

22,76

Endorsements Hereon for Comptroller's Use Exclusively.

**DEAD** FORM No. 1. *7662*

CONFEDERATE PENSION APPLICATION.

*76* Name of Applicant, *76-3*

*W. H. Beler*  
*Smith* County.

Post Office *Tyler*

Comptroller's File No. *7662*

I have carefully examined the within application for pension, together with the proof in support thereof, and I recommend that the application be

*Approved*  
this *20* day of *Sept*

A. D. *1900*  
*Wm. J. Lavin*  
Pension Clerk.

I hereby *Approved* the within application for pension, this *20* day of

*Sept* A. D. *1900*  
*Wm. J. Lavin*  
Comptroller.

No Application Rejected by County Judge or County Commissioners Should be Forwarded to Comptroller.

MAVERICK-CLARKE LITHO CO., SAN ANTONIO.

COMPTROLLER'S OFFICE  
RECEIVED  
SEP 19 1900  
Referred to  
No.

APPLICATION of Indigent Soldier or Sailor of the late Confederacy for pension under the Act of May 12, 1899.

THE STATE OF TEXAS,

COUNTY OF Smith

To the Honorable County Judge of Smith County, Texas.

Your petitioner, W. H. Beler respectfully represents that he is a resident citizen of Smith County, in the State of Texas, and that he makes this application for the purpose of obtaining a pension under the act passed by the Twenty-sixth Legislature of the State of Texas, and approved May 12, A. D. 1899, the same being an act entitled "An act to carry into effect the amendment to the Constitution of the State of Texas, providing that aid may be granted to disabled and dependent Confederate soldiers, sailors, and their widows under certain conditions, and to make an appropriation therefor," and I do solemnly swear that the answers I have given to the following questions are true.

NOTE—Applicant must make answer to all of the following questions, and such answers must be written out plainly in ink.

- Q. What is your name? Answer W. H. Beler
- Q. What is your age? Answer 62 years old past
- Q. In what County do you reside? Answer Smith
- Q. How long have you resided in said County and what is your post office address? Answer 15 years  
Tyler - Tex.
- Q. Have you applied for a pension under the Confederate Pension Law heretofore, and been rejected? If so state when and where. Answer No.
- Q. What is your occupation if able to engage in one? Answer Farming
- Q. What is your physical condition? Answer Very bad
- Q. If your physical condition is such that you are unable by your own labor to earn a support, state what caused such disability. Answer weak eye, palpitation of the heart and general debility.
- Q. State in what company and regiment you enlisted in the Confederate army, and the time of your service? Answer Company "K" 19th Ark. Infantry
- Q. If you served in the Confederate navy state when and where, and the time of your service. Answer \_\_\_\_\_
- Q. State whether or not you have received any pension or veteran donation land certificate under any previous law, and if you answer in the affirmative state what pension or veteran donation land certificate you have received. Answer No
- Q. What real and personal property do you now own, and what is the present value of such property? Give list of such property and value. Answer I own no real estate. I own two horses worth \$75.00. Two cows, worth \$40.00. Seven hogs worth \$10.00. one peddling wagon, and my house hold furniture worth \$25.00 or \$30.00.



7662

- Q. What property, and what was the value thereof have you sold or conveyed within two years prior to the date of this application? Answer: *None*
- Q. What income, if any, do you receive? Answer: *None*
- Q. Are you in indigent circumstances; that is, are you in actual want, and destitute of property and means of subsistence? Answer: *yes*
- Q. Are you unable by your labor to earn a support? Answer: *yes*
- Q. Have you transferred to others any property of value of any kind for the purpose of becoming a beneficiary under this law? Answer: *No*
- Q. Did you ever desert the Confederacy? Answer: *No*
- Q. Have you been continuously since the first day of January, 1880, a bona fide resident citizen of this State? Answer: *yes*

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

(Signature of Applicant) *W. H. Beler*

Sworn to and subscribed before me this *27* day of *June* A. D. *1900*

(SEAL)

*Geo. W. Cross*  
County Judge *Smith* County, Texas.

AFFIDAVIT OF WITNESSES.

(NOTE—There must be at least two credible witnesses.)

THE STATE OF TEXAS,

COUNTY OF *Smith*

Before me, *Geo. W. Cross*

County Judge of *Smith*

County, State of Texas, on this day personally appeared

*John Cooley and Nancy Beler*

who are personally known to me to be credible citizens, who being by me duly sworn on oath, state that they personally know *W. H. Beler* the above named applicant for a pension, and that they personally know that the said *W. H. Beler* enlisted in the service of the Confederacy, and performed the duties of a soldier (or sailor) as claimed by him in the above and foregoing application, and that they further know that he, the said applicant, is unable to support himself by labor of any sort.

(Signature of Witness) *John Cooley*

(Signature of Witness) *Nancy Beler*

(Signature of Witness)

(Signature of Witness)

Sworn to and subscribed before me this *28* day of *June* A. D. *1900*

(SEAL)

*Geo. W. Cross*  
County Judge *Smith* County, Texas.

AFFIDAVIT OF PHYSICIAN.

THE STATE OF TEXAS,

COUNTY OF Smith

Before me Geo. W. Cross

County Judge of Smith

County, State of Texas, on this day personally appeared

J. S. Holley, who is a reputable practicing physician of this County, who being by me duly sworn on oath, states that he has carefully and thoroughly examined

applicant for a pension, and finds him laboring under the following disabilities which render him unable to labor at any work or calling sufficient to earn a support for himself:

Heart trouble and partial loss of eye sight, and general debility

(Signature of Physician)

J. S. Holley

Sworn to and subscribed before me this

30

day of

June

A. D. 1900

Geo. W. Cross

(SEAL)

County Judge

Smith

County, State of Texas.

CERTIFICATE OF COUNTY JUDGE.

THE STATE OF TEXAS,

COUNTY OF Smith

Before me Geo. W. Cross

County Judge of Smith

County, State of Texas, do hereby certify that on the 18

day of Aug A. D. 1900, before me came on to be heard the application of

W. H. Beler for a pension under the Confederate Pension Law of this State, approved May 12, A. D. 1899; that the answers of said applicant to the questions propounded were made under oath as the same appear in writing in the foregoing application; that the affidavits of the witnesses who are credible citizens were made before me as the same hereinbefore appear, and that the foregoing affidavit of Doctor

J. S. Holley who is a reputable practicing physician of this County, was made before me. I also certify that the said applicant

W. H. Beler is not an inmate of the Texas Confederate Home, nor otherwise disqualified under the provision of Section 12, of the Confederate Pension Law. I further certify that after considering all the proceedings had before me relative to the said application for a pension by the said

W. H. Beler I find the said applicant is lawfully entitled to the pension provided by the Confederate Pension Law of this State, and I hereby approve said application.

Witness my hand and seal of office at

Tyler

this

18

day of

Aug

A. D.

1900

Geo. W. Cross

(SEAL)

County Judge

Smith

County, State of Texas.

CERTIFICATE OF COUNTY COMMISSIONERS.

THE STATE OF TEXAS,

COUNTY OF Smith

We, the undersigned members of the Commissioners Court of

Smith County, Texas, hereby certify that the foregoing application of

W. H. Beler

for a pension, together with the proof in support thereof, was duly submitted by Hon. Geo. W. Cross County Judge of this Smith

County, to the Commissioners Court of this Smith County, at a regular term thereof on the 18th

day of Aug A. D. 1900, and after a careful consideration of the same we find the said applicant is lawfully entitled to the pension provided for by the Confederate Pension Law of this State, and we hereby approve said application.

Witness our hands and seal of office at

Tyler, Tex

this

18th

day of

Aug

A. D.

1900

R. C. Hairgrove

J. A. Brown

J. J. Johnson

W. G. Brown

(Signatures of Commissioners.)

(SEAL)



A 67.

File No. ....

IN THE COMMISSIONERS' COURT

of Smith County,  
BEFORE THE COUNTY JUDGE OF SAID COUNTY.

Ex parte W. H. Biler

COMMISSION

TO TAKE THE DEPOSITION OF

W. K. Dallas &  
VS. Barney Davis  
(NON-RESIDENT OF THE STATE OF TEXAS.)

W. H. Biler

Applicant for Confederate Pension.

Issued the 28 day of  
June 1900  
Geo. W. Cross, Clerk.  
By Co. Judge Deputy.

Filed the \_\_\_\_\_ day of  
\_\_\_\_\_  
\_\_\_\_\_  
Clerk.  
By \_\_\_\_\_ Deputy.

THE STATE OF TEXAS,

To any Clerk of a Court of Record having a Seal, and Notary Public, or any Commissioner of Deeds duly appointed under the Laws of this State, in and for the County of Sevier State of Ark. GREETING:

WE HEREBY AUTHORIZE AND REQUIRE YOU, or either of you, to summon W. K. Dallocide and Barney Davis a resident of your County to come before you forthwith, and that you then and there take their answers under oath to the attached copy of direct and Cross Interrogatories, and that you return the same without delay to the Clerk of the Court as herein provided:

- 1. That you reduce his answers so taken to writing, in proper form, and cause the same to be subscribed and sworn to by said witness.
2. That you certify under your hand and seal of office, that said answers were sworn to and subscribed before you.
3. That you seal up in an envelope the answers so taken, together with the annexed interrogatories, and this commission, with your name across the seal.
4. That you endorse on the envelope the name of the applicant for pension herein and the name of said witness.
5. That you direct the package to the "Clerk of the County Court, of Smith County, Tyler Texas."
6. That if said package is sent by mail, the Postmaster or his Deputy shall endorse thereon that he received it from your hands, and sign his name thereto; or if you entrust it to private conveyance, as provided by the Statute, you will apprise the person receiving it, that it must be delivered to the Clerk of this Court by himself in person; which evidence, so taken as above, is to be used in proof of and on hearing of a pension claim now pending in the Commissioners' Court of Smith County, in said State of Texas, before the County Judge of said County, entitled "Ex parte W. H. Beler applicant for Confederate pension."

HEREIN FAIL NOT, but make due return of this Writ.

Given under my hand and seal of office, at Tyler this 28<sup>th</sup> day of June A. D. 1900

ATTEST: Geo. W. Cross Judge of the County Court of Smith County.



EX PARTE

*W. H. Beler*

Applicant for Confederate Pension.

Pending in the Honorable Commissioners' Court  
of *Smith* County, Texas,  
before the Honorable County Judge of said County.

*Smith*

The Honorable County Judge of \_\_\_\_\_ County, Texas,  
will please take notice that, five days after the service hereof, applicant herein will apply to the Clerk of  
the County Court of said County and State, for a commission to take the depositions of  
*W. K. Dollahide* and *Barney Davis*  
who reside in the County of *Sevier* in the State of *Ark.*  
in answer to the following interrogatories and such cross-interrogatories as may be propounded by the County  
Judge of said County, which will be read in evidence upon the hearing of applicant's claim for pension in  
behalf of applicant; said testimony is material and indispensable to applicant in furnishing the required proof  
to his claim for a pension under the Act of May 12, 1899, the application for which is now pending before  
the Honorable County Judge, and the facts necessary and required to be proven under the provisions of said act,  
applicant believes can not be proven by any witness residing in the County of *Smith*  
and State of Texas, of which he is a bona fide resident.

*W. H. Beler*

(Applicant,) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witnesses

*W. K. Dollahide and Barney Davis*

- INT. 1. What is your name? Age? Present place of residence and postoffice address?
- INT. 2. Do you personally know, or did you at any time know *W. H. Beler* who  
is an applicant for pension under Act of May 12, 1899?
- INT. 3. How long have you known the said *W. H. Beler* applicant for  
pension, and when and where did you first know him?
- INT. 4. Do you personally know that the said *W. H. Beler* applicant for  
pension, enlisted in the service of the Confederacy, and performed the duties of a soldier or sailor?
- INT. 5. Do you personally know in what company and regiment the said *W. H. Beler*  
applicant, enlisted and served in the Confederate army? When? Where? And the time of service? If  
you personally knew and so have stated that he enlisted and served in the Confederate navy, then state:  
When? Where? And how long he so served?
- INT. 6. Do you further know that *W. H. Beler* the said  
applicant for pension, is unable to support himself by labor of any sort?

CROSS INTERROGATORIES.

TO BE PROPOUNDED TO *W. K. Dollahide and Barney Davis*

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you  
personally know or did know said applicant, and that you know that he enlisted in the service of the Confederacy  
and performed the duties of a soldier or sailor, and having named the company and regiment in which applicant

so enlisted and served, then please state fully what is your source of such knowledge? And state whether or not you know or at any time you knew of any other soldier or sailor by the name of W. H. Beler serving in the same company or regiment in which you say the said applicant, W. H. Beler, enlisted? or if you have stated that said applicant enlisted and served in the navy of the Confederacy, then state whether or not you know any other sailor of the same name as said W. H. Beler applicant, serving in the same command?

If you say that you so knew other soldiers or sailors of the same name as applicant's, then can you and how do you identify and locate the one from the other or others?

CROSS INT. 2. Are you positively certain that said W. H. Beler applicant for pension, is the identical person serving as testified by you?

CROSS INT. 3. If you have answered Direct Interrogatory No. 6 in the affirmative, then please state your source of knowledge or information? Is not this your answer simply based upon conjecture?

CROSS INT. 4. Do know whether or not the said W. H. Beler applicant for pension, ever deserted the service in the Confederate army or navy?

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THE STATE OF TEXAS,  
County of Smith

I, Geo. W. Cross, County Judge of said County, in said State, do hereby waive copy of interrogatories, notice, time and issuance of commission, and it is hereby agreed that the answers to the hereinabove direct and cross interrogatories of the said herein named witness.... may be attached hereto.

Geo. W. Cross  
County Judge Smith County, Texas.  
W. H. Beler

(Applicant,) Attorney for Applicant

In Re  
Application for Confederate  
Pension.

IN COMMISSIONERS' COURT,  
Smith  
COUNTY, TEXAS.

Pending before County Judge of said County.

EX PARTE  
W. H. Beler  
Applicant.

INTERROGATORIES  
PROPOUNDED TO

W. H. Ralabrida  
Barnes Davis  
WITNESSES.



The depositions of W. K. Dacoshick and Boney Davis taken at the office of W. H. Dacoshick a Notary Public at de Queen Sumner County Arkansas

W. K. Dacoshick being first duly sworn that the evidence he should give in the matter of W. H. Beler for person should be the truth though the whole truth and nothing but the truth and his oath answers the interrogatories propounded herein as follows

Ques. to Suit No 1

My name is W. K. Dacoshick and I am 54 years old and live at Chapel Hill in Sumner County Arkansas

Suit No 2

I knew W. H. Beler before and during the war - that is I knew him from the year 1858 or 1859 until after the war. He then lived here in Sumner County Arkansas

Suit No 4

I know that W. H. Beler enlisted in the Confederate Service and served as a soldier there. W. H. Beler and myself enlisted at the same time and place which

was on or about the 9th day of  
 March 1862 at Poadcliff Arns  
 in Company K - 19th Arns Infantry  
 Sgt No 5

I was discharged in June  
 following my enlistment on ac-  
 count being under age and left  
 W H Beeler in the service and  
 don't personally know how  
 much longer he served

Sgt 6

don't know anything about  
 his present ability to support  
 himself

W H Waller

Borrey Davis being first  
 duly sworn on his oath states

My name is Borrey Davis I  
 live in Sevier Co Ark, and am  
 now 18 years old

I first became acquainted  
 with W H Beeler on the 9th day  
 of March 1862 at Poadcliff  
 Arns

At that time and place we  
 both enlisted in the Confederate  
 service in Company K - 19 Arns  
 Infantry, and we served


together continuously with him in the Confederate service until about the 28th day of December 1864 when I was wounded and captured at Nashville Tenn. I did not see W. H. Beeler again until I was discharged and returned home after the war.

W. H. Beeler was a true and brave soldier always ready and willing for service. There was no other Beeler in our Co. and of course do not know that applicant is the identical W. H. Beeler who was in my company have every reason to believe and do believe that the applicant here in is the same man.

Barney Davis

State of Arkansas  
County of Jones

I do hereby certify that on this the 2nd day of July 1900 personally appeared before me W. H. Cullins and Barney Davis and acknowledging the contents of the foregoing subscribed the foregoing and that they were just duly sworn by me.

W. H. Cullins   
Notary Public

# Affidavit of Physician

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THE STATE OF TEXAS, }  
County of Smith.

Before me Jesse F. Odom, County Judge of Smith County,  
State of Texas, on this day personally appeared William Hodges M.D.

who is a physician in good standing, who, being by me duly sworn, on oath says that he has carefully examined  
Mr. W. H. Beler and finds him laboring under the following disabilities.

(If a soldier, state fully whether he lost a limb, or limbs, or is blind or totally disabled; in the latter case stating specifically the personal ailment and conditions that render him entirely helpless and incapacitated, physically or mentally, for any work or business; if the widow of a soldier, "for any kind of work suitable for her sex.")

TX

Mr. Beler lost the use of his right hand from wound received during the war between the states. He also lost the sight of left eye during a battle. He <sup>was</sup> wounded five times in battle. He is now helpless and incapacitated physically for any work or business.  
Wm Hodges

Sworn to and subscribed before me, this 18th day of April, A. D. 1914

(SEAL.)

Jesse F. Odom  
County Judge Smith County, Texas.

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