

Filed May 13 - 1912
J. C. Ferguson
C. J. M. C.

Questions for Applicant

STATE OF KENTUCKY,

Morgan County.

Elizabeth Kelly of said State and County, desiring to avail herself of the pension allowed to Indigent Widows of Soldiers, General Assembly, approved March 11, 1912, hereby submits her proofs, and after being duly sworn true answers to make to the following questions, deposes and answers as follows:

1. What is your full name and where do you reside? (Give State, County and Postoffice.) Elizabeth M. Kelly, Grassy Branch P. O. Morgan County, Ky.
2. How long and since when have you been a resident of this State? Since early girlhood.
3. When and where were you born and what was your maiden name? Born in North Carolina, sixty nine years ago last July the 14th day of the month November and name Elizabeth Onalgha.
4. When and where was your husband born—state his full name, and where were you and he married, and who performed the marriage ceremony. (If possible, attach certified copy marriage license in every case.) I do not remember where my husband was born, but has resided in Kingsport, Tenn. His full name is Kelly, James in Sevier County, Tenn. Judge Hogge performed the marriage ceremony.
5. When and where and in what Company and Regiment did your husband enlist or serve during the war between the States? In Co. 10 Ky Cavalry in Aug. 1862. Afterwards known as the 13th.
6. How long did your husband serve in said Company and Regiment? Until captured and taken to prison at Rock Island, where he remained March 1865.
7. When and where did your husband's Company and Regiment surrender? In Sevier County, Virginia, April 1865.
8. Was your husband present at the time and place when his Company and Regiment surrendered? No. He was at home a parolee prisoner in Lee County, Virginia.
9. If not with his command at surrender, state clearly and specifically where he was, when he left command, for what cause and by what authority? at his Mother's in Lee County, Va. a parolee prisoner.
10. When and where did your husband die? In 1875 in Memphis, Tenn. Sept 7.
11. At the time of your husband's death, were you living with him as his lawful wife? Yes, Sir.
12. Have you married since the death of your soldier husband? No, Sir.
13. What property, real or personal, or income do you have or possess, and its gross value? I have \$400.00 interest in a small tract of land one Pott # 35-00.
14. Have you a family? If so, who compose such family? None at all.
15. Name some friend, giving his name and postoffice address, who will be willing to have us write to him about your case if necessary. Dr. W. L. Garsden, Grassy Branch P. O. Morgan Co. Ky.

Sworn to and subscribed before me, this, the 1st day of May 1912 }
W. F. Perkins, Notary Public
of Morgan County.

Elizabeth M. Kelly
Notary Public, Morgan Co., Ky.
My commission expires Jan. 21, 1916.

Questions for Witnesses

STATE OF KENTUCKY,

Morgan..... County.

W. H. Pratt and J. Jefferson Goetz, of said State and County, having been presented as a witness in support of the application of Mrs. Eliza M. Kelly..... for a pension under Confederate Pension Law, approved March 11, 1912, after being duly sworn, true answers to make to the following questions, deposes and answers as follows:

1. What is your name and what is your postoffice address? W. H. Pratt, White Oak P.O.; J. Jefferson Goetz, Gray's Creek; Morgan County, Ky. I am acquainted with Mrs. Kelly.
2. Are you acquainted with the applicant, Mrs. Eliza M. Kelly, have known her since she was married or before? If so, how long have you known her? More than forty years.
3. Where does she reside, and how long and since when has she been a resident of this State? She resides on Gray's Creek, Morgan County, Ky. and she has resided in Kentucky for more than fifty years.
4. Were you ever acquainted with her husband? Yes, Sir.
5. Were either or both of you present at the marriage? I was not present at her marriage, but I know she and Wm. E. Kelly lived together as husband and wife. I have stayed at their house while.
6. How long did you know him? Fifty years. They lived together as such.
7. When and where did Wm. E. Kelly enlist in the war between the States, and in what Company and Regiment did he enlist, and how do you know this? In Setches County, Ky. in 1862 - in Co. H, 10th Cavalry mounted rifles. I served in same Regiment with him. I was in the 13th Regt.
8. Were you a member of the same Company and Regiment at the close of the war? I was a member of same Regt. I was in Co. B, 11th.
9. How long did he perform regular military duty? From September 1862 until June 1863 - or June 1864 when he was captured at Glad Mills Va. or South Canada and remained in prison until close of war.
10. When and where was his Company and Regiment surrendered? When he was paroled in Lee County, Va. at close of war.
11. Were you with the command when it surrendered? Yes.
12. Was Wm. E. Kelly, the husband of applicant, present? He was at Lee County, Va. at the time of his capture.
13. If not present, where was he? In Burnsville at home as above stated.
14. When and where did he leave his command? Did not leave except when captured at Lee County, Va. as above stated in Burnsville. For what cause? Only as above stated.
15. By whose authority did he leave? As above stated.
16. How do you know all this? (State fully and clearly.) I knew him before the war and served in same Regiment and was in prison with him at Rock Island, Ill. and paroled together and I know he was paroled home after we returned to Lee County, Va.
17. When and where did Wm. E. Kelly die? I have heard he died in Menifee County, Ky. in 1895. I have often seen Eliza M. Kelly since it is said her husband died.
18. Where did he reside at his death, and how long had he been a resident of Kentucky at his death? He resided in Menifee County, Ky. and he has lived in more than fifty years.
19. Do you know of your own knowledge that applicant is the lawful widow of Wm. E. Kelly? I know it is said he is dead, and that she has not married since his reputed death & have no doubt that he is dead.

18. Has she remained unmarried since her soldier husband's death, and is she now his widow?

I think she has. She is yet his widow as I believe

19. What property, effects or income has the applicant, if any, and how do you know this of your own knowledge?

I understand she has \$400. interest in some land and an overhouse.

Has applicant conveyed any property, in the last two years or given any away, if so, what was it, and to whom?

Not to my knowledge as belief.

NOTE.—Let the witness who can answer the greatest number of the questions do so; then let the other witness state in the space below how much of the testimony of the first witness he concurs in, and whether or not he can answer any of the questions not answered by the first witness.

I know they lived together as husband and wife and I know she is the widow of Wm. E. Kelly, that he is dead, that she has not remarried since his death and that she has no property or income except as stated above.

Sworn to and subscribed before me this 13th day of June 1912

*J. H. Sebastian
Clerk*

Witness
J. W. By

*Wm. H. Matt
man*

*J. Jefferson
man*
Witnesses.

THE FOLLOWING CERTIFICATE OF THE COUNTY JUDGE MUST BE FILLED OUT WHETHER THE APPLICANT OWNS ANY TAXABLE PROPERTY OR NOT.

I, *J. C. Ferguson* Judge of *Morgan* County, Kentucky, hereby certify that the property assessed on the tax books of this County to Mrs. *Eliza M. Kelly* the widow of *Wm. E. Kelly* amounts to \$ *nothing* real estate and \$ *nothing* personal. *J. C. Ferguson* Trustee. For *Morgan* County, Ky.

Certificate of Clerk of Court or Notary Public

STATE OF KENTUCKY,

Morgan County.

I, *J. H. Sebastian* Clerk or Notary Public, in and for said county, hereby certify that the applicant, Mrs. *Eliza M. Kelly* resides in said county, and has been a bona fide resident of this State since the *13th* day of *June* years last past, and that the witnesses, Mr. *Wm. H. Matt* and *J. Jefferson* are of trustworthy character, and that their statements are entitled to full faith and credit.

I do further certify that before answering the foregoing questions, the applicant and said witness took the oath herein prescribed, and the full text of the affidavits was read to the applicant and witnesses before the same was signed and subscribed.

Witness my hand and official seal this 13th day of June 1912.

(SEAL)

J. H. Sebastian
Clerk Morgan County.

- Note—1. Before any questions are answered, the Clerk or Notary shall swear applicant and the witnesses in the following words: "You do solemnly swear that you will true answers make to each of the questions asked of you, and the evidence you shall give will be the whole truth; so help you God."
- 2. Additional affidavits may be attached, if blank spaces are insufficient.
- 3. All affidavits must be made before an officer using a seal.
- 4. Only widows who were the wives of soldiers need apply—and are now widows. Those married since Jan. 1st, 1890, not entitled.
- 5. Two witnesses are necessary to make out claims.
- 6. Attach certified copy marriage license in every case, or certificate of County Court Clerk, under seal, that license is filed in his office duly certified by officiating minister, or the affidavit of the officiating minister, or the affidavit of a witness of the ceremony, or the affidavit of two witnesses who knew them as man and wife, prior to January 1, 1890, and knew that they were living together on the date of his death.

NOTICE TO APPLICANTS.

The Widows' Pension Law, passed by the Kentucky Legislature, provides for the widows of *soldiers only*, and they must have been residents of the State of Kentucky since January 1, 1907.

Widow must have married prior to 1890.

To be eligible the applicant must have remained a widow after the death of her soldier husband, and must be indigent. Read the questions in the application carefully and answer them fully.

Read the law, and unless you come clearly under the laws it will be useless to file application.

1394

No.

**Widow's
Indigent Pension**

Name *Elizabeth M. Kelly*

Filed JUL 18 1912

Widow of *Wm. E. Kelly*

All blanks on this filing to be filled by the Pension Board

ADJUTANT GENERAL'S OFFICE

JUL 20 1912

1936976

WAR DEPARTMENT

Address: "The Adjutant General,
War Department, Washington, D. C."
1936976

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,
WASHINGTON, July 22, 1912.

Respectfully returned to the
Examiner,
Confederate Pension Department,
Frankfort, Kentucky.

The records show that William E. Kelly, private, Company H, 13th Kentucky Cavalry (also known as the 10th Kentucky Infantry), Confederate States Army, enlisted September 26 (year not stated); that he was captured June 10, 1864, at home, and that he was paroled at Rock Island Barracks and transferred for exchange March 6, 1865. No later record of him has been found.

Henry P. McCann
Adjutant General.

7

Indorsement

Confederate Pension Department

STATE OF KENTUCKY

FRANKFORT.

MRS. ELIZA M. KELLY,
WIDOW OF WILLIAM E. KELLY, who
enlisted Sept. 26, 1862, Co. H,
13th Kentucky Cav., and he was
captured June 10, 1864, and
was exchanged Mch. 5, 1865 and
furloughed for 30 days. Proven
by the record and comrades.

Property: \$400.00

W E S

I recommend that this
claim be allowed.

J. Handy Ellis
Adjutant General.

Allowed by the State
Pension Board.

James M. McCreary
Chairman.

W. E. KELLY, Co. H 10th Ky. Cav.

No. W

HEADQUARTERS

Confederate Pension Department

W. J. STONE, EXAMINER

FRANKFORT, KY.

JUL 18 1912 191

GEN. W. P. HALL,
Adjutant General, U. S. A.,
WASHINGTON, D. C.

Dear Sir :

Mrs. *Elizabeth Kelly*

who is an applicant for pension under the Kentucky Widows' Pension Law,
claims that her husband *Wm E Kelly*

was a member of Company *A* Regiment *10th Ky* C. S. A.,
and was

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.....

Please give me the record of this soldier.

Respectfully,

W. J. Stone
.....
Examiner.

Headquarters Department of Richmond,

Richmond, Va, ^{to} March 12 1865

SPECIAL ORDERS



In obedience to instructions from the Secretary of War, the following named men (paroled prisoners) are granted leaves of indulgence for 30 days, (unless sooner exchanged); at the expiration of which time, those belonging to commands serving north of the Southern boundary line of North Carolina, and in East Tennessee, will report immediately to them, if exchanged; otherwise, they will report, to Camp of Paroled Prisoners, Richmond, Va. All other paroled prisoners, except those whose command are serving within the limits above mentioned, will also report, at expiration of their furloughs, to Camp of Paroled Prisoners, Richmond, Va.

Priv H E Kelly Co H 10th Ky Cav

Paid 12 mos from Dec 3/63 #191
Camp Lee March 10, 1865
Listed on duty again
at S. Moore
Capt H. A. Lee

Quartermaster will furnish Transportation.

By order of Lt. Gen. R. S. EWELL.

Inch 12 1/2
William A. Allen
Asst. Adj. Gen.

Friday March 12 1865

Issued on ration

A. B. Stewart
Maj. Gen.

Rations given for 1 day (1865)

A. B. Stewart
Capt. Gen.

Two days Rations furnished

Mar 17/65

R. D. Gardner

Lt Col Comdg Post

(2) Two rations issued from

21 to 22 Mar 65

G. W. Alderson

Capt. Gen.

163
Camp Gladwell Va July the 10th
Mrs E M Kelly

Dear Wife

It is not now that I seize on
the opportunity to let you know
that I am still in ~~misery~~ my
friends ~~in~~ ⁱⁿ ~~the~~ ^{the} ~~hope~~
ing these few lines may find you
enjoying the same the Yankees came
on me on ~~expected~~ & captured
several of our men with them
They got Col B. C. Condit & 5
captains capt Hays, capt Brashers
capt Stamer, capt Gaudin
& capt ~~Stacy~~ & several ~~others~~
all amounting 118 men. They
rip all of our tents & cloths, ~~carried~~
& several ^{cooking vessels & pans} other things, nobody killed
8 of our men wounded slightly
The Yankees carried them off they
got all of our clothing but what
we had on left me many
shirts to get but I hope we
get to pay them back for

May the 6

Mr J W Perry

Dear Sir I will send you
one of my letters to show
he was a soldier & that
I was his wife try to take
care of his Bage if you
can for William told me
on his Death Bed to keep
it as long as I lived
So dont get it misplaced if
it can be hope Yours
Respectful E M Kelly

i Dont know where it will
hit to come home Boxil lissen
at every time you hear a bout
up you will hear a hundred
lies that will bare good
faces Major has gone to Abingdon
to get things for us as we get
to living again Lieut. Cook & Jesse
Sandill is with us + one or two
to stay at Gladsville + if you have
any chance send me a shirt + a life
line. We got 8 men
wounded so they had to kill
them off in a quarrel. The
Major was all around us
for we knew they was in wa
shooting in our tents several of the
boys got out but the bullets was
whirle as thick as hair a round them
it happend to be staying with your
papa that night Jonathan was at
Mr. Geiser they overtook but I
not go up to the tent for any
body left him on up stairs
they left he come down left

he says he thought pretty strong
of having to go to camp house
I guess he felt in spots as big
as a sheep pen he aint very well
but nothing serious the doctor
your papa says he thinks his fever
is brok but she is very weak but
in a better condition than
when Jesse was here I
dont had any fever for 2 or 3 days
got a new doctor + taking medicine
very strong it is time for his
fever to be up + he is a sweating very
freely he says he is coming home
as soon as he gets well or able he says
he is bound to go to Abingdon in

This month if he is able & he
expect to be able before he comes
home I am with him & is going
to stay a day or two he says tell
your mother to buy any thing she
she needs if she can get but write to
us as soon as you can get a letter
to send a letter & let us know the
condition of that country I will
have to come to a class so no
more at the present but
remains your affectionate husband
until death

Wm. H. Kelly

To G. M. Kelly

ELIZA M. KELEY, APPLICANT.

* * * * Memorandum of evidence. * * * * *

Witness J. R. Wheeler, being duly sworn stated in substance,
I know Eliza M Kelly, and know about her property. She has \$400
interest in a home, and a colt. She is reported to be the widow
of William E. Kelly. She is a widow lady- I have know her for a
long while. She lives at Grassy Creek, Morgan Co. Ky. She has lived
at this place about 10 or 12 years. She is a lady of good moral
character. She has no income that I have heard of. She draws no
pension that I ever heard of. My best knowledge is that she has
no contract for her support.

Witness J. J. Goodpaster, being duly sworn stated in substance,
I know Mrs. Eliza M. Kelly, She lives at Grassy Creek Morgan Co
Ky. and has lived there 11 years. She has \$400 interest in land
and a colt, worth \$80, and has no other property. She is a lady
of good moral character. I knew her husband William E. Kelly. He
is dead. He died Sept 7, 1895. They were living together as
husband and wife at the time of his death. She has not remarried.

Finding of Fact.

* * * * *

I, I. C. Furgerson, Judge, Morgan County Court, certify
that J. R. Wheeler of West Liberty, Ky. and J. J. Goodpaster
of ~~Grassy Creek~~ Ky., the above witnesses, are honorable, reput-
able citizens, and worthy of belief; and from the evidence and
from the Assessor's books, I find that the above applicant is
an indigent widow of a Confederate soldier, and entitled to a
pension under the Indigent Confederate Soldiers Act Of 1912.

Witness my hand this the 10 day of June, 1912.

I. C. Furgerson
Judge, Morgan County Court.

1 State of Kentucky, } set
2 County of Letcher }

3 I, R. B. Buntly, Clerk of the
4 County Court for the County and State afore-
5 said, certify that I am custodian of the
6 marriage records of said County, and that
7 there are no records of any marriage
8 in Letcher County between 1857 and 1861.

9 There is only one marriage recorded in
10 Year 1861, that of James Cantrel & Belia Dotson.

11 In the year 1862 I find only one Mar-
12 riage recorded, to wit: John L. Harney to
13 Lucy Anderson.

14 In the year 1863 I find only one Mar-
15 riage recorded, that of Benjamin R. Webb
16 and Elender Pace.

17 That I find no record of any marriage
18 between Wm E. Kelley to any one.

19 I further certify that the records of
20 Marriages during the years 1858, 1859 & 1860
21 appear to have been destroyed, and in year
22 1861, 1862 and 1863, they also appear to have
23 been destroyed except as above stated.

24 Given under my hand, and the Seal of
25 said Court this June 26th 1912.

26 R. B. Buntly C. L. C. C.