

43784

FORM A

Lead

6-2-38

**SOLDIER'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.

E. M. Kale

Henderson County.

R. F. D. or Street No. Route 2, Box 88.

Postoffice Athens, Texas.

Filed May 14th, 1928.

Approved May 14th, 1928.

Pension allowed from March 1st, 1928.

Rejected

L. H. Terrell
Comptroller of Public Accounts.

THE E. L. STECK CO., AUSTIN



Soldier's Application for Confederate Pension

THE STATE OF TEXAS,

County of Henderson.

I, E. M. Kale, do hereby make application to the Commissioner of Pensions for a pension to be granted me under the Act passed by the Thirty-third Legislature of the State of Texas, and approved April 7, 1913, on the following grounds:

I enlisted and served in the military service of the Confederate States during the war between the States of the United States and that I did not desert the Confederate service, but during the war I was loyal and true to my duty, and never at any time abandoned my post of duty in the said service; or (that I was in the service of the State of Texas during the war to protect said State against the Indians and Mexicans.

That I was honorably discharged ~~or surrendered~~ after the close of the war in 1865.

To the best of my recollection, we were mustered out on May 18, 1865; immediately following the signing of the treaty, with several others of the company, I was detailed to carry some supplies ~~to some other troops~~, and my detail was then mustered out of the services on or about (Give date and cause.) May 18, 1865.

that I have been a bona fide citizen of this State since prior to January 1, A. D. 1910, and have been continuously since a citizen of the State of Texas. I do further state that I do not hold any National, State, city or county office which pays me a salary or fees of \$300.00 per annum, nor have I an income from any other employment or other source whatever which amounts to \$300.00 per annum, nor do I 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 any one hold in trust for my benefit or use, nor does my wife own, nor does any one hold in trust for my wife, estate or property, either real, personal or mixed, either in fee or for life, of the assessed value of over one thousand dollars, exclusive of a home of the value of not more than \$2000.00; 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? 84 years
2. Where were you born? Catata Station, North Carolina
3. How long have you resided in Texas? Continuously since 1859.
4. In what county do you reside? Henderson County, Texas.
5. How long have you resided in said county? 20 What is your postoffice address?
Route 2, Box 88, Athens, Texas.

6. Have you applied for a pension under the Confederate pension law and been rejected? No.

If rejected, state when and where.

7. In what State was the command in which you served organized? Texas

8. How long did you serve? six months Give, if possible, the date of enlistment and discharge.

Enlisted in October, 1864; discharged at the close of the Civil War in April, 1865.

9. What was the letter of your company, number of battalion, regiment or battery?

Tenth Texas Field Battery

10. If transferred from one command to another, give time of transfer, name of command and time of service Was not transferred; served only in the above named battery.

11. What branch of the service did you enlist in—infantry, cavalry, artillery or navy? Artillery.

12. What is the assessed value of your home, if you own a home? I do not own a home.

13. What is the assessed value of your other property? I have no assessable property; only a few tools, an old Enfield rifle, my wearing apparel, etc.

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. None.

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

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

(Signature of Applicant)

E. M. Kale

TX

Sworn to and subscribed before me this 1 day of April A. D. 1928.

[Seal]

County Judge Henderson County, Texas.

AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS,
County of Henderson

Before me, Frank H. Curee County Judge of Henderson County,
State of Texas, on this day personally appeared A. B. Baker and
John P. Dickerson, who are personally known to me to be creditable citi-
zens, who, being by me duly sworn, on oath state that they personally know E. M. Kale, the
above named applicant for pension, and that they personally know that the said E. M. Kale
has been a bona fide resident citizen of the State of Texas since prior to January 1, A. D. 1910, and that they
have no interest in this claim.

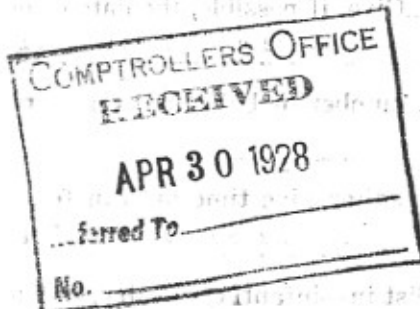
(Signature of Witness) A. B. Baker

(Signature of Witness) John P. Dickerson

Sworn to and subscribed before me, this 28 day of April, A. D. 1928

[Seal.]

County Judge Frank H. Curee Henderson County, Texas.



AFFIDAVIT OF WITNESSES

(If possible the two witnesses should have served with the applicant in the army, and if so, let them, or either of them, state in their oath their source of knowledge, also any other information regarding applicant's army service.

THE STATE OF TEXAS,
County of Wharton

Before me, a Notary Public in and for ~~County Judge of~~ Wharton County, State of Texas,
on this day personally appeared W. N. Brazzil, who
is ~~not~~ personally known to me to be creditable citizens, who, being by me sworn, on oath state that ~~he is~~ ^{he has}
personally acquainted with the foregoing applicant, and that the facts set forth and statements made in his appli-
cation are correct and true, to the best of their knowledge and belief, and ~~that they have~~ ^{he has} no interest in this
claim, and said applicant's habits are good and free from dishonor. And further make oath to the following
facts touching the applicant's service in the Confederate Army: (Witnesses must state fully the source of
their knowledge of applicant's service) That he knows of his own knowledge that the said E. M. Kale
served in the Confederate Army as stated in the foregoing application for the
reason that this affiant was also a member of said Tenth Texas Field Battery during
said time, and served with the said E. M. Kale as a member thereof.

Interlineations in third and fifth lines of this affidavit made before signing.

(Signature of Witness) W. N. Brazzil

(Signature of Witness) _____

Sworn to and subscribed before me, this 23 day of April, A. D. 1928

L. L. Rayton
Notary Public in and for Wharton County, Texas.
~~County Judge~~ County Texas

[Seal.]



CERTIFICATE OF STATE AND COUNTY ASSESSOR

I, J. W. Wood State and County Assessor in the County of Henderson
State or Texas, do certify that E. M. Kale, or his wife, or his trustee, or trustee for
his wife, whose name is signed to the foregoing application for a pension, under the Act of the Thirty-third
Legislature, approved April 7, 1913, and amended by Regular Session Thirty-eighth Legislature, is charged on
the tax rolls of said county with a homestead of the value of No Dollars,
and in addition to homestead of other property, real or personal, or both, of the value of No
Dollars.

Given under my hand, this 23 day of April, A. D. 1928

J. W. Wood
State and County Assessor.

July 5, 1934.

17

Hon. Charley Lockhart,
State Treasurer,
Austin, Texas.

Dear Sir:

Please raise the stop payment order
on the following Confederate Pension Warrants
issued to E. M. Kale in the amounts of \$50.00
each:

Warrant Nos.	Dates
02667	January, 1934
03216	February "
03706	March "
04201	April, "

Yours very truly,

JHT:E.



Comptroller of Public
Accounts.

DR. D.E. MONROE, VICE-PRESIDENT
W.O. NEWTON, ACTIVE VICE-PRESIDENT
C.W. LAWRENCE, VICE-PRESIDENT

OXSHEER SMITH, PRESIDENT

PHILLIP REID, CASHIER
LESTER E. WILLIAMS, ASST. CASHIER
LADIS W. MAREK, ASST. CASHIER



CAMERON, TEXAS

July 3, 1934.

Mr. J. L. Taylor, Chief Clerk,
Confederate Pension Division,
Austin, Texas.

Dear Mr. Taylor:

The State Treasurer today returned to us
unpaid Confederate Pension Warrant No. 2667 E. M. Kale,
Athens, Texas, 43784 Henderson County, \$50.00, stating that
payment had been stopped on this.

We hold this party's Pension Warrants for
January, February, March, April and a \$31.45 one for May.

We would be glad for you to advise us if
payment has been stopped on all of these, the reason of same
and any suggestions you can give us toward correcting them
as it will simplify the situation to know the cause before
writing this party.

Yours very truly,

W.O. Newton

WON-RL



Active Vice-President.

Henderson

43784

June 11, 1934.

17

Mr. E. M. Kale,
Route 2,
Athens, Texas.

Dear Mr. Kale:

Inclosed is Confederate Pension Warrant
for \$31.45 issued you for the month of May,
1934 prorated according to the date on which
your separation from your wife occurred, which
was May 8, 1934.

Your payments in the future will be
\$25.00 per month.

Yours very truly,

JHT:E
incl.



Comptroller of Public
Accounts.

June 6, 1934.

17

Mr. E. M. Kale,
Route 2,
Athens, Texas.

Dear Mr. Kale:

Replying to your letter of May 26 in which you state your wife came to you for a settlement on May 8, at which time you paid her her part and she left.

You are again advised, as in my letter of May 19 that you was not entitled to pension payments as a married man so long as you was not living with your wife. I am again asking that you please give me the exact date on which your separation from your wife occurred. This information will be necessary before further payments will be made to you. You have only been entitled to payments of \$25.00 per month since your separation from your wife.

I would thank you to furnish the requested information at once.

Yours very truly,

JHT:E.

Comptroller of Public
Accounts.



COUNTY OF HENDERSON

JNO. W. BALLOW, COUNTY JUDGE

DOLPH B. TILLISON, COUNTY CLERK
MRS. KATE NOWLIN, DISTRICT CLERK
A. D. BOYD, COUNTY ATTORNEY
JESS SWEETEN, SHERIFF
D. R. CARLIDGE, COUNTY TREASURER
B. D. DICKERSON, TAX COLLECTOR
S. A. CARROLL, ASSESSOR
BEN H. WATHEN, COUNTY SURVEYOR



FRANK J. DAVIS, SUPT. PUBLIC INSTRUCTION
R. B. WARREN, COMMISSIONER PRECINCT 1
M. C. ANDREWS, COMMISSIONER PRECINCT 2
H. C. TURNER, COMMISSIONER PRECINCT 3
W. H. CASEY, COMMISSIONER PRECINCT 4

ATHENS, TEXAS 5-26-1934

Comp. Public Accts
Austin Texas

Dear Mr. Sheppard

My wife came for a little
and my 8. and I tried to
help her and she left and I
haven't seen her since. My wife
is in condition is bad and I will
thank you to find me my
pension - Very Respectfully

Henderson

43784

E. M. Kale.

Route 2.

Athens, Texas



May 19, 1934

17

Mr. E. M. Kale,
Route 2,
Athens, Texas.

Dear Mr. Kale:

Replying to your letter of May 18
in which you make a statement as to payments
in full which you have made to your wife.

You are advised as in my letter of
May 15, that before further pension warrants
will be issued to you it will be necessary that you
furnish this office with information as to the
exact date of the separation of you and your wife,
as stop payments have been placed against pension
warrants issued you for January, February, March
and April, 1934, pending this information.

Under the law of this State a pensioner
would not be entitled to \$50.00 per month as a
married veteran unless he was living with his wife.

In order that you may be fully advised
as to your right in this matter, I refer you to
Article 6221, page 436, General Laws of Texas,
1931, Regular Session of the Forty-second Legislature.

Yours very truly,

JHT:E.

Comptroller of Public
Accounts.



Athens Texas

Post 2

Geo H Sheppard
May 18 1934

Austin Texas

and vice say that I have paid up the
 money in full up to the 8 of May
 1934 and don't seem to pay any more.

Now to please send my services

to me as I am in need of medicine.

as I write this month by the post
 hope to hear from you

Love yours

Jimmy E. M. Hale

MAY 19 1934



May 15, 1934.

17

Mr. E. M. Kale,
Route 2,
Athens, Texas.

Dear Mr. Kale:

I am in receipt of your affidavit stating you have a living wife with whom you are not now living.

In view of the fact that you are drawing \$50.00 per month as a pensioner, I am asking that you furnish me the exact date of your separation from your wife, and also give me information as to whether or not since said separation you have contributed anything to her support, and if so, what amount.

I note from the records of the State Treasurer's Office that warrants issued you for January, February, March and April, 1934 have not been paid, and I have placed a stop payment order against said warrants pending information as above requested.

No further warrants will be issued to you until the information has been furnished.

Yours very truly,

JHT:E.

Comptroller of Public
Accounts.



May 14, 1934.

17

Hon. Charley Lockhart,
State Treasurer,
Austin, Texas.

Dear Sir:

Please stop payment on the following
Confederate Pension Warrants issued to E. M.
Kale in the amounts of \$50.00 each:

Warrant Nos.	Dates.
02667	January, 1934
03216	February, "
03706	March, "
04206	April, "

Yours very truly,

JHT:E.

Comptroller of Public
Accounts.



May 8, 1928.

Mr. E. M. Kale,
Route 2, Box 88,
Athens, Texas.

Dear Mr. Kale:

I am returning to you your Application for Confederate Pension in order that you may answer question number 5, which is indicated by blue pencil mark. The question I desire answered is "how long have you resided in Henderson County?"

When this question has been answered, return the application to this office and it will have further consideration.

JHT/E
encl.

Yours very truly,

Comptroller of Public
Accounts.



March 23, 1939

E. M. Kale, Deceased
Confederate Soldier
Pension File No. 43784
Henderson Co.

Mr. R. E. Sparkman
Italy, Texas.

Dear Sir:

Replying to your letter of March 22 the records of this office show that E. M. Kale of Athens, Henderson County, Texas drew a Confederate Pension from the State of Texas until his death May 30, 1938 under file number 43784.

The application for pension filed by E. M. Kale states that he was a member in the 10th Texas Artillery, Confederate States Army. He enlisted in October, 1864 and served until April, 1865. His rank is not shown.

The application for pension of Mr. Kale was approved on the affidavits of witnesses and no record could be found in the office of the Adjutant General, War Department, Washington, D. C. on E. M. Kale's service.

Yours very truly,

Geo. H. Sheppard
Comptroller of Public Accounts.

JHT:EE



July 5, 1934.

17

Mr. W. O. Newton, Vice President,
Citizens National Bank,
Cameron, Texas.

Dear Mr. Newton:

Replying to your letter of July 3 in which you state the Treasurer has returned to you Confederate Pension Warrant No. 2667 issued to E. M. Kale, with a statement that payment had been stopped on same.

About May 14 I received an affidavit from Mr. Kale stating that he was not living with his wife at that time. This statement did not show at what time the separation took place and as a matter of caution, to protect the pension fund, I placed a stop payment order against all warrants issued him and which had not been paid by the State Treasurer.

I made an investigation to find out the date on which Mr. Kale and his wife separated, and on June 11, 1934 I received information that the separation occurred on May 8, 1934. It was on this information that the May, 1934 warrant for \$31.45 was issued to him which was prorated according to the date of the separation.

I have today lifted the stop payment order placed against the January, February, March and April, 1934 warrants issued to Mr. Kale. This stop payment should have been lifted at the time the May warrant was issued, which was an oversight on the part of this office. I trust the oversight has not caused you any inconvenience.

Yours very truly,

JHT:E.

Comptroller of Public
Accounts.





**Comptroller of Public Accounts
State of Texas
Austin**

June 6, 1934.

GEO. H. SHEPPARD, COMPTROLLER
PAT DOOLEY, CHIEF CLERK

IN YOUR REPLY PLEASE REFER

TO DIVISION NO. 17

FILE NO. _____

3145

Mr. E. M. Kale,
Route 2,
Athens, Texas.

Dear Mr. Kale:

Replying to your letter of May 26 in which you state your wife came to you for a settlement on May 8, at which time you paid her her part and she left.

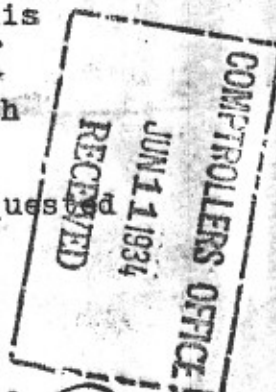
You are again advised, as in my letter of May 19 that you was not entitled to pension payments as a married man so long as you was not living with your wife. I am again asking that you please give me the exact date on which your separation from your wife occurred. This information will be necessary before further payments will be made to you. You have only been entitled to payments of \$25.00 per month since your separation from your wife.

I would thank you to furnish the requested information at once.

Yours very truly,

G. H. Sheppard
Comptroller of Public
Accounts.

JHT:E.



My wife left me May 8, 1934.

*If you can only allow me \$25.00 per mo.
Please send me the \$25.00 as I need it.
Very Respectfully,
E. M. Kale.*

43784

THE STATE OF Oklahoma
COUNTY OF Muskogee

Before me, a notary public in and for the above named county and State, on this day personally appeared before me, H. D. Brooks, known to me to be a credible person, and who, after being by me first duly sworn, on his oath deposes and says:

That he is a resident citizen of Muskogee County, State of Oklahoma, that he knows E. M. Kale, now of Henderson County, Texas, and that he has known the said E. M. Kale for approximately fifty-seven years; that to the personal knowledge of affiant, the said E. M. Kale served as a private in the Tenth Texas Field Battery, of the Confederate Army, from the early part of the fall of 1864 until after the close of the Civil War in the spring of 1865. That affiant's knowledge of the service of the said E. M. Kale in said Battery is due to the fact that affiant was also a member of said Tenth Texas Field Battery, Army of the Confederacy, during the above named period; and that affiant and the said E. M. Kale were mustered out of the service at the same time, which was a few days following the close of the war, and which said date of discharge was on or about May 18th, 1865.

Affiant further states on oath that he has no pecuniary interest whatever in the matter of the application of the said E. M. Kale for a Confederate Pensions.

H D Brooks



Subscribed and sworn to before me on this, the 25th day of April, A.D. 1928.

Gene Fippie
Sept 4-29

[Signature]
Notary Public, Muskogee County,
State of Oklahoma

E. M. Hale



(17)



Comptroller's Department
State of Texas
Austin

April 30th, 1928.

To the Adjutant General,
War Department,
Washington, D. C.

Dear Sir:-

I have the honor to request the Military
record of E.M.Kale,, who is
reported to have enlisted in Company _____
Regiment 10th, Texas Field Battery

RECEIVED
MAY 3 1928
OLD RECORDS DIV.

in service in the Confederate States Army.

Very respectfully,

12 Received A. G. O. MAY 3 1928

S. H. Terrell

Comptroller of State of Texas.



ORD
7.6.2

IN REPLY
REFER TO

WAR DEPARTMENT
THE ADJUTANT GENERAL'S OFFICE

WASHINGTON May 4, 1928.

Respectfully returned to

Comptroller,
State of Texas,
Austin, Texas.

The name E. M. Kale has not been found on the muster rolls of 10th. Texas Field Battery, C.S.A., which rolls cover in part the period from March 1, 1862 to Dec. 31, 1863.

Nor has any record been found of his service, capture or parole as of that organization.

Lutz Kale,
Major General,
The Adjutant General.
By *re.*



43784

Comptroller, State of Texas

RECEIVED

RECEIVED

RECEIVED
MAY 7 1928
COMPTROLLER

APPLICATION FOR MORTUARY WARRANT

THE STATE OF TEXAS,

County of Henderson I, Marry Kale
do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of
the late E. M. Kale, who was a pensioner of the
State of Texas, and whose file number was 43784 and whose original county was Anderson County
The said pensioner E. M. Kale, died on the
30th day of May 1938, in the town of Athens Texas Route #2
County of Henderson, Texas.
The pensioner died in the home of E. M. Kale
who was related to the pensioner as Himself
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 E. M. Kale
I further certify that the warrant for the current quarter has not been cashed by the pensioner, to the
best of my knowledge and belief.
I am related to the pensioner as (Friend) Daughter
that my postoffice address is Athens Texas Route #2
Street or R. F. D.
City State
Signed Marry Kale
Sworn to before me this 31st day of May 1938, 192.

~~Notary Public~~ in and for Henderson State of Texas.
County Judge

CERTIFICATE OF UNDERTAKER

I, John Lehr, do certify that I am undertaker in the
town of Athens County of Henderson State of Texas
that I had charge of the body of E. M. Kale, who died in the
town of Athens RFD #2 County of Anderson State of Texas
on the 30 day of May 1938. That said body was prepared for burial by me
on the 30 day of May 1938, and that I am of the opinion that
warrant herein applied for should be issued to the said miss Mary Kale
who makes the foregoing application.

Signed John Lehr
Undertaker.

CERTIFICATE OF PHYSICIAN

I, Sam A. Wolfe, do certify that I am a practicing
physician, and that I attended E. M. Kale in his last illness, and
am of the opinion that his ailments were apoplexy and infirmities
of age.

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 Sam A. Wolfe
Physician's Address Athens, Texas

yellow slip
6-2-38
43907 May 1938
Cancelled
43784

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