

The original documents are located in Box 9, folder “Walker, Dr. Mary – Congressional - Medal of Honor, 1974 – 77” of the Bobbie Greene Kilberg Files, 1974 – 77 at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Some items in this folder were not digitized because it contains copyrighted materials. Please contact the Gerald R. Ford Presidential Library for access to these materials.

THE WHITE HOUSE
WASHINGTON

3/9/76

Bobbie,

Mr. B would like you to
handle.

Thanks.

shirley





THE NEWS

NEW YORK'S PICTURE NEWSPAPER

*Not Babbie
to handle
1.*

5 March 1976

Phillip R. Buchen, Esq.
Law Counsel to the President
The White House
Washington, D. C.



Dear Mr. Buchen:

Enclosed is a tearsheet of a story on Dr. Mary Edwards Walker which may be of interest to you.

Although I don't know of any legal implications which will ever arise concerning this case, I thought you might like to be made aware of it.

Thank you.

Very truly yours,

Brenda Starks



Anne Walker (above left) holds replica of her great grandaunt's Congressional Medal of Honor which she wants re-instated. When asked to return it, Dr. Mary Edwards Walker refused.

The story of a liberationist

One hundred years ago, she wore pants suits, joined the army, and fought for her rights. And her Medal of Honor.



WASHINGTON POST, 4/13/76, C-1, 7

Feminist's Medal of Honor at Stake

By Warren Brown

Washington Post Staff Writer

~~SECRET~~
THE WHITE HOUSE
WASHINGTON

TO: *Bobbie*

FROM: *Karen*

For your information ✓

For appropriate handling

Per your request

Remarks:

WASHINGTON STAR
30 April, 1976

Niece Appeals to Congress

Can Woman Doctor Regain Her Medal?

By Rebecca Leet
Washington Star Staff Writer

A movement is afoot in

viewed the cases of all
Medal of Honor winners,
and rescinded the medals of

May 1, 1976

Barbara Kilberg, Esquiress
Associate General Counsel
The White House
Suite 106
Old Executive Office Building
Washington, D. C., 20500



Re: "Dr. Mary's Lost Medal of Honor"

Dear Attorney Kilberg:

Perhaps, you checked the AP White House person for the photos and articles circulated by AP from the Peter A. Peyser press conference! It is a very good story and series of photos, only a precis of it appears on page A-8 of today's Washington Post.

How may I be able to meet with President Gerald R. Ford on this matter and even perhaps enjoy as well a meeting with Mrs. Ford?

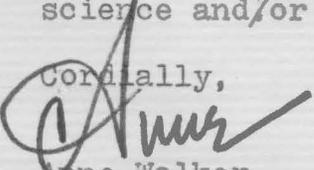
Yes, I must now apply for some funds to help me live while finishing the 'campaign' - unless, I have the opportunity of a press aide's job re: health and medicine in, for example, the President's campaign for re-election.

I am destitute without funds and have already expended a total of fourteen thousand dollars just to get the whole move this far. Hence, I have now depleted savings, etc., and need to recoup.

I fail to understand why the Nancy Hanks people could not give something to me, they gave Erica Jong over \$100, 000. for a questionable value towards either the arts or humanities from 'Fear of Flying'.

While, this is clearly history and in the interests of women-science- culture-education, etc., why have I been so coldly refused by the Bicentennial people..they have done nothing for science and/or medicine or women as a people!

Cordially,


Anne Walker

enclosure: 1

MARY E. WALKER, M. D.

FEBRUARY 21, 1888.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. O'NEALL, of Indiana, from the Committee on War Claims, submitted the following

REPORT:

[To accompany bill H. R. 4265.]

The Committee on War Claims, to whom was referred the bill (H. R. 4265) for the relief of Mary E. Walker, M. D., report as follows:

The facts out of which this bill for relief arises will be found stated in House report from the Committee on War Claims of the Forty-ninth Congress, a copy of which is hereto appended and made a part of this report.

Your committee adopt the said report as their own, and report back the bill, and recommend its passage, with the following amendment:

In line 8 strike out the words "ten thousand" and insert in lieu thereof the words "two thousand."

[House report No. 4150, Forty-ninth Congress, second session.]

The Committee on War Claims, to whom was referred the bill (H. R. 5086) for the relief of Dr. Mary E. Walker, submit the following report:

The Committee find the facts to be as stated in House report No. 820, first session Forty-fourth Congress, which report is hereto annexed and made a part of this report, and is as follows:

That they find the facts are as found in a report from the Committee on War Claims of the Forty-third Congress, which report is as follows:

"That Dr. Walker claims that she practiced medicine in the State of New York prior to the breaking out of the war of the rebellion; that soon after the commencement of the war she volunteered her services to take care of the sick, wounded, and disabled soldiers of the United States, and the Army had the benefit of her labors and her skill, and seemed to hold them in high esteem.

"She served as an assistant surgeon in the hospital in November and December, 1861, and received commendation from the surgeon in charge as 'an intelligent and judicious physician.' She served in hospitals in the field, in the manner mentioned, through the war, except such period of time as she was a prisoner under the Confederate authority.

"In April, 1864, she was taken prisoner, and remained such prisoner for about four months. She complains and insists that by reason of her exposure incident to the hardships of campaigns, she has suffered in her general health, and also in an atrophy of the optic nerves, which has impaired her powers of endurance, and has to a great extent deprived her of the power to earn her livelihood.

"She has submitted papers to the committee from General Thomas, General Whipple, and Surgeon-General Barnes, which show various positions held by her.



"She was for a part of the time a contract-surgeon under the Government of the United States, and received pay from August 6, 1864, to June 12, 1865.

"The services of women as nurses in hospitals and in attendance upon the sick and wounded in the field were of the highest value to the Army of the United States, encouraging the depressed, dressing the wounds of the combatants, and assuaging the fevers engendered by hardships and exposures. The Government and people of the United States should always hold in high esteem such services, and the inhabitants of those States which were loyal to the Union cannot, in justice to the cause which was so dear to them, fail to render appropriate rewards to such ministers in times of distress.

"The claimant acted in the capacity of a female physician, and, when officially recognized by the Government, was so treated."

The committee concur with the committee of the last House in recommending the payment to the claimant of the sum of \$2,000 for the services rendered by her during the late war, but the allowance in this case is exceptional and is not to be considered a precedent. They therefore report the accompanying substitute for the original bill, and recommend its passage.

Your committee therefore adopt said House report as the report of this committee, and report a substitute for said House bill, and recommend that it do pass.

Dr. Mary E. Walker

(Paper Given Before Oswego County Historical Society By Fred P. Wright, Oswego, N. Y., on May 19, 1953)

Dr. Mary Edwards Walker, born Nov. 26, 1832-died Feb. 21, 1919, physician, woman's rights advocate, dress reformer, author and lecturer was born in Oswego Town, Oswego County, N. Y., in what is styled Bunker Hill District. She was the daughter of Alvah and Vesta (Whitcomb) Walker early settlers. Among her ancestors was the "Widow Walker" one of the early settlers of Plymouth Colony who came to America before 1643. Dr. Walker took great pride in holding membership in Daughters of the American Revolution.

Her father was a farmer and teacher. He died April 9, 1880, leaving a wife, four daughters and one son. Her mother died April 26, 1886. Their funerals were held in the school house at Bunker Hill. The sermon was delivered by their son, Alvah, and consisted of a tribute to them as good parents and exemplary moral characters. These sermons can be found in the files of Oswego newspapers.

This son, Alvah, was a talented workman, a cabinet maker, and a magician of ability. Also a ventriloquist. Our Edgar Bergen and his Charles McCarthy of today's radio fame, had nothing on Alvah Walker. He constructed all of his talking dolls and all characters used in his famous "Punch & Judy Shows" which was a part of every performance. During Winter months he traveled around Northern & Central New York, putting on shows in school houses, which were received with great enthusiasm. Joseph Hibbard, a G. A. R. man from Bunker Hill, was his assistant. Alvah was a

Civil War soldier. He was a great admirer and believer in the teachings of the great agnostic Robert Ingersoll.

Alvah erected a monument in Rural Cemetery on which he carved his challenge to Almighty God and His plan of salvation:

"I want no fountain filled with blood,
Drawn from Emmanuel's veins.
I want a heart that's pure and good,
And free from guilty stains."

He claimed possession of powers by which he could do things seemingly impossible. Mr. Morris P. Pierce, owner of Rural Cemetery, a man of strict honor and veracity, told me it was known and an accepted fact, that Alvah Walker cursed an apple tree, and it never again bore fruit.

A sister, Mrs. Randolph Worden, lived on West Fifth Street Road. A sister, Mrs. Wickham Griswold, in Scriba, and a sister, Mrs. Aurora (Walker) Coats, was wife of Lyman Coats.

Dr. Walker, when a young lady, taught in the public schools. She taught district school at Minetto and Fanny Huntington, who became wife of James A. Griffin, was one of her pupils. Mrs. Lavina Tovey told me her mother was also a pupil there. They both said that at that time their teacher was handsome. She had an ambition to study medicine and in spite of the prejudices which the public had against women being in any profession except teaching, she completed her studies and graduated from Syracuse Medical College, as a phy-

sician, 1855. She practiced in Columbus, Ohio, later in Rome, N. Y. In those days services of a woman doctor were not in much demand.

Dr. Walker married Dr. Albert E. Miller of Virgil, Cortland County, N. Y. It seems they lived together only a short time. One of Dr. Walker's ideas was that the bride upon marriage did not take her husband's surname, but retained her maiden name. Therefore she was as before Dr. Mary E. Walker. She advocated that if children were born the child should have the choice of taking either the father's surname, or the mother's surname.

More people know of Dr. Walker because she wore men's clothing, than for any other reason. This was not her original idea as many seem to think. My mother told me that in the 40's and 50's it was a style that swept across the country. Girls and young ladies wore a short knee length skirt. Beneath this were trousers that extended to the ankles. These were called "Pantalettes".

In 1851 Elizabeth (Smith) Miller, daughter of Gerritt Smith, created great interest in Washington, D. C., by appearing in public dressed in knee length skirt, with baggy trousers, caught tight at the ankles. The wearer was a champion of Woman's Rights, a friend of Susan B. Anthony; Mrs. Elizabeth Stanton; Lucy Stone; Dr. Harriet M. Austin; Dr. Walker and others. She visited at Seneca Falls, N. Y., her friend, Mrs. Amelia (Jenks) Bloomer, wife of Dexter Bloomer, newspaper editor there. Mrs. Bloomer started a paper of her own called "The Lily", devoted to Temperance and Woman's Rights. She championed the cause of this new attire in "The Lily". It excited great interest throughout the U. S. and was the butt of much ridicule in newspapers and magazines. From the name of the editor of "The Lily", Mrs.

Bloomer, came the name "Bloomerites" applied to those who wore this costume, which included Dr. Walker.

Hoodlums on the streets viewing ladies in this attire used to sing:

"Heigh Ho, in rain or snow,
Bloomers now are all the go.
Twenty tailors take the stitches,
Twenty women wear the breeches,
"Heigh Ho, in rain or snow,
Bloomers now are all the go."

Most of the "Bloomerites" dropped this style as they grew older and retired by age from being active.

Dr. Walker always wore male attire and advocated dress reforms arguing that men's clothing was more practical, more comfortable and more healthful. The weight of clothing being placed upon the shoulders, and removed from the hips and around the waist.

During the Civil War with the Union Army she wore men's attire, blouse, trousers, felt hat, with her hair long and in curls, so that all might know that she was a woman

Following the war at social functions she was truly a person to attract attention in her faultless full evening male attire, wearing white gloves and her medal. On the street wearing a silk hat. At other times a felt hat, in Summer a straw hat. In Winter an overcoat, reinforced with a mink fur cape and carrying an umbrella to use as a walking stick, she was a familiar figure not only in Oswego, but in Albany, New York, Washington, D. C., and throughout the United States.

Many writers have stated she wore men's clothing by permission especially given to her by Act of Congress. Hon. Frances D. Culkin, M. C. from Oswego, had extensive search made. No such Act of Congress is on record. In wearing men's clothing, though a



woman, she often got into difficulties with police in various cities. Being always able to identify herself and produce papers to prove it, she got away with it.

There was never anything much that Dr. Walker ever attempted, that she did not get away with. She had supreme confidence in herself. In her ability regardless of anything or anybody, to do what she wanted to do—to go where she wanted to go—to see those she wanted to see (even presidents)—to say what she wanted to say—to write what she wanted to write—and have it published.

Civil War Services

Dr. Walker went to Washington, D. C., to offer her services to the government. Being a woman she could not be given a commission in the U. S. Army. Our Oswego Historical Society files show that we have Dr. Walker's appointment as surgeon written and signed by Abraham Lincoln, President. On its back was written Lincoln's comments, as to the considerations that led him to make the appointment. During the preparation of this address I have been unable through our curator to locate this paper.

Dr. Walker's official letter book from Feb. 21 to Sept. 15, 1861, is in the Confederate States of America material in Mss. Div. Library of Congress.

With our government entirely unprepared for war; the city of Washington itself entirely undefended when war began; with no hospitals ready to care for the thousands of wounded soldiers; no good stock of medical supplies; no sufficient personnel, of surgeons and nurses; records such as we seek today are hard to find in archives of the War Dept.

Through courtesy of Charles E. Van Wie, Oswego, N. Y., I was granted permission to copy and

release in this address an autograph letter signed by Dr. Walker and written to her parents dated November 13, 1861. She then being second in charge of Indiana Hospital, which was using an emergency location in part of the Patent Office Building.

Also I thank Mr. Van Wie for the original autographed poem of Dr. Walker which I will share with you.

We have official records of our government by two Major Generals Sherman and Thomas, that Dr. Walker had served the sick and wounded both in the field and in hospitals.

INDIANA HOSPITAL PATENT OFFICE

Washington, D. C.,
November 13, 1861.

Dear Brother & Sister:

Yours received a few days since, mailed from Rome. I suppose you all expected me to go to war and I thought it would be too cruel to disappoint you, and have accordingly made my way to "Dixie Land".

I have been over to Virginia several times, and in several places. I went to Alexandria in a small steam boat which leaves Washington every half hour and arrives in Alexandria in about the same length of time.

The city is built of brick and looks quite desolate, as nearly all of the wealthy people have gone farther South since the trouble commenced.

But few people are seen in the streets. I went to Camp Williams which is two and a half miles from Alexandria. As far as the eye can reach it was one connected city of tents up and down the Potomac. I have also been to Arlington Heights which you have read so much about. It is about two and a half miles from Washington and a most delightful view of this city can be had at that point.

We go across the Potomac on

what is called Long Bridge. It is one and a fourth miles in length and is not a suspension bridge, although but a little way below it, the largest crafts sail.

I have also been across chain bridge which is several miles up the river. It is about a half mile long, I should think, but do not know the exact distance.

It is not in reality a chain bridge now, but it was several years since and hence the name.

I am Assistant Physician and Surgeon in this hospital. We have about eighty patients now. We have five very nice lady nurses, and a number of gentlemen nurses. We have several cooks and a dispenser to put up and prepare the medicine after our orders.

Every soul in the hospital has to abide by my orders as much as though Dr. Green gave them. And not a soldier can go out of the building after stated hours, without a pass from him or myself. This building is a fine one built on white marble and has marble floors, slate colored, and white thin blocks about two feet square.

It is warmed with hot air and well lighted with gas that burns all night. You would be delighted to go through it and see the thousands of every kind of patent, from patent medicines, and frames for peas to run on, to steamboats and engines. The saddle and bridle, sword, and coat and shirt-pants and teaboard and tea kettle and chair and various things that General George Washington owned, are here.

There are a thousand things that I shall have to tell you when I see you, but I cannot write more now.

I hear that Mary is to spend the Fall and Winter with her mother. Give her my love and tell her to write to me.

Give Mother Coates my love also, and all others who inquire.

You may have my hair cloth coat for Vesta L. It will be good

for her if it is newly lined. Tell Vesta L. that she must write to me. I wish you would hang my clothes up in the closet at home. Tell Ma that she can use anything she wishes to that belongs to me, if she will use it herself.

There are several pairs of woolen stockings that she can wear. No one is to be allowed to read any of my written matter or letters.

I wish that to be very distinctly understood, as there is nothing that in any way concerns any of you.

I received a letter from home remailed from Rome. Tell Ma I am not coming home until she can afford to keep a parlor for me. Nothing makes me so out of all patience, as to think that she will persist in every little while having a bed in the front room.

I knew she had it all tore up before I wrote, for I always dreamed about that matter every time she does it.

And if I never went there again or never expected to, it would annoy me exceedingly.

Yours in haste,
DR. M. E. WALKER

Charles W. Griswold of Oswego, nephew of Dr. Walker, told me she was in full charge of a large hospital for wounded Union soldiers. He went South and was employed as an orderly in her hospital.

Under date of March 2, 1937, to Hon. Francis D. Culkin, M. C., we have official records of U. S. War Dept. as follows:

"No record has been found of the active services performed by Mary E. Walker prior to her appointment October 5, 1864. However there is on file a letter of Mary E. Walker of Atlanta, Georgia, dated September 14, 1864, in which she sets forth that she had been serving with the Army for the last three years in various capacities in the treatment of sick and wounded soldiers, female persons, etc., in



which letter she requested an appointment or commission as a medical officer in the Army.

On Aug. 20, 1864, Major General Thomas, Commanding the Department of Cumberland, reported by telegraph that Mary E. Walker went to Chattanooga the previous Winter, and had a letter from the Assistant Surgeon General Wood recommending her for appointment in the hospital. She asked to be sent to the 52d Ohio Volunteers so that she might have a chance to get through the lines and get information of the enemy. On Aug. 23, 1864, Maj. Gen. Thomas forwarded by telegraph a copy of the order of Maj. Gen. D. McCook, assigning Mary E. Walker to the 52d Ohio Infantry and recommended that she be paid as contract physician from March 11, 1864, to Aug. 23, 1864. These telegrams were forwarded to this Dept. for an opinion and recommendation and were returned with the statement that she never received any contract as acting assistant surgeon, but her appointment was purely nominal to enable her to gain information from the enemy. On Aug. 25, 1864 the above telegrams were returned, to this Dept. with an endorsement that the Sec. of War direct that Mary E. Walker be paid as a contract surgeon. It appears that this recommendation was approved and she was paid \$436.36. No further record prior to her appointment in Oct. 1864 has been found.

The records show that Mary Edwards Walker entered into a contract Oct. 5, 1864 as acting assistant surgeon United States Army and this contract was terminated at her own request June 15, 1865. It is also shown by the records that she was on duty as a contract surgeon from March 11, 1864 to Aug. 23, 1864 and from Sept. 22, to October 4, 1864.

Attested—E. T. Conley,
Major General
The Adjutant General.

From Oswego Commercial Times Sept. 15, 1864:

"Dr. Mary E. Walker who was captured in front of Chattanooga some months ago and taken to Richmond and confined as a prisoner of war, and who recently was exchanged, passed through Louisville the other day enroute for Sherman's front. Her object to visit her old brigade Col. Dan McCook's; to settle her business; obtain her trunk and bid adieu to the Army. She will make a tour through the States and lecture on her experiences "Down In Dixie."

(Copy of original Executive Order custody of our Society.)

EXECUTIVE ORDER

WHEREAS, it appears from Official Reports that DR. MARY E. WALKER graduate of Medicine, of the Medical School at Syracuse, N. Y., has rendered valuable services to the Government, and her efforts have been earnest and untiring in a variety of ways, and that she was assigned to duty and served as an Assistant Surgeon in charge of female prisoners at Louisville, Kentucky—and upon the recommendations of Generals Thomas and Sherman; and faithfully served as a contract surgeon in the service of the United States and has devoted herself with patriotic zeal to the relief of our sick and wounded soldiers, both in the field and hospital to the detriment of her own health and has also endured hardships as a prisoner of war, four months in a Southern prison, while acting as a Contract Surgeon and—

WHEREAS, by reason of her not being a commissioned officer, in the military service, a brevet or honorary rank cannot be conferred upon her and;

WHEREAS, in the opinion of the PRESIDENT, an honorable recognition of her services and sufferings should be made,—

IT IS ORDERED

That a suitable testimonial

thereof shall be made and given to the said DOCTOR MARY E. WALKER, and that the usual medal of honor for meritorious services be given to her.

GIVEN UNDER MY HAND IN THE CITY OF WASHINGTON, D. C. THIS ELEVENTH DAY OF NOVEMBER A. D. 1865.

ANDREW JOHNSON
PRESIDENT

CY THE PRESIDENT
EDWIN M. STANTON
SECTY. OF WAR.

Dr. Walker was the first woman to receive the Medal of Honor now known as the Congressional Medal, highest award of our Government. On Jan. 24, 1866 it was awarded her. Engraved on its reverse:—"The Congress to Dr. Mary E. Walker, Acting Assistant Surgeon U. S. A. Nov. 11, 1865."

Forty nine years later by adverse action of the Board of Medal Awards, this award was stricken from the list Feb. 15, 1917, nothing having been found in the records to show the specific act or acts for which the decoration was originally awarded, I do not know that the U. S. Government ever asked the return of the medal. I do know that they never could have repossessed it except over Dr. Walker's dead body.

The medal itself is carefully treasured in the family of the late Byron Worden, Town of Minetto, he being Dr. Walker's nephew.

They also have a small gold shield worn by her inscribed Mary E. Walker, M. D. Acting Assistant Surgeon—Army of the Potomac.

After leaving the Army she worked on a New York City newspaper—one of the first women to be so employed; then set herself up as a practising physician in Washington.

She is credited with inventing the inside neck band on men's shirts that prevents the collar button from rubbing the neck.

In 1871 she wrote a book entitled "HIT". This had a large sale. The frontpiece was a fine picture of Dr. Walker in trouser attire and beneath her curious signature, which abounded in many flourishes. This book's chapters were about reforms which she advocated viz:—SINGLE MORAL STANDARD FOR MEN AND WOMEN—DRESS REFORM FOR WOMEN. (Now in vogue.)—VOTES FOR WOMEN. (Amendment 19 to U. S. Constitution ratified Aug. 26, 1920)—PROHIBITION OF THE MANUFACTURE AND SALE OF LIQUOR. Amendment 18 passed Jan. 29, 1919. Repealed 1933. TOTAL DESTRUCTION OF TOBACCO AND TOBACCO HABIT—UNIFORM DIVORCE LAWS FOR THE WHOLE UNITED STATES—ELECTION OF U. S. SENATORS BY THE PEOPLE. (Amendment 17 ratified May 31, 1913.) In 1878 she published a second book—UNMASKED OR THE SCIENCE OF IMMORTALITY. This dealt about sex.

She was a writer for various newspapers especially in New York & Washington. She secured a position as clerk in the Pension Office, Washington. Her brother, Alvah, applied for a pension. She used her voice and pen to prevent its being allowed but Uncle Sam honored Alvah's proofs and awarded the pension.

She lectured and wrote advocating a Safe & Sane Fourth of July. This was enacted into Law by New York State in 1940.

Dr. Walker; Rev. Susana Harris, noted preacher; and Attorney Belva Lockwood, were three of the most noted professional women of their day. Belva Lockwood was nominated for President by Equal Rights party 1884-1888, as a part of their campaign for reforms.



Dr. Walker wrote "THE CROWNING CONSTITUTIONAL ARGUMENT — THE OPENER OF THE DOOR FOR WOMEN'S VOTES." It stated Constitutional bodies exceeded their rights when they inserted the word "male" as a qualification of eligibility to vote. It denied also the fact that anywhere, males were ever given authority to decide whether or not females could vote.

Dr. Walker was President of U. S. Constitution Association; Member American Peace Society; and Woman's Democratic Club. She attended public functions where ever she was and included herself into the same and refused to be excluded.

Being a Democrat she called persistently on local, county, state and national party leaders insisting to be heard on women's rights. From the caucus in Oswego Town, to the National Conventions in the great cities, she was there. Great was her indignation when she was not allowed to speak. Squelched or insulted she appeared again, perhaps in a few minutes and renewed her tactics.

In 1881 she announced her candidacy for United States Senator. Among her qualifications she stated her brain was not numbed by drugs, liquor or tobacco.

In Nov. 1885 she amazed the election board at Oswego Center on Election Day by demanding she be given a ballot and allowed to vote. Upon their refusal she threatened to bring suit against the election board and great was her anger. A month later newspapers record her call on President Grover Cleveland. She visited every President in the White House since General U. S. Grant.

During the nineties she wrote extensively, lectured, addressed state meetings of Grangers and other orders. She spent much energy attempting to have a sanatorium established on her farm at Bunker Hill.

She filled engagements at The Eden Musee, New York, where thousands met her and heard her views about what she believed in. Audiences were able to procure her autographed photograph, or cards as souvenirs. She was a personal friend of P. T. Barnum, great showman and temperance reformer; of General Tom Thumb, knew Governors, Senators, Generals, Actors, Authors, Musicians, and practically all of the famous people of her day.

She was an invited guest and attended many Presidential inaugurations. Publicity was sweet to her, she was in the public eye and the press continually.

From time to time she brought to her home, patients from distant cities. Some of these she compelled to wear male attire, which was very displeasing to them. She brought people from far away to live with her and work the farm. None of them were able to adjust themselves to her peculiar ways and all eventually left. She sustained severe injuries falling on the steps of the Capitol at Washington. For a time during World War I she was a patient in Base Hospital at Fort Ontario.

She was spared to be active up to the year of her death. Her home at Bunker Hill was the dearest spot on earth to her. She was tenderly cared for by her neighbour and friend, Mrs. Frank Dwyer, during her last sickness. She died Feb. 21, 1919, and its news together with sketches of her career were published throughout the world. The contents of her home were sold at auction.

In the Old Acre in Rural Cemetery, Town of Oswego, her grave is marked by a headstone "Mary"; also by a bronze marker of The Grand Army of the Republic. This alone gives the passer-by a hint that there lies a woman who was once a soldier. The lot is cared for by Elmina

Spencer Tent, Daughters of Union Veterans of the Civil War.

When I Would Die And How

The Voices Of Six Stages.

I would not die in infant years,
With no ideas of life—
Without a sense of hopes or fears,
Or even bitter strife.
I would not die in childhood days,
Ere I one earth joy knew—
In having many kinds of plays,
With other children true.
I would not die in life mature,
With all its castles built—
And golden hopes that seem secure,
With wreaths that never wilt.
I would not die in middle life,
Just when fruitions come—
When children bless husband and wife,
The midday of life's sun.
I would not die when age creeps on,
With mental gains in store—
When to be numbered with the "ton",
Showered with blessings o'er.

I would not die until I felt,
A longing then to go—
And into future life would melt,
As gently as the snow.

At whatever time in life's date,
I go to fields Elys-ian—
I've never longed to see that state,
Thought quiet transition.

MARY E. WALKER, M. D.

Following presentation of the paper, many in the audience who were friends and acquaintances of Dr. Mary Walker during her lifetime, contributed personal anecdotes and gems of history about the famous doctor. Among those who participated in the discussion were Raymond Cooper, M. Prouse Neal, Harger Woodworth, Mrs. Mabel Downey, Miss Sophie

Crandell, Arling Worden, Nelson Coe, Mr. and Mrs. Gail Smedley.

Many exhibits of personal articles of clothing and other mementos belonging to Dr. Walker were on exhibit and carefully examined by those present to hear Mr. Wright's scholarly paper.

During the meeting, which was presided over by Dr. W. Seward Salisbury, society president, Dr. and Mrs. Paul deR. Kolisch of West River road, Oswego, were voted into membership in the society.

Anthony Slosek, curator of the society, announced receipt by the society of the following valuable articles:

From Arling Worden, grand-nephew of Dr. Mary Walker, the boots, hat, congressional medals, and diplomas of Dr. Walker; from Joseph Cortese, 142 West Bridge St., Oswego, several books once the property of the Kingsford family; from Peter Sheridan, 314 West Third St., Oswego, several books which once belonged to Virgil C. Douglas, a former principal of Oswego High school; from Charles H. Barlow, R.D. 2, Oswego, an agreement between Richard Lockyer and Isaac R. Parkhurst, to bring Richard Lockyer, Jr., as an apprentice to learn the farming trade in the Town of Scriba, Dec. 20, 1837.

Also from Clarence E. Van-Buren, 605 Park Ave., North, Winter Park, Fla., a ribbon of the Oswego County Agricultural Society, 1851; from Mr. and Mrs. Frank Thrasher, 3 Rogers Ave., Rochester, through courtesy of Frank M. McDonough of Oswego, an 1888 wrench manufactured in Oswego; from Martha Harding of Oswego, copy of New York Journal, published by Frank Leslie in 1855; from Luther Harding of Oswego, a pocket New Testament, found by John Wetherby in the rifle pits of the Battle of the Wilderness.



CONTRACT WITH A PRIVATE PHYSICIAN.

This Contract, Entered into this 5th day of October,
 1864, at Louisville, in the State of Kentucky, between Col. R. C.
Wood, Assistant Surgeon General of the United States Army,
~~and Mrs. Mary E. Walker~~ of Louisville,
 in the State of Kentucky

Witnesseth, That for the consideration hereafter mentioned, the said Dr. Mary
E. Walker promises and agrees to perform the duties of a Medical Officer,
 agreeably to Army Regulations, at Louisville, Ky, or elsewhere,
 and to furnish and keep in good order, and accessible at all times, complete sets of amputating, trphi-
 ning, and pocket instruments; and the said Col. R. C. Wood
 Assistant Surgeon General, U. S. A., promises and agrees, on behalf of the United States,
 to pay or cause to be paid to the said Dr. Mary E. Walker the
 sum of one hundred dollars for each and every month she shall continue to perform the services above
 stated, and one hundred and thirteen and $\frac{83}{100}$ dollars per month, and transportation in kind, when per-
 forming service in the field, which shall be his full compensation, and in lieu of all allowances and
 emoluments whatever.

And it is further agreed, that in case the said Dr. Mary E. Walker
 be unable to provide the aforesaid instruments, they will be furnished by the Medical Department of the
 United States Army, and the cost price thereof deducted from his monthly pay, for the first three
 months, in three equal installments. This contract to continue at least three months, if not sooner deter-
 mined by the commanding officer for the time being, the Medical Director, or the Surgeon General.

Signed, sealed and delivered in the presence of

F. L. Town

Ass't Surgeon U. S. Army.

R. C. Wood

Ass't Surgeon Gen., U. S. A.



Mary E. Walker, M. D.

Usual Post-Office Address

Oswego N. Y.

NOTE.—Notice of the annulment of this Contract, stating explicitly the cause therefor, and the date, must be forwarded through the Assistant Surgeon General.

Accounts arising under this Contract will be paid by the Treasury Department only. They must be sent in duplicate to the Surgeon General, with the certificate of the commanding officer, or Medical Director, that the services have been satisfactorily performed, and the surgical instruments furnished as required, and stating whether the services were rendered at a station or in the field.

Upon this certificate the account will be passed in the Surgeon General's office, and a Treasury warrant, payable by any disbursing medical officer or paymaster, be sent to the physician entitled to receive it.

A duplicate of the Contract must invariably be sent to the Surgeon General when the Contract is entered into, or the account will not be paid. When instruments are furnished by the United States the fact will be stated.

CONTRACT
BETWEEN

Col. R. C. Wood,
Ass't Surg. Gen. U. S. Army.

AND

Mary E. Walker,
Contract # 1864, at \$100 per month

APPROVED,
By order of the Surgeon General.

Ass't Surgeon U. S. Army

Surgeon General's Office,
186

Surgeon General's Office,
Gen's Office,
* JAN 15 1885 *

Surgeon Gen's Office
Washington D.C.
June 15, 1865

Mr. Walker's Contract is
this day annulled at the
our request.

By order of the Surg. Genl
Charles Lee
Asst. Surg. USA

Photocopied from material in
the George Arents Research
Library at Syracuse University
For reference only. Per-
mission of Syracuse University
Library necessary for pub-
lication. Syracuse University
is not responsible for infringe-
ment on copyrights or
publication rights.

THE WHITE HOUSE

WASHINGTON

August 14, 1973



Dear Anne:

I was pleased to see you at the Health Seminar, along with many others I have met while pursuing my interests in the health field.

It is unfortunate that there are no women among the nine public members on the Board of Regents of the Uniformed Services University of the Health Sciences. I share your disappointment that the present Board is deficient in this respect. Hopefully, when the first normal vacancies occur (during the summer of 1975) this situation will be remedied.

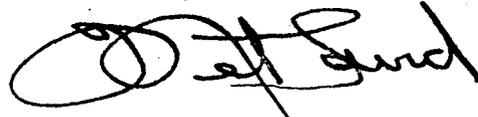
The present lack of a woman member on the Board, however, does not mean that women will not be admitted to the University. Applicants for admission will be considered without regard to sex and, in this connection, I am sure the rapidly rising percentage of women graduates from U.S. medical schools will be reflected in the University's enrollment figures.

Regarding your great-grand aunt, Doctor Mary Edwards Walker, it is my understanding that the revocation of the award resulted from Section 122 of Public Law 64-85. That law required the Secretary of War to convene a Board to review the cases of all persons who had received the award up to that time (1916) and to revoke the award if the Board found that it had been awarded for any cause "other than distinguished conduct by an officer or enlisted man in action involving actual conflict with an enemy." Under the terms of the law, the President has no authority to overturn the Board's findings.

Dawn appears to be a very exceptional young lady and one who, as you noted, will undoubtedly make a great contribution toward the achievement of our goals of equality for women.

With best wishes and kindest personal regards,

Sincerely,

A handwritten signature in black ink, appearing to read "Melvin R. Laird", written in a cursive style.

Melvin R. Laird
Counsellor to the President
for Domestic Affairs

Ms. Anne Walker
c/o Mary A. Walker
Allen Road
Wolfeboro, New Hampshire 03894

... from the desk of

LOLA S. TILDEN
Editor, National Business Woman

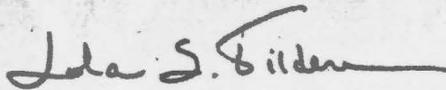
January 26, 1976

Dear Ms. Walker,

I tried to telephone you several times last fall after you sent a copy of your June 16 issue but could not reach you. Then in the pressure of getting out monthly issues, the holidays, and National Board meetings, I was unable to call again.

Our magazine does not devote space to historical topics, interesting as they are, because we have so many contemporary matters to cover, I am sorry to say. Whether or not we could support legislation to restore the Medal of Honor to Dr. Walker would have to be decided by our Legislative Platform Committee which does not meet until July.

Sincerely,





Women's Hall of Fame, inc.

P. O. Box 335, Seneca Falls, New York 13148

BOARD OF DIRECTORS

Helen M. Barben
Irma Collins
Elizabeth G. Delavan
Joseph J. Doyle
Mary H. Hoag
Louise M. Olmstead
Shirley Patterson
Wilma C. Rogalin
Samuel S. Stratton
Doris H. Walsh

OFFICERS

Ann A. Bantuanis
President
Dianna M. Wildemann
Vice President
Joan B. Mitchell
Secretary
Ruby L. Plowman
Treasurer

March 11, 1976

Ms. Anne Walker
Suite 9
Carriage House
1240 Wisconsin Ave., N.W.
Georgetown, DC 20007



Dear Anne:

It was a pleasure to talk with you yesterday regarding your aunt, Dr. Mary Walker. To have lived in those days, and to have witnessed parts of Dr. Mary's life would indeed have been exciting.

Enclosed please find the brochure which we have, describing our goal and purpose and listing the first group of outstanding American women elected to the Women's Hall of Fame back in 1973.

Our second election and Second Honors Ceremony is to take place in the Fall, 1976. The date has not yet been decided and presently, we are thinking about having the Second Honors Ceremony in New York City rather than here in Seneca Falls where the First Honors Ceremony took place. These plans are only in the thinking stages.

The nomination of Dr. Mary Walker has been turned over to the Research-Screening Committee for further study. Final selection of nominations are then placed on a ballot and sent to the members of the National Honors Committee. This committee is in the process of being completed. The members of the Honors Committee vote. Those elected are announced at the Ceremony.

We look forward to meeting you and shall be in touch with you regarding your famous aunt. We appreciate your interest and shall look forward to your support.

With kind regards,

Sincerely,

Ann A. Bantuanis
President

AAB/enc.

Seneca Falls, New York — birthplace of Women's Rights

Here is the President's order--

"EXECUTIVE OFFICE.

"Whereas, It appears from official reports that Dr. MARY E. WALKER, a graduate of medicine, 'has rendered valuable service to the Government, and her efforts have been earnest and untiring in a variety of ways', and that she was assigned to duty and served as an Assistant-Surgeon, in charge of female prisoners at Louisville, Ky., upon the recommendation of Major Generals SHERMAN and THOMAS, and faithfully served as Contract-Surgeon in the service of the United States, and has devoted herself with much patriotic zeal to the sick and wounded soldiers, both in the field and hospitals, to the detriment of her own health, and has also endured hardships as a prisoner of war for four months in a Southern prison while acting as a Contract-Surgeon; and

"Whereas, By reason of her not being a commissioned officer in the military service, a brevet or honorary rank can not, under existing laws, be conferred upon her; and

"Whereas, In the opinion of the President an honourable recognition of her services and sufferings should be made,

"IT IS ORDERED, That a testimonial thereof shall be hereby made, and given to the said Doctor MARY E. WALKER, and that the usual medal of honour for meritorious services be given her.

"Given under my hand, in the city of Washington, D.C., this eleventh day of November, A.D. 1865.

"ANDREW JOHNSON, President.

"BY THE PRESIDENT,

"EDWIN M. STANTON, Secretary of War."



I hereby certify that the foregoing is a true copy from the files of National Republican newspaper of the date of November 22nd, 1865, which publication was made from the original Official parchment

W. H. Pope

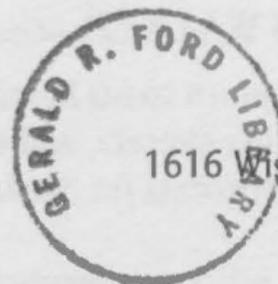
Bu's. Manager

National Republican

7. Jany 17/74

Photocopied from original manuscript in Syracuse University Library. For reference only. Permission of Syracuse University Library necessary for publication. Syracuse University is not responsible for infringement of copyrights or publication.

A
S
M
W
ALERT
SCIENCE -
MEDICAL
WEEKLY



1616 Wisconsin Avenue, Northwest
Washington, D.C. 20007
(202) 333-2439

6824

Vol. 1 No. 3

ANNE WALKER, *PUBLISHER*

June 16, 1975

**SHOULD THE PRESIDENT OF THE UNITED STATES AND CONGRESS LEGALLY
RESTORE THE MEDAL OF HONOR TO THE ONLY WOMAN RECIPIENT—
MARY EDWARDS WALKER, M.D., CIVIL WAR SUFFRAGETTE-SURGEON?**

True To Her Word, She Wore The Medal Until She Died

THE WHITE HOUSE

WASHINGTON

May 27, 1976



MEMORANDUM FOR

Mr. Alan Woods
Special Assistant to the Secretary
Department of Defense

As we discussed at the White House Correspondents' dinner, the Counsel's Office would like Secretary Rumsfeld's office to look into the question of whether Dr. Mary Walker's Congressional Medal of Honor should be restored and what procedural steps would be necessary to accomplish that restoration.

It is my understanding that Dr. Walker was awarded the Congressional Medal of Honor on November 11, 1865 by President Andrew Johnson. In 1917, at the request of Congress, a special board of officers appointed by Secretary of War Newton Baker reviewed the cases of all Medal of Honor winners and rescinded Dr. Walker's Medal and those of 911 other honorees.

Congressmen Peyser (R., N. Y.) and McEwen (R., N. Y.) have introduced a resolution to have the Medal restored to Dr. Walker. If Congress passes the resolution, does the President file a request with the Pentagon Board for the Correction of Military Records? Since the Medal was revoked by a board appointed by a Cabinet Secretary, can the Medal be restored by administrative action without necessitating passage of a Congressional resolution? Or, does the fact that the board reviewed the cases at the request of Congress mandate Congressional passage of a restoration resolution?

Please keep me posted on this matter.

Bobbie
Bobbie Greene Kilberg

cc: Richard A. Wiley

WH 10696



OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

24 JUN 1976

MEMORANDUM FOR Bobbie Greene Kilberg
Associate Counsel

THRU: Mr. Warren L. Gulley
Executive Assistant to the Military
Assistant to the President
The White House

Bobbie —

Pursuant to your request, I have collected information on Dr. Mary Edwards Walker's Medal of Honor. Doctor Walker was awarded a Medal of Honor in 1865 for services performed during the Civil War as a civilian physician with the United States Army. At the time of her award, the Medal of Honor was authorized for "such officers, non-commissioned officers, and privates as have most distinguished or who may hereafter most distinguish themselves in action" (Act of 3 March 1863; 12 Stat. 744, 751)

The Act of 3 June 1916 (39 Stat. 166, 214, inclosed) required the Secretary of War to convene a board of five retired general officers to investigate prior awards of the Medal of Honor for purposes of determining whether any medals were awarded "for any cause other than distinguished conduct by an officer or enlisted man in action involving actual conflict with an enemy" If any such incident were discovered by the board then "the name of the recipient of the medal so issued shall be stricken permanently from the official medal of honor list."

The Board submitted to the War Department the names of 911 persons, including Doctor Mary Walker, who it determined were not entitled to the Medal of Honor under the 3 June 1916 criteria. These 911 names were stricken from the Medal of Honor list on 15 February 1917.

The present criteria for awarding the Medal of Honor are contained in section 3741, title 10, United States Code (see also 38 USC 560). The President may award the medal in the name of Congress to a person who, while a member of the Army, distinguished himself conspicuously by gallantry and intrepidity at the risk of life above and beyond the call of duty, while engaged in armed conflict. (There are similar provisions for members of the other Military Departments.)

Section 3744, title 10, United States Code, provides that no Medal of Honor may be awarded more than three years after the act justifying the award. Therefore, the President is not authorized at this time to award a new Medal of Honor to Doctor Walker. Moreover, as Doctor Walker was not a member of the Army, she was not eligible for award of the Medal of Honor under the statutory criteria in effect at the time it was awarded to her (Act of 1863), at the time it was withdrawn (Act of 1916), or at the present time.

Section 1552, title 10, United States Code, authorizes the Secretary of the Army, acting through the Army Board for Correction of Military Records (ABCMR), to "correct any military record of that department when he considers it necessary to correct an error or remove an injustice." The three-year time limit for filing an application with the Board may be waived by the Board "in the interest of justice."

Section 190g, title 2, United States Code, provides that no private bill or resolution authorizing or directing the correction of a military record shall be received or considered in either the Senate or the House.

A joint resolution of Congress directing the issuance of a new Medal of Honor to Doctor Walker would have the same effect as a bill passed by Congress. It could not require correction of the previous withdrawal of Doctor Walker's Medal of Honor (see 2 USC 190g), but could direct the issuance of a new Medal of Honor. The ABCMR would not be involved in such a process if Congress directed, by joint resolution, the issuance of a new award.

A concurrent or simple resolution of Congress would not have the effect of a bill. Any such resolution authorizing the award of a Medal of Honor to Doctor Walker could be submitted to the ABCMR for

appropriate action within its jurisdiction by an heir of Doctor Walker. An heir could also make application to the ABCMR to restore Doctor Walker's Medal of Honor without action by Congress. The law does not authorize the President to unilaterally make such an application, either with or without congressional action. The ABCMR could correct Army records so as to restore Doctor Walker's award only if it determined that the action of the 1916 Medal of Honor Board in withdrawing her award was erroneous or unjust. In view of the circumstances of this case, the statutory standards governing eligibility for award of the Medal of Honor, and the Congressional action in 1916 that led to its withdrawal from Dr. Walker, it is highly improbable that the ABCMR would act favorably on such a request. Thus, as a practical matter, there is no available administrative action that would permit restoration of the medal. If Dr. Walker is to be given the award it almost certainly would have to be done by the Congress.

Finally, you have asked if the Medal of Honor "should" be restored to Dr. Walker. Dr. Walker's wartime service and distinguished career may be deserving of great honors. However, Congress has restricted the award of the Medal of Honor to military members performing above and beyond the call of duty and at risk of their lives in combat situations. It would not appear appropriate to make the award to Dr. Walker or any other person not meeting these standards.



Alan Woods

The Special Assistant

1 Inclosure
39 Stat. 166, 214

Medals of honor.
Board authorized to
investigate past issues,
etc.

SEC. 122. INVESTIGATION CONCERNING MEDALS OF HONOR.—A

board to consist of five general officers on the retired list of the Army shall be convened by the Secretary of War, within sixty days after the approval of this Act, for the purpose of investigating and reporting upon past awards or issues of the so-called congressional medal of honor by or through the War Department; this with a view to ascertain what medals of honor, if any, have been awarded or issued for any cause other than distinguished conduct by an officer or enlisted man in action involving actual conflict with an enemy by such officer or enlisted man or by troops with which he was serving at the time of such action. And in any case in which said board shall find and report that said medal was issued for any cause other than that hereinbefore specified the name of the recipient of the medal so issued shall be stricken permanently from the official medal of honor list. It shall be a misdemeanor for him to wear or publicly display said medal, and, if he shall still be in the Army, he shall be required to return said medal to the War Department for cancellation. Said board shall have full and free access to and use of all records pertaining to the award or issue of medals of honor by or through the War Department. The actual and necessary expenses of said board and its members shall be paid out of any appropriations available for contingent expenses of the Army of the War Department.

Names to be stricken
off if improperly is-
sued, etc.

Expenses.

THE WHITE HOUSE

WASHINGTON

May 27, 1976

MEMORANDUM FOR

Mr. Alan Woods
Special Assistant to the Secretary
Department of Defense



As we discussed at the White House Correspondents' dinner, the Counsel's Office would like Secretary Rumsfeld's office to look into the question of whether Dr. Mary Walker's Congressional Medal of Honor should be restored and what procedural steps would be necessary to accomplish that restoration.

It is my understanding that Dr. Walker was awarded the Congressional Medal of Honor on November 11, 1865 by President Andrew Johnson. In 1917, at the request of Congress, a special board of officers appointed by Secretary of War Newton Baker reviewed the cases of all Medal of Honor winners and rescinded Dr. Walker's Medal and those of 911 other honorees.

Congressmen Peyser (R., N.Y.) and McEwen (R., N.Y.) have introduced a resolution to have the Medal restored to Dr. Walker. If Congress passes the resolution, does the President file a request with the Pentagon Board for the Correction of Military Records? Since the Medal was revoked by a board appointed by a Cabinet Secretary, can the Medal be restored by administrative action without necessitating passage of a Congressional resolution? Or, does the fact that the board reviewed the cases at the request of Congress mandate Congressional passage of a restoration resolution?

Please keep me posted on this matter.

Bobbie
Bobbie Greene Kilberg

cc: Richard A. Wiley



OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

24 JUN 1976

MEMORANDUM FOR Bobbie Greene Kilberg
Associate Counsel

THRU: Mr. Warren L. Gulley 
Executive Assistant to the Military
Assistant to the President
The White House



Bobbie —

Pursuant to your request, I have collected information on Dr. Mary Edwards Walker's Medal of Honor. Doctor Walker was awarded a Medal of Honor in 1865 for services performed during the Civil War as a civilian physician with the United States Army. At the time of her award, the Medal of Honor was authorized for "such officers, non-commissioned officers, and privates as have most distinguished or who may hereafter most distinguish themselves in action" (Act of 3 March 1863; 12 Stat. 744, 751)

The Act of 3 June 1916 (39 Stat. 166, 214, inclosed) required the Secretary of War to convene a board of five retired general officers to investigate prior awards of the Medal of Honor for purposes of determining whether any medals were awarded "for any cause other than distinguished conduct by an officer or enlisted man in action involving actual conflict with an enemy" If any such incident were discovered by the board then "the name of the recipient of the medal so issued shall be stricken permanently from the official medal of honor list."

The Board submitted to the War Department the names of 911 persons, including Doctor Mary Walker, who it determined were not entitled to the Medal of Honor under the 3 June 1916 criteria. These 911 names were stricken from the Medal of Honor list on 15 February 1917.

The present criteria for awarding the Medal of Honor are contained in section 3741, title 10, United States Code (see also 38 USC 560). The President may award the medal in the name of Congress to a person who, while a member of the Army, distinguished himself conspicuously by gallantry and intrepidity at the risk of life above and beyond the call of duty, while engaged in armed conflict. (There are similar provisions for members of the other Military Departments.)

Section 3744, title 10, United States Code, provides that no Medal of Honor may be awarded more than three years after the act justifying the award. Therefore, the President is not authorized at this time to award a new Medal of Honor to Doctor Walker. Moreover, as Doctor Walker was not a member of the Army, she was not eligible for award of the Medal of Honor under the statutory criteria in effect at the time it was awarded to her (Act of 1863), at the time it was withdrawn (Act of 1916), or at the present time.

Section 1552, title 10, United States Code, authorizes the Secretary of the Army, acting through the Army Board for Correction of Military Records (ABCMR), to "correct any military record of that department when he considers it necessary to correct an error or remove an injustice." The three-year time limit for filing an application with the Board may be waived by the Board "in the interest of justice."

Section 190g, title 2, United States Code, provides that no private bill or resolution authorizing or directing the correction of a military record shall be received or considered in either the Senate or the House.

A joint resolution of Congress directing the issuance of a new Medal of Honor to Doctor Walker would have the same effect as a bill passed by Congress. It could not require correction of the previous withdrawal of Doctor Walker's Medal of Honor (see 2 USC 190g), but could direct the issuance of a new Medal of Honor. The ABCMR would not be involved in such a process if Congress directed, by joint resolution, the issuance of a new award.

A concurrent or simple resolution of Congress would not have the effect of a bill. Any such resolution authorizing the award of a Medal of Honor to Doctor Walker could be submitted to the ABCMR for

appropriate action within its jurisdiction by an heir of Doctor Walker. An heir could also make application to the ABCMR to restore Doctor Walker's Medal of Honor without action by Congress. The law does not authorize the President to unilaterally make such an application, either with or without congressional action. The ABCMR could correct Army records so as to restore Doctor Walker's award only if it determined that the action of the 1916 Medal of Honor Board in withdrawing her award was erroneous or unjust. In view of the circumstances of this case, the statutory standards governing eligibility for award of the Medal of Honor, and the Congressional action in 1916 that led to its withdrawal from Dr. Walker, it is highly improbable that the ABCMR would act favorably on such a request. Thus, as a practical matter, there is no available administrative action that would permit restoration of the medal. If Dr. Walker is to be given the award it almost certainly would have to be done by the Congress.

Finally, you have asked if the Medal of Honor "should" be restored to Dr. Walker. Dr. Walker's wartime service and distinguished career may be deserving of great honors. However, Congress has restricted the award of the Medal of Honor to military members performing above and beyond the call of duty and at risk of their lives in combat situations. It would not appear appropriate to make the award to Dr. Walker or any other person not meeting these standards.



Alan Woods
The Special Assistant

1 Inclosure
39 Stat. 166, 214



Medals of honor.
Board authorized to
investigate past issues,
etc.

Names to be stricken
off if improperly is-
sued, etc.

Expenses.

SEC. 122. INVESTIGATION CONCERNING MEDALS OF HONOR.—A board to consist of five general officers on the retired list of the Army shall be convened by the Secretary of War, within sixty days after the approval of this Act, for the purpose of investigating and reporting upon past awards or issues of the so-called congressional medal of honor by or through the War Department; this with a view to ascertain what medals of honor, if any, have been awarded or issued for any cause other than distinguished conduct by an officer or enlisted man in action involving actual conflict with an enemy by such officer or enlisted man or by troops with which he was serving at the time of such action. And in any case in which said board shall find and report that said medal was issued for any cause other than that hereinbefore specified the name of the recipient of the medal so issued shall be stricken permanently from the official medal of honor list. It shall be a misdemeanor for him to wear or publicly display said medal, and, if he shall still be in the Army, he shall be required to return said medal to the War Department for cancellation. Said board shall have full and free access to and use of all records pertaining to the award or issue of medals of honor by or through the War Department. The actual and necessary expenses of said board and its members shall be paid out of any appropriations available for contingent expenses of the Army of the War Department.