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A study of fraud in African-American Civil War pensions : Augustus Parlett Lloyd, pension attorney, 1882-1909

Carrie Kiewitt

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A STUDY OF FRAUD IN AFRICAN-AMERICAN CIVIL WAR PENSIONS:

AUGUSTUS PARLETT LLOYD, PENSION ATTORNEY, 1882-1909

By Carrie Kiewitt

Submitted to the Graduate Faculty of the University of Richmond

in Candidacy

for the degree of

MASTER OF ARTS

in

History

This work examines fraud in the United States Civil War Military Pension system from 1882-1909 by showing how one attorney, Augustus Parlett Lloyd, defrauded the government on numerous occasions without ever being punished. Research for this work was conducted by studying a group of seventy-three African-American veterans who relied on Lloyd to assist in the application process and by using federal pension records, the manuscript census records, vital statistics, records of the federal Pension Bureau, and several secondary works to explore how Lloyd related to his clients, his associates and the Pension Bureau. This study concludes that Lloyd, the most fraudulent attorney in Baltimore, openly engaged in unethical practices, and was able to avoid convictions for these violations of the pension laws due to the nature of his clientele, his influence in the community and deficiencies in the pension system.

I certify that I have read this thesis and find that, in scope and quality, it satisfies the requirements for the degree of Masters of Arts.

Robert C. Kenzer

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B.A., Roanoke College, 1993

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PREFACE

Augustus Parlett Lloyd would have remained hidden in total obscurity in the stacks of the Maryland State Archives and forgotten among the billions of records at the United States National Archives had it not been for a thought in the mind of Maryland State Archivist Dr. Edward Papenfuse. After viewing the motion picture Glory, (released in 1990), the Hollywood depiction of the 54th Massachusetts Regiment, Papenfuse, inspired by the regiment's courage, skill and tremendous sacrifice, began to wonder what had become of these soldiers after the war. Of course, being familiar with the records housed in his archives, he began to wonder if he could uncover some information regarding the United States Colored Troops who settled in Maryland. While he thought this was a project to be pursued, he knew that it would be a huge undertaking that neither he nor his staff could do without extensive assistance. In 1992 this need led to the implementation of an ongoing internship program. The interns, under the ever watchful guidance of Archivist R.J. Rockefeller, were responsible for conducting all research and investigating all resources to determine what had become of the USCT soldiers who resided in Baltimore, Maryland from 1890-1920. I joined the program as an intern in its third year, 1994.

The challenge of the first year interns was to uncover the names of these individuals by reviewing the histories and rosters of the USCT and then comparing them to the 1890 Veterans Census for the City of Baltimore, ultimately selecting the men who

survived until 1890 and made their residence in the port city.

Once the subjects of the study were identified, the second-year interns traveled to the National Archives in Washington, DC, pulled and copied the veterans' pension files, and then entered them into the Maryland State Archives Special Collection 4126. Containing detailed information about family, economics, military services, and physical condition, the pension files proved to be a most valuable source of information. To organize and track the vast amounts of information contained in the pension files, the Maryland State Archives developed a cutting edge innovative database program.

When I came to the internship program in the summer of 1994 my group began to research the soldiers through the pension files, the census records, the Baltimore City directory, as well as birth and death records. However, shortly after our arrival, the sponsors of the program expressed a strong interest in identifying existing buildings in Baltimore that were significant to the African-American community of the 1890's. While the soldiers did include in their ranks John Murphey, the founder of the Afro-American, the first weekly newspaper in Baltimore published for the African-American community, the veterans themselves were not proving to be pillars of the community and thus would not lead us directly to the types of buildings we were seeking. The Maryland State Archives then made the decision to shift the project in a new direction. Under a new plan, we began using fire department maps of the city to determine buildings that dated back to the 1890's. Once a site was identified, we began uncovering its use and trying to determine its significance to the community. Our second approach was to begin exploring

the careers of the individuals who assumed important roles in the lives of the veterans: doctors, lawyers, barbers, grocers and even undertakers. This is how I came to know the name Augustus Parlett Lloyd. When I began researching Lloyd, all I knew was that he seemed to appear on just about every black pension application, and that there were some hints of pension fraud included among the affidavits of the pension files.

I owe a debt of gratitude to Dr. Edward Papenfuse, R.J. Rockefeller, and the staff of the Maryland State Archive, not only for introducing me to Lloyd and for allowing me to take part in their ground-breaking study, but also for the extensive assistance they provided me throughout my research. A special thanks goes to R.J. Rockefeller for giving me unlimited access to the public-restricted USCT pension files, and for generously making his time available on numerous occasions over the last two years. Their project on the African-American community in Baltimore is still on-going. Information on the project and the results of the research can be found on their web site

<http://www.mdarchives.state.md.us>

Once it was determined that I was going to make Lloyd the focus of my masters thesis, I had to select the individuals who were going to be included in the study. The field was greatly narrowed by the MSA's earlier work, which enabled me to choose the seventy-three men and widows for whom Lloyd had been the pension agent in at least one instance from their pool of 354 pension files. I put no limit on whether Lloyd was the primary attorney or not; in some cases Lloyd only filed one document on their behalf, while in other cases he was the sole legal consultant. Once I selected the men, work was

begun on their pension files. Using the files housed at the Maryland State Archives and the electronic database which recorded all the information that the MSA interns had stripped and collected from various primary sources, I began to document the processes the veterans went through to obtain a federal military pension. Information gathered included family life, the names and addresses of pension attorneys, the names of identifying and attesting witnesses, the physical condition of the men both when they were mustered out of the army and when they applied for a pension, some information on their military career, including when and where they received injuries, and when and how many times they were examined by the Pension Bureau's Medical Examination Boards.

Once the information on the individuals was completed, the next step was to pursue the leads on pension fraud. With the assistance of the military archivist at the National Archives, Mike Pilgram, I was able to uncover the Pension Claim Case Files from 1862-1933, which contain very carefully preserved files on attorneys practicing in front of the Pension Bureau. Anytime a question of ethics or unlawful actions involved an attorney, the documents supporting and refuting the claim were filed here. These files provide perhaps the best insight into how the Bureau and the attorneys related to one another, and without them, this thesis would not have been possible.

In addition to the staffs of the Maryland State Archives, and the National Archives I also owe a large debt of gratitude of my thesis advisor, Professor Robert C. Kenzer, whose support, trust, patience and understanding have helped me to shape, mold, work and re-work this thesis. His guidance and always useful comments have made this thesis

what it is. I also appreciate the additional assistance provided by Professors R. Barry Westin and David C. Evans. Finally, I owe the biggest thanks of all to my parents, who have always trusted in, encouraged, and supported me in everything that I have ever done.

CHAPTER 1

THE PENSION SYSTEM

While the military aspects of the Civil War are well known, few scholars have looked beyond the battlefields to see what life was like for the family which lost a father or had to take care of a permanently-disabled soldier. At first the federal government did not realize the hardships that would result when the main breadwinner of a family was unable to earn money to support his family. However, the need for economic assistance for veterans became obvious after the huge number of casualties in the first Battle of Manassas. The federal government attempted to alleviate some hardships by implementing pension legislation, and from the time of the Civil War until the 1920's pension laws aimed at Union veterans, their widows and dependent children made it easier to obtain a pension based on military service.¹

The first Civil War pension legislation was implemented as part of the act of July 22, 1861. The primary purpose of this act was to permit President Abraham Lincoln to seek the services of another 500,000 volunteers for the Union Army. Tacked on the end of the bill, almost unnoticeable, was the statement "that all volunteers who might be wounded or otherwise disabled in the service, should be entitled to the benefits conferred

¹William Henry Glasson, Federal Military Pension in the United States (New York: Oxford University Press, 1918), 124.

on persons disabled in the regular army.”² This was the first confirmation that volunteers and later draftees would be guaranteed the same rights as regular enlisted men. It is possible that this pension section of the law was included as a way of enticing individuals to volunteer their services. This conclusion seems justified, since the law did not apply to men called into service between April 15 and May 3 of 1861.³ Clearly, the huge number of soldiers killed and wounded days earlier at the Battle of Bull Run made it evident that more expansive legislation was needed to ensure the welfare of the injured soldier and to entice others to enter the army by promising economic security if the worst should occur.

On July 14, 1862 President Lincoln signed into law the bill that created the "General Law Pension System." This system allowed annual pensions of \$64 to be granted to all soldiers who incurred a disability while in the line of duty after March 4, 1861.⁴ Not only did this law provide for the serviceman, but it also covered his widow or dependent relatives. A pension would be given to a widow as long as she could prove that her husband's death occurred while in service to his country, or as a direct result of "injuries received or disease contracted while in military service."⁵ Under this system the size of pensions depended upon rank, "despite a 'feeling shared by several members of

²Glasson, 124.

³Ibid.

⁴Amy E. Holmes, "Such Is The Price We Pay: American Widows and the Civil War Pension System" in Maris A. Vinovskis, ed., Toward a Social History of the American Civil War (Cambridge: Cambridge University Press, 1990), 55.

⁵Ibid.

Congress that in an army made up of citizen soldiers rather than mercenaries, it would be unjust discrimination to pension an officer at a higher rate than a private.”⁶ The Federal Pension system operated under this law until 1879 when the Arrears Legislation was enacted.

In June of 1878 the hotly-debated Arrears Legislation passed the United States House of Representatives and in January 1879 the Senate. President Rutherford B. Hayes signed the bill into law on January 25, 1879, an act which was welcomed by both veterans and pension attorneys. The legislation permitted veterans and their dependents who had not filed a pension claim until years after the Civil War to collect back payments in one lump sum. New pension applicants would be granted all the arrears that he or she was entitled to from the time of military discharge or death of the soldier.⁷ The average arrears payment in 1881 to army invalids was \$953.62. Army widows, minor children and dependent relatives received an average first payment of \$1,021.51.⁸ This compensation was certainly a sizable sum considering that the average annual salary of non-farm employees in the United States in 1881 was just \$400.⁹

⁶Theda Skocpol, “America’s First Social Security System: The Expansion of Benefits for Civil War Veterans,” Political Science Quarterly 108 (Spring 1993): 106.

⁷Ibid., 116.

⁸Glasson, 175.

⁹Skocpol, 116.

Veterans were not the only people eager to pass the Arrears Legislation. Pension attorneys actively lobbied Congress, as the pension business had become a very large and successful venture. Theda Skocpol asserts that "the leveling off of new applications in the 1870's was a problem for pension attorneys and thus some major attorneys saw Arrears Legislation as an excellent way to stimulate renewed business. Because pension attorneys collected fees limited by statute to \$10 apiece for each application they helped assemble and shepherd through the Pension Bureau, they had a strong interest in generating as many applications as possible."¹⁰ When veterans became aware that they were entitled to receive as much as double their yearly wages from the government, they began flocking to attorneys. Although in 1870 there were 199,000 veterans on the federal pension rolls, by 1880 the number had risen to 251,000. By 1890 it had surpassed 500,000 (see Table 1). Assuming each of the 339,000 new pensioners between 1880 and 1890 paid the minimum attorney fee of \$10, attorneys made more than \$3,000,000. With the exception of the Arrears Legislation, which did not change any of the regulations about obtaining a pension, until 1890 the federal pension system was not altered from the General Law Pension System.

The Act of 1890, which was similar to the Arrears Legislation, was certainly a welcome change for pension attorneys because of its expansive nature. The law of 1890 provided pensions "based on proof of the fact of military service in the Civil War for a period of ninety days or more and an honorable discharge, coupled with the existence of a

¹⁰Ibid.

bodily disability not shown to be of service origin, or with the attainment of a certain age."¹¹ In other words, as long as an individual served in the Union Army for a period of at least ninety days, had some sort of disability that limited one's ability to earn a living, regardless of the cause, or had reached the age of at least sixty-five years, he was entitled to a pension. Not only did this law ease the pension restrictions for soldiers, but it also made it easier for widows to obtain federal funds. According to the legislation, a widow was entitled to a pension as long as her husband served in the war for ninety days or more. From 1890 to 1900 the number of pensioners nearly doubled from 538,000 to 994,000 (see Table 1). The 456,000 new pensioners may well have paid more than \$4,560,000 in attorney fees. From 1866 to 1920 the federal government paid \$138,000,000 to Civil War pensioners (see Table 1.)

Unlike previous legislation, the 1890 Act granted pensions based on degree of disability instead of the military rank one achieved during service. Under the 1890 legislation pensions ranged from \$6 to \$12 per month. Widows were entitled to the base pension her husband would have received, plus an additional \$2 per month for each dependent child under sixteen years of age.

The pension system was again revised in 1892 when the Act of August 5, 1892 provided a pension of \$12 per month for women who were employed as nurses by the Surgeon General of the Army. This was the first time that the federal government offered economic support to the women who served the army. The restrictions on the act were

¹¹Glasson, 126.

that the nurse had to be recognized by the War Department and under contract for service in the Civil War for a period of six months or more, honorably discharged from the service, and unable to earn a living.¹² In 1920 nurses' pensions were raised from the monthly rate of \$12 to \$30. It is important to note that this pension only covered women who were under contract by the Surgeon General and not to the thousands of women who had selflessly volunteered their time and energy to a local hospital.

The pension system continued to be updated every couple of years. The Act of February 1907 differed in that it based benefits not only on the length of military service but also on age. According to this law, the soldier only had to serve ninety days in the Civil War and, in accordance with an unprecedented feature, for the first time, he did not have to be disabled in any way to receive a pension. Now the pension scale was based on age: \$12 monthly for veterans sixty-five years old; \$15 for veterans seventy years old; \$20 for veterans seventy-five years or older. Clearly, Civil War pensions were becoming mostly an old age payment. Theda Skocpol argues that "over several decades, Civil War pensions evolved from a restricted program to compensate disabled veterans and the dependents of those killed or injured in military service in to an open ended system of disability, old-age, and survivors' benefits for anyone who could claim minimal service time on the northern side of the Civil War."¹³ The fact that Civil War pensions jumped from covering just 1.96% of the Union veterans in 1865 to covering 93.48% of them

¹²Gustavus A. Weber, The Bureau of Pensions: Its History, Activities, and Organizations (Baltimore: The Johns Hopkins University Press, 1923), 16.

¹³Skocpol, 102.

supports this argument (see Table 2). This trend continued as Civil War pension legislation changed in significant ways. The laws governing widows pensions were adjusted in accordance with the Act of April 19, 1908 which raised the widow's rate from \$8 to \$12 monthly. The only limitation on the widow was that she had to be married to the soldier prior to June 27, 1890.

Civil War pension laws were changed in noticeable ways four more times. The Act of May 11, 1912 altered the law of 1907 by rating pensions granted not only on age, but also on length of service. The monthly rate of \$13 was granted when a veteran reached the age of 62 years of age. At age 75 this pension was increased to \$30 per month.¹⁴

The Act of September 8, 1916 only affected the widow's pension. It granted a \$20 per month pension to every widow who was married to a soldier during his time of Civil War service, and for widows who had reached the age of 70 years, regardless of the date of marriage. It also contained a provision that changed the required date of marriage from June 27, 1890 to June 27, 1905 for widows under the age of seventy.¹⁵

The Act of May 1, 1920 called for an increase in all Civil War, the War with Mexico, and the War of 1812 pensions. It "provides a minimum pension of \$50 per month for every person who served during the war ninety days or more . . . if such a person is helpless, or blind by reason of age and physical and mental disabilities, his pension is \$72

¹⁴Weber, 17.

¹⁵Ibid.

per month.”¹⁶ All widows married before June 27, 1905 were now entitled to a pension of \$30 per month.¹⁷

As the laws became more lenient and as the veterans became older, the number of pensioners vastly increased. With the number of pensioners increasing every day, the question arose about how much was too much for the government to pay for military pensions. Maris Vinovskis has noted that “in 1893 veterans’ benefits to former Union soldiers or their dependents constituted more than forty percent of the overall federal budget.”¹⁸ From 1866 to 1920 the total federal bill for military pensions amounted to \$821 million (see Table 1). Between the years of 1900 and 1905 the total number of veterans on the pension rolls begin to decrease due to death, however the percentage of living veterans on the rolls continued to increase until 1915.

With the number of pension claims increasing after the Civil War, the Pension Bureau expanded, dramatically reorganized, and created a vast bureaucracy. The individual in charge of the Pension Bureau, the Commissioner of Pensions, by law was required to perform all duties in the execution of pension claims. He was under the direct supervision of the Secretary of the Interior. The Commissioner and his subordinate, the Deputy Commissioner, were presidential appointees who had to be confirmed by the Senate.¹⁹ The Pension Bureau was organized into the Clerk’s office and eleven other

¹⁶Ibid., 18.

¹⁷Ibid.

¹⁸Vinovskis, 172.

divisions. One of the most important divisions, the Law Division, was responsible for answering all questions relating to legal matters. Its duty was to investigate questions of legal marriages, divorces and guardianship of minor children. Additionally, the Law Division was the keeper of the official records of pension claims and, as such, was charged with transferring cases to Congress or other departments of the Pension Bureau when requested. Of course it was also its duty to insure that all records were returned to the Bureau. Furthermore, it was the disciplinarian of pension attorneys in cases of fraudulent or illegally filed pension declarations.

The major subdivision of the Law Division, the Criminal Section, supervised all criminal matters that related to the prosecution of pension claims. Included in its duties were the investigation, suspension and disbarment of attorneys filing fraudulent claims.²⁰ This section was also responsible for the discovery of evidence against claimants engaged in pension fraud. The second subdivision of the Law Division, the Attorneys Fee section, monitored the fee attorneys charged their clients. By law attorneys were only allowed to charge their clients \$10 for filing a pension claim and \$2 for each application for a pension increase.²¹

The Medical Division was charged with “issuing orders of medical examinations and keeping a record thereof; to examine and audit the accounts of examining surgeons; to

¹⁹Weber, 37.

²⁰Ibid., 41.

²¹Ibid.

determine from the evidence and medical examinations the proper rates for pensionable disabilities in invalid claims.”²² The employees of the Medical Division were mostly surgeons, appointed by the Commissioner, who served within the local communities, examining soldiers to determine if they had injuries that met the qualifications for a disability pension. Furthermore, they used these medical examinations to determine whether a previously-rejected pension case should be reopened and re-examined.²³

Over the years pension legislation changed so frequently that it was often impossible to follow. Additionally, pension applicants found it difficult to fill out the intricate application forms. Pension applications contained several different elements. The first section, general information documents, included information such as name, military company, date of enlistment; date mustered out, name of wife if married, names of children, and place of residence. The next element contained medical information, which included a physician’s statement or an examination from a Medical Board, and an affidavit from the veteran stating any injuries or diseases. Next the applicant had to obtain affidavits from family and friends as evidence of marriage, disability, and destitution in some cases, and of course statements of identification and personal knowledge of the veteran and his military experience. All of these forms had to be filled out and sworn to in front of a notary public with at least two attesting witnesses. The forms particularly confused the poor, ignorant and uneducated. Many veterans became highly dependent

²²Ibid., 45.

²³Ibid.

upon attorneys to explain new laws, confirm eligibility for a pension, fill out the paper work, and uncover all the facts needed to prove that a veteran was entitled to a pension. In turn, this group of veterans created a class of attorneys who made their living entirely by making pension declarations. One such attorney was Augustus Parlett Lloyd of Baltimore, Maryland.

CHAPTER 2

A BRIEF BIOGRAPHY OF A PENSION ATTORNEY

Augustus Parlett Lloyd, a native of Baltimore, Maryland, was born into a very affluent and well-established family. With his roots firmly implanted in the port city, it was only logical that Lloyd would ultimately settle in Baltimore after graduating from the University of Maryland Law School. In 1883 he began his law career, which would come to influence the lives of many of Baltimore's African-American Civil War veterans.

Lloyd had a strong impact on the African-American community because he made an effort to seek out the ex-soldiers of the United States Colored Troops and assist them in applying for and securing military pensions. Many of these men were destitute ex-slaves whose lack of education and low level of literacy made them unable to apply for pensions on their own. Lloyd fought for these men, and saw to it that they received the money due them as a result of their service in the Union Army. In his twenty-five years as an attorney, Lloyd touched the lives of hundreds of Baltimore's veterans and their families. At least this is the story for which Lloyd would like to be remembered. In fact, far from being a hardworking, honest champion of the underdog, Lloyd was not afraid to lie, cheat, defraud and steal from the United States and the very people he claimed to be helping.

Born on January 6, 1862, Lloyd was the second son, and youngest of four children, of Baltimore natives John Henry Lloyd and Eugenia MacDonald Lloyd.¹ John Henry Lloyd, a member and founder of a wholesale tobacco firm, B.F. Parlett and Company, was a prominent Mason and devoted Whig. John Henry Lloyd married the nineteen-year-old Eugenia MacDonald on December 10, 1854.² His new bride was the daughter of John MacDonald of Baltimore City, a wealthy planter, large slave owner, and well-known attorney. When John died at age thirty-three in 1863, he left Eugenia to raise their four young children.³

The young widow did an excellent job raising her children. Her two daughters, Mattie and Eugenia U. married into wealthy and affluent families. Mattie Lloyd married William L. Boyd, a commission merchant for the local Baltimore business, Walbrook. Eugenia U. Lloyd wed equally as well to the affluent Joseph R. Wilson, the president of Y.O. Wilson Brick Company. The Lloyd's eldest son, Benjamin MacDonald, was working as a stenographer when after a thirteen day illness he died of typhoid pneumonia

¹Unless otherwise stated, all information about Augustus Parlett Lloyd and his family come from Genealogy and Biography of Leading Families of Baltimore City (Baltimore: Chapman Publishing Company, 1897), 122.

²Marriage License issued to John Henry Lloyd and Eugenia MacDonald on December 19, 1854. Baltimore City Court of Common Pleas (Marriage Licenses), 1851-1885, Certificate Number 10,280, Maryland State Archives, Annapolis, MD. (Hereafter cited as MSA).

³It is interesting to note that John Henry Lloyd's father, John Lloyd, also died when he was thirty-three-years-old.

at the age of twenty-one. Two days after his death, his family buried him next to his father at the family plot in Loudon Park Cemetery.⁴

Augustus Parlett Lloyd's extensive education enabled him to become one of Baltimore's most well-known attorneys. For many years he attended the best private schools in Baltimore City and, for his higher education, he was accepted into the Dickinson Seminary in Williamsport, Pennsylvania.⁵ In 1879 he graduated from Dickinson with a Bachelor of Science degree. After graduation, he returned to Baltimore and for a short time resided with his maternal grandparents, F.M. MacDonald and Eugenia MacDonald at 175 Linden Avenue.⁶ Shortly thereafter, he left his grandparent's home to attend the Iowa State University. However, he only stayed there a couple of months. In 1881, after being accepted into the University of Maryland Law School, he

⁴Death Certificate for Benjamin MacDonald Lloyd. Baltimore City Health Department, Bureau of Vital Statistics (Death Record), Certificate Number 16133, MSA.

⁵No detailed information has been located on Dickinson Seminary: however, since Lloyd gained a B.S. degree there and never showed any interest in the ministry, it is safe to assume that Dickinson was not simply a seminary.

⁶United States Census Record 1880, Baltimore City, Enumeration District 201, Sheet 4, MSA. Augustus Parlett Lloyd's maternal grandfather was John MacDonald of Baltimore City, Maryland. In the 1880 census Augustus Parlett Lloyd was listed as living with F.M. and Eugenia MacDonald, It is know from Genealogy and Biography of Leading Families of Baltimore that Augustus' maternal grandmother is Eugenia MacDonald. In the relation column of the 1880 census Eugenia MacDonald was listed as the wife of F.M. MacDonald and Augustus Parlett Lloyd is listed as their grandson. Therefore, it can be assumed that F.M. MacDonald and John MacDonald are the same person.

left Iowa. He graduated from that institution with a law degree and was admitted to the Baltimore Bar Association shortly thereafter.

Immediately out of law school, the young attorney began his career by forming a partnership with his step-father Frank MacDonald.⁷ This partnership lasted just a few years before dissolving in 1885. Lloyd then went into private practice for himself, setting up an office at the corner of St. Paul and Saratoga Streets in downtown Baltimore.⁸ He began to specialize in and advertise as a patent and pension attorney.

Augustus Parlett Lloyd had both a successful law firm and family life. In 1882, at age twenty-one, he took the nineteen-year-old Annie E. Loane as his wife. They were formally wed by the Reverend L.C. Muller on April 12, 1882.⁹ Annie was the daughter of George J. Loane, a wholesale liquor merchant, one time Port Warden, and active worker in the Union League. She was also the niece of Robert T. Banks, a two-time mayor of Baltimore City.

This marriage, the first for both of them, was blessed by the birth of two boys. The first son, Henry Loane Lloyd, was born on Sunday, March 25, 1883, at the family home on 323 North Carey Street. The child was delivered by the Doctor G. Lane

⁷Major Frank MacDonald was Augustus Parlett Lloyd's step-father. There is no evidence that Major Frank MacDonald and Augustus' mother, Eugenia MacDonald Lloyd, were blood relatives.

⁸Baltimore City Directory, 1885-1908, MSA.

⁹Marriage Record of Augustus Parlett Lloyd and Annie E. Loane issued on April 12, 1882. Baltimore City Court of Common Pleas (Marriage Record), 1865-1914, Certificate Number 10,280, MSA.

Taneyhill who noted that the labor was “a hard and tedious one, which required the use of chloroform.”¹⁰ This “hard and tedious birth” set the stage for Henry’s life. He was perpetually confronted by traumas that eventually led to his death. Henry followed in his father’s and his grandfather’s footsteps, studying to be an attorney, and ultimately joined his father’s law firm in 1907. Henry’s law career came to a sudden end in 1910 when he relinquished his right to pursue pension claims in front of the Pension Bureau after being investigated for unethical conduct.¹¹ Henry’s life continued to spiral downward until he was finally committed to the Laurel Sanitarium for manic depression. On January 12, 1917, the thirty-four-year-old mental patient was discovered by the sanitarium staff hanging by a leather strap from the headboard of his bed. The cause of death was reported as “suicide, caused by manic depression and insanity.”¹² There are two curiosities on the death certificate. One, his parents were listed as unknown, even though his mother was still living a few miles away in Baltimore; two, Henry was listed as being

¹⁰Birth Record of Henry Loane Lloyd, March 25, 1883, MSA, Baltimore City Health Department, Bureau of Vital Statistics (Birth Record), 1875-1972, Certificate Number A-62516, MSA. It is interesting to note that Dr. G. Lane Taneyhill frequently testified on the medical condition of many of Lloyd’s pension clients.

¹¹The First Assistant Secretary to the Commissioner of Pensions, Washington, DC, December 10, 1909, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, National Archives, Washington, DC. [Hereafter cited as NA].

¹²Death Record of Henry Loane Lloyd, January 12, 1917, Baltimore City Health Department, Bureau of Vital Statistics (Death Certificate), Number 157, MSA.

married, even though no record of the marriage has ever been found.¹³ His “wife” was not listed by name and she did not inherit Henry’s portion of his father’s estate.

Lloyd’s second son, Eugene M. Lloyd, was born on November 18, 1885 at the family home on 331 West Lanevale. He too was delivered by Dr. G. Lane Taneyhill.¹⁴ At age twenty-four Eugene married Myrtle Wagner Lloyd, a seventeen-year-old resident of Baltimore City. They were wed on September 15, 1910 by the Reverend Dewitt M. Benham.¹⁵ Myrtle Wagner Lloyd gave birth to two children: the first, Martha Wagner Lloyd, was born on July 4, 1912 in New York City; the second child born to the couple died while in infancy.¹⁶

To help raise the children and to help maintain the household, Augustus and Annie hired two servants, Carrie Dixon, a twenty-one year old white woman with no children of her own, and Ella Allen, a nineteen-year-old black woman with one child.¹⁷ The fact that Lloyd could afford to pay two servants suggests his affluence.

¹³Ibid.

¹⁴Birth Record of Eugene M. Lloyd, January 12, 1917, Baltimore City Health Department, Bureau of Vital Statistics (Birth Record), 1875-1972, Certificate Number A-83480, MSA.

¹⁵Marriage Record of Eugene M. Lloyd, November 18, 1885, Baltimore City Court of Common Pleas (Marriage Record), 1865-1914, Book AD22, Folio 109, MSA.

¹⁶Equity Papers, Baltimore City Court, Equity Docket A, Miscellaneous 1853-1949, Case #A10119, MSA. It is unknown whether Eugene Lloyd was living in new York, or whether he was simply traveling when his daughter was born. Because there is no record of him living in Baltimore City after 1900 it is entirely possible that he had moved to New York.

In addition to practicing law, Lloyd also wrote on the subject. He published two books: The Law of Divorce (1887), and the second, The Law of Building and Buildings (1888). Both works were published by the Houghton Mifflin Company of New York.

Not only did Lloyd serve his community as an attorney, but he sought to contribute in other ways as well. An active member of the Republican Party, in 1886 he was persuaded to run for the state legislature.¹⁸ The election resulted in a defeat and ended Lloyd's political career. He was also active in two fraternal organizations, the Royal Arcanum and the Order of the Golden Chain. The Royal Arcanum was founded in 1877 by Dr. Darius Wilson, J.A. Cummings and C.K. Darling, all members of The Ancient Order of United Workman, the Knights of Honor, and the Masonic fraternity. The purpose of the Royal Arcanum was to provide insurance for its members. Upon the death of a member a monetary sum was paid to his family. In addition to money, the men of the Royal Arcanum pledged to "assist a distressed brother or his family . . . as far as in my power without material injury to myself or family."¹⁹ The fraternity was composed mostly of the members of other fraternal organizations, members of the

¹⁷United States Census Record, 1900, Baltimore City, Enumeration District 201, Sheet 4, MSA.

¹⁸Strangely there is no record of the election campaign found in the local newspapers.

¹⁹Arthur Preuss, Dictionary of Secret and Other Societies (St. Louis: B. Herder Book Company, 1924), 412. In 1924 the ranks of the Royal Arcanum had reached 1,322 lodges and 126,847 members, making it one of the largest beneficiary societies in the United States.

business community, and governmental officials.²⁰ Certainly, these men belonged to the upper echelon of society.

The Order of the Golden Chain, an organization founded in Baltimore, Maryland, was made up of members of the Knights of Honor, the Royal Arcanum, the American Legion of Honor and the Masons. The organization insured the lives of its members for \$1,000, \$2,000 or \$3,000. By 1907 the Order had paid more than \$1,600,000 to insurance beneficiaries.²¹

Augustus Parlett Lloyd died of paralysis on September 23, 1908, while under the care of Dr. Jason C. Clark. He was buried by Stewart Mowen and Company on September 25, 1908 in the family plot at Loudon Park Cemetery.²²

Lloyd's presence continued to be felt by the community. The most significant document he left, his will, left one-third of his estate to his wife Annie, another third to his first son Henry, and the final third to his second son Eugene. Annie Lloyd was made the executor of the estate and was instructed to hold her children's shares in trust.²³ Annie used her portion of the estate and the money in trust to purchase land. She would

²⁰Albert Stevens, Cyclopedia of Fraternities (New York: E.B. Treat and Company, 1907), 186.

²¹Ibid.

²²Death Record of Augustus Parlett Lloyd. Baltimore City Health Department, Bureau of Vital Statistics (Death Record), Certificate Number 15877, MSA.

²³Will of Augustus Parlett Lloyd, Baltimore City Circuit Court, Case #A10119, MSA.

in turn rent the land, and often the houses on the land, to tenants. She reinvested the rent money so that by 1920 Augustus Parlett Lloyd's Estate owned more than seventy-five pieces of property.²⁴ William Wheeler lived in a house on the estate owned property at 305 East North Avenue. Wheeler, formally of the 4th Regiment, Company A of the United States Colored Troops, was one of Lloyd's pension clients. In 1920 Wheeler paid \$48 a year in rent on the property that was valued at \$800.²⁵ When Henry Lloyd committed suicide in 1917 his third of the estate went to his brother Eugene and in 1922 when Annie E. Lloyd died in Atlantic City, New Jersey, the entire estate was granted to Eugene Lloyd and his heirs.²⁶

Immediately following Lloyd's death, on October 30, 1908, an inventory taken by William I. Norris and John T. Couglar of the contents of Lloyd's office at the Corner of St. Paul and Saratoga Streets. The estimated worth of everything in the office amounted to only \$165.70. The office had the usual assortment of chairs, desks, book cases, tables and picture, but is also contained some unusual items. For instance, there was a "Broken Bust of Tom Paine" estimated to be worth just five cents. The inventory also revealed that Lloyd had a bank account at Drivers National Bank worth just over \$2,000.²⁷

²⁴Ibid.

²⁵Ibid. I suspect that an in-depth research of property records would reveal that Lloyd and his wife frequently rented property to the attorney's clients.

²⁶Ibid.

²⁷Inventory of the Estate of A.P. Lloyd, Baltimore City Register of Wills, Inventories, Original, 1789-1927, MSA.

CHAPTER 3

THE AFRICAN-AMERICANS LLOYD SERVED

To evaluate Augustus Parlett Lloyd as an attorney it is necessary to look at a number of his clients and their survivors as a group as well as individually. A sample of seventy-three clients has been compiled which consists of men who lived in Baltimore in 1870 and still resided in Baltimore according to the 1890 census record of veterans and widows. Lloyd surely helped many more than these seventy-three individuals. In fact, it is possible to assume that Lloyd was picking up clients every day as they moved into the city. In the pension files of the United States Colored Troops there are cases where veterans traveled many miles to Washington, DC or Philadelphia to secure pensions. Surely, there were individuals who traveled to Baltimore in search of a pension. Nevertheless, these seventy-three African-American men serve as a sufficient pool of individuals to explore the life of the typical client in the practice of Augustus Parlett Lloyd.

His clients came from seven different regiments of the United States Colored Troops. The highest number of them, sixteen, served together in eight different companies of the 39th USCT. The friendships that developed between the soldiers of each regiment and each company would serve the veterans in many ways, and would be especially helpful in the pension application process. For example, thirty-nine of the

seventy-three pension applicants used fellow veterans as witnesses on their applications. Typically these witnesses were members of the same company or regiment, and their testimony normally consisted of confirmation of military service, war injuries, and of post war-related diseases. Without this testimony it would have been difficult for many to obtain pensions.

Family was an important aspect of these soldiers' lives. It is not surprising that only nine of them were married before the war, considering how young they were when they entered the army. Additionally, the fact that nineteen of the soldiers are known to have been slaves prior to 1863 can also explain the relatively small number of married men as some masters strictly forbade slave marriages. It is possible that as many as thirty-two men were formally held in the bonds of slavery. There are thirteen men whose prewar status could not be identified through pension, military, or slave records. There is no doubt that upon enlistment these individuals went to great lengths to hide the fact that they were runaway slaves. Many feared that they would be returned to their previous condition of servitude. And perhaps they were unwilling to admit to their former condition of slavery after the war because they wanted to forget the humiliation of slavery.

Of the seventy-three men in this sample, sixty-one used Lloyd to assist in the pension application process. Of the remaining twelve, five used another attorney; two filed without the aid of an attorney and five never filed for a pension.¹ Most of the men

¹These 12 men are included in the survey because their wives used Lloyd as an attorney in their widow's declaration.

were solicited by Lloyd's canvasser Frank Rice, a white man in his twenties, who went into the African-American community, to the wharf, to the barber shops, to their homes, informing veterans of their rights to pension money and encouraging them to file a pension declaration. If they were interested, Rice told them to meet the next day at the corner of St. Paul and Saratoga streets at the law office of A.P. Lloyd. From here Lloyd, his clerks, and his notaries would file the appropriate papers and take affidavits.

In addition to statements from friends, family, and fellow veterans, the Pension Bureau also required medical examinations of many veterans to confirm the existence and severity of war injuries and diseases. These examinations were conducted by medical boards consisting of three physicians. Of Lloyd's veteran clients, twenty-one claimed to have contracted or received an injury or debilitating disease during the war. Two-thirds of these men suffered from more than one disease during their military service. These men reported having at least twenty different types of diseases, with the most frequent being rheumatism and diarrhea. Until the legislation of 1890 men claiming to have injuries or diseases received or contracted during the war were the only veterans eligible to receive pensions. In many cases these diseases and injuries were recorded in the military records; however, there are cases where the files were unable to prove the existence of the claimed infliction. In these instances the Bureau relied on the testimony of fellow veterans and the medical boards. For instance, Edward Parker, a private in the 39th USCT, received a gunshot wound to the neck, left arm, and left eye in a skirmish

near Federal Point, North Carolina. However, when he applied for a pension in 1881, the military was unable to discover any evidence of his injury.² The Bureau informed the claimant that the record indicated that there was a battle, and that one private and one sergeant were killed, but no wounded were reported. Additionally, the record of the Surgeon General's Office indicated that Parker was treated for weakness and diarrhea, but not for gunshot wounds. The Pension Bureau rejected the claim until affidavits from four of his comrades and a medical examination revealed that he had been wounded and that he had three scars to prove it.

On other occasions the testimony of the physicians prevented veterans from receiving federal aid. William Bordley, a private in the 4th USCT, claimed to have received a bayonet wound to the right hip in a battle at Deep Bottom, Virginia. When the Bureau rejected his claim based on the fact that there was no evidence of any bayonet wound, Bordley was sent to the medical board. In an examination, Drs. White, Corlyn and Graham discovered a scar, but determined that it was not the result of a bayonet wound, and thus Bordley's petition for a pension increase was refused.³

The pension legislation enacted in 1890 allowed veterans to receive pensions based on the length of service, the attainment of a certain age, or the existence of debilitating diseases regardless of origin. Every one of Lloyd's sixty-four clients claimed

²The United States Pension File of Edward Parker, Special Collection 4126-451, Box 22, MSA.

³The United States Pension File of William Bordley, Special Collection 4126-37, Box 5, MSA.

to have contracted post-war diseases. These men reported thirty-one different types of diseases, with the most frequently contracted being rheumatism, hernia, heart disease, lumbago and piles. Pensions for disease were granted based upon the degree of disability resulting from the disease. Before 1890 the degree of disability was determined by obtaining an affidavit from a local physician or family doctor. However, this method raised questions about the legitimacy of the physician's findings. In an effort to combat the image that medical examinations were being conducted behind closed doors by close family friends, Pension Commissioner Bentley suggested that "the whole country . . . be divided into pension districts of such a size . . . that one surgeon . . . could make all required medical examinations in that district. A highly qualified [and generously paid] surgeon was to be appointed for each district, and was to be placed under the direct supervision of the Commissioner of Pensions."⁴ Bentley's suggestion was ignored, but in 1890 Congress did reform the system by establishing local boards of examining surgeons, paid by the Bureau, to replace the affidavits from family doctors.

In 1893 there were 1,260 of these Medical Examination Boards with each board made up of three surgeons.⁵ Unfortunately because these boards were formed using surgeons living within the communities where they were assigned, the medical exams were still open to accusation of improper actions. Because these doctors were so enmeshed in the social fabric of their communities, they often engaged in actions that

⁴Skocpol, 118.

⁵New York Times, June 9, 1893.

involved conflicts of interest. For example, Baltimore's G. Lane Taneyhill, the personal physician to Augustus Lloyd and his family, was also a member of the examination boards involved in the diagnosis of Lloyd's pension clients. A total of twenty-five of Lloyd's veterans were given physical examinations by the doctor. Close associations between attorneys and physicians such as this led to speculation of unethical practices and resulted in criticism of the Pension Bureau.

In all, 89% of Lloyds clients were examined by the medical boards.⁶ On average the men were examined by the medical boards a little over three times. Second and third examinations were conducted either to confirm the diagnosis of the first examination or because a request for a pension increase based on a new disease or an increased severity of present diseases was filed with the Pension Bureau. Often a pension attorney would request another examination when the first examination revealed no disease or degree of disability worthy of pensionable status. For instance, Joshua West, formerly a private in Company H, 39th USCT, was examined by the medical board nine different times. West was granted a pension of \$6 in May, 1894, after being examined by a medical board consisting of Drs. White, Corlyn and Graham. The doctors stated that West was inflicted with rheumatism to a rating of eight on a scale of eighteen.⁷ West, with the assistance of

⁶The other nine percent were not examined by the board because their ability was so obvious that a medical examination was not necessary. For example, William Butler, formerly of the 7th USCT, was never examined by the medical boards. Butler was wounded in the shoulder when an artillery cart he was following broke and ran over him.

⁷United States Military Pension File of Joshua West, Special Collection 4126-304, Box 16, MSA.

Lloyd and then Baltimore attorney William Ross, filed for an increase in 1894, 1895, 1899, 1900 and 1903. Each time the soldier was rejected on the grounds that medical examinations revealed no decreased ability due to disease. It was not until 1906 that West received an increase in his pension based on the recommendation of the medical board which reported that his disease had prevented him from earning a living based on manual labor.

However, when the Pension Bureau-sanctioned medical boards refused to confirm the existence of disease, the veteran often sought the opinion of a private doctor in the hope that the Bureau would reconsider the finding if a private physician disagreed. Among Lloyd's clients, twenty filed examinations from doctors not affiliated with a medical board. Again, Joshua West is a prime example of this behavior. After examining him, the medical board reported in January, 1903 that "no objective evidence of rheumatism, no piles, no respiratory problems, . . . claimant is muscular and well nourished."⁸ To contradict this testimony, West went to his private physician, William S. Smith, who testified that West suffered from vertigo and defective vision. However, even with Smith's testimony the claim for an increase was rejected. In addition to seeking private physicians for assistance when the medical boards failed them, the veterans also sought other attorneys when their claims were refused.

In 1894 there was strong competition for pension clients in Baltimore. Nine pension attorneys advertised and pursued pension clients in that year. Veterans were

⁸Ibid.

bombarded with offers of assistance with pension claims. When one attorney was unable to secure the initial pension or a desired increase, another attorney was right around the corner promising that he could do better. A good example of this attorney swapping between the years of 1882 and 1902 is the case of James Henson, who used five different attorneys. Henson's initial pension claim was secured by Lloyd and MacDonald in 1883 and was based on a disease Henson had contracted during the war. On June 24, 1865, the soldier was admitted to the divisional hospital in Sandy Nooks, Maryland for disease of the stomach and renal disease. Ultimately West was discharged as a result of these diseases. In 1890 the pensioner went to pension attorney Charles Garitee for an increase. Even though the Bureau questioned the integrity of the attorney and investigated the claim, the increase was granted. In August of 1891 W.E.W. Ross filed an application on West's behalf. However, when the application for increase failed, West sought the services of Lloyd for a second time. Again, when the quest for an increase was denied, West went to another attorney, A.W. McCormick. This attempt also failed. Not until 1907, with the help of attorney David L. Stanton, was West granted additional pension money.⁹ Men like West, uneducated and illiterate, were easy targets for Baltimore's attorneys. In 1891 a medical board stated that West's "general intelligence and mental condition is not good," and that he was "stupid, dense, [had] a dull expression, [did] not comprehend questions readily and answers were not reliable." His memory was cited as

⁹United States Military Pension File of James Henson, Special Collection 4126-224, Box 12, MSA.

being “impaired.”¹⁰ Furthermore, Special Examiners G.B. Hamlet and James Clements reported that “the claimant is very ignorant and has been an easy mark for all pension attorneys who come his way.”¹¹

Over half of Lloyd’s clients sought the help of other pension attorneys. Of the thirty-two veterans using Lloyd and another attorney, fourteen were Lloyd’s clients first and then left Lloyd to seek the assistance of another legal professional. Three of these men used another attorney because Lloyd died between the time of their first pension claim and their subsequent request for a pension increase. Only two of these men left Lloyd because he was unable to secure their initial pension claim, while the other nine left him because he failed to get them the increase they believed they deserved. Of the eighteen who used another attorney and then sought the assistance of Lloyd, seven desired an increased pension, while four others hoped to get an initial pension claim granted. It is unclear why the other seven left their previous lawyer. It is possible that some of the attorneys had left practice or died. These seven had no record of the Pension Bureau rejecting their claim of initial declaration or request for an increase. It is likely that these men received one of Lloyd’s persuasive circulars guaranteeing successful pension claims and had heard about Lloyd’s reputation for getting claims granted. They decided that he was their best chance. This was truly a testament to Lloyd’s successful practice. Only 17% of his clients were dissatisfied with the results of Lloyd’s efforts.

¹⁰Ibid.

¹¹Ibid.

Most of the soldiers who were married, whether pre or post military service, honored their marriage vows and lived their entire lives with just one woman. Of the sixty-four men known to be married, forty-two (66%) were married only once, thirteen (20%) were married twice, and another nine (14%) were married more than twice. While relatively few in number, it was this last category which caused the greatest amount of trouble and confusion for the Pension Bureau.

The difficulty for the Pension Bureau began when a soldier died and his widow filed for a dependent widow's pension. Whenever a widow filed, a routine background investigation would be conducted to verify that the applicant was indeed the legal widow. However, for the women whose husbands were married previously, this routine proved to be a time-consuming and difficult task. Often these men had simply left their wife and begun live with another woman without obtaining a legal divorce. When the soldier died the woman living with him and/or the abandoned wife would apply for a pension. In the course of the routine background investigation the Bureau would encounter great difficulty determining who was the legal widow.

The marriages of Robert Barnes illustrate the problem these pension applicants encountered. In the summer of 1861 Barnes, a slave belonging to John Dunnen of Meekins Neck, Dorchester County, Maryland, married Frances Dorsey, a slave owned by Samuel and Mary Meekens, also of Dorchester County. The ceremony was performed by (the Reverend Mr. Turner,) a local white minister. The marriage was approved by both owners and, in fact, Frances' mistress, Mary Meekens, gave the bride material to make a

wedding dress and helped to organize and arrange the marriage. After the war Robert left Frances and began living with Harriet Pritchard. On December 19, 1868, Robert and Harriet were married in the Gospel Church in Baltimore.¹² After Harriet's death, Robert moved in with Amanda Hopkins before marrying her on May 14, 1903.¹³ When Robert died on January 17, 1905 both Frances Dorsey Barnes and Amanda Hopkins filed for a widows pension.¹⁴ After an investigation and a letter from Frances' former owner, Mary Meekens, stating that she was present at the marriage of Robert and Frances, the government granted Frances legal widow status and gave her a widow's pension.¹⁵

The relationship between the soldiers and their wives not only reveals a lot about the family structure, but also gives insight into the workings of the pension system and the great lengths widows and pension attorneys went to receive government money. A total of sixty-four (83%) of the ex-soldiers were married at least once and, on average, the wives were 9.33 years younger than their husbands. This age gap and the speed with which widows filed pension declarations led to suggestions that some young women were seeking out and marrying older veterans just for the purpose of gaining their military pensions. The New York Times declared "there are many cases where old soldiers have

¹²Biographical Analysis Database, Marriage Database of Robert Barnes, [Electronic Record], Personal Identification Number 8210, MSA.

¹³Ibid.

¹⁴Record Stripping Database, SC4125, Death Records for Robert Barnes, [Electronic Record], Personal Identification Number 8210, MSA.

¹⁵Biographical Analysis Database, Association Database of Robert Barnes, [Electronic Record], Personal Identification Number 8210-11-10, MSA.

been married by young women for no other reason than the procurement of the pension which goes to the widows of soldiers.” The article suggested that “there should be some provision that only widows who married before the war . . . should receive pensions.”¹⁶

In this group of individuals there is a clear correlation between the age gap of the veteran and his wife and how quickly the widow filed for her pension which lends some credence to this theory (see Table 4). For example, in 1845 John Ross married his first wife, Ellen Taylor, while they were both slaves. He lived with her for about twelve years after the war as they raised a family. However, he abandoned Ellen and took up with several other women. Finally on September 19, 1889, he married Eliza Ross. At the time of this marriage Joseph was sixty-years-old and Eliza was just thirty-years-old. Their marriage lasted five years when in November, 1894 Joseph Ross died in the Bayview Mental Asylum. When both Ellen Taylor and Eliza Ross applied for pensions, Lloyd was able to secure a pension for Eliza based on the fact that no record of nor eyewitness to the marriage of Ellen and Joseph existed. It took Eliza less than 30 days to apply for her pension.¹⁷

There were six women who did not wait more than five days after their husband's death before beginning the application process. Among these women was Rebecca, the widow of James Enold, who waited five days after her husband's death on July 13, 1893,

¹⁶The New York Times, November 30, 1892.

¹⁷United States Civil War Pension Record of Eliza Ross, Special Collection 4126-443, Box 21, MSA.

before filing for a pension.¹⁸ Another example, Anne Harris was married to Thomas Harris on September 23, 1884 in the city of Baltimore.¹⁹ Thomas Harris was married to two other women who died before he met Anne.²⁰ After Thomas' death on May 13, 1908 at 69 years of age, his wife waited for two days before applying for and receiving a \$12 a month pension.²¹

Similarly, Henrietta, the widow of Benjamin Frisby let little time pass before filing her declaration. Benjamin Frisby was a slave owned by Mrs. Charlotte Ann Meredith of Queen Anne County, Maryland.²² Before the war Benjamin married Henrietta, a slave belonging to Joshua Casiden. The Casiden plantation was located 2½ miles way from the Meredith estate.²³ Neither Henrietta nor Benjamin were exactly sure of the year of their wedding. In all their years of marriage they only had one child, Charles. On April 8, 1901 Benjamin Frisby, formerly a private in Company G of the 39th

¹⁸United States Civil War Pension Record of James Enold, Special Collection 4126-374, Box 18, MSA

¹⁹Ibid., 16.

²⁰Ibid.

²¹Biographical Analysis Database, Death Database of Thomas Harris, [Electronic Record], Personal Identification Number 10286, MSA.

²²United States Civil War Pension Record of Benjamin Frisby, Special Collection 4126-398, Box 19, page 81, MSA.

²³Ibid., 24.

USCT, died. On that very day, with the help of Lloyd, the widow Frisby applied for a pension.²⁴

Cases such as these certainly prompted newspaper articles detailing the abuses of the pension system. Newspapers declared that “some limitations should be placed on the pensioning of those who are dependent upon veterans.”²⁵

Of the 45 women who filed for a pension (18 widows did not) the average length of waiting was 288.8 days or 9.5 months. This average was greatly increased by women such as the wife of John Wesley, Harriet Wesley, who did not apply for a pension until February, 1898, more than four years after her husband’s death despite having to support four children between the ages of nine and sixteen.²⁶ Georgianna Hayes, the wife of Charles H. Hayes, waited a comparable amount of time before applying. She applied on July 26, 1890, just under four years after her husband’s death on October 4, 1886.²⁷ Fifty-eight percent (50%) of the women waited one month or less before filing a pension claim while thirty of the women (70%) filed within one year.

While it may be true that some women, in an effort to provide for themselves, sought out and married elderly pensioners in anticipation of receiving a widow’s pension

²⁴Ibid., 15.

²⁵New York Times, November 30, 1892, page 3 col. 3.

²⁶United States Civil War Pension Record of John Wesley, Special Collection 4126-294, Box 15, page 7, MSA.

²⁷United States Civil War Pension Record of Charles H. Hayes, Special Collection 4126-325, Box 17, page 5, MSA.

in the future, there may be another explanation for their rapid filing of pension applications. Some women who filed quickly had been married to their husbands for twenty, thirty or forty years. When they took their wedding vows these women were obviously not thinking about the size of their future pension. Among these women was Ann Dayricks, the widow of Sergeant Richard Dayrick, a veteran of the 39th Regiment, Company D. Richard and Ann Dayricks were married June 26, 1856.²⁸ After fifty-two years of marriage, Richard Dayricks died on Christmas Day, 1908. Just four days later Anne Dayricks filed for a widow's pension.²⁹ Clearly she was not concerned about a Civil War pension when she married in 1856. More likely she simply needed the money, that she was legally entitled for her economic survival.

Further, there is no doubt that attorneys were a major factor in the rate at which widow declarations were filed. There is clear evidence that attorneys sought out and searched for widows much as they had canvassers search for and seek out veterans. In 1909, in a report stemming from a 1908 investigation, the Pension Bureau became aware that Lloyd was sending his canvassers out to widows' homes even before the funerals of dead veterans had taken place.³⁰ It appears that the attorneys were so eager to represent a

²⁸United States Civil War Pension Record of John Dayricks, Special Collection 4126-219, Box 12, page 14, MSA.

²⁹Ibid., 2.

³⁰Special Examiner to the Chief of the South East Division, Washington, September 6, 1909, Box 327, Pension Claim Case Files 1862-1933, Law Division, Veterans Administration, RG 15, National Archives, Washington, DC. The Pension Bureau mailed this letter to Lloyd's law office. It was unaware until later in 1909 that the attorney had died.

widow in a pension claim that they even made uninvited visits to the homes of grieving widows. In the course of a Pension Bureau investigation of illegal activities it was uncovered that Henry Lloyd, Augustus Lloyd's son, engaged in this type of activity. In 1910 he visited the home of Mary Perry, the widow of John Perry, a veteran of the 2 USCT, Company G. John Perry was a client of Henry's father and the case was given to him upon his father's death in 1907. When Mary learned that his mission was to have her file a pension claim, she asked him to leave the house and informed him that "when she wished to make a claim she would let him know."³¹ Despite her plea to leave, Lloyd persisted. She angrily responded that "the smell of the soldier was not yet out of the house."³² Lloyd continued to press her until she finally agreed that he could write the application out, but that she would not sign her name to it. With that, Lloyd left.³³ While there were no laws against this technique, the Pension Bureau discouraged the practice because "such matters tend to reflect discreet [sic.] upon the pension system."³⁴

³¹Law Division to Chief of Law Division, Washington, December 1909, Box 327; Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, RG 15, NA.

³²Ibid.

³³Despite the fact that Mary Perry, and her three daughter, who were present for Lloyd's visit, refused to sign the pension forms, the application was filed on February 25, 1908, the same day as Lloyd's visit. The application bears the signature of Mary Perry, her three daughters, and a Viola Perry. Viola Perry was reported to be a sister of Mary Perry; however, Mary Perry had no sister named Viola. As a result of this investigation, Henry Lloyd resigned his commission as a notary public, and relinquished his privilege of practice in front of the Pension Bureau. Thus, the Bureau ceased its investigation of Lloyd and no formal hearing or charges occur.

If Augustus Lloyd and his son Henry Lloyd made a habit of visiting widows' homes immediately after a soldier's death, and this could explain the speed with which so many widows filed pension claims.

The dependent children of veterans also relied on attorneys to assist in the pension application process. As long as the widow was living, children's pensions were included as an additional \$2 a month for the mother, however when the widow died the dependent children had to file for their own pensions.

A total of thirty-five of the seventy-three men had children, and a total of twenty-three of them fathered more than one child. This group includes nine individuals who had more than five children. For example, John Smothers, a former private in the 9th Regiment, Company G of the USCT, was married four different times and had a total of fifteen children, thirteen of whom died in childhood.³⁵ John Murphey former sergeant in the 30th Regiment Infantry, U.S. Colored Troops, Maryland Volunteers, had one marriage that produced ten children.³⁶

³⁴ Law Division to Chief of Law Division, Washington, December 1909, Box 327, PC 1862-1933, RG 15, NA.

³⁵United States Civil War Pension Record of John Smothers, Special Collection 4126-35, Box 4, MSA.

³⁶United States Civil War Pension Record of John Murphey, Special Collection 4126-473 , Box 22, MSA. Twenty-seven years after the Civil War, John Murphey purchased some printing equipment at an auction for \$200 and began publishing a one page weekly paper that became known as The Afro-American. The newspaper gained influence in the African-American community and remained in business until 1994.

Surprisingly thirty-six (49.5%) of the soldiers claimed to have no children at all. Possible reasons for this include physical disabilities and venereal diseases that were rampant throughout the army. Venereal disease does not seem to be the likely candidate among this group of men because only two of them are reported in military records as suffering from it. It is possible that these men were rendered unable to have children because of war wounds. Five of the twenty-three wounds/diseases reported by the seventy-three men could have caused some degree of infertility: a swollen spermatic cord, mumps, an abscessed groin, gonorrhea, and other venereal diseases.

Of the seventy-three cases in this study only one instance of Lloyd assisting a child is mentioned. When William Hall died in 1892 his twelve-year-old son Richard was left an orphan. On February 16, 1893 Lloyd filed a pension application on the child's behalf.³⁷

The ex-soldiers, their widows and their children were dependent upon attorneys for several reasons. About 70 percent of the black Civil War veterans applying for pension could not sign their applications.³⁸ Even so, Lloyd's clients were a little more educated than the national average. Thirty-five, just under half of the soldiers, were able to read and sign their names (See Table 6). With these people so dependent upon the

³⁷United States Military Pension File of William Hall, Special Collection 4126-283, Box 14, MSA.

³⁸Department of Commerce Bureau of the Census, Negro Population: 1790-1915 (Washington, DC, Government Printing Office, 1918), 406.

attorneys for every aspect of the pension application process, there was plenty of opportunity for the attorneys to abuse the system for their own economic gain.

CHAPTER 4

FRAUD INVESTIGATIONS

In 1892 the New York Times declared:

Something must be done to correct the abuses which exist on the pension rolls. This is rapidly assuming proportions which can not be passed by under the pretense of patriotic philanthropy. It is getting to be too obvious in its injustice. Take for instance the soldiers who live today in the soldier's home. Many of them receive pensions and spend the money as they please. Why not turn in this money to the support of the institutions which care for these veterans?¹

This above editorial reflects doubts about the pension system toward the turn of the century. The Pension Act of 1890 made it much easier for soldiers to receive pensions, and, as a result, the amount of money the federal government spent on pensions rose significantly (see Table 3). Public outcry against abuse grew loud and strong and focused not just on the soldiers, but also on pension attorneys. In late 1897 Pension Commissioner Evans explained that the Pension Bureau had received the message and was vigorously attempting to weed out the corruption that ran rampant through the system:

¹New York Times, November 30, 1892.

There are a great many attorneys who literally stop at nothing to get a pension. The system is all wrong. Years ago, the government should have taken this subject in hand and dealt directly with the pensioners and not with attorneys. Senator Pritchard expressed the situation very forcibly in a recent interview when he admitted that there was considerable skulduddery [sic] in this pension attorney business and expressed the belief that the Government would do better by dealing directly with the veteran and not through the attorney.²

Sentiments such as these prompted vigorous pursuit of attorneys suspected of pension fraud. From 1891-1896 pension attorneys earned more than \$10 million in pension fees, prompting some to urge “that Congress should abolish the attorneys” because “they do not live or do business out of love for the soldier. They are simply looking for fees.”³ As early as January 1881, Commissioner Bentley acknowledged that “not less than ten percent of the pension appropriations were paid out on fraudulent and illegal claims.”⁴

Augustus Parlett Lloyd was the target of several investigations of pension fraud. It became so evident to pension examiners that Lloyd was engaging in fraudulent practices that they began investigating every claim he filed. C.A. Halley, who examined the claims filed by Lloyd in the fall of 1893, made it his personal and professional goal to achieve “the early disbarment of that attorney whose methods are the

²New York Times, December 31, 1897.

³New York Times, December 16, 1897.

⁴Glasson, 168.

most irregular, while his business is the largest of all in Baltimore.”⁵

Lloyd’s first encounter with the Pension Bureau came in 1882, the very year he completed law school and joined his stepfather’s law practice. Lloyd’s firm was investigated for charging its clients illegal and exorbitant fees. In accordance with the General Pension Laws, an attorney could charge only \$10 for each claim filed and \$2 for each increase sought. An investigation conducted under the authority of Pension Commissioner W.W. Dudley, revealed five cases that were cited as evidence that “A. Parlett Lloyd and Co. (A.P. Lloyd and Frank Y. MacDonald) of Baltimore, MD have demanded and received illegal fees.”⁶

In the case of Henry Straitman, a dependent of the dead soldier Lewis J. Straitman, Frank MacDonald credited himself with a legal fee of \$10 once the pension was granted. However, in testimony before the Special Examiner, Henry Straitman, the pensioner, stated that “while the claim was pending he paid MacDonald \$8 and \$10 more out of his money.”⁷ Thus the total fee paid to the firm of A. Parlett and Co. for obtaining the pension was \$28. In the case of George Wilson, both attorneys clearly violated the pension laws. In addition to the legal fee of \$25 given to MacDonald, the pensioner also

⁵C.A. Halley, Special Examiner to Pension Commissioner, Baltimore, February 1, 1894, Box 327, Pension Claim Case Files 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

⁶W.W. Dudley, Pension Commissioner to Hon. H.M. Teller, Secretary of the Interior, Washington, May 1882, Box 326, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

⁷Ibid.

presented Lloyd with \$25 that was meant to be a gift. Furthermore, Wilson was required to pay the firm \$15 for the service of cashing his check.⁸ Therefore, the total cost of gaining a pension amounted to \$65. In the cases of Frederick Farr and Charles Spang, the pensioners were each charged \$20 for the filing of the pension claim and an additional \$3 each for the firm's cashing of their government check.⁹

Yet another example was the case of William Wells, who "swore positively before the Special Examiner that he paid Mr. Lloyd for Mr. MacDonald \$30; \$10 as his legal fee and \$20 as a present being demanded by Lloyd" ¹⁰ MacDonald and Lloyd both denied the charges. While this practice was technically not illegal, the Bureau believed that "this custom of assigning and accepting 'presents' on the part of the claim agent in such cases is a mere rush [sic.] to escape the penalties of a violation of the law."¹¹ As a result of these cases, Frank MacDonald was suspended from practice in front of the Bureau of Pensions.¹² While Augustus Parlett Lloyd was not found guilty of

⁸Dudley to Teller, May 1882, Box 326, PC 1862-1933, Law Division, RG 15, NA.

⁹Ibid.

¹⁰W.W. Dudley, Pension Commissioner to Hon. H.M. Teller, Secretary of the Interior, Washington, Oct. 21, 1882, Box 326, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

¹¹Ibid.

¹²W.W. Dudley, Pension Commissioner to F.Y. MacDonald, Box 326, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

any illegal practices, there is no doubt that this investigation cast suspicion, and would follow him for the rest of his career. Furthermore, the fact that the accusations and evidence of fraud continued to accompany Lloyd after he left the firm indicates that perhaps he knew more about the 1882 fraud than he admitted.

Ten years later, in 1893, Lloyd found himself facing charges of pension fraud again, as Pension Bureau Special Examiner S.M. Culter was investigating him. On December 23, 1893, after several months of investigation, Culter finally issued his final report in a letter to the Chief of the Law Division. Culter was looking into the fact that W.W. Beale, a law clerk working for Lloyd, and Bessie B. Tuero, Beale's sister and Lloyd's legal secretary, were signing pension forms as identifying witnesses. Culter noticed that not only did these two employees of Lloyd often sign the forms, but frequently the spot for identifying witnesses to sign was left blank.¹³ Furthermore, it became clear that E.E. Warner, a notary public in many of Lloyd's cases, was not signing all of the forms himself. In the pension file of Thomas Harris, Sr., a former private in Company G of the 39th USCT, three distinctly different signatures existed (see Attachments A, B and C).¹⁴ After questioning Lloyd, Beale, Tuero, Warner and several of

¹³S.M. Culter, Special Examiner to Chief of the Law Division, Baltimore, December 23, 1893, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

¹⁴United States Pension File of Thomas Harris, Sr., Special Collection 4126, 121, 126, 129. MSA.

Lloyd's clients, Culter came to the conclusion that many of Lloyd's pension applications were "styled with irregularities."¹⁵ His report explained that

Mr. Lloyd's reputation is in general good, but I can not believe he had been ignorant of these things. It would be difficult to prove in any of these cases the actual intent to defraud the U.S. and there is some excuse for him in the fact that the Bureau has so long permitted the practice of allowing clerks in an attorneys office to act as identifying witness [sic.] in claims which their employer is the attorney.¹⁶

It was Culter's recommendation to the Bureau that "A. Parlett Lloyd should be disbarred from practice before this bureau and all cases filed in which he is the attorney of record and in which E.E. Warner is the official before whom the declarants purports to have been executed or in which O.W. Beale and B.B. Tuero are the identifying witnesses or attesting witnesses to signature of material witnesses should be investigated as to validity of the evidence."¹⁷

Unknown to Culter, the Bureau had already sent someone to examine Lloyd's practice. In the fall of 1893, between the time that Culter had finished his special investigation and when he issued his final report, C.A. Halley, Special Examiner formerly assigned to Norfolk, Virginia was already interviewing not only Lloyd's clients but anyone whose name appeared on the applications filed as an identifying or attesting

¹⁵Culter to Chief of the Law Division, Box 327, PC 1862-1933, Law Division, RG 15, NA.

¹⁶Ibid.

¹⁷Ibid.

witness.¹⁸ News and details of the results of Halley's investigation exploded in a New York Herald article which declared that "the most stupendous frauds yet unearthed by the Pension Bureau have been discovered in Baltimore."¹⁹ Although the article overestimated the number of cases involved in the investigation at 10,000, the remainder of the article was accurate.²⁰ It reported that

These investigations disclose gross carelessness and recklessness in execution of pension declarations and presenting evidence in their support. It is known that in many cases persons have been sworn by O.W. Beale, one of Mr. Lloyd's clerks, yet on no such papers appear the seal and jurant of one of several magistrate [sic.] employed from time to time. Beale and a clerk named Tuero have it is declared acted as identifying witness on the applications for pensions of all comers, notwithstanding the fact that in the large majority of cases they have never before seen the applicants. While the magistrate had to certify on the applications that the witnesses named were present with the claimant and were sworn in most, if not all cases, they dispensed with this formality. Testimony shows that the magistrates have grown so careless and indifferent as to fail to administer the oath to many witnesses appearing before them.²¹

¹⁸New York Herald, December 28, 1893.

¹⁹Ibid.

²⁰ Lloyd claims that his entire practice was no more than 7,000 and that the Rice cases could not be more than 500. C.A. Halley, Special Examiner to the Pension Commissioner, Baltimore, February 1, 1894, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA

²¹Ibid.

The newspaper account provides the best insight into how Lloyd conducted his practice in the early 1890's.

Mr. Lloyd had in his employ as a clerk and canvasser, a young man named Frank Rice, an ex-special examiner, who canvassed all the brickyards, manufactories, docks and saloons. Upon ascertaining that any person was pensionable he procured names, residence and other data necessary for use in claim, and with or without such pensionable assent, proceeded to make out an application forging the applicants name, names of identifying witnesses and even the names of attesting witnesses to signature made by crossmarks. In some unexplained manner he induced Mr. Patterson the magistrate to affix his seal and signature to these applications. After the field had come pretty well exhausted, in order to secure his commissions from Mr. Lloyd, Mr. Rice made out many applications for persons who could have no pensionable status and even of fictitious person[s].²²

Even though Halley had been interviewing Lloyd's clients and their witnesses since the summer of 1893, Lloyd made no comment on the investigation until this newspaper article was published. On January 2, 1894, just five days after the newspaper hit the stands, Lloyd wrote a letter to then Pension Commissioner William Lochern in which he lamented that the article was "very injurious to me and very painful to my friends and family."²³

Lloyd's anger seemed justified because he believed that the "information upon

²²Ibid.

²³Augustus Parlett Lloyd to William Lochern, Pension Commissioner, Baltimore, January 2, 1894, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

which this report was founded must have come from someone in [the] Bureau. It is, I strenuously insist, most unfair for any department of the government to suffer its subordinates to make public such a report before a full investigation had been had and before an opportunity had been afforded to show its falsity.”²⁴ Lloyd’s statement here was fully justified considering he had not even been informed of any charges against him. It was not until March 16, 1894, that the attorney was notified “that he had been guilty of irregularities and unprofessional practices.”²⁵

The investigation of 1893 began as a result of several other routine special examinations. It was common for a special investigator to be sent to investigate certain aspects of a pension. For instance, there was often conflicting testimony about an applicant’s age and thus it was up to a Special Examiner to determine what the legal age actually was, or at least what age the Bureau was going to accept as fact. It was during the course of these routine investigations that Special Examiners Hamlet, Connelly, and Perley discovered inconsistencies in the Lloyd pensions. In fact, Halley credits Hamlet for making the first “intimation relative to the so-called Rice cases.”²⁶ The investigation began in the Fall of 1893 and was not totally settled until a year later.

²⁴Ibid.

²⁵Frank A. Anderson, Chief of Law Division to The Chief of the Special Examination Division, Washington, July 2, 1894, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

Pension Examiner Halley had not even submitted his final report to the Bureau before the New York Herald article was published. Lloyd responded to the article by writing a letter to the Pension Commissioner proclaiming his innocence and by taking affidavits from everyone involved in any way in any case that was being investigated. Additionally, he decided to put Halley on the defensive by accusing him of taking statements “by trick and otherwise to repudiate their applications and that several false and fraudulent ex-parte statements have been taken for the evident purpose of ruining me, making political capital for the Administration and to drop worthy claimants from the pension rolls.”²⁷ Furthermore, Lloyd claimed that because the special examiners had not been “able to find any crimes committed” and had not been “able to submit . . . any evidence that would stand in any court in the land, they [tried] to pick up technical flaws and legal quibbles.”²⁸ Lloyd accused Halley of conducting his investigation in secret and taking “advantage . . . of the ignorance and stupidity of pension claimants.”²⁹ Of course, this tactic forced Halley to defend himself in front of his superiors. The case quickly

²⁶C.A. Halley, Special Examiner to the Pension Commissioner, Baltimore, February 1, 1894, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

²⁷Augustus Parlett Lloyd to the Pension Bureau, Baltimore, January 2, 1894, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

²⁸Ibid.

²⁹Ibid.

became a personal confrontation between Lloyd and Halley in which each made it his goal to discredit the other.

In March 1894, Halley finally submitted his final report on the investigation of the law practice of Augustus P. Lloyd. On March 16, 1894 Lloyd was notified that he was charged with "improper and unprofessional conduct, and violation of the rules of practice of the Pension Bureau."³⁰ In accordance with the rules and regulations of the Pension Bureau, Lloyd was "given 30 days notice from that date to show cause why his disbarment should not be recommended."³¹ Furthermore, it was noted that after reading the preliminary reports of the Special Examiners that

one can not but be struck by the remarkable uniformity of the testimony as to the irregular methods practiced in the office of Mr. Lloyd, and the testimony introduced by the defense to repudiate the charges is so remarkable, in that it appears that the witnesses all use nearly the same language in answering their questions. This is due to the method in which they were examined by the defense, as no doubt he placed in the mouths of the witnesses such language as would suffice to make a total denial of their former depositions taken by Mr. Halley. The person[s] who appears to have been Lloyd's associates in his crookedness are the stock witnesses B.B. Tuero and O.W. Beale and the officiating magistrates S. Magruder Tubman, E.E. Warner, and S.W. Patterson and from such information as we now possess [sic.] it would seem that a careful examination

³⁰Frank E. Anderson, Chief of the Law Division to the Chief of the Special Examiners, Washington, July 2, 1894, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

³¹Ibid.

would reveal the fact that they have also, in one way or another violated the penal statutes.³²

Lloyd quickly took advantage of his opportunity to defend himself against these charges. In a one hundred page handwritten letter to the Pension Commissioner Lochern, Lloyd argued against each one of the six charges leveled against him. First, “of filing in your Bureau instruments purporting to be declarations and affidavits in pension claims which were not such in fact,” Lloyd simply stated that “this is absolutely and unqualifiedly false. No declaration filed by me at anytime had been known to me to be other than it purports to be. If any of the Rice applications were irregular in any respect I defy the government to prove any guilty knowledge there of upon my part.”³³ Lloyd claimed that he paid Frank Rice for the claims and the he simply “took them and filed them because [he had] every reason to believe that they were genuine.”³⁴ This is the beginning of Lloyd’s claim that he had no knowledge of any irregularities in his office. He continued this assertion throughout his career whenever his ethics were questioned. He never seemed to know of any problems and he always trusted his employees. The second charge against Lloyd was for “filing in the Bureau declarations in pension claims which purported to be formal which you knew were informal and fraudulent, in that the

³²Ibid.

³³Lloyd to the Pension Commissioner, Baltimore, January 2, 1984, Box 327, PC 1866-1933, Law Division, RG 15, NA.

³⁴Augustus Parlett Lloyd to the Pension Commissioner, Baltimore, April 5, 1894, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

declarants and affiants were not sworn there to.”³⁵ The third charge against Lloyd was for “administering the oath to a pension claimant in his declaration wherein you appear as the attorney of record, the jurant have been affixed by another person.”³⁶ Fourth, Lloyd was accused of “knowingly suppressing important facts in the testimony of affiants on claims in which you appear as the attorney of record.”³⁷ The fifth accusation that Lloyd had “filed declarations for pensions wherein clerks . . . have been sworn identifying witnesses and where . . . they . . . had not sufficient knowledge to appear as such,” led to Lloyd’s response that there were no “regulations governing the filing of applications demanding that the witness to the signature of the claimants should be comrades of persons capable of identifying the claimant.”³⁸ Additionally, Lloyd capitalized on the confusion between attesting and identifying witnesses. He “consulted with several eminent attorneys on the point as to where the witnesses signing such a form can be considered identifying or attesting witnesses,” and he was “advised that they can be considered merely attesting witnesses.”³⁹ Lloyd had his associates O.W. Beale and B.B. Tuero act as attesting witnesses on just about every application he filed with the Pension Bureau. The Pension Bureau felt that this was fraudulent because attesting witnesses

³⁵Ibid.

³⁶Ibid.

³⁷Ibid.

³⁸Ibid.

³⁹Ibid.

should have intimate knowledge of the individual for whom they were testifying. However, law governing attesting witnesses stated that the witness merely had to “believe from the appearance of the claimant that he is the person he represents himself to be and that they have seen him sign the application.”⁴⁰ In other words, they did not have to know the pension applicant at all.

The sixth charge against Lloyd revolved around his association with Frank MacDonald, his step-father and a disbarred attorney. The charge stated the Lloyd was guilty of “associating in the prosecution of pension claims with a disbarred pension claim attorney.”⁴¹ To this charge, Lloyd argued that MacDonald was at one time prohibited from practicing in front of the Bureau, but that if Mr. Halley had “been half as anxious to search for the truth as he had been to divulge falsehood, he would have found that Major MacDonald is an attorney in good standing before your Bureau.”⁴² However, his partner’s past indiscretions in front of the Bureau would follow Lloyd throughout his entire career. Lloyd advanced his argument that he should not be disbarred by listing eleven reasons why he should be acquitted:

- 1st Because I am innocent of every charge of irregularity made against me, and I have established my innocence by overwhelming evidence.

⁴⁰Ibid.

⁴¹Ibid.

⁴²Ibid.

- 2nd Because I have pointed out over 100 errors or irregularities of your honorable Bureau far more important than those your Examiners have falsely attempted to lay at my door.
- 3rd Because I have shown that nearly all of the evidence taken by Special Examiner Halley is either fictitious or false and fraudulent and I herein demand the criminal prosecution of the said Examiner, and substantiate my charge by competent testimony;
- 4th Because to base my disbarment upon the crimes of Examiner Halley and to close your eyes to his palpable violation of the laws of the United States will make your honorable Bureau a party to this man's criminal acts.
- 5th Because I have satisfactorily disproved by evidence of from three to five competent witnesses not only the fictitious charges of Special Examiner Halley to be absolutely false, but I have also successfully rebutted the evidence taken by the other Examiners. You will note that each witness is shown upon Cross-Examination to either repudiate or satisfactorily explain adverse statements.
- 6th Because some of the charges made against me are shown to be without foundation by your own records.
- 7th Because some of the charges made against me were shown to be without foundation by your own records.
- 8th Because it would be a crime against me to disbar me for filing the Rice claims I have clearly shown that like all, or nearly all Washington attorneys I bought the claims believing them and the fact of my paying for them was a voucher of good faith. The case of Eligah Simpson and other[s] show I called attention to these Rice irregularities over two years ago.
- 9th Because the Department is estopped from setting up as a ground for disbarment the charge that Mr. O.W. Beale and Mrs. B.B. Tuero appear as attesting witnesses when it was fully cognizant of the practice throughout the country and in your Bureau and did not order its discontinuance.

- 10th Because to disbar me on account of alleged irregularities of a Court Clerk, two notaries, some justices of the Peace and others over whom I have no possible control and all of whom had independent offices from mine and were not even employed by me but by the pensioners themselves, the Department would have to show guilty knowledge upon my part.
- 11th Because the Bureau has not even alleged that I have taken any illegal fees nor perverted testimony nor of having loaned money on pension certificate not that I have in any manner or shape attempted to cheat the government or any pensioner out of a cent.⁴³

Of course, Examiner Halley was offended by the stories that Lloyd was telling about him. Halley was not only disgusted with Lloyd lying about his methods, but was also angered by the damage being done to his reputation and his career. He took the opportunity to defend himself in writing, emphasizing that it was his sworn duty to “report to the Bureau promptly and unequivocally every violation of the laws that comes to my attention no matter whose liberty it jeopardizes.”⁴⁴ To Lloyd’s argument that the more fairly conducted investigations of Special Examiners Connelly, Hamlet, Perley, and Early failed to uncover anything that could amount to fraud, Halley stated that Lloyd was simply unaware of “what a slim defense” he had presented. After all, it was these initial investigations that led Halley to the Rice cases. To Lloyd’s charge that Halley elicited false testimony from many of his clients, Halley explained that “a large portion of the

⁴³Ibid.

⁴⁴C.A. Halley, Special Examiner to William Lochern, Pension Commissioner, Baltimore, February 1894, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

testimony conducted by these improperly procured perjuries was taken in the presence of the other Special Examiners at the Custom House as shown by the appearance of their names as attesting witnesses on their depositions.”⁴⁵ Additionally, Halley took this opportunity to take a swipe at Lloyd by detailing a day when he was in Lloyd’s office and the “attorney told [him] in conversation in his office that it was his experience that witnesses in pension cases could be made to swear to anything desired.”⁴⁶ Upon hearing this, Mr. Halley concluded that Lloyd must have used “this presumption in preparing the affidavits presented by him and has by his own peculiar methods secured testimony which showed upon examination of the original depositions made by the affiants be sufficient without consideration of any other facts to warrant his disbarment.”⁴⁷ Halley showed a great understanding of the scrutiny that Lloyd’s charges brought upon the Pension Bureau. He understood that the Bureau was required to make a full investigation into the charges against both men. In fact, he encouraged the Bureau to send another examiner to look into the affidavits taken by him as he was secure in the belief that such an investigation would reveal that his depositions were all properly taken.⁴⁸ Special Examiner Halley took his duty seriously and he used this opportunity to let Lloyd know

⁴⁵Ibid.

⁴⁶Ibid.

⁴⁷Ibid.

⁴⁸Ibid.

that the charges he had levied would “make no difference in [his] work as an examiner.”⁴⁹ Halley was “on the offensive as regards to criminal practice in pension matters and [would] not shift [his] position while [his] supervisors in the Bureau approved of [his] course.”⁵⁰

Upon receiving Lloyd’s statement refuting the charges against him, and after reading Halley’s response to the charges leveled against him by an attorney desperate to save not only his reputation but also his thriving practice, Frank E. Anderson, Chief of the Law Division, agreed that “a re-examination of these claims” would take place “in order that this bureau may be better able to judge to what extent and in what manner [Lloyd] has violated the rules of practice, and whether in fact he has been guilty of violating the penal statutes.”⁵¹ As any department head would, Anderson threw his support behind his Special Examiner when he stated that “it can hardly be presumed that Mr. Halley had violated his oath of office, or violated the United States statutes as has been charged by Mr. Lloyd. To assume that he has been guilty of any practice tainted with partially [sic] favor of the government or malice against the defense would be doing him a great injustice, for he has no personal interest whatever in these claims.”⁵²

⁴⁹Ibid.

⁵⁰Ibid.

⁵¹Frank E Anderson, Chief of the Law Division to the Chief of the Special Examiners, Washington, July 2, 1894, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

⁵²Ibid.

Anderson's recommendation also contained a warning in which he suggested that because of Lloyd's tendency to turn the tables and accuse the examiners of violating statutes, the Special Examiners assigned to these cases should "conduct the re-examination" of these claims "cautiously and discreetly . . . so that none of these parties may be unnecessarily alarmed so that the ends of justice may be met."⁵³

After several months of investigation by other special examiners, the Halley vs. Lloyd fight came to a head in a much publicized final round. In an attempt to protect the Bureau from the impression that it did not care about irregularities in the methods of its examiners, Pension Commissioner William Lochern appointed Mr. J.W.C. Roberts of the Department to conduct a formal investigation that resembled a trial. In the hearing, Lloyd became the plaintiff because of his accusations against Halley, and the examiner took the role of the defendant. A week before the hearing was to take place, a Baltimore newspaper published an account of what was to come.

Pension matters in Baltimore have reached an interesting stage. Between cases against pension attorneys, pushed by the special examiners, and cases against one of the special examiners pushed by a pension attorney, the developments of the next few days promise to be noteworthy. The latest development, which gives an entirely new turn to affairs is an investigation to be made by the Pension Department at Washington of charges preferred by pension attorney A. Parlett Lloyd against Special Examiner Charles A. Halley. The investigation will begin Monday, behind closed doors

⁵³Ibid.

in one of the jury rooms of the United States District Court.⁵⁴

On January 28, 1895 the hearing began in one of the jury rooms on the U.S. District Court on the third floor of the Post Office. Overseeing the proceedings was Mr. J.O.C. Roberts. Pension Examiner Halley served as his own council.⁵⁵ Representing the well-known and well-liked A.P. Lloyd was James Harry Preston, Speaker of the Maryland House of Delegates, and the former United States Congressman, Benjamin Butterworth. Their job would be to convince Roberts of Halley's unethical investigative methods, while also defending Lloyd against the possibility of disbarment.

James Harry Preston was a member of a wealthy and prominent family who migrated to Maryland from Hartford, Connecticut.⁵⁶ Preston was the son of James Bond Preston, Jr. who inherited all of his wealth from his father, the owner of vast amounts of land and hundreds of slaves. James Bond Preston's inheritance left him with such ample means that he was not required to engage in any sort of business. In fact, he made a career of socializing with Baltimore's most affluent residents. Politically James Bond Preston,

⁵⁴Unidentified Baltimore Newspaper Article, January 26. 1895, Box 326, Pension Claim Case File 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

⁵⁵The only mention in the Baltimore papers of the investigation of Lloyd's practice appears in two short articles in The World on January 26th and January 28th. No report of the trials details or its outcome has been found in the Baltimore papers.

⁵⁶Unless otherwise stated, all information about James Harry Preston and his family comes from Genealogy and Biography of Leading Families of Baltimore (Baltimore: Chapman Publishing Company, 1897), 906.

Jr. was a life-long Democrat, having served his party in the state legislature from 1884 to 1888. He associated with the Masons and was an active member of the Episcopal Church.⁵⁷

James Harry Preston had the best of everything growing up. He attended the best private academy in Bel Air and went on to St. James College. In 1879 he entered the University of Maryland Law School where he graduated in 1881. Surely Lloyd and Preston met while they were classmates at the University of Maryland Law School. After several years of private practice, Preston decided to enter politics. First, he was elected to the House of Delegates in 1890 and four years later he was elected as Speaker of the House. His political career continued to advance and he eventually became the Mayor of the City of Baltimore, serving from 1911 to 1919.

Lloyd's second attorney Benjamin Butterworth began his life in the humble home of a Quaker family in Lebanon, Ohio.⁵⁸ Following in the footsteps of his father, William Butterworth, Benjamin pursued a career in law. He received his law degree from the Cincinnati Law School in 1857, served in the Civil War, and ultimately achieved the rank of Major. It was during this time that he developed a close relationship with

⁵⁷James Bond Preston had two sons. One, Walter Wilks Preston, became a successful attorney in Bel Air, Maryland, and served as a member of the state legislature from 1890-1894. Additionally, he served two terms as the Maryland State Attorney from 1895-1898.

⁵⁸Unless otherwise stated, all information about Benjamin Butterworth and his family comes from Walter V. Ball, The Butterworth Family of Maryland and Virginia (Silver Spring, Maryland: Westland Printing Company, 1960), 40-41.

William McKinley, the future President of the United States. In 1870 he was appointed the United States Attorney for the Southern District of Ohio. His political career continued when in 1873 he was elected to the Ohio State Senate, the first of two terms. In 1884, 1886, and 1888 he was elected to the United States House of Representatives. Before serving as a congressman, he was also appointed the Commissioner of Patents by President Chester Arthur. He held this post from 1883 to 1885, and was re-appointed to the position in 1897, a position he held until his death in January 1898.

With these two prominent and influential men as his defenders, Lloyd must have thought there was no way he could lose. Further, he probably believed there was no possibility of Halley surviving this investigation.

The very first thing Lloyd's attorneys did was to present Exhibit A, a lists of items they intended to prove beyond a reasonable doubt about Lloyd:

- 1st That he is an attorney at law in good standing in Baltimore, Maryland, and that he is a pension attorney, practicing and recognized in the Department of the Interior.
- 2nd That C.A. Halley Special Examiner of the Pension Bureau had made certain false and fraudulent reports to the Commissioner of Pension, well knowing that same to be false and with the intention of ruining our petitioner and driving him out of business which he is lawfully engaged.
- 3rd That he [Halley] had falsely and fraudulently presented certain colored depositions, affidavits and statements, and has returned testimony and affidavits containing statements which have never actually been made; that he was reported [sic.] examinations of persons whom he had never seen or attempted to see; and he has improperly, falsely and fraudulently suppressed affidavits and statements which if taken would fairly show all the fact[s] -- all for the purpose of carrying out his own evil intent.

4th That he, the said Halley, maliciously and falsely framed to be published in the New York Herald on the 28th of December 1893, a statement implicating this petitioner among other criminal offenses, with filing 10,000 fraudulent pension cases.⁵⁹

Lloyd continued his case by calling witnesses in an attempt to prove his first three complaints. Their first witnesses, William F. Morgan, Annie Ockerme, and Mrs. Sophia W. Morgan, were expected to testify to the shifty nature of Halley and his methods of forcing them to make falsified statements about the Lloyd's pension practice. However, Morgan was often confused in his testimony, and ultimately was unable to testify that "Mr. Halley had in any manner maliciously persecuted or attempted to injury Mr. Lloyd."⁶⁰ In fact, in his report Mr. J.O.C. Roberts declared that Morgan "was not a witness for the truth, exactly, but one for the prosecution."⁶¹

Their next witness, Annie Oakerme, was called as a corroborating witness for the testimony of Mr. Morgan. This witness "acknowledges having been coached by Mr. Lloyd, or acknowledges having seen him and having talked the matter over with him fully, and that she was down there in the interest of Mr. and Mrs. Morgan."⁶² Next to the

⁵⁹Report of Special Examiner C.A. Halley, Baltimore, February 15, 1895, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

⁶⁰Ibid.

⁶¹Ibid.

⁶²Ibid.

stand came Mrs. Sophia W. Morgan. Upon direct examination, she stated that she had never seen Mr. Halley and that she had never signed any paper written by him.⁶³ However, upon strenuous cross examination by Mr. Halley, Mrs. Morgan broke down and admitted that she had “conversed with her husband in the hall for 15 minutes” and had agreed to “fully corroborate him.”⁶⁴ Additionally, she “admitted to signing the paper written by Mr. Halley and she also testified that Mr. Haley had treated her in a gentlemanly manner and that he had said nothing derogatory to Mr. Lloyd’s character either as a man or an attorney, but had simply performed his official duties.”⁶⁵

Clearly reeling from the devastating blows inflicted by the Morgans, Butterworth attempted to rebuild the Lloyd’s reputation by calling his clerk and his legal secretary to the stand. Mrs. B.B. Tuero testified that she had worked for Mr. Lloyd for four-and-one half-years. Despite her best attempt, her testimony was unable to condemn Halley, but she did make one statement that would help to save Lloyd and herself from prosecution when she asserted that “she never attested to a paper unless the applicant was present and signed the same in her presence.”⁶⁶ This one statement, in combination with the same statement made by Oliver W. Beale, would be enough to keep the federal government from convicting Lloyd and his associates of pension fraud.

⁶³Ibid.

⁶⁴Ibid.

⁶⁵Ibid.

⁶⁶Ibid.

Next to testify was Oliver Beale. While he assisted Lloyd in one statement, he also delivered the attorney a searing blow. During his testimony Beale acknowledged the fact he had “identified the same person as two different persons within two weeks” thereby admitting that allowing clerks to act as attesting witnesses clearly perpetuated fraudulent practices.⁶⁷

Lloyd’s team had high hopes that the tide of the trial would quickly turn with the testimony of the next witness. They were quite confident that Edward E. Warner, the Notary Public who signed most of Lloyd’s applications, would make an outstanding witness. The initial examination reinforced their hopes. Warner “was willing to swear that every signature in the paper was his; that he had sworn the parties to all of them; that he read the papers over to them; that both the attesting and identifying witnesses, the claimants and affiants were duly sworn; and that he always used due caution and particular care in execution of these papers.”⁶⁸ Feeling quite smug, the prosecution turned the witness over to Mr. Halley, whose clever and skillful cross examination forced Mr. Warner to “acknowledge the fact that [his office] was pell-mell, hurly-burly rush; that he could not remember any of the applicants or affiants, except the clerks in Lloyd’s office; that he was easily excited.”⁶⁹ Additionally, he admitted that his “seal as Notary

⁶⁷Ibid.

⁶⁸Ibid.

⁶⁹Ibid.

Public and Commissioner of Deeds was in a drawer, unlocked, in his desk, and that he was absent from his office during the day at intervals.”⁷⁰ Halley presented the Notary with six different documents that were supposedly signed by Warner. When confronted with the papers, Warner was forced to admit that all six of the signature clearly appeared to be different from one another.⁷¹ (See Attachments A, B & C.) Unfortunately, the man who Lloyd and his attorneys had expected to help the most had ultimately failed them in every way.

Lloyd’s attorneys had one more hope in Edward V. O’Keeffe, a soldier whose pension claim was procured by Lloyd and investigated by Halley. However, “the witness thoroughly disgusted Mr. Lloyd and his counsel in his testimony, because they expected to prove great things by him, but on the other hand, he proved a good witness for the defense.”⁷²

This was the last straw as Mr. Lloyd could no longer take the pressure of the trial. In a burst of emotion, he ended the ordeal when with “tears coming into his eyes, he turned to Special Examiner Halley and said that he realized for the first time in his life the position the Special Examiner had been placed in, and that the people whose testimony that he had taken were thoroughly unreliable, and he requested [a] stop to the

⁷⁰Ibid.

⁷¹Ibid.

⁷²Ibid.

investigation.”⁷³ To this request, Mr. Roberts refused; however, he did call a recess to the proceeding and demanded that they reconvene at ten o’clock the next morning, January 29th.

When the session opened the next morning, “Mr. Lloyd and his counsel . . . stated that the position taken by them was from facts set forth in the office letter to Mr. Lloyd citing him to show cause why he should not be disbarred, and from statements made to him by different witnesses in different cases.”⁷⁴ Lloyd stated that “he was thoroughly satisfied that Halley and his associates had done their duty, and that he was also thoroughly satisfied that he could not prove malicious attempt to persecute or harass” him.⁷⁵ At this point Lloyd began to break down and shed tears again, causing a scene that was “all very tiresome” to everyone in the room.⁷⁶ Mr. Roberts closed the hearing and held a private interview with Mr. Lloyd in which the attorney stated that he was willing to “exonerate the Special Examiner from the charges preferred against him, and to withdraw such charge.”⁷⁷ It was agreed that Special Examiner Halley would be exonerated and that Lloyd would meet Mr. Roberts and Pension Commissioner Lochern the next Saturday, February 2, 1895 in Washington.

⁷³Ibid.

⁷⁴Ibid.

⁷⁵Ibid.

⁷⁶Ibid.

⁷⁷Ibid.

The conversation that took place in the Pension Commissioner's office on the 2nd of February was not recorded anywhere. In fact, there are only hints of what was said included in other documents. For instance, in his final report on the investigation into the charges against Halley issued on February 15, 1895 Roberts stated:

While they have not been able in my opinion to make a case for disbarment against Mr. A.P. Lloyd, it is simply from the fact of the utter unreliability of the witnesses with whom they have to deal. Mr. Lloyd was cited to show cause why he shouldn't be disbarred from the carelessness and indifferent manner in which affidavits, applications and declarations were made out and executed in his office, and that the identification in each case as made by his clerks, who had no previous knowledge of affiants, declarants or deponents. This latter fact Mr. Lloyd claims he was not aware of and is utterly impossible to prove that he was, except preemptively. The Office accepted these papers in great many cases, and pension was allowed up the same, which should not have been done; but in fact remains that it was done. Through the efforts of these Special Examiners this practice had been stopped, and all applicants are required to produce witnesses now who can identify them fully.⁷⁸

The investigation into Halley's conduct ultimately ended with Lloyd winning. Lloyd was spared because the Pension Bureau accepted the explanation that Lloyd was ignorant of all the irregularities that were taking place in and around his office. The official record stated that others, not Lloyd, were the cause of the fraudulent claims. The easiest scapegoat, Frank Rice, was dead. The Bureau agreed that Lloyd had bought the

⁷⁸Ibid.

Rice cases under the assumption that they were in good faith and thus he was not responsible for any of the irregularities that existed with in them. Not only did Lloyd succeed in keeping himself out of jail, but his also achieved his goal of getting the Special Examiners out of his way. Examiners George D. Sidman, S.M. Culter and Mr. C.A. Halley were all transferred out of Baltimore on the basis that their “usefulness as Special Examiners in Baltimore, MD had been destroyed.”⁷⁹

How did Lloyd manage to convince the Pension Commissioner that he was unaware of what was going on around him, and how did he persuade the Pension Bureau not to prosecute Mrs. Bessie Tuero, Mr. O.W. Beale or Public Notary E.E. Warner? These three individuals clearly violated the statutes of the Pension Bureau, a fact proven by their own words. There appears to be two possible explanations. First, there is the theory that the Pension Commissioner was trying to save the Bureau from having to admit that it took four separate investigations to uncover some very obvious fraud. The admission that pension fraud was allowed to exist so openly for so long would have brought intense scrutiny upon his leadership of the Bureau; a fate the Commissioner certainly wished to avoid. The second explanation, while far more sinister, just may be the truth. It is possible that in the Commissioner’s Office on February 2, 1895 Augustus P. Lloyd threatened the Commissioner, thus convincing him to ignore the obvious. Lloyd’s connections in the political community were evident in the men that he chose to

⁷⁹Ibid.

represent him. Additionally, Lloyd was not afraid to use threats when he was backed into a corner. He proved this one afternoon in his office when he was visited by Pension Examiner Halley. When Halley began making inquiries into some of Lloyd's cases, Lloyd made it clear "that certain special examiners . . . had made themselves obnoxious to the attorneys and through their influence had been recalled to the office."⁸⁰ Whatever the reason, Lloyd and his associates were allowed to continue filing pension declarations.

While Lloyd escaped the fraud charges in 1894, he could not avoid the watchful eye of the Bureau. Four more times he would be investigated for fraudulent practices. Included in these investigations were three separate accusations of attempting to collect illegal fees and one more instance of irregularities in pension applications. Each and every time the Special Examiners could not prove that Lloyd intentionally sought to defraud in any way, and no charges were brought against the attorney.

Further evidence of Lloyd's corrupt practices can be found in his advertisements distributed to local war veterans. In July 1893, a circular entitled "Important To New Law Pensioners" was sent by Lloyd to thousands of pensioners. The ad observed :

Considering the recent ruling of the Honorable Commissioner of Pensions and the Honorable Secretary of the Interior, reducing the ratings allowed under the Act of June 27, 1890 and the fact that many of the pensions granted under said act have been suspended, and many more will be dropped at an early date, it may be well for

⁸⁰C.A. Halley to William Lochern, Pension Commissioner, Washington, February 1, 1894, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

you to consider your rights under the laws in force prior to the Dependent Pension Act. I will be pleased to have you call at my office for the purposes of attending to this matter. My fee will not be payable until the claim is allowed. The magistrate's fee will be 25 cents.⁸¹

The Pension Bureau made no objection to "the publication of orders and rulings of the Department of the Interior or of [The Pension Bureau], or of proper explanations there of by attorneys," however, they felt that Lloyd's advertisement was improper because it made "predictions as to the possible or probable results of such orders, by attorneys, with a view to securing new business."⁸² The Bureau demanded that Lloyd stop using the form as it was stated, and amend the form and re-submit it to the Pension Bureau for approval. In addition to the Bureau's outrage at the language of this circular, Harry C. Waters, a Baltimore resident raised his objections. In a letter to the Pension Commissioner, Waters stated that the circular was

not only a fraud on and a misrepresentation of the pension office but also a fraud on the pensioner and an attempt to obtain money under false pretenses from the pensioner for magistrate fees . . . it is unnecessary misrepresentation of and a belittling of the Commissioner for the . . . gain through fraudulent means of its signer. The man whose name is signed to it should not be allowed by you to thus deceive pensioners and his circular should be repudiated by

⁸¹William Lochern, Pension Commissioner to A. Parlett Lloyd, Baltimore, 189_, Box 327, PC1862-1933, Law Division, NA.

⁸²William Lochern, Pension Commissioner to A. Parlett Lloyd, Esq., Baltimore, July 22, 1893, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration' Record Group 15, NA.

you and the man disbarred and not allowed to represent pensioners.⁸³

Between the years 1893 and 1902 Lloyd submitted many circulars and advertisements to the Bureau that were approved. Such publications included information detailing new laws and how they affected veterans and their widows. Furthermore they invited the reader who was qualified to receive a pension or an increase in a pension "to call at [Lloyd's] office with two witnesses who have known [the applicant for] at least five years; or if not convenient to call that you write [Lloyd] for blanks and instructions."⁸⁴

However, in 1902 Lloyd circulated an unapproved ad that inflamed the Bureau:

Pensions for 90 days service Civil War; 30 days service Indian Wars prior to 1857; ex-confederates, DISHONORABLY DISCHARGED SOLDIERS AND DESERTERS WHO RE-ENLISTED IN UNION ARMY; ALSO FOR CHILDREN OF CIVIL WAR SOLDIERS OR SAILORS....No fees until successful. A. Parlett Lloyd, 227 St. Paul Street.⁸⁵

⁸³Harry C. Waters to William Lochern, Pension Commissioner, Baltimore, July 1893, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

⁸⁴A. Parlett Lloyd to the Pension Commissioner, Baltimore May 22, 1900, Box 327, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

⁸⁵Commissioner of Pensions to A. Parlett Lloyd, Washington Nov. 28, 1902, Box 326, Pension Claim Case Files, 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

Obviously the Pension Commissioner had strenuous objections to the language used in this advertisement. In a letter to Lloyd he angrily denounced the attorney for “subjecting the Bureau of Pensions to . . . criticism” and for engaging in behavior that was “improper and highly unprofessional.”⁸⁶ The Commissioner gave Lloyd fifteen days to withdrawal the advertisement. As with the earlier incident, this ad also sparked outrage from the community. This time the anger took the form of an editorial written by a member of the Grand Army of the Republic and published in the Baltimore Sun. The editorial was an effort to show the Commissioner of Pensions just what the “pension debauchery has come to” and to object to the fact that men such as Lloyd seemed to have “taken up the cause of ex-confederates, dishonorably discharged men and deserters.”⁸⁷ Lloyd responded to the Commissioner’s correspondence by informing him that the advertisement had been withdrawn.

These two incidents involving circulars are an indication of the type of practices Lloyd engaged in on a regular basis. Add these advertisements to the cases of fraud uncovered within Lloyd’s pension applications and you find an attorney who, despite his denials, actively participated in fraudulent and unethical practices.

⁸⁶ Ibid. This newspaper article was included in the letter that the Commissioner sent to Lloyd on November 28, 1902.

⁸⁷Ibid.

CHAPTER 5

CONCLUSION

An article in the November 1898 issue of Forum reveals how a segment of the population felt about pension attorneys. The author stated that “the pension attorney is at the bottom of and behind a very large proportion of the applications for increase of pensions. He is omnipresent and, as the projector, promoter, and frequently the framer, of new pension legislation well-nigh omniscient in all matters relating to the branch of human knowledge.”¹ Furthermore, the author criticized the attorneys for belonging to “the ‘shyster’ breed, whose sole object in life is to line their own pockets at the expense of both the Government and their unfortunate clients” and for being “shrewd and untiring; they understand every twist and turn of pension administration; they are adept in pension laws and decisions; and many of them are as unscrupulous as they are ingenious.”² Additionally the author decries that attorneys were paid well for “posing as the friend of the soldier and his widow and fatherless children,” and that many of them had amassed large fortunes from “shady or unlawful practices.”³

¹S.N. Clark, “Some Weak Places In Our Pension System,” in Forum, November 1898, page 318.

²Ibid.

³Ibid., 319.

While there is no doubt that Lloyd and others fit this description, not all Baltimore attorneys did. An examination of nine other Baltimore pension lawyers reveals that no other attorney engaged in fraud as extensively as Lloyd. In fact, four of the nine attorneys had no record of disciplinary action. That is, the Pension Bureau, which maintained a record of every attorney who had a complaint filed against him or who had been investigated by a Special Examiner, did not have a file on these men. At least four attorneys in Baltimore appear to have been honest and ethical individuals who followed the letter of the law.

William Schley, David Stanton and Frank Nolan are a few examples of these. They were by no means above reproach, but they certainly did not make a habit of engaging in illegal activities. Schley was investigated for collection of illegal fees in June 1869. This charge resulted in Schley's suspension from practice in front of the Pension Bureau.⁴ However, he was returned to good standing in September 1876 and was charged with this crime one more time in his career. In August 1889 he was accused of collecting \$29.60, in addition to the \$10 fee, from Theresa Wagner, the widow of Charles Wagner. Schley was exonerated on this count and was never again accused of any type of pension fraud.⁵

⁴ File of William Louis Schley, Box 502, Pension Claim Case Files 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

⁵ Pension Commissioner to William L. Schley, Washington, August 21, 1889, Box 502, Pension Claims Case Files 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

Similarly, David Stanton was also charged and cleared of criminal charges. In 1917 the Pension Bureau accused Stanton of collecting illegal fees and forging pension documents. The illegal fee charge stemmed from a case involving Annie Brown and a complaint that she made to the Bureau. She believed that Stanton was attempting to charge her for expenses that were not related to her case. The Bureau found that her charges had little validity.⁶ The second charge involved the case of Mary M. Robinson, the widow of Charles Robinson, Company I, 19th USCT. Stanton was accused of allowing witnesses to sign documents when they were not in the presence of the applicant. In his defense Stanton explained that when Mrs. Mary Robinson first came to his office she did have the witnesses with her. They began filling out the applications, the witnesses signed the documents, and then it was discovered that the widow did not have any evidence of her marriage. Mary Robinson agreed to return with the necessary papers; however, when she returned she did not have the earlier witnesses with her. Stanton agreed to file the papers since the witnesses were with her on the earlier occasion and had already signed the paper work. Stanton explained to the Bureau "that it was not an effort to defraud, but rather an error in judgment" and that he "should have waited and done everything after she had the evidence."⁷

⁶ G.M. Satlzgaber, Special Examiner to David Stanton, Washington, March 15, 1917, Box 541, Pension Claims Case Files 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

⁷ Affidavit of David Stanton, age 78, Baltimore, August 16, 1917, Box 541, Pension Claim Case Files 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

Of the three, Frank Nolan appears to have the best record. He was never accused of extortion, or collection of illegal fees, or any other type of criminal activity. The only complaint in his file was from a veteran's organization, the John R. Kenly Command No. 7 U.V.U., that expressed a concern that Nolan was using their name to obtain clients. Using their name was a perfectly acceptable action when he was a member of the organization, but Nolan had let his membership lapse and therefore was no longer entitled this privilege.⁸

Charles Skinner, the only attorney who even comes close to Lloyd in terms of the degree of pension fraud was accused and found guilty of attempting to collect enormous sums of illegal fees from his clients. In 1885 the Bureau disbarred him and he was never again entitled to file pension applications with the Bureau.⁹ However, this did not stop Skinner. He continued to assist veterans in their pension applications without ever putting his name on the document, and he still collected outrageous fees from his veterans. In one instance Skinner collected \$550 out of one pensioner's first pension check. This action resulted in his prosecution for pension fraud by the Attorney General

⁸ Thomas J. Cannon, Commander to Adj. General of the United States, Baltimore, February 1896, Box 412, Pension Claim Case Files 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

⁹ Chief of the Law Office to Chief of the Special Examination Division, Washington, August 23, 1910, Box 520, Pension Claim Case Files 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

of the State of Maryland. Skinner was found guilty and sentenced to 90 days in jail and fined \$100. He died while serving his time in the Baltimore City Jail.¹⁰

With the exception of Skinner, no other attorney in Baltimore engaged in the serious and extensive fraudulent activities that Lloyd and his associates did. His practice was by far the largest and most corrupt.

The evidence proves that Lloyd was guilty of unethical conduct. There is no doubt that Lloyd was of "the 'shyster' breed," and that he frequently lied, cheated and defrauded the government. The evidence against Lloyd is enormous and irrefutable. From the time he began practicing, he was surrounded by allegations of illegal activities. In 1882 there were the charges of extortion and collection of illegal fees against A. Parlett Lloyd Co. that ultimately resulted in the suspension of Lloyd's partner Frank MacDonald. Eleven years later in 1893 Special Examiner S.M. Culter uncovered several irregularities in Lloyd's practice, including instances when forms were filled without identifying witnesses, applications that contained the signatures of Beale and Tuero, Lloyd's clerks, as identifying and attesting witnesses, when it was clear that the clerks never met the veterans involved and worst of all, applications bearing obviously forged signatures of Notary Public E.E. Warner. Culter had no choice but to recommend that Lloyd be disbarred and never permitted to practice in front of the Bureau again. The Bureau chose instead to broaden the investigation by sending another special examiner, C.A. Halley,

¹⁰ Commissioner of Pensions to Auditor of the War Department, Washington, January 23, 1912, Box 520, Pension Claim Case Files 1862-1933, Law Division, Veterans Administration, Record Group 15, NA.

who in turn uncovered unnumbered instances of fraud. This time the evidence was stronger and included the very serious charges of forging signatures and testimony of both applicants and witnesses. Again the recommendation was disbarment, and again Lloyd was able to find a way out. Three more times Lloyd was investigated for attempting to extort illegal fees from clients, and three more times he was not convicted. The Bureau sent several strong warnings to Lloyd letting him know that his practices were bordering on fraud. Included in this correspondence were warnings against harassing widows by attempting to entice them to fill out pension applications within hours after their husband's deaths and circulating advertisements that made promises of successful pension claims for ex-confederate soldiers. Yet all the accusations and the vast amounts of evidence against him were not enough to put Lloyd in jail.

Despite Clark's allegation that most attorneys were "shrewd" and "unscrupulous" and in spite of the fact that Lloyd was indeed this type of attorney, the evidence is clearly to the contrary. When the practices of the nine busiest pension attorneys in Baltimore were examined, very little evidence of pension fraud was found. And none of them was ever charged or suspected of the type of accusations that followed Lloyd. Furthermore, four of these individuals did not even have a disciplinary record on file with the Pension Bureau. Of the five attorneys who did have these files, not one of them was charged with any offense more serious than attempting to collect illegal fees, and in all but one case the charge seemed to result from simple confusion and not a devious attempt to defraud. In fact, Frank Nolan, the second most-used attorney, next to Lloyd, was only reprimanded

for claiming that he belonged to a veteran's organization after his membership had expired, and never even accused of any greater infraction. Charles Skinner was the only attorney found guilty of collecting illegal fees and was disbarred as a result.

If only two of eleven attorneys practicing in Baltimore, Skinner and Lloyd, were engaging in "shady or unlawful" practices, then obviously the majority of attorneys were not the unethical monsters the newspapers made them out to be. Additionally, if the statistics for Baltimore hold true for the entire country, then 82% percent of the nation's pension attorneys were ethical servants. Lloyd is the exception, not the standard by which all pension attorneys should be judged.¹¹

The question remains, in the face of overwhelming evidence uncovered in several in-depth investigations, how was Lloyd able to continue his practice? Due in part to the fact that Lloyd was well-connected in the political community, he served mostly ignorant African-Americans, and he worked within a system that had cracks and flaws that were easily exploited by crafty attorneys, Lloyd flagrantly violated the pension laws.

There is little doubt that Lloyd was well-connected in the community. He grew up in a wealthy and influential family, he married a woman who was daughter of a wealthy businessman, and the niece of Baltimore's mayor, he was able to employ as his attorneys James Bond Preston, the Speaker of the House of Delegates, and Benjamin Butterworth, a former United States Representative and personal friend of William

¹¹ It is not known exactly how many veterans used the services of these two unethical attorneys. The seventy-three veterans in this study represent 20% of the 354 men in the Maryland State Archives' study.

McKinley, the man who would be President in 1897. Lloyd clearly stated that his connections benefited his cause when he told Special Examiner Halley that through his influence certain Special Examiners had been “recalled to the office.”¹² Furthermore, the fact that Special Examiners Sidman, Culter and Halley were removed from their posts in Baltimore because their “usefulness . . . had been destroyed” proves that Lloyd’s influence was real and far-reaching.¹³

Lloyd was able to get away with his fraudulent practices so long in part to the fact that his clients were mostly ignorant, uneducated African-Americans. Less than half of Lloyd’s clients identified in this study were able to read or write; therefore, it was easy for Lloyd to lie on their applications without their knowledge. Lloyd was able to over charge these veterans because they were ignorant of the laws and quite simply were unaware of crimes being committed against them. As a result of this ignorance, Lloyd never had to worry about his clients reporting him to the Bureau. There is some evidence that the special examiners cared little if African-Americans were being over charged. Their disdain for the class is evident as they described the veterans as “ignorant colored people whose ideas of time and localities are ever indefinite.”¹⁴ However, it can be

¹²Halley to Lochern, February 1, 1894, Box 327, PC 1862-1933, Law Division, NA.

¹³ Report of the Special Examiner, February 15, 1895, Box 327, PC 1862-1933, Law Division, NA.

¹⁴ United States Civil War Pension Record of James Cole, Special Collection 4126-240, Box 13, page 47, MSA.; United States Civil War Pension Record of James Henson, Special Collection 4126-224, Box 12, page 14, MSA; United States Civil War

assumed that when the fraud being perpetrated was directed upon the Bureau, such as was case when ineligible men and women were being granted pensions based on false information, the Bureau did not care about the race of the veteran.

In addition to his influence and the nature of his clients, Lloyd was able to continue his fraudulent ways because of loop-holes in the pension system. When his ethics were questioned because his clerks were acting as attesting witnesses, despite having no knowledge of the people for whom they were testifying, the Bureau had to concede that the practice was technically not illegal and therefore not cause for punitive action. On several occasions the Bureau let Lloyd off the hook because he claimed that he had no knowledge of the deceitful actions of his co-workers. When the obviously crooked Rice cases came under fire, Lloyd escaped the charges by stating that he bought the cases in good faith, assuming that everything was in order. When Lloyd was confronted with the forged signature of magistrates, he claimed that he could not be held responsible for the actions of his clerks. Without such deficiencies in the laws, Lloyd would have found it difficult to continue his dishonest practices.

The combination of an uneducated clientele, a high degree of influence in the political and legal community, and a pension system that let unethical attorneys escape convictions based on technicalities, enabled Augustus Parlett Lloyd to prey upon veterans and their dependents while stealing from the United States government.

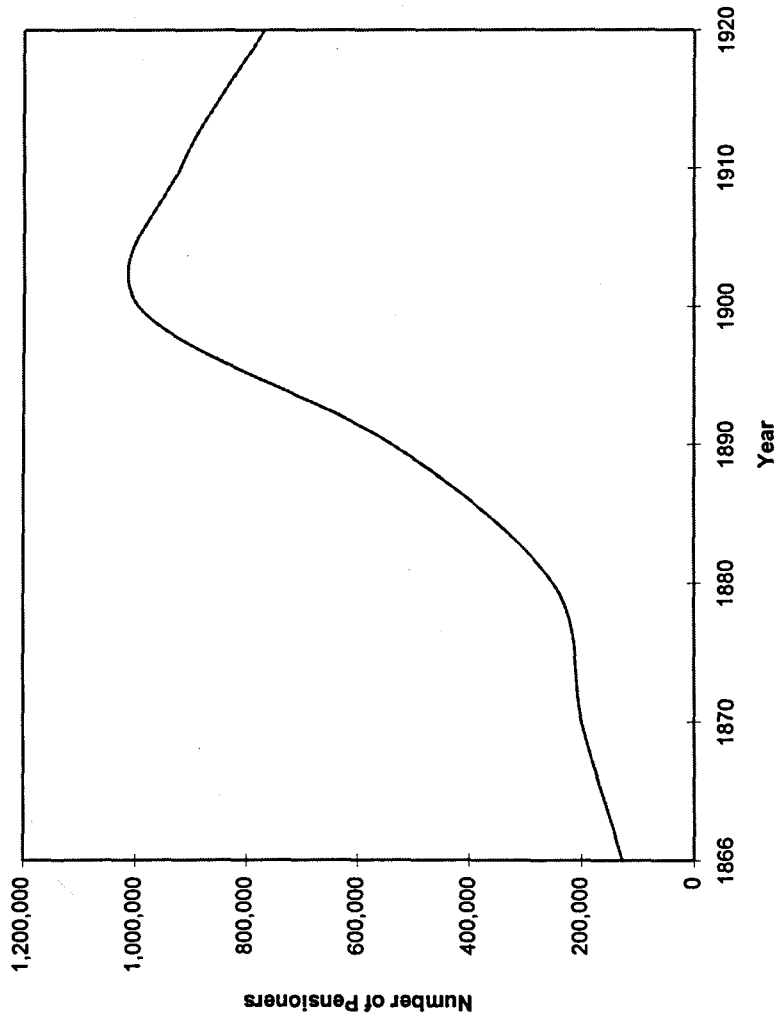
TABLE 1
Civil War Pension Expenditures

Year	Number of Veterans on Rolls	Average Payment Per Year	Expenditures in Millions
1866	127,000	\$118	\$15
1870	199,000	\$146	\$29
1880	251,000	\$227	\$57
1890	538,000	\$197	\$106
1900	994,000	\$139	\$138
1910	921,000	\$174	\$160
1920	770,000	\$410	\$136

Source: David Fisher. Growing Old in America. (New York: Oxford University Press, 1977) 169.

TABLE 1A

Expansion of Civil War Pensions



Source: David Fisher. *Growing Old in America*. (New York: Oxford University Press, 1977) 169.

TABLE 2
Take-Up Rates for Civil War Pensions

Year	Union Veterans	Military Pensioners	Percentage of Veterans Enrolled as Pensioners
1865	1,830,000	35,880	2.0
1870	1,744,000	87,521	5.0
1875	1,654,000	107,114	6.5
1880	1,557,000	135,272	8.7
1885	1,449,000	244,201	16.8
1890	1,322,000	-----	-----
1891	-----	520,158	39.3
1895	1,170,000	735,338	62.8
1900	1,000,000	741,259	74.1
1905	821,000	684,608	83.4
1910	624,000	562,615	90.2
1915	424,000	396,370	93.5

Source: Theda Skocpol, "America's First Social Security System: The Expansion of Benefits for Civil War Veterans," Political Science Quarterly (Spring 19

TABLE 3
Amount Paid To Attorneys For Pension Claims

Year	Amount
1891	\$2,769,200.70
1892	\$3,112,321.60
1893	\$1,872,178.53
1894	\$ 622,775.25
1895	\$ 581,648.26
1896	\$ 594,348.14

Source: New York Times, December 16, 1897. page 3 col. 3.

TABLE 4
The Correlation Between Age Separation and Rate of Filing

Age Separations	Number of Days Wives Waited to File a Pension			
	1-30 Days	31-60 Days	61-90 Days	More than 90 Days
1-5 years younger than their husbands	2	0	0	3
6-10 years younger than their husbands	3	0	0	0
11-15 years younger than their husbands	7	1	0	1
Older than their husbands	0	2	0	2

Law Office of A. PARLETT LLOYD, S. E. Cor. St. Paul and Saratoga Streets, Baltimore, Md.

Claim No. 781568 of *Thomas Harris Sr Co. 9 39* Regiment *1st*

On this day and date below written, personally appeared the affiant whose signature is hereto affixed and who being duly sworn according to law testified as follows:

"My age is 60 years; I reside in Baltimore City, at No.

333 *Caroline* Street. I know that when the soldier above

mentioned returned home from the army he was suffering from *hypertension* *fever* immediately after his discharge from the army. I know that he was *left* in very bad health & his *disorder*

I know this fact because

*was sick at that time & have been con-
tinued in the service & I know that the
said disorder & other ailments it affected him to
the extent of his impairment of his *mental* *faculties**

I further testify from my personal intimacy with him from the date of his discharge to the present that he hath continued to suffer from said disabilities to such an extent as to hath been disabled during each and every year thus covered on an average fully $\frac{1}{2}$ (say 1/2, 1/2, or 1/2) his time from ordinary manual labor."

I know that his disabilities are of a permanent character and not due to vicious habits and my intimacy with him has been such that had the facts been otherwise than as above stated I would have known thereof."

Sarah J. Voderz

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

State of Maryland, *Baltimore* Ss:

SWORN TO AND SUBSCRIBED BEFORE ME, this *5* day of *Nov* 189*8*, and I certify that the contents of the foregoing were fully made known and explained to affiant above named, (whom I certify to be creditable) before his making oath thereto and I have no interest in prosecution of this claim.

E. O. Harris, Sr.

Law Office of A. PARLETT LLOYD, S. E. Cor. St. Paul and Saratoga Streets, Baltimore, Md.

Case No. 5897/131 of *Thomas J. Harris* ^{Sr.} Co. G 39 Regiment U. S. A. I.

On this day and date below written, personally appeared the affiant whose signature is hereto affixed and who being duly sworn according to law testified as follows:

"My age is 58 years; I reside in *Baltimore* at No. 123 *N. Duhan* Street. I know that when the soldier above mentioned returned home from the army he was suffering from *malaria,*

shrewman, disease of eyes, partial deafness, diarrhoea & piles

I know this fact because *I have lived right across street & have been on most intimate terms with him & his family*

I further testify from my personal intimacy with him from the date of his discharge to the present that he hath continued to suffer from said disabilities to such an extent as to hath been disabled during each and every year thus covered on an average fully ^{1/2} his time from ordinary manual labor.

I know that his disabilities are of a permanent character and not due to vicious habits and my intimacy with him has been such that had the facts been otherwise than as above stated I would have known thereof."

I have no interest in this claim.

Susan Hooper
witness

E. C. Marnett
witness

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

State of Maryland,

Ss:

SWORN TO AND SUBSCRIBED BEFORE ME, this *29* day of *Sept* 189*1*, and I certify that the contents of the foregoing were fully made known and explained to affiant above named, (whom I certify to be creditable) before his making oath thereto and I have no interest in prosecution of this claim.

E. C. Marnett

Source: United States Civil War Pension Record of Thomas Harris, Sr. Special Collection 4126-10-126. Maryland State Archives, Annapolis, MD.

Law Office of A. PARLETT LLOYD, S. E. Cor. St. Paul and Saratoga Streets, Baltimore, Md.

Case No. ~~387,131 (1902)~~
 Claim No. 781568 of Thomas J. Harris Co. G 39 Regiment U. S. A.

On this day and date below written, personally appeared the affiant whose signature is hereto affixed and who being duly sworn according to law testified as follows:

"My age is 58 years; I reside in Baltimore at No. 242 S. Dallas Street. I know that ~~when~~ the soldier above mentioned returned home from the army he was suffering from malaria, rheumatism, weakness of eyes, partial deafness, aneurysm and piles

I know this fact because I have personally observed his sufferings and know the nature of each disease

I further testify from my personal intimacy with him from the date of his discharge to the present that he hath continued to suffer from said disabilities to such an extent as to hath been disabled during each and every year thus covered on an average fully 1/2 (say, 1/2, 3/4 or 3/4) his time from ordinary manual labor.

I know that his disabilities are of a permanent character and not due to vicious habits and my intimacy with him has been such that had the facts been otherwise than as above stated, I would have known thereof."

Jacob A. Lester

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

State of Maryland,

Ss:

SWORN TO AND SUBSCRIBED BEFORE ME, this 29 day of Sept 1891, and I certify that the contents of the foregoing were fully made known and explained to affiant above named, (whom I certify to be creditable) before his making oath thereto and I have no interest in prosecution of this claim.

W. E. Warner

Source: United States Civil War Pension Record of Thomas Harris, Sr. Special Collection 4126-10-129. Maryland State Archives, Annapolis, MD.

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Carrie Kiewitt

Carrie Kiewitt, a native of Annapolis, Maryland, received her Bachelors Degree in History from Roanoke College in Salem, Virginia in 1993. She currently resides in Richmond, Virginia, where she is employed by the non-profit Maymont Foundation. In her capacity as Volunteer Coordinator she is responsible for overseeing and coordinating all aspects of the 400 plus volunteer force.