

Ch 28/64 Rvd evd. Mothers death

WAR OF 1861. 12648

Brief in the case of Sarah W. Smith widow of
Wm. H. Smith Corporal in Co.
F. 74. Ohio Inf.

Calhoun County, and State of Michigan

Act of July 14, 1862.

Post Office address of Applicant, Marshall Mich.

Claim for Widow's pension.

Declaration and Identification in due Form.

PROOF EXHIBITED.

1. Marriage shown by record evidence.
2. The Rolls show the muster of said soldier and that he was killed in battle "Dec. 31, 1862"
3. Loyalty and aidrhood of claimant shown.
4. Minor child. Name, age & residence given.
5. Power of attorney correct.

Admitted January 13, 1864 to a pension of \$ 8.00 per month, commencing
December 31, 1862

Chas. J. Gorham Esq.
Marshall Mich.

Sy. Russell

EXAMINING CLERK.

Name and Residence of Agent
C. J. Gorham,

20

OK
B

manis

~~59615~~

~~Strong~~

W.B. 12648

b.b. 52757

Sarah M. Smith. wd of
William B. Smith
F 74 Ohio Inf.

State of Michigan,

County of Calhoun } SS.

On this Twenty Eighth day of July A. D. 1864, personally appeared before the Clerk of the Circuit Court William M. Smith a resident of the Town of Conroy in the County of Calhoun and State of Michigan aged Fifty Five years, who, being first duly sworn according to law, doth on oath, make the following declaration, as guardian of the minor child of Sarah M. Smith deceased, in order to obtain

the benefits of the provisions made by the Act of Congress, approved July 14, 1862, granting pensions to minor children under sixteen years of age of deceased officers and soldiers; that he is the guardian of Lillian Smith the child of Sarah M. Smith who was a Pensioner of the United States No 12648 & is now deceased as stated in the declaration whose father was a Corporal in company F commanded by Captain in the 7th Regiment of Ohio Inf. Volunteers in the war of 1861, and that the said William M. Smith father of the child died at Columbus Ohio on the 27th day of December in the year 1862 of Wounds received in battle

that the mother of the child aforesaid, died (or again married, being now the wife of) on the 18th day of March in the year 1864 and that the date of the birth of his said ward is as follows - August 1st 1859

He further declares that the parents of his said ward were married at Albion on the 7th day of December in the year 1855 by one J. S. White a Clergyman of the Episcopal

And he hereby constitutes and appoints Charles J. Gorham of Albion his Attorney to prosecute the claim and procure a certificate, and to do all other acts necessary in the premises.

William M. Smith Guardian's Signature.

Two Witnesses.

Also personally appeared J. M. Lester and Stephen W. White residents of Albion persons whom I certify to be respectable and entitled to credit, and who being by me duly sworn, say that they were acquainted with William M. Smith mentioned in the above Declaration, for a period of six years before he entered the service, and know that he is the identical soldier who performed the military services therein mentioned: That they were acquainted with Sarah M. Smith his late wife, having known her for a period seven years previous to her death and know that they lived together as husband and wife, and were so reputed, and that they never heard the fact of their marriage disputed or questioned. They further say that they are acquainted with the names, ages, and relationship of their said children, and believe them to be as stated in said Declaration, and that they have no interest in the prosecution of their claim. - That they

are present & saw William M. Smith sign the above declaration J. M. Lester Stephen W. White Witnesses' Signatures.

Sworn to, subscribed and acknowledged, before me, this Twenty eighth day of July A. D. 1864, and I hereby certify that I have no interest, direct or indirect, in the prosecution of this claim; that the Circuit Court within and for the County of Calhoun aforesaid, of which I am Clerk is a Court of Record, having a seal.

In Testimony Whereof, I have hereunto signed my name and affixed the Seal of said Court, the day and year first above written.

Sam Mosher Clerk

APPLICATION
FOR
Pension of Minor Children

.....Deceased,
.....Co.,.....Reg't,
.....Volunteers.

.....Guardian.
P. O. Address,.....
County,.....
State,.....



State of Kentucky,
Livingston County

The affiant Mary M. Knowen states that on or about the 1st day of August A. D. 1839 she was called upon to attend upon Mrs Sarah M. Smith wife of William W. Smith during her confinement; that this affiant did do and that at said confinement the said Sarah M. Smith gave birth to a daughter afterwards called & named Lillian A. Smith; that said child was born at Salem Livingston County in the State of Kentucky and that she the affiant, was the doctor in attendance on said occasion; that said William W. Smith was a school teacher and soon after said child was ~~born~~ moved away, and I state furthermore that I have no interest whatever in the claim or application of said William Smith or any one else as guardian for Lillian A. Smith for a pension; that said child Lillian A. Smith was born on or about the 1st day of August A. D. 1839.

Mary M. Knowen

I sworn to and subscribed to before me by Mary M. Knowen to me well known & whom I certify to be a credible person & entitled to be believed, and I am disinterested in said claim aforesaid, this 21st day of June 1865.

W. D. Greer Notary Public for
Livingston County, Kentucky

State of Kentucky,
Livingston County, ss,

I, James W. Wade, Clerk of the County Court
in and for the County and State above named,
do hereby certify that W. D. Green
before whom the foregoing affidavit of Mary
M. Kusser was made and who has certified to
and subscribed the same was at the time of
so doing an acting Notary Public in and
for the County and State above named duly
Commissioned and qualified and sworn and
that all his official acts as such are entitled
to full faith and credit and that his signature
above written is genuine and said officer has
no part of office and I certify that I have
no interest in said claim.

Given under my hand and seal of
office this 27th day of June A. D. 1865
James W. Wade
Clerk

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Bank

State of Michigan }
 County of Calhoun } On the 2^d day of
 February A.D. 1865 before me William Howard
 Clerk of the Circuit Court in & for the County
 aforesaid personally appeared William Smith
 whom I certify to be respectable & entitled to
 credit & who by me being duly sworn
 according to law, doth declare & say that
 he is a resident of the Town of Coopers in
 County & State above named aged Fifty Six
 Years - that he is the duly appointed Guardian
 of the person & estate of Lillian A. Smith
 whose fact is authenticated by the Certificate
 of the Judge of Probate of the County above named
 filed in the Pension Office in Case No 59,615
 that as said Guardian he has made dis-
 creet effort to obtain positive information
 & proof by public record or the affidavit
 of attending Physician or other credible wit-
 nesses of the date of birth of the said
 said - & that he finds himself unable to
 prove said evidence - He finds that the
 said Lillian A. Smith was born in Salem
 Centerville County Kentucky on the first day
 of August A.D. 1809 ^{of the date of birth} which fact will be
 found to be authenticated by the affidavit
 of the mother filed in the Pension Office
 in Case No 15,379 upon which a Pension
 was granted the said mother - that the
 said Lillian A. Smith was the only child
 of William H. & Sarah A. Smith that

The said Sarah M^r Smith died on 18th
 day of March a^d 1862 while in receipt of a
 Pension from the United States which by virtue
 of the laws thereof descends to his ward
 the only child of said Sarah M^r Smith
 the said Lillian a Smith
 of William Smith

Also appears Laura Smith a resident
 of Covington Michigan aged 55 years whom I
 Certify to be respectable & entitled to credit
 who being by me duly sworn deposes that
 she knows the child Lillian a Smith re-
 ferred to in the foregoing & knows that she
 was acknowledged by the said Sarah M^r
 Smith & her husband William M^r Smith
 as their only child & that she was
 born on the 1st day of August a^d 1809
 that the said child appears to be of
 that age & no more - that she was
 present at the funeral of the said Sarah
 M^r Smith & knows that she died on the
 18th day of March a^d 1862 that

~~She~~ ^{by agreement} is the mother of William H. ^{by agreement} Smith, the
 father of said William a Sonther. That
 is the only intent she has in the claim
 for the transfer of the Pension of the clothes
 to the said child Laura Smith

In testimony whereof I have hereunto
 set my hand and affixed the seal
 of the Circuit Court of said County
 at the City of Marshall this 20th
 day of February A D 1865

William M. Mearns Clerk

Hon
Commiss of Pension
Washington

Plum from the California

So as to draw the additional allowed
under act of March 3, 1873 relative
the California to me of William Smith

Guardian of Helen G
Smith

P.O. Box 160

Marshall

California

March

[Faint, illegible handwritten text on a grid background]

DEPARTMENT OF THE INTERIOR
 DEC 19 1873
 PENSION OFFICE

107

INCREASE BRIEF.

Certificate No. 52 757

Soldier, William H. Smith

H. S. Miller, Ex'r.

Room No. 53

Adm

WAR OF THE REBELLION.

Acts of July 25, 1866, and subsequent acts.

INCREASE OF *Minor's* PENSION.

AGENCY, *Detroit, Mich*

Lillian A Smith - *Child* of

William H. Smith

Rank, *Captain*
Company, *"H"*
Regiment, *74 Ohio Vol*

Present Guardian, (~~alleged~~) *William Smith*

Residence, *Calhoun* County, and State of *Michigan*

Post Office, *Box 160 Marshall, Calhoun Co*

Attorney, _____

Fee, \$ _____

No contract, and no material evidence filed since July 8, 1870.

Rate of pension, \$ *8.00* per month, commencing *March 19*, 18*64*, the date at which the original pension commenced, and two dollars per month for each of the following children:

By former marriage.	}	<i>None</i>	{ Born, , 18 . }	} Commencing	, 18 .			
			{ Sixteen, , 18 . }					
			{ Born, , 18 . }	} "	, 18 .			
			{ Sixteen, , 18 . }					
			{ Born, , 18 . }	} "	, 18 .			
			{ Sixteen, , 18 . }					
			{ Born, , 18 . }	} "	, 18 .			
			{ Sixteen, , 18 . }					
			By last marriage.	}	<i>Lillian A.</i>	{ Born, <i>Aug 1</i> , 18 <i>59</i> . }	} "	<i>July 25</i> , 18 <i>64</i> .
						{ Sixteen, <i>July 31</i> , 18 <i>75</i> . }		
{ Born, , 18 . }	} "	, 18 .						
{ Sixteen, , 18 . }								
{ Born, , 18 . }	} "	, 18 .						
{ Sixteen, , 18 . }								

Former Guardian, *Same as above*

Payments on all former certificates covering any portion of the same time to be deducted.

ADMITTED, *March 26*, 18*74*.
APPROVED, *April 28*, 18*74*.

H. S. Miller, Examiner.
A. S. L. W., Reviewer.
Chief of Division.

DATES SHOWN BY PAPERS.

Increase application filed, *Dec 19*, 18*73*. Marriage of soldier to 1st wife, *Dec 5*, 18*55*.
Death of the soldier, *Dec 3*, 18*62*. Marriage of soldier to 2d wife, *Nov*, 18 .
Minor paid to *Sept 4*, 18*73*. Remarriage of widow, *Nov*, 18 .
Widow paid without inc to *Mich*, 18*64*. Death of widow, *March 18*, 18*64*.

INCIDENTAL MATTER.

Original Certificate Surrendered

Only child named in the Original claim

No objection to increase by Finance Div

SUMMARY OF PROOF.

DATES OF BIRTH OF CHILDREN.

Shown by affidavit of attending midwife

DATES OF DEATH OF CHILDREN.

None

CUSTODY OF CHILDREN BY FORMER MARRIAGE.

None

REMARRIAGE OF WIDOW.

Not

DEATH OF WIDOW.

Shown by affidavit of present

STATE OF MICHIGAN, }
COUNTY OF *Calhoun* } ss.

Probate Court for said County:

In the Matter of the Estate of *Lillian Smith of said County*

By *Martin Strong* Judge of the Court of Probate within and for the County of *Calhoun*

TO *William Smith of Couais* of said County, Greeting:

Trusting in your care and fidelity, I do, by these presents, pursuant to the power and authority to me granted, constitute and appoint you to be Guardian unto

Lillian Smith

minor *under* the age of fourteen years *daughter* of *William Henry Smith* and *Sarah M. Smith* late of *said County* deceased, with full power and authority to ask, sue for, recover, receive and take into your custody, all and singular the Real Estate, goods and chattels, rights and credits which accrue to *her* in right of *her parents*

or which by any other way or means whatsoever, doth of right appertain or belong to *her* and you are to make a true and perfect inventory thereof, and return the same in the Probate Court for the said County of *Calhoun* on or before the *sevente* day of *July* next ensuing; and you are to dispose of, manage, employ and improve the same according to law, and for the best interest of the said ward; and within one year from the date hereof, and at such other times as the Judge of Probate shall decree, you are to render, on oath, into the Probate Office of said County, a true account of the property of the said ward in your hands, of the proceeds of all the Real Estate that may be sold by you, and of the management and disposition of such property; and at the expiration of your trust you are to settle your accounts with the Judge of Probate, for the time being, or with the said ward or legal representatives; and to pay over and deliver all the estate and effects remaining in your hands, and due from you on such settlement, to the person or persons who shall be lawfully entitled thereto, or otherwise, as the said Judge by his decree or sentence, pursuant to law, shall order and direct, and do such other acts as the law in that behalf shall require.

In Testimony Whereof, I have hereunto set my hand and seal of the said Court of Probate.

Dated at *Marshall* the *17* day of *April* in the year of our Lord one thousand eight hundred and *64*

Recorded in Lib. *28* Fol. *357*

Martin Strong
Judge of Probate.

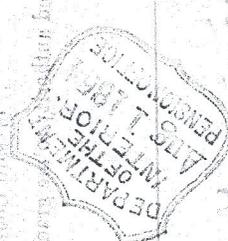
PROBATE COURT.

ESTATE OF

Minor

LETTERS OF GUARDIANSHIP.

Handwritten notes in the left margin, including "I have been appointed guardian of the person and property of the minor..."



Handwritten text in the middle section, including "I, the undersigned, being duly qualified..."

Handwritten text in the right section, including "I have been appointed guardian of the person and property of the minor..."

Main body of handwritten text, detailing the appointment of a guardian for a minor child, including names and legal references.

Handwritten text at the bottom right, including a signature and date, and a circular stamp.

Small
No. 52757
Michigan

Lillian A 31 July 1875

MINORS OF
William H Smith

Rank, *Capt*, Co. *D*
Regt. *74 Ohio Vol*

Rate per month, \$ *8*
Commencing *19 March 1864*
Ending *31 July 1875*

Additional sum of \$2 per month for each
of the above-named children, until arriving at the
age of 16 years, commencing *25* day
of *July*, 18*66* to be deducted

Certificate dated *11 May 1874*
and sent *Detroit*, 18*74*
Payable at *Detroit* Agency.

Attorney.

Act July 1st, 1862.

Book *9*, Vol. *9*, Page *58*
Walter, Clerk.