

22766

22766-

FORM A

Dead

8-19-38

**Soldier'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

C. W. Pipes

Henderson

County.

Postoffice

Atkins, Iowa

Filed

Aug 30, 1913

Approved

Sept 1, 1913

Pension allowed from

Dec 1, 1913

Rejected

Commissioner of Pensions.

E. L. Steck, Printing, Bookbinding, Austin

ent

3

For Use of Soldiers Who Are In Indigent Circumstances

THE STATE OF TEXAS

County of Henderson

I, William Washington Pipes do hereby make application to the Commissioner of Pensions for a pension to be granted me under the Act passed by the 33rd 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 said war I was loyal and true to my duty, and never at any time voluntarily 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 for more than 6 months. That I was honorably discharged or surrendered.

Paroled at Monroe La. about June 1, 1865
at the close of the war

(Give date and cause.)

that I have been a bona fide citizen of this State 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 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 \$1000.00; nor do I receive any aid or pension from any State, or from the United States, or from any other source, and that I am not an inmate of the Confederate Prison and I do further state that the answers given to the following questions are true:

1. What is your age? 64
2. Where were you born? In Jackson Parish, La.
3. How long have you resided in Texas? 20 years
4. In what county do you reside? Henderson
5. How long have you resided in said county and what is your postoffice address? I live in Henderson Co. 11 years. My Post-office

6. Have you applied for a pension under the Confederate pension law and been rejected? No
when and where Have never applied

7. What is your occupation, if able to engage in one? Farming
8. In what State was the command in which you served organized? In La.
9. How long did you serve? Give, if possible, the date of enlistment and discharge Enlisted in March 1862
Paroled in June 1865

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

Co. A. 5th Louisiana Regt

(TX)

11. If transferred from one command to another, give time of transfer, name of command and time of service

Was not transferred from one command to another

12. What branch of the service did you enlist in? Infantry

Calvary

13. If commissioned direct by the President, what was your rank and line of duty?

not commissioned

14. If detailed for special service, under the law of conscription, what was the nature of your service and how long did you serve?

not detailed

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 pension be approved and such other proceedings be had in the premises as are required by law.

(Signature of Applicant)

W. W. Pipes

Sworn to and subscribed before me, this *4* day of *Aug*, A. D. 19*13*

Ed Owen

[Seal.]

County Judge *Henderson* County, Texas.

AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS }

County of *Henderson* }

Before me *Ed Owen*, County Judge of *Henderson* County,

State of Texas, on this day personally appeared *E. E. Casey & R. N. Pipes*, who are personally

known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know

W. W. Pipes, the above named applicant for a pension, and that they personally know that the

W. W. Pipes has been a bona fide resident citizen of the State of Texas since prior to

July 1, A. D. 1900, and that they have no interest in his claim.

(Signature of Witness)

E. E. Casey

(Signature of Witness)

R. N. Pipes

Subscribed before me, this *4* day of *Aug*, A. D. 19*13*

Ed Owen

County Judge *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, state it in their oath, their source of knowledge; also any information regarding applicant's army service.)

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 his application are correct and true, to the best of their knowledge and belief, and that they have no interest in this claim, and said

[illegible]

(Signature of Witness)

[SEAL.]

County Judge.....County, Texas.

I, D. L. Henry, State and County Assessor in the County of Hudson

Given under my hand, this 25 day of August, A. D. 1988

D. F. Hanson
State and County Assessor.



EX-PARTE

W. W. Ripes

Applicant for Confederate Pension.

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

The Honorable County Judge of _____ 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 _____ 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 of _____ 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 _____ and State of Texas, which _____ is a bona fide resident.

(Applicant) Attorney _____ for Applicant.

Direct Interrogatories to be Propounded to the Witness _____.

- A. J. Layton*
- 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 W. W. Ripes who _____ is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said W. W. Ripes and when and where did you first know him?
- INT. 4. Do you personally know that the said W. W. Ripes 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 W. W. Ripes 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?
- INT. 6. Do you personally know that W. W. Ripes 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 W. W. Ripes 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?

22766

CROSS INTERROGATORIES.

TX

To be Propounded to _____

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said W. W. Ripes 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 W. W. Ripes 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 W. W. Ripes serving in the same company or regiment, or special service in which you say the said W. W. Ripes enlisted, if you have stated that said W. W. Ripes enlisted and served in the navy of the Confederacy, then state whether or

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not you know any other soldier or sailor of the same name as said W. W. Pipes
applicant serving in the same command, or the special service to which he was assigned?

If you say that you know other soldiers or sailors of the same name of W. W. Pipes
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 W. W. Pipes
is the identical person serving as testified by you?

Cross INT. 3. Do you know whether or not the said W. W. Pipes
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 W. W. Pipes
deserted his command, or voluntarily abandoned his post of duty or the service during said war?

THE STATE OF TEXAS }
County of Henderson }

I, C. D. Owen, 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.

C. D. Owen
County Judge Henderson County, Texas.

W. W. Pipes
(Applicant) Attorney for Appellant.

In Re

Application for Confederate
Pension.

FOR USE OF SOLDIERS OR WIDOWS.

County, Texas.

Pending before the County Judge of said County.

EX PARTE

Applicant.

INTERROGATORIES
propounded to

Witnesses.

EX PARTE

W. W. Pipes

IN RE APPLICANT for CONFEDERATE PENSION

Under Act *March 26, 1900*, pending*Henderson*

Applicant for Confederate Pension.

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

Answers and depositions of (1)

A. J. Taylor

to the accompanying interrogations (2) ** Cross Interrogatories*
propounded to *him* in the above entitled cause taken before (3)
in accordance with the accompanying (7) *Agreement*

To the first interrogatory the said *A. J. Taylor*

Witness, answers *A. J. Taylor*; 69 years of age. Reside at Ruston, La.
Post office same.

Int. 2. I do.

Int. 3. Since the year 1858. First knew him in Louisiana.

Int. 4. I do.

Int. 5. I do. To best of my knowledge in the year 1863; at Monroe, La.
Until the close of the war. Company "E" 5th La. Regiment, Cavalry.

Int. 6. He was no officer. Private soldier.

Int. 7. He was a volunteer. Private soldier and he served from 1863
until the close of the war.

Answers and depositions of A. J. Taylor to the accompanying cross inter-
rogatories:

Cross Int. 1. I enlisted with him and was in the same Mess. Dont know
of any other W. W. Pipes.

Cross Int. 2. I do.

Cross Int. 3. I do.

Cross Int. 4. He did not.



A. J. Taylor

Subscribed and sworn to before me, this 15 day of August, 1913

F. O. Browning
By *C. D. B. Ex-officio Recorder*
& Notary Public.

THE STATE OF Louisiana
Parish of Lincoln

I, *F. O. Browning* By *C. D. B.*
(Here give name and official character of officer before whom taken)

Ex-officio Notary do hereby certify that *A. J. Taylor*
and *is* personally known to me to be credible citizens of said
Parish and State, and that the foregoing answers of *A. J. Taylor*
the witness before named, and

whose name appear *A* signed to the foregoing deposition, were made before
me and were sworn to and subscribed before me, by said witness (4)

Given under my hand and official seal, this the 15 day of August, 1913
(L. S.) *F. O. Browning*
By C. D. B. Ex-off Notary

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, and Notary Public, or any Commissioner of Deeds of Texas.

File No. _____

In Harrison County, Texas,
Before the Honorable Judge of Said County.

EX PARTE

W. C. C. Piper

Applicant for Pension

DEPOSITION OF

A. J. Taylor

Witness for Applicant.

Filed _____ day

of _____, 1913

_____, Clerk.

By _____, Deputy.

Fee for Taking Deposition, \$ _____

E. L. Steck, Printing, Bookbinding, Austin

EX-PARTE

Wm Ripes

Applicant for Confederate Pension.

Pending in *Henderson* County,

Texas, before the Honorable County Judge of said County.

The Honorable County Judge of _____ 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 _____ 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 of _____ 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 _____ and State of Texas, which _____ is a bona fide resident.

(Applicant) Attorney _____ for Applicant.

Direct Interrogatories to be Propounded to the Witness _____

Henry Taylor

- 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 *Wm Ripes* _____ who _____ is an applicant for pension under *Act of March 26, 1909* _____?
- INT. 3. How long had you known the said *Wm Ripes* _____ and when and where did you first know him?
- INT. 4. Do you personally know that the said *Wm Ripes* _____ 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 *Wm Ripes* _____ 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?
- INT. 6. Do you personally know that *Wm Ripes* _____ 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 *Wm Ripes* _____ 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.

Henry Taylor

(TX)

To be Propounded to _____

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said *Wm Ripes* _____ 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 *Wm Ripes* _____ 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 *Wm Ripes* _____ serving in the same company or regiment, or special service in which you say the said *Wm Ripes* _____ enlisted, if you have stated that said *Wm Ripes* _____ 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 Wm Pipes
applicant serving in the same command, or the special service to which he was assigned?

If you say that you know other soldiers or sailors of the same name of Wm Pipes
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 Wm Pipes
is the identical person serving as testified by you?

Cross INT. 3. Do you know whether or not the said Wm Pipes
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 Wm Pipes
deserted his command, or voluntarily abandoned his post of duty or the service during said war?

THE STATE OF TEXAS }

County of Henderson

I, C. W. Owen, 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.

C. W. Owen
County Judge Henderson County, Texas.

Wm Pipes
(Applicant) Attorney for Appellant.

In Re

Application for Confederate
Pension.

FOR USE OF SOLDIERS OR WIDOWS.

County, Texas.

Pending before County Judge of said County.

EX PARTE

Applicant.

INTERROGATORIES

propounded to

Witnesses.

EX PARTE

W. W. Pipes

IN RE APPLICANT for CONFEDERATE PENSION

Under Act ^{of 7-1913} March 26, 1909, pending.*Henderson*

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

Applicant for Confederate Pension.

Answers and depositions of (1)

*Henry Taylor*to the accompanying interrogations (2) *x Cross Interrogatories*
propounded to *him* in the above entitled cause taken before (3)

in accordance with the accompanying (7)

agreement

To the first interrogatory the said

*Henry Taylor*Witness, answers *Henry Taylor; 70 yrs of age; Choudrant, La. Post office*
same.

Int. 2. I do.

Int. 3. Since the year 1858; First knew him in Louisiana.

Int. 4. I do.

Int. 5. I do. To the best of my knowledge in the year 1863, at Monroe,
La. Company "E" 5th La. Regiment Cavalry. He served until
the close of the war.

Int. 6. He was a private soldier.

Int. 7. He was a volunteer. Private soldier and served from the time
of his enlistment until the close of the war.Answers and deposition of Henry Taylor to the accompanying cross interrog-
atories:Cross. Int. 1. I enlisted with him and was in the same Mess. Don't know
of any other W. W. Pipes.

Cross. Int. 2. I do.

Cross. Int. 3. I do.

Cross. Int. 4. He did *not*.

TX

Herrie Taylor

Subscribed and sworn to before me, this

15 day of *August*, 191*3*
F.O. Browning
Deputy C. D. C. & Ex-off Notary.

THE STATE OF *Louisiana*
Parish of *Lincoln*
County of *Lincoln*

I, *F.O. Browning* *Ex-off Notary*
(Here give name and official character of officer before whom taken)

Notary Public do hereby certify that *Herrie Taylor*
and *is* personally known to me to be credible citizen of said
Parish and State, and that the foregoing answers of *Herrie Taylor*
the witness before named, and

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

Given under my hand and official seal, this the *15* day of *August*, 191*3*
(L. S.) *F.O. Browning* *Ex-off Notary Public*

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, and Notary Public, or any Commissioner of Deeds of Texas.

File No. _____

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

EX PARTE

W. C. C. C. C.

Applicant for Pension

DEPOSITION OF

Herrie Taylor

Witness for Applicant.

Filed _____ day

of _____, 191

_____, Clerk.

By _____, Deputy.

Fee for Taking Deposition, \$ _____

E. L. Steck, Printing, Bookbinding, Austin

State of Texas.....)
County of Anderson,)

I J.N.Collie, Do hereby sware or Affirm That
W.W.Pipes. Was married to Mary.Elizabeth.Collie, on the 17th.Day of
August.1866 and lived together continuously every since,

Subscribed and sworn to before Me this the 25th Day of March.1929

W.M.Burtis
Notary.Public in and for Anderson
County Texas,



22766

CERTIFICATE REQUIRED OF CONFEDERATE VETERANS
HAVING LIVING WIVES.

#50

THE STATE OF TEXAS,

Original County Henderson,

COUNTY OF Anderson

IN RE:

File Number 22766

Dead & - 19-38

Before me, the undersigned authority, on this day personally appeared W.W.Pipes, to me well known, and who, after being by me duly sworn, did depose and say:

1. I have a wife with whom I have lived continuously since Jan-Aug 1866 uary 1, 1900.

2. My wife's name is Mary.Elizabeth.Pipes, She was born on the 27th day of July, A.D. 1849, and her present age is 80 years, or will be in July

3. In support of this affidavit I hereto append certified copy of Marriage Certificate, pursuant to the provisions of Section 4, Senate Bill 287, of the General Laws of the 41st Legislature, approved March 5, 1929.

(NOTE. If a certified copy of the Marriage Certificate is unobtainable, the affidavit of some person cognizant as to the facts set forth in this certificate will be sufficient, but it is necessary that proof be made by the certified copy of Marriage Certificate or by affidavit of the cognizant person to accompany this form.)

W.W.Pipes
Signature of Applicant.

SWORN TO AND SUBSCRIBED BEFORE ME, this the 25th day of March, A. D. 1929.

W.M.Burtis
County, Anderson
Notary Public, Anderson
County, Texas.

(or)

Notary Public, Anderson
County, Texas.

TX

22766

CERTIFICATE REQUIRED OF CONFEDERATE VETERANS

Heard
8-19-38
Mr. *H. H. Pipes*

THE STATE OF TEXAS
COUNTY OF _____

ORIGINAL COUNTY **HENDERSON**
FILE NUMBER *22766*

Have you a living wife with whom you have lived continuously since January 1, 1900?

Answer. (Yes or No.) *yes*
for 63 years

W. W. Pipes
Signature of Pensioner.

SWORN TO AND SUBSCRIBED BEFORE ME, This the *18th* day
of *April*, A. D. 1930.

W. M. Burtis
County Judge or Notary Public
in & for Anderson (TX)
County, Texas.

EXECUTE AND RETURN AT ONCE TO Geo. H. Sheppard, State Comptroller
of Public Accounts, Austin, Texas.

22766

Stamp: MAY 14 1934

SECOND NOTICE

CERTIFICATE REQUIRED OF CONFEDERATE
VETERANS WHO ARE DRAWING (\$50.00) FIFTY
DOLLARS PER MONTH PENSION.

Dead
8-19-38

W.W. Pipes
Frankston, Texas

22766
Henderson

To:

Have you a wife to whom you were married prior to
May 28, 1931, and with whom you are now living?

Answer. (Yes or No.) yes

If your wife is dead, give exact date of her death.

Witness
J. M. Leach
Frankston, Tex.

W. W. Pipes *his*
Signature of Pensioner *X*

SWORN TO AND SUBSCRIBED BEFORE ME, this the 12
day of May, A. D. 1934.

J. M. Leach
County Judge or Notary Public
Anderson County
Texas.

THIS CERTIFICATE MUST BE EXECUTED AND RETURNED
TO THIS OFFICE BEFORE FURTHER PENSION WARRANTS
WILL BE ISSUED YOU.

Geo H Shippard
State Comptroller of Public
Accounts,
Austin, Texas.



22766

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CERTIFICATE REQUIRED OF CONFEDERATE
VETERANS WHO ARE DRAWING (\$50.00) FIFTY
DOLLARS PER MONTH PENSION.

COMPTROLLERS OFFICE
JAN 11 1938

Lead
8-19-38

TO:

W.W. Pipes
Frankston, Texas

22766
Henderson

Have you a wife to whom you were married prior to
May 28, 1931, and with whom you are now living?

Answer. (Yes or No.) No

If your wife is dead, give the exact date of her death.

Aug 21st 1935

W.W. Pipes
Signature of Pensioner

SWORN TO AND SUBSCRIBED BEFORE ME, this the 8th
day of Jan, A. D. 1938

C.P. Jones
County Judge or Notary Public
Henderson County
Texas.

THIS CERTIFICATE MUST BE EXECUTED AND RETURNED TO THIS
OFFICE BEFORE FURTHER CONFEDERATE PENSION WARRANTS
WILL BE ISSUED YOU.

Ernest Shepard
State Comptroller of Public Accounts
Austin, Texas.

TX

22766

January 12, 1938

17

Mr. W. W. Pipes
Frankston, Texas.

Dear Mr. Pipes:

I am in receipt of your affidavit stating that you do not have a living wife and that your wife's death occurred on August 21, 1935.

At the time of the death of your wife you should have notified this office of her death as required by the law, as you were only entitled to Confederate Pension payments of \$25.00 per month after the death of your wife.

According to this record you are now indebted to the Confederate Pension fund of Texas in the amount of \$709.05. I am asking that you please immediately return to the Confederate Pension Fund through this office this amount, as it is a violation of the law for you to have cashed these warrants and for which the law prescribes a severe penalty. In order that you may be fully advised as to the law, I call your attention to Article 6215, pages 436 and 437, General Laws of Texas, passed by the Forty-second Legislature, Regular Session, January, 1931. A partial quotation of this law is printed on each envelope in which warrants are mailed.

If you have in your possession any Confederate Pension Warrants that you have not cashed, then I am requesting that you immediately return them to this office for cancelation as a stop payment order has been placed against all warrants that have not been paid by the State Treasurer which includes the January, 1937 warrant and up to and including all those through December, 1937.

If any of these warrants are in your possession, you will please refrain from selling, transferring or discounting any of them to banks, corporations, or individuals as the penalty for so doing as prescribed by law is too great for you to take such a risk.

If you have cashed all of the warrants referred to then, I am asking that you return to this office the amount you owe the State either by cashier's check or postoffice money order.

Please let me hear from you at once.

Yours very truly,

JHT:E

Geo. H. Sheppard
Comptroller of Public Accounts.

January 28, 1938

17

Mr. W. W. Pipes
Frankston, Texas.

Dear Mr. Pipes:

On January 12, 1938 I wrote you a letter in regard to you cashing Confederate Pension warrants illegally issued to you since the death of your wife, because of the fact you failed to notify this office of the death of your wife as required by the law.

Before further action is taken in this matter, I would like very much to know your intention in regard to whether or not you will return to the Confederate Pension Fund, warrants illegally issued you, and for for the cashing of them the law prescribes a very severe penalty.

I would thank ^{you} for an early reply.



Yours very truly,

JHT:E

Geo. H. Sheppard
Comptroller of Public Accounts.

January 12, 1938

17

Hon. Charley Lockhart
State Treasurer
Austin, Texas.

Dear Sir:

Please stop payment on the following Confederate Pension Warrants issued to W. W. Pipes of Frankston, Texas, in the amount of \$50.00 each.

Mr. Pipes has been receiving payments as a married man when in fact his wife died in 1935.

Warrant Numbers	Dates	Amount
919	Jan. 1937	\$50.00
1102	Feb. "	"
1289	March "	"
1455	April "	"
1613	May "	"
1760	June, "	"
1908	July "	"
2053	Aug. "	"
85	Sept. "	"
223	Oct. "	"
361	Nov. "	"
490	Dec. "	"

(7)

Yours very truly,

JHT:E

Geo. H. Sheppard
Comptroller of Public Accounts.

T. GAY SHEPHERD
ATTORNEY
AUSTIN, TEXAS

May 13, 1938.

Honorable Geo. H. Sheppard,
Comptroller of Public Accounts,
State of Texas, Austin, Texas.

In re: W. W. Pipes, Frankston, Texas, Confederate
Pension File # 22766

Dear Sir:

My client, M. C. Parrish & Company, now holds certain Confederate Pension warrants, listed hereinafter and numbered, etc., in the total amount of \$600, upon which payment was stopped by your Department January 12, 1938. These warrants were made payable to one W. W. Pipes of Frankston, Texas, who cashed them with various banks. These banks in turn sold or transferred the warrants to my client.

For your convenience, I will make a brief outline of your file and of the facts in this case, to-wit:

W. W. Pipes' filed Form A-Soldiers Application for a Pension, August 30, 1913, was approved September 1, 1913 and the pension was allowed from December 1, 1913. This application was accompanied by direct and cross interrogatories to the witnesses of Henry Taylor and A. J. Taylor.

On March 25, 1929, W. W. Pipes made a certificate required of Confederate Veterans having wives in conformance with the law which sets out that his wife who was 80 years old in July, 1929, was of such status that she was entitled to a pension of \$25 a month. Likewise, on April 18, 1930, W. W. Pipes made another certificate with reference to having a living wife and in 1934 another certificate was made by Mr. Pipes that his wife was living. All of these were in answer to certificates mailed by the Comptroller's Department.

On January 8, 1938, a certificate was mailed to Mr. Pipes which read in part as follows:

"Q. Have you a wife to whom you were married prior to May 28, 1931 and with whom you are now living?

"A. No, sir.

"Q. If your wife is dead, give the exact date of her death.

"A. August 21, 1935."

This was signed by W. W. Pipes and duly acknowledged by C. P. James, a notary public in and for Anderson County, Texas. Based upon this latter mentioned certificate your Department wrote a letter to Mr. Pipes under date of January 12, 1938, stating to him that he was indebted to the State of Texas in the amount of \$709.05 and

5/13/38

requested that this amount of money be returned to the Confederate Veterans Fund and that in the event he had any warrants which had not been transferred or cashed, then these likewise should be returned to your Department for cancellation. Also, on January 12, 1938, a letter was written from your Department to the Honorable Charles Lockhart, State Treasurer, in which you asked that payment be stopped on the warrants issued to W. W. Pipes for the entire year of 1937, such warrants being in the amount of \$50 each. On January 28, 1938, another letter was written from your Department to Mr. W. W. Pipes asking that he answer your first letter of January 12 in regard to his intention with reference to matters set out in the latter.

It seems that Mr. Pipes and his wife received an allowance of \$25 each or a total of \$50 from December 1, 1913 up to and inclusive of December, 1937. However, as above mentioned, since Mrs. Pipes died on August 21, 1935, Mr. Pipes was only entitled to a pension warrant in the amount of \$25 from August 21, 1935 to and inclusive of December, 1937. Since the Department had no knowledge of Mrs. Pipes' death, however, until the certificate was returned to your office on January 8, 1938, which gave notice of the death of Mrs. Pipes, there was an overpayment from August 21, 1935 to the issuance of the last warrant in December, 1937. A statement of the overpayment is as follows:

1935	Aug 21 to Aug 31	\$ 9.05
"	September	25.00
"	October	25.00
"	November	25.00
"	December	25.00
1936	12 months \$25@	300.00
1937	" "	300.00

Total overpayment \$ 709.05

The Confederate Pension warrants which my client now holds are as follows:

Warrant #	Date	Amount
919	Jan. 1937.	\$50.00
1102	Feb.	50.00
1289	Mar.	50.00
1455	Apr.	50.00
1613	May	50.00
1760	June	50.00
1908	July	50.00
2058 (.)	Aug.	50.00
85	Sept.	50.00
222	Oct.	50.00
3612	Nov.	50.00
490	Dec.	50.00

Total Amount \$600.00.

5/13/38

At the time that your Department discovered the overpayment as listed above, the name of W. W. Pipes was stricken from the pension rolls in compliance with the statutes and so far as I know this party has not received any further pension warrants.

The purpose of this letter is to ask that you instruct the Treasurer to lift the stop payment on the above listed warrants and in support of this, I refer you to an opinion of the Attorney General of this State signed by the Honorable H. L. Williford under the date of April 16, 1938. I particularly call your attention to a statement made in this opinion as follows:

"The pension is a gift, a grant, a gratuity made by the sovereign power to an individual in consideration or recognition of services rendered or loss or damage sustained in the public service. Texas Jur, Vol. 32, p. 796, Sec. 1; 54 A. L. R. p. 943; 21 R. C. L. p. 239. Clark vs. Darden, Comptroller, 47 Tex. 439."

After quoting excerpts from the several statutory articles with reference to the payment of pensions to Confederate Veterans, Judge Williford states that the determination by the Comptroller of the status of a pensioner "was an official and authoritative determination of the pension status * * * by the officers and agents of the State of Texas in compliance with the law and entailed the official finding of all the material facts prerequisite to the pension grant. After the procedure last above set forth was had, the duties of the Comptroller thereafter, in the opinion of the writer, were purely ministerial until such time as he received information that a person had been granted a pension through fraud or perjury, and I do not then understand from the working of Article 3226 that the Comptroller should stop payment of pension warrants which had been regularly issued to a pensioner, but such Article simply says that the Comptroller shall strike the name of such person from the pension roll and, of course, it follows that no future pension payments shall be made, but as to pensions which had theretofore issued and been delivered to the pensioner, I am of the opinion that the gift or grant of the State having been made and the statutory requirements precedent to the granting of the pension having been complied with, that such warrants, in the hands of the third person who had paid value for same, partake of the nature of negotiable instruments. They are unlike the ordinary State warrant in that they are not issued as a consideration for official service or of labor but are a gift of the State and a recognition of past services of the pensioner."

In the sake of brevity, I will quote no further from this opinion but I sincerely urge your attention to such as I feel that it is sufficient authority for you to raise your stop payment order to the State Treasurer. Further, I sincerely urge that Mr. Pipes at no time exhibited nor made any false statements with reference to the status of his wife or himself to secure money from the State to which he was not entitled but to the contrary each certificate or affidavit that was mailed to him to determine his status as a pensioner was honestly filled out and gave nothing but the truth. All facts stated with reference to the application of Mr. Pipes and letters written by your Department



5/13/38

may be verified.

Trusting that you may see fit to raise the stop payment order so that my client will not be deprived of the money which he has put out in order to assist this aged person, and with kindest personal regards, I am

Yours very truly,

A handwritten signature in cursive script, reading "T. Gay Shepherd", with a long horizontal flourish extending to the right.

T. Gay Shepherd

TGS/cj

May 18, 1938

17

Hon. T. Gay Shepherd,
Attorney,
Littlefield Building,
Austin, Texas.

Re: W. W. Pipes, Frankston, Texas
Confederate Pension
File No. 22766.

Dear Sir:

I acknowledge receipt of your letter of May 13 in regard to a stop payment placed against Confederate Pension warrants issued Mr. W. W. Pipes.

You are advised that I am of the opinion the stop payment order was properly placed against these warrants, and for this reason I decline to lift same.

Yours very truly,

Geo. H. Sheppard
Comptroller of Public Accounts.

JHT:E



Comptroller of Public Accounts
State of Texas
Austin

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

May 18, 1938

IN YOUR REPLY PLEASE REFER
TO DIVISION NO. 17
FILE NO. _____

Hon. T. Gay Shepherd,
Attorney,
Littlefield Building,
Austin, Texas.

Re: W. W. Pipes, Frankston, Texas
Confederate Pension
File No. 22766.

Dear Sir:

I acknowledge receipt of your letter of May 13 in regard to a stop payment placed against Confederate Pension warrants issued Mr. W. W. Pipes.

You are advised that I am of the opinion the stop payment order was properly placed against these warrants, and for this reason I decline to lift same.

Yours very truly,

JHT:E

Geo. H. Sheppard
Comptroller of Public Accounts.



*Held & not mailed out to
J. Gay Sheppard by Miss Farrow*

22766

August 19, 1938

17

South-Hassell Funeral Home
Palestino, Texas.

Gentlemen: Attention Mr. G. G. Hassell.

I acknowledge receipt of your letter of August 16, enclosing application for Mortuary Warrant and notice of the death of one W. W. Pipes of Frankston, Texas, who was formerly a Confederate Pensioner of the State of Texas.

This is to advise that Mr. W. W. Pipes was removed from the Confederate Pension roll of Texas in January, 1938 and he has not received pension payments since that date. His removal from the rolls was due to the fact that he was indebted to the Pension Fund in the amount of \$709.00 for payments that were issued to him in amounts to which he was not entitled. Mr. Pipes was notified of this fact in my letters to him dated January 12 and 28, 1938. Therefore, no Mortuary Warrant can now issue on account of his death since he was not a pensioner. The law specifies that Mortuary payments can only issue on account of the death of a Confederate Pensioner.

Yours very truly,

Geo. H. Sheppard
Comptroller of Public Accounts.

JHT:E

cc
Mr. J. C. Pipes
Frankston, Texas.

Frankston, Texas,
August 26, 1938.

Geo. H. Sheppard, Comptroller,
Austin, Texas.

Dear Sir:

I have received a letter from G. G. Hassell of South-Hassell Funeral Home, Palestine, Texas, stating that you refused to issue a Mortuary Warrant of \$100 for funeral expenses for my father, W. W. Pipes, a Confederate Soldier who passed away August 15, 1938. My mother, Mary Elizabeth Pipes, passed away August 21, 1935, and it is my understanding that she being a wife of a Confederate Soldier was also entitled to \$100 for funeral expenses.

South-Hassell Funeral Home, at that time, sent to you a bill for my mother's burial and you refused to pay it.

My father kept receiving a pension of \$50 each month until January, 1938, when he received a letter from you informing him that he had been drawing too much money due to the fact that my mother's death was not reported and that he owed several hundred dollars to the State. The letter also stated that due to this fact, his pension was being stopped. Wasn't the bill from South-Hassell Funeral Home a sufficient report of her death? If so, why did you keep sending the \$50 each month? My father was 92 years old, blind, and deaf, and if he was suppose to draw that much money, he was ignorant of the fact.

As my brother, J. C. Pipes cared for my parents, all of my information is second-hand. I would appreciate it very much if you would investigate and let me know why the government refused to pay the \$100 for my mother and Father's funeral expenses and why you kept sending my father \$50 each month after South-Hassell had reported her death.

My father was entirely dependent on his pension and I want to know if the State will pay for their funeral expenses of \$100 each as was due them as a Confederate soldier and his wife.

Sincerely yours,
Cluad C. Pipes.

Cluad C. Pipes



August 30, 1938

17

Mr. Claud C Pipes
Frankston, Texas.

Dear Mr. Pipes:

This is to acknowledge receipt of your letter of August 26 in regard to the refusal of this office to issue a Mortuary Warrant on account of the death of Mr. W. W. Pipes whose death occurred on August 21, 1938.

This is to advise that Mr. W. W. Pipes was removed from the Confederate Pension roll of Texas in January, 1938 and he has not received pension payments since that date. His removal from the pension rolls was due to the fact that he was indebted to the Confederate Pension Fund in the amount of \$709.00 for payments that were issued to him in amounts to which he was not entitled, due to the fact that his wife's death occurred in August, 1935. The first and only notice this office had of the death of Mrs. Pipes was on January 8, 1938 when this office mailed out affidavits requesting this information. From time to time pensioners who have living wives are requested to notify this office at any time their wives should die as a man who has a living wife is entitled to pension payments of \$50.00 a month so long as he has a living wife and at the death of their wife they are only entitled to \$25.00 a month. Mr. Pipes received payments of \$50.00 a month from the time his wife died in August, 1935 until January, 1938 to which he was not entitled and this office was never notified of the death of his wife until January. Therefore, he continued to receive \$50.00 a month instead of \$25.00 a month as required by law. Until January, 1938.

Due to the fact that W. W. Pipes received payments in excess of the amount to which he was entitled, no Mortuary Warrant can now issue on account of his death as he is indebted to the Confederate Pension Fund in the amount of \$709.00.

No Mortuary Warrant could have issued on account of the death of Mrs. Pipes at the time of her death as the law specifies that mortuary payments can only issue to Confederate Pensioners and the wife of a Confederate Soldier cannot become a pensioner until she is the widow of such soldier on account of his death.

Yours very truly,

JHT:E

Geo. H. Sheppard
Comptroller of Public Accounts.

E. B. S. FLOREY, VICE PRESIDENT
W. P. MOORE, VICE PRESIDENT
U. M. BROCK, CASHIER

MAXIE WILSON, PRESIDENT
M. C. PARRISH, EXECUTIVE VICE PRESIDENT
R. G. UNDERWOOD, ASST. VICE PRESIDENT

SANDERS PILGREEN, ASST. CASHIER
MRS. W. A. GILLESPIE, ASST. CASHIER
CLAUDE WILSON, ASST. CASHIER



MOTLEY NO. 1

FIRST STATE BANK

CAPITAL & SURPLUS \$112,500.00

OVERTON, TEXAS

DIRECTORS
MAXIE WILSON
W. P. MOORE
W. D. TUCKER
E. B. S. FLOREY
GUS BLANKINSHIP
M. C. PARRISH
A. E. STEWART
W. E. STEWART

August 31st, 1938.

Dear Gus:

I believe you have on your desk a file of correspondence from T. Gay Shepherd to the Comptroller regarding stop payment on Pension warrants issued to-

W. W. Pipes, Frankston Texas.

Copy of his letter before me indicates that he presented the facts fully.

I have just learned that Mr Pipes died about a week ago, and it occurred to me that Mr Taylor of the Pension department might be prevailed on to review this matter as it stands at this time, taking into consideration the analysis made by Gay Shepherd, and also the matter of mortuary warrant for \$100.00

Will appreciate it if you will review the matter again, and see if anything can be done about it.

Thanking you and sending kind regards, I am,



Yours sincerely.

M. C. Parrish
M. C. Parrish.

September 7, 1938

Mr. M. C. Parrish
Executive Vice-President
First State Bank
Overton, Texas

Dear Mr. Parrish:

I found your letter of August 31st with reference to the W. W. Pipes matter on my desk upon my return from the West this last week end. I am taking this matter up with the department and will advise you as to the results.

Sincerely yours,

Gus Farrar

September 10, 1938

Honorable Wm. McCraw
Attorney General
Austin, Texas

Dear Sir:

W. W. Pipes, a Confederate veteran, made application to this department for a Confederate pension along about August 30, 1913. The application was approved September 1, 1913, and a pension was allowed from November 1, 1913.

On March 25, 1929, Mr. Pipes made a certificate required of Confederate veterans having wives. This certificate was made in compliance with the law which set out that his wife, who was eighty years old in July, 1929, was of such status that she was entitled to a pension of \$25.00 a month. Likewise, on April 18, 1930, Mr. Pipes made another certificate with reference to having a living wife and in 1934 he made another certificate stating that his wife was still living. All these certificates were made in answer to certificates mailed by the Comptroller's Department to W. W. Pipes.

On January 8, 1938, a certificate was mailed to Mr. Pipes which read, in part, as follows:

"Q. Have you a wife to whom you were married prior to May 28, 1931, and with whom you are now living?

"A. No, sir.

"Q. If your wife is dead, give the exact date of her death.

"A. August 21, 1935."

This certificate was signed by W. W. Pipes and duly acknowledged by C. P. James, a notary public in and for Anderson County, Texas. Based upon this latter mentioned certificate this department wrote a letter to Mr. Pipes under date of

Honorable Wm. McCraw
Page 2
September 10, 1938

January 12, 1938, stating to him that he was indebted to the State of Texas in the amount of \$709.05 and requested that this amount of money be returned to the Confederate Pension Fund and that in the event he had any warrants which had not been transferred or cashed these warrants also should be returned to this department for cancellation. On the same date, January 12, 1938, this department wrote a letter to Honorable Charley Lockhart, State Treasurer, asking that payment be stopped on the warrants issued to W. W. Pipes for the entire year of 1937, such warrants being in the amount of \$50.00 each. On January 28, 1938, another letter was written by this department to Mr. W. W. Pipes asking him to answer our first letter of January 12th in regard to his intention with reference to matters set out in the letter.

It seems that Mr. Pipes and his wife received an allowance of \$25.00 each, or a total of \$50.00, from December 1, 1913 up to and inclusive of December, 1937. However, as above mentioned, since Mrs. Pipes died on August 21, 1935, Mr. Pipes was only entitled to a pension warrant in the amount of \$25.00 from August 21, 1935 to and inclusive of December, 1937. Since the Department had no knowledge of Mrs. Pipes' death, however, until the certificate was returned on January 8, 1938, which gave notice of Mrs. Pipes' death, there was an overpayment from August 21, 1935, to the issuance of the last warrant in December, 1937. A statement of the overpayment is, as follows:

1935	August 21 to August 31	\$ 9.05
"	September	25.00
"	October	25.00
"	November	25.00
"	December	25.00
1936	12 months \$25.00	300.00
1937	" "	300.00
Total overpayment		\$ 709.05

The Confederate Pension warrants which M. C. Parrish & Company now hold are as follows:

<u>Warrant No.</u>	<u>Date</u>	<u>Amount</u>
919	Jan. 1937	\$ 50.00
1102	Feb. "	50.00
1289	Mar. "	50.00
1455	Apr.	50.00
1613	May	50.00

Honorable Wm. McCraw
Page 3
September 10, 1938

(Continued)

<u>Warrant No.</u>	<u>Date</u>	<u>Amount</u>
1760	June	\$ 50.00
1908	July	50.00
2058 (?)	Aug.	50.00
85	Sept.	50.00
222	Oct.	50.00
3612	Nov.	50.00
490	Dec.	50.00
Total		\$ 600.00

At the time this department discovered the overpayment the name of W. W. Pipes was struck from the pension rolls, in compliance with the statutes.

Request has been made on this department that stop payment be lifted against these pension warrants. In view of your recent opinion I will thank you to advise this department whether such pension warrants are now subject to payment, or, will this department be authorized to lift stop payment covering same.

Very truly yours,

Farrar/g



GEO. H. SHEPPARD
COMPTROLLER OF PUBLIC ACCOUNTS

*Original
of opinion
to Attorney General
Sept. Nov. 29-1938
to be considered in
conference.*

C O P Y

OFFICE OF THE ATTORNEY GENERAL

AUSTIN

September 13, 1938

Honorable Geo. H. Sheppard
Comptroller of Public Accounts
Austin, Texas

Attention: Mr. Gus Farrar

Dear Sir:

Your letter of September 10th instant, addressed to Attorney General McCraw, received and referred to the writer for attention.

You refer to certain confederate pension warrants which were issued to W. W. Pipes sometime after November 1, 1913, and also upon proof made by said Pipes on March 25, 1929, pension warrants were augmented on account of his wife, and payments continued to be made on this basis until January 8, 1938, when the Comptroller's Department learned through a certificate made by Pipes that his wife had died August 21, 1935, at which time you advised the pensioner that he was indebted to the State of Texas in the amount of \$709.05 and requested that this amount of money be returned to the Confederate Pension Fund, and on January 12, 1938, the Comptroller's Department wrote a letter to Honorable Charley Lockhart, State Treasurer, asking that payment be stopped on the warrants issued to W. W. Pipes for the entire year of 1937, such warrants being in the amount of \$50.00 each.

On account of the Comptroller's Department not having information of the death of the pensioner's wife until January 8, 1938, there was a pension overpayment of \$709.05. These pension warrants were transferred, assigned or negotiated by the pensioner prior to the stop payment placed by the Comptroller against such warrants, that is the pension warrants of \$50.00 each for January, 1937, to December, both inclusive, making an aggregate of \$600.00. You advise that request has been made to your Department that stop payment be lifted against these pension warrants, and you refer to an opinion written


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by this Department on May 13, 1938, wherein the following statement appears:

"The pension is a gift, a grant, a gratuity made by the sovereign power to an individual in consideration or recognition of services rendered or loss or damage sustained in the public service. Texas Jur. Vol. 32, p. 796, Sec. 1; 54 A. L. R. p. 943; 21 R. C. L. p. 239, Clark vs. Darden, Comptroller, 47 Tex. 439."

In such opinion, it is stated that the action of the Comptroller in approving an application for a pension "was an official and authoritative determination of the pension status . . . by the officers and agents of the State of Texas in compliance with the law and entailed the official finding of all the material facts prerequisite to the pension grant. After the procedure last above set forth was had, the duties of the Comptroller thereafter, in the opinion of the writer, were purely ministerial until such time as he received information that a person had been granted a pension through fraud or perjury, and I do not then understand from the wording of Article 3226 that the Comptroller should stop payment of pension warrants which had been regularly issued to a pensioner, but such Article simply says that the Comptroller shall strike the name of such person from the pension roll and, of course, it follows that no future pension payments shall be made, but as to pensions which had theretofore issued and been delivered to the pensioner, I am of the opinion that the gift or grant of the State having been made and the statutory requirements precedent to the granting of the pension having been complied with, that such warrants, in the hands of the third person who had paid value for same, partake of the nature of negotiable instruments. They are unlike the ordinary State warrant in that they are not issued as a consideration for official service or of labor but are a gift of the State and a recognition of past services of the pensioner."

It is my opinion that the excerpt above quoted from the opinion of May 13, 1938, is applicable to the facts in this case in so far as the pension warrants held by Parrish & Company are concerned, and on account of the fact that such pension warrants were regularly issued, based upon an approval and adjudication by the Comptroller that the pensioner was entitled



Page 3

to receive such warrants, I think such stop payment should be lifted and such warrants ordered paid.

Very truly yours,

/s/ H. L. Williford
Assistant Attorney General

HLW-N



Comptroller of Public Accounts
State of Texas
Austin

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

September 26, 1938

IN YOUR REPLY PLEASE REFER

TO DIVISION NO. _____

FILE NO. _____

Mr. J. H. Taylor
Chief Pension Clerk
Comptroller's Department
Austin, Texas

Dear Mr. Taylor:

I am attaching copy of an opinion written
by the Attorney General covering warrants issued
in the W. W. Pipes matter.

Since it is the policy of this department
to follow the Attorney General's opinions you are
authorized to lift the stop payment placed against
these warrants.

Very truly yours,

GEO. H. SHEPPARD
COMPTROLLER OF PUBLIC ACCOUNTS

GF/g



22766

September 26, 1938

Mr. J. H. Taylor
Chief Pension Clerk
Comptroller's Department
Austin, Texas

Dear Mr. Taylor:

I am attaching copy of an opinion written by the Attorney General covering warrants issued in the W. W. Pipes matter.

Since it is the policy of this department to follow the Attorney General's opinions you are authorized to lift the stop payment placed against these warrants.

Very truly yours,

GEO. H. SHEPPARD
COMPTROLLER OF PUBLIC ACCOUNTS

GF/g



C O P Y

OFFICE OF THE ATTORNEY GENERAL

AUSTIN

November 7, 1938

Honorable Geo. H. Sheppard
Comptroller of Public Accounts
Austin, Texas

Attention: Mr. Gus Farrar

Dear Sir:

Your letter of October 20, 1938, addressed to Attorney General McCraw, received and referred to the writer for attention.

You state: "A, B, and C are Confederate pensioners. A leaves the State and remains away for five months, and dies outside the State. The Comptroller has not paid him any pension while he was away. Is the Comptroller authorized to issue warrant to A's heirs for the five months' pension accruing to him during his absence from the State?"

Article III, Section 51, Constitution of Texas, as adopted November 6, 1928, authorizes the Legislature to grant aid to indigent and disabled Confederate soldiers and sailors under such regulations and limitations as may be deemed by the Legislature as expedient, and to their widows in indigent circumstances under such regulations and limitations as may be deemed by the Legislature as expedient."

Article 6404, R. C. S. of Texas, levies a tax of 7¢ on the \$100.00 property valuation owned in the State on the 1st day of January of 1925, and of every year thereafter, for the payment of pensions, as may be provided by law to Confederate soldiers and their widows, and to other Texas soldiers and militiamen who served during the War between the States entitled to pensions under the laws of Texas, and their widows, and shall constitute a special fund for the payment of such pensions in the manner and under the rules and regulations as are and may be prescribed by law.

Article 6205, R. C. S. of Texas, provides in part:

"Out of the Pension Fund created and maintained under the provisions of Article 6204 as amended, there shall

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be paid on the first day of each calendar month a pension in the amounts provided for in Article 6221 to every Confederate soldier or sailor whose application has heretofore been approved, and also those who came to Texas prior to January 1, 1928, and whose application shall hereafter be approved, and to their widows whose applications have heretofore been approved and also those who have been bona fide residents of this State since January 1, 1928, and whose application shall hereafter be approved and who were married to such soldiers or sailors prior to January 1, 1921, and who lived with such soldier or sailor continuously for at least ten (10) years immediately prior to the death of such sailor or soldier . . . Soldiers or widows who are over eighty-eight (88) years of age, who have been bona fide citizens of Texas since prior to January 1, 1930, shall be entitled to pensions under this Act, if otherwise pensionable. . . ."

Article 6208 prescribes the requirements to be contained in an application for a Confederate pension and requires that the applicant shall state his name, age, residence and occupation, if any, and every fact necessary to entitle the applicant to the pension.

Article 6209, R. C. S., provides in part:

"Proof shall be made under oath and in writing before the county judge of the county where the applicant resides. . . he shall also certify to the citizenship of the applicant, and that the applicant has been a bona fide resident of the county for a period of six months next before the date of said application. . ."

Article 6215, R. C. S., provides in part as follows:

"The payment of such pension shall be made on the first day of each calendar month to all pensioners whose application for pensions shall have been duly approved as provided by law by warrant drawn by the Comptroller on the State Treasurer, to be paid out of the money appropriated for that purpose as provided by law.

"Such warrant shall be transmitted by mail to the payee thereof at his or her last known address. It shall be unlawful for any postmaster, delivery



clerk, letter carrier or other postal employee to deliver any such mail to any person whomsoever if the addressee is known to have died or removed or, in the case of a widow, if known to have remarried; and it shall be unlawful for any person or persons to open any such mail addressed to any such addressee who has died or removed, or to any such widow who has remarried, or to convert such warrant into cash; but in every such case such mail shall forthwith be returned to the Comptroller at Austin, Texas, with a statement of the reasons for so doing and if, because of death or remarriage, the date thereof, if known, and all such warrants so returned to the Comptroller shall be cancelled."

Article 6220, R. C. S., provides in part as follows:

"No person shall, while confined in any asylum of this State, at the expense of the State, or while confined in the State penitentiary, receive a pension, and any person having been granted a pension who shall afterwards be confined in an asylum of this State, at the expense of the State, or who shall be confined in the State penitentiary shall, while an inmate of such asylum or penitentiary, forfeit his pension, and no pensioner who leaves this State for a period of over six months shall draw a pension while so absent; ..."

In response to your first question relative to the pension status of A, who leaves the state and remains away for five months and dies outside the state, I will say that the claim of A's heirs for pension warrants during such period of time would, in my judgment, depend upon the place of residence of A at the time of his death. Residence is a matter of intention, but it is evidenced by acts as well as by words, and under the circumstances stated in your question, I think it would be the duty of the Comptroller to ascertain whether or not the pensioner was a bona fide resident of the State of Texas at the time of his death, and if the Comptroller determines that he was a bona fide resident of Texas at the time of his death, then he would be authorized to pay to the pensioner's heirs the pension warrants that had matured and were due the pensioner at the time of his death.

Your second question reads as follows:

"B leaves the State and remains for eight months. He then returns and files statement with the Comptroller showing the facts of his absence and asks the Comptroller to issue pension warrants for the first six months of his absence and to list him again on the

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pension roll. May the Comptroller legally grant his request?"

Construing Article 6220, R. C. S., above referred to, in connection with other pertinent provisions of Title 109, it is apparent to the writer that the Legislature intended as a condition precedent to the granting of a pension to Confederate soldiers or sailors, that such Confederate pensioner must be a bona fide resident of Texas, and must have resided six months in the county in which the application is made, and must have been a bona fide citizen of Texas since January 1st, 1930. That portion of Article 6220 which states, "...and no pensioner who leaves this State for a period of over six months shall draw a pension while so absent;..", when taken in connection with the other statutory provisions referred to, signifies to the writer that the Legislature intended that a resident pensioner of Texas could absent himself from the State for a period of six months without forfeiting his monthly pension payments; but that if he remained out of the territorial limits of the State for more than six months, then such additional time as he remained out of the State in excess of the six months, he would have no pension claim for such time, but that upon his return to the State within a reasonable time or with a satisfactory explanation of his enforced absence, he could be reinstated as a pensioner, and paid the first six months of his absence and continue to receive his pension payment as long as he continues to be a bona fide resident of the State of Texas.

I mean by this statement that the Comptroller can determine from the evidence whether the pensioner has abandoned his residence in Texas and permanently removed to another state; and that the period of time elapsing from the time he left the State until the time he returns is not conclusive on the question in this State regarding residence, if satisfactorily explained, but will preclude the pensioner from drawing pension payments for such time except the first six months of his absence. If the Comptroller should conclude after hearing the evidence that the pensioner in fact removed his place of residence from Texas and established a new residence in some other State, the pensioner under such circumstances would not be entitled to the first six months of his absence. I do believe the Legislature intended the payment of a pension to be conditioned upon the residence of the pensioner in this State, but I do not think the temporary absence of a pensioner from the State is conclusive evidence that he has abandoned this State as his place of residence.

You are, therefore, advised that if the Comptroller ascertained that such pensioner B, who remains out of the State for eight months, did not in fact abandon his residence in Texas,

(X)

#5 Hon. Geo. H. Sheppard

then the Comptroller may reinstate him on the pension roll and pay him for the first six months of his absence.

Your third question is as follows:

"C leaves the State, stays five months, returns to his home for a day, then leaves again for another five months, when he returns and asks to be continued as a regular pensioner. What may the Comptroller legally pay C as a pensioner?"

The pension status of C under such circumstances is dependent largely upon the determination of the question of fact. If C in fact is a bona fide resident of Texas and never at any time intended to abandon his legal residence in Texas and does come back for one day during the ten months period merely as a subterfuge, I think he would be entitled to his pension while so absent from the State.

I will state in this connection, however, that continued and successive periods of time during which a pensioner is absent from the State, such as is outlined in your third question, might be some evidence that a pensioner has abandoned the State of Texas as his place of residence, and is permanently residing in another State, unless the evidence and explanation of such absence satisfactorily shows to the Comptroller otherwise.

Trusting that this satisfactorily answers your inquiry,
I am

Very truly yours,

/s/ H. L. Williford
Assistant Attorney General

HLW:pbp
EN

November 29, 1938

Honorable Wm. McCraw
Attorney General
Austin, Texas

Dear Sir:

I am attaching hereto an opinion written by your department September 13, 1938, and will thank you to consider this opinion in conference and advise this department the results of your conference deliberation.

My letter addressed to you September 10, 1938, requesting the opinion given September 13, 1938, covers the facts under which the opinion was written.

Very truly yours,



GF/g

GEO. H. SHEPPARD
COMPTROLLER OF PUBLIC ACCOUNTS



THE FIRST STATE BANK

FRANKSTON, TEXAS

June, 7th, 1939

COMPTROLLERS OFFICE

JUN 8 - 1939

RECEIVED

Hon. George H. Shepperd, State Comptroller
Austin, Texas

Dear Mr. Shepperd:

In Re: W.W. Pipes
Pension Warrants

On March, 12th, 1938 we filed through Mr. M.C. Parrish Pension Warrants Numbers 85 and 1908 with Mr. T. Gay Shepherd each for \$50.00 we have been hoping from time to time that this matter would finally be adjusted and the warrants paid to us.

I wish you would please advise us if there has been any special appropriation made to take care of these warrants, or is the matter still pending some definite decision on the payment.

I will appreciate any information that you may give us in this connection.

Yours very truly


President

June 8, 1939

17

Hon. Ray Perry, President
First State Bank
Frankston, Texas.

Dear Sir:

Replying to your letter of June 7 in regard to Confederate Pension Warrants issued to W. W. Pipes, now deceased.

The records of this office show that the wife of W. W. Pipes died on August 21, 1935 and that all pension warrants issued to him after said date were illegally issued because of the fact that Mr. Pipes failed to notify this office of the death of his wife as required by law. It was for this reason that a stop payment was placed against all Confederate Pension Warrants issued him beginning with January, 1937 up to and including December, 1937, and so far as I know it has been unanimously and uniformly held by the Courts that warrants issued against State funds are non-negotiable and where purchased by any one the purchaser does so at his own risk. It is for this reason that no appropriation has or will be made for the warrants issued to Mr. Pipes after the death of his wife.

Yours very truly,

Geo. H. Sheppard
Comptroller of Public Accounts.

JHT:EE



H. M. HINZIE INSURANCE AGENCY

117½ SPRING STREET
PALESTINE, TEXAS

December 3, 1939



Hon. George H. Sheppard
State Comptroller
Austin, Texas

My dear friend:

William Washington Pipes resided at Frankston, Texas, and drew a Confederate pension during his lifetime. I will appreciate you sending me such information as is available regarding his service in the Confederate Army together with his pension number.

I desire this information so that I may be able to make application for a marker to be placed at his grave.

Thanking you, I am sincerely

Your friend,

J. G. Collie

J. G. Collie
c/o Engineers Office
M.P. Railroad
Palestine, Texas

22766
Henderson

June 8, 1939

17

Hon. Ray Perry, President
First State Bank
Frankston, Texas.

Dear Sir:

Replying to your letter of June 7 in regard to Confederate Pension Warrants issued to W. W. Pipes, now deceased.

The records of this office show that the wife of W. W. Pipes died on August 21, 1935 and that all pension warrants issued to him after said date were illegally issued because of the fact that Mr. Pipes failed to notify this office of the death of his wife as required by law. It was for this reason that a stop payment was placed against all Confederate Pension Warrants issued him beginning with January, 1937 up to and including December, 1937, and so far as I know it has been unanimously and uniformly held by the Courts that warrants issued against State funds are non-negotiable and where purchased by any one the purchaser does so at his own risk. It is for this reason that no appropriation has or will be made for the warrants issued to Mr. Pipes after the death of his wife.

Yours very truly,

Geo. H. Sheppard
Comptroller of Public Accounts.

JHT:EE

22,766

Henderson

JEFF AUSTIN, CASHIER

RAY PERRY, PRESIDENT



CARRIE WATKINS, ASST. CASHIER

THE FIRST STATE BANK

FRANKSTON, TEXAS

April, 22nd, 1942



Mr. Geo H. Shepperd, State Comptroller
Austin, Texas

Dear Mr. Shepperd:

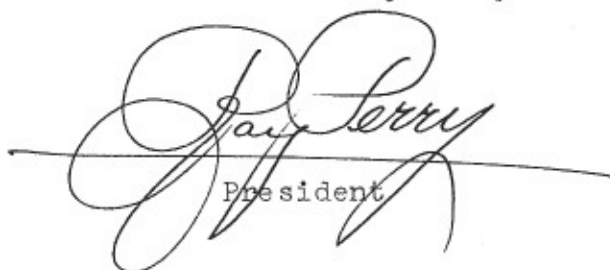
We have heretofore had considerable correspondence
on the following Confederate Pension Warrants.

Jan, 31st, 1937 Number 919 for \$50.00 and
Payable to W.W. Pipes,
Frankston, Texas

Feb. 28th, 1937 Number 1102 for \$50.00 and
Payable to W.W. Pipes,
Frankston, Texas

Payment was stopped on these Warrants for some
reason which as you know was not a responsibility
on the part of this bank as holder of the Warrants,
and now since the pension fund is again on a Cash Basis
I am wondering if it would be possible to get them
paid at this time.

Yours very truly


President



April 27, 1942.

17

Hon. Ray Perry, President
The First State Bank
Frankston, Texas.

Dear Mr. Perry:

Replying to your letter of April 22, 1942 in which you make inquiry about the payment of certain Confederate Pension Warrants issued to W. W. Pipes, deceased.

You are advised that the information you request was given you in my letter of June 8, 1939. A copy of this letter is enclosed.

The fact there is at this time a credit balance in the confederate pension fund of Texas would in no way justify the payment of warrants illegally issued to Mr. Pipes. As for your responsibility in purchasing these warrants, you are already aware of the fact that it has been repeatedly held by the courts that such warrants are non-negotiable and in the purchasing of such warrants you assume full responsibility.

Yours very truly,



Geo. H. Sheppard
Comptroller of Public Accounts.

JHT:EE
encl.

22766
Henderson Frankston Tex
3-12-43

Dear Sir

What I want
is the Confederate Pension
number of William
Washington Piper also
have you his date
of his Enlistment and
Discharge and by Return
mail

Yours Res-

(TX)

Dan Hollingsworth
RR #1 Box 148
Frankston Texas

RECEIVED

MAR 15 1943

STATE TREASURER

Hassell & Foster Funeral Home

PHONE 71

PALESTINE, TEXAS

March 13, 1943

Mr. Dan Hollingsworth
Frankston, Texas

Dear Sir:

At your request we are sending you the information regarding the Pipes family.

Mrs. Elizabeth Pipes died on August 21, 1935 at the age of 86 years, no months, 24 days, and her funeral arrangements were handled by our firm and the total amount of her funeral was \$160.50 which has been paid in full.

W. W. Pipes died on August 15, 1938 at the age of 92 years, 9 months, 26 days. The total amount of his funeral was \$100.00 which has been paid in full.

This is to certify that the above statements are true and correct to the best of my knowledge and belief.

G. G. Hassell

Sworn and subscribed to before me this 13 day of March 1943.

TX

L. E. Foster (L. E. Foster)
Notary Public, Anderson
Co. Tex.

22766



JESSE JAMES
TREASURER

TREASURY DEPARTMENT
STATE OF TEXAS
AUSTIN

March 15, 1943

Mr. Dan Hollingsworth
Rural Route # 1, Box 140
Frankston, Texas

Dear Sir:

In order that your letter of March 12, 1943 might receive the attention of the proper authorities I have today referred it to the Hon. Geo. H. Sheppard, State Comptroller of Public Accounts, for information and reply.

I am always glad to be of service to you whenever it is possible.

Yours very truly,

Jesse James
State Treasurer

JJ:ir

March 16, 1943

17

Mr. Dan Hollingsworth
Route 1 Box 140
Frankston, Texas

Dear Sir:

Replying to your letter of March 12, the records of this office show one W. W. Pipes, nor borne as William Washington Pipes, drew a Confederate Pension from the State of Texas under pension file number 22766.

W. W. Pipes stated in his application for pension that he enlisted in March, 1862 and was paroled in June, 1865. He was a private in Company K, 5th Louisiana Regiment of Cavalry, C. S. A.

The application for pension was approved on the affidavits of witnesses who claimed to have personal knowledge of Mr. Pipe's service in the Confederate Army.

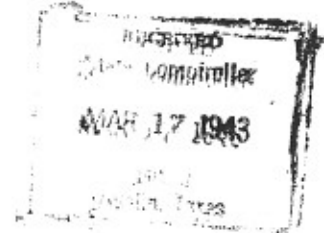
Yours very truly,

Geo. H. Sheppard
Comptroller of Public Accounts.

JHT:EE



Frankston, Texas.
3-16, 1943.



Hon George H. Sheppard,
State Comptroller,
Austin, Texas.

Dear Sir:

I am enclosing affidavit relative to the funeral expenses of Elizabeth Pipes and her husband, W.W. Pipes, who were recipients under the Confederate Pension Laws of this State and for which the State never paid their funeral expenses. Their son, Tom Pipes paid the funeral expenses and is making this as his application for the payment of same to him to reimburse him for this expense which could have been paid by the State.

I will appreciate your filing this and placing the same in the proper channels for the issuance of checks in connection therewith.

I will greatly appreciate your assistance and cooperation in getting this indebtedness paid.

Thanking you I am, .



Very truly yours,

Dan Hollingsworth
Dan Hollingsworth.

March 18, 1943

17

Mr. Dan Hollingsworth
Route 1 Box 140
Frankston, Texas

Dear Mr. Hollingsworth:

I acknowledge receipt of your letter of March 18, 1943 enclosing an application for the payment of Mortuary Warrants on account of the death of W. W. Pipes and his wife Mrs. Elizabeth Pipes. Mrs. Pipes' death occurred in 1935 and W. W. Pipes death occurred August 15, 1938.

This is to advise the relatives or legal representatives of Mrs. Pipes was not entitled to a Mortuary payment under the law, for the reason that Mrs. Pipes was never a Confederate Pensioner. The wife of a Confederate Soldier can never become a pensioner until she is a widow.

Mr. W. W. Pipes was entitled as a pensioner to draw \$50.00 per month so long as he had a wife with whom he was living and supporting. Subsequent to the death of the wife of a Confederate Soldier he would only be entitled to pension payments of \$25.00 per month. At the time of the death of the wife of Mr. Pipes he was required, under the law, to notify this office immediately of the death of Mrs. Pipes, but such notice of her death was never given this office and Mr. Pipes continued to draw pension payments of \$50.00 per month from August 21, 1935 until August 15, 1938, at which time his pension payments were discontinued for the reason he was at that time indebted to the State of Texas in the amount of \$709.05 illegally issued to him on account of his failure to comply with the law in notifying this office of the death of his wife.

Mr. Pipes was twice requested to return to the Confederate Pension Fund of Texas the amount of this overdraft which request was never complied with. On account of his failure to comply with this request no further pension payments were ever made to him, and under the law, no Mortuary Warrant could issue to his agent or assignees unless such indebtedness had been paid.

In order that you may be fully advised as to the law, I refer you to Article 4350, Revised Civil Statutes of Texas, 1925, page 1158 and also Vernon's Civil Statutes of the State of Texas annotated, compiled in 1940, Article 4350, page 241, which Article reads as follows:

"But no warrant shall be issued to any person indebted to the State or to his agents or assignees until such debt is paid."

March 18, 1943

Mr. Claud C. Pipes, son of W. W. Pipes was notified of the above mentioned facts in my letter to him of August 30, 1938 and addressed to him at Frankston, Texas. I am enclosing a copy of this letter to Mr. Claud C. Pipes.

If I can serve you further with information regarding this matter, I shall be very glad to do so.



Yours very truly,

Geo. H. Sheppard
Comptroller of Public Accounts.

JHT:RE
encl.

Amtr. due

\$

9.05

100.00

3

3

4709.05

[SEAL.]

C. H. Gibson
County Judge *Cherokee* County, Texas.

CERTIFICATE OF THE STATE AND COUNTY ASSESSOR

I, *P. B. Musslewhite*, State and County Assessor in the County of *Cherokee*

State of Texas, do certify that _____ 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-first Legislature, approved March 26, A. D. 1909, is charged on the land and personal property rolls of said county with estate, real, personal and mixed, at the assessed value of *(\$420) Four-hundred and twenty* dollars.

Given under my hand, this *29* day of *Jan*, A. D. 19*13*

P. B. Musslewhite

47-100-100
+ 30

February 17, 1947

17

Honorable Gus Farrer
Attorney
State Comptroller's Department
Capitol

Dear Sir:

Complying with your request, we give you the following information on warrants issued against the Confederate Pension Fund and filed for collection by M. C. Parrish & Company, Austin, Texas.

W. W. Pipes

The eight Confederate Pension Warrants for \$50.00 each issued to W. W. Pipes beginning with March 31, 1937 and ending with November 30, 1937 were illegally issued because of the fact his wife, Mrs. Elizabeth Pipes' death occurred in 1935 and no notice was given this office of her death. Warrants were issued to him continuously until November 30, 1937 and all warrants issued to him prior to March 31, 1937 were cashed by him. For this reason no Mortuary Warrant was issued. Mr. Pipes' death occurred on August 15, 1938.

Yours very truly,

JHT:ee

J. H. Taylor, Chief
Confederate Pension Division

(TX)

Nov 1936

540 - Pd Dec 30, 1937 -

W. W. ^{his} Pipes - witness, C. P. Jones, Frankston Tex
" J. F. Austin Jr. "

First Natl Bank.

Tramp, Texas Dec 31, 1937

Dec 1936

733 - Jan 11, 1938 - witness C. P. Jones.

W. W. ^{his} Pipes " J. F. Austin
Frankston

Paid - Jan 8 / 1938

Arp State Bank

Arp, Texas

C O P Y

OFFICE OF THE ATTORNEY GENERAL

AUSTIN

September 13, 1938

Honorable Geo. H. Sheppard
Comptroller of Public Accounts
Austin, Texas

Attention: Mr. Gus Farrar

Dear Sir:

Your letter of September 10th instant, addressed to Attorney General McCraw, received and referred to the writer for attention.

You refer to certain confederate pension warrants which were issued to W. W. Pipes sometime after November 1, 1913, and also upon proof made by said Pipes on March 25, 1929, pension warrants were augmented on account of his wife, and payments continued to be made on this basis until January 8, 1938, when the Comptroller's Department learned through a certificate made by Pipes that his wife had died August 21, 1935, at which time you advised the pensioner that he was indebted to the State of Texas in the amount of \$709.05 and requested that this amount of money be returned to the Confederate Pension Fund, and on January 12, 1938, the Comptroller's Department wrote a letter to Honorable Charley Lockhart, State Treasurer, asking that payment be stopped on the warrants issued to W. W. Pipes for the entire year of 1937, such warrants being in the amount of \$50.00 each.

On account of the Comptroller's Department not having information of the death of the pensioner's wife until January 8, 1938, there was a pension overpayment of \$709.05. These pension warrants were transferred, assigned or negotiated by the pensioner prior to the stop payment placed by the Comptroller against such warrants, that is the pension warrants of \$50.00 each for January, 1937, to December, both inclusive, making an aggregate of \$600.00. You advise that request has been made to your Department that stop payment be lifted against these pension warrants, and you refer to an opinion written

TX

by this Department on May 13, 1938, wherein the following statement appears:

"The pension is a gift, a grant, a gratuity made by the sovereign power to an individual in consideration or recognition of services rendered or loss or damage sustained in the public service. Texas Jur. Vol. 32, p. 796, Sec. 1; 54 A. L. R. p. 943; 21 R. C. L. p. 239, Clark vs. Darden, Comptroller, 47 Tex. 439."

In such opinion, it is stated that the action of the Comptroller in approving an application for a pension "was an official and authoritative determination of the pension status . . . by the officers and agents of the State of Texas in compliance with the law and entailed the official finding of all the material facts prerequisite to the pension grant. After the procedure last above set forth was had, the duties of the Comptroller thereafter, in the opinion of the writer, were purely ministerial until such time as he received information that a person had been granted a pension through fraud or perjury, and I do not then understand from the wording of Article 3226 that the Comptroller should stop payment of pension warrants which had been regularly issued to a pensioner, but such Article simply says that the Comptroller shall strike the name of such person from the pension roll and, of course, it follows that no future pension payments shall be made, but as to pensions which had theretofore issued and been delivered to the pensioner, I am of the opinion that the gift or grant of the State having been made and the statutory requirements precedent to the granting of the pension having been complied with, that such warrants, in the hands of the third person who had paid value for same, partake of the nature of negotiable instruments. They are unlike the ordinary State warrant in that they are not issued as a consideration for official service or of labor but are a gift of the State and a recognition of past services of the pensioner."

It is my opinion that the excerpt above quoted from the opinion of May 13, 1938, is applicable to the facts in this case in so far as the pension warrants held by Parrish & Company are concerned, and on account of the fact that such pension warrants were regularly issued, based upon an approval and adjudication by the Comptroller that the pensioner was entitled

Page 3

to receive such warrants, I think such stop payment should be lifted and such warrants ordered paid.

Very truly yours,

/s/ H. L. Williford
Assistant Attorney General

HFW-N

IF NON-RESIDENT, be careful to give the complete residence of the deceased, stating both city, county and state.
The residence is the usual place of abode.

TEXAS STATE DEPARTMENT OF HEALTH BUREAU OF VITAL STATISTICS STANDARD CERTIFICATE OF DEATH		Registrar's No. <i>52</i>
1 PLACE OF DEATH STATE OF TEXAS COUNTY OF <i>Anderson</i> CITY OR PRECINCT NO. <i>4 Frankston</i> No. _____ Street _____ <small>If in an Institution, give name of Institution instead of Street and No.</small>		
Length of residence in city where death occurred <i>2</i> yrs. _____ mos. _____ days _____? How long in U. S. if foreign born? _____ yrs. _____ mos. _____ days		
2 FULL NAME OF DECEASED <i>A. H. Pipes</i>		
RESIDENCE OF THE DECEASED No. _____ Street _____ City <i>Frankston</i> State <i>Texas</i>		
PERSONAL AND STATISTICAL PARTICULARS		
3. SEX <i>Male</i>	4. COLOR OR RACE <i>White</i>	5. Single <input checked="" type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced <input type="checkbox"/> <small>(Write the word)</small>
6a. If married, widowed, or divorced HUSBAND of <i>Mary Ruth Collier</i> (or) WIFE of _____		
6. DATE OF BIRTH <i>October 19-1845</i> (month, day, and year)		
7. AGE <i>92</i> Years <i>9</i> Months <i>26</i> Days <small>If LESS than 1 day, _____ hrs. _____ min.</small>		
8. Trade, profession, or particular kind of work done, as spinner, sawyer, bookkeeper, etc.		
9. Industry or business in which work was done, as silk mill, saw mill, bank, etc.		
10. Date deceased last worked at this occupation (month and year)		11. Total time (years) spent in this occupation
12. BIRTHPLACE (City or Town) (State or Country) <i>Louisiana</i>		
13. NAME <i>Jim Pipes</i>		
14. BIRTHPLACE (City or Town) (State or Country) <i>Tennessee</i>		
15. MAIDEN NAME <i>Elizabeth Grisson</i>		
16. BIRTHPLACE (City or Town) (State or Country) <i>Tennessee</i>		
17. INFORMANT <i>Jes C Pipes</i> (Address) <i>Frankston Texas</i>		
18. BURIAL, CREMATION, OR REMOVAL Place <i>Frankston</i> Date <i>8/16</i> , 19 <i>38</i>		
19. UNDERTAKER <i>L. J. Hassell</i> (Address) <i>Palestine Texas</i>		
20. SIGNATURE OF REGISTRAR FILE DATE <i>8-17</i> 19 <i>38</i> <i>A. H. Roden</i>		
MEDICAL CERTIFICATE OF DEATH		
21. DATE OF DEATH <i>August 15</i> , 19 <i>38</i> (month, day, and year)		
22. I HEREBY CERTIFY, That I attended deceased from <i>Aug. 2</i> 19 <i>38</i> to <i>Aug. 15</i> 19 <i>38</i> I last saw him alive on <i>Aug. 13</i> , 19 <i>38</i> ; death is said to have occurred on the date stated above, at _____ m. The principal cause of death and related causes of importance were as follows: <i>Old age, died of Asthenia</i> Other contributory causes of importance: <i>none</i>		
Name of operation <i>none</i> date of _____		
What test confirmed diagnosis? _____ Was there an autopsy? <i>no</i>		
23. If death was due to external causes (violence) fill in also the following: Accident, suicide, or homicide? _____ Date of injury _____, 19____ Where did injury occur? _____ (Specify city or town, county, and State) Specify whether injury occurred in industry, in home, or in public place. _____ Manner of injury _____ TX Nature of injury _____		
24. Was disease or injury in any way related to occupation of deceased? <i>no</i> If so, specify _____ (Signed) <i>A. H. Moss</i> M. D. (Address) <i>Frankston Texas</i>		

*This is to certify this is a true
and correct copy of the original*

*U. H. Hodson
Justice of the Peace and notary*

EFFECTIVE ON AND AFTER MARCH 10, 1933, the death certificate of any person having rendered service in any war, campaign or expedition of the United States, the Confederate States or the Republic of Texas must show on the reverse side thereof the following information:

- (1) Is the person reported to have been in such service? *Yes. Civil War*
- (2) Name of organization in which service was rendered *6th La. Calvary Regiment Co K*
- (3) Serial Number of Discharge Papers or Adjusted Service Certificate *Can't locate*
- (4) Name of next of kin or name of next friend *J. C. Pipes - "Son"*
- Post Office Address *Frankston Texas*
- Information furnished by *Family record*

When a person is known or believed to have rendered such service, the Local Registrar will immediately notify the nearest post of the American Legion.

READ SENATE BILL 116, BY SENATOR BECK AND OTHERS, 43RD LEGISLATURE.

South-Hassell Funeral Home

PHONE 71

PALESTINE, TEXAS

August 16, 1938

FUNERAL EXPENSES FOR W. W. PIPES

	Embalming.....	\$25.00
	Casket.....	\$43.00
	Suit.....	\$15.00
August	Underwear & Hose.....	\$ 1.00
15,	Shirt.....	\$ 1.00
1938	Hearse.....	\$10.00
	Cemetery Equipment.....	\$ 5.00
	<hr/>	
	Total.....	\$100.00

The above account is just, reasonable, and unpaid.

South-Hassell Funeral Home

By G. G. Hassell

STATE OF TEXAS:

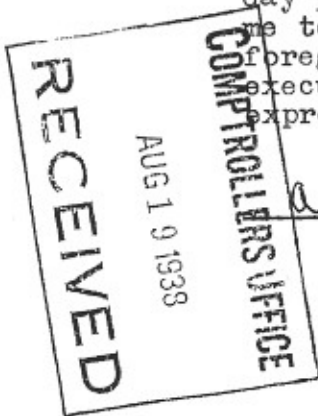
COUNTY OF ANDERSON:

Before me, the undersigned Notary Public, on this day personally appeared Mr. G. G. Hassell. Known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purpose of consideration therein expressed.

Given under my hand in office this 17 day of Aug 1938.

John Robinson
Notary Public in and for
Anderson County

(TX)



22766

APPLICATION FOR MORTUARY WARRANT



THE STATE OF TEXAS,

County of AndersonI, J. C. Pipes

do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late W W Pipes, who was a pensioner of the State of Texas, and whose file number was 22766 and whose original county was Henderson

The said pensioner W W Pipes, died on the 15th day of August, 1938, in the town of Frankston County of Anderson, Texas.

The pensioner died in the home of J C Pipes 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 W W Pipes

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 _____

Street or R. F. D.

Frankston,
CityTexas
StateSigned J. C. PipesSworn to before me this 15 day of August, 1938J. H. RobinsonNotary Public in and for Anderson Co State of Texas.

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

CERTIFICATE OF UNDERTAKER

I, G G Hassell, do certify that I am undertaker in the town of Palestine, County of Anderson, State of Texas that I had charge of the body of W W Pipes, who died in the town of Frankston, County of Anderson, State of Texas on the 15th day of August, 1938. That said body was prepared for burial by me on the 15th day of August, 1938, and that I am of the opinion that warrant herein applied for should be issued to the said J C Pipes who makes the foregoing application.

Signed G G Hassell

Undertaker.

CERTIFICATE OF PHYSICIAN

I, Dr G H Moss, do certify that I am a practicing physician, and that I attended W W Pipes in his last illness, and am of the opinion that his ailments were asthenia

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 G H MossPhysician's Address Frankston, Texas.