

16622

FORM B

Read
12-31-36

Widow's Application for Pension

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

Name of Applicant.

Mrs Wm M Clark
Smith

County.

Postoffice.

Arpa

Filed.

Approved. **AUG 31 1909**

Pension allowed from.

Rejected.

Commissioner of Pensions.

VON BOECKMANN-JONES CO., PRINTERS, AUSTIN

Compliments of
East Texas Genealogical Society
www.rootsweb.com/~txetgs

For use of Widows of Soldiers who are in indigent circumstances.

THE STATE OF TEXAS

County of Smith

I, Mrs W. M. Lebak, 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 March 26, A. D. 1909, on the following grounds:

I am the widow of William Lebak, deceased, who departed this life on the 4 day of February, A. D. 1908, in the county of Cherokee, 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 16 day of November, A. D. 1865, in the county of Aracogdoches, in the State of Texas

My husband, the said William Lebak, 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 March 1, A. D. 1880, 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 one hundred and fifty dollars per annum, nor do I own in my own right, nor does any one hold in trust for my benefit or use, estate or property, either real, personal or mixed, either in fee or for life, of the assessed value of over one thousand dollars; 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? 62 years
2. Where were you born? Aracogdoches County Texas
3. How long have you resided in the State of Texas? 62 years
4. How long have you resided in the county of your present residence? And what is your postoffice address? 18 years - Arp Texas
5. What was your husband's full name? William Lebak
6. When and where were you married? Aracogdoches County Texas
7. What was the date of his death? Feb 4 - 1908
8. In what State was your husband's command originally organized? Texas
9. How long did your husband serve? If known to you, give date of enlistment and discharge. from 1861 to 1865 - 4 years
10. 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 of service. Co B - 8th Texas Infantry
11. 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 how long did he serve? Infantry
12. Have you transferred to others any property of any kind for the purpose of becoming a beneficiary under this law? no

TX

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

(Signature of Applicant) *Mrs W. M. Black*

Sworn to and subscribed before me, this *22* day of *Aug*, A. D. 19*09*

J. A. Bullock
County Judge *Smith* County, Texas.

[SEAL.]

AFFIDAVIT OF WITNESSES

[NOTE.—There must be at least two credible witnesses.]

THE STATE OF TEXAS }
County of *Smith*

Before me *J. A. Bullock*, County Judge of *Smith* County, State of Texas, on this day personally appeared *D. H. King*, 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. *W. M. Black*, applicant for a pension as the widow of *William Black* deceased, is in truth and fact the widow of *William Black* 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) *D. H. King*

(Signature of Witness)

Sworn to and subscribed before me, this *23* day of *Aug*, A. D. 19*09*

J. A. Bullock
County Judge *Smith* County, Texas.

[SEAL.]

AFFIDAVIT OF WITNESSES

[NOTE.—There must be at least two credible witnesses.]

THE STATE OF TEXAS }
County of *Smith*

Before me *J. A. Bullock*, County Judge of *Smith* County, State of Texas, on this day personally appeared *B. M. Black*, 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 a pension, and that they personally know that the said *Mrs W. M. Black* has been a bona fide resident citizen of the State of Texas since prior to March 1, A. D. 1880, and that they have no interest in this claim.

(Signature of Witness) *D. H. King*

(Signature of Witness)

Sworn to and subscribed before me, this *23* day of *Aug*, A. D. 19*09*

J. A. Bullock
County Judge *Smith* County, Texas.

[SEAL.]

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 Smith

Before me J. A. Board, County Judge of Smith County,

State of Texas, on this day personally appeared D. H. King, 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:

D. H. King, says he knew applicants husband deceased
now - before the war, since time during the war - saw him in
the service and was with him a part of the time, knows
personally he did not desert and made good soldier

(Signature of Witness)

(Signature of Witness)

Sworn to and subscribed before me, this 23 day of Aug, A. D. 1909

J. A. Board
County Judge Smith County, Texas.

[SEAL.]

CERTIFICATE OF STATE AND COUNTY ASSESSOR

I, Mrs L. J. Jamie, State and County Assessor in the County of

....., State of Texas, do hereby certify that Mrs. Mrs M. Clark, whose name is signed to the foregoing application for a pension, under the Act of the Thirty-first Legislature, approved March 26, A. D. 1909, 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 \$450.00 dollars.

Given under my hand, this 23 day of Aug, A. D. 1909

Mrs L. J. Jamie
State and County Assessor.



By Mrs H. J. Jamie
Office Assessor

EX PARTE

Mrs J. M. 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 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 Jeff M. McLaughlin and ... who reside in the County of ... in the State of ... 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 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 can not be proven by any witness residing in the County of ... and State of Texas, of which he is a bona fide resident.

Mrs J. M. 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?
INT. 2. Do you personally know, or did you at any time know William Clark who is an applicant for pension under Act of March 26, 1909?
INT. 3. How long have you known the said William Clark applicant for pension and when and where did you first know him?
INT. 4. Do you personally know that the said William Clark applicant for pension enlisted in the service of the Confederacy, and performed the duties of a soldier or a sailor?
INT. 5. Do you personally know in what company and regiment the said William Clark 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 in the Confederate navy, then state: When? Where? And how long he so served?
INT. 6. Do you personally know that William Clark applicant for pension, was commissioned as an officer directly by the President of the Confederate States? What was his rank and line of duty?
INT. 7. Do you further know if said applicant 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?

CROSS INTERROGATORIES.



To be Propounded to Jeff. McLaughlin

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 or special service 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 William Clark serving in the same company or regiment or special service in which you say the said applicant ... 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 soldier or sailor of the same name as said William Clark applicant serving in the same command, or the special service to which he was assigned?

If you say that you so knew other soldiers or sailors of the same name of 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 William Clark applicant for pension, is the identical person serving as testified by you?

CROSS INT. 3. Do you know whether or not the said William Clark applicant for pension 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?

CROSS INT. 4. Do you know whether or not the said William Clark deserted his command or voluntarily abandoned his post of duty, or the service during said war?

THE STATE OF TEXAS,

County of Grovet

I, J. A. Bunker, County Judge of said County, in said State, do hereby waive copy of interrogatories, notice 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.

J. A. Bunker
County Judge..... County, Texas.

Wm W M Clark
(Applicant) Attorney.....for Applicant.

Application for Confederate Pension.

Pension.

FOR USE OF SOLDIERS

Smith

County, Texas,

Pending before the County Judge of said County.

EX PARTE

Wm W M Clark

Applicant.

INTERROGATORIES

propounded to

J. A. Bunker

Witnesses.

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Mr N M Clark

Under Act, March 26, 1909, pending

Amick

Applicant for Confederate Pension.

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

Answers and depositions of (1)

Jeff. McKnight

Sacred Texas

to the accompanying interrogations (2)

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

J. W. Dye ^{Public} Notary

in accordance with the accompanying (7)

To the first interrogatory the said

Witness, answers

I have personally known N. M. Clark since the year 1859, and know that he enlisted as a private soldier in 8th regiment Company B, and served as such until June 1862, and know that he did not return home until the close of the Civil War in 1865. He enlisted at Hempstead Texas Nov. 15th 1861. and if he ever deserted the army I never heard of it. I served in the army with him about six months after which I was discharged on account of bad health. I am positive that the said N. M. Clark is the identical person whom I served with in Company B 8th Regiment and did not know of any other N. M. Clark in said Company or Regiment.



Subscribed and sworn to before me, this 9 day of August, 1909

J. S. McKeigh

THE STATE OF Texas
County of Nacogdoches
Public

I, George Notary
(Here give name and official character of officer before whom taken.)

do hereby certify that Jeff McKeigh
and Jeff McKeigh are personally known to me to be credible citizens of said
County and State, and that the foregoing answers of Jeff McKeigh
the witness Jeff McKeigh before named, and

whose name appeared signed to the foregoing deposition, were made before me
and were sworn to and subscribed before me, by said witness (4) Jeff McKeigh

Given under my hand and official seal, this the 9 day of August, 1909

(L. S.)

George Notary Public
Nacogdoches County, Tex

NOTE.—In Texas, any Clerk of the District Court, any 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.

File No.

In Smith County, Texas.
Before the Honorable County Judge of said County.

EX PARTE

Geo W M Clark
Applicant for Confederate Pension

DEPOSITION
OF

Jeff McKeigh

Witness for Applicant

Filed _____ day _____

of _____ 190 _____

Clerk.

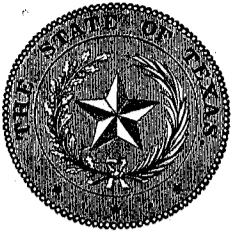
By _____ Deputy.

Fee for Taking Deposition, \$ _____

[Faint, illegible handwritten text and markings on a lined background]

TX

- (1) Here give the name and residence of each witness.
- (2) Here state "and cross interrogatories," if any.
- (3) Here give the 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.



E. A. BOLMES, Commissioner

OFFICE OF
Commissioner of Pensions

State of Texas

Austin SEP 8 1909

To the Adjutant General,

War Department,


Washington, D. C.

Dear Sir:

I have the honor to request the military record
of William Clark who is reported to have enlisted in
Company B, Regiment 12th (Young's) Texas Infantry
in the service of the Confederate States Army.

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

Very respectfully,



E. A. Bolmes

Commissioner of Pensions.

16622

ADJUTANT GENERAL'S OFFICE
1568647
WAR DEPARTMENT

Address: "The Adjutant General,
War Department, Washington, D. C."

1568647
WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,
WASHINGTON, September 21, 1909.

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

The records show that William Clark, sergeant, Company B, 12th Regiment (Young's) Texas Infantry, Confederate States Army, enlisted November 15, 1861. On the company roll for January and February, 1864, last on file, he is reported present. No later record of him has been found.



The Adjutant General.

[A. G. O. 72-1]

SEP 13 1909

16061

SEP 21 1909

APPLICATION FOR MORTUARY WARRANT

THE STATE OF TEXAS,

County of CHEROKEE } I, B. M. Clark,

do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late Mrs. W. M. Clark, who was a pensioner of the State of Texas, and whose file number was 16622 and whose original county was Smith

The said pensioner Mrs. W. M. Clark, died on the 29th day of December, 1936, in the town of Jacksonville, County of Cherokee, Texas.

The pensioner died in the home of B. M. Clark who was related to the pensioner as Son

That the warrant, which application is hereby made for, shall be applied to paying all or part of the funeral expenses incurred by the said pensioner Mrs. W. M. Clark

I further certify that the warrant for the current month has not been cashed by the pensioner, to the best of my knowledge and belief.

I am related to the pensioner as Son that my postoffice address is Jacksonville, Texas, Box 644
Street or R. F. D.

City

State

Sworn to before me this 4th day of January, A. D. 1937, 19
Signed B. M. Clark

Must return before 40 days expires from date of Pensioners' death

Notary Public in and for Cherokee State of Texas.

CERTIFICATE OF UNDERTAKER

I, Franklin D. Holmes, do certify that I am undertaker in the town of Jacksonville, County of Cherokee, State of Texas that I had charge of the body of Mrs. W.M. Clark, who died in the town of Jacksonville, County of Cherokee, State of Texas on the 29th day of December 1936. That said body was prepared for burial by me on the 29th day of December 1936, and that I am of the opinion that warrant herein applied for should be issued to the said B.M. Clark (son of deceased) who makes the foregoing application.

(TX)

Signed Franklin D. Holmes Undertaker.
Williamson Funeral Church

CERTIFICATE OF PHYSICIAN

I, J. Morris, do certify that I am a practicing physician, and that I attended Mrs. Wm. Clark in his last illness, and am of the opinion that his ailments were Senility

I further certify that I am of the opinion that the Mortuary Warrant above requested should be issued in the name of the aforementioned applicant, in accordance with Act passed by the Thirty-eighth Legislature and approved March 2, 1923.

Signed J. Morris
Physician's Address Jacksonville

COMPTROLLER'S OFFICE
RECEIVED
JAN - 5 1937

(TX)

18466 - Dec 1936

16622
Dec. 31, 1936