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FORM B.

Widow's Application

for a Pension

The Commissioner of Pensions reserves the right to call for additional testimony if he deems it necessary.

Name of Applicant.

Martha R. Cook

Smith County.

Postoffice

M. S. Lancaster

Filed

Mar. 16th 1914

Approved

J. W. Allen

Pension allowed

Mar. 1st 1914

Rejected

Commissioner of Pensions.

J. W. Allen

F. L. Steck, Printing, Bookbinding, Austin

EMJ

FORM B

For Use of Widows of Soldiers Who Are In Indigent Circumstances

THE STATE OF TEXAS

County of Smith

I, Mrs. Martha P. Clark, do hereby make application to the Commissioner of Pensions for a pension, to be granted me under the Act passed by the Thirty-first Legislature of the State of Texas, and approved April 7, A. D. 1913, on the following grounds:

I am the widow of Hiram B. Clark, deceased, who departed this life on the 15 day of May, A. D. 1891, in the county of Smith, in the State of Texas

I have not remarried since the death of my said husband, 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 11 day of Aug, A. D. 1859, in the county of Fayette, in the State of Ga.

My husband, the said Hiram B. Clark, enlisted and served in the military service of the Confederate States during the war between the States of the United States, and that he did not desert the Confederate Service. I have been a resident of the State of Texas since prior to January 1, A. D. 1900, and have been continuously since a citizen of the State of Texas. I do further state that I do not receive from any source whatever money or other means of support amounting in value to the sum of \$300.00 per annum, nor do I own in my own right, nor does anyone hold in trust for my benefit or use, estate or property, either real, personal or mixed, either in fee or for life, of the value of one thousand dollars, exclusive of the home of the value of not over \$1,000.00; nor do I receive any aid or pension from any other State, or from the United States, or from any other source, and I do further state that the answers given to the following questions are true:

1. What is your age? 74 yrs.
2. Where were you born? Pike, Ga.
3. How long have you resided in the State of Texas? 25 yrs
4. How long have you resided in the county of your present residence? And what is your postoffice address? 25 years - Mt. Sylvan Smith Co. Tex.
5. What was your husband's full name? Hiram Ballard Clark
6. What was the date of his death? May 15 - 1891
7. In what State was your husband's command originally organized? Ga.
8. How long did your husband serve? If known to you, give date of enlistment and discharge. Sept 1861 - served 4 yrs - discharged 1865 May 22
9. What was the name or letter of the company, or name or number of the battalion, regiment or battery of artillery 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 53 Reg. Ga. or -
served throughout in same company - He served under Col. M. M. Tidwell of Fayetteville Ga. TX
10. 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 Infantry, as a Private

11. Have you transferred to other any property of any kind for the purpose of becoming a beneficiary under this law? No

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

(Signature of Applicant).....

~~Sworn to and subscribed before me, this~~..... day of..... A. D. 191.....

Sworn to and subscribed before me this 14th day of March, 1914.
[Seal.] *Jesse F. Odom* County Judge *Smith* County, Texas.

AFFIDAVIT OF WITNESSES

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

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 *J. R. Stanley & W. E. Smith*, 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. *Martha P. Clark*, applicant for a pension as the widow of *Afram B. Clark* deceased, is in truth and fact the widow of *Afram B. Clark* deceased; that they personally know that she has not remarried since the death of her husband, for whose service in the army she claims a pension, and that they have no interest in this claim.

(Signature of Witness) *J. R. Stanley*
(Signature of Witness) *W. E. Smith*

Sworn to and subscribed before me, this 14th day of March, A. D. 1914

[Seal.] *Jesse F. Odom*
County Judge Smith County, Texas.

AFFIDAVIT OF WITNESSES

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

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 *W. H. Boynton & M. J. Carroll*, who are personally known to me to be credible 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 *Martha P. Clark* has been a bona fide resident citizen of the State of Texas since prior to January 1, A. D. 1900, and that they have no interest in this claim.

(Signature of Witness) *W. H. Boynton*
(Signature of Witness) *M. J. Carroll*

Sworn to and subscribed before me, this 14th day of March, A. D. 1914

[Seal.] *Jesse F. Odom*
County Judge Smith County, Texas.

AFFIDAVIT OF WITNESSES

(If possible, the two witnesses should have served with the applicant's husband in the army, and, if so, let them, or either of them, state it in their oath; also any 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 are personally known to me to be credible citizens, who, being by me sworn, on oath state that they are 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 their knowledge and belief, and that they have no interest in this claim. And further make oath to the following facts touching the service of the applicant's husband in the Confederate Army: (State fully your source of knowledge.).....

(Signature of Witness).....


(Signature of Witness).....

Sworn to and subscribed before me, this..... day of....., A. D. 191.....

[Seal.]

County Judge..... County, Texas.

CERTIFICATE OF STATE AND COUNTY ASSESSOR

I, H.B. Matthews, State and County Assessor in the County of Smith, State of Texas, do hereby certify that Mrs. Martha P. Clark 

whose name is signed to the foregoing application for a pension, under the Act of the 33rd Legislature, approved April 7, A. D. 1913, is charged on the land and personal property rolls of the said county, in her name, or the name of a trustee, with estate, real, personal and mixed, at the assessed value of \$00 dollars.

Given under my hand, this 14th day of March, A. D. 1914

H B Matthews
State and County Assessor.
By Wmst Day
Office Assessor

EX-PARTE

Mrs. Martha P. Clark,

Applicant for Confederate Pension.

Pending in Smith County, Texas, before the Honorable County Judge of said County.

The Honorable County Judge of Smith County, Texas, will please take notice that, five days after 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 Alex Haisten and J. R. Brooks who reside in the County of Fayette in the State of Georgia 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 of her claim for a pension under the Act of March 26, 1909, 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 cannot be proven by any witness residing in the County of Smith and State of Texas, which she is a bona fide resident.

Mrs. Martha P. Clark (Applicant) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness

- INT. 1. What is your name? Age? Present place of residence and postoffice address? J. R. Brooks, age 67 years, Fayette Co., Fayetteville, Ga.
INT. 2. Do you personally know, or did you at any time know Hiram B. Clark, whose widow is an applicant for pension under Act of March 26, 1909? yes
INT. 3. How long had you known the said H.B. Clark since 1862 and when and where did you first know him? 1862. Richmond Va.
INT. 4. Do you personally know that the said H.B. Clark enlisted in the service of the Confederacy, and performed the duties of a soldier or a sailor? yes
INT. 5. Do you personally know in what company and regiment the said H.B. Clark 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? Co. C. 53rd Ga. Regt. 1862. Va. Army
INT. 6. Do you personally know that H.B. Clark was commissioned as an officer directly by the President of the Confederate States? What was his rank and line of duty? Not Commissioned
INT. 7. Do you know further if H.B. Clark was, under the provisions of the conscript law, detailed for any kind of special service in the field, shops, armories, etc., of the Confederacy? What was the nature of his service, and how long did he serve? Volunteer. Military service, June 1862 until surrender Apr 1865

CROSS INTERROGATORIES



To be propounded to Alex Haisten J. R. Brooks.

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said H.B. Clark 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, or special service in which H.B. Clark so enlisted and served, then please state fully what is your source of such knowledge? I served with him And state whether or not you know or at any time knew of any other soldier or sailor by the name of H.B. Clark No serving in the same company or regiment, or special service in which you say the said H.B. Clark enlisted, if you have stated that said H.B. Clark enlisted and served in the navy of the Confederacy, then state whether or

not you know any other soldier or sailor of the same name as said H.B. Clark applicant serving in the same command, or the special service to which he was assigned? No.

If you say that you know other soldiers or sailors of the same name of H.B. Clark then can you and how do you identify and locate the one from the other or others? Don't know any others

CROSS INT. 2. Are you positively certain that said H.B. Clark is the identical person serving as testified by you? yes

CROSS INT. 3. Do you know whether or not the said H.B. Clark served honorably from the date of his enlistment until the close of the late Civil War between the States or until he was discharged from said company and regiment, or the special service to which he had been assigned? yes

CROSS INT. 4. Do you know whether or not the said H.B. Clark deserted his command, or voluntarily abandoned his post of duty or the service during said war? He did not desert his Co. or Command.

THE STATE OF TEXAS } sworn to and subscribed to
County of Smith. } before me: This Mar. 10
1914 J. Davis ordinary
Bayette Co. Tex. J. R. Brooks

I, Jesse F. Odom, 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.

Jesse F. Odom
County Judge Smith County, Texas.

Wm. Marshall P. Clark
(Applicant) Attorney.....for Appellant.

In Re
Application for Confederate
Pension

FOR USE OF SOLDIERS OR WIDOWS.

Smith
County, Texas.

Pending before the County Judge of said County.

EX-PARTE
Applicant:
Wm. Marshall P. Clark

INTERROGATORIES
propounded to
Wm. Marshall P. Clark
Witnesses:
J. R. Brooks

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Mrs. Martha P. Clark

Under Act March 26, 1909, pending

in Smith

Applicant for Confederate Pension.

County, Texas, before the Honorable County Judge of said County.

Answers and depositions of (1) ~~Alex. Haiston~~

J. N. Brooks

to the accompanying interrogations (2) and cross-interrogatories

propounded to him in the above entitled cause taken before (3) *J. Davis*

in accordance with the accompanying (7) agreement To the first interrogatory the said

Witness, answers *J. N. Brooks age 69 years Fayette Co. Fayetteville Ga.*

To the 2nd Int., he answers: *yes*

To the 3rd Int., he answers: *since 1862 Richmond Va. 1862*

To the 4th Int., he answers: *yes*

To the 5th Int., he answers: *co C. 53rd Ga. Regt. 1862 Va. army from June 1862 until surrender Apr 1865*

To the 6th Int., he answers: *Not Commissioned*

To the 7th Int., he answers: *Volunteer Military service from June 1862 until surrender Apr 1865*

To the 1st Cross-Int., he answers: *I served with him in the army No. I did not know any other man named H. B. Clark*

To the 2nd Cross-Int., he answers: *yes*

To the 3rd Cross-Int., he answers: *yes: was an honorable and faithful soldier*

To the 4th Cross-Int., he answers: *He did not desert his Co. or Command at any time during the war between the States and was always found at his post of duty.*

(TX)

J. R. Brooks

Subscribed and sworn to before me, this 10 day of March, 1914

*J. Davis Ordinary
Fayette County Georgia.*

THE STATE OF Georgia.

County of Fayette
Fayette County Ga.

I, *J. Davis Ordinary of*
(Here give name and official character of officer before whom taken.)
~~Alex Haisten~~ *J. R. Brooks*

do hereby certify that ~~Alex Haisten~~ *J. R. Brooks*
and is ~~are~~ personally known to me to be creditable citizens of said
County and State, and that the foregoing answers of ~~Alex Haisten~~ *J. R. Brooks*
the witness before named, and

whose name appear s signed to the foregoing deposition, were made before
me and were sworn to and subscribed before me, by said witness (4) *J. R. Brooks*

Given under my hand and official seal, this the 10 day of Mar., 1914

(L. S.)

*J. Davis Ordinary
Fayette County Georgia.*

NOTE.—In Texas, any Clerk of the District Court, any County Judge and Clerk of the County Court, or any Notary Public or Justice of the Peace, within their respective Counties, are authorized to take depositions.

Out of the State and within the United States—any Clerk of a Court of Record having a seal, any Notary Public, or any Commissioner of Deeds of Texas.

Wells' for answer
File No. _____

In *Smith* County, Texas,
Before the Honorable County Judge of
Said County.

EX PARTE

Wm. W. P. Calver
Applicant for Confederate Pension.

DEPOSITION
of

J. R. Brooks

Witness for Applicant.

Filed _____ day

of _____, 1914

Clerk

By _____, Deputy.

Fee for Taking Deposition, \$ _____

Lined area for deposition text.



- (1) Here give the name and residence of each witness.
- (2) Here state "and cross interrogatories," if any.
- (3) Here give name and official character of the person taking the deposition.
- (4) Here state "respectively," if more than one witness.
- (5) Here state whether "Commission, or agreement," if Commission was waived.



GEO. W. KYSER, COMMISSIONER

OFFICE OF
COMMISSIONER OF PENSIONS
STATE OF TEXAS
AUSTIN

To the Adjutant General,

War Department,

Washington, D. C.

Dear Sir:—

I have the honor to request the military record of Horace B. Clark, who is reported to have enlisted in Company "C", Regiment 53rd Ga. Infantry or 30th " " in service of the Confederate States Army.

Col. M. M. Tidwell
(Va. Army)

Purpose: The widow of the person above named is an applicant for a Confederate pension granted by the State, and I desire to verify his proof of service.

Very respectfully,



Geo. W. Kyser
Commissioner of Pensions.

ADJUTANT GENERAL'S OFFICE
 MAR 19 2138805 1914
 WAR DEPARTMENT.

WAR DEPARTMENT,
 THE ADJUTANT GENERAL'S OFFICE
 2138805 WASHINGTON, March 20, 1914.

Respectfully returned to the
 Commissioner of Pensions,
 State of Texas,
 Austin.

The records show that Hiram B. Clark, private, Company G, 30th Georgia Infantry, C.S.A., enlisted March 1, 1862. On a muster roll of the organization named, dated August 31, 1862, he is shown to have been transferred to Captain Stimms' Company, 53d Regiment Georgia Infantry, C.S.A., and on the roll, dated February 28, 1865 (last on file), of Company B (which became Company C) of that regiment, he was reported present, sick. The name of this soldier appears on a list of Confederate prisoners of war who were paroled until regularly exchanged, which list bears the following indorsement: "Burksville Junction Va. Apl. 14 to 17-1865." No later record found.


 The Adjutant General.

JESSE F. ODOM
COUNTY JUDGE SMITH COUNTY
TYLER, TEXAS

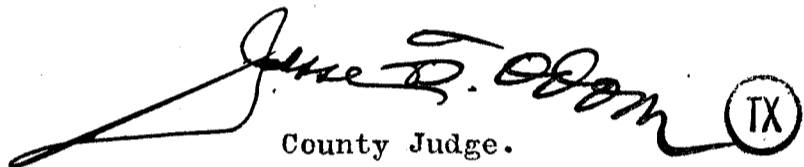
March 14th 1914.

Hon. Geo. W. Kyser,
Austin, Texas.

Dear Sir:-

Enclosed I hand you pension application of Mrs. Martha P. Clark. You will note that same is accompanied by only one witness. We thought we had another another witness located for her in the State of Georgia, but it turns out that he is dead, and we have been unable to secure another. I have written several letters for her, and otherwise tried to locate another witness, but my efforts have been unsuccessful.

Yours very truly,


County Judge. TX