

Application of Indigent Soldier or Sailor of the Confederacy for Pension under the Act of February 25th, 1915

THE STATE OF OKLAHOMA,

County of Adair

I, Andrew J. Alberty

do hereby make application to the Board of Pension Commissioners for a pension to be granted me under the Act passed by the Fifth Legislature of the State of Oklahoma, and approved February, 25, 1915, on the following grounds:

I enlisted and served in the military service of the Confederate States during the war between the States of the United States, and that I did not desert the Confederate service, but during said war I was loyal and true to my duty, and never at any time voluntarily abandoned my post of duty in the said service; that I was honorably discharged or surrendered

disbanded by Quartermaster J. P. Mayo at Boggy Depot Choctaw Nation, subsequent to the surrender of Gen. R. E. Lee

(Give date and cause)

and I have been a bona fide citizen of this State for over twelve months prior to the passage and approval of the Pension Act, approved February 25, 1915. I do further state that I do not hold any National, State, city or county office which pays me a salary or fees of \$180.00 per annum, nor have I an income from any other employment, nor do I receive from any source whatsoever, money or other means of support amounting in value to the sum of \$180.00 per annum, nor do I own in my own right, nor does any one hold in trust for my benefit or use, nor does my wife own, nor does any one hold in trust for my wife, estate or property, either real, personal or mixed, either in fee or for life, of the assessed value of over One Thousand Dollars, household goods and wearing apparel excluded, nor do I receive any aid or pension from any other State or from any other source, and that I am not an inmate of the Confederate Home, or any other benevolent or penal institution, and I do further state that the answers given to the following questions are true:

- 1. What is your age? 66 yrs
2. Where were you born? Goingsnake Dist Ind. Terr.
3. How long have you resided in Oklahoma? 66 yrs
4. In what county do you reside? Adair
5. What is your postoffice address? Wauhillaw, Okla.

6. Have you applied for a pension under the Confederate Pension Law and been rejected? If rejected, state when and where no

7. What is your occupation, if able to engage in one? farmer

8. What is your physical condition? good for age

9. In what State was the command in which you served organized? D. I.

10. How long did you serve; give, if possible, the date of enlistment and discharge served from Spring of 1864 and remained until surrender

11. What was the letter of your Company, number of Regiment, Battalion or Battery Co "G" 2 Cherokee

12. If transferred from one command to another, give time of transfer, name of command and time of service transferred to Epl Adair's Co same Reg. 1864

13. What branch of the service did you enlist in, infantry, cavalry, artillery or navy? Cav.

14. If commissioned direct by the President, what was your rank and line of duty? private

15. If detailed for special service, under the law of conscription, what was the nature of your service and how long did you serve? applicant was with Co "G" from 1861 until 1864 but in the 3 yrs he did not enlist because of his youth.

16. What is the assessed value of your home, if you own a home? 200.00

17. What is the assessed value of your other property? none taxable

18. Have you ever transferred your property to anyone with the understanding that you were to be cared for during your life time? no

19. Have you transferred to others any property of any kind for the purpose of becoming beneficiary under this law? no

AFFIDAVIT OF WITNESSES

NOTE—There must be at least two credible witnesses.

THE STATE OF OKLAHOMA, }

County of Adair

Before me,

John A. Goodall

(County Judge, Notary Public, Justice of Peace)

of Adair County, State of Oklahoma, on this day personally ap-

peared C. P. Wright and J. J. Nunagai

known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know Andrew J. Alberty

the above named applicant for a pension, and that they personally know that the said

Andrew J. Alberty
has been a bona fide resident citizen of the State of Oklahoma, twelve months prior to

February 25, 1915, and that they have no interest in his claim.

(Signature of Witness) *C. P. Wright*

(Signature of Witness) *J. J. Sunagan*

Sworn to and subscribed before me this *2nd* day of *July* A. D. 191*5*

John G. Goodall
(County Judge, Notary Public, or Justice of Peace)

(SEAL)

AFFIDAVIT OF WITNESSES

NOTE—There must be at least two credible witnesses.

THE STATE OF OKLAHOMA, }

County of *Adair*

Before me, *John G. Goodall*

County Judge of *Adair* County, State of Oklahoma, on this day per-

sonally appeared *C. P. Wright and J. J. Sunagan*

known to me to be credible citizens, who, being by me duly sworn, on oath state that they are personally acquainted with the said

Andrew J. Alberty

the foregoing applicant, and that the facts set forth and statements made in his application are correct and true to the best of their knowledge and belief, and that they have no interest in his claim, and said applicant's habits are good and free from dishonor. And *affiants*

further make oath to the following facts touching the applicant's service in the Confederate Army (state fully your source of knowledge): *Both are*

ex-Confederate soldiers and served with Andrew J. Alberty in same command and knew he was a faithful soldier and knew he was a member of Co G 2 Cheokes

Affiant Wright was in Co I 2 Che and later in Co G. Sunagan

(Signature of Witness) *C. P. Wright*

(Signature of Witness) *J. J. Sunagan*

Sworn to and subscribed before me this *2nd* day of *July* A. D. 191*5*

John G. Goodall
County Judge,
Adair County, Okla.

(SEAL)

Form A No. 17

The Commissioners of Pension re-
serve the right to call for additional
testimony if they deem it necessary.

Name of Applicant

Andrew J. Alberry

County

Postoffice *Newhillaw Okla.*

Filed *7/5/15*

Approved **OCT 7 - 1915**

Amt. of Pension allowed ~~1.667~~ **7**

Pensio **1** allowed from **JUL 1 - 1915**

Rejected -----

Chairman.



WARDEN COMPANY, OKLAHOMA CITY

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, July 15, 1915.

Respectfully returned to the

Chairman,

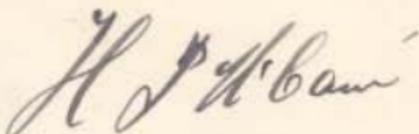
Oklahoma Board of

Pension Commissioners,

Oklahoma City.

The organization mentioned within has not been identified.

The records show that one Andrew Alberty, private, 1st Co. G, Watie's Regiment Cherokee Mounted Volunteers (known also as the 2d Cherokee Mounted Rifles), C.S.A., enlisted July 12, 1861. On the roll dated December 4, 1861, only roll on file, his name is borne without remark as to his presence or absence. No later record found.



The Adjutant General.

From Wesley S. Liberty
P. O. Stilwell, Okla
County Adair

P-8



PENSION COMMISSIONER

CAPITOL BUILDING, ROOM 543

OKLAHOMA CITY,

OKLAHOMA

P. 8

Wauhullau Okla.
December 11 / 1916,

State of Oklahoma
Board of
Pension Commissioners.
Oklahoma City.

Dear Sirs:—

I have not heard from the
Board since i received my
last check i believe it was
october the last if there is
any thing wrong Please notify
me

yours

Respectfully

Andrew J. Alberty

A-17

P-8

Stilwell, Okla. Mar. 4. 1931.

Mrs. A. P. Watson.

Dear Sir: -

In regard to my pension I sure thank you for the \$25 back pay. I was short on one check I think it was \$15. about June 1929. I dont just remember but wish you would please look on the record and send what is behind. I am 86 years old and crippled and a burden on my son as that he cant get out away from home to work and my pension wont keep his family and my drug bills. I think I should have a little more and would like to have it arranged to come every month. just one more question does the govt. bury the old soldier? Please look into this matter at once and let me hear from you. Yours Truly,

Andrew J. Albury

R. 5.

Stilwell, Okla.

March 17, 1931.

P-8

Mr. Andrew J. Alberty,
Route 5,
Stilwell, Oklahoma.

Dear Mr. Alberty:

Replying to your letter of March 4th beg to say that we cannot send you any money excepting that which the Legislature appropriates; and since they saw fit to give only an amount sufficient to cover the deficiency which occurred last June you will have to be content with that. We all think it was pretty fine of them to give us even that much.

We here in the office are hoping you keep your health and live a long time yet. Your name is the very first on our pension roll now. The pension law in regard to making the payments quarterly has not been changed, so we cannot send the money to you monthly. You should not expect your pension money to keep you and your son's whole family.

With kind wishes from all of us, we are

Your friends,

CONFEDERATE PENSION DEPARTMENT,
A. P. WATSON, COMMISSIONER.

By

Clerk

JOHN A. GOODALL
ATTORNEY
STILWELL, OKLA.

PS

May 5, 1933

Miss Maybelle Etter
Pension Clerk, Pension Department
Capitol Building
Oklahoma City, Oklahoma

Dear Miss Etter:

Re: Pensioner No. 8,
A. J. Alberty, Dec'd,
Stilwell, Oklahoma.

Your favor of the 18th ultimo explained the delay in issuing the pension warrant in this matter is at hand, and your message of condolence has been delivered to Mr. Alberty. I am advised that the \$81.00 which was sent has been paid to the Funeral Home in part payment of the funeral bill of \$120.00 for which Mr. Marvin Alberty is personally obligated.

Mr. Alberty thought that you would probably pay the pension for the quarter during which Mr. A. J. Alberty died. He lived thirteen days into the quarter in question. If it is possible to pay for this quarter also it would be greatly appreciated and is sorely needed for the payment of funeral bill.

Mr. J. F. Roberts of the Funeral Home in question says that he thought it had been a practice to pay for the quarters during which the pensioner passed away. You will kindly advise Mr. Marvin Alberty direct in regard to this matter addressing him at Stilwell, Oklahoma.

I remain

Thanking you for your many courtesies,

Yours truly,

John A. Goodall
John A. Goodall
Attorney at Law
AB.

JAG:AB

May 8th, 1933.

P-8

Mr. Marvin Alberty,
Stilwell, Oklahoma.

Dear Sir:

We are in receipt this morning from Judge Goodall, of Stilwell, asking us to write you direct concerning a pension warrant covering that portion of the present quarter during which your father, Andrew J. Alberty lived. As I wrote Judge Goodall on last April 13th, only the March warrant was due you, and that we could not issue one covering the time from April 1st to the 13th, since Mr. Alberty had no claim in for that period of time; and you understand we have to present a claim signed by the pensioner, to the State Auditor for payment, or we get no warrant. We are indeed sorry if you were expecting such a warrant, and are therefore disappointed.

We had to wait on the Legislature to appropriate funds for the March payment, and were therefore quite late in sending out the March warrants and June claim blanks. But this delay was quite unavoidable, and we are indeed thankful that our pensioners did at last receive a payment, even though it was not nearly so large as heretofore; we are grateful that the pensions were not cut off entirely.

With much sympathy to you over the loss of your father, and kind wishes, we are

Very sincerely yours,

Confederate Pension Department,
W. B. Cantwell, Commissioner,
Mrs. Lottie H. Walcott, Secretary,

By

Clerk

C.C. to Judge Goodall.

JOHN A. GOODALL
ATTORNEY
STILWELL, OKLA.

P 8

April 15, 1933

State Pension Commissioner
Capitol
Oklahoma City, Oklahoma

Dear Sir:

I regret to advise you of the death of Mr. A. J. Alberty which occurred on the 13th instant. His son, Mr. Marvin Alberty of this place advises me that there are two checks or warrants due him that he had not cashed, one for the past quarter and one for the present quarter. It is the desire of the family that these two warrants be used for his funeral expenses and if they are to be reissued they can be reissued to the Roberts Funeral Home to apply on his burial expenses.

Yours truly,

John A. Goodall

JAG:AB

R. Pl. cd. cl. List. agi
in

April 18, 1933.

P-8

Honorable John A. Goodall,
Stilwell, Oklahoma.

Dear Sir:

Your letter of April 15th received and we are so very sorry to learn of the death of our Pensioner No. 8, Mr. A. J. Alberty. We surely will miss this name from our Roll, and will you please extend to the son, Mr. Marvin Alberty, as well as to all others of the family our deep sympathy? We have all felt as if Mr. Alberty were our personal friend, his name having been on our Roll ever since 1915.

As to the pension warrants, only one is due, as no claim is in for one covering this present quarter. The March 31st warrants have been delayed because of lack of funds, and we are still waiting on the Legislature to act on our appropriation bill, as well as on another bill relating to reduction of quarterly payments. If action is taken this week, as no doubt it will be, we hope to issue the warrants and send them out within the next three weeks or so, although we cannot tell the exact time. The emergency clause is attached to the reduction bill, so when the bill is passed we will have to issue the March warrants in the reduced amounts. Mr. Marvin Alberty will be safe in advising the funeral home that he will have \$81.00 to apply on their bill for his father's funeral. Of course we will send him this warrant just the minute we can get it out.

Thanking you for writing us, and in advance for delivery of above message both of sympathy and of explanation to Mr. Marvin Alberty, I am

Yours very truly,

CLERK



D. W. BUSHYHEAD
ADAIR COUNTY
WESTVILLE, OKLAHOMA

HOUSE OF REPRESENTATIVES

STATE OF OKLAHOMA

FOURTEENTH LEGISLATIVE SESSION

August, 15th, 1933.

VICE-CHAIRMAN COMMITTEES ON:
GENERAL INVESTIGATION
INDIAN AFFAIRS
MEMBER COMMITTEES ON:
APPROPRIATIONS
AGRICULTURAL EDUCATION
FEES AND SALARIES
FISH AND GAME
JUDICIAL REDISTRICTING
ROADS AND HIGHWAYS
STATE SCHOOL LANDS

P-8

RECEIVED
AUG 16 1933

Mr A.P. Watson
Commissioner of Pensions.
Oklahoma City, Okla.

CONFEDERATE PENSIONS

Dear Sir;

At the Request of Mr. B. M. Alberty I am writein
you in regard to his Father,s pension who died & on 13th day of ~~and~~
4th of May.
April, he was due a chek of \$120.00 on the 7~~th~~ ~~of~~ ~~April~~, you sent
him a check of \$81.00 he says that the Commission allows a burial
fee of \$75.00 if that is correct his boy would be allowed \$120.00
his Name was Andrew J. Alberty No, 8. this will be easy for you to
refer to,

Thanking you for a prompt reply,

I am yours very reply,

D. W. Bushyhead

August 18, 1933.

Mr. D. W. Bushyhead,
Westville, Okla.,

Re: P-8

Andrew J. Alberty.

Dear Sir:

We have had some correspondence with Mr. Alberty also Judge Goodall in regard to this matter and he was told, will send a copy of letter written him May 8th which will explain.

"We are in receipt this morning from Judge Goodall, of Stilwell, asking us to write you direct concerning a pension warrant covering that portion of the present quarter during which your father, Andrew J. Alberty lived. As I wrote Judge Goodall on last April 18th, only the March warrant was due you, and that we could not issue one covering the time from April 1st to the 18th, since Mr. Alberty had no claim in for that period of time; and you understand we have to present a claim signed by the pensioner, to the State Auditor for payment, or we get no warrant. We are indeed sorry if you were expecting such a warrant, and are therefore disappointed.

We had to wait on the Legislature to appropriate funds for the March payment, and were therefore quite late in sending out the March warrants and June claims blanks. But this delay was quite unavoidable, and we are indeed thankful that our pensioners did at last receive a payment, even though it was not nearly so large as heretofore; we are grateful that the pension was not cut off entirely".

You will understand why he did not get the warrant for that quarter and you being in the 14th Legislature, know that the pensions were cut to \$81.00 per quarter instead of \$120.00 as heretofore. We are sorry but there is no law requiring to pay that last warrant but it has always been a rule of the Department to pay the warrant in the quarter, in which, the pensioner dies provided the CLAIM for such is on file at the time of death and it was not so in this case.

Yours truly,
E. B. Cantrell,
Commissioner.

By,

Secretary,

QUARTERLY CLAIM BLANK

STATE OF OKLAHOMA

COMMISSIONER OF PENSIONS
 OKLAHOMA CITY, OKLAHOMA
 DEPARTMENT NO. 69

Filed

PENSION NO.

8 ANDREW J ALBERTY
 R-5
 STILWELL OKLA

In Account With

P. O. Address

Amt. Claimed

For quarter ending JUN 30 1933

Approved

\$81.00 ~~\$81.00~~
\$120.00

The State Auditor is hereby authorized to deliver warrant issued in payment of this claim to the Commissioner of Pensions, who is authorized to mail said warrant to claimant at address hereinafter stated.

I, the undersigned claimant, hereby declare that I am the identical person to whom the pension hereinabove claimed was granted; that I am a resident of the State of Oklahoma, and have not been absent therefrom for a period of more than six consecutive months, last past; that the conditions existing at the time of making my application and upon which the pension was originally granted, still exist; that I have full knowledge of the above and foregoing account; that the same is just, correct, due and according to law, and that the amount claimed, after allowing all just credits, is now due and wholly unpaid.

Petitioner Must Sign Name Exactly As It is Written Above, Using Ink

GIVE YOUR PERMANENT ADDRESS:

P. O.

Route Box.....

St. No.

.....
 Pensioner sign on this line as above written. Must be signed in the presence of two citizens who must also sign the claim as witnesses.

On this day of 193....., personally appeared the above named pensioner before the undersigned witnesses, and in their presence duly signed the foregoing claim.

SIGNATURES
 OF TWO
 WITNESSES

..... Address.....
 Address.....

DATE, SIGN AND RETURN AT ONCE