

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.

Mrs. L.P.Byrd,

Smith County.

R. F. D. or Street No. 322 East Bow,

Postoffice Tyler, Texas.

Filed March 22, 1937.

Approved

Pension allowed from

Rejected March 22, 1937.

Geo. V. Sheppard
Comptroller of Public Accounts.

THE B. L. BYRON CO., AUSTIN

Acct. AGE.

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Widow's Application for Confederate Pension

THE STATE OF TEXAS,

County of SMITH

COMPTROLLERS OFFICE
MAR 22 1937
RECEIVED

I, Mrs. L.P. BYRD 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 H. B. No. 150, passed by the Forty-second Legislature at its Regular Session and all other laws of this State relating thereto.

I am a widow of M.W. BYRD deceased, who departed this life on the NINTH day of MARCH, 1937, A. D., in the county of SMITH, 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

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 SIXTH day of NOVEMBER A. D. 1905 in the county of BELL, in the State of TEXAS

My husband, the said M.W. BYRD, 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

SEE FILES OF YOUR OFFICE IN THIS CASE FOR DETAILS

(Give date and cause.)

That I have been a bona fide resident of this State continuously since the sixth 28th day of April 1877 A. D.

1. What is your age, and date of birth? 59 years of age born Apr. 28 1877
2. How long have you resided in the county of your present residence? 34 years
3. What is your postoffice address? 322 E Bow St., Tyler, Texas
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? yes If so, give his file number. See file # 31319
7. Give, if possible, the postoffice address of your deceased husband at the time of his enlistment 31319

8. What was your husband's full name? MONROE WASHINGTON BYRD

9. In what State was your husband's command originally organized? 31319

10. How long did your husband serve? 31319

11. If known to you, give date of enlistment and discharge 31319

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.) 31319

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 31319

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14. To what race do you belong? WHITE 15. Were you living with M. W. Byrd as his wife at the time of his death, and had you so lived with him ten years prior to his death? ANS. YES

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) L.P. Byrd

Sworn to and subscribed before me this 20th day of MARCH 1937 A. D. 1937

[Seal] _____ County Judge _____ 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 SMITH

Before me, BRADY P. GENTRY, County Judge of SMITH County,
State of Texas, on this day personally appeared

, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know that Mrs. L.P. BYRD, applicant for a pension as the widow of M.W. BYRD deceased, is in truth and fact the widow of M.W. BYRD 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) W.N. Shreckel

(Signature of Witness) W.A. Pinkerton

Sworn to and subscribed before me, this 20th day of MARCH 1937, A. D. 19

Brady P. Gentry

[Seal.] County Judge Smith 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 SMITH

Before me, BRADY P. GENTRY, County Judge of SMITH County,
State of Texas, on this day personally appeared W.N. Shreckel

W.A. Pinkerton, who are personally known to me to be creditable citizens, 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 L.P. BYRD, has been a bona fide resident citizen of the State of Texas since thirty years ago or more and that they have no interest in this claim.

(Signature of Witness) W.N. Shreckel

(Signature of Witness) W.A. Pinkerton

Sworn to and subscribed before me, this 20th day of March 1937, A. D. 19

Brady P. Gentry

[Seal.] County Judge Smith 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) _____

see file # 31319

(Signature of Witness) _____

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

[Seal.]

County Judge _____ County, Texas.



March 22, 1937

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Mrs. L. P. Byrd
322 E. Bow Street
Tyler, Texas.

Dear Mrs. Byrd:

I acknowledge receipt of your application for Confederate Pension and am sorry to advise that under the present law of Texas, you are not eligible for pension on account of your age.

The requirement of the law is that in order for the widow of a Confederate Soldier to be eligible for pension, she must be a woman born prior to January 1, 1873. Your application states you were born April 28, 1877. It is for this reason that your application must be rejected.

Yours very truly,

JHT:E

Geo. H. Sheppard
Comptroller of Public Accounts.

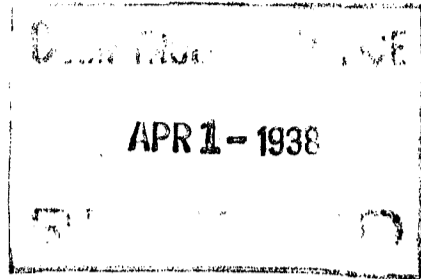


TOMAS G. POLLARD
W. DEWEY LAWRENCE

WILLIAM S. REEVES
C. WORTH WOOD

POLLARD & LAWRENCE
ATTORNEYS AND COUNSELORS
THIRTEENTH FLOOR
PEOPLES BANK BUILDING
TYLER, TEXAS

March 31, 1938



Comptroller's Office,
Confederate Veterans Dept.,
Austin, Texas.

Dear Sir:-

We have a client whose father, M. W. Byrd, died on March 9, 1937. Prior to the time he received a monthly pension of \$25.00 and his wife, Mrs. M. W. Byrd received \$25.00. Since the death of Mr. Byrd, Mrs. Byrd has not received this monthly pension of \$25.00, and we are just wondering why it has been stopped. The widow is in dire need of this pension, and is at a loss to understand why you discontinued sending it.

At the time of Mr. Byrd's death, he and his wife resided at 322 E. Bow, Tyler, however Mrs. Byrd now resides on East Oakwood, Tyler.

Please advise us by return mail the status of this claim, and why it is the widow has not received this pension since the death of her husband.

Yours very truly,

POLLARD & LAWRENCE,

By: *W. Dewey Lawrence*
W. Dewey Lawrence.



Smith

31319

mother dead

3-16-37

WDL/OM..

April 1, 1938

17

Pollard & Lawrence
Attorneys At Law
Peoples Bank Building
Tyler, Texas.

Gentlemen:

Attention Mr. W. D. Lawrence.

I acknowledge receipt of your letter of March 31 in regard to a Confederate Pension for Mrs. L. P. Byrd, widow of M. W. Byrd, who filed application for pension on March 22, 1937.

You state that prior to the death of M. W. Byrd he received a monthly pension of \$25 a month and his wife, Mrs. L. P. Byrd received a pension of \$25 a month.

You are advised the wife of a Confederate Soldier can never become a pensioner until she is a widow, under the law of this State. Mr. Byrd drew pension payments of \$50.00 a month as a Confederate Pensioner prior to his death because of the fact he had a wife with whom he was living and supporting. Mrs. Byrd has never received a pension.

In order for the widow of a Confederate Soldier to be eligible for pension, she must be a woman born prior to January 1, 1873. The application for pension filed by Mrs. Byrd in March shows she was born April 28, 1877 which makes her much too young to become a Confederate Pensioner. It was for this reason her application was rejected in March, 1937 and she was notified of this fact in my letter to her dated March 22, 1937.

Yours very truly,

Geo. H. Sheppard
Comptroller of Public Accounts.

JHT;ec

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