

29330 -

FORM B.

2-9-40
Widow's Application
for a Pension

The Commissioner of Pensions reserves the right to call for additional testimony if he deems it necessary.

Name of Applicant. *Bartley*

Mrs. Nancy J. Bartley
Smith County.

Postoffice *Lindzee*

Filed *Sept. 1st 1914*

Approved *Sept. 1st 1914*

Pension allowed from *Dec 1st 1914*

Rejected

George Kyses

Commissioner of Pensions.

E. L. Steck, Printing, Bookbinding, Austin

cut

FORM B

For Use of Widows of Soldiers Who Are In Indigent Circumstances

THE STATE OF TEXAS

County of Smith

I, Mrs. M. J. Bartley, do hereby make application to the Commissioner of Pensions for a pension, to be granted me under the Act passed by the Thirty-first Legislature of the State of Texas, and approved April 7, A. D. 1913, on the following grounds:

I am the widow of William Wherry Bartley, deceased, who departed this life on the 1st day of December, A. D. 1906, in the county of Smith, in the State of Texas.

I have not remarried since the death of my said husband, and I do solemnly swear that I was never divorced from my said husband, and that I never voluntarily abandoned him during his life, but remained his true, faithful and lawful wife up to the date of his death. I was married to him on the 28th day of May, A. D. 1885, in the county of Smith, in the State of Texas.

My husband, the said William Wherry Bartley, enlisted and served in the military service of the Confederate States during the war between the States of the United States, and that he did not desert the Confederate Service. I have been a resident of the State of Texas since prior to January 1, A. D. 1900, and have been continuously since a citizen of the State of Texas. I do further state that I do not receive from any source whatever money or other means of support amounting in value to the sum of \$300.00 per annum, nor do I own in my own right, nor does anyone hold in trust for my benefit or use, estate or property, either real, personal or mixed, either in fee or for life, of the value of one thousand dollars, exclusive of the home of the value of not over \$1,000.00; nor do I receive any aid or pension from any other State, or from the United States, or from any other source, and I do further state that the answers given to the following questions are true:

1. What is your age? Sixty five (65) Coming April.
2. Where were you born? Aberdeen West South Carolina.
3. How long have you resided in the State of Texas? Sixty one (61) Years
4. How long have you resided in the county of your present residence? And what is your postoffice address? Sixty one (61) years, Lindale Smith County Texas
5. What was your husband's full name? William Wherry Bartley.
6. What was the date of his death? December 1st 1906
7. In what State was your husband's command originally organized? Texas
8. How long did your husband serve? If known to you, give date of enlistment and discharge.



9. What was the name or letter of the company, or name or number of the battalion, regiment or battery of artillery in which your husband served? If he was transferred from one branch of service to another, give time of transfer, description of command and time of service.

10. Name branch of service in which your husband served, whether infantry, cavalry, artillery or the navy, or if commissioned as an officer by the President, his rank and line of duty, or if detailed for special service, under the law of conscription, the nature of such service, and time of service.

11. Have you transferred to other any property of any kind for the purpose of becoming a beneficiary under this law? No.

Wherefore your petitioner prays that her application for a pension be approved and such other proceedings be had in the premisses as are required by law.

(Signature of Applicant) *Mrs. N. J. Bartley*

Sworn to and subscribed before me, this *26* day of *Sept* A. D. 191*4*

[Seal.] *Jesse F. Odom*
County Judge *Smith* County, Texas.

AFFIDAVIT OF WITNESSES

[Note.—There must be at least two creditable witnesses.]

THE STATE OF TEXAS }

County of *Smith*

Before me, *Jesse F. Odom*, County Judge of *Smith* County, State of Texas, on this day personally appeared *N. E. Morris & J. P. Arthur*, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know that Mrs. *N. J. Bartley*, applicant for a pension as the widow of deceased, is in truth and fact the widow of *William Wherry Bartley* deceased; that they personally know that she has not remarried since the death of her husband, for whose service in the army she claims a pension, and that they have no interest in this claim.

(Signature of Witness) *Mrs. N. E. Morris*

(Signature of Witness) *J. P. Arthur*

Sworn to and subscribed before me, this *26* day of *Sept*, A. D. 191*4*

[Seal.] *Jesse F. Odom*
County Judge *Smith* County, Texas.

AFFIDAVIT OF WITNESSES

[Note.—There must be at least two creditable witnesses.]

THE STATE OF TEXAS }

County of *Smith*

Before me, *Jesse F. Odom*, County Judge of *Smith* County, State of Texas, on this day personally appeared *Loe Land & J.A. Gibson*, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know the above-named applicant for pension, and that they personally know that the said *Mrs. N. J. Bartley* has been a bona fide resident citizen of the State of Texas since prior to January 1, A. D. 1900, and that they have no interest in this claim.

(Signature of Witness) *Loe Land*

(Signature of Witness) *J.A. Gibson*

Sworn to and subscribed before me, this *28th* day of *September*, A. D. 191*4*

[Seal.] *Jesse F. Odom*
County Judge *Smith* County, Texas.

AFFIDAVIT OF WITNESSES

(If possible, the two witnesses should have served with the applicant's husband in the army, and, if so, let them, or either of them, state it in their oath; also any information regarding the army service of applicant's husband.)

THE STATE OF TEXAS

County of Smith

Before me, Jesse F. Odum, County Judge of Smith County, State of Texas, on this day personally appeared N. E. Bartley & J. P. Arthur, who are personally

known to me to be credible citizens, who, being by me sworn, on oath state that they are personally acquainted with the foregoing applicant, and that the facts set forth and statements made in her application are correct and true, to the best of their knowledge and belief, and that they have no interest in this claim. And further make oath to the following facts touching the service of the applicant's husband in the Confederate Army: (State fully your source of knowledge.)

I, N. E. Morris know that W. W. Bartley served in the Confederate Army in Joe Arthur Company. I saw him when he went to the army and saw him at home on furlough.

I, J. P. Arthur know that W. W. Bartley served in the Confederate Army, as I was at home a parolee prisoner when W. W. Bartley come home on a furlough. I understood that he was in my Uncle Joe Arthur Company. I never heard nothing to the contrary.

(Signature of Witness) Mrs. N. E. Morris

(Signature of Witness) J. P. Arthur

Sworn to and subscribed before me, this 26 day of Sept, A. D. 1914

[Seal.]

Jesse F. Odum
County Judge Smith County, Texas.

CERTIFICATE OF STATE AND COUNTY ASSESSOR



I, H. B. Matthews, State and County Assessor in the County of

Smith, State of Texas, do hereby certify that Mrs. Nancy J. Bartley

whose name is signed to the foregoing application for a pension, under the Act of the 33rd Legislature, approved April 7, A. D. 1913, is charged on the land and personal property rolls of the said county, in her name, or the name of a trustee, with estate, real, personal and mixed, at the assessed value of \$895.00 dollars.

Given under my hand, this 28th day of September, A. D. 1914

H. B. Matthews
State and County Assessor.

By Wm. J. Day Deputy

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Mrs. Nancy J. Bartley

Under Act March 26, 1909, pending

in Smith

Applicant for Confederate Pension.

County, Texas, before the Honorable County Judge of said County.

Answers and depositions of (1) S.C. Niblack of Van Zandt County, Texas, and Geo. F. Adkins of Van Zandt County, Texas,

to the accompanying interrogations (2) and cross-interrogatories propounded to him in the above entitled cause taken before (3) the undersigned in accordance with the accompanying (7) agreement

To the first interrogatory the said S.C. Niblack

Witness, answers S. C. Niblack Age 69. Residence: Grand Saline, Texas

To the 2nd Int., he answers: Yes

To the 3rd Int., he answers: I knew him, W. W. Bartley, about four years. Met him in Tyler, Texas about 1862

To the 4th Int., he answers: Yes

To the 5th Int., he answers: Yes. He was in Company G, 13th Texas Infantry about 1863 at Velasco, Texas for about 2 yrs. He was never in navy

To the 6th Int., he answers:

He was a private.

To the 7th Int., he answers:

No he was not

To the 1st Cross-Int., he answers:

To the 2nd Cross-Int., he answers: I was in same Company and Regiment with this man & knew only one W. W. Bartley in my Regiment.

To the 3rd Cross-Int., he answers: Yes I am certain about this

To the 4th Cross-Int., he answers:

Yes

To the first Interrogatory, the said witness Geo. F. Adkins, answers:

Geo. F. Adkins, Age 68, Grand Saline, Texas

To the 2nd Int., he answers:

Yes

TX

To the 3rd Int., he answers: I knew him about all my life. We were reared in Lindale Community, Smith Co. Tx

To the 4th Int., he answers:

Yes

To the 5th Int., he answers: Yes. Thompson's Co. G, 13th-14th Infantry, about 1863, at Velasco Tex. for about 2 yrs. He was never in Navy.

To the 6th Int., he answers:

He was never commissioned. He was a private

To the 7th Int., he answers: *No he volunteered and did not
regular source*

To the 1st Cross-Int., he answers: *I belonged to same
regiment and knew him personally and often saw
him during the war. I know no other people in this regiment.*

To the 2nd Cross-Int., he answers:
Yes

To the 3rd Cross-Int., he answers:
He did

To the 4th Cross-Int., he answers:
He never did.

Subscribed and sworn to before me, this 22 day of Sept., 1914

Geo. F. Adkins
S. C. Niblack

J. Andrew West,
Notary Public, Van Zandt
Co. Texas.

THE STATE OF Texas,
County of Van Zandt.

I, *J. Andrew West*
(Here give name and official character of officer before whom taken.)

do hereby certify that S.C. Niblack and Geo. F. Adkins
and are ~~not~~ ~~not~~ personally known to me to be credible citizens of said
County and State, and that the foregoing answers of S.C. Niblack and Geo. F. Adkins

the witness ~~ess~~ before named, and
whose name appear s signed to the foregoing deposition, were made before
me and were sworn to and subscribed before me, by said witness (4) S.C. Niblack & G.F. Adkins

Given under my hand and official seal, this the 22 day of September, 1914

(L. S.)

J. Andrew West,
Notary Public, Van Zandt County, Texas.

NOTE.—In Texas, any Clerk of the District Court, any Judge and Clerk of the County Court, or any Notary Public or Justice of the Peace within their respective Counties, are authorized to take depositions. Out of the State and within the United States—any Clerk of a Court of Record having a seal, any Notary Public, or any Commissioner of Deeds of Texas.

Use this for answers

In Smith County, Texas,
Before the Honorable County Judge of
said County.

EX PARTE

Am. Nancy J. Botley
Applicant for Confederate Pension

DEPOSITION
of

Witness for Applicant.

Filed _____ day
of _____, 191
Clerk,
By _____ Deputy.

Fee for Taking Deposition, \$

Handwritten signature or scribble

Large handwritten scribble or signature



- (1) Here give the name and residence of each witness.
- (2) Here state "and cross interrogatories," if any.
- (3) Here give the name and official character of the person taking the deposition.
- (4) Here state "respectively," if more than one witness.
- (5) Here state whether "Commission, or agreement," if Commission was waived.

EX-PARTE

Mrs. Nancy J. Bartley
Applicant for Confederate Pension.

Pending in Smith County,
Texas, before the Honorable County Judge of said
County.

The Honorable County Judge of Smith County, Texas,
will please take notice that, five days after service hereof, applicant herein will apply to the Clerk of the County Court
of said County and state for a commission to take the depositions of S.C. Niblack
and Geo. F. Adkins who reside ^s in the County
of Van Zandt in the State of Texas in answer to the following interrogatories and
such cross interrogatories as may be propounded by the County Judge of said County, which will be read in evidence
upon the hearing of applicant's claim for pension in behalf of applicant; said testimony is material and indispensable
to applicant in furnishing the required proof of her claim for a pension under the Act of March 26, 1909, the
application for which is now pending before the Honorable County Judge, and the facts necessary and required to be
proven under the provisions of said act, applicant believes cannot be proven by any witness residing in the County
of Smith and State of Texas, which she is a bona fide resident.

Mrs. Nancy J. Bartley
(Applicant) Attorney for Applicant.

Direct Interrogatories to be Propounded to Witness

- INT. 1. What is your name? Age? Place of residence and postoffice address?
.....
- INT. 2. Do you personally know, or did you at any time know Wm. W. Bartley whose widow ~~xxx~~
..... is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said W. W. Bartley
and when and where did you first know him?
- INT. 4. Do you personally know that the said W. W. Bartley
enlisted in the service of the Confederacy, and performed the duties of a soldier or a sailor?
- INT. 5. Do you personally know in what company and regiment the said W. W. Bartley
enlisted and served in the Confederate Army? When? Where? And the time of service? If you per-
sonally knew and so have stated that he enlisted and served in the Confederate navy, then state: When?
Where? And how long he so served?
- INT. 6. Do you personally know that W. W. Bartley
was commissioned as an officer directly by the President of the Confederate States? What was his rank
and line of duty?
- INT. 7. Do you know further if W. W. Bartley was, under the
provisions of the conscript law, detailed for any kind of special service in the field, shops, armories, etc., of
the Confederacy? What was the nature of his service, and how long did he serve?

CROSS INTERROGATORIES



To be propounded to S.C. Niblack and G.F. Adkins
CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you person-
ally know or did know said W. W. Bartley and that you know that he enlisted in the service
of the Confederacy and performed the duties of a soldier or sailor, and having named the company and regiment, or
special service in which W. W. Bartley so enlisted and served, then please state fully what
is your source of such knowledge? And state whether or not you know or at any time knew of any other soldier or
sailor by the name of W. W. Bartley serving in the same company or regiment, or special
service in which you say the said W. W. Bartley enlisted; if you have stated that said
W. W. Bartley enlisted and served in the navy of the Confederacy, then state whether or

not you know any other soldier or sailor of the same name as said W.W. Bartley
applicant serving in the same command, or the special service to which he was assigned?

If you say that you know other soldiers or sailors of the same name of W.W. Bartley
then can you and how do you identify and locate the one from the other or others?

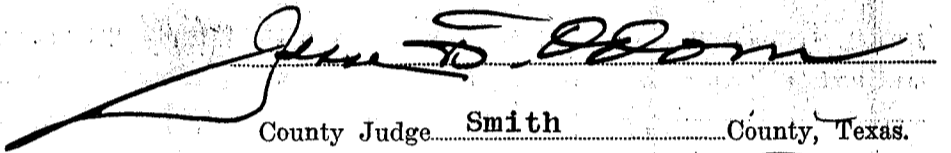
CROSS INT. 2. Are you positively certain that said W.W. Bartley
is the identical person serving as testified by you?

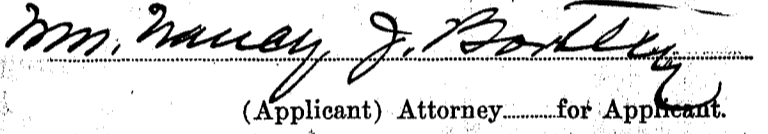
CROSS INT. 3. Do you know whether or not the said W.W. Bartley
served honorably from the date of his enlistment until the close of the late Civil War between the States or until he
was discharged from said company and regiment, or the special service to which he had been assigned?

CROSS INT. 4. Do you know whether or not the said W.W. Bartley
deserted his command, or voluntarily abandoned his post of duty or the service during said war?

THE STATE OF TEXAS
COUNTY OF Smith.

I, Jesse F. Odom, County Judge of said County, in said State,
do hereby waive copy of interrogatories, notice, time and issuance of commission, and it is hereby agreed that the an-
swers to the hereinabove direct and cross interrogatories of the said herein named witness..... may be attached hereto.


County Judge Smith County, Texas.


(Applicant) Attorney..... for Applicant.

<p><i>In Re</i></p> <p>Application for Confederate Pension</p> <p>FOR USE OF SOLDIERS OR WIDOWS</p> <p><u>Smith</u> County, Texas.</p> <p>Pending before the County Judge of said County.</p> <p>EX-PARTE</p> <p><u>Wm. Nancy J. Bartley</u> Applicant</p> <p>INTERROGATORIES propounded to</p> <p>Witnesses.</p>

March 8, 1940

17

Postmaster
Tyler, Texas.

Dear Sir:

On or about February 29, 1940 I mailed a Confederate Pension Warrant to one Mrs. N. J. Bartley of Route 6, box 97, Tyler, Texas. I am asking that you return the warrant to me as I have learned that Mrs. Bartley died on February 9, 1940, and it was wrongfully issued.

I will appreciate your prompt attention to this matter.

Yours very truly,

JHT:ER

Geo. H. Sheppard
Comptroller of Public Accounts.



O.K. warrant # 19540 dated
Feb. 29, 1940 returned by Postmaster
at Tyler + same has been canceled
on account of her being deceased

March 8, 1940

17

Hon. Charley Lockhart
State Treasurer
Austin, Texas.

Dear Sir:

This is your authority to stop payment on Confederate Pension Warrant No. 19840 dated February 29, 1940 in the amount of \$25.00 and issued to Mrs. N. J. Bartley of Tyler, Texas, pension file number 29330 Smith County.

Mrs. Bartley's death occurred in February, 1940.

Yours very truly,

JHT:EK

Geo. H. Sheppard
Comptroller of Public Accounts.



M. H. York
Hardware, Furniture and Undertaking
24 HOUR AMBULANCE SERVICE

LINDALE, TEXAS

Feb. 9th 1940

Geo H Sheppard
State Comptroller.
Sustin, Texas.

Dear Sir;

Please send me blanks to be filled out for Mrs Nancy Bartley who passed away Feb. 9th 1940.



Thanks
M. H. York.

29330
Smith

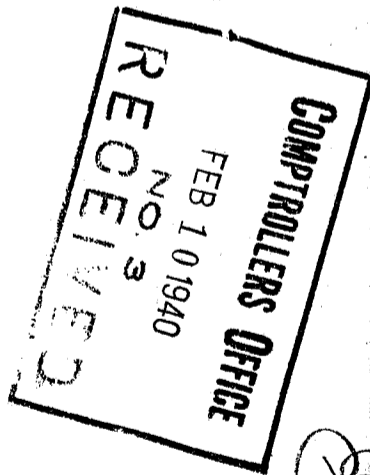
Mutual Blank
& Notice

Feb. 12, 1940

should be
Mrs Nancy J.
Bartley

29330
Smith

instead of 51520 Smith



Bartley

APPLICATION FOR MORTUARY WARRANT

THE STATE OF TEXAS,
Smith

County of _____ } I, M H York

do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late Mrs. Nancy G. Bartley, who was a pensioner of the State of Texas, and whose file number was 51520 29330 and whose original county was Smith

The said pensioner Mrs Nancy G Bartley, died on the 9 day of Feb., 19 40, in the town of Lindale, Texas County of Smith, Texas.

The pensioner died in the home of Son Reece Wood who was related to the pensioner as Son

That the warrant, which application is hereby made for, shall be applied to paying all or part of the funeral expenses incurred by the said pensioner Mrs Nancy G Bartley

I further certify that the warrant for the current month has not been cashed by the pensioner, to the best of my knowledge and belief.

I am related to the pensioner as None that my postoffice address is Lindale, Texas

Lindale, Texas Street or R. F. D. City State

Signed M.H. York Feb 13, 19 40

Sworn to before me this 13 day of Feb, 19 40

J. C. Hallberg Notary Public in and for Smith State of Texas.

Must return before 40 days expires from date of Pensioners' death

CERTIFICATE OF UNDERTAKER

I, Leon York, do certify that I am undertaker in the town of Lindale, Texas, County of Smith, State of Texas that I had charge of the body of Mrs Nancy G Bartley, who died in the town of Lindale, Texas, County of Smith, State of Texas on the 9th day of Feb. 19 40. That said body was prepared for burial by me on the 9th day of Feb. 19 40, and that I am of the opinion that warrant herein applied for should be issued to the said M H York. who makes the foregoing application.

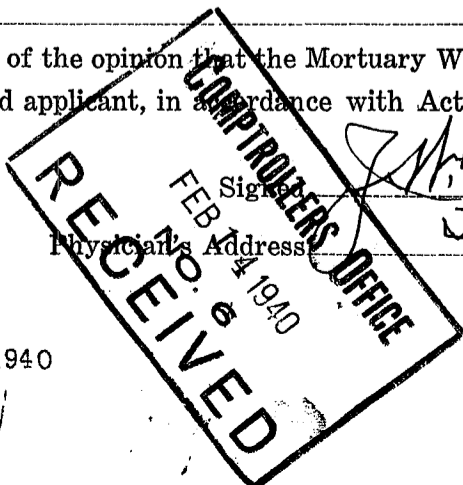
Signed Leon York Undertaker.



CERTIFICATE OF PHYSICIAN

I, J. H. Gibson M.D., do certify that I am a practicing physician, and that I attended Mrs Nancy G. Bartley in his last illness, and am of the opinion that his ailments were Chronic Bronchitis complicated with Emphysema

I further certify that I am of the opinion that the Mortuary Warrant above requested should be issued in the name of the aforementioned applicant, in accordance with Act passed by the Thirty-eighth Legislature and approved March 2, 1923.



J. H. Gibson M.D. Lindale Tex

February 12, 1940