

WIDOW'S APPLICATION FOR A PENSION

APR 6 - 1931

Geo H Shepard
COMPTROLLER

FORM B.

**WIDOW'S APPLICATION
FOR A PENSION**

The Comptroller of Public Accounts reserves the right to call for additional testimony if he deems it necessary.

Name of Applicant.

Elizabeth Rebecca Howard,

Anderson County.

R. F. D. or Street No. **1**

Postoffice **Percilla, Texas.**

Filed **May 20th, 1931.**

Approved _____

Pension allowed from _____

Rejected **May 20th, 1931.**

Geo H Shepard
Comptroller of Public Accounts.

Report chgs: **Desertion.**

Compliments of
East Texas Genealogical Society

Form 23276-430-4m
COMPTROLLER
RECORDS
MAY 26 1931

Form 111B

Widow's Application for Confederate Pension

THE STATE OF TEXAS,

County of Anderson

I, Mrs. Elizabeth Rebecca Howard do hereby make application for a pension pursuant to the provisions of Articles 6204 to 6227, inclusive, of the Revised Civil Statutes of 1925 as amended by S. B. No. 27, passed by the Forty-first Legislature at its Fifth Called Session and all other laws of this State relating thereto.

I am a widow of James Edward Howard deceased, who departed this life on the 12th day of April, A. D. 1909, in the county of Anderson, in the State of Texas

I have not remarried since the death of my said husband; (or in case of remarriage that I am now a widow); and I do solemnly swear that I was never divorced from my said husband James Edward Howard 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 12th day of August

A. D. 1877 in the county of Anderson, in the State of Texas

My husband, the said James Edward Howard, served as a Confederate soldier (or sailor) in the war between the States of the United States; or (that he was a soldier who, under special laws of the State of Texas during said war, served in organizations for the protection of the frontier against Indian raiders or Mexican marauders); or (that he was a soldier of the militia of the State of Texas who was in active service during said war.) That my said husband served honorably from the date of his enlistment until the close of the war, (or until he was discharged or paroled in some military organization regularly mustered into the army or navy of the Confederate States until the surrender). He was honorably discharged or paroled I do not know

(Give date and cause.)

That I have been a bona fide resident of this State continuously since the 12th Dec. day of December A. D. 1862

1. What is your age, and date of birth? 68 yrs. 12th Dec. 1862
2. How long have you resided in the county of your present residence? 68 yrs
3. What is your postoffice address? Perseus Texas, R. F. D. No. 1
4. Have you applied for a pension under the Confederate pension law and been rejected? No.
5. If rejected, state when and where _____
6. Did your husband draw a pension? No If so, give his file number _____
7. Give, if possible, the postoffice address of your deceased husband at the time of his enlistment I do not know.
8. What was your husband's full name? James Edward Howard

9. In what State was your husband's command originally organized? I do not know.

10. How long did your husband serve? I do not know

11. If known to you, give date of enlistment and discharge _____

12. What was the name or letter of the company, or number of the regiment in which your husband served? If he was transferred from one branch of service to another, give time of transfer, description of command and time of service. (If applicant's husband was a pensioner give his file number, which is evidence sufficient for proof of service.) F. 4. Und. C.

13. 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 time of service. I do not know.



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

(Signature of Applicant) Elizabeth Rebecca Howard

Sworn to and subscribed before me this 4th day of April A. D. 1931

[Seal] B. J. Kennedy
County Judge Anderson County, Texas.

*Where applicant has remarried it is necessary that she state facts covering particulars of last marriage, date, to whom married, and date of last husband's death. She must also state that she is now a widow.

AFFIDAVIT OF WITNESSES

[Note.—There must be at least two creditable witnesses.]

THE STATE OF TEXAS,
County of Anderson

Before me, B. J. Kennedy, County Judge of Anderson County,
State of Texas, on this day personally appeared Harry Deason, and
A. G. Godley, who are personally known to me to be credible citi-

zens, who, being by me duly sworn, on oath state that they personally know that Mrs. Elizabeth Rebecca Howard, applicant for a pension as the widow of James Edward Howard deceased, is in truth and fact the widow of James Edward Howard deceased; that they personally know that she has not remarried since the death of her husband, for whose services in the army she claims a pension, and that they have no interest in this claim.*

(Signature of Witness) Harry Deason
(Signature of Witness) A. G. Godley

Sworn to and subscribed before me, this 11th day of April, A. D. 1931.

B. J. Kennedy

[Seal.] County Judge Anderson County, Texas.

*Where applicant has remarried it is necessary that she state facts covering particulars of last marriage, date, to whom married, and date of last husband's death. She must also state that she is now a widow.

AFFIDAVIT OF WITNESSES

[Note.—There must be at least two creditable witnesses.]

THE STATE OF TEXAS,
County of Anderson

Before me, B. J. Kennedy, County Judge of Anderson County,
State of Texas, on this day personally appeared J. D. Carter and
M. P. Edmondson, who are personally known to me to be creditable citi-

zens, who, being by me duly sworn, on oath state that they personally know the above named applicant for pension, and that they personally know that the said Elizabeth Rebecca Howard has been a bona fide resident citizen of the State of Texas since 1910

and that they have no interest in this claim.
(Signature of Witness) J. D. Carter
(Signature of Witness) M. P. Edmondson

Sworn to and subscribed before me, this 11th day of April, A. D. 1931.

B. J. Kennedy

[Seal.] County Judge Anderson County, Texas.

AFFIDAVIT OF WITNESSES

(If possible the one witness should have served with the applicant's husband in the army, and if so, let him state it in his oath, also any other 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 is personally known to me to be a creditable citizen, who, being by me sworn, on oath states that (he or she) is 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 (his or her) knowledge and belief, and that (he or she) has no interest in this claim. And further make oath to the following facts touching the service of applicant's husband in the Confederate Army: (Witness must state fully the source of (his or her) knowledge of service of applicant's husband) _____

(Signature of Witness) _____

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

[Seal.]

County Judge _____ County, Texas.





VETERANS ADMINISTRATION

BUREAU OF PENSIONS

WASHINGTON May 7, 1931.

THIS LETTER REFERS TO
YOUR FILE NUMBER:

Hon. Clay Stone Briggs,
House of Representatives,
Washington, D. C.

IN REPLY REFER TO:
WIDOW DIVISION
S.O. 1366,174
James E. Howard

My dear Mr. Briggs:

I have your letter in behalf of Mrs. Elizabeth Howard, of Percilla, Texas, who you state is the widow of James Edward Howard.

In reply you are advised the records show that in 1909 James E. Howard, alias Michael Stewart, whose address at that time was Grapeland, Texas, filed a claim under the Act of February 6, 1907. This claim was rejected on the ground that the claimant voluntarily rendered service in the Confederate States Army and his enlistment in the United States Army was subsequent to January 1, 1865. A report from the records of the War Department, on file in the case, shows that the soldier enlisted on June 16, 1866, under the name of Michael Stewart, in Troop F, 4th United States Cavalry, and that he deserted May 14, 1867, was apprehended June 14, 1867, and was discharged July 16, 1869, by expiration of term of service, having made good time lost by desertion. According to the soldier's own allegation he served in 1864 on the Confederate gunboat "Tennessee".

The soldier's widow could, of course, have no title to pension based on her husband's Confederate service, and as his service in the United States Army covered a period of less than ninety days during the Civil War and he was not discharged for disability, she could have no title to pension under any of the so-called service Acts.

Under the General Law the length of service is immaterial but it is necessary to prove that the soldier's death was a result of his military service. It is apparent that Mrs. Howard could not furnish such proof as the soldier's claim under the General Law, filed in 1907 and based on wounds of head and right leg, was rejected on the ground that there was no record in the War Department and no medical evidence showing treatment therefor in the service, and that the claimant declared his inability to furnish testimony showing incurrence of said disabilities in service and in line of duty.

TX

S.O. 1366,174-James E. Howard.

-2-

In view of the facts above stated it appears that there is no existing law under which Mrs. Howard could have title to pension as the soldier's widow.

A carbon copy of this letter is enclosed for your convenience.

Very truly yours,



E. W. Morgan,
Acting Commissioner.



HLH:vms

CLAY STONE BRIGGS
7TH DISTRICT OF TEXASCongress of the United States
House of Representatives
Washington, D. C.

May 8, 1931

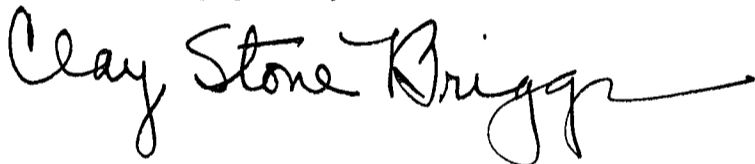
S. O. 1,366,174
James E. Howard.Mrs. Elizabeth Howard,
Route No. 1,
Percilla, Texas.

Dear Mrs. Howard:

I am handing you herewith letter dated May 7, 1931, just received from Hon. E. W. Morgan, Acting Pension Commissioner, which is self explanatory, and which, I am sorry, announces that no Federal pension can be paid for the Union military service of the late James E. Howard.

It may be, however, that you can now establish title to a State pension based upon the veteran's service with the Confederate forces, and this matter should be taken up with the State Comptroller of Accounts, Austin, Texas. The letter from the Acting Pension Commissioner may be of value in proving service, and it should be attached to your pension application.

Sincerely yours,



encl

In reply address not the signer of
this letter, but Bureau of Navigation,
Navy Department, Washington, D. C.
Refer to No.

Nav-642-2-GWB-LCJ

NAVY DEPARTMENT
BUREAU OF NAVIGATION
WASHINGTON, D. C.

MAY 19 1864

My dear Congressman Briggs:

In the matter of James Edward Howard, who it is claimed served
in the "Tennessee" in August 1864:

The records show that one James Howard enlisted in the Navy
January 19, 1864, at New Orleans, La., for two years, as landsman,
served in the "Portsmouth" and "Tennessee" to June 6, 1864, when he
deserted.

The enclosed letter which you submitted from Mrs. Elizabeth
Howard of Percilla, Texas, is returned herewith.

Very truly yours,

St. Leonard

By Direction

Enclosure: Number 33925



Honorable Clay Stone Briggs,
House of Representatives,
Washington, D. C.

CLAY STONE BRIGGS
7TH DISTRICT OF TEXASCongress of the United States
House of Representatives
Washington, D. C.

May 15, 1931

Mrs. Elizabeth Howard,
Route No. 1,
Percilla, Texas.S. O. 1,366,174
James E. Howard.

Dear Mrs. Howard:

I am handing you herewith letter dated May 14, 1931, just received from the Bureau of Navigation, Navy Department, which is self explanatory.

It is impossible to prevail upon the Navy Department to remove the desertion charge against the above named veteran. I suggest, however, that the matter be taken up with the State Comptroller of Accounts, Austin, Texas, as indicated in my letter of May 8th, last.

Sincerely yours,

A handwritten signature in cursive script that reads "Clay Stone Briggs". The signature is written in dark ink and extends across the width of the page. At the end of the signature, there is a circular stamp containing the letters "TX".

encl

May 21, 1931.

Mrs. Elizabeth R. Howard,
Route 1,
Percilla, Texas.

Dear Mrs. Howard:

Replying to your letter of recent date, enclosing a letter from Hon. Clay Stone Briggs and also a report from the Veterans Bureau at Washington, in support of the service record of James E. Howard as a Confederate soldier.

You are advised that under the present law of Texas the pension cannot be granted you on the record as given in this report.

You are further advised that I have on file a report from the Navy Department, Bureau of Navigation, Washington, D. C., giving the service record of J. E. Howard, which report follows:

"In the matter of James Edward Howard, who it is claimed served in the "Tennessee" in August 1864:

"The records show that one James Howard enlisted in the Navy January 19, 1864, at New Orleans, La., for two years, as landsman, served in the "Portsmouth" and "Tennessee" to June 6, 1864, when he deserted."

From information given in this report any one claiming a pension on this record is not eligible for pension under the present law and it is on account of this report that your application for pension must be rejected.

Yours very truly,

JHT:E.

State Comptroller of Public
Accounts.



please read that

letter is awry careful and
see if you can pay me a
pension please return that
letter to me yours truly
Elizabeth Howard

Perilla J. 

R/Bat H3