FILED WITH A VIEW TO REOPENING CLAIM.

Feb 14, 1916 Testimony of Claimant in letter to Commissioner
_____, 191 Testimony of _____
_____, 191 Testimony of _____
_____, 191 Testimony of _____
_____, 191 Testimony of _____

Concord Junction, Mass.

24. 12 14-
March 31st, 1916.



The Commissioner of Pensions,
Washington, D. C.

Receipt acknowledged by
Mail & Supplies Division.

Dear Sir:

I wish to thank you for your prompt response to the suggestion contained in my letter of February 12th, 1916, relating to the automatic increase of my pension rating under the Act of May 11th, 1912.

Am pleased to say that I have received my new certificate and check for the amount due thereon at the increased rate to March 4th, 1916. I regret to say, however that the matter to which your attention was invited on the first page of the above-mentioned letter of February 12th, 1916, relating to the rejection of my original claims under Act of June 27th, 1890, filed in November 1891; the allowance of claim under second application, and my request for "such blank form as may be required to have the matter of the rejection reconsidered by you" seems to have been overlooked.

My belief that pension should have been allowed from date of filing the first application, is strengthened by the law which declares that it shall be allowed "Anything in any law or ruling of the Department to the contrary notwithstanding."

I will be glad to have the matter considered at your convenience.

Frank E. Emery

Certificate No. 923.889



3-357.

(Old No. 3-145 b.)

Cert. No. 223889

ACT JUNE 27, 1890.

Increase INVALID PENSION.

Claimant, *Frank E. Emery*
P. O. *Concord Junction*
County *Middlesex*
State *Massachusetts*
Rank *Private*
Company *2 Batty.*
Regiment *1 Me. Vol. Lk. Art.*
Rate, \$ _____ per month, commencing _____

Pensioned for _____ inability to earn a support by manual labor *Nov. 22, 1902*

RECOGNIZED ATTORNEY.

Name *Elmer C. Richardson* Fee, \$ *2*
P. O. *37 Fremont St. Boston, Mass.* Agent to pay.

APPROVALS.

Submitted for *Adm. Nov. 11*, 190*2*, *J. B. Emery*, Examiner.

Approved for *rheumatism, dis. of heart*
Malarial poisoning (old)
Chills & fever & enlarged prostate
(new) alleged Mar. 27, 1902
Rej. ch. injury to right heel no dis.
sub. to appl. of Med. Ref.

Approved for *rheumatism, disease*
of heart and malarial
poisoning.

Aggregate of disabilities shown, permanent in character: \$ *6.00*
No increase

Nov. 15, 190*2*, *F. C. Peck*
Legal Reviewer.
_____, 190____, _____
Re-Reviewer.

McKew *Cooke*
Medical Examiner. Medical Reviewer.
November 8, 190*2*, *Sam. Houston*
Medical Referee.

Enlisted *Oct. 10*, 186*4*; honorably discharged *June 16*, 186*5*
Enlisted _____, 186____; honorably discharged _____, 186____
Pensioned at \$ *6* per month. Last paid to *for rheumatism, disease*
of heart and malarial poisoning.

PRESENT CLAIM, ACT OF JUNE 27, 1890.

Declaration filed *March 27*, 190*2*, alleges *increase and chills*
and fever, enlarged prostate and injury to right
heel.

Claimant does _____ write.
Certificate not filed.

W. M. C.

3-357.
(Old No. 3-145 b.)

Cert. No. 923, 889,

ACT JUNE 27, 1890.

Increase INVALID PENSION.

Claimant, *Frank E. Emery*
P. O. *Concord Junction,* Rank *Private,*
County *Middlesex,* Company *2nd Batty,*
State *Massachusetts,* Regiment *1st Me. Vol. S. art.*
Rate, \$ *8* per month, commencing *March 18, 1903.*

Pensioned for *partial* inability to earn a support by manual labor

RECOGNIZED ATTORNEY.

Name *Elmer C. Richardson,* Fee, \$ *2*
P. O. *37 Tremont Street, Boston, Mass.* Agent to pay.

APPROVALS.

Submitted for *admission*, *Aug. 21, 1903*, *J. E. Nelson*, Examiner.

Approved for *rheumatism, disease of heart and malarial poisoning (old), and chills and fever, enlarged prostate, and injury of right heel* *Nov. 29, 1902*

Approved for *rheumatism, disease of heart, malarial poisoning and enlarged prostate gland,*

Aggregate of disabilities shown, permanent in character: \$ *8* from *March 18-1903.*

Aug 22, 1903, *R. Johnson* Legal Reviewer.
Easton Re-Reviewer.

Bravitt Medical Examiner.
August 25, 1903, *J. L. Lums* Medical Reviewer.
Am. Houston Medical Referee.

Enlisted *October 10th*, 186*4*; honorably discharged *June 16th*, 186*5*.
Enlisted _____, 186____; honorably discharged _____, 186____

Pensioned at \$ *6* per month. Last paid to *for rheumatism, disease of heart and malarial poisoning*

PRESENT CLAIM, ACT OF JUNE 27, 1890.

Declaration filed *November 29th, 1902*, alleges *rheumatism, disease of heart, chills and fever, enlarged prostate and injury of right heel. Claims benefit Act March 6, 1896*

Claimant does _____ write.
Certificate not filed.

W. M. C.

ACT JUNE 27, 1890.

Reissue, Act March 6, 1896. **INVALID PENSION.** *6th. 223889.*

Claimant, *Frank E. Emery,*

P. O. *Concord Junction,*

County *Middlesex,*

State *Massachusetts.*

Rank *Private,*

Company *2d Battery,*

Regiment *1st Me. Vol. Lt. Art.*

Rate, \$ _____ per month, commencing _____

Pensioned for _____ inability to earn a support by manual labor

RECOGNIZED ATTORNEY.

REJECTED

Aug. 9, 1904. A. L. W.

Name *Elmer C. Richardson*

Fee, \$ *10.00.*

P. O. *Boston (37 Tremont St.), Mass.*

Agent to pay.

APPROVALS.

Submitted for *adm July 22*, 1904, *Watson, A. L.,* Examiner.

Approved for *rheumatism, disease of heart, malarial poisoning, and enlarged prostate gland. (old)*
No claim for increase pending.

Approved for *rheumatism, disease of heart, malarial poisoning, and enlarged prostate gland.*

Aggregate of disabilities shown, permanent in character: \$ *8*

Claim under act of March 6, 1896, referred to the Medical Referee.
No evidence filed.

No increase pending.
Former rejections adhered to.

July 26, 1904, W. A. Paul

Pospisiel

Aug 2, 1904, R. A. Paul

August 2, 1904,

Enlisted *Oct. 10*, 1864; honorably discharged *June 16*, 1865

Enlisted _____, 186 _____; honorably discharged _____, 186 _____

Pensioned at \$ *8.00* per month. Last paid to _____, for *rheumatism, disease of heart, and malarial poisoning, and enlarged prostate.*

PRESENT CLAIM, ACT OF JUNE 27, 1890.

Declaration filed *Nov. 29*, 1902, alleges *rheumatism, disease of heart, chills and fever, enlarged prostate, and injury to right heel.*
Also claims benefit under Act of March 6, 1896.

Claimant does _____ write.

Certificate not filed.

No _____, M. C.

NZ 16W

Concord Junction, Mass. February 12, 1916.

The Commissioner of Pensions,
Washington, D. C.

Dear Sir:-

On or about November 7, 1891, I filed a claim for pension, under the Act of June 27, 1890, through an attorney, the late George W. Horr of Athol, Mass. offering such evidence as was deemed sufficient by him, and several months afterward was examined by a Board of Surgeons at Fitchburg, Mass.

Some time subsequent to said examination, I was advised that the Board had made a favorable report in the case, and had recommended that I should be granted the maximum amount, to wit: twelve dollars per month.

I felt confident that in due time I would receive a certificate to that effect, but after waiting about two years, I wrote my Representative in Congress, for information ^{as} to the status of my claim, and received two replies, one from him, and another from the Pension Bureau, that my claim had been rejected, on the ground that I was "not disabled to a pensionable degree".

This did not appear to correspond with what I had been given to understand had been reported by the Board of Examining Surgeons, and I naturally attributed it to the notoriously hostile attitude of the Cleveland administration to claims of that nature.

I declined the offer of my attorney to make a new application, as I felt it would be a waste of time and good paper; but later, I should say from memory, about September, 1896, under the same "hostile administration", I made a new application which was granted in January 1897, at six dollars per month, subsequently increased to eight dollars, and under the "McCumber Law" to twelve dollars.

Under the Act of May 11, 1912, I have been pensioned at fifteen

-2-

dollars and fifty cents per month, from date of certificate to my 70th. birthday anniversary, January 21, 1916, from and after which date, I understand that my rating will be automatically increased to nineteen dollars, without further action on my part.

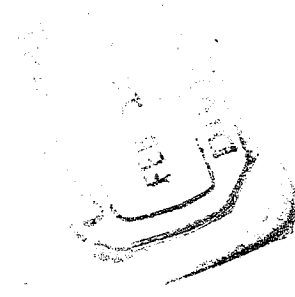
I do not know what reports have ^{been} made as to my physical condition by the several Examining Boards, since filing my first application, but I remember that about the time of my second application an affidavit was filed from Rufus R. Wade, Chief of the Mass. District Police, relating to disability, which although it antedated the first application, was of course not considered thereunder.

I respectfully request that you will send me such blank form as may be required to have the matter of rejection reconsidered by you, under the provision of the Act of March 6, 1896, as I believe that my pension should have been allowed from the time of filing the first application, "anything in any law or ruling of the Department to the contrary notwithstanding".

Yours respectfully, in F. C. & L.

Frank. E. Emery,
Certificate No. 923,889

Emery
Automatic



Feb. 29.

Captain:

Mr. Gracintosh has now decided that under the Secretary's unpublished decision in the Holcomb Case we will have to take brief face action on the soldier's request for reconsideration of the ancient rejection of his first June Act claim.

Hence we will use a reopening face and submit to the Medical Referee direct.

W. F. 25.

Verbatim Copy of Medical Evidence filed
with claim for increase of pension of Frank
E. Emery, Private of 2nd Battery, 1st Regiment U.S.

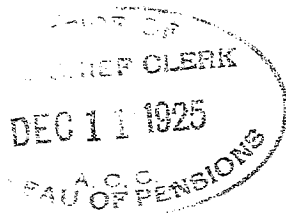
Affidavit of Frederick K. Shaw M.D. of Concord
Mass. Sworn to and subscribed before, Maurice McWalter
of Concord Mass. Notary Public, July 22, 1924

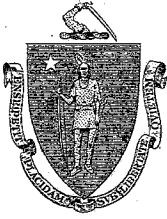
That he is a practicing physician, and that he has been ac-
quainted with said soldier for about 16 years, and that in my
opinion the disability for which I have treated him since Jan, 16,
1924, is a continuation of that for which he was treated by Dr.
Peters and Dr. Ireland in 1922 and 1923.

I have not treated him for any other disability except slight
attack of rheumatism. I saw Franklin E. Emery several
times between December 10th and 19th, while he was a patient
at the Deaconess Hospital at Concord, Mass., and from his
appearance at that time, I believe his statement that he
required the constant care and attention of his wife, after
he was discharged from the hospital, and personally know
that such care and attention has been required since he has
been under my care, and the need still continues.

He has a paralysis of his soft palate, making swallowing,
and speaking understandingly very difficult. He is physically
unable to do any manual labor.

(Signed) Frederick K. Shaw





The Commonwealth of Massachusetts
Office of
Commissioner of State Aid and Pensions
State House, Boston

July 15, 1924.

Mr. Franklin E. Emery,
Concord Junction, Mass.

Dear Sir:

In response to your request of July 12 I have prepared an affidavit for you to sign, and also have enclosed a copy for you to keep.

I think it would be advisable for you to get a statement from Dr. Frederick K. Shaw, covering the time he has treated you, and giving in detail all the facts connected with your case, and state that you have required the constant care and attention of another person since he has been treating you. ~~##~~

~~The Department is made out all right, and as soon as I receive these papers from you, they will be given prompt attention.~~
I am enclosing a blank for your physician's sworn statement.

Very respectfully,

Edward J. Lihou

Deputy Acting Commissioner.

BJM/AGC

** This requirement seems to have been met, but apparently ignored.*

F

copy

Statement forming basis of affidavit to be made
a part of "Declaration for Increase of
Pension" by F. E. Emery, July 1924.

The only disability known to me by name, which is not covered by me, upon which the present claim for increase is based, became apparent on Wednesday December 6, 1922, at which time it was found that my palate was not functioning normally, as my speech was almost unintelligible, and I was unable to swallow any food or liquid.

Two days later, December 8, 1922, as the condition did not change, I consulted Doctor George E. Titcomb at his office in Concord, Mass., who found the symptoms alarming, and sent me on a "rush order" to Doctor George Leland of Commonwealth Avenue, Boston, a noted specialist in Throat and other troubles, and after treatment by Dr. Leland, I was taken to my home. I had taken no nourishment, either solid or liquid since I had eaten my supper Tuesday, December 5. On arrival at home from Dr. Leland's office about 7 P.M. Friday, December 8, I ate a full plate of Tomato Soup, but next morning I was as badly off as before.

Doctor Leland's report was that I had suffered a "partial paralysis of some part and an infection of the fourth tonsil".

No change in condition having occurred, on the morning of Sunday, December 10, 1922, I was again taken to the office of Doctor Titcomb, by whose order I was taken to the Deaconess Hospital at Concord, Mass., where I was treated

- 2 -

several times every day by him until December 19, 1922, and subsequently as necessary at my home until the latter part of February, 1923.

Soon after that time, he became sick and after several months, died at his home.

I afterward learned that Dr. Leland had died, so that if medical evidence covering the period above mentioned should be required, it seems unlikely that any could be supplied other than what could be shown from the records of the Hospital from December 10 to December 19, 1922.

During my stay at the Hospital, I received the best possible care and treatment from the attendants, ~~including the administration of food, in liquid form by~~ including the administration of food, in liquid form by ~~means of~~ only thing that kept me alive.

During the spring, summer and early fall of 1923, my health seemed to improve and my condition was nearly normal, but on January 16, 1924, I needed attention and consulted Dr. Frederick K. Shaw, of Concord, Mass., who decided it was a job for a specialist, and sent me to Dr. George L. Vogel of 536 Commonwealth Avenue, Boston, from and since which date I have been treated by, and under the direction of the two physicians last named herein, both of whom have expressed to members of my family, their opinion that the disability for which I have been treated by them, is a continuation of that for which I had previously been treated by Dr. Titcomb and Dr. Leland. It is also true that excepting the time I was a patient at the Hospital, I have

- 3 -

required, and still require, the constant care of one person, my dear old wife who has plenty of disabilities of her own.

(Signed) Franklin E. Emery

2

Concord Junction, Mass.,
July 12, 1924.

Richard R. Flynn,
State Aid and Pension Department,
State House,
Boston, Mass.

Dear Mr. Flynn:

As you may remember, I have on several occasions prepared and attested affidavits relating to claims for U. S. Pensions for other people, but in my own case, I prefer to have the affidavit which forms a part of the "Declaration" drawn by one of the members of your staff, and I have prepared the enclosed statement of facts relating to my disability, as a basis of the affidavit which I am ready to swear to, after it has been properly "edited". I would like to have it put in proper shape, typewritten, and made a part of the Declaration, and returned to me (with carbon copy of same). After being sworn to I will return to you, with affidavit of Dr. Shaw.

I have lost over fifty pounds in weight, have been unable to drive my car since January 16, and it will probably be some time before I can use it.

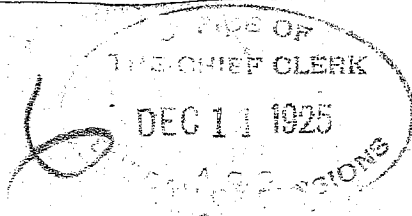
I have not been confined to bed, am up and dressed every day, and walk about 300 yards every day for my mail which is left at a neighbor's box.

I get an automobile ride occasionally but have to depend upon my friends for that privilege.

If I have an examination, I must request to have it made at my home which is at East Acton, near Fuller's Acton Garage.

Yours very truly,

(Signed) Franklin E. Emery





The Commonwealth of Massachusetts

PENSION DEPARTMENT,

STATE HOUSE, BOSTON.

PHYSICIAN'S AFFIDAVIT.

State of Massachusetts,
County of Middlesex

} SS.

At May 1, 1920

In the matter of the claim for

of

Increased Pension Ct # 923,889
Franklin C Emery

of Company

2 Bat

Regiment

1st Maine L. A.

Vols.:

Personally came before me, a

Notary Public

in and for the aforesaid County and State.

Frederick K. Shaw

a citizen of

Concord

County of

Middlesex

State of

Massachusetts

, well known to me to be reputable and

entitled to credit, and who, being duly sworn, declares in relation to the aforesaid case, as follows:

That he is a practising physician, and that he has been acquainted with said soldier for about
6 years, and that.

(Here embody all the facts known to the affiant relative to his treatment of the soldier.)

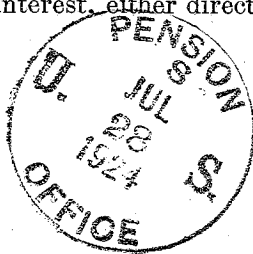
In my opinion, the disability for which I have treated him since Jan. 16-1924 is a continuation of that for which he was treated by Dr. Tidcomb and Dr. Deland in 1922 and 1923.

I have not treated him for any other disability except slight attack of rheumatism.

I saw Franklin C Emery several times between December 10th and 19th 1922, while he was a patient at the Deaconess Hospital at Concord Mass. and from his appearance at that time I believe his statement that he required the constant care and attention of his wife, after he was discharged from the hospital, and personally know that such care and attention has been required since he has been under my care and the need still continues.

He has a paralysis of his soft palate, making swallowing and speaking unduly and very difficult. He is physically unable to do any manual labor.

He further declares that he has been a practitioner of medicine for
years, and that he has no interest, either direct or indirect, in the prosecution of this claim.



Frederick K. Shaw
Affiant's signature. Give rank and service if in the army.

Sworn to and subscribed before me this 22nd day of July
A.D. 1924, and I hereby certify that the affiant is a practising physician in good professional stand-
ing; that the contents of the above declaration, etc., were fully made known to him before swearing,
including the words.....erased, and the words.....
.....added; and that I have no interest, direct or indirect, in the
prosecution of this claim.

Marion M. Withers
(Signature.)
Notary Public
(Official Character.)

[SEAL.]

NOTARY PUBLIC - MASS.
1920 - 1925

This affidavit may be executed by any officer authorized to administer oaths for general purposes in
the State, city or county where said officer resides. If such officer has a seal and uses it upon such
paper, no certificate of a county clerk or clerk of a court shall be necessary; but when no seal is used
by the officer taking such affidavit, then a clerk of a court of record, or a county or city clerk, shall affix
his official seal thereto, and shall certify to the signature and official character of said officer.

Recd
Act May 1, 1920
9-22-24
No. 923829

CLAIM FOR

Increase Pension

Franklin E. Emery

2nd Bathy, 1st Me 29

MEDICAL EVIDENCE.

AFFIDAVIT OF

Frederick X Shaw M.D.

FILED BY

STATE PENSION AGENT OF MASS.,

STATE HOUSE,

BOSTON, - - MASS.

Concord Junction Mass. July 23, 1924

Richard R. Flynn,
Commissioner

State House, Boston

Dear Sir:

I am pleased to say that I received the affidavit of Dr. Frederick K. Shaw of Concord Mass. in my mail this morning and hasten to forward same to you.

The fact that Dr. Shaw had a patient at the Hospital while I was there and chanced to see me may be useful in establishing the date from and since which I have required the constant care which will entitle me to the increase.

Dr. Shaw is honest and conscientious as the phraseology of his affidavit clearly shows, and I hope it will meet the requirement.

Yours very truly

Franklin E. Emery



P.S.

My name is borne on my pension certificate No. 923889 in the abbreviated form of "Frank," and I have received all my checks of course made in that form. When I enlisted I wrote it thus (Frank.) the dot indicating an abbreviation and it seems unlikely that the name will be changed, in case the claim should be allowed.

17



The Commonwealth of Massachusetts

STATE AID AND PENSION DEPARTMENT,

STATE HOUSE, BOSTON

AFFIDAVIT.

State of Massachusetts,

County of Middlesex

SS.

Act May 1, 1920

In the matter of the claim for Increase Pension
of Franklin E. Emery

Cif # 923889

of Company, Regiment 2 Batty. 1 Regt. Me. L. A. Vols.:

Personally came before me, a Justice of the Peace in and for
aforesaid County and State, Franklin E. Emery aged 78 and

xxx, resident of Acton
in the County of Middlesex, State of Mass., who being

duly sworn, declare in relation to aforesaid claim, as follows:—

Since Dec. 8, 1922 I have been suffering from throat trouble diagnosed at that time by Dr. George Leland of Commonwealth Ave., Boston, a noted throat specialist, as "partial paralysis of some part and an infection of fourth tonsil." On Dec. 10, 1922 my own physician, Dr. George E. Titcomb, of Concord, Mass. ordered my removal to the Deaconess Hospital at Concord for treatment, where I remained until Dec. 19, 1922, and treatments were continued at my home until the latter part of February 1923. The treatments included the administration of food, in liquid form by mechanical means, which Dr. Titcomb told my wife was the only thing that kept me alive. Soon after that time Dr. Titcomb became ill, and died several months later. I afterwards learned that Dr. Leland had also died, and therefore I cannot furnish medical evidence covering above mentioned period other than could be shown from the records of the Hospital from Dec. 10 to Dec. 19, 1922. During the spring, summer and early fall of 1923 my health seemed to improve, and my condition became nearly normal, but on Jan. 16, 1924 I again experienced the same trouble as before and consulted Dr. Frederick K. Shaw of Concord, Mass., who sent me to a specialist, Dr. George L. Vogel, 536 Commonwealth Ave. Boston, from and since which date I have been treated by and under the direction of the two physicians last named herein, both of whom are of the opinion that the disability is a continuation of that for which I had previously been treated by Dr. Titcomb and Dr. Leland. Since Dec. 6, 1922 I have required the constant care of one person and still require it. With the exception of the time I was a patient in the hospital my wife has ministered to my wants unremittingly. I have lost over 50 pounds in weight.

My condition is such that I cannot go before the pension medical examiners in its prosecution, and I request that it be made at my home at East Acton, near Fuller's Acton Garage.

Affiant's Signature,

Franklin E. Emery

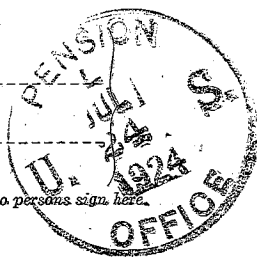
P. O. Address,

Concord Junction Mass. R. F. D.

Affiant's Signature,

P. O. Address,

Attest—when any affiant signs BY MARK two persons sign here.



(Here insert affiant's name or names.)

Sworn to and subscribed before me this day by the above-named affiant ; Franklin E. Emery
 -----; and I certify that I read
 said affidavit to said affiant , and acquainted him with its contents before he executed the same

I further certify that I am in no wise interested in said claim, nor am I concerned in its prosecution.

Witness my hand and official seal this 16th day of July 1924

Certificate on file to cover

Sign here

Chester J. Dolan

Mar 17, 1920 to Mar 17, 1927

H. P. Willey,

Chief, Law Division

Justice of the Peace

My Commission expires June 17, 1927

Car 16, 7

Certificate on file in Bureau of Pensions

This affidavit may be executed by any officer authorized to administer oaths for general purposes in the State, city or county where said officer resides. If such officer has a seal and uses it upon such paper, no certificate of a county clerk or clerk of a court shall be necessary; but when no seal is used by the officer taking such affidavit, then a clerk of a court of record, or a county or city clerk, shall affix his official seal thereto, and shall certify to the signature and official character of said officer.

CLAIM FOR

AFFIDAVIT OF

FILED BY

STATE AID AND PENSION

DEPARTMENT

STATE HOUSE

BOSTON, - - MASS.

ACT OF MAY 1, 1920

DECLARATION FOR PENSION *Increase*

The Pension Certificate should not be forwarded with the Application

STATE OF Massachusetts, COUNTY OF Middlesex ss:

On this 16th day of July, A. D. 1924, personally appeared before me, a Justice of the Peace within and for the county and State aforesaid, Franklin E. Emery, who, being duly sworn according to law, declares that he is 78 years of age, and a resident of Acton county of Middlesex, State of Massachusetts, and that he is the identical person who was ENROLLED at Portland Maine, under the name of Frank. E. Emery, on the 3rd day of October 1864 as a Private, in 2nd Battery 1st Regiment Maine Light Artillery (Here state rank, and company and regiment in the Army, or vessels if in the Navy.) in the service of the United States, in the Civil War (State name of war, Civil or Mexican)

war, and was HONORABLY DISCHARGED at Augusta Maine on the 16th day of June 1865

That he also served 60 days in Captain John M. Beal's Company of (State) Infantry in 1864, at the Arsenal at Portland Maine, about the time of the Draft Riots in other cities, ordered by Governor of Maine That he was not employed in the military or naval service of the United States otherwise than as stated above. That his personal

description at enlistment was as follows: Height 5 feet 6 1/2 inches; complexion light; color of eyes blue; color of hair brown; that his occupation was Machinist; that he was born January 21 1846, at Portland Maine

Throat trouble since Dec 16, 1922 (State in this space the nature of the disability by reason of which the regular personal aid and attendance of another person is required.)

Spraying the parts affected by paralysis herein described

That his several places of residence since leaving the service have been as follows: Portland Maine to March 1870 Hudson Mass to 1881 Cambridge, Belmont (State date of each change as nearly as possible) Belmont Mass. to 1891 Acton Mass, 1892 to present time

He hereby appoints R. R. FLYNN, Commissioner of State Aid and Pensions, State House, Boston, his true and lawful attorney to prosecute his claim (without fee);

That he is a pensioner under Certificate No. 923,889. That he has — applied for pension under original

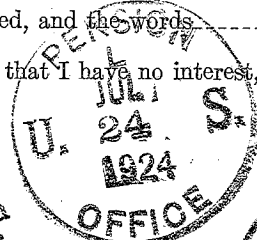
That he makes this declaration for the purpose of being placed on the pension roll of the United States under the provisions of the Act of May 1, 1920.

(1) Coulton B. Wheeler Franklin E. Emery
(Signature of first witness.) (Claimant's signature in full.)
109 Linslow St Hudson Mass. Concord Junction Mass.
(Address of first witness.) (Claimant's address in full.)
(2) Ralph P. Lyman R. F. D.
(Signature of second witness.)
61 Cottage St Hudson Mass.
(Address of second witness.)

SUBSCRIBED and sworn to before me this 16th day of July 1924, and I hereby certify that the contents of the above declaration were fully made known and explained to the applicant before swearing, including the words

[L. S.]

erased, and the words _____, added _____, and that I have no interest, direct or indirect, in the prosecution of this claim.



Chester J. Dolan
(Signature.)

Justice of the Peace
(Official character.)

my commission expires March 17, 1927

Certificate on file in Bureau of Pensions

Declaration accepted as a claim under Sec. 2, act of May 1, 1920. Chief, Law Div.
Per WED

Certificate on file to cover

Mar 17 1920 to Mar 17 1927

Per H. P. Wiley
Chief, Law Division

Filed as officer of State. It is recognized without fee.

4
ACT OF MAY 1, 1920

CLAIM FOR PENSION

Certificate No. 923889

Name, Frank C. Emery

Service, 23rd Regt. 1. Me. A. 191 Me. A.

INSTRUCTIONS

Declaration and testimony in support of same to be executed before some officer of a court of record having custody of its seal, a notary public, justice of the peace, or other officer authorized to administer oaths for general purposes. If such officer is not required by law to have and use a seal, his official character, signature, and term of office must be certified by the proper State, county, or city officer under his official seal, unless such certificate has been filed in the Bureau of Pensions for general reference.

FILED BY

STATE AID AND PENSION DEPARTMENT

STATE HOUSE

BOSTON, MASS.

Act Approved May 1, 1920.

Section 2 reads as follows: That every person who served ninety days or more in the Army, Navy, or Marine Corps of the United States during the Civil War, and who has been honorably discharged therefrom, or who, having so served less than ninety days, was discharged for a disability incurred in the service and in the line of duty, or is now upon the pension rolls as a Civil War veteran, and every person who served sixty days or more in the War with Mexico, or on the coasts or frontier thereof, or en route thereto, during the war with that nation, and was honorably discharged therefrom, and who is now, or hereafter may become, by reason of age and physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to require the personal aid and attendance of another person, shall be entitled to and shall be paid a pension at the rate of \$72 per month.

East Acton, Mass. August. 27, 1925

Dr. George A. Vogel,

586 Commonwealth Avenue Boston

Dear Sir:

By way of introduction, I will say that I am the man who was brought to your office on Jan. 16, 1924, by advice and direction of Dr. Frederick H. Shaw of Concord Mass. who strongly recommended you as the "best man he knew of to handle such a case of throat trouble as I had."

My son-in-law, Mr. Alfred O. L. Loring brought me to you, and we were accompanied by my wife

I am enclosing some papers which will give you a general history of previous trouble I had of the same kind, and also relating to a claim filed by me for increase of pension, which was rejected, and copies of three affidavits filed in support of said claim, which I shall try to have re-opened for additional evidence showing that "by reason of age and physical or mental disabilities, I have since the time I was sent to you, required the constant care and attention of another person"

If, on referring to your office record for Jan. 16, 1924, to refresh your memory, you find yourself able to fill out the blank which I have enclosed herewith, with an affidavit that will confirm and strengthen that of Dr. Shaw, of which a copy is also enclosed, execute the same before a Notary Public, and return it to me with all the other papers which I have enclosed. I shall be greatly obliged, and if you cannot do so, no harm will have been done.

Yours very truly

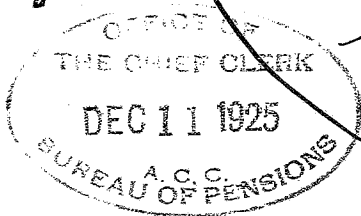
Frank E. Emery

Post Office Address.

Concord Junction Mass.

R. F. D.

P.S. Please find enclosed one dollar (\$1.00) to pay Notary's fee



Invalid Division

3-2024

CHD

D. C. 923889 DEPARTMENT OF THE INTERIOR
BUREAU OF PENSIONS
WASHINGTON

Frank E. Emery
9 Bally, 1st Me. L.A.

Oct-7; 1924

Mr. Frank E. Emery
R. F. D.
Concord Junction, Mass.

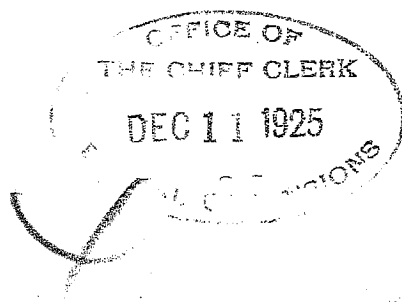
Sir:

Your claim for increase under section 2,
Act of May 1, 1920, filed *July 24, 1924*,
is rejected on the ground that the evidence on file
does not show that by reason of age and physical or
mental disabilities you require the regular personal
aid and attendance of another person.

Respectfully,

Hayo Haymaker

Acting Commissioner.



Comptroller of Treasury
Jan. 14, 1921

APPLICANT'S NOTICE-BOARD-HOME, 3-168C

Ctf. 923889 DEPARTMENT OF THE INTERIOR
2, Batty Me. Lt. Art. BUREAU OF PENSIONS
WASHINGTON.

JTDH/K/1aj/

Aug. 20, 1924.

Mr. Frank E. Emery,
R.F.D.
Concord Junction, Mass.

Sir:

You are informed that a member of the board of United States examining surgeons below named has been directed to examine you at your home with reference to your claim for pension.

The doctor should fill in the spaces below, and you will keep this notice for future reference.

Very respectfully,

Washington Gardner
Commissioner.

The applicant above named was examined by me

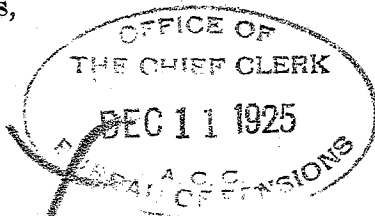
Sept 13, 19*24*

Albert E. LeMaire
Examining Surgeon.

Marlboro Mass
(P. O. address of examining surgeon.)

BOARD OF U. S. EXAMINING SURGEONS,

Dr. G. R. Davis, Sec.,
133 W. Main St.,
Marlboro, Mass.



GOVERNMENT PRINTING OFFICE



The Commonwealth of Massachusetts

PENSION DEPARTMENT,

STATE HOUSE, BOSTON.

PHYSICIAN'S AFFIDAVIT.

J. C. 923.889

Frank E. Emery

2nd Battery, 1st Me. L. A.

State of Massachusetts,

County of

SS.

In the matter of the claim for

of

Increase of Pension

Frank E. Emery

of Company

2nd Battery, 1st Regiment

Regiment

Maine Light Artillery Vols.:

Personally came before me, a

Notary Public

in and for the aforesaid County and State

Willis J. Middleton

a citizen of

Acton

County of

Middlesex

State of

Massachusetts

, well known to me to be reputable and

entitled to credit, and who, being duly sworn, declares in relation to the aforesaid case, as follows:

That he is a practising physician, and that he has been acquainted with said soldier for about

one

years, and that

I know him to be infirm, and

(Here embody all the facts known to the affiant relative to his treatment of the soldier.)

to require considerable attention of another person. Said infirmities are due to considerable paralysis of the throat, an inguinal hernia, and the usual trouble incident to his age. (He will be 80 next January). He suffers also considerable pain due to an automobile accident last September.

owing to the throat paralysis he finds great difficulty in speaking, and the effort to do so tires him greatly.

He is, of course unable to earn a support by manual labor.

He further declares that he has been a practitioner of medicine for

Twenty-four

years, and that he has no interest, either direct or indirect, in the prosecution of this claim.

OFFICE OF
THE CHIEF CLERK

DEC 11 1925

MASS. ACC. & PENSIONS

Willis J. Middleton (Pa. S.)

(Affiant's signature. Give rank and service if in the army.)

3

Sworn to and subscribed before me this 17th day of November
A.D. 1925, and I hereby certify that the affiant is a practising physician in good professional stand-
ing; that the contents of the above declaration, etc., were fully made known to him before swearing,
including the words _____ erased, and the words _____
_____ added; and that I have no interest, direct or indirect, in the
prosecution of this claim.

Joseph M. Appleby
(Signature.)
Notary Public
(Official character. Commission Expires March 7, 1930)

[SEAL.]

This affidavit may be executed by any officer authorized to administer oaths for general purposes in
the State, city or county where said officer resides. If such officer has a seal and uses it upon such
paper, no certificate of a county clerk or clerk of a court shall be necessary; but when no seal is used
by the officer taking such affidavit, then a clerk of a court of record, or a county or city clerk, shall affix
his official seal thereto, and shall certify to the signature and official character of said officer.

No.

CLAIM FOR

MEDICAL EVIDENCE.

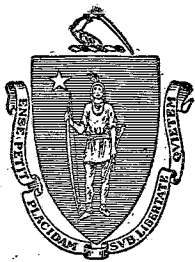
AFFIDAVIT OF

FILED BY

STATE PENSION AGENT OF MASS.,

STATE HOUSE,

BOSTON, - - MASS.



The Commonwealth of Massachusetts *Frank E. Emery*
3rd Battery, 1st Med. Det.

I.C. 923889

STATE AID AND PENSION DEPARTMENT

STATE HOUSE, BOSTON

PHYSICIAN'S AFFIDAVIT

State of Massachusetts, } SS.
 County of *Middlesex*

In the matter of the claim for *Increase of pension*
 of *Frank E. Emery*

of company *2nd Battery 1st* Regiment *Light Artillery Miami* Vols.:

Personally came before me, a *Notary Public*
 in and for the aforesaid County and State *John E. McGrath*
 a citizen of *Hudson* County of *Middlesex*
 State of *Massachusetts* *John E. McGrath*, well known to me to be reputable and
 entitled to credit, and who, being duly sworn, declares in relation to the aforesaid case, as follows:

That he is a practicing physician, and that he has been acquainted with said soldier for about *1 1/2*
 years, and that *I have attended the above Frank*

(Here embody all the facts known to the affiant relative to his treatment of the soldier.)

E. Emery several times the past 2 years.
He is constantly growing weaker
and his special senses are becoming
progressively diminished. Hearing
right, seeing and locomotion are
constantly getting worse. He has
great difficulty in swallowing
swallowing and walking. His
mental condition is keeping pace
with his physical condition. Loss
of memory, ambition, forgetfulness.
He has fingered. But an analysis
on both sides which makes it very
difficult to talk. He suffers much
from this affliction which is becoming
constant. He needs constant
care. Attention of another person
to look after him and to protect
his life from automobiles, cars
trucks, such as walking or
turning about.

He further declares that he has been a practitioner of medicine for *31 years*
 years, and that he has no interest, either direct or indirect, in the prosecution of this claim.

John E. McGrath
 (Affiant's signature. Give rank and service if in the army.)

OFFICE OF
 THE CHIEF CLERK

DEC 11 1925

Sworn to and subscribed before me this ninth day of November
A.D. 192 5 and I hereby certify that the affiant is a practising physician in good professional standing;
that the contents of the above declaration, etc., were fully made known to him before swearing, including
the words erased, and the words
..... added; and that I have no interest, direct or indirect, in the prosecution
of this claim.

Fred O. Welch

(Signature.)

Notary Public.

(Official character.)

[SEAL.]

This affidavit may be executed by any officer authorized to administer oaths for general purposes in the State, city or county where said officer resides. If such officer has a seal and uses it upon such paper, no certificate of a county clerk or clerk of a court shall be necessary; but when no seal is used by the officer taking such affidavit, then a clerk of a court of record, or a county or city clerk, shall affix his official seal thereto, and shall certify to the signature and official character of said officer.

Dr. Welch
No.

CLAIM FOR

.....

.....

.....

.....

MEDICAL EVIDENCE

AFFIDAVIT OF

.....

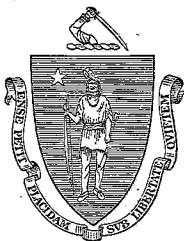
FILED BY

STATE AID AND PENSION DEPARTMENT

STATE HOUSE

BOSTON, - - MASS.

A. C. 923,889



The Commonwealth of Massachusetts

STATE AID AND PENSION DEPARTMENT

STATE HOUSE, BOSTON

Frank E. Emery
2nd Battery, 1st Me. L. A.

PHYSICIAN'S AFFIDAVIT

State of Massachusetts,

County of Suffolk

} SS.

In the matter of the claim for Frank E. Emery
of 2nd Battery 1st Me. L. A.

of company _____, Regiment _____

Personally came before me, a ~~Physician~~

in and for the aforesaid County and State Massachusetts

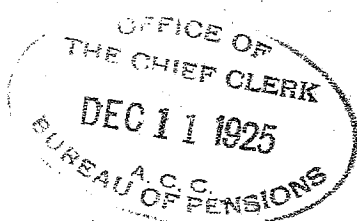
a citizen of Boston, County of Suffolk

State of Massachusetts, well known to me to be reputable and
entitled to credit, and who, being duly sworn, declares in relation to the aforesaid case, as follows:

That he is a practising physician, and that he has been acquainted with said soldier for about 1
years, and that on January 16, 1924 Mr. Frank E. Emery, of East Acton,
(Here embody all the facts known to the affiant relative to his treatment of the soldier.)
called on me having sent by his local physician Dr. Frederick K. Shaw,
of Concord. Examination of his throat showed the presence of a
bilateral paralysis of the soft palate. He gave me a history of
having had a previous attack which was taken of by Dr. George A.
Leland, now deceased, who called the condition at that time a
paralyses, due to an infection of the fourth tonsil upon which he,
Dr. Leland, performed a minor operation. In my opinion, this pre-
sent attack is due to a bulbar paralyses, and is a great deal more
serious than the previous condition from which he suffered, as judg-
ing from the history and the treatment the condition at that time the
paralyses was local. Mr. Emery, when I saw him was unable to speak
intelligently, and had great difficulty in swallowing, unless he ex-
ercised extreme care, part of the liquid food he was trying to
swallow, would come up through the post-nasal space into the back of
his nose and be expelled from his nares. His condition, at that time,
would necessitate his having constant attention from a nurse or some
member of his family who could be with him at all times. I do not
believe this condition will improve much under treatment, and will
also necessitate Mr. Emery being under constant supervision.

He further declares that he has been a practitioner of medicine for 25
years, and that he has no interest, either direct or indirect, in the prosecution of this claim.

George L. Vogel
(Affiant's signature. Give rank and service if in the army.)



Sworn to and subscribed before me this 4 day of September
A.D. 1925, and I hereby certify that the affiant is a practising physician in good professional standing;
that the contents of the above declaration, etc., were fully made known to him before swearing, including
the words _____ erased, and the words _____
_____ added; and that I have no interest, direct or indirect, in the prosecution
of this claim.

Charles W. Broadbent
(Signature.)
Notary of Public
(Official character.)

[SEAL.]

This affidavit may be executed by any officer authorized to administer oaths for general purposes in
the State, city or county where said officer resides. If such officer has a seal and uses it upon such paper,
no certificate of a county clerk or clerk of a court shall be necessary; but when no seal is used by the officer
taking such affidavit, then a clerk of a court of record, or a county or city clerk, shall affix his official seal
thereto, and shall certify to the signature and official character of said officer.

Dr. Vogel

No.

CLAIM FOR

MEDICAL EVIDENCE

AFFIDAVIT OF

FILED BY

STATE AID AND PENSION DEPARTMENT

STATE HOUSE

BOSTON, - - MASS.

3-1

Cert. No. 923889

ACT OF MAY 1, 1920 INCREASE

Snape 10

Claimant Frank E. Emery
P. O. R. R. Concord Junction Rank Private
County Middlesex Service 2nd Battery 1st Maine
State Massachusetts Lt. Artillery
Rate, \$ 72 per month, commencing February 7, 1925

STATE REPRESENTATIVE. R. R. Flynn State House, Boston, Mass.

APPROVAL

Submitted for Spec. Ex., Dec. 12, 1925, W. H. Fleming, Examiner.

Approved for _____

Approved for \$72 from February 7, 1925

Not warranted from prior date

See S. E. report

INCREASE, SECTION 2,
ACT OF MAY 1, 1920.

~~No Medical Examination~~

Dec. 12, 1925, John McKeefer
Reviewer.
_____, 192____, _____
Rereviewer.

Harries, Rice
Medical Examiner. Medical Reviewer.
Apr 5, 1926, C. J. Hines
Medical Referee.

Enlisted _____, 18____; honorably discharged _____, 18____

Enlisted _____, 18____; honorably discharged _____, 18____

Enlisted _____, 18____; honorably discharged _____, 18____

Length of pensionable service _____ years, _____ months, _____ days.

Pensioned at \$ 90 per month, under ACT OF MAY 1, 1920, as Civil War veteran.

PRESENT CLAIM, ACT OF MAY 1, 1920

Declaration filed July 24, 1924

Claimant does _____ write.

Hon. Edith H. Rogers, M. C.

INVALID DIVISION.

Invalid DIVISION.

3-368

P. C. No. 923889

BRIEF FOR REOPENING.

Claimant Frank E. Emery
Address R. R. Concord Junction
Middlesex Co.
Mass.

*Soldier Same
Rank Private
Company 2nd Batty.
Regiment 1st Maine Inf. Arty.

Attorney _____ Address _____

Claim under act of May 1, 1920 filed July 24, 1924 rejected Oct. 7, 1924
on the ground stated in the Medical approval dated Oct. 2, 1924
(Legal or medical.)

Submitted to Board of Review Dec. 12, 1925 W. F. Fleming
Chief of Division Examiner.

Evidence indicated below, filed since above rejection, is _____ deemed sufficient to warrant reopening of claim

(If not sufficient give reasons here.)

Reopened by instructions of the Medical Referee
See slip dated Dec. 12, 1925.

Dec. 12, 1925 L. W. Powers Dec 12, 1925 J. F. Engle
Reviewer Chief of Section. Re-Reviewer Chief of Division

Submitted to Medical Referee _____, 19 _____
Examiner.

Evidence indicated below, filed since above rejection, is _____ deemed sufficient to warrant reopening of claim

(If not sufficient give reasons here.)

_____, 19 _____
Medical Examiner. Medical Reviewer. Medical Referee.

EVIDENCE FILED WITH A VIEW TO REOPENING CLAIM.

_____, 19 _____ Testimony of _____
_____, 19 _____ Testimony of _____
_____, 19 _____ Testimony of _____
_____, 19 _____ Testimony of _____
_____, 19 _____ Testimony of _____

Hon. Edith M. Rogers, M. C.
H. R.

INVALID DIVISION.

3-371

Cert. No. 923889

ACT OF MAY 1, 1920 INCREASE

Claimant

P. O.

County

State

Rank

Service

Rate, \$ per month, commencing

STATE REPRESENTATIVE.

REJECTED

APPROVAL

Submitted for

Approved for

Approved for

INCREASE, SECTION 2,
ACT OF MAY 1, 1920.

No Medical Examination

Does not require the regular aid
attendance of another person

Aug. 7, 1924, H. A. Cady
192, Reviewer.
Rereviewer.

Harries
Medical Examiner.
OCT 2 1924, 192
Medical Referee.

Enlisted, 18; honorably discharged, 18.

Enlisted, 18; honorably discharged, 18.

Enlisted, 18; honorably discharged, 18.

Length of pensionable service years, months, days.

Pensioned at \$ 50 per month, under ACT OF MAY 1, 1920, as Civil War veteran.

PRESENT CLAIM, ACT OF MAY 1, 1920

Declaration filed July 24, 1924

Claimant does write.

No. M. O.

RECEIVED DIVISION

RECEIVED DIVISION

DEPARTMENT OF THE INTERIOR
BUREAU OF PENSIONS

J.L. January 6, 1926,

Inv. Ctf. 923889 No.

Frank E. Emery, 2nd Battery, 1st Me. Lt Arty.

Act May 1, 1920.

In cases submitted for special examination the papers should be indexed to show page numbers, names and addresses of claimants and witnesses, dates of filing, and subjects covered, a separate index being required for each brief. In indexing surgeons' certificates, dates of examination, not of filing, should be stated.

GOVERNMENT PRINTING OFFICE

- 1 George L. Vogel, M.D., Boston, Mass., Dec. 11, 1925, testifies that on January 16, 1924, soldier called on affiant for examination of his throat, and found that he had paralysis of his soft palate; soldier's present condition is due to bulbar paralysis, and is very serious; soldier was unable to speak intelligently, and had great difficulty in swallowing, and unless soldier exercised extreme care a part of the liquid he was trying to swallow would come up through the nasal passages, and necessitated having the aid and attendance of another person.
- 2 Dr. John E. McGrath, Hudson, Mass., Dec. 11, 1925, testifies that he has attended soldier several times during the past two years, and his hearing and locomotion are getting worse.
- 3 Dr. William J. Middleton, Acton, Mass., Dec. 11, 1925, testifies that soldier has paralysis of the throat, and requires the aid and attendance of another person.
- 4
- 5 Soldier, R.F.D. Concord Junction, Mass., Dec. 11, 1925, letter stating that he wants another affidavit from physician, strengthening his former statement.
- 6 " Dec. 11, 1925, letter to pension atty Flyn of the State of Massachusetts, asking to prepare soldier's declaration for increase of pension.
- 7 " July 1924, history of soldier's disability from Dec. 8, 1922.
- 8 Deputy Acting Commissioner of Pensions State of Mass., July - 1924, has prepared affidavit for soldier to sign; thinks that soldier should get a statement from Dr. Shaw, as to care and attendance.
- 9 Lydia S. Emery, R.F.D. Concord Junction, Mass., Dec. 11, 1925, testifies that together with soldier; soldier has been suffering from throat trouble since Dec. 8, 1922, known as partial paralysis of the tonsils, seriously affecting his speech, and requires the aid and attendance of another person.
- 10 Dr. Frederick K. Shaw, Concord, Mass., Dec. 11, 1925, testifies that soldier has throat trouble and rheumatism.
- 11 Lydia E. Emery, Jan. 2, 1926, testifies that she is the wife of soldier, and that he is suffering from paralysis of the palate, and has so suffered since December 1922, and requires the constant aid and attendance of another person.
- 12 Soldier, Jan. 15, 1898, soldier states that he was married to Lydia S. Mann, Sep. 6, 1876; soldier had been previously married to Helen M. Emery, who died Dec. 11, 1874.
- 13 " March 24, 1915, soldier states that he was born Jan. 21, 1846; was previously married to Helen Maria Merrill, June 18, 1870, and died in December 11, 1874; no prior marriage of claimant.
- 14
- 15 " July 24, 1924, declaration.
- 16 " July 24, 1924, testifies that he has been suffering from throat trouble since Dec. 8, 1922; has been treated by physicians and at the hospitals.
- 17 " July 28, 1924, letter transmitting testimony of Dr. Frederick K. Shaw.
- 18 Lydia S. Emery, August 26, 1924, testifies that soldier has been suffering from paralysis of the tonsils since Dec. 5, 1922, and has been treated by surgeons at home and at the hospital since that time.
- 19 Dr. Frederick K. Shaw, July 28, 1924, testifies that he has treated soldier for throat trouble and rheumatism since December 1922.
- 20 Ex. Surg, Marlboro, Mass., Sep. 13, 1924, no rating for increase of pension.

DEPARTMENT OF THE INTERIOR
BUREAU OF PENSIONS

J.L. January 6, 1926,

Inv. Ctf. 923889 No. _____

Frank E. Emery, 2nd Battery, 1st Me. Lt Arty.

Act May 1, 1920.

In cases submitted for special examination the papers should be indexed to show page numbers, names and addresses of claimants and witnesses, dates of filing, and subjects covered, a separate index being required for each brief. In indexing surgeons' certificates, dates of examination, not of filing, should be stated.

GOVERNMENT PRINTING OFFICE

- 1 George L. Vogel, M.D., Boston, Mass., Dec. 11, 1925, testifies that on January 16, 1924, soldier called on affiant for examination of his throat, and found that he had paralysis of his soft palate; soldier's present condition is due to bulbar paralysis, and is very serious; soldier was unable to speak intelligently, and had great difficulty in swallowing, and unless soldier exercised extreme care a part of the liquid he was trying to swallow would come up through the nasal passages, and necessitate having the aid and attendance of another person.
- 2 Dr. John E. McGrath, Hudson, Mass., Dec. 11, 1925, testifies that he has attended soldier several times during the past two years, and his hearing and locomotion are getting worse.
- 3 Dr. William J. Middleton, Acton, Mass., Dec. 11, 1925, testifies that soldier has paralysis of the throat, and requires the aid and attendance of another person.
- 4
- 5 Soldier, R.F.D. Concord Junction, Mass., Dec. 11, 1925, letter stating that he wants another affidavit from physician, strengthening his former statement.
- 6 " Dec. 11, 1925, letter to pension atty Flyn of the State of Massachusetts, asking to prepare soldier's declaration for increase of pension.
- 7 " July 1924, history of soldier's disability from Dec. 8, 1922.
- 8 Deputy Acting Commissioner of Pensions State of Mass., July - 1924, has prepared affidavit for soldier to sign; thinks that soldier should get a statement from Dr. Shaw, as to care and attendance.
- 9 Lydia S. Emery, R.F.D. Concord Junction, Mass., Dec. 11, 1925, testifies that together with soldier; soldier has been suffering from throat trouble since Dec. 8, 1922, known as partial paralysis of the tonsils, seriously affecting his speech, and requires the aid and attendance of another person.
- 10 Dr. Frederick K. Shaw, Concord, Mass., Dec. 11, 1925, testifies that soldier has throat trouble and rheumatism.
- 11 Lydia E. Emery, Jan. 2, 1926, testifies that she is the wife of soldier and that he is suffering from paralysis of the palate, and has so suffered since December 1922, and requires the constant aid and attendance of another person.
- 12 Soldier, Jan. 15, 1898, soldier states that he was married to Lydia S. Mann, Sep. 6, 1876; so soldier had been previously married to Helen M. Emery, who died Dec. 11, 1874.
- 13 " March 24, 1915, soldier states that he was born Jan. 21, 1846; was previously married to Helen Maria Merrill, June 18, 1870, and died in December 11, 1874; no prior marriage of claimant.
- 14
- 15 " July 24, 1924, declaration.
- 16 " July 24, 1924, testifies that he has been suffering from throat trouble since Dec. 8, 1922; has been treated by physicians and at hospitals.
- 17 " July 28, 1924, letter transmitting testimony of Dr. Frederick K. Shaw.
- 18 Lydia S. Emery, August 26, 1924, testifies that soldier has been suffering from paralysis of the tonsils since Dec. 5, 1922, and has been treated by surgeons at home and at the hospital since that time.
- 19 Dr. Frederick K. Shaw, July 28, 1924, testifies that he has treated soldier for throat trouble and rheumatism since December 1922.
- 20 Ex. Surg. Marlboro, Mass., Sep. 13, 1924, no rating for increase of pension.

I.C. 923889
EMERY

Medical Division
Dec. 12, 1925.

Respectfully returned to the Chief Clerk:

In view of the testimony recently filed it is suggested that the claim under section 2, act of May 1, 1920, be reopened for the purpose of a special examination to determine whether the claimant requires the regular aid and attendance of another person, and if so, the date when he became entitled to the rate of \$72.

If this action can be taken the instructions for the guidance of the inspector will be prepared in this Division.
Approved:

C. F. Whitney
Medical Referee
CSR/ah

C. S. Rice
Asst. Medical Referee

OFFICE OF
CHIEF CLERK

BUREAU OF PENSIONS

MEMORANDUM

The Medical Referee:

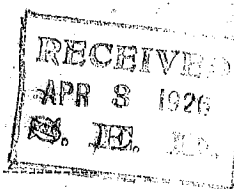
Hon Edith Houser
Rogers left three
papers this morn-
ing with request
for a reconsidera-
tion of claim for 72
rate of Frank E. Emery

Please give this
case your consideration
and state whether
after considering
these papers in con-
nection with previous
filings, the 72 rate
may be allowed in
this case.

Ad Wierlanson
A.C.C.

SP⁽¹⁾
SPECIAL 3-296

S. E. D.



I. O. No. 923,889

Claimant: FRANKLIN E. EMERY

Soldier: FRANK E. EMERY

P. O. address: RFD, Concord Junction

County: Middlesex State: Mass

Recommendation: Board Review

Chas. G. Townsend

Inspector.

REFERENCE
APR 3 1926

, 19

Respectfully referred

to *Medical Referee*
for consideration.

M. L. DAWKINS,

Chief S. E. Division.

Chief S. E. Division.

RECOMMENDATION

, 19

Reviewer.

ACTION

, 19

Commissioner.

Case of FRANK E. EMERY

I.C. 923,889

Deposition of Lydia S. Emery

, continued, sheet 3

GOVERNMENT PRINTING OFFICE 6-5120

1 Subscribed and sworn to before me this 23rd of March 1926
2 and I certify that contents were fully made known to deponent
3 before signing.

Chas. G. Corvick
Inspector

3-289a

(For typewriter)

Case of FRANK E. EMERY

I.C. No. 923,889

On this 24 day of March, 1926, at East Acton
 county of Middlesex, State of Mass before me,
 Chas.G.Townsend, an inspector of the Bureau of Pensions,
 personally appeared Michael G.Hayes, who, being by me first
 duly sworn to answer truly all interrogatories propounded to him
 during this special examination of aforesaid claim for pension,
 deposes and says:

6-5121

1 My age is 54 years: letter carrier from Concord Junction?

2 Mass P.O. P.O.address same.

3 Not related to this claimant and have no money interest in
 4 his pension claim.

5 I have known him about 33 years: he came to work in the
 6 Reformatory about a year before I did. He and I have lived
 7 right here as neighbors all this time. I have known him very
 8 closely: have seen him practically every day since he has
 9 been a neighbor.

10 I have known well that he has been in very bad shape last
 11 few years: he has had two strokes of paralysis and until then
 12 was always a very rugged man. Since then he has lost weight
 13 and in my opinion if he had not had a tremendously rugged con-
 14 stitution would have gone long ago. He comes over here for his
 15 mail but will have to sit down ten or fifteen minutes to get
 16 his breath before going back. To me he has seemed very feeble
 17 last two or three years: in fact I am surprised that he has
 18 lasted as long as he has. He is scarcely able to make himself
 19 understood especially at times: a stranger or even I has dif-
 20 ficulty in understanding what he says. When he walks a little
 21 ways he cannot get his breath or make him understood at all.
 22 You can hear him coming some distance away and it is very
 23 disagreeable to listen to him. I would say that his mind is
 24 generally all right but at times he seems a little childish.
 25 He is still fairly intelligent but doesn't act mentally like
 26 he used. I often feel like telling him that if I were in his
 27 condition I wouldn't try and say anything but he seems to want

28 to talk as much as he used to when he had his voice and was
29 very intelligent. I know that for a long time he couldn't use
30 throat at all. He is shrinking up and gradually growing weaker
31 all time. He is naturally a man of strong ambition and if it
32 were not for that he wouldn't be in as good shape as he has
33 been. He has been just about helpless last two years or more.

34 I know that his wife has had to spray his throat all the
35 time, daily, in order that he could get his breath at all. He
36 has double rupture and has to wear truss. It is my understand-
37 ing that he cannot put that truss on himself alone but has to
38 have help. So far as I know he attends to calls of nature un-
39 attended. I have seen his faithful wife spraying his throat.

40 I know that it is very hard for him to eat at all and there
41 was a time when he couldn't and even now when he gets a little
42 cold or something it is difficult for him to swallow anything.
43 I am satisfied in my own mind and know that his wife has had
44 to wait on him and care for him right along. I would say
45 that he is pretty near a helpless man: he can't do anything:
46 can't walk but very short distance without setting down and
47 getting his breath. He got hit by a car out here last Fall and
48 I have often mentioned it is dangerous for him to be out alone.
49 He is hard of hearing: can't hear a car and since this affliction
50 has come on him he seems to be unstrung and about the size of it
51 is as liable to get in way of car as can be; he ought not to be on
52 road at all unattended. If it weren't for his ambition he would
53 have been dead or down and out long before this.

54 I know no more about ways in which he has required aid and
55 attendance.

56 I have heard this read and it is correct

57 Michael G. Hayes

58 Deponent

59 Subscribed and sworn to before me this 24th day of March 1926
60 and I certify that contents were fully made known to deponent
61 before signing.

62 Chas. G. Townsend
Inspector

3-289a

(For typewriter)

Case of FRANK E. EMERY

I.C. No. 923889

On this 24 day of March 26 East Acton
 county of Middlesex , 19 , at
 State of Mass before me,
 Chas.G.Townsend , an inspector of the Bureau of Pensions,
 personally appeared Daniel H. Farrar , who, being by me first
 duly sworn to answer truly all interrogatories propounded to him
 during this special examination of aforesaid claim for pension,
 deposes and says:

6-5121

My age is 82: residence as above and my post office address
 is RFD Concord Junction, Mass.

I am not related to claimant and have no money interest
 in his pension claim.

I have known him about forty years: when first knew he
 was station agent at Hudson and I run on road. He has been
 here in this town perhaps thirty years: we have been neighbors
 right here within sight all this time. He now gets his mail at
 my box and has for some years. I have known him closely right
 last few years and see him most every day.

Q. What has been his health and physical condition last
 few years?

A. Up to about three years ago he was always rugged. Soon
 after he retired down to the Reformatory, where he worked
 for years, he had a shock and about two years ago had another.
 Since then his speech has been badly affected. I myself have
 not been able to understand half he has said. He has always
 been right at home since he had said shocks: ever since he
 came from hospital: doesn't go very far from home: most every
 week he goes to Post meeting at Hudson and he gets up here
 more or less every day. Since he has had this throat difficul-
 ty he has lost weight terribly: he used to weigh above two hundred
 pounds. He has been quite feeble: he is weak com-
 pared with what he was. He is so weak that car just backed
 him over last Fall and he fell on stone and hurt his hip.

I have been at his home at times and know that at times he
 could hardly swallow anything and had a great deal of

28 trouble with his throat. He has been able to eat only fluids.
29 Sometimes I think that his mind doesnt act just right but
30 he is in no such condition because of that to require anyone
31 to attend him. So far as I know he can dress and feed himself.
32 I have been there and know that he has had to have his throat
33 sprayed out with atomizer often. His wife has to do that. He
34 cant do it himself.

35 From his statement merely I know that he wears a truss
36 for a double rupture. He has told me that he does. I never saw
37 same. From what I have heard he has to have that put on him dā
38 daily but that is all I know about that.

39 I consider him a feeble man and he has been that way since
40 that last shock: since then he has been right at home except
41 as I have said. I dont regard him as entirely helpless for
42 he goes out but he is uncertain in way he goes and he gets
43 very shortwinded when he comes up here just a few rods and
44 has to sit down: he can scarcely talk at all then and he
45 wheezes very bad. He is hard of hearing and has been for
46 years: it has got worse lately.

47 His vision with glasses is all right so far as I know.
48 I know nothing about how he has to be waited on daily any
49 more than I have told you. Have seen him having his throat
50 sprayed and have been told he has to have his truss put on.
51 I never heard he had to be dressed any other way. there have
52 been times when he wasnt able to be out for short times.

53 Have heard this read and it is correct. Will add that
54 while I was at work up to Feb. 4th went by his house twice a
55 day and would see him every day. This is fully correct

56 Daniel H. Farrar

57 Deponent

58 Subscribed and sworn to before me this 24th day of March 1926
59 and I certify that contents were fully made known to deponent
60 before signing.

61 Chas. G. Townsend
62 Inspector

3-289a

(For typewriter)

Case of FRANK E. EMERY

I.C. No. 923889

On this 24 day of March, 1926, at Concord Junction
county of Middlesex, State of Mass before me,
Chas.G.Townsend, an inspector of the Bureau of Pensions,
personally appeared Alfred O.L.Loring, who, being by me first
duly sworn to answer truly all interrogatories propounded to him
during this special examination of aforesaid claim for pension,
deposes and says:

6-5121

1 My age is 55: residence and post office address as above
2 Chaffeur at Mass.Reformatory.

3 Frank E Emery is my father.I married his daughter 26 years
4 ago. I have no financial interest in his pension claim.
5 I have known him closely and intimately during the period
6 named: have seen him often and been closely associated. He
7 lives about a half mile from me here and has for years. Yes
8 I am entirely familiar with his condition and health during
9 period of last six years.

10 Q.What has same been?

11 A.He had ordinary good health for man of his age until
12 Dec.1922 when he suddenly was taken with a throat trouble
13 which has existed ever since. When first taken he could not
14 speak plainly or swallow. After being under treatment and
15 in hospital at Concord here for a short time he got better
16 and got back to almost same shape he was in before but about
17 two years ago.It was in Jan.1924 he had second attack and
18 since then has been in bad shape. Since then he has had to
19 have throat sprayed every day in order to get along at all and
20 has also had to live on a diet of eggs and milk. He has been
21 unable to speak plainly at times having to write what he wanted
22 out. He has also had double rupture: one rupture came on about
23 a year ago and second when he was hit by a car last September.
24 He has had to wear first a single truss and since last Fall a
25 double truss.

26 Q.Has he required daily aid and attendance of another
27 person for any period and if so for how long and for what

28 purposes?

29 A. He has required daily help in the way of having his
30 throat sprayed every day and he also has since these ruptures
31 come on him required daily putting on and adjustment of his
32 truss. I have often done that for him when there. No he has not
33 needed any help about dressing. He has good use of his arms
34 and legs, but at times is awful tottery and uses a cane. He goes
35 to Hudson every Saturday morning, going on bus. I know that I
36 have sometimes thought he shouldn't do that for he seems at times
37 uncertain and liable to get in way of a car. While his mind
38 is fairly good I have seen a great change in him in that re-
39 gard during the last year or so. He has lost some of his powers.
40 I really think that time is very near at hand when we will have
41 to have some go with him and watch over him. He doesn't realize
42 the danger and thinks he can go: he is obstinate that way and
43 always was. His vision is good for age he is but he has had his
44 glasses changed in last few years. He is not helpless because
45 of his eyes or mind but he is practically helpless because
46 of his throat and ruptures. He isn't fit to bring up coal or do
47 anything about house: to bring up small shovel or hat full over
48 taxes him and he has to sit down and rest. He gives out very
49 easy now. He has lost a great deal of weight: a few years ago he
50 weighed 200 lbs: up until he had his first shock: since then
51 he has wasted away right along. He hasn't been really able to
52 eat proper food since his throat became affected: he can eat only
53 liquid and then throws his head way back and washes it down.
54 His wife has been only one who has waited on him except that
55 when there we have helped about truss some at times and even
56 sprayed his throat. Yes, we see him every day or so: most always
57 try and run up each evening. I know about his condition in that
58 way. Yes, he has always attended to calls of nature himself except
59 when confined at times of the two shocks and for a time after
60 each. He has required that daily spraying since Jan. 1924.

61 I have heard this read and it is correct.

62 *Alfred O. Loring*
Deponent

Case of FRANK E. EMERY

I.C. No. 923,889

Deposition of Alfred O.L. Loring

, continued, sheet ²

GOVERNMENT PRINTING OFFICE 6-5120

1 Subscribed and sworn to before me this 24th day of March 1926
2 and I certify that contents were fully made known to deponent
3 before signing.

4 *Chas. G. Townsend*
5 Inspector

3-289a

(For typewriter)

Case of FRANK E. EMLERY

I.C. No. 923,889

On this 24 day of March, 19²⁶, at Acton
 county of Middlesex, State of Mass before me,
 Chas. G. Townsend, an inspector of the Bureau of Pensions,
 personally appeared William J. Middleton, MD., who, being by me first
 duly sworn to answer truly all interrogatories propounded to him
 during this special examination of aforesaid claim for pension,
 deposes and says:

6-5121

1 My age is 58 physician by profession: residence as above
 2 and Acton, Mass is my post office address.

3 I have been here six years having retired about that period
 4 ago and having come out here.

5 I first saw claimant when he called me about a year ago. I
 6 found that he had an inguinal hernia on one side and I then
 7 got a truss for him. Later and only a few months ago I found
 8 that he had developed a hernia of the other side and I then
 9 got a double truss for him. I have seen him a very few times
 10 is all. He is a man who is manifestly feeble and uncertain in
 11 gait. My records show first truss obtained Feb. 7, 1925.

12 I imagine from what he has said that he has had two strokes
 13 of Wilbar paralysis: all I know about that is what he has
 14 told me. I really have not seen enough of him to definitely
 15 say to what extent he has required daily aid and attendance.
 16 Judging by his appearance and apparent condition I know that
 17 when I saw him the few times I did I thought that he did
 18 need aid and attendance of another. I can well believe that
 19 he cannot adjust truss himself and he seems generally feeble
 20 and unable to help himself. His mentality seemed all right
 21 outside of senile changes. I know nothing more about the ex-
 22 tent and degree and of his disability.

23 Have read this and it is correct

24 *William J. Middleton*
 25 Deponent

26 Subscribed and sworn to before me this 24th day of March 1926
 27 and I certify that contents were fully made known to deponent
 before signing.

Chas. G. Townsend
 Inspector

Case of FRANK E. EMERY

I.C., No. 923,889

Deposition of Claimant

, continued, sheet 2

GOVERNMENT PRINTING OFFICE 6-5120

1 may be had please give a brief history of the onset and progress
2 of this throat trouble in your case?

3 A. On December 6, 1922 I awoke finding that I was affected in
4 speech which had suddenly become almost unintelligible. I could
5 not swallow any liquid or food. I know know from medical advice
6 and information that I must have then sustained a shock which
7 thus affected my throat and palate or tonsils. As I did not im-
8 prove on Dec. 8, 1922 I went to the office of Dr. George E. Titcomb
9 in Concord, Mass. and was by him at once dispatched to Dr. Geo.
10 Leland of Boston, Mass. who was a well known specialist on throat
11 diseases. He examined me and his diagnosis was that I had suf-
12 fered a partial paralysis and an affection of the fourth tonsil
13 as he phrased it. While I had eaten nothing from evening of
14 Dec. 5, 1922 I did take some liquid soup on return home from of-
15 fice of Dr. Leland on Dec. 8, 1922. I did not improve and on Dec.
16 10, 1922 I again consulted Dr. Titcomb and was then placed in
17 the the then Deaconess Hospital at Concord, now known as the
18 Emerson Hospital, and was there under his daily care and treat-
19 ment until Dec. 19, 1922 when I was brought home. During my stay
20 at the Hospital I was kept alive by administration of food through
21 bowels. I was confined to house until late in Feb. 1923 and was
22 at times under treatment of Dr. Titcomb for same condition, that
23 is throat trouble manifested by inability to swallow and by
24 continued marked inability to speak clearly and intelligibly.
25 After February I began to improve and all during the rest of
26 the year was nearly normal but was still conscious of the existence
27 of this throat trouble. I never again became able to eat the same
28 class and character of food that I had before the inception or
29 oncoming of this throat trouble in my case. On Jan. 16, 1924
30 I had another attack or seizure. I could not swallow or talk.
31 This time I saw Dr. Shaw of Concord and was then taken to Dr.
32 George L. Vogel of Boston, a specialist, under advice of Dr. Shaw.
33 Since Jan. 16, 1924 I have never recovered as I did in 1923 but
34 have constantly been on a liquid diet of eggs and milk and my

35 speech has been affected as you see it to day. All during the
36 period since Jan. 16, 1924 there has been constant daily necessity
37 to have my throat sprayed. I have never been able to do that
38 myself until very recently: my wife has had to do that daily.
39 Last month or so I have been able to spray my throat daily my-
40 self.

41 Q. Has this paralysis affected you elsewhere in body or has
42 same been confined to your throat?

43 A. Absolutely confined to my throat, my palata and tonsils
44 apparently. My arms and limbs have not been in any way affected.
45 As I show you I have full control of same.

46 Q. You have stated that you have double inguinal hernia
47 please state how long you have same?

48 A. My first hernia which was on left side came on me about
49 a year ago now. It was caused by an attempt to carry a hod of
50 coal up from the basement. My wife who is also aged fell and hurt
51 her back severely and I was attempting to do this work when I
52 got this strain. I consulted Dr. Middleton and he got me a truss
53 at once. My other rupture, that of right side was incurred last
54 Sept. when I was struck by an auto down near the garage here and
55 thrown onto my left hip. Since then I have worn a double truss.
56 Dr. Middleton also got the new double truss for me. I have never
57 been able to adjust the truss on myself from time I was first
58 ruptured. My wife has had to do that daily ever since the first
59 rupture. I have to lie down to have same adjusted.

60 Q. Can you fix exact date when you incurred both the first
61 and the second rupture?

62 A. I find that I got my first truss Feb. 7, 1925 and the second
63 one after second rupture on Dec. 12, 1925. I have looked up when
64 I got hit by auto and it was Saturday Sept. 12, 1925.

65 Q. It is noted that you are hard of hearing to a certain
66 extent how long has that condition existed?

67 A. It has been a gradual development since my first seizure
68 or shock in Dec. 1922. It is especially troublesome at times.

69 Q. If statement is understood correctly you allege that
70 after your first attack of Dec. 1922 you were disabled for a

Franklin E. Emery

3-289a.

(For typewriter.)

Case of **FRANK E. EMERY**

No. 923889

On this 23 day of March, 1926, at East Acton

county of Middlesex, State of Mass. before me,
Chas. G. Townsend, an Inspector of the Bureau of Pensions,
 personally appeared Franklin E. Emery, who, being by me first
 duly sworn to answer truly all interrogatories propounded to him
 during this special examination of aforesaid claim for pension,
 deposes and says:

My age is 80 years: my residence is as stated and my post
 office address is RFD Concord Junction, Mass.

My full, true and correct name is Franklin E. Emery but I
 am the same man who served during the Civil War in the Second
 Battery Light Artillery Maine Volunteers from Oct. 3, 1864 to
 June 16, 1865. This is the only U.S. service that I had during
 the Civil War or at any time. I was never otherwise in the mil-
 itary service of the United States and I was never in the U.S.
 Navy at any time. All the other service rendered by me was in
 Capt. Beall's Company State Infantry in 1864 at time of the
 Draft Riots.

I am a pensioner of the United States under above named cer-
 tificate number at rate of fifty dollars per month. I made an
 application under the provisions of the act of May 1, 1920 for
 the seventy-two dollar per month rate and this claim was reject-
 ed on the ground that I was not bedridden and helpless. I have
 considered and now consider that I require aid and attendance
 within the meaning of the act named and have filed evidence to
 show that fact since my claim was rejected.

I have received notice of the special examination of my claim
 and understand that testimony will be taken to show extent and
 degree of my disability and the facts as to same, and that I have
 the legal right to establish that I am as a fact in such physical
 condition that I require regular aid and assistance. I also under-
 stand that I have the legal right to name witnesses to show the
 facts as to my condition, and that I have the right to be present
 or have attorney present during the taking of the testimony.

Q. This act of May 1, 1920, under which this claim has been filed by you, reads thus "and who is now, or hereafter may become by reason of age and physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to require the personal aid and attendance of another person, shall be entitled to and shall be paid a pension at the rate of \$72 per month", do you claim that you are now so nearly helpless as to require the personal aid and attendance to which the act refers?

A. That is my claim.

Q. Are you blind or nearly blind?

A. I am not. My vision is good for my years I think. I use glasses and am able to read with same. My vision does not in any way prevent or deter me from going about freely unattended in all ways.

Q. Have you to your knowledge any mental disability?

A. I have not. My mind and memory are perhaps not as active and keen as formerly but I believe my mental condition good for a man of my years.

Q. Then your claim for increase under the disability section of this act must be based upon purely physical disability as distinguished from mental disability and without any element of blindness therein?

A. That is right.

Q. What is the condition of disability which has produced the helplessness in your case, which helplessness must exist to give you title under this section of the act of May 1, 1920?

A. My disability which has necessitated aid and attendance has been due to primarily to a throat trouble which first came on in December 1922. That is the first attack of said trouble originated then. I recovered largely from that but had a second attack Jan. 16, 1924 and have never recovered from same. I am also affected with double inguinal hernia and am obliged to wear a truss constantly and the two conditions of disability have eventuated in necessity for daily care of another.

Q. In order that a proper understanding of the situation

Franklin E. Emery

Cambridge, Mass., March 31, 1926

The Commissioner of Pensions;

Sir;

SUBJECT

I.C. 923,889
Franklin E. Emery alias
Frank E. Emery,
2nd Batty Maine I.A.

REFERENCE

for special examination to determine the merits of the claim under the second section of the act of May 1, 1920, the object of the reference being to ascertain whether the pensioner has required the regular aid and attendance comprehended by the provisions of the said section, and, if so, from what date, - see Exhibit A.

ACTION

NOTICE served upon applicant and his rights during the examination fully made known to him. He specifically waived the right of personal presence or representation during the taking of the testimony.

EVIDENCE procured as herewith presented. The deponents are of the individual standings stated in index; they are uniformly held and accounted reliable. Their MANNER OF TESTIFYING indicated candor.

REMARKS

It is thought that the actual physical condition of the applicant is set forth by testimony secured as best same can be. It has not been deemed necessary to produce further statements from Drs. Shaw, Vogel and McGrath. Said physicians are of good standing professionally and their affidavits can be given full weight. Drs. Vogel and McGrath really know nothing relative to the question of the necessity for aid and daily attendance; neither has seen the pensioner in his home during period involved and it is merely a matter of opinion. Dr. Vogel saw the pensioner only once and that was at his office in Boston. Dr. McGrath has known pensioner for years, and has given him a few prescriptions at Hudson when claimant has called upon him in a friendly way when pensioner would be in Hudson at his G.A.R. Post meetings which he has attended nearly every Saturday in all kinds of weather. The testimony of Dr. Shaw would have been taken if possible because of fact that said physician visited pensioner at his home several times a week following Jan. 16, 1924 and continuing until latter part of February. Dr. Shaw is confined to his

Summary
Page 4

home and room and has been for several weeks with no immediate prospect of other conditions prevailing. I was told that I could not see him but finally did secure a brief interview. This physician verified his affidavit and stated that while he was under his treatment during period stated soldier required frequent spraying of his throat; that he could by no possibility do this himself; Dr. Shaw also stated that pensioner since February 1924, when seen by him, has been very tottering using a cane and being manifestly uncertain in movement and gait; he said that he should not go out alone (as he does because of his spirit not to yield to conditions); further that pensioner is liable to another and final shock at any time. This physician agrees that his mental condition and vision is good for his age.

The claimant and his wife are known as very reliable. I am satisfied that they endeavored to give an exact and accurate statement as to his physical condition, and that there was no inclination to exaggerate conditions. They have lived alone for years and are known as an exceedingly faithful and loving couple. It is really pitiable to see them; she is bent over double through effects of a fall and rheumatism; he is very excitable, very deaf, very talkative in the most painful way; his words come with tremendous effort and with a distressing wheeze; his efforts to articulate plainly are apparently as exhausting to him as painful to his audience. He has been a man of good mind and memory; he presents some evidences of senility in mental action; there are occurrences of manifest lapse of memory; his childlike turning to his faithful companion and shaking of head (as if to jar loose the forgotten thing) with his rather plaintive query "Am I slipping, mama?" indicate his failing powers.

The claimant and his wife say that he has been able to dress and undress himself and to attend to calls of nature alone except during periods when most confined which were for a few months following Dec. 1922 and for about two months following Jan. 16, 1924. Their only contention as to aid and attendance is that in respect to throat spraying since Jan. 16, 1924 and daily fitting and adjustment of truss since February 7, 1925. The dates when the pensioner secured his single and double trusses are taken from his diary. He has been one of those painstaking, methodical chroniclers of events of his own history, and I am satisfied that same are reliable.

The children of soldier and wife say that their parents prefer to live alone and are happiest under those conditions; last summer they got someone to live there and care for them but she was taken sick after very short stay and Mr. and Mrs. Emery seemed much happier to be alone; of course, with his undying spirit, he will doubtless attempt to bring up shovels of coal from cellar and such things as that, and it is certain that he would try anything to spare his wife effort, but there is only one idea in community and that is that they both need someone there daily to look after them. I saw men at the garage, which is perhaps 200 yards away, and others in a general inquiry, and it may be accepted that soldier should not be out alone; he does go to the mailbox daily and once a week is driven to bus to go to his Post Meeting at Hudson; he lives for that weekly excursion I was told by his daughters and others.

Frank E. Maery----2

This pensioner prior to 1922 was a man who weighed over 200 pounds and was remarkably vigorous in all ways; he now weighs less than 150 lbs. and looks weak and frail. He is still wearing clothes he used when full in flesh and the waste and unused material is very discernible. He and his wife ^{have} not accumulated any competence; they live in rented property and have resided in same house over thirty years. They are a remarkable couple, uncomplaining in face of great affliction, living for each other and enjoying a very few homely comforts and pleasures, sunnily and happily and smilingly facing adversity and trial, contented with each other. When so many are encountered, grumbling over less irksome and trying conditions, incessantly bemoaning their lot in life, the spectacle of these people is rather an inspiring one. I am certain that most men, in the condition of this pensioner, would be entirely helpless, demanding and expecting attention in almost every detail of living. This man will be on his feet, if humanly possible, until the end comes for him, concealing so far as possible everything from his loved wife and hiding it all in his heart from her. That is my judgment of the man and same is apparently justified by the opinion of his neighbors and his children along same lines.

The outlook of the pensioner may be judged by the apparent elation felt by him that during the last month or so he has been able to spray his own throat most of the time. The honesty of the two main statements as to conditions existing is shown by this very frank statement.

It seems certain from the statements of pensioner and his wife that actual aid and attendance has been required only since the second stroke of Jan. 1924 and for that reason no necessity appears to exist for presenting facts as to development of condition by procuring records of the Concord Hospital etc. It is generally known by neighbors that pensioner's physical condition has since second attack been uninterruptedly bad and that he has not regained anything like normalcy as he did after attack of December 1922. If it be held that the necessity for the most complete daily aid did not arise until rupture appeared it can, as stated be accepted, that the first truss was secured Feb. 7, 1925 and that daily adjustment and fitting of same has been required since said date.

RECOMMENDATION

Consideration of the Chief of the Board of Review. This reference for reason that claim came to S.E. Division through Board although slip of reference seems mislaid.

Respectfully submitted,

Chas. G. Townsend
Inspector

P.S. Dr. Middleton was ill with flu when seen and his statement could not well be made more extended.

3-292

DEPARTMENT OF THE INTERIOR

OFFICE OF SPECIAL EXAMINER, U. S. BUREAU OF PENSIONS

At Cambridge, Mass, ²³ March 19, 1926

NOTICE OF SPECIAL EXAMINATION

Case of FRANK E. EMERY, No. 923,889
To Franklin E. Emery, Claimant:

You are hereby notified that, by order of the Commissioner of Pensions, the undersigned will on the 23 day of March, A. D. 1926, and continuing thereafter as long as may be necessary, at East Acton, County of Middlesex and State of Mass, and elsewhere if necessary, conduct a special examination of the aforesaid pension claim, at which time and place all available and material witnesses will be heard.

And you are further notified that you have the privilege of being present, in person or by attorney, during said special examination, and of cross-examining said witnesses and of introducing any material evidence on your own behalf if you so desire.

Chas. G. Townsend
Special Examiner.

I acknowledge service of copy of above notice this 23 day of March, 1926,
and desire the examination to begin date named

3-23

Franklin E. Emery

3-1865

IN REPLY REFER TO
Medical Division
I.C. 923889
Frank E. Emery
2d Battery 1 Maine L.A.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF PENSIONS

RECEIVED
DEC 19 1925
S. E. D. FILES

WASHINGTON

December 16, 1925.

Chief,
Special Examination Division.

Dear Sir:

Special examination is desired in this case to determine the merits of the claim under section 2, act of May 1, 1920.

Claimant alleges that he has required regular aid and attendance since December 6, 1922, but his claim filed July 24, 1924, was rejected after medical examination.

Since rejection however he has filed testimony tending to show the necessity for aid and attendance which, however, is not deemed convincing.

What is his physical and mental condition? Is he very feeble or decrepit? Has he useful vision?

Does he require the services of a personal attendant? If so, for what purposes and how frequently? Can he feed, dress, undress and attend to calls of nature unaided and go about unattended? If not, why?

If he requires regular aid and attendance, the date when he became entitled to the rate of \$72 should be ascertained as definitely as possible.

His post office address is R. R., Concord Junction, Massachusetts.

Respectfully,

C. F. Whitney

Medical Referee

Approved:

Winfield Scott
Commissioner.

WAH/ah

EX. A
2

Claim of FRANK E. EMERY

I.C. No. 923,889

GOVERNMENT PRINTING OFFICE 6-6917

Page 1

3-289a

(For typewriter)

Case of FRANK E. EMERY

I.C. No. 923889

On this 23 day of March, 1926, at East Acton
 county of Middlesex, State of Mass before me,
 Chas. G. Townsend, an inspector of the Bureau of Pensions,
 personally appeared Lydia S. Emery, who, being by me first
 duly sworn to answer truly all interrogatories propounded to her
 during this special examination of aforesaid claim for pension,
 deposes and says:

6-5121

1 My age is 76 years: residence as above and Concord Junction, Mass
 2 Rural Free Delivery is my post office address.

3 I am the wife of Franklin E. Emery who is a pensioner of the
 4 U.S. under name of Frank E. Emery I am interested in the allowance
 5 of his claim for increase but will state facts in reply to your
 6 questions.

7 I married Franklin E. Emery Sept. 6, 1876 and have lived as
 8 his wife continuously since said date. We have been constantly
 9 together for fifty years. Yes I know all about his health and
 10 condition all this time. I have known most about his condition
 11 the last few years for we have lived here together, he and I, all
 12 alone since our youngest daughter married in 1906.

13 Q. Please describe his condition stating facts about his
 14 disability and how and when same came on him?

15 A. He was first taken with an attack of this throat trouble
 16 in December 1922. He went to bed the night of Dec. 5, 1922 all right
 17 in every way and as usual: when he waked in the morning he could
 18 not speak and could not swallow even water. He went two or three
 19 days like that and then not getting any better went to see Dr.
 20 Titcomb of Concord. That doctor told him to get ready to go to the
 21 Hospital. He said "You want to live don't you?" Mr. Emery went to
 22 a specialist by name of Leland in Boston but he is now dead. This
 23 Dr. said it was an infection of the fourth tonsil. That is what he
 24 called it. The doctors since then have told us that the trouble
 25 at that time was due to his first shock: that it came from his
 26 brain and affected his palate and tonsils. Husband had gone to
 27 Dr. Leland after he first saw Dr. Titcomb and not improving or get-

28 ing able to swallow or speak plainly he went back to Dr. Titcomb
29 who then had him go to hospital: they operated on his throat and
30 he picked up very good after a time and got so that he could go
31 out and was nearly back like he was before: the first trouble
32 lasted from Dec. 6, 1922 to latter part of February of next year.
33 When he first came back from seeing Dr. Leland he could eat some
34 soup that night but next day was bad again? Dr. Titcomb said he
35 never expected Mr. Emery to come out of the hospital. They had to
36 feed him through his bowels by liquid injections. As it came
37 on warmer weather he got better and we thought he was quite
38 smart all along that year 1923 or rest of it. But in January
39 1924 he had a second shock and he has been poorly ever since.
40 Then when this trouble with throat came on bad again he went to
41 Dr. Shaw who sent him to Dr. Vogel a specialist. He told him that
42 it was a shock which started the whole business. They have doctor
43 ed and doctored him but he picks up pretty slow.

44 Q. How was he during Spring of 1924?

45 A. Very poorly. He was worse then than now. All that summer
46 he couldn't swallow anything. I undertook to give him oatmeal one
47 morning and it was awful. He has lived every since Jan. 16, 1924 on
48 liquids you might say, very soft eggs and milk has been all that
49 he can take. I have often seen him choke so that I thought he was
50 not going to live at all.

51 Q. Has he been able to dress and undress himself?

52 A. He could not for awhile but he can now. After he had that
53 second shock for a long time he couldn't put his clothes on and
54 take them off himself. He got so in summer of 1924 that he could
55 do those things for himself most of the time.

56 Q. For what purposes do you have to help him daily and for
57 how long have you been doing it?

58 A. Ever since he had the second shock I have had to watch
59 over his food and to help him daily about same. He can eat by
60 himself and feed himself when I do that. Ever since he got his
61 first rapture which was about a year ago now I have always had
62 to put his truss on him. We never knew just how it come on him

Leydie E. Emery

Case of FRANK E. EMERY

I.C., No. 923889

Deposition of Lydia S. Emery

, continued, sheet 2

GOVERNMENT PRINTING OFFICE 6-5120

1 but we thought that it was by his trying to bring a hod of
2 coal out of the cellar. It was just about a year ago that came
3 on but I cant tell the exact date. You see I hurt my back some
4 years ago and cant get the coal up myself. The doctor asked
5 him what he had been doing: he imagined he was so husky he
6 could carry up coal.

7 Q. Has he been in habit of doing this work right along
8 that is bringing up coal?

9 A. No, our son in law comes and does that and our grand
10 children usually. Then husband got another rupture when he
11 got knocked down by an auto down here near garage last Sept.
12 and since then has had to wear a double truss right along.
13 I have always daily since he started to wear truss a year ago
14 had to put same on him: he has to lie down to have it done. He
15 has never been able to put it on and adjust it himself.

16 Q. In what other ways if any have you had to help him daily?

17 A. For a very long time had to spray his throat every few
18 hours: he couldnt do that himself at all until very lately
19 when he has been doing it. All 1924 and 1925 I did this right
20 along: that was only way his throat was kept so that he could
21 use it at all. He has often been so that he could speak plainly
22 at all and at all times since his second shock so that a stranger
23 could hardly understand him and often has been so had to write
24 out even to me what he wanted to say. It has been only about a
25 month now that he has been so he could spray his throat for
26 himself and even now I have to do it at times. He often has
27 these sudden attacks of choking when it seems as if he would die.
28 I have seen him have them when eating when it seemed he would
29 never come out of it.

30 When Mr. Emery got this first rupture Dr. Middleton came
31 and examined him here and got this truss right away: I am sure
32 it was about a year ago now. About feeding when husband has
33 been able to swallow he has always been able to feed himself
34 but ever since Jan, 16, 1924 at times he has had to be fed by

35 me. For several months right after that second shock all the
36 time. He did weigh about 200 pounds and now he weighs 142.

37 Q. Has he been able to go out by himself unattended?

38 A. Oh yes right along when able to be out at all. He walks
39 out and goes to Hudson to his G.A.R. Our son in law takes
40 him to bus. He has no great trouble with his eyes. He reads with
41 his gäässes all right. In reply to question as to his mental
42 condition we can notice that he is not same as he used to be.
43 It is not just age coming on: he doesnt understand as he used
44 to do. He is quite hard of hearing: that has been coming on since
45 his second shock. No his mind is not so that he needs anyone
46 to be out with him when he goes away from the house.

47 Q. Has he always been able to attend the calls of nature
48 without help?

49 A. yes when he was not actually down and confined which was
50 for a time after each attack he has had. He seems to have pretty
51 good use of his arms and legs except as I have said that he has
52 not ever since Jan. 16, 1924 except very recently been able to
53 spray his throat as necessary several times a day, and he has
54 never during last year been able at any time to put on his
55 truss or adjust same: I have had to do that each and every day
56 since he first had to wear a truss.

57 No I can think of nothing else that I have had to do
58 for my husband daily. There are lots of times now when I am
59 awake until very late trying to get him calmed down so that he
60 can sleep: some nights he sleeps pretty good and then again he
61 font. Often nights his throat fills up and I have often think
62 he is going to choke to death. I have to get up and see to him
63 very often nights: rub his throat with Musterole and things
64 like that. I think that he would die in one of these choking
65 spells if I was not there to care for him.

66 I have read this and it states the exact facts as to
67 how my husband has been and doesnt make it as bad as he actual-
68 ly has been. It is fully correct.

69 *Lepida L. Emery*

70 Deponent

Case of FRANK E. EMERY

I.C. , No 923889

Deposition of Claimant

, continued, sheet 4

GOVERNMENT PRINTING OFFICE 6-5120

1 bringing up buckets of coal from cellar. As I have said my
2 arms and legs have never been affected by my disability. It was
3 while doing such work that I ruptured myself as stated. It must
4 be understood that it was an actual necessity that I do this
5 work under circumstances and all I could to aid my afflicted
6 wife who was my constant nurse attending me faithfully to the
7 limit of her ability.

8 Q. It is noted that you have no immediate neighbors here
9 what ones have seen you most frequently and known most about
10 your daily manner and habit of life and how you have been the
11 last few years?

12 A. Michael G. Hayes who is the letter carrier and who lives just
13 up the road here a short distance. Then there is Daniel Farrar
14 who has known me for forty years and who lives less than half
15 mile away.

16 Q. Have you required any attendance in matter of baths for
17 any period and, if so, for what period?

18 A. My wife has had to give me alcohol baths since Jan. 16, 1924.
19 That has not been a daily necessity but several times each and
20 every week. While I have use of my arms I have not been able to
21 perform this as directed.

22 Yes, I understand my rights as to personal presence or repre-
23 sentation during the taking of any necessary testimony. I do
24 not wish to be so present or represented. I have no attorney
25 but the State Agent R. R. Flynn. I have made no agreement with any
26 one as to payment of any fee in connection with this claim for
27 increase and have paid no one any fee in connection with same.

28 I have named the persons who will know most about my condition
29 during the last few years. I have made to the best of my ability
30 an accurate and exact presentation of the facts as to my physical
31 condition during period since Dec. 6, 1922. I have in years past
32 myself prepared many papers for use in pension matters. I make
33 this claim believing that my case falls within the provisions
34 of this law and that I have been actually in condition requiring

aid and attendance. I have not been entirely helpless but I
I have been so nearly so as law says as to require such aid cer-
tainly since Jan. 16, 1924.

I have read foregoing and it is correct.

Franklin E. Emery

Deponent

Subscribed and sworn to before me this 23rd day of March 1925
and I certify that contents were fully made known to deponent
before signing.

Chas. G. Townsend
Inspector

Case of FRA NK E. EMERY

I.C., No. 923889

Deposition of Claimant

, continued, sheet 3

GOVERNMENT PRINTING OFFICE 6-5120

1 time and then became almost normal again and that this condition
2 continued during Spring, Summer and Fall of 1923 and until Jan.
3 16, 1924 when you had a second seizure or paralytic shock affect-
4 ing your throat, is that correct?

5 A. That is correct.

6 Q. Has or has not your condition been worse and disability
7 more severe since Jan. 16, 1924?

8 A. It has: still during the period from Dec. 6, 1922 until I
9 made the seeming recovery as described the following Spring I
10 was severely disabled in way I have described in my claim. Since
11 Jan. 16, 1924 my throat trouble has been constant: I have never
12 regained ability to talk fully intelligibly and have had daily
13 trouble with my throat and my eating: have right along had to
14 eat special soft food, and as stated until recently had to have
15 my throat sprayed by my wife every few hours: almost daily have
16 had attacks of severe choking when eating.

17 Q. If your statement is understood it is to effect that
18 you have required daily aid and attendance since Jan. 16, 1924
19 on account of necessity to attend to your throat in way stated
20 and to prepare special food for you, is that correct?

21 A. It is.

22 Q. Have you required daily aid and assistance in respect to
23 any other necessity of daily living?

24 A. Since I became ruptured I have required such daily aid
25 in matter of the wearing of my truss: have been unable to put
26 same on myself: have had to lie down to effect this: the truss
27 has required frequent adjustment which I could not do.

28 Q. Has there been any time that you have been unable to
29 dress and undress yourself?

30 A. Only during period when I was especially bad for few
31 months following Dec. 6, 1922 and following Jan. 16, 1924. Ordinarily
32 I have dressed and undressed myself right along with exception
33 of the truss.

34 Q. Have you been able to attend the calls of nature unattend-

35 ed and without daily aid and attendance?

36 A.I have right along.

37 Q.Have you been able to feed yourself?

38 A.Yes .

39 Q.Do you go about unattended and have you so done right
40 along, that is except during periods of acute manifestations
41 of the two shocks you have apparently sustained?

42 A.Yes, I do. I go out by myself and even go to Hudson to
43 attend my Post meetings about every week. My son in law drives
44 me to the bus about two miles away. I formerly drove my own
45 car up until about two years ago since which time have been
46 unable so to do.

47 Q.What medical attention have you had since Dec. 6, 1922?

48 A.Merely that stated. Drs. Titcomb and Leland are deceased.
49 Since Jan. 16, 1924 I have been treated by Dr. Shaw and have followed
50 treatment advised by Dr. Vogel. When I became ruptured I saw
51 Dr. Middleton: that is only condition for which he attended me.
52 Dr. McGrath of Hudson has given me a few prescriptions. I have
53 known him for years and when going to Hudson to my Post Meetings
54 he has seen me at times and known in that way about my condition.
55 He has not visited me at my home. In fact none of the physicians
56 named have except Dr. Shaw a few times following Jan. 16, 1924. I
57 have been taking electric treatment administered by barber at
58 Maynard lately for my throat.

59 Q.Of whom has your household consisted since Dec. 6, 1922?

60 A.Of my wife and myself: our youngest daughter married
61 about twenty years ago and since that we have been alone. No
62 I have had no one regularly here to help about place during
63 last few years. No one has given me any attention in way stated
64 except my wife. She suffered a bad fall in 1916 and injured her
65 back and since then has been in condition you see her in. My
66 son in law and grandchildren, who live at the Prison near here
67 are often here and have helped about getting fuel in shape for
68 us and so on. There has been no one else aiding us about the
69 little necessary work here. As soon as I got better after at-
70 tack of Jan. 1924 I have done all I could about the house work,

Franklin E. Emery