

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. E. M. Day  
Hudson County.

R. F. D. or Street No.

Postoffice Malakoff, Texas.

Filed September 26th, 1929.

Approved

Pension allowed from

Rejected Sept 26th, 1929.

S. H. Terrell  
Comptroller of Public Accounts.

Acct Value of Property.

Widow's Application for Confederate Pension

THE STATE OF TEXAS,

County of Henderson

I, Mrs. E M Day do hereby make application for a pension, pursuant to the provisions of the First Section of Title 109, Revised Civil Statutes, 1925, providing for Confederate Pension, amended by Chapter 95, General Laws of the Fortieth Legislature, as amended by Senate Bill 287, Acts of the Regular Session of the Forty-first Legislature of the State of Texas, approved March 5, 1929, on the following ground:

I am a widow of E M Day deceased, who departed this life on the 8 day of Mar, A. D. 1904, in the county of Henderson 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 27 day of Apr, A. D. 1866, in the county of Cass in the State of Texas

My husband, the said E M Day, enlisted and served in the military service of the Confederate States during the war between the States of the United States and he did not desert the Confederate service. I have been a resident of the State of Texas since prior to January 1, A. D. 1920, 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 above 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 \$2000; nor do I receive any aid or pension from any other State of the United States, and I do further state that the answers given to the following questions are true:

1. What is your age, and date of birth? 81 yrs old Dec 16 - 1847
2. Where were you born? Alabama
3. How long have you resided in the State of Texas? 78 yrs
4. How long have you resided in the county of your present residence? 47 yrs
5. What is your postoffice address? Malakoff Tx
6. Have you applied for a pension under the Confederate pension law and been rejected? no

If rejected, state when and where.

7. Did your husband draw a pension? no If so, give his file number.
8. Give, if possible, the postoffice address of your deceased husband at the time of his enlistment Do not know
9. What is your husband's full name? Ethelbert Morgan Day
10. In what State was your husband's command originally organized? Arkansas
11. How long did your husband serve? 2 yrs 4 mos 25 days 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.) Do not know  
His burial was Price + His coffin was Weth

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 Cavalry

14. Do you own any property other than that rendered for taxes in your county? If so, state value of same and county where located no

15. Have you transferred to another 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 may be approved and such other proceedings be had in the premises as required by law.

(Signature of Applicant) Mrs. E. M. Day

Sworn to and subscribed before me this 3 day of September A. D. 1929.

[Seal]

County Judge Henderson 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 Hudson

Before me, W. B. Baker, County Judge of Hudson County,  
State of Texas, on this day personally appeared W. D. Dun  
Sam Halland, 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. E. M. Day  
applicant for a pension as the widow of E. M. Day  
deceased, is in truth and fact the widow of E. M. Day 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. D. Dun

(Signature of Witness) Sam Halland

Sworn to and subscribed before me, this 3 day of September, A. D. 1929.

W. B. Baker

[Seal.]

County Judge Hudson County, Texas.

\*Where applicant has remarried it is necessary that she state facts covering particulars of last marriage, date, to whom mar-  
ried, 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 Hudson

Before me, W. B. Baker, County Judge of Hudson County,  
State of Texas, on this day personally appeared W. D. Dun  
Sam Halland, 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 Mrs. E. M. Day  
has been a bona fide resident citizen of the State of Texas since prior to January 1, A. D. 1920, and that they  
have no interest in this claim.

(Signature of Witness) W. D. Dun

(Signature of Witness) Sam Halland

Sworn to and subscribed before me, this 3 day of September, A. D. 1929.

W. B. Baker

[Seal.]

County Judge Hudson 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 other information regarding the army service of applicant's husband.)

THE STATE OF TEXAS,  
County of Cass

Before me, Jos. A. Bauer Notary Public Cass County, State of Texas, on this day personally appeared J. M. Cummings

L. O. Cummings, who are personally known to me to be creditable wit-

nesses, who, being by me sworn, on oath state that they are personally acquainted with the foregoing appli-  
cant, 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 applicant's husband in the Confederate Army: (Witnesses must  
state fully the source of their knowledge of service of applicant's husband)

we are brothers-in-law to E. Mark Day & know for a certainty that he was a Confederate soldier in the Civil War under General Price & Capt. Webb. We do not know what Co. or Regt. he belonged to. When the war ended he came to Texas & married our sister Jennie Day.

J. Pollock  
J. M. Cummings

(Signature of Witness)

(Signature of Witness)

Sworn to and subscribed before me, this 20 day of Sept, A. D. 1929.

[Seal.] Jos. A. Bauer  
Notary Public Cass County, Texas.

CERTIFICATE OF STATE AND COUNTY ASSESSOR

(18)

I, Jno. W. Wood, State and County Assessor in the County of Anderson State of Texas, do certify that Mrs. E. M. Mac

whose name is signed to the foregoing application for a pension is charged on the tax rolls of said county with a homestead of the value of 500 Five hundred Dollars, and, in addition to homestead, of other property, real or personal, or both, of the value of three thousand Dollars.

Given under my hand, this 3 day of September, A. D. 1929.

Jno. W. Wood  
State and County Assessor.

September 27, 1929.

Mrs. F. M. Day,  
Malakoff, Texas.

Dear Mrs. Day:

I have yours of recent date enclosing application for pension.

You are advised that under the present Pension Law of this State your application cannot be approved on account of the value of the property owned by you, and for this reason your application is necessarily rejected.

JHT:E

Yours very truly,

Comptroller of Public  
Accounts.

