James Barnes Whitaker legal documents

Section 62, Pages 1831 - 1860

These legal documents belonging to James Barnes Whitaker include mortgages, leases, quitclaim deeds, indentures, warrants issued to the Marshal's office, tax and other receipts regarding Whitaker's real estate business. There are also Internal Revenue licenses for various occupations, records on pension and war claims, including forms from the War Department, Treasury Office, and Department of the Interior Pension Office. Bound volumes include a notebook of war claims and a county surveyor field notebook. James Barnes Whitaker had a long association with the territory and state of Kansas. He came to Tecumseh, Shawnee County, Kansas, in 1856 from Boston, Massachusetts, and worked as a surveyor there. In 1857, he moved to Topeka where he remained, serving as county sheriff, surveyor, and Topeka city engineer. He was also commissioned a deputy U.S. Marshal. He owned an abstract and real estate business in Topeka and was an attorney, representing numerous Civil War veterans in obtaining disability pensions, many of whom served in Kansas units.

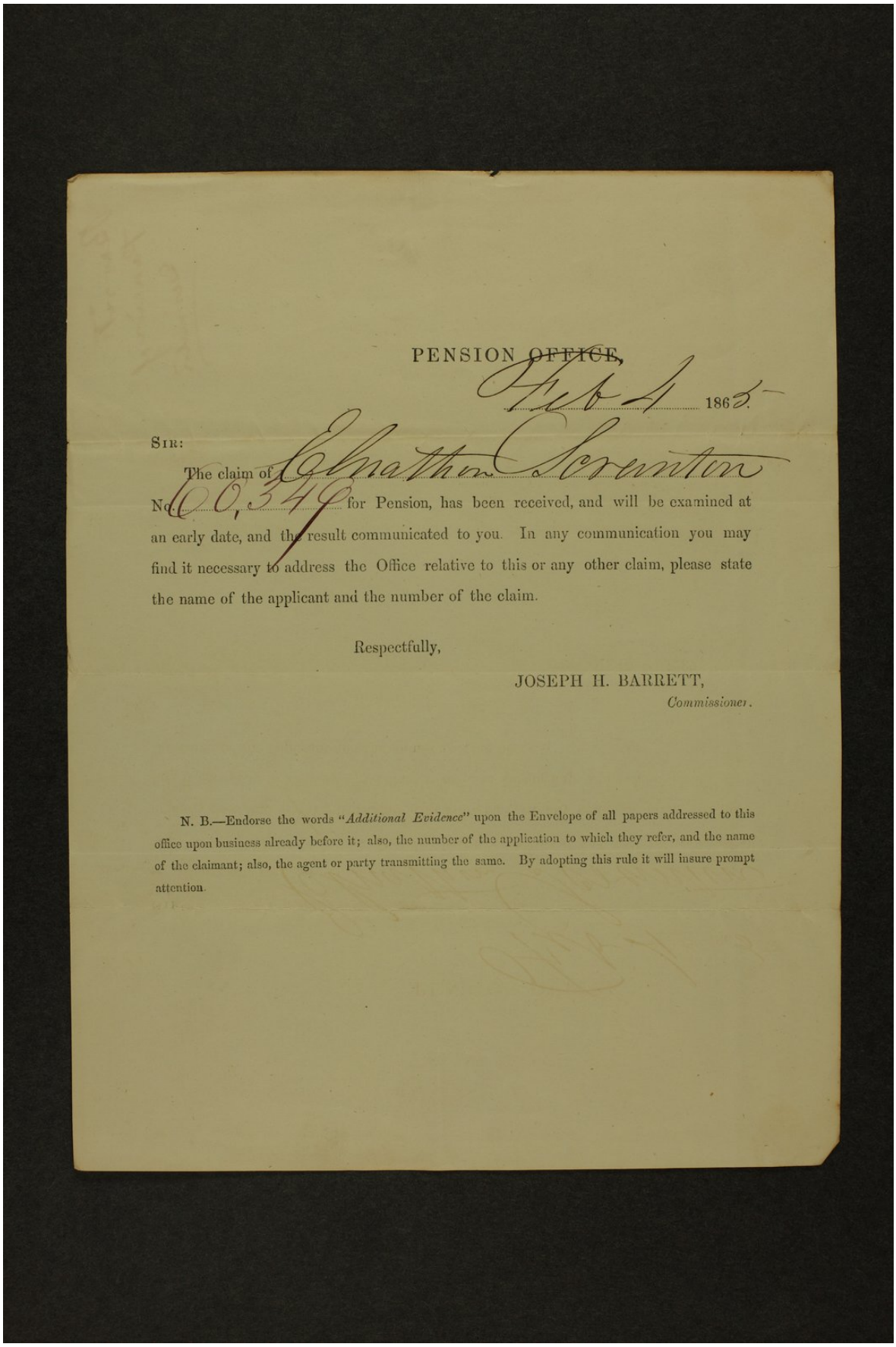
Date: 1855-1899

Callnumber: James Barnes Whitaker Coll. #540, Box 4 - 7

KSHS Identifier: DaRT ID: 228711

Item Identifier: 228711

www.kansasmemory.org/item/228711



PENSION ~~OFFICE~~,

Feb 4 1865.

SIR:

The claim of Ephraim Scrunton

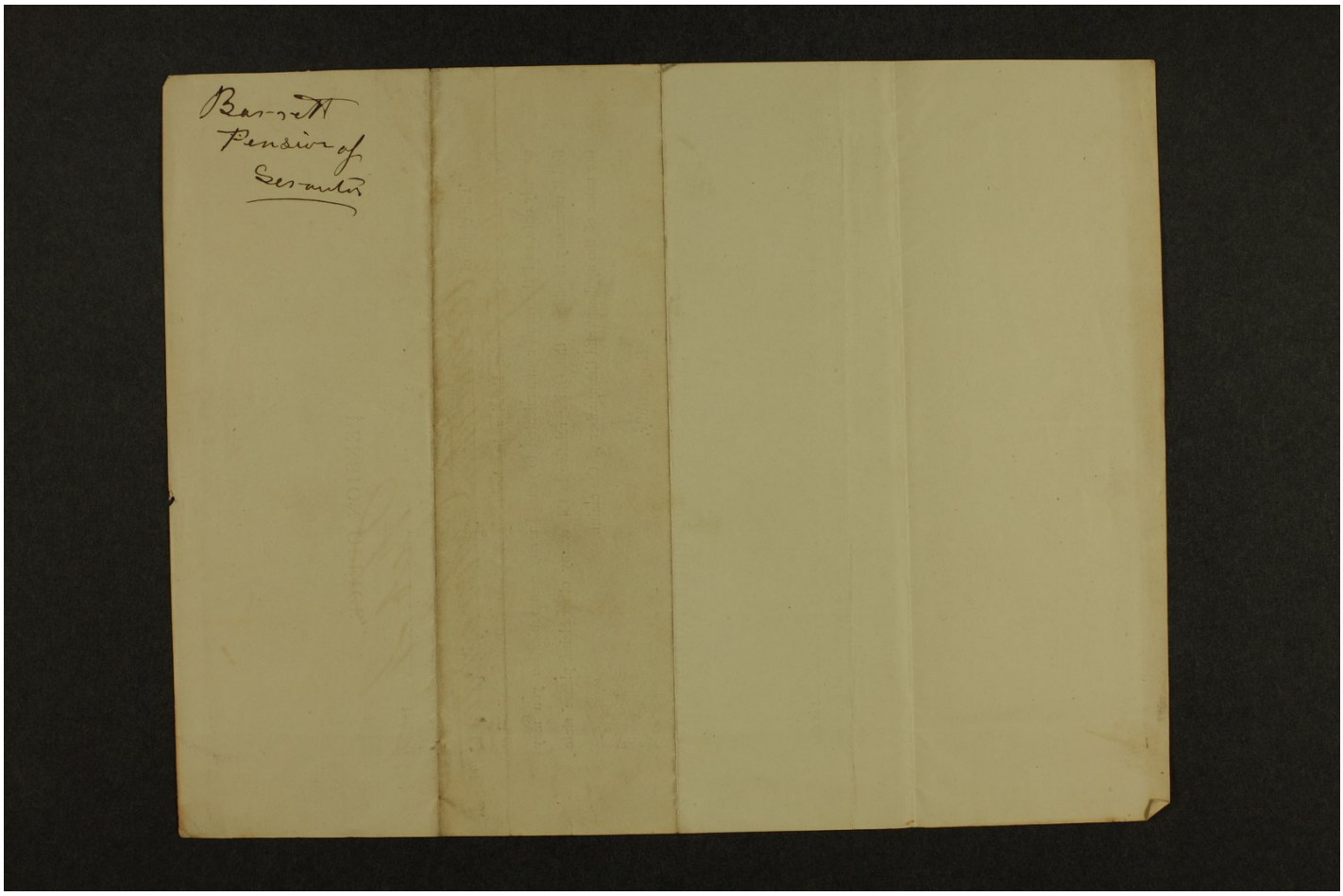
No. 10,349 for Pension, has been received, and will be examined at an early date, and the result communicated to you. In any communication you may find it necessary to address the Office relative to this or any other claim, please state the name of the applicant and the number of the claim.

Respectfully,

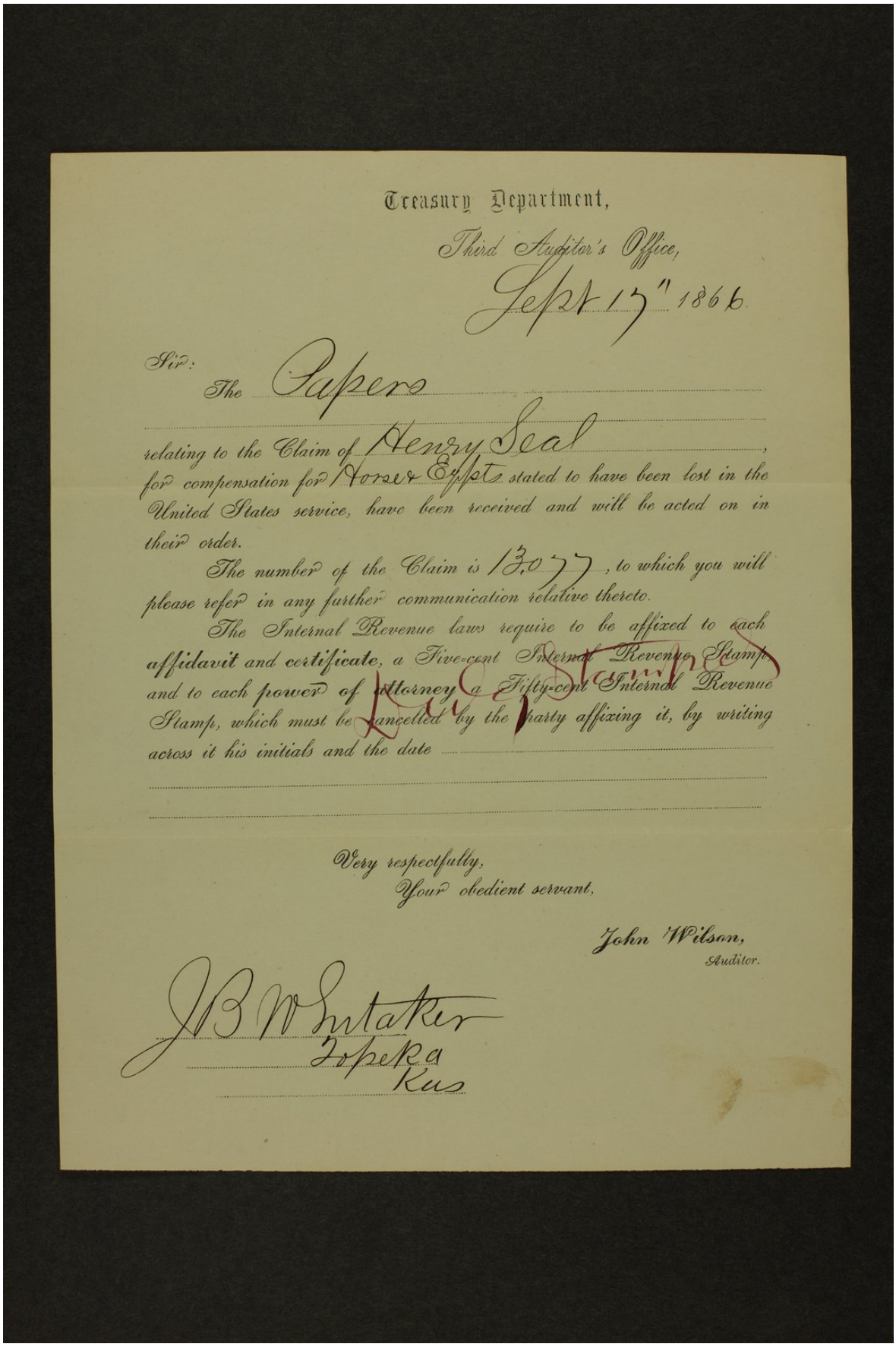
JOSEPH H. BARRETT,
Commissioner.

N. B.—Endorse the words "*Additional Evidence*" upon the Envelope of all papers addressed to this office upon business already before it; also, the number of the application to which they refer, and the name of the claimant; also, the agent or party transmitting the same. By adopting this rule it will insure prompt attention.

James Barnes Whitaker legal documents



James Barnes Whitaker legal documents



Treasury Department,

Third Auditor's Office,

Sept 17th 1866

Sir:

The Papers

relating to the Claim of Henry Seal,

for compensation for Horse Equipts stated to have been lost in the United States service, have been received and will be acted on in their order.

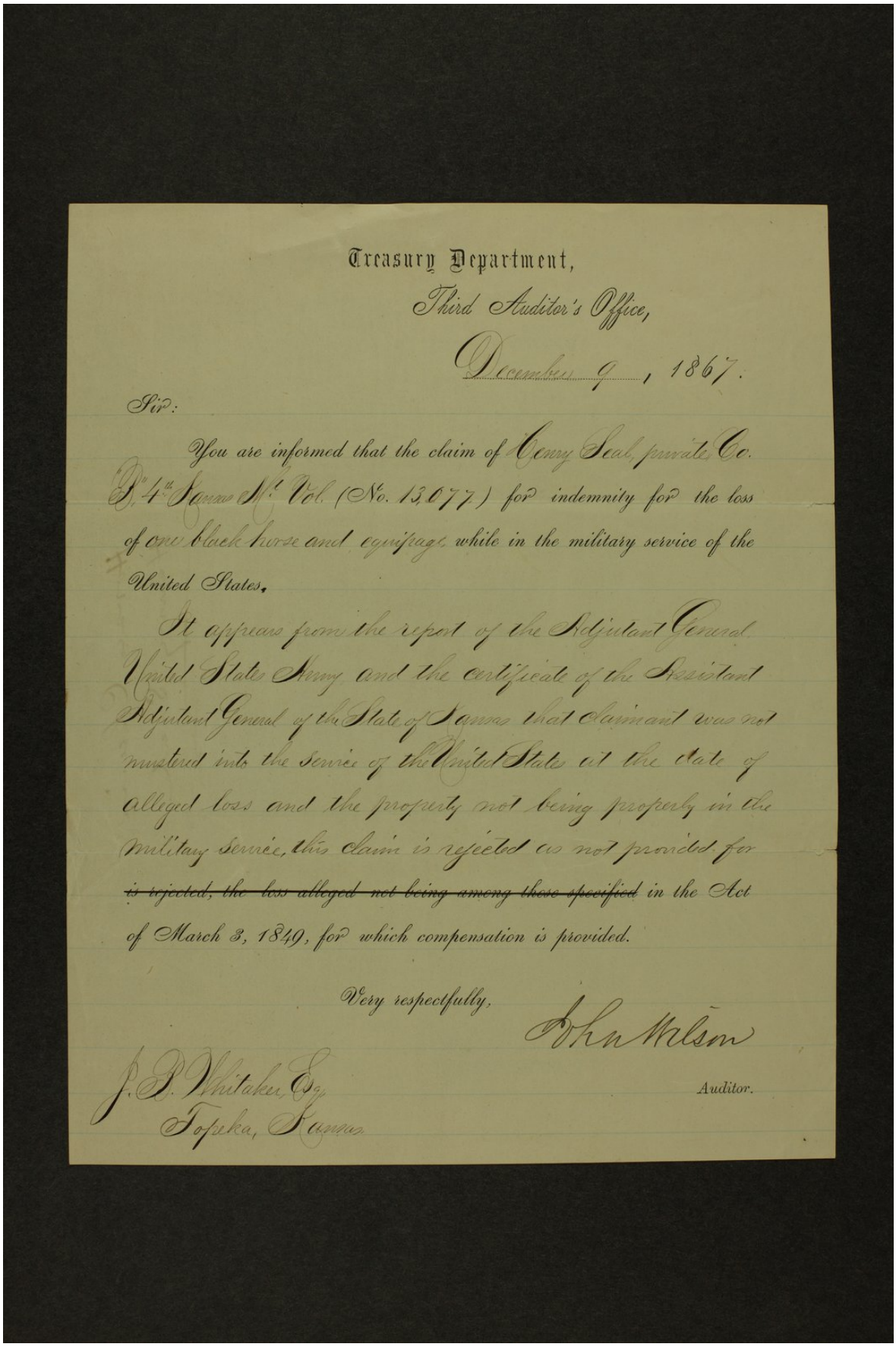
The number of the Claim is 13077, to which you will please refer in any further communication relative thereto.

The Internal Revenue laws require to be affixed to each **affidavit** and **certificate**, a Five-cent Internal Revenue Stamp, and to each power of attorney a Fifty-cent Internal Revenue Stamp, which must be cancelled by the party affixing it, by writing across it his initials and the date

Very respectfully,
Your obedient servant,

John Wilson,
Auditor.

J B Whitaker
Topeka
Kas



Treasury Department,

Third Auditor's Office,

December 9, 1867.

Sir:

You are informed that the claim of Henry Seal, private Co. B, 4th Iowa Mt. Vol. (No. 13,077) for indemnity for the loss of one black horse and equipage, while in the military service of the United States,

It appears from the report of the Adjutant General United States Army, and the certificate of the Assistant Adjutant General of the State of Iowa that claimant was not mustered into the service of the United States at the date of alleged loss and the property not being properly in the military service, this claim is rejected as not provided for ~~is rejected, the loss alleged not being among those specified~~ in the Act of March 3, 1849, for which compensation is provided.

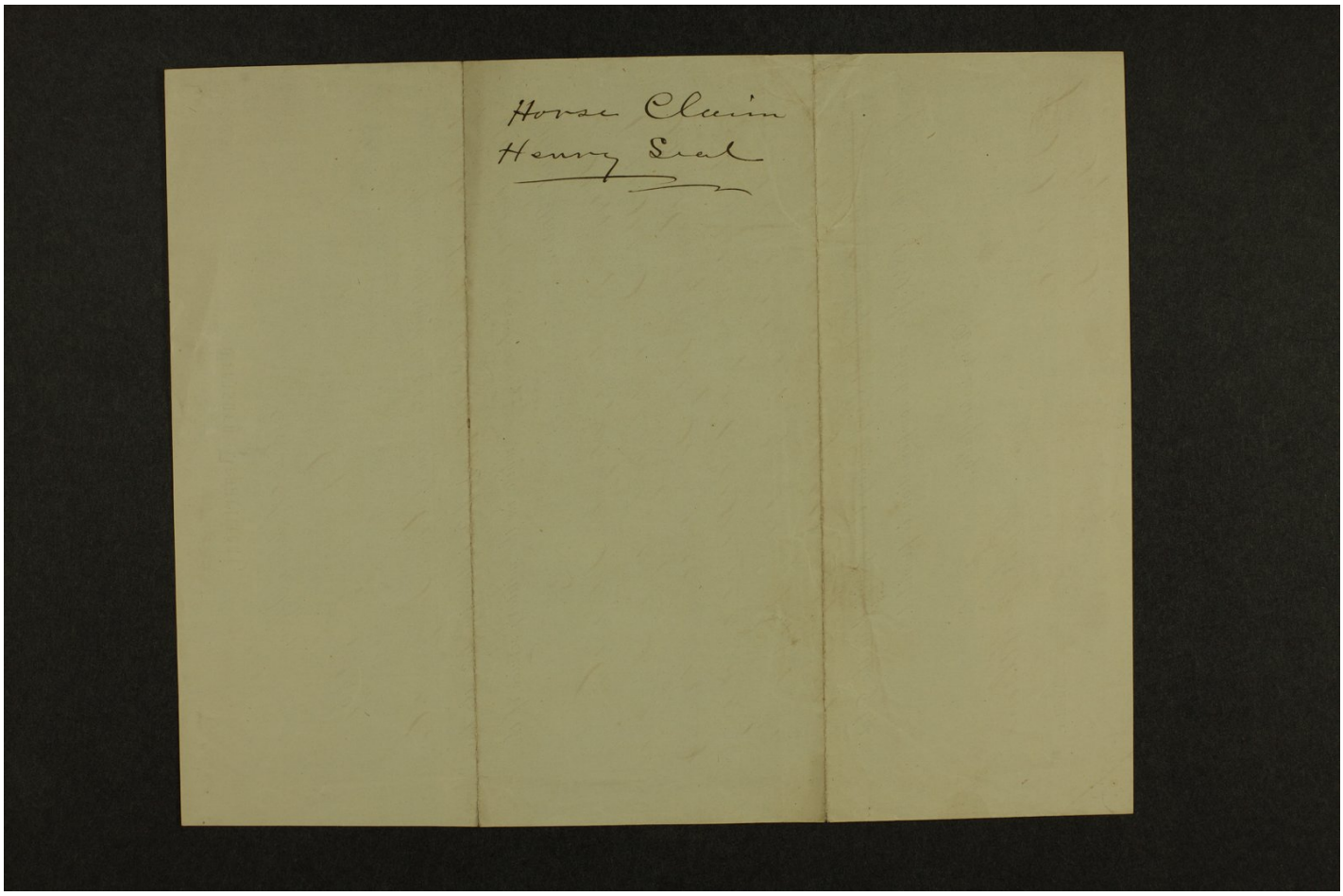
Very respectfully,

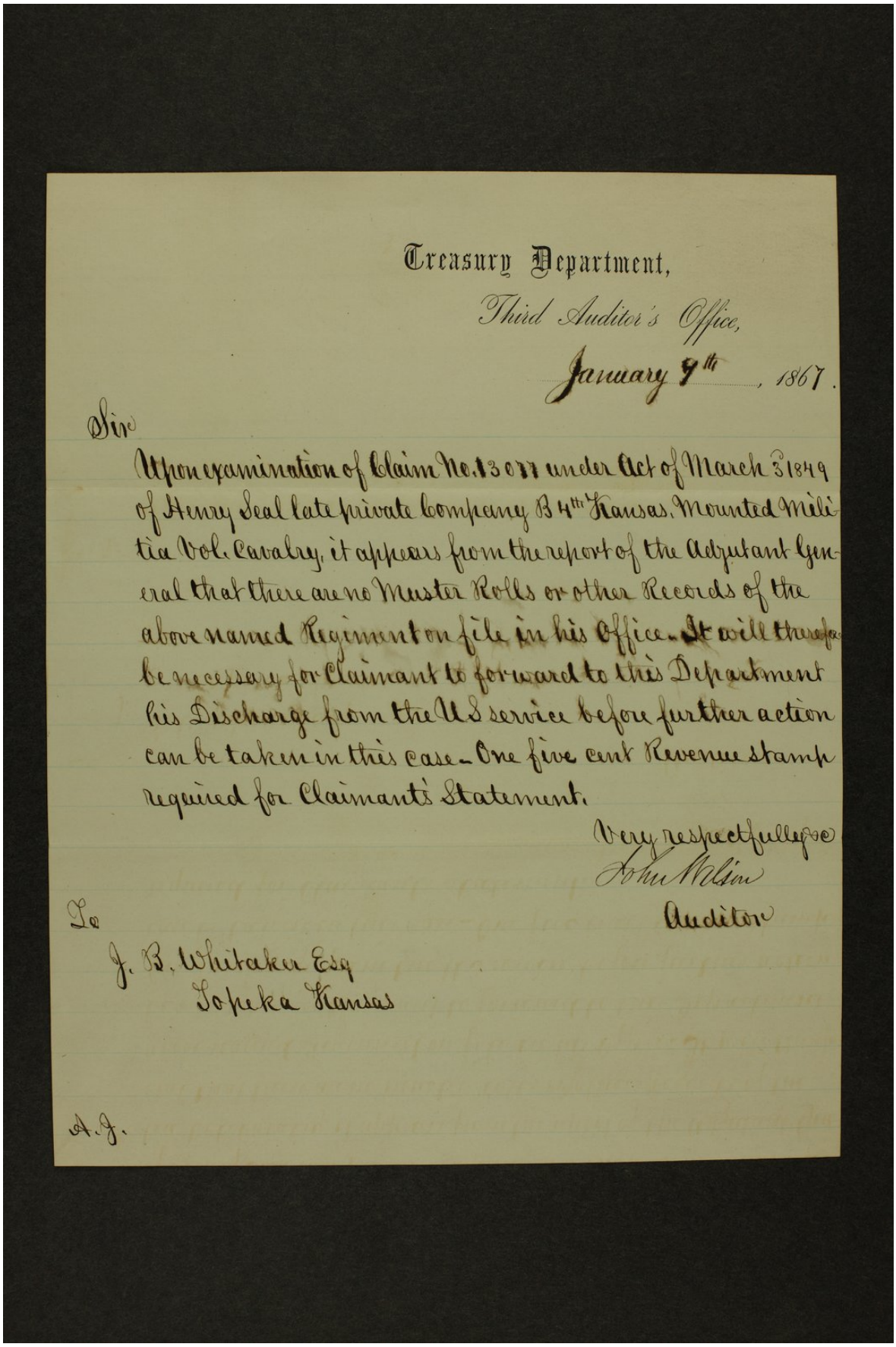
John Wilson

Auditor.

J. B. Whitaker, Esq.
Topeka, Kansas

James Barnes Whitaker legal documents





Treasury Department,
Third Auditor's Office,
January 9th, 1867.

Sir

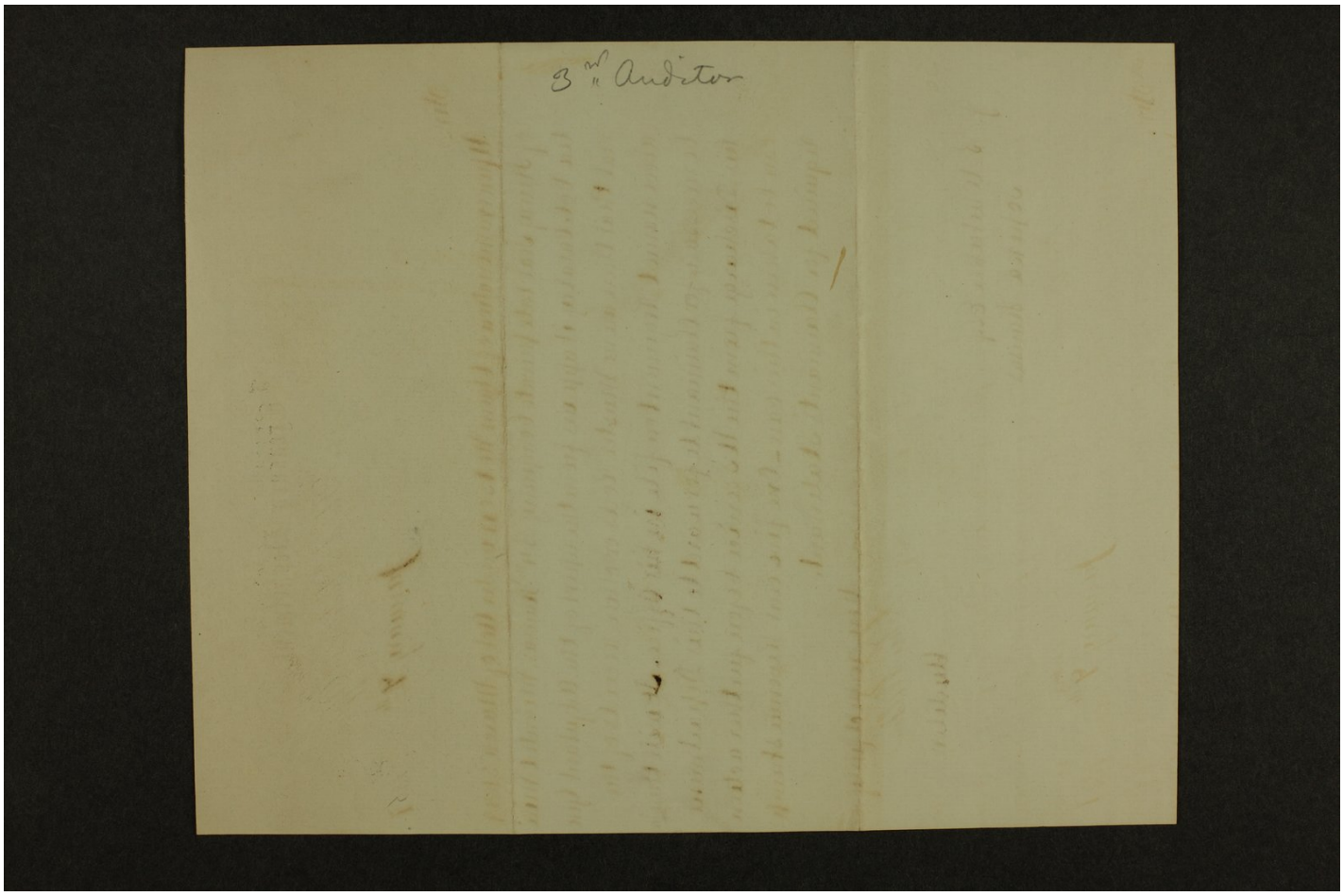
Upon examination of Claim No. 13077 under Act of March 3 1849 of Henry Seal late private Company B 4th Kansas Mounted Militia Vol. Cavalry, it appears from the report of the Adjutant General that there are no Muster Rolls or other Records of the above named Regiment on file in his Office. It will therefore be necessary for Claimant to forward to this Department his Discharge from the U.S service before further action can be taken in this case. One five cent Revenue stamp required for Claimant's Statement.

Very respectfully &c
John Nelson
Auditor

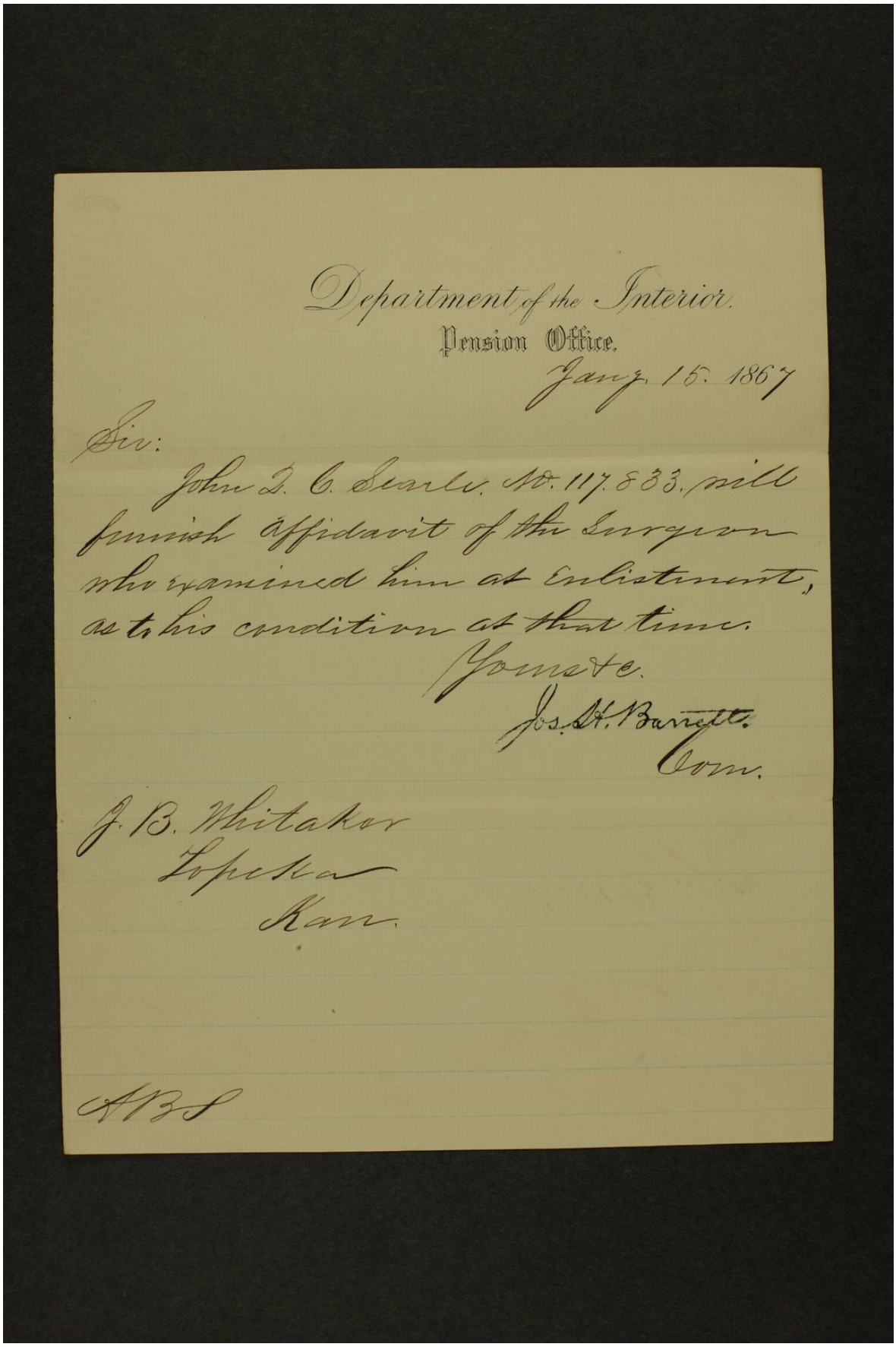
To
J. B. Whitaker Esq
Topeka Kansas

A. J.

James Barnes Whitaker legal documents



James Barnes Whitaker legal documents



Department of the Interior.
Pension Office.
Jany. 15. 1867

Sir:

John L. C. Searle. No. 117.833. will furnish affidavit of the Surgeon who examined him at Enlistment, as to his condition at that time.

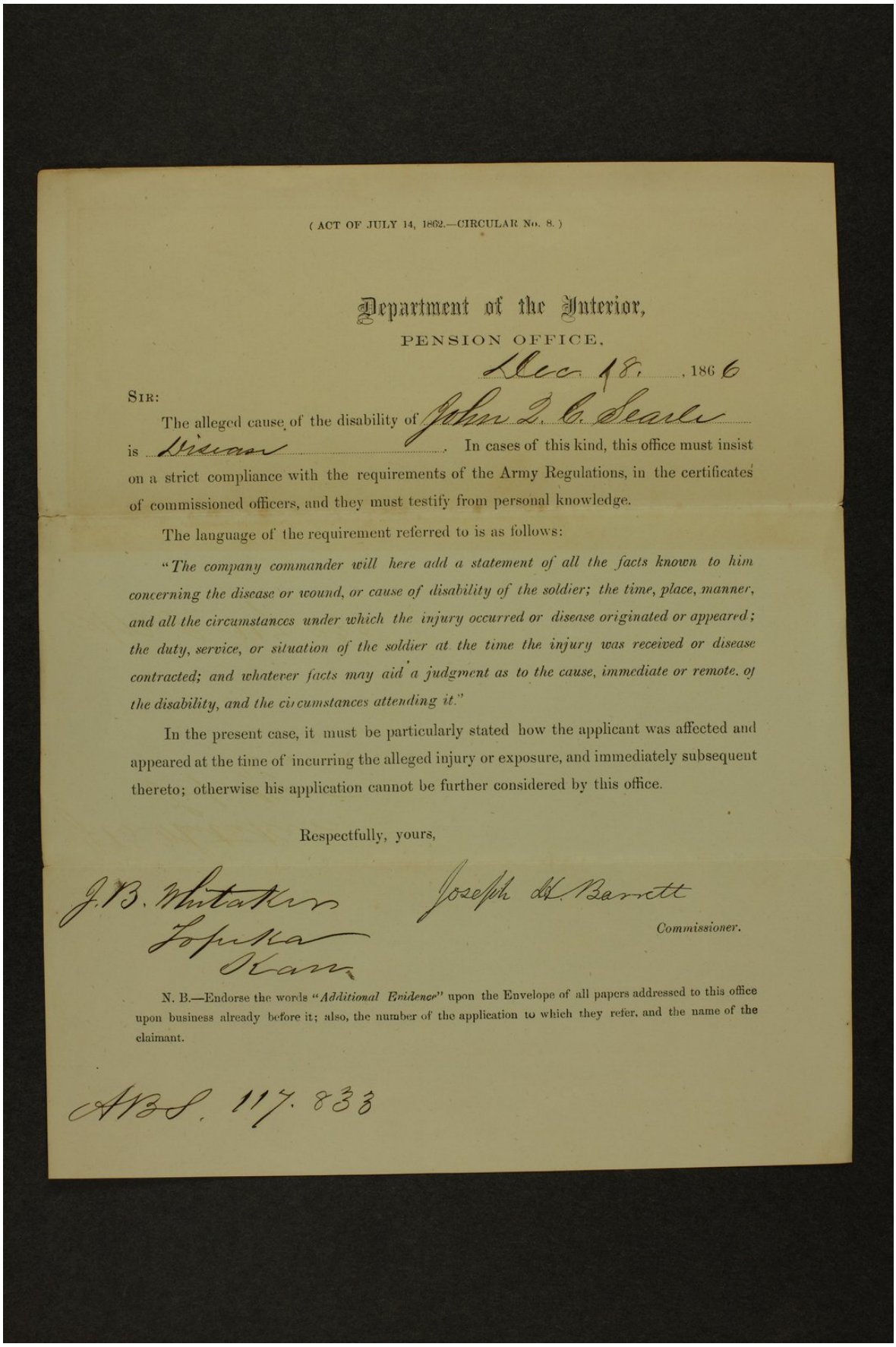
Yours &c.

Jos. H. Barrett.
Com.

J. B. Whitaker
Lopeka
Kan.

AWS

James Barnes Whitaker legal documents



(ACT OF JULY 14, 1862.—CIRCULAR No. 8.)

Department of the Interior,

PENSION OFFICE,

Dec 18, 1866

SIR:

The alleged cause of the disability of John L. C. Searle is Disease. In cases of this kind, this office must insist on a strict compliance with the requirements of the Army Regulations, in the certificates of commissioned officers, and they must testify from personal knowledge.

The language of the requirement referred to is as follows:

"*The company commander will here add a statement of all the facts known to him concerning the disease or wound, or cause of disability of the soldier; the time, place, manner, and all the circumstances under which the injury occurred or disease originated or appeared; the duty, service, or situation of the soldier at the time the injury was received or disease contracted; and whatever facts may aid a judgment as to the cause, immediate or remote, of the disability, and the circumstances attending it.*"

In the present case, it must be particularly stated how the applicant was affected and appeared at the time of incurring the alleged injury or exposure, and immediately subsequent thereto; otherwise his application cannot be further considered by this office.

Respectfully, yours,

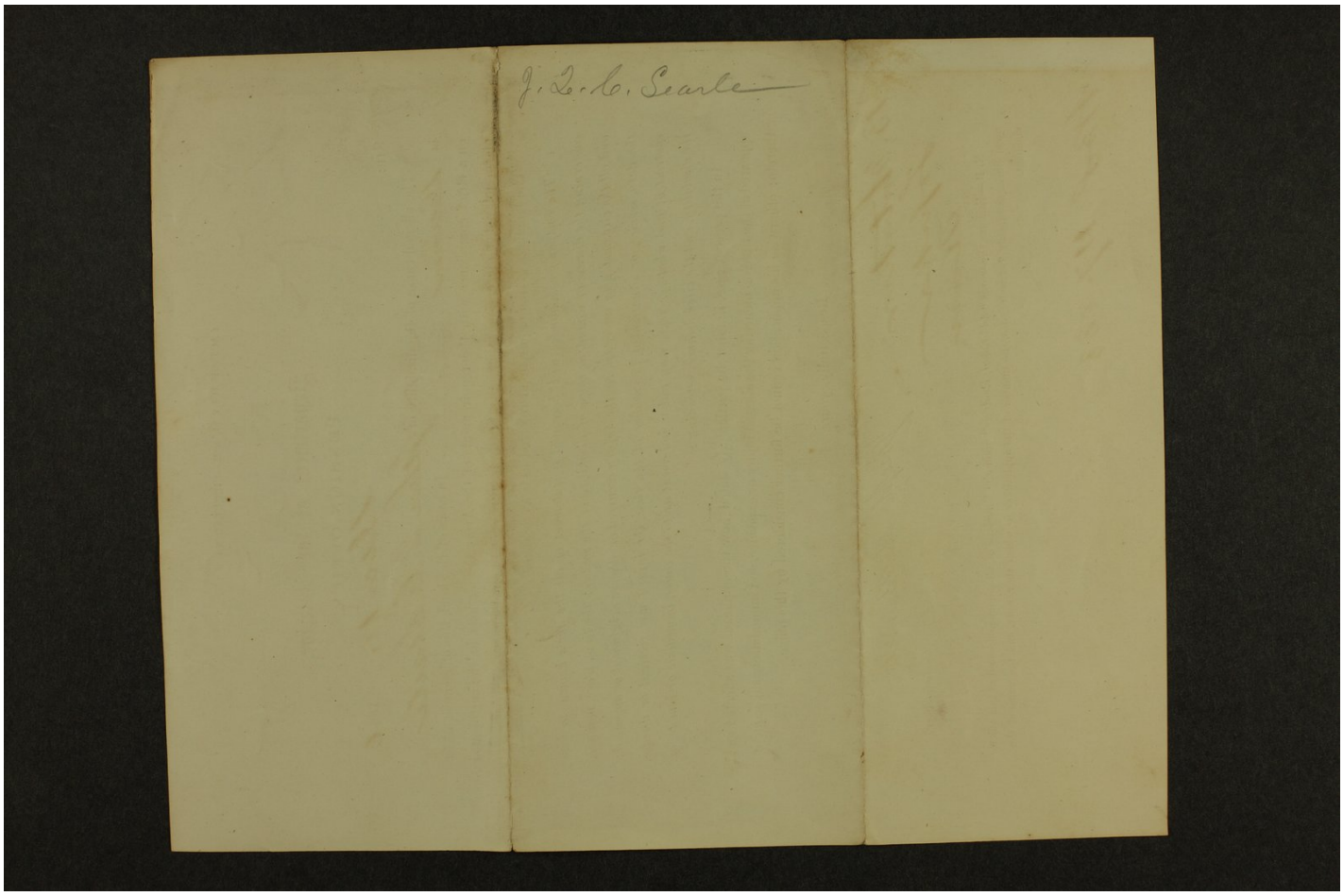
J. B. Whitaker
Topeka
Kan

Joseph H. Barrett
Commissioner.

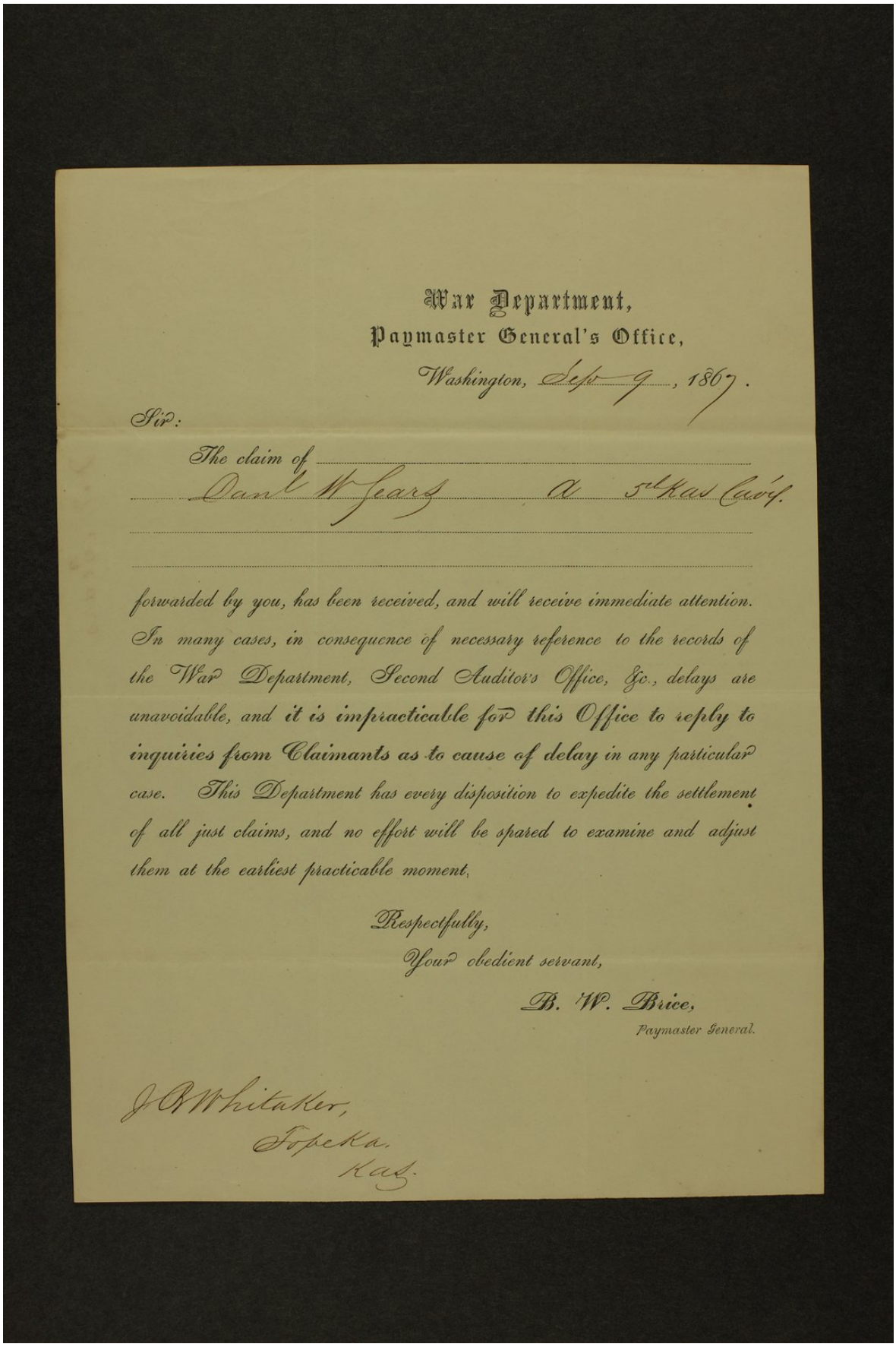
N. B.—Endorse the words "*Additional Evidence*" upon the Envelope of all papers addressed to this office upon business already before it; also, the number of the application to which they refer, and the name of the claimant.

AWS. 117.833

James Barnes Whitaker legal documents



James Barnes Whitaker legal documents



War Department,
Paymaster General's Office,
Washington, Sep 9, 1867.

Sir:

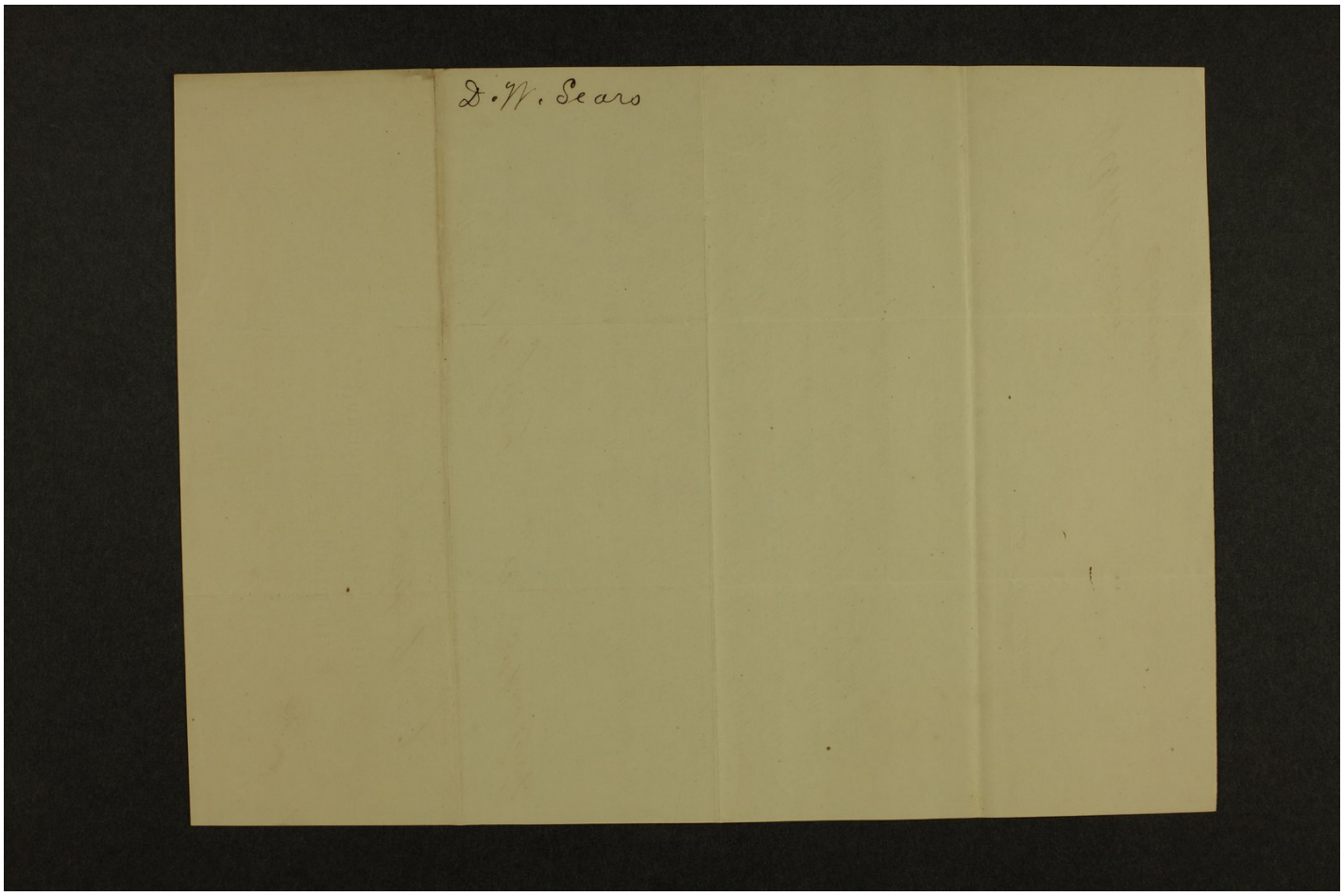
The claim of
Danl W Sears A 5th Kas Cav'y.

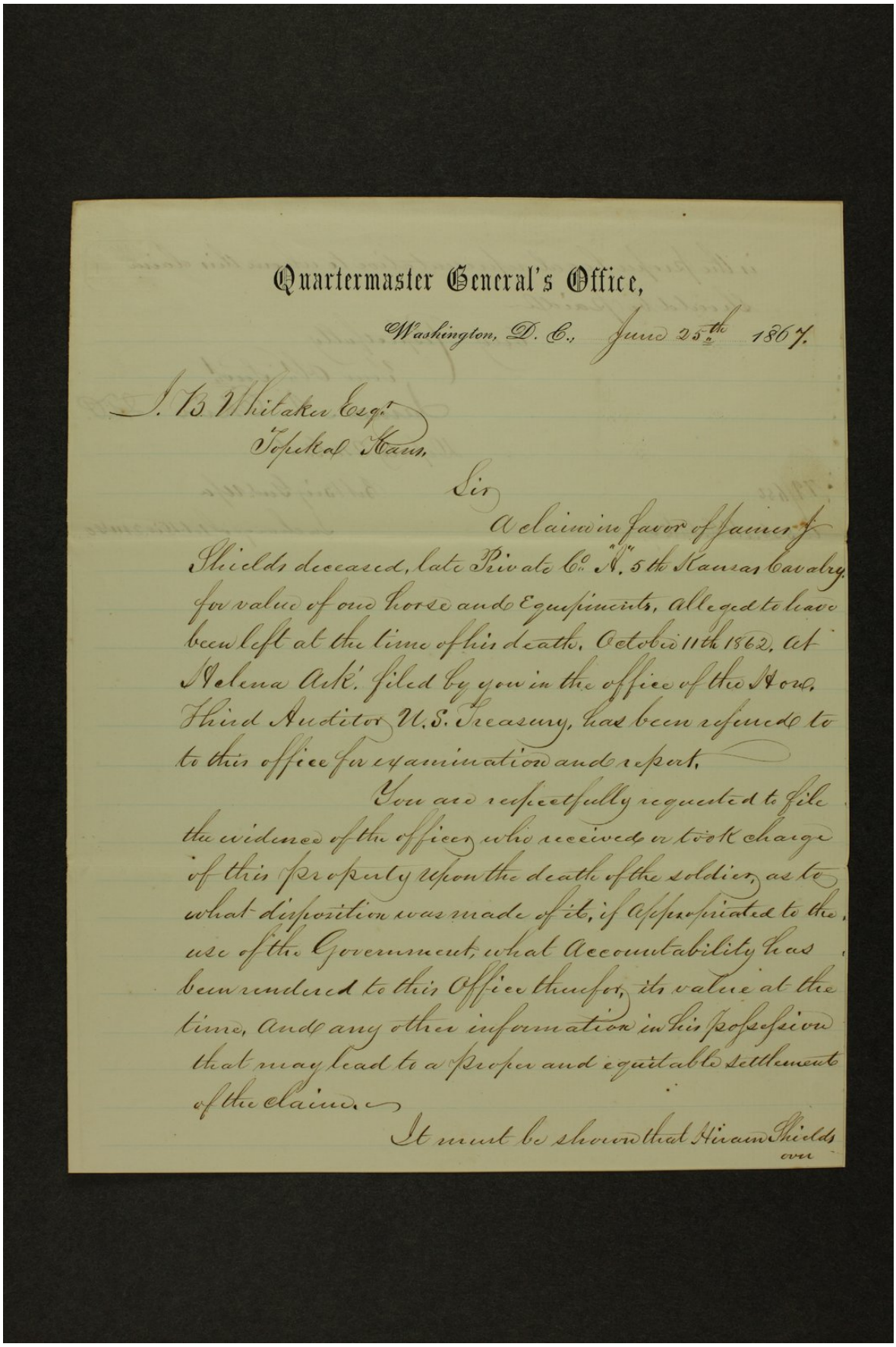
forwarded by you, has been received, and will receive immediate attention. In many cases, in consequence of necessary reference to the records of the War Department, Second Auditor's Office, &c., delays are unavoidable, and **it is impracticable for this Office to reply to inquiries from Claimants as to cause of delay** in any particular case. This Department has every disposition to expedite the settlement of all just claims, and no effort will be spared to examine and adjust them at the earliest practicable moment.

Respectfully,
Your obedient servant,
B. W. Brice,
Paymaster General.

J. R. Whitaker,
Topeka.
Kas.

James Barnes Whitaker legal documents





Quartermaster General's Office,

Washington, D. C., June 25th 1867.

J. B. Whitaker Esq.
Topeka Kans.

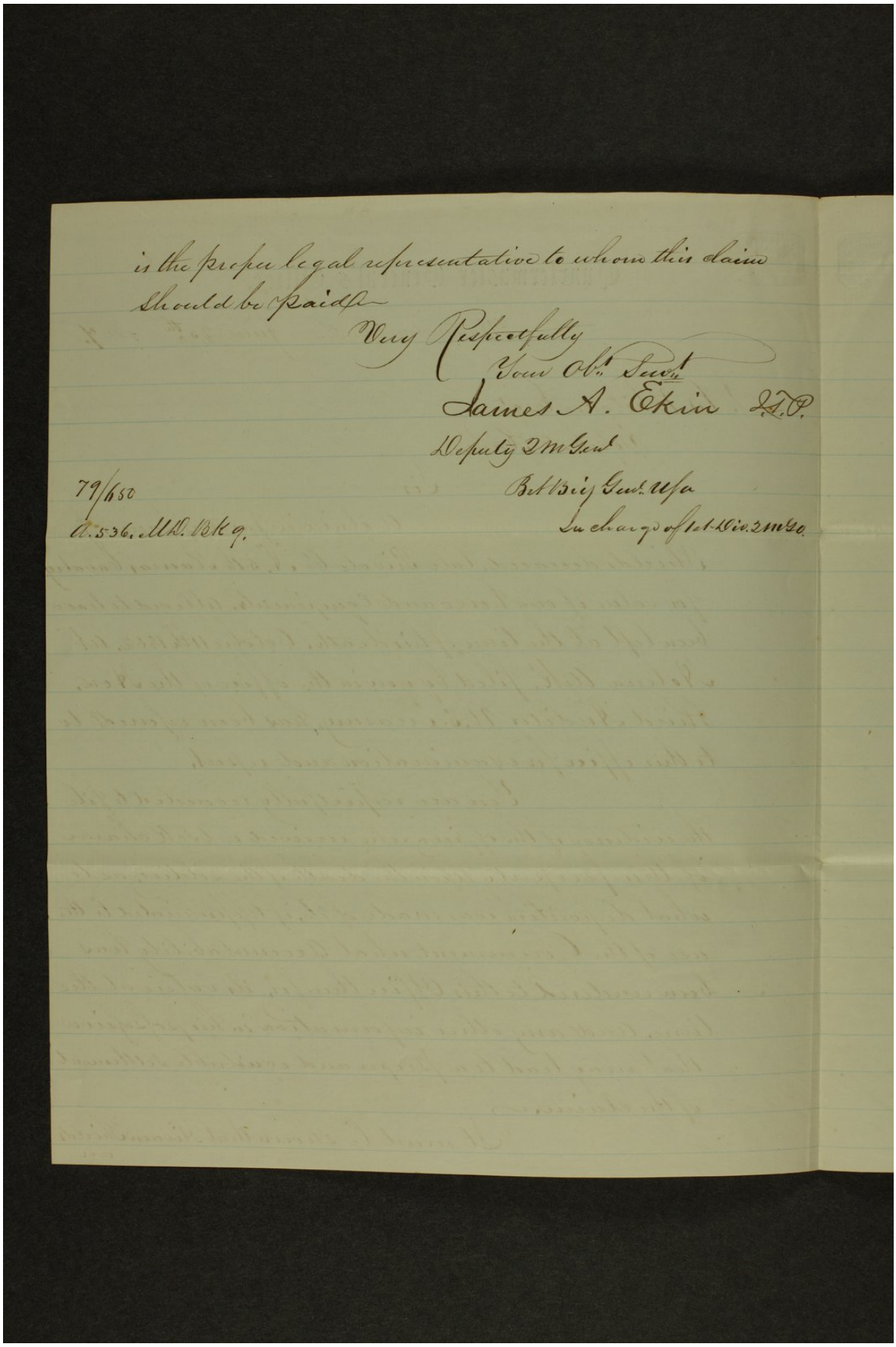
Sir

A claim in favor of James J. Shields deceased, late Private Co. "A" 5th Kansas Cavalry for value of one horse and Equipments, alleged to have been left at the time of his death, October 11th 1862, at Helena Ark. filed by you in the office of the Hon. Third Auditor U.S. Treasury, has been referred to to this office for examination and report.

You are respectfully requested to file the evidence of the officer who received or took charge of this property upon the death of the soldier, as to what disposition was made of it, if Appropriated to the use of the Government, what Accountability has been rendered to this Office therefor, its value at the time, and any other information in his possession that may lead to a proper and equitable settlement of the claim.

It must be shown that Hiram Shields

James Barnes Whitaker legal documents

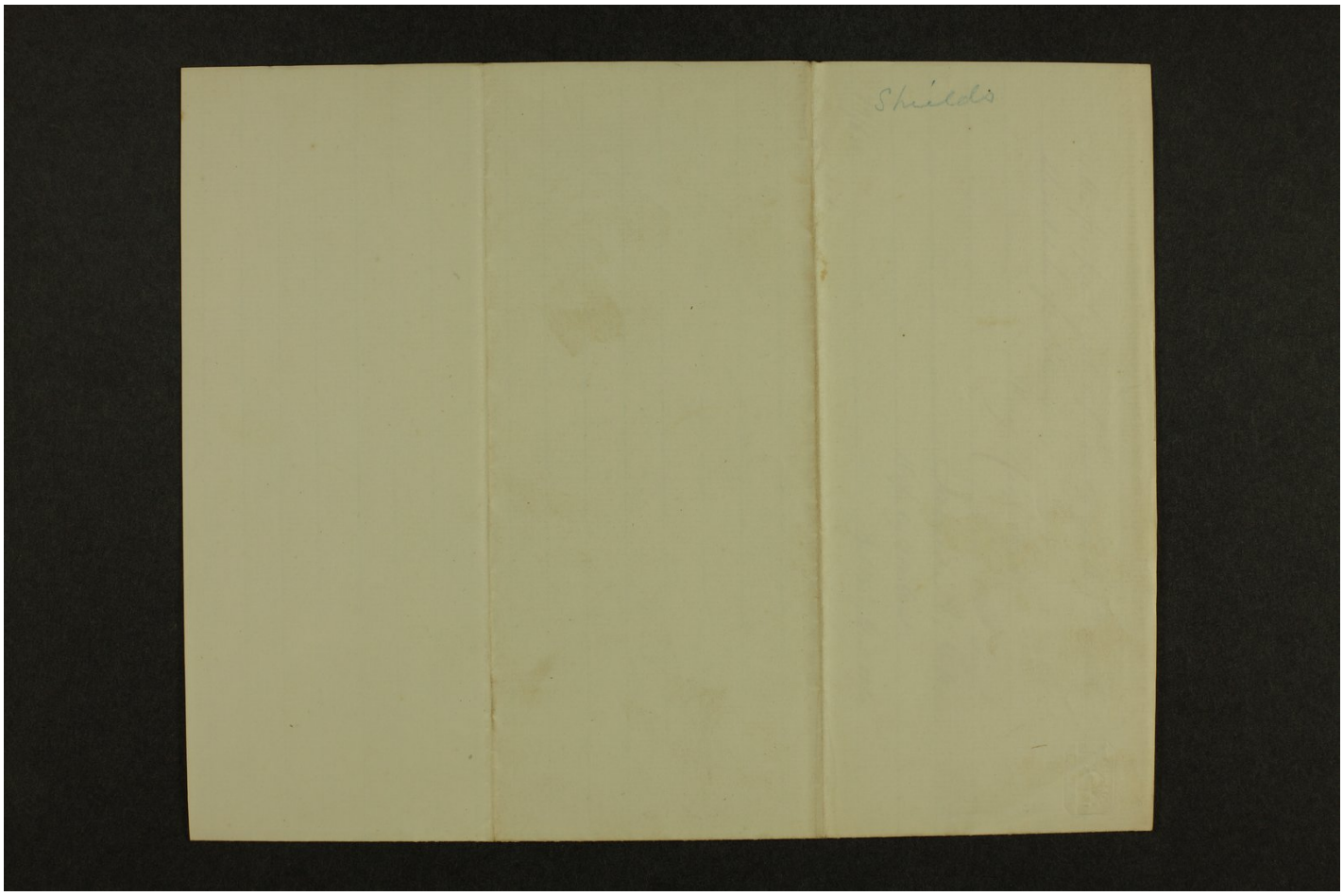


is the proper legal representative to whom this claim
should be paid.

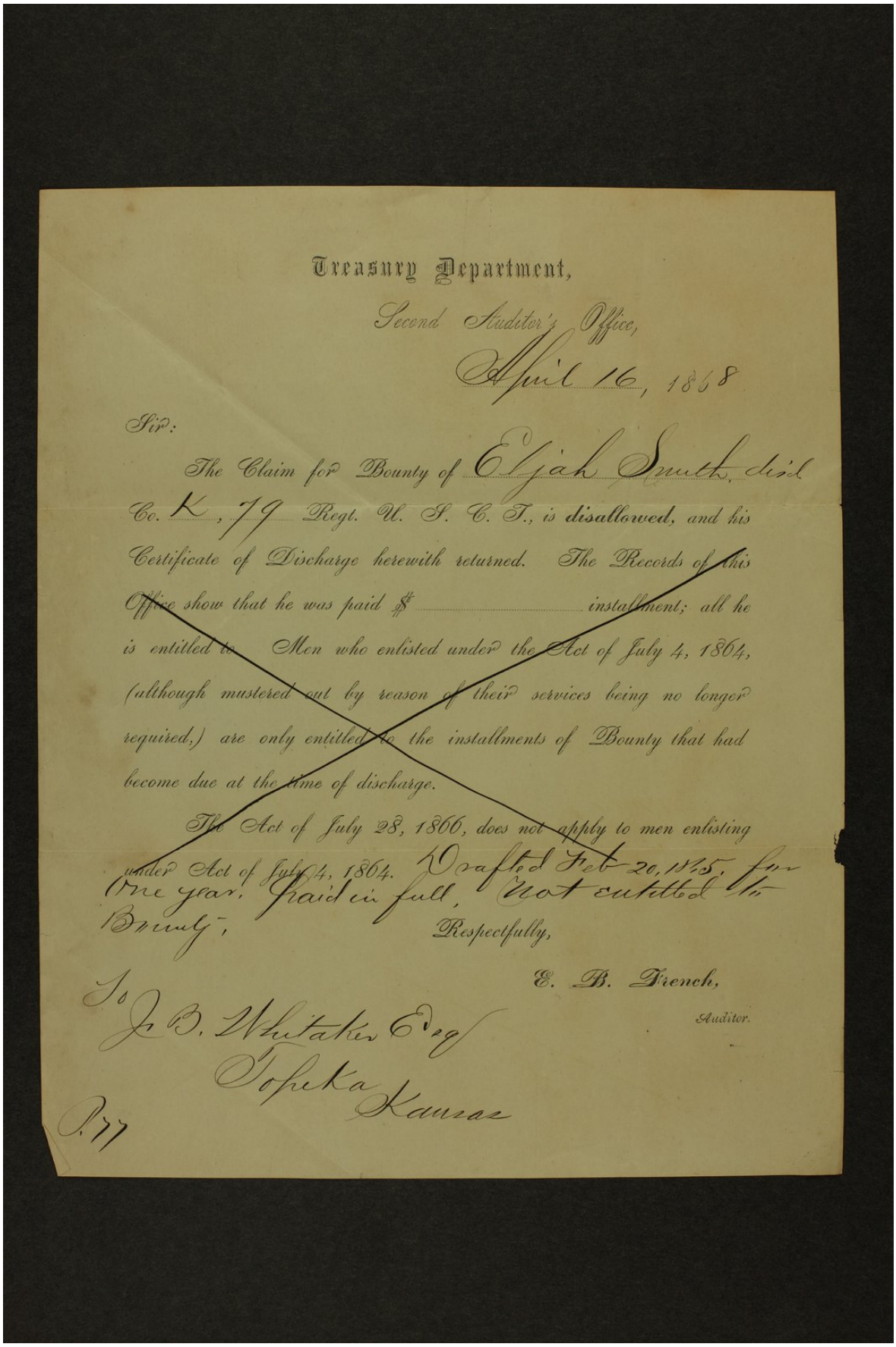
Very Respectfully
Your Obt. Servt
James A. Ekin A.A.G.
Deputy P.M.Gen.l
Bvt Brig Gen.l U.S.A.
In charge of 1st Div. P.M.G.O.

79/650
A.536. M.D. Mo.

James Barnes Whitaker legal documents



James Barnes Whitaker legal documents



Treasury Department,

Second Auditor's Office,

April 16, 1868

Sir:

The Claim for Bounty of Elijah Smith, late Co. K, 19 Regt. U. S. C. T., is **disallowed**, and his Certificate of Discharge herewith returned. The Records of this Office show that he was paid $ ..... installment; all he is entitled to. Men who enlisted under the Act of July 4, 1864, (although mustered out by reason of their services being no longer required,) are only entitled to the installments of Bounty that had become due at the time of discharge.

The Act of July 28, 1866, does not apply to men enlisting under Act of July 4, 1864. Drafted Feb 20, 1865. for One year. Paid in full. Not entitled to Bounty.

Respectfully,

E. B. French,

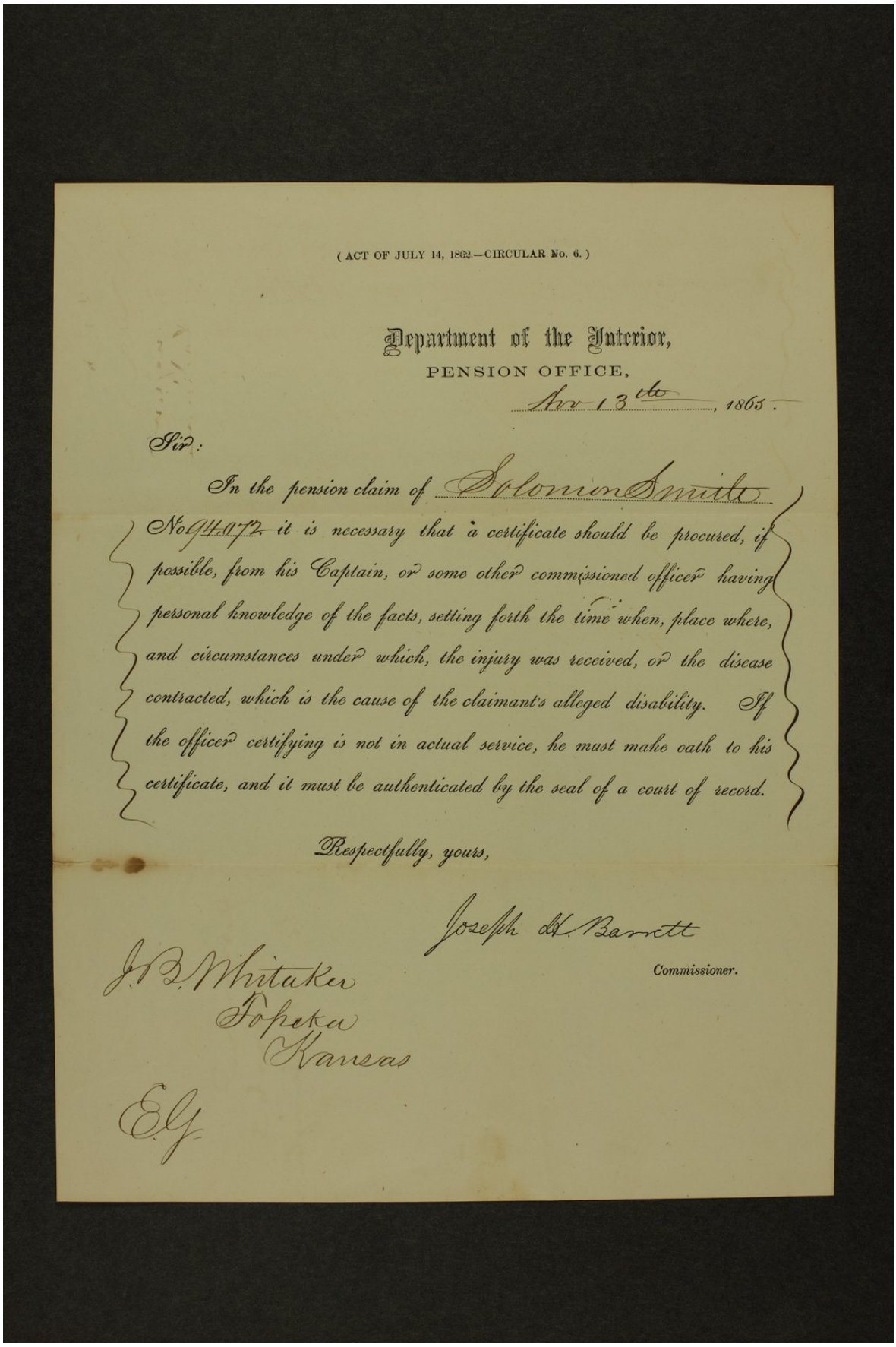
Auditor.

To J. B. Whitaker Esq

Topeka

Kansas

P. 77



(ACT OF JULY 14, 1862.—CIRCULAR No. 6.)

Department of the Interior,
PENSION OFFICE,
Nov 13th, 1865.

Sir:

In the pension claim of Solomon Smith
No 94872 it is necessary that a certificate should be procured, if possible, from his Captain, or some other commissioned officer having personal knowledge of the facts, setting forth the time when, place where, and circumstances under which, the injury was received, or the disease contracted, which is the cause of the claimant's alleged disability. If the officer certifying is not in actual service, he must make oath to his certificate, and it must be authenticated by the seal of a court of record.

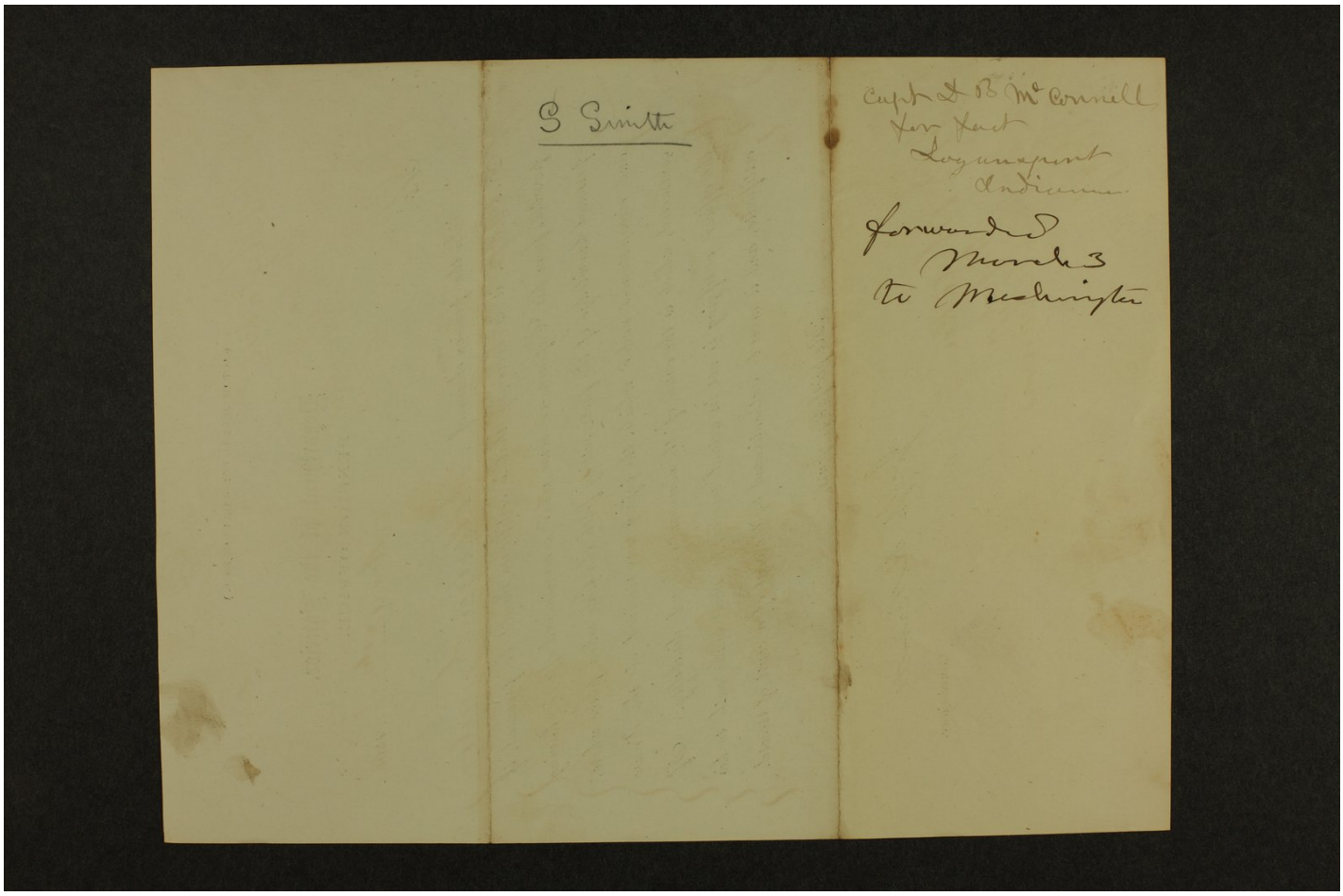
Respectfully, yours,

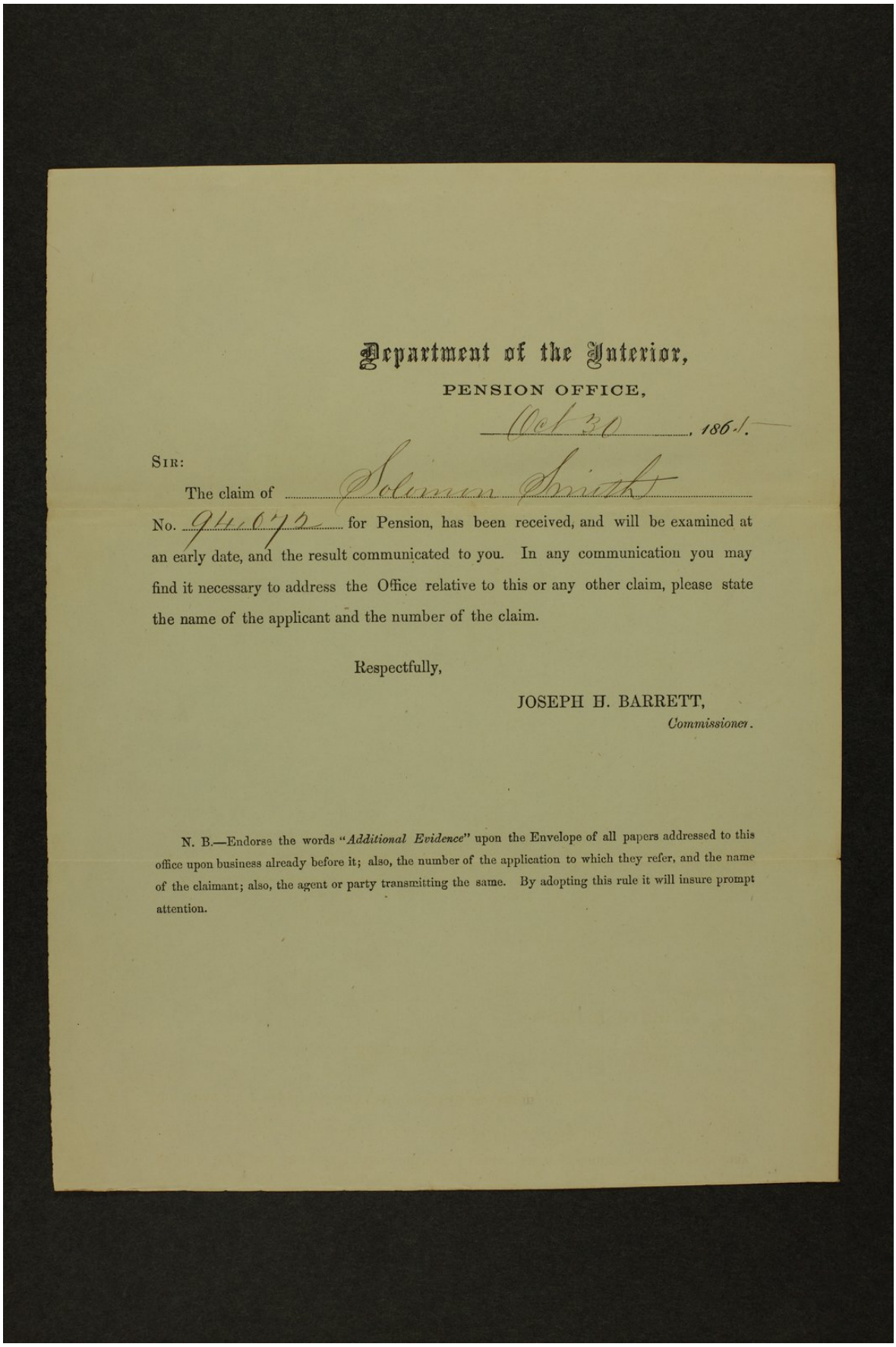
Joseph H. Barrett
Commissioner.

J. B. Whitaker
Topeka
Kansas

EJ

James Barnes Whitaker legal documents





Department of the Interior,

PENSION OFFICE,

Oct 30, 1861.

SIR:

The claim of Solomon Smith

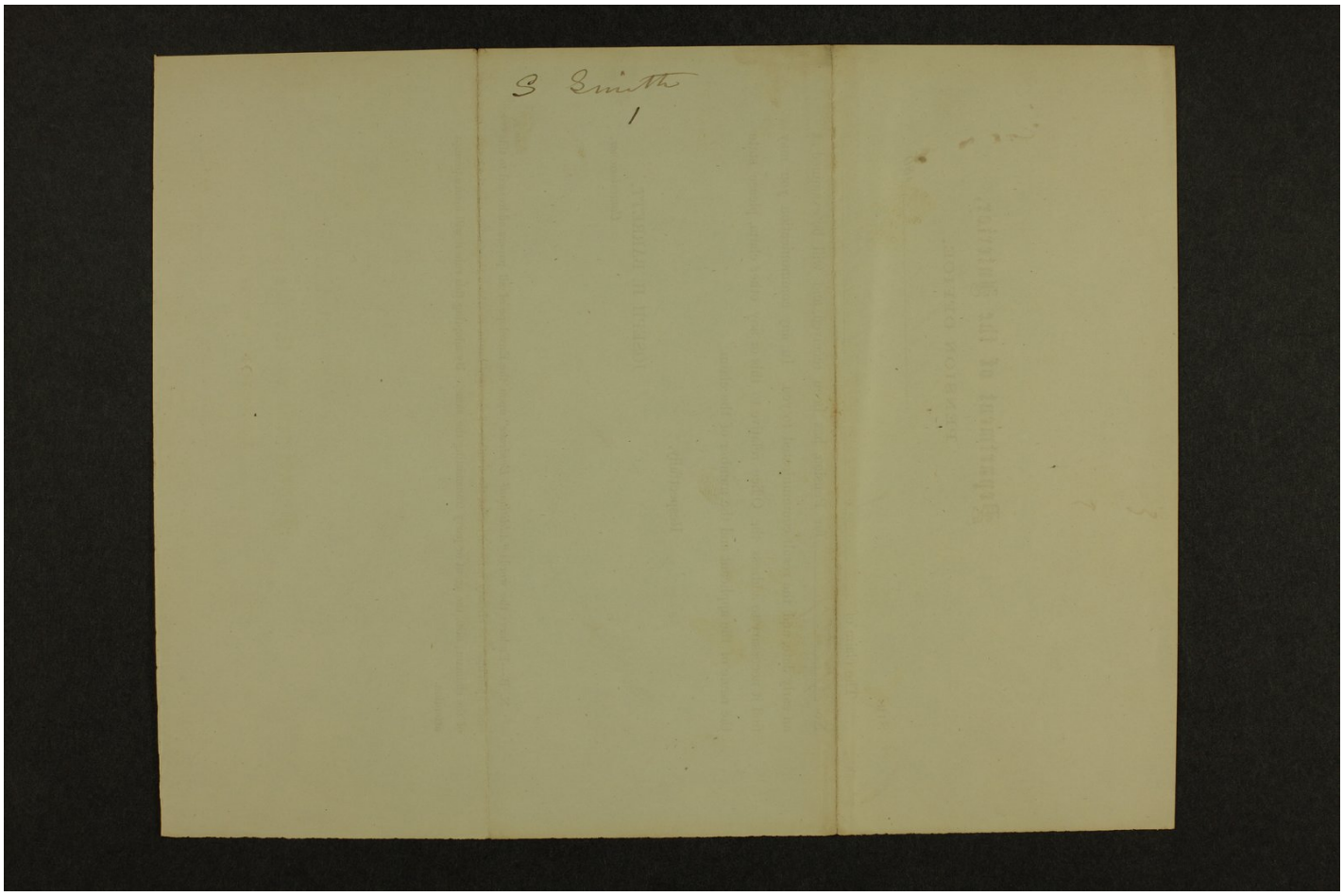
No. 94,072 for Pension, has been received, and will be examined at an early date, and the result communicated to you. In any communication you may find it necessary to address the Office relative to this or any other claim, please state the name of the applicant and the number of the claim.

Respectfully,

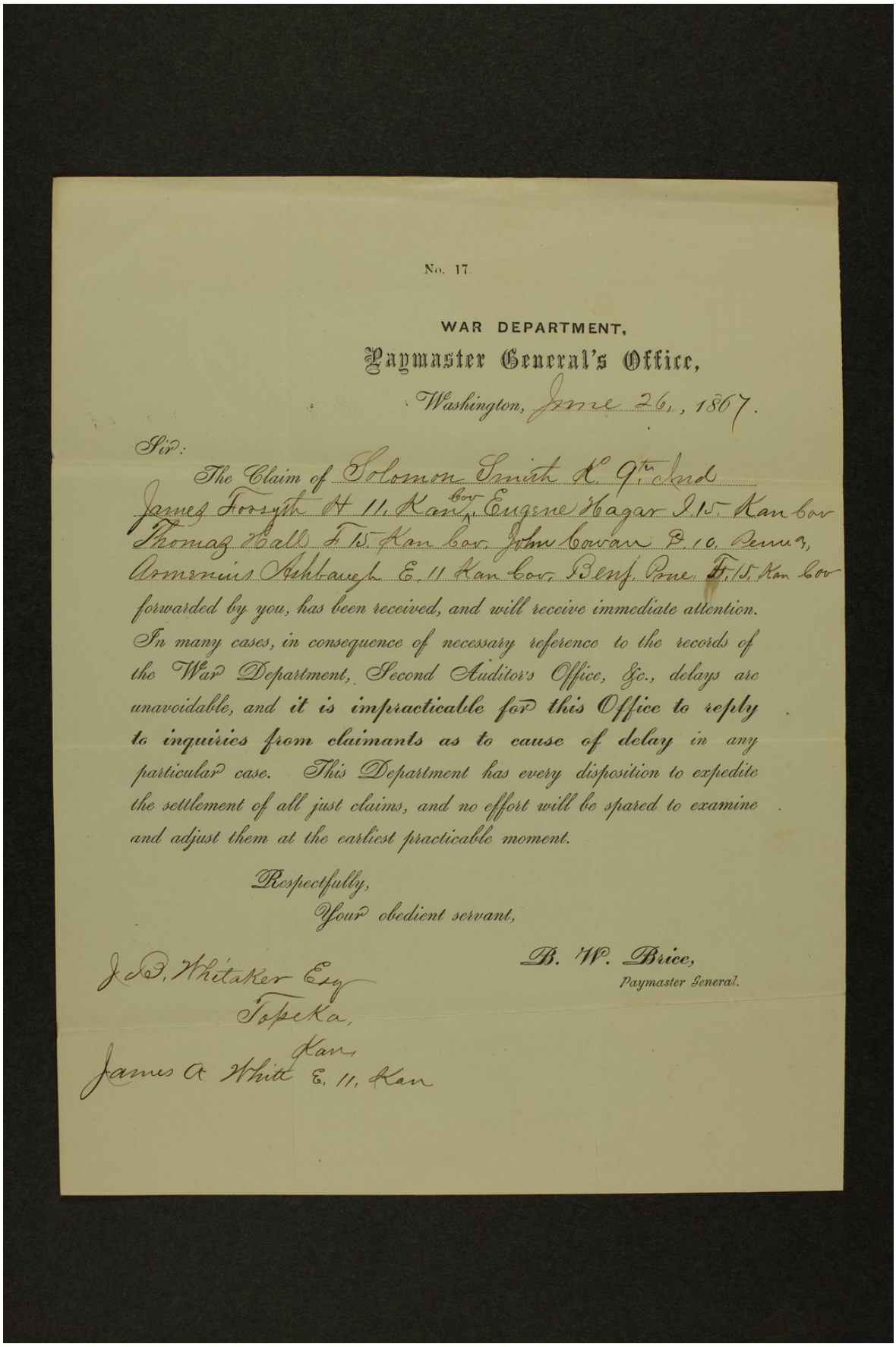
JOSEPH H. BARRETT,
Commissioner.

N. B.—Endorse the words "*Additional Evidence*" upon the Envelope of all papers addressed to this office upon business already before it; also, the number of the application to which they refer, and the name of the claimant; also, the agent or party transmitting the same. By adopting this rule it will insure prompt attention.

James Barnes Whitaker legal documents



James Barnes Whitaker legal documents



No. 17.

WAR DEPARTMENT,
Paymaster General's Office,
Washington, June 26, 1867.

Sir:

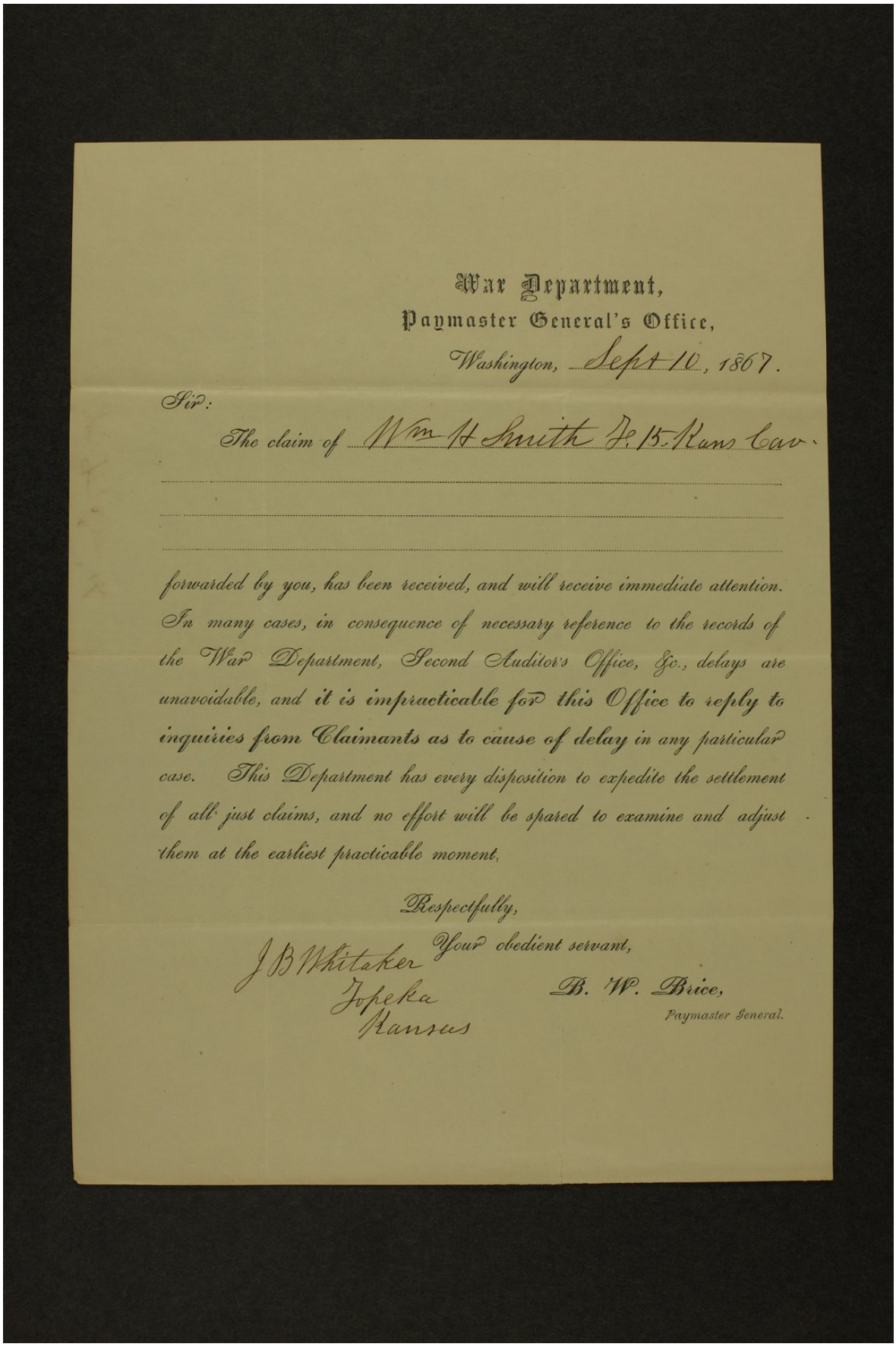
The Claim of Solomon Smith K 9th Ind
James Forsyth H 11 Kan Cav, Eugene Hagar I 15 Kan Cav
Thomas Hall F 15 Kan Cav, John Cavan D 10 Penn'a,
Commins Ashbaugh E 11 Kan Cav, Benj Pine F 15 Kan Cav
forwarded by you, has been received, and will receive immediate attention.
In many cases, in consequence of necessary reference to the records of the War Department, Second Auditor's Office, &c., delays are unavoidable, and **it is impracticable for this Office to reply to inquiries from claimants as to cause of delay** in any particular case. This Department has every disposition to expedite the settlement of all just claims, and no effort will be spared to examine and adjust them at the earliest practicable moment.

Respectfully,
Your obedient servant,

B. W. Brice,
Paymaster General.

J. D. Whitaker Esq
Topeka,
Kan.
James A White E. 11, Kan

James Barnes Whitaker legal documents



War Department,
Paymaster General's Office,
Washington, Sept 10, 1867.

Sir:

The claim of Wm H Smith Co. B. Kans Cav.

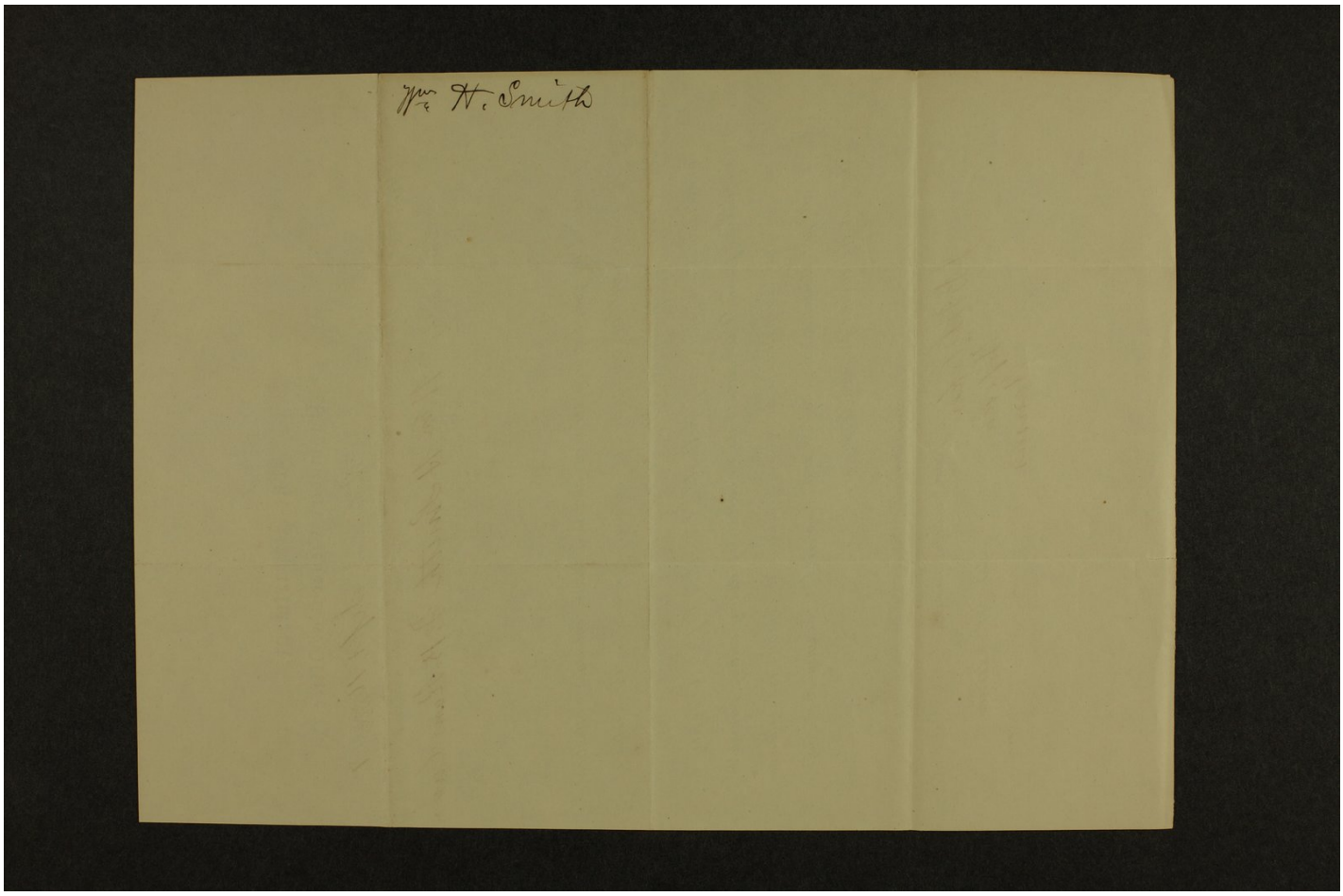
forwarded by you, has been received, and will receive immediate attention. In many cases, in consequence of necessary reference to the records of the War Department, Second Auditor's Office, &c., delays are unavoidable, and **it is impracticable for this Office to reply to inquiries from Claimants as to cause of delay** in any particular case. This Department has every disposition to expedite the settlement of all just claims, and no effort will be spared to examine and adjust them at the earliest practicable moment.

Respectfully,
Your obedient servant,

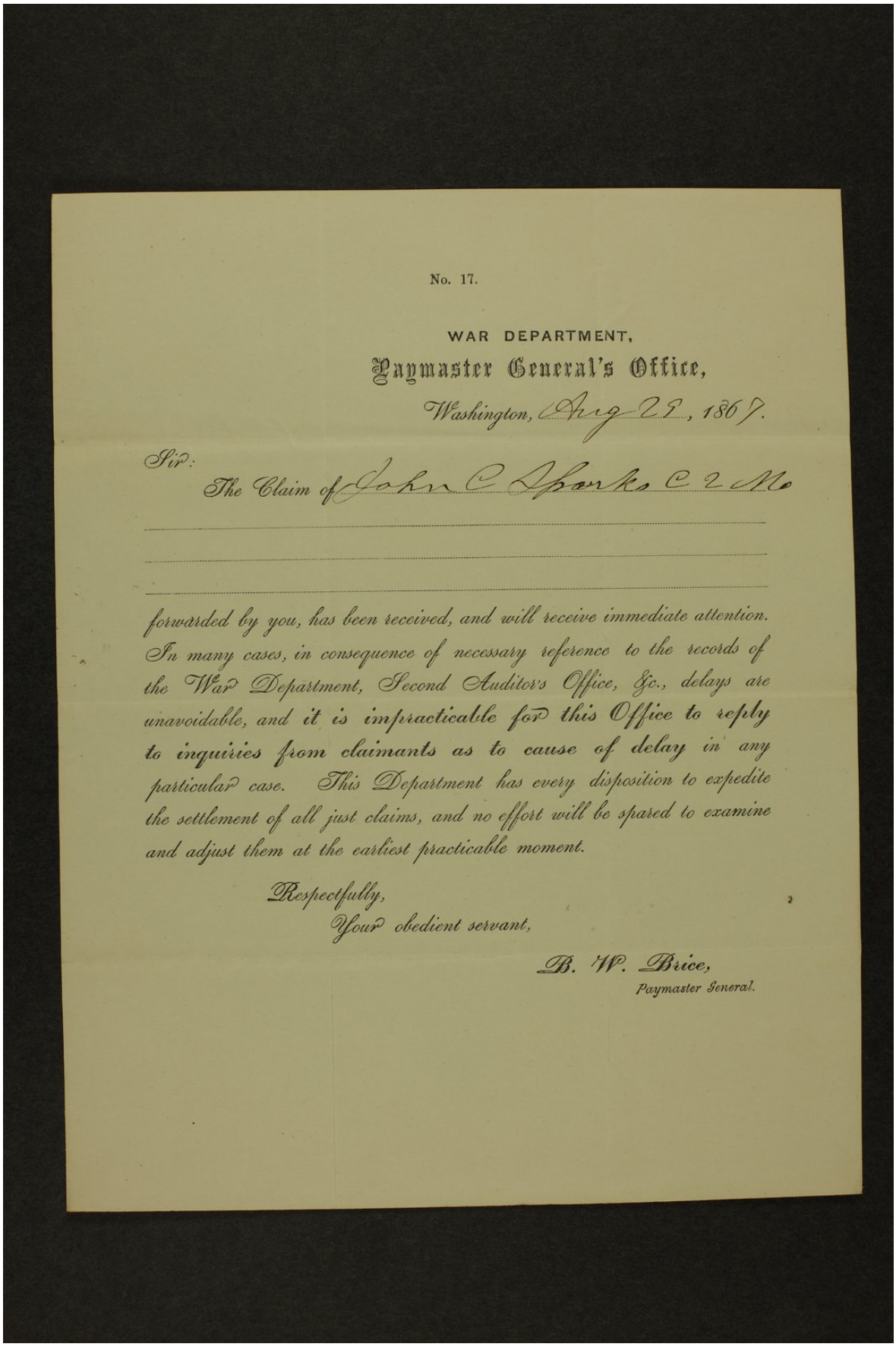
J B Whitaker
Topeka
Kansas

B. W. Brice,
Paymaster General.

James Barnes Whitaker legal documents



James Barnes Whitaker legal documents



No. 17.

WAR DEPARTMENT,
Paymaster General's Office,
Washington, Aug 27, 1867.

Sir:

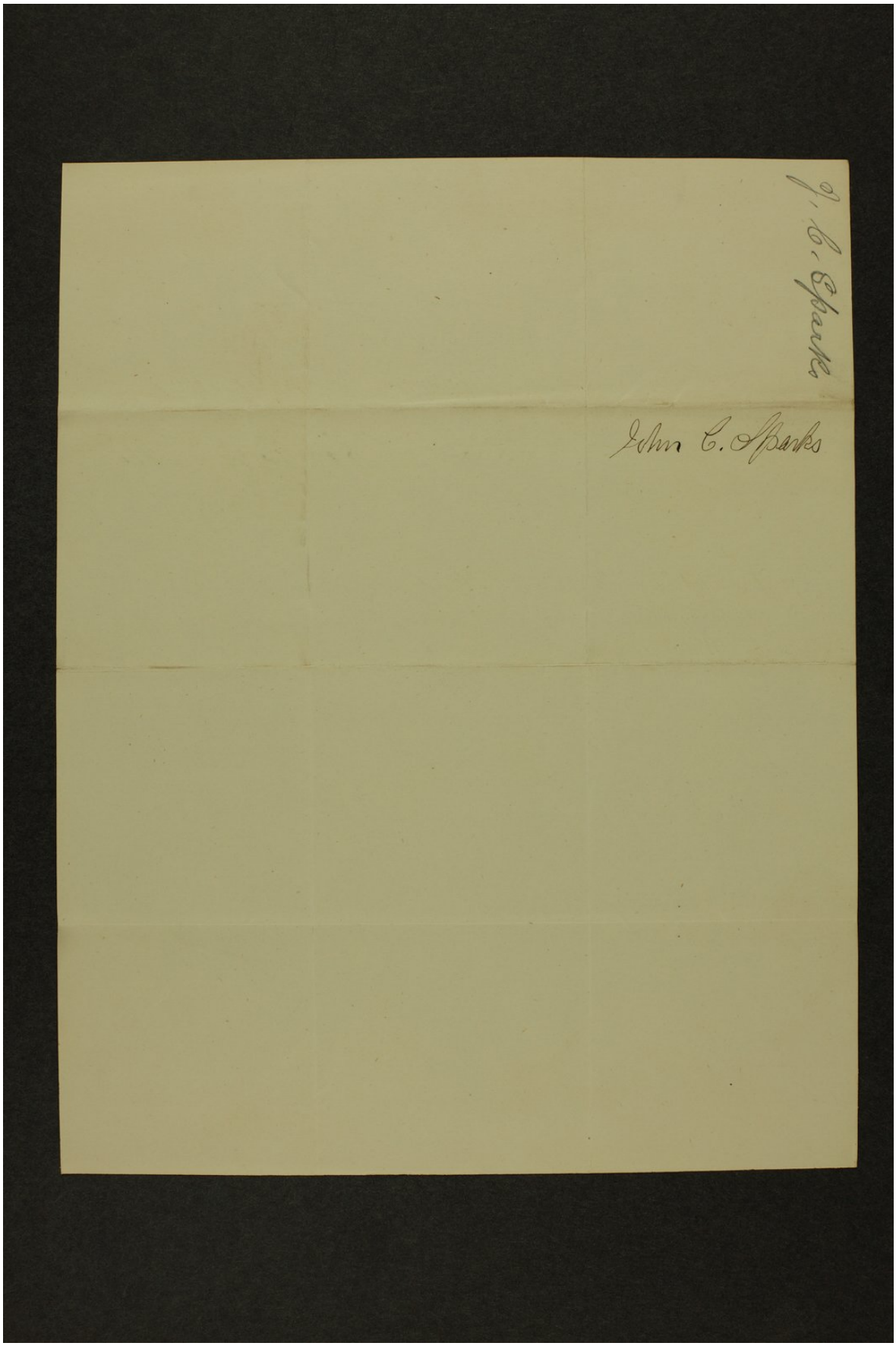
The Claim of John C Sparks C 2 Mo

forwarded by you, has been received, and will receive immediate attention. In many cases, in consequence of necessary reference to the records of the War Department, Second Auditor's Office, &c., delays are unavoidable, and **it is impracticable for this Office to reply to inquiries from claimants as to cause of delay** in any particular case. This Department has every disposition to expedite the settlement of all just claims, and no effort will be spared to examine and adjust them at the earliest practicable moment.

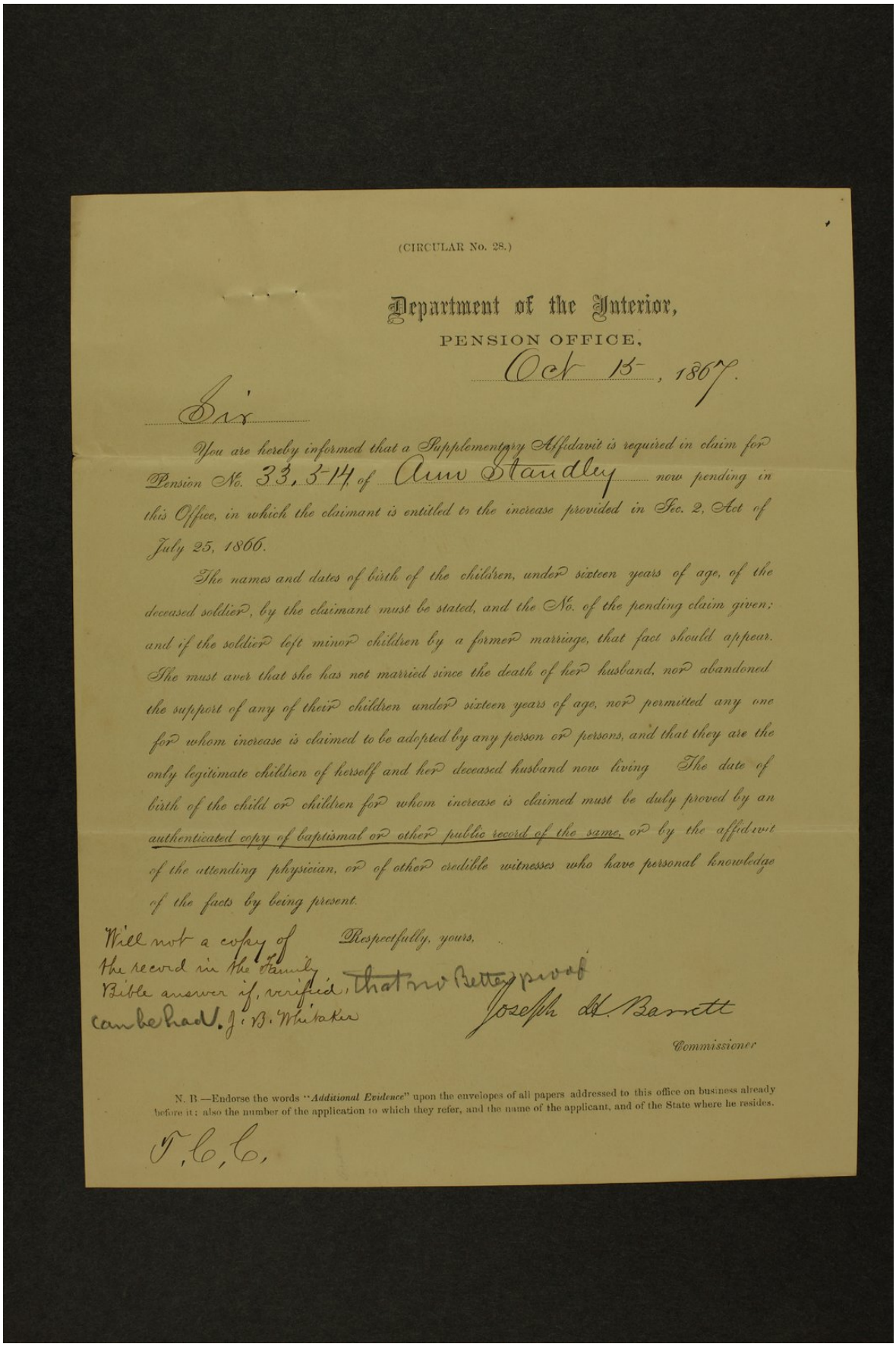
Respectfully,
Your obedient servant,

B. W. Brice,
Paymaster General.

James Barnes Whitaker legal documents



James Barnes Whitaker legal documents



(CIRCULAR No. 28.)

Department of the Interior,

PENSION OFFICE,

Oct 15, 1867.

Sir

You are hereby informed that a Supplementary Affidavit is required in claim for Pension No. 33,314 of Ann Standley now pending in this Office, in which the claimant is entitled to the increase provided in Sec. 2, Act of July 25, 1866.

The names and dates of birth of the children, under sixteen years of age, of the deceased soldier, by the claimant must be stated, and the No. of the pending claim given; and if the soldier left minor children by a former marriage, that fact should appear. She must aver that she has not married since the death of her husband, nor abandoned the support of any of their children under sixteen years of age, nor permitted any one for whom increase is claimed to be adopted by any person or persons, and that they are the only legitimate children of herself and her deceased husband now living. The date of birth of the child or children for whom increase is claimed must be duly proved by an authenticated copy of baptismal or other public record of the same, or by the affidavit of the attending physician, or of other credible witnesses who have personal knowledge of the facts by being present.

Will not a copy of the record in the family Bible answer if, verified, that will be better proof can be had. J. B. Whitaker

Respectfully, yours,

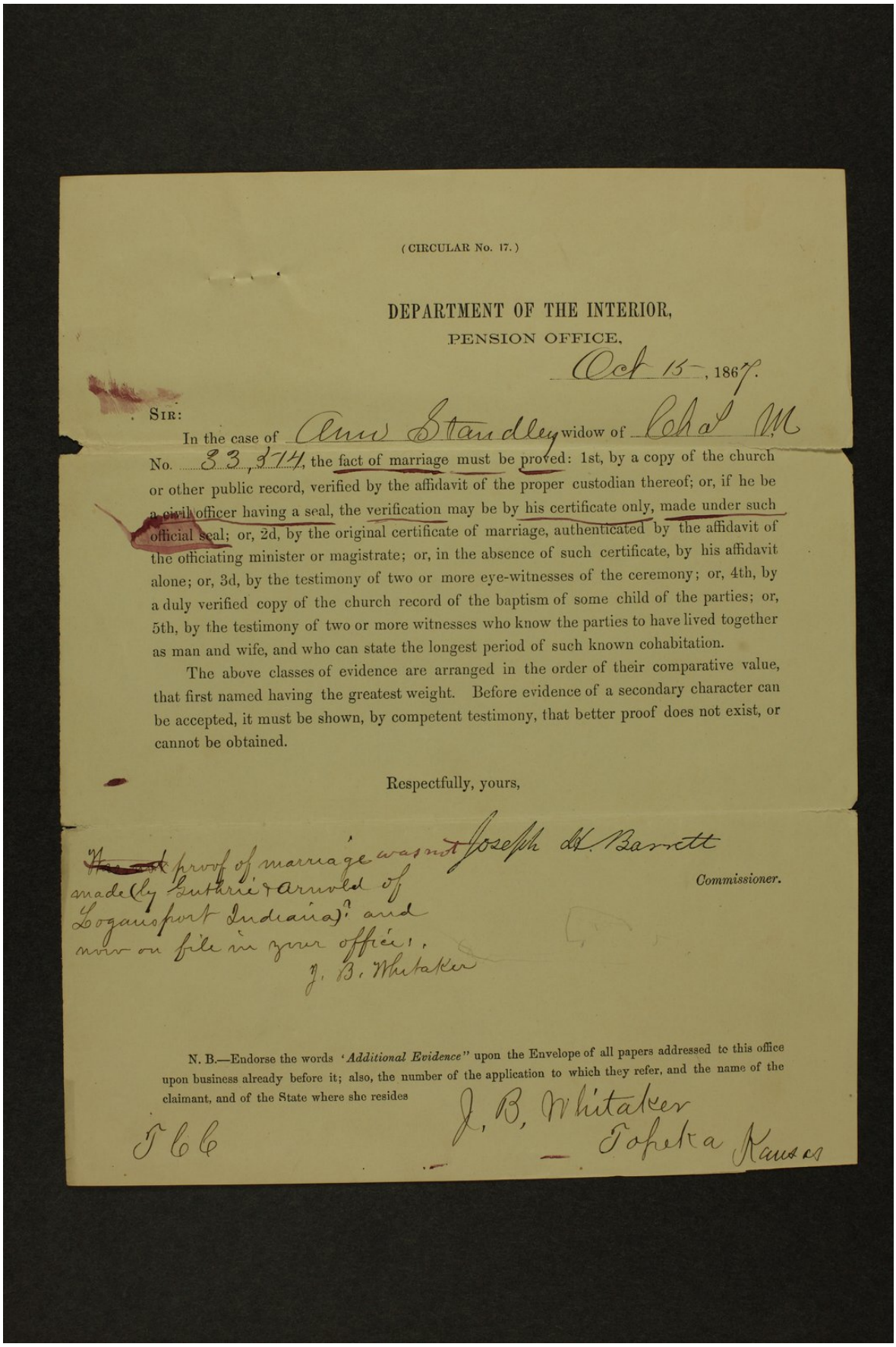
Joseph H. Barrett

Commissioner

N. B.—Endorse the words "*Additional Evidence*" upon the envelopes of all papers addressed to this office on business already before it; also the number of the application to which they refer, and the name of the applicant, and of the State where he resides.

T. C. C.

James Barnes Whitaker legal documents



(CIRCULAR No. 17.)

DEPARTMENT OF THE INTERIOR,
PENSION OFFICE,
Oct 15, 1867.

SIR:

In the case of Ann Standley widow of Chas M.
No. 33,374, the fact of marriage must be proved: 1st, by a copy of the church or other public record, verified by the affidavit of the proper custodian thereof; or, if he be a civil officer having a seal, the verification may be by his certificate only, made under such official seal; or, 2d, by the original certificate of marriage, authenticated by the affidavit of the officiating minister or magistrate; or, in the absence of such certificate, by his affidavit alone; or, 3d, by the testimony of two or more eye-witnesses of the ceremony; or, 4th, by a duly verified copy of the church record of the baptism of some child of the parties; or, 5th, by the testimony of two or more witnesses who know the parties to have lived together as man and wife, and who can state the longest period of such known cohabitation.

The above classes of evidence are arranged in the order of their comparative value, that first named having the greatest weight. Before evidence of a secondary character can be accepted, it must be shown, by competent testimony, that better proof does not exist, or cannot be obtained.

Respectfully, yours,

Joseph H. Barrett
Commissioner.

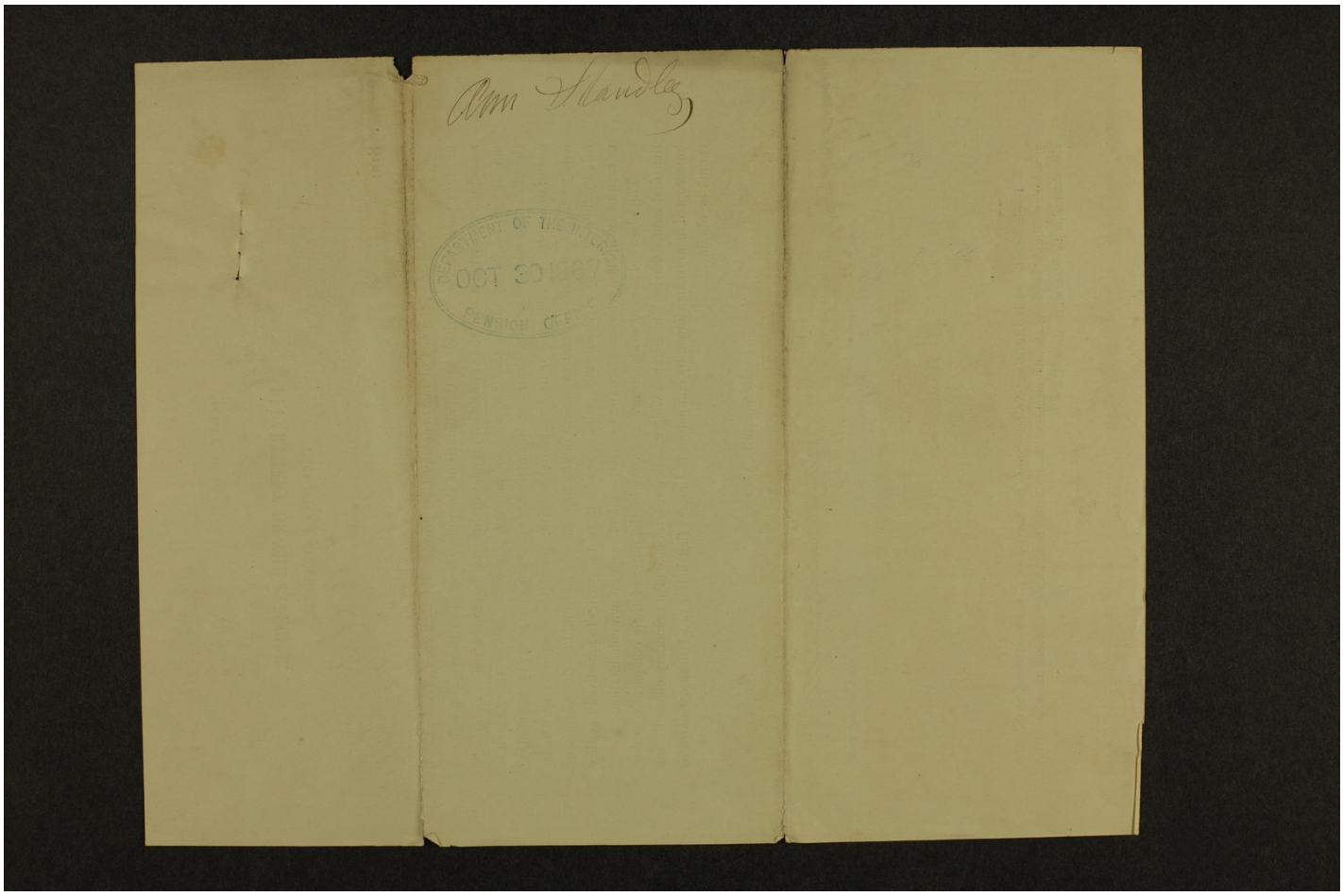
~~The~~ proof of marriage was not made (by Guthrie & Arnold of Logansport Indiana)? and now on file in your office.
J. B. Whitaker

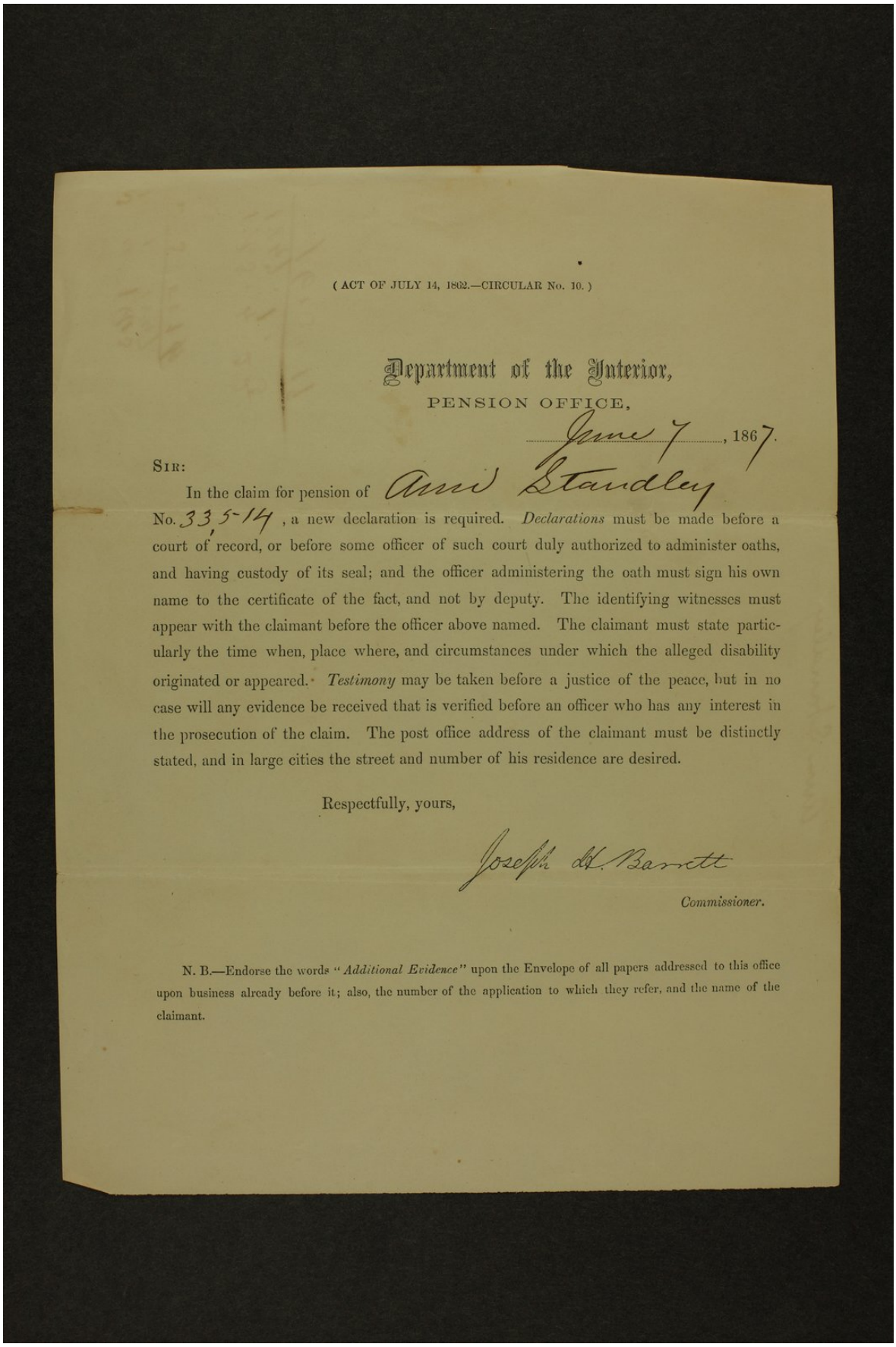
N. B.—Endorse the words *'Additional Evidence"* upon the Envelope of all papers addressed to this office upon business already before it; also, the number of the application to which they refer, and the name of the claimant, and of the State where she resides

J. B. Whitaker
Topeka Kansas

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James Barnes Whitaker legal documents





(ACT OF JULY 14, 1862.—CIRCULAR No. 10.)

Department of the Interior,
PENSION OFFICE,
June 7, 1867.

SIR:

In the claim for pension of Ann Standley
No. 33,5-14, a new declaration is required. *Declarations* must be made before a court of record, or before some officer of such court duly authorized to administer oaths, and having custody of its seal; and the officer administering the oath must sign his own name to the certificate of the fact, and not by deputy. The identifying witnesses must appear with the claimant before the officer above named. The claimant must state particularly the time when, place where, and circumstances under which the alleged disability originated or appeared. *Testimony* may be taken before a justice of the peace, but in no case will any evidence be received that is verified before an officer who has any interest in the prosecution of the claim. The post office address of the claimant must be distinctly stated, and in large cities the street and number of his residence are desired.

Respectfully, yours,

Joseph H. Barrett
Commissioner.

N. B.—Endorse the words "*Additional Evidence*" upon the Envelope of all papers addressed to this office upon business already before it; also, the number of the application to which they refer, and the name of the claimant.

James Barnes Whitaker legal documents

