

12

19506

FORM B

### Widow's Application for Pension

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

Name of Applicant.

*Mary Duncan*

*Anderson* County.

Postoffice *Palestine*  
*106-3d St.*

Filed **OCT 27 1910**

Approved **OCT 27 1910**

Pension allowed from **SEP 1 1910**

Rejected

*E. A. Bolmes*

Commissioner of Pensions.

VON BOECKMANN-JONES CO., PRINTERS, AUSTIN

*# 11785*

Compliments of  
East Texas Genealogical Society  
[www.rootsweb.com/~txetgs](http://www.rootsweb.com/~txetgs)

For use of Widows of Soldiers who are in indigent circumstances.

THE STATE OF TEXAS

County of Anderson

I, Mrs Mary Duncan, 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 March 26, A. D. 1909 on the following grounds:

I am the widow of James Franklin Duncan, deceased, who departed this life on the 18<sup>th</sup> day of July, A. D. 1910, in the county of Anderson, 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 7<sup>th</sup> day of March, A. D. 1869, in the county of Chatham, in the State of Georgia

My husband, the said J. F. Duncan, 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 March 1, A. D. 1880, 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 one hundred and fifty dollars per annum, nor do I own in my own right, nor does any one hold in trust for my benefit or use, estate or property, either real, personal or mixed, either in fee or for life, of the assessed value of over one thousand dollars; 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? 57 years
2. Where were you born? In Georgia
3. How long have you resided in the State of Texas? 35 years
4. How long have you resided in the county of your present residence? And what is your postoffice address? Five years. P.O. Patistone, Box 106 2nd St
5. What was your husband's full name? James Franklin Duncan
6. When and where were you married? March 7, 1869. In Georgia
7. What was the date of his death? July 18, 1910
8. In what State was your husband's command originally organized? Georgia
9. How long did your husband serve? If known to you, give date of enlistment and discharge. From beginning to close of the war
10. 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 of service. Regiment Company "C" of the 10th Georgia
11. 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 how long did he serve? Infantry
12. Have you transferred to others any property of any kind for the purpose of becoming a beneficiary under this law? Have not



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

(Signature of Applicant)

*Mrs Mary Duncan*

Sworn to and subscribed before me, this *12<sup>th</sup>* day of *October*, A. D. 19*10*

*O B Funderburk*

County Judge *Anderson* County, Texas.

[SEAL.]

AFFIDAVIT OF WITNESSES

[NOTE.—There must be at least two credible witnesses.]

THE STATE OF TEXAS

County of *Anderson*

Before me *O B Funderburk*, County Judge of *Anderson* County,

State of Texas, on this day personally appeared *Sarah J Kennedy & J C Kennedy*, 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.

*Mrs. Mary Duncan*, applicant for a pension as the widow of *F. F. Duncan*

deceased, is in truth and fact the widow of *F. F. Duncan* 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)

*Sarah J Kennedy*

(Signature of Witness)

*J C Kennedy*

Sworn to and subscribed before me, this *12<sup>th</sup>* day of *Oct*, A. D. 19*10*

*O B Funderburk*

County Judge *Anderson* County, Texas.

[SEAL.]

AFFIDAVIT OF WITNESSES

[NOTE.—There must be at least two credible witnesses.]

THE STATE OF TEXAS

County of *Anderson*

Before me *O B Funderburk*, County Judge of *Anderson* County,

State of Texas, on this day personally appeared *Sarah J Kennedy & J B Kennedy*, 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 a pension, and that they personally know that the said *Mrs. Mary Duncan*

has been a bona fide resident citizen of the State of Texas since prior to March 1, A. D. 1880, and that they have no

interest in this claim.

(Signature of Witness)

*Sarah J Kennedy*

(Signature of Witness)

*J B Kennedy*

Sworn to and subscribed before me, this *12<sup>th</sup>* day of *Oct*, A. D. 19*10*

*O B Funderburk*

County Judge *Anderson* County, Texas.

[SEAL.]

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..... }

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

*The proof of only one unit was seen, but for further proof of the applicant's husband's service in application see 11,785 which was for her husband's County Judge*

(Signature of Witness).....  
(Signature of Witness).....

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

County Judge..... County, Texas.

[SEAL.]

CERTIFICATE OF STATE AND COUNTY ASSESSOR

I, *Benn D. Jackson*....., State and County Assessor in the County of *Anderson*, State of Texas, do hereby certify that Mrs. *Mary Duncan*, whose name is signed to the foregoing application for a pension, under the Act of the Thirty-first Legislature, approved March 26, A. D. 1909, 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 *200* dollars. TX

Given under my hand, this *26* day of *October*, A. D. 19 *10*

*Benn D. Jackson*  
State and County Assessor.

EX PARTE

Mrs. Mary Duncan  
Applicant for Confederate Pension.

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

The Honorable County Judge of Anderson County, Texas,  
will please take notice that, five days after the 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 Mill Allen  
and Wood who reside in the County  
of Anderson 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 applica-  
tion 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 can not be proven by any witness residing in the County of  
Anderson and State of Texas, of which she is a bona fide resident.

Mary Duncan  
(Applicant's) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness

Mill Allen

- INT. 1. What is your name? Age? Present place of residence and postoffice address?
- INT. 2. Do you personally know, or did you at any time know J. J. Duncan who is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said J. J. Duncan and when and where did you first know him?
- INT. 4. Do you personally know that the said J. J. Duncan 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 J. J. Duncan enlisted and served in the Confederate army? When? Where? And the time of service? If you personally 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 J. J. Duncan 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 further know if J. J. Duncan 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

Mill Allen

TX

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said J. J. Duncan 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 J. J. Duncan 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 you knew of any other soldier or sailor by the name of J. J. Duncan serving in the same company or regiment, or special service in which you say the said J. J. Duncan enlisted, if you have stated that said J. J. Duncan 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 J. J. [Signature]  
applicant serving in the same command, or the special service to which he was assigned?

If you say that you so know other soldiers or sailors of the same name of J. J. [Signature]  
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 J. J. [Signature]  
is the identical person serving as testified by you?

Cross INT. 3. Do you know whether or not the said J. J. [Signature]  
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 J. J. [Signature]  
deserted his command, or voluntarily abandoned his post of duty or the service during said war?

THE STATE OF TEXAS,

County of [Signature]

I, [Signature], 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 answers  
to the hereinabove direct and cross interrogatories of the said herein named witness [Signature] may be attached hereto.

[Signature]  
County Judge [Signature] County, Texas.

[Signature]  
(Applicant) Attorney..... for Applicant.

**Application for Confederate Pension.**

In Re

**Pension.**

FOR USE OF SOLDIERS OR WIDOWS.

[Signature] County, Texas.

Pending before the County Judge of said County.

EX PARTE

Mrs. Mary [Signature]

Applicant. I

INTERROGATORIES

propounded to

Miss Allen

Witnesses.

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act March 26, 1909, pending

Mrs. Mary Duncanson

Applicant for Confederate Pension.

Anderson

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

Miss Allen

Answers and depositions of (1)

to the accompanying interrogations (2)

propounded to *him* in the above entitled cause taken before (3) *Em Blackburn M.P.* in accordance with the accompanying (7) *agreement*

To the first interrogatory the said

Witness, answers

*Miss Allen, 72, Milledale Wood, County Texas,*  
 To the second Int - the witness answers, *yes I knew Mr. Duncanson during the civil war.*  
 To the third Int - witness answers, *Since 1861.*  
 To the fourth Int witness answers *yes I know the he was entitled as a Soldier and performed the duties as such.*  
 To the fifth Int witness answers, *Company C Tenth Gen, May 1861, about 15 months from 1861 to close of civil war.*  
 To the sixth Int witness answers *He was no officer, Private Soldier.*  
 To the seventh Int - witness answers, *He was no Corporal Soldier, He served as a private Soldier in the infantry all during the war.*



To Cross 2<sup>nd</sup> Int witness answers.

I served with J F Duncan for four years during war in same Regiment I know but one J F Duncan and that was but one J F Duncan that I knew during the war.

Do Cross Int witness answers

yes =

To Cross 3<sup>rd</sup> Int witness answers

yes I know that J F Duncan served as an honorable Soldier during war until close.

Do Cross 4<sup>th</sup> Int Witness answers.

No he did not.

Subscribed and sworn to before me, this 14th day of October, 1900  
Em Bleckburn Justice Peace  
Ex officio N.P. Wood Co Texas

Mell Allen

THE STATE OF Texas  
County of Wood

I, Em Bleckburn Ex Officio N.P.  
(Here give name and official character of officer before whom taken.)

Mell Allen

do hereby certify that \_\_\_\_\_  
and \_\_\_\_\_ are personally known to me to be credible citizens of said  
County and State, and that the foregoing answers of Mell Allen

the witness \_\_\_\_\_ before named, and \_\_\_\_\_

Mell Allen, whose name appears signed to the foregoing deposition, were made before me

and were sworn to and subscribed before me, by said witness (4) Mell Allen

Given under my hand and official seal, this the 14th day of October, 1900

(L. S.)

Em Bleckburn JP. Ex Officio  
Notary Public Wood Co 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.

File No. ....

In \_\_\_\_\_ County, Texas,  
Before the Honorable County Judge of said County.

**EX PARTE**

Applicant for Confederate Pension

**DEPOSITION**  
OF

Witness \_\_\_\_\_ for Applicant

Filed \_\_\_\_\_ day \_\_\_\_\_

of \_\_\_\_\_ 190 \_\_\_\_\_

Clerk.

By \_\_\_\_\_ Deputy.

Fee for Taking Deposition, \$ \_\_\_\_\_



THE E. L. STECK CO., AUSTIN

MORTUARY WARRANT ACCOUNT

3131-720-1M

STATE OF TEXAS

Galveston Texas, March 29<sup>th</sup> 1922

To O. C. Duveaux Dr.

WRITE ADDRESS PLAINLY Galveston, Texas

Account of Death of Pensioner No. 19506, County Anderson

Pensioner's Name in full Mary Walter Duveaux

Account must be itemized, but Mortuary Warrant will not be issued for more than Thirty Dollars.

For funeral expenses of the said Mary Walter Duveaux, deceased, and paid by the said O. C. Duveaux, and which were in excess of \$30<sup>00</sup>, but under the law this account is made and presented for only \$30.00

(TX)

The above account for Thirty Dollars is just, due and unpaid.

Sworn to and subscribed before me this 29 day of March 1922

Notary Public, Anderson County, Texas

19506

APPLICATION FOR MORTUARY WARRANT

STATE OF TEXAS,

County of Anderson } I, B. C. Duncan

do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late Mary Walter Duncan, who was a pensioner of the State of Texas, and whose file number is 19506 and whose original county is Anderson

The said pensioner, Mary Walter Duncan, died on the 1st day of March, 1927, in the town of Palestine, Texas, County of Anderson, Texas.

The pensioner died in the home of her daughter Mrs. Maggie Mumm who was related to the pensioner as daughter

That the warrant, which application is hereby made for, shall be applied to paying all or part of the expenses incurred by the said pensioner, Mary Walter Duncan

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

I am related to the pensioner as (Friend) Son and that my home is in the town of Palestine, County of Anderson, State of Texas, that my postoffice address is 601 S. Magnolia St. Palestine, Texas

Signed B. C. Duncan

Before me, H. C. Campbell in and for the County of Anderson, State of Texas, personally appeared B. C. Duncan, who being by me duly sworn did certify to, and sign the foregoing statement.

(Seal of Office)

H. C. Campbell in and for Anderson, Texas.

CERTIFICATE OF UNDERTAKER.

I, T. B. Bailey, do certify that I am undertaker in the town of Palestine, County of Anderson, State of Texas that I had charge of the body of Mrs. Mary Walter Duncan, who died in the town of Palestine, County of Anderson, State of Texas on the 1st day of March, 1927. That said body was prepared for burial by me on the 1st day of March, 1927. That said body was buried in the East Hill Cemetery, which is located in the County of Anderson, State of Texas, and that I am of the opinion that warrant herein applied for should be issued to the said B. C. Duncan, who makes the foregoing application.

Signed T. B. Bailey Undertaker.

CERTIFICATE OF PHYSICIAN.

I, A. L. Stubbcock, do certify that I am a practicing physician, and that I attended Mrs. Mary Duncan in his last illness, and am of the opinion that his ailments were DIED suddenly of an infarction of abdomen of aorta, which ruptured into stomach. This conclusion reached from the fact of vomiting of blood at his eye collapse

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-fifth Legislature, and approved March 2, 1917.

Signed A. L. Stubbcock Physician.

Physician's Address Palestine, Texas

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