

PLM-11

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

9904

FILE: B-194382

DATE: April 23, 1979

MATTER OF: Mrs. Gayle Schuchardt-Bauer

DIGEST: [ Claim for Civil War bonus <sup>of</sup> believed due relative ]  
who died in the Battle of Gettysburg, may not  
be considered since the act of December 22, 1911,  
37 Stat. 47, 49 precludes consideration of any  
claims in connection with Civil War service not  
received by December 31, 1912.

This action is the result of a request by Mrs. Gayle Schuchardt-Bauer for further consideration of her claim for a bonus believed due her relative who died while in military service during the Civil War. Her claim was not considered by our Claims Division because it was not received in this Office within the time limitations prescribed in the act of October 9, 1940, 54 Stat. 1061, as amended, 31 U.S.C. 71a (1976).

Mrs. Schuchardt-Bauer indicates that in researching her family history, she found that her relative, Corporal Ernst Schuchardt, died at the Battle of Gettysburg during the Civil War. The National Archives informed her that no bonus was paid in connection with his service. She is now claiming that bonus. Her claim may not be allowed for the following reasons.

The act of December 22, 1911, 37 Stat. 47, 49 provides in part as follows:

"No claim for arrears of pay, bounty, or other allowances growing out of the service of Volunteers who served in the Army of the United States during the Civil War shall be received or considered by the accounting officers of the Treasury unless filed in the office of the Auditor for the War Department on or before December thirty-first, nineteen hundred and twelve: \* \* \*"

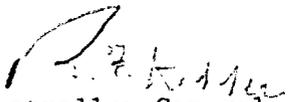
Under that law claims of this nature must have been filed by the stated date, or they may not be considered. This statute included all claims relating to service in the Civil War and was applicable to those who had served or those entitled to claim as survivors.

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Thus, while it well may be that no claim was ever submitted or paid in connection with Corporal Schuchardt's service during the Civil War, the act of December 22, 1911, precludes any consideration of such a claim if received after December 31, 1912.

Accordingly, the action of our Claims Division must be sustained and further consideration of Mrs. Schuchardt-Bauer's claim may not be given.

  
Deputy Comptroller General  
of the United States