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46327

FORM B.

Lead
**WIDOW'S APPLICATION
FOR A PENSION**

The Comptroller of Public Accounts reserves the right to call for additional testimony if he deems it necessary.

64

Name of Applicant.

Mrs. Jennie Fletcher,

Smith County.

R. F. D. or Street No. 416 W. Bow

Postoffice Tyler, Texas.

Filed February 24th, 1930.

Approved February 24th, 1930.

Pension allowed from Dec. 1st, 1929

Rejected

A. H. Terrell

Comptroller of Public Accounts.

THE S. L. STECK CO., AUSTIN

Compliments of
East Texas Genealogical Society
www.etgs.org

Widow's Application for Confederate Pension

THE STATE OF TEXAS,

County of Smith

I, Mrs. Jennie Fletcher do hereby make application for a pension, pursuant to the provisions of the First Section of Title 109, Revised Civil Statutes, 1925, providing for Confederate Pension, amended by Chapter 95, General Laws of the Fortieth Legislature, as amended by Senate Bill 287, Acts of the Regular Session of the Forty-first Legislature of the State of Texas, approved March 5, 1929, on the following ground:

I am a widow of J.B. Fletcher deceased, who departed this life on the 8th day of October, A. D. 1927, 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 5th day of July, A. D. 1887 in the county of Hartford, Kentucky in the State of Kentucky.

My husband, the said J.B. Fletcher, enlisted and served in the military service of the Confederate States during the war between the States of the United States and he did not desert the Confederate service. I have been a resident of the State of Texas since prior to January 1, A. D. 1920, 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 above 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 \$2000; nor do I receive any aid or pension from any other State of the United States, and I do further state that the answers given to the following questions are true:

1. What is your age, and date of birth? Born April 30, 1865. Now 64 years old past.
2. Where were you born? Princeton, Kentucky.
3. How long have you resided in the State of Texas? Since 1898. Year 1916
4. How long have you resided in the county of your present residence? Continuously since/ 1916
5. What is your postoffice address? 416 West Bow Street, Tyler, Texas.
6. Have you applied for a pension under the Confederate pension law and been rejected? No

If rejected, state when and where

7. Did your husband draw a pension? yes If so, give his file number 42101 Smith
8. Give, if possible, the postoffice address of your deceased husband at the time of his enlistment See his application blank on file with you heretofore.
9. What is your husband's full name? James Bell Fletcher

10. In what State was your husband's command originally organized? See his application
11. How long did your husband serve? see his appl'n If known to you, give date of enlistment and discharge

12. What was the name or letter of the company, or number of the regiment 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. (If applicant's husband was a pensioner give his file number, which is evidence sufficient for proof of service.) See above

13. 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 See above

14. Do you own any property other than that rendered for taxes in your county? If so, state value of same and county where located No.

15. Have you transferred to another 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 may be approved and such other proceedings be had in the premises as required by law.

(Signature of Applicant) Mrs Jennie Fletcher

Sworn to and subscribed before me this 19th day of February A. D. 19 30.

[Seal]

County Judge Smith County, Texas.

*Where applicant has remarried it is necessary that she state facts covering particulars of last marriage, date, to whom married, and date of last husband's death. She must also state that she is now a widow.



AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS,
County of Smith }

Before me, Wm. A. Pace, County Judge of Smith County,
State of Texas, on this day personally appeared A. A. Beal and

H. R. Turner, 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. Jennie Fletcher, applicant for a pension as the widow of J. B. Fletcher deceased, is in truth and fact the widow of J. B. Fletcher deceased; that they personally know that she has not remarried since the death of her husband, for whose services in the army she claims a pension, and that they have no interest in this claim.*

(Signature of Witness) A A Beal

(Signature of Witness) H. R. Turner

Sworn to and subscribed before me, this 19 day of Feb, A. D. 1930

Wm. A. Pace

[Seal.]

County Judge Smith County, Texas.

*Where applicant has remarried it is necessary that she state facts covering particulars of last marriage, date, to whom married, and date of last husband's death. She must also state that she is now a widow.

AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS,
County of Smith }

Before me, Wm. A. Pace, County Judge of Smith County,
State of Texas, on this day personally appeared A. A. Beal and

H. R. Turner, who are personally known to me to be creditable 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. Jennie Fletcher has been a bona fide resident citizen of the State of Texas since prior to January 1, A. D. 1920, and that they have no interest in this claim.

(Signature of Witness) A A Beal

(Signature of Witness) H. R. Turner

Sworn to and subscribed before me, this 19 day of Feb, A. D. 1930

Wm. A. Pace

[Seal.]

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 other information regarding the army service of applicant's husband.)

THE STATE OF TEXAS, }
County of _____ }

Before me, _____, County Judge of _____ County,
State of Texas, on this day personally appeared _____

_____, who are personally known to me to be creditable wit-
nesses, who, being by me sworn, on oath state that they are personally acquainted with the foregoing appli-
cant, 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 applicant's husband in the Confederate Army: (Witnesses must
state fully the source of their knowledge of service of applicant's husband) _____

(Signature of Witness) _____

(Signature of Witness) _____

Sworn to and subscribed before me, this _____ day of _____, A. D. 19 _____

[Seal.] _____ County Judge _____ County, Texas.

CERTIFICATE OF STATE AND COUNTY ASSESSOR

I, H. H. Allen, State and County Assessor in the County of Smith
Smith State of Texas, do certify that Mrs. Jennie Fletcher
whose name is signed to the foregoing application for a pension is charged on the tax rolls of said county
with a homestead of the value of One thousand Six Hundred Dollars, and, in
addition to homestead, of other property, real or personal, or both, of the value of None
None Dollars.

Given under my hand, this 19 day of Feb, A. D. 19 20

H. H. Allen
State and County Assessor.



The affiant P.A. Steele, states that he is a resident of Louisville, Kentucky. Affiant states that Mrs. J.B. Fletcher, a resident of and owner of real and personal property in Tyler, Smith County, Texas, departed life in said City of Tyler, Smith County Texas, on October 17th, 1936, as a time when she was and had theretofore been regularly placed upon the pension rolls under the provisions of law relating thereto as a Confederate Pensioner, as prescribed by Article 6227 (R.C.S. 1925). Affiant states that the deceased was his sister and died almost instantly as a result of an automobile collision on October 17th, 1936, in Tyler City Texas, testate, and that the last will and testament of the deceased was admitted to probate in Smith County Court on the 2nd. day of November 1936. Affiant states that he is now and has at all times since November 2nd, 1936 been the sole and only duly appointed, qualified and acting executor of the estate of Mrs. J.B. Fletcher, and as such has the full right to collect and receive any moneys due or payable to her or to said estate.

Affiant states that he is in receipt of a printed memoranda from the Comptroller George Sheppard, and Pat Dooley Chief Clerk of Austin Texas, printed on the outside of the envelope in which said memoranda was enclosed, and that the post mark on said envelope shows that it was received and postmarked as U.S. Mail on the 20th. November 1936, and addressed to "Relatives of Mrs. Jennie Fletcher 416 W. Bow, Tyler, Texas." Affiant states that the addressee Mrs. ~~Jennie Fletcher~~ ^{Jennie Fletcher} the address indicated is the same and identical person as Mrs. J.B. Fletcher whose estate affiant is now acting as Executor, that said letter was forwarded to first one and then another address in Louisville, Ky. and finally came into his hands on or about November 28th, 1936, and that the information contained therein was the first notice he had received of the right of the estate to collect any mortuary sum from the State of Texas as provided in the case of persons legally enrolled as a pensioner. (TX)

Affiant states that the death of the said Mrs. J.B. Fletcher was so sudden that no physician attended her, but that she was buried by Burks-Walker-Daniel Funeral Home of Tyler Texas, on October 19th

(2.)

1936., and that the entire amount of the funeral expenses amounting to \$346.00 has heretofore been paid by affiant as executor , on October 23rd. 1936, for which he holds receipt.

Affiant states that he will if required furnish a certified copy of his appointment as executor of the state of Mrs J.B. (Jennie) Fletcher from Smith County Texas as above referred to herein.

P.A.Steele says the statements in the foregoing affidavit are true and correct.

P.A. Steele

Sworn and subscribed to by P.A.Steele, before me this 1day of December 1936.. My commission expires 18 day of ~~November~~ 1939..

Louise Overton (TX)
Notary Public Jefferson County Ky.

RECEIVED
1936 DEC 23
SMITH COUNTY TEXAS

(. S .)

1936, and the entire amount of the funeral expenses amounting
 to \$40.00 has heretofore been paid by said decedent as executor, on
 October 21st 1935, for which he holds receipts.
 It is further stated that he will if required furnish a certified copy
 of his appointment as executor of the estate of said decedent (deceased)
 together with such other documents as above referred to herein.
 T. Steele says the statements in the foregoing affidavit
 are true and correct.

[Handwritten signature]

Witness my hand and signature at Austin, Texas, this 1st day of
 December 1936.

XT

[Handwritten signature]
 NOTARY PUBLIC, TRAVIS COUNTY, TEXAS

COMPTROLLER
 DEC - 4 1936
 RECEIVED

J. WHEELER CAMPBELL

ATTORNEY AT LAW

725 MARION E. TAYLOR BUILDING
LOUISVILLE, KENTUCKY

December 1st. 1936

Hon. Geo. H. Sheppard, Comptroller,

Austin Tex.

Dear Sir:-

Mr. P.A. Steele of Louisville Ky. has asked me to take up with the proper authorities the collection of the mortuary fund of \$100.00 payable to the estate of Mrs. J.B. Fletcher of 416 W. Bow St. Tyler City, Tex. (sometimes known as Mrs Jennie Fletcher).

After some delay he received a printed notification from your office in reference to the procedure which appears to be Form 3565 -S-658-1235-2m.

Mrs. Fletchers estate being in hands of Mr. Steele, as the only executor, I assume the mortuary fund will be payable to him as such, and have accordingly prepared an affidavit which he has executed before a Notary here, and am enclosing the same affidavit herein.

I have also prepared an affidavit to be sent to the undertakers Burks-Walker-Daniel of Tyler City, asking the proper execution of the affidavit by one of them, and that it be sent when so completed to you.

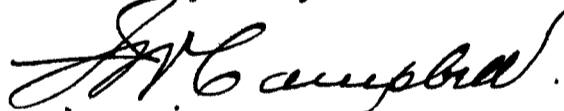
As already indicated in the affidavit of Mr. Steele, there was no attendant physician, and Mrs. Fletcher died almost instantly after the automobile accident causing her death .

If there is required other proof I will thank you for such forms or other necessary information as to what is wanted and Mr. Steele will endeavor to meet the requirements.

Mr. Steele has only one copy of the appointment by the Smith County Court of himself as Executor of the estate of Mrs. J.B. Fletcher on second day of November 1936, and as he may be required to use this in other matters of the estate he does not send it herein but if required will procure an attested copy and send it.

I will thank you for any other information necessary to be furnished.

Yours very truly.



COMPTROLLERS OFFICE
DEC - 4 1936
...

December 7, 1936

17

Mr. J. Wheeler Campbell
Attorney At Law
785 Marion E. Taylor Building
Louisville, Kentucky

Dear Sir:

I acknowledge receipt of your letter of December 1, 1936 in which you request information regarding the matter of the collection of a Mortuary Warrant on account of the death of Mrs. J. B. (Jennie) Fletcher, a Confederate Pensioner whose residence was Tyler, Texas.

You are advised the law of this State requires that in order for the relatives or legal representatives of a deceased Confederate Pensioner to be eligible to receive a Mortuary Warrant on account of the death of a Confederate Pensioner, proof of the death must be on file with this office within forty days from the date of such pensioner's death. On account of the fact that no proof of the death of Mrs. Jennie Fletcher has been filed with this office up to this time, the Mortuary warrant cannot issue, she having died on October 17, 1936.

In order that you may be fully advised as to the law regarding this matter, I am enclosing you a copy of same.

Yours very truly,

JHT:E
encl.

Geo. H. Sheppard
Comptroller of Public Accounts.



429 West Jefferson St.

J. WHEELER CAMPBELL

ATTORNEY AT LAW
725 MARION E. TAYLOR BUILDING
LOUISVILLE, KENTUCKY

December 9th. 1936.

Hon. George H. Sheppard, Comptroller,

Austin, Texas.

In. re.
Mortuary claim for est.
Mrs. Jennie Fletcher, Tyler
Smity Co. Texas. No. 46327.

Dra sir:-

On December 1st. I wrote you in behalf of my client Mr. P.A. Steele, executor uneder appokntment, of the will of Mrs. J.B. Fletcher (Mrs. Jennie Fletcher) of Tyler, Smity County Texas. and enclosed his affidavit showing the death of Mrs. Fletcher etc.

At the time of writing this letter to establish the morturay claim provided by the law of Texas to be paid upon the death of a legally enrolled pensioner, Mr. Steel had not received the form for proof supplied to the undertaker. This form was so far as we can observe properly filled in By Mr. J. Daniel showing the death of Mrs. Jennie Fletcher on Oct. 17th. 1936, and that the body was prepared for burial by him on said day. We assume Mr. Daniel is one of the Burks-Walker-Daniel Firm, to whom the funeral service account has been paid by Mr. Steele.

The "Certificate of Physician" was also filled out by Dr. A.C. Pickhard, M.D. 615 Peoples Bank Bld.g. Tyler, Tex. showing the cause of death of Mrs. Jennie Fletcher.

Mr. Steele has himself filled out that part of the "Application for Mortuary Warrant" signed and verified the same on Dec. 8th. 1936, before Mr. Gains, a qualified Notary Public who certified to same and attached his Notarial Seal, with his signature attached.

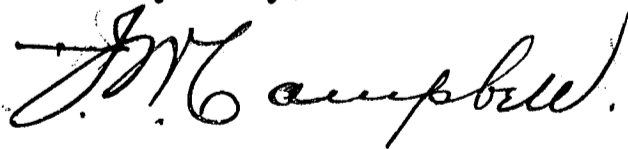

We note there was a stensiled notification in the form to the effect that " Must be returned before 40 days expires from date of Pensioners death". This has been under the circumstances impossible as the forms of proof have not come to the notice of the executor Mr Steele within that time. I trust the strict enforcement of this rule under the circumstanced will not be insisted upon .

If there is any other proof required pleas notify either me of Mr. P.A. Steele , 1290 Willow Ave. Louisville, Ky.

Than the proofs and certificates above referred to, which are enclosed herein I know of no other requirement for the present.

Thanking you in advance for your favorable consideration I beg to remain, sir,

Yours very truly.

December 11, 1936.

17

Mr. J. Wheeler Campbell
Attorney At Law
429 West Jefferson Street.
Louisville, Kentucky.

Dear Mr. Campbell:

This will acknowledge receipt of your letter of December 9 in which you make reference to an affidavit made by Mr. P. A. Steele, and which you state he had not received the form of proof of death furnished by this office.

There is no particular form of proof required by this office. The law requires that proof of the death of a Confederate Pensioner must be filed with this office within forty days from the date of the death of the pensioner, if the Mortuary Warrant shall issue.

If it should be agreed that the form of proof filed by Mr. Steele was sufficient on which to issue a Mortuary Warrant, then such proof must have been filed with this office within forty days from the date of the death of the pensioner.

All the proof shows that the pensioner, Mrs. Jennie Fletcher died on October 17, 1936, and the affidavit made by Mr. P. A. Steele shows to have been executed by him on December 1, 1936 and it did not reach this office until December 4, 1936. Either of these dates would not be within the time required by law.

For your further information, you are advised that on the return of the Confederate Pension warrant issued to Mrs. Fletcher for the month of October, 1936, which warrant was returned to this office by the Postmaster of Tyler, Texas, with information that Mrs. Fletcher was deceased, this office on November 10, 1936 mailed to the relatives of the deceased at Tyler, Texas, the blank form for making application for the Mortuary Warrant, on which blank was printed in red ink a partial quotation of the law, as follows: "Must return before 40 days expires from date of Pensioners' death."

The law does not require that this application should be made by the executor of the deceased but that it may be made by any relative.



#2 Mr. J. Wheeler Campbell, Attorney, Louisville, Kentucky.

or legal representative, or any person or firm responsible for the expense of the burial of the deceased pensioner.

I am sorry to advise that under the present law no Mortuary Warrant can now issue.

Yours very truly,

JHT:E

Geo. H. Sheppard
Comptroller of Public Accounts.

APPLICATION FOR MORTUARY WARRANT

COMPTROLLERS OFFICE
DEC 11 1936
RECEIVED

THE STATE OF TEXAS,
State of Kentucky

County of Jefferson

I, P.A. Steele

do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late Mrs Jennie Fletcher, who was a pensioner of the State of Texas, and whose file number was 46327 and whose original county was Smith

The said pensioner Mrs Jennie Fletcher, died on the 17th day of October 1936, in the town of Tyler

County of Smith, Texas.

The pensioner died in the home of in or on way to Hospital

who was related to the pensioner as Brother, and qualified executor of her estate

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. Jennie Fletcher (Mrs. J.B. Fletcher)

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 Brother, and executor of her estate, that my postoffice address is 1290 Willow Avenue

Louisville,

Street or R. F. D.
Kentucky

City

State

Signed P.A. Steele

Sworn to before me this 8th day of December, 1936

[Signature]

Notary Public in and for Jefferson County Notary Public, Jefferson County, ~~Kentucky~~ Kentucky

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

CERTIFICATE OF UNDERTAKER

I, J. F. Daniel, do certify that I am undertaker in the town of Tyler, County of Smith, State of Ky that I had charge of the body of Mrs Jennie Fletcher, who died in the town of Tyler, County of Smith, State of Ky on the 17 day of Oct 1936. That said body was prepared for burial by me on the 17 day of Oct 1936, and that I am of the opinion that warrant herein applied for should be issued to the said _____ who makes the foregoing application.

Signed J. F. Daniel
Undertaker.

CERTIFICATE OF PHYSICIAN

I, A.C. Rickard, M.D., do certify that I am a practicing physician, and that I attended Mrs Jennie Fletcher in his last illness, and am of the opinion that his ailments were Fractured skull, Crushed Chest Fractured Rt femur & tibia & fibula & Multiple abrasions & contusions of body Caused by being struck by an automobile

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.

Signed A.C. Rickard M.D.
Physician's Address Tyler Tex. 415 Peoples Bank Bldg

TX

COMPTROLLER'S OFFICE
RECEIVED
OCT 1 1908

APPLICATION FOR MORTUARY WARRANT

State of Kentucky
Jefferson

I, the undersigned, do hereby certify that I am a member of the ... who was a member of the ... and whose original number was ... died on the ...

in the town of Tyler ...
I hereby certify that the number of the ... is ...

Brother, and qualified executor of her estate ...
I hereby certify that the amount for the current month has not been cashed by the pensioner to the ...

Mrs. Byrd
410 E. Reever

Signed, _____
day of _____, 1908

COMMISSIONER OF UNDERWRITING

I do hereby certify that I am a member of the ... who was a member of the ... and whose original number was ... died on the ...

COMMISSIONER OF INSURANCE

I do hereby certify that I am a member of the ... who was a member of the ... and whose original number was ... died on the ...

It is the duty of the undersigned applicant to accompany with Act passed by the Thirty-ninth Legislature ...