

365757

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.

Mrs Lockett O Lowrey
Henderson County.

Postoffice Athens Texas

Filed DEC 23 1919

Approved April 17-1920

Pension allowed from Dec 1-1919

Rejected

M L Wiginton
Commissioner of Pensions.

For Use of Widows of Soldiers who are in Indigent Circumstances

THE STATE OF TEXAS

COUNTY OF

Henderson

I, Mrs. Lockett O. Lantry, 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, A. D. 1913, on the following grounds:

I am the widow of John Washington Lantry, deceased, who departed this life on the 23 day of July, A. D. 1900, 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 24 day of January, A. D. 1895, in the county of Henderson, in the State of Texas.

My husband, the said J. W. Lantry, 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 \$1000.00; 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? 68 years old
2. Where were you born? Lorain Co., Miss.
3. How long have you resided in the State of Texas? Since 1854
4. How long have you resided in the county of your present residence? And what is your postoffice address? 50 years, Athens, Texas
5. Did your husband draw a pension? If so, give his file number Yes, No. 1927 (from Hill Co. I think)
6. What was your husband's full name? John Washington Lantry
7. What was the date of his death? July 23, 1900.
8. In what State was your husband's command originally organized? Reference to records & proofs under his application on file in your office
9. How long did your husband serve? If known to you give date of enlistment and discharge Reference to records & proofs under his application on file in your office
10. What was the name or letter of the company, 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. Same reference as in answer to Q. 9

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 time of service.

Same Reference as to Q. 8, 9 & 10

12. 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 her application for a pension may be approved and such other proceedings be had in the premises as are required by law.

(Signature of Applicant)

Lockett O. Lantry

Sworn to and subscribed before me, this 22 day of Sept, A. D. 1919

[Seal.]

County Judge Henderson County, Texas.

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AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS,)

COUNTY OF Henderson

Before me, J. M. McDermott, County Judge of Henderson County, State of Texas, on this day personally appeared John H. Wood & J. W. Murchison, who are personally known to me to be creditable citizens, who, being by me duly sworn, on oath state that they personally know that Mrs. Lockie O. Lowrey, applicant for a pension as the widow of John H. Lowrey deceased, is in truth and fact the widow of John H. Lowrey 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) John H. Wood

(Signature of Witness) J. W. Murchison

Sworn to and subscribed before me, this 22 day of Dec, A. D. 1919

[Seal.]

County Judge J. M. McDermott Henderson County, Texas.

AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS,)

COUNTY OF Henderson

Before me, J. M. McDermott, County Judge of Henderson County, State of Texas, on this day personally appeared J. H. Wood & J. W. Murchison, 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 Lockie O. Lowrey 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) John H. Wood

(Signature of Witness) J. W. Murchison

Sworn to and subscribed before me, this 22 day of Dec, A. D. 1919

[Seal.]

County Judge J. M. McDermott Henderson 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 personally known to me to be creditable 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) : _____

1927
[Signature]

(Signature of Witnses) _____

(Signature of Witnses) _____

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. D. Gilliam, State and County Assessor in the County of Hudson, State of Texas, do certify that Mrs. L. C. Lowery whose name is signed to the foregoing application for a pension, under the Act of the Thirty-third Legislature, approved April 7, 1913, is charged on the tax rolls of said county with a homestead of the value of \$250.00 Dollars, and of other property, real or personal, or both, of the value of _____ Dollars.

Given under my hand, this 22 day of December A. D. 1919

H. D. Gilliam
State and County Assessor.



Dec, 30, 1919.

Mrs. Lockey O. Lowrey,
Athens, TEXAS.

Dear Madam:-

Your application for a Confederate Pension has been received, but cannot be approved on account of the date of your marriage as shown therein. The present Pension Laws of this State require that widows who are applicants must have been married prior to March 1, 1880 to the man on whose service record pension is applied for. Your application shows that you were married January 23, 1895.

Incomplete election returns on the proposed Constitutional Amendment effecting Confederate Pensioners indicate that the Amendment was defeated and such being the case it will not be possible to approve your application but same will be kept on file in this Department for future reference.

Very truly yours,

Comptroller.

KR:t



April 19, 1920

Mrs. Lockey O. Lowrey,
Athens, Texas

Dear Madam:

Your application for a Confederate pension, filed with this department Dec. 23, 1919, was rejected on account of an Act passed at the Regular Session of the Thirty-Sixth Legislature which amended the law relating to date of marriage of widow of Confederate soldier or sailor.

I requested an opinion from the Attorney General on the constitutionality of that portion of this Act requiring that widows must have been married prior to Mar. 1, 1880, to the man on whose service record pension was applied for. I am gratified to advise you that the legislature had no authority to place a limit as to the date of marriage other than that fixed by the Constitution; and when legislative acts are contrary to the Constitution, the latter must prevail.

Your marriage having taken place before Mar. 1, 1900, I am approving your application today, beginning from the first day of the pension quarter in which same was filed, and take pleasure in enclosing form notice of approval for your future reference and use, together with your affidavits to be executed by you and returned to this department.

Yours very truly,

Comptroller,



KR.rjf

Encl..