

32038

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.

Mr. *Lovina Capps*

Anderson County.

Postoffice *Frankston, Texas*

Filed

9/23/15

Approved

Oct. 4 - 1915

Pension allowed from

Dec. 1 - 1915

Rejected

J. C. Jones

Commissioner of Pensions.

For Use of Widows of Soldiers who are in Indigent Circumstances

THE STATE OF TEXAS

COUNTY OF

Anderson

I, Mrs. Levina Capps, 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 William M Capps, deceased, who departed this life on the 6th day of March, A. D. 1911, in the county of Anderson, in the State of Texas

I have not remarried since the death of my said husband, and I do solemnly swear that I was never divorced from my said husband, and that I never voluntarily abandoned him during his life, but remained his true, faithful and lawful wife up to the date of his death. I was married to him on the 16 day of August, A. D. 1865, in the county of Smith, in the State of Texas

My husband, the said William Capps, 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 \$1,000.00; 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? 73 years the 4th of next April
2. Where were you born? Henry County Georgia
3. How long have you resided in the State of Texas? about 5-7 years
4. How long have you resided in the county of your present residence? And what is your postoffice address? 2 years Frankston Texas
5. Did your husband draw a pension? If so, give his file number. No
6. What was your husband's full name? William M Capps
7. What was the date of his death? March 6, 1911
8. In what State was your husband's command originally organized? Texas
9. How long did your husband serve? If known to you give date of enlistment and discharge. 4 years

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. in Captain Hancock's Co. at first Cavalry then mechanic for the Regiment

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. Cavalry and later head mechanic

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) Levina Capps

Sworn to and subscribed before me, this 1 day of August, A. D. 1915

E. J. Swift

[Seal.] County Judge Anderson County, Texas

AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS,)

COUNTY OF Anderson }

Before me, E. V. Swift, County Judge of Anderson County,

State of Texas, on this day personally appeared W. C. Allen + W. M. Burtis, 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. Levina Capps, applicant for a pension as the widow of W. M. Capps

deceased, is in truth and fact the widow of W. M. Capps 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) W. C. Allen

(Signature of Witness) W. M. Burtis

Sworn to and subscribed before me, this 20 day of Sept, A. D. 1915

E. V. Swift

[Seal.]

County Judge Anderson County, Texas.

AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS,)

COUNTY OF Anderson }

Before me, E. V. Swift, County Judge of Anderson County,

State of Texas, on this day personally appeared W. C. Allen + J. L. Stone, 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 Levina Capps

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) W. C. Allen

(Signature of Witness) J. L. Stone

Sworn to and subscribed before me, this 20 day of Sept, A. D. 1915

E. V. Swift

[Seal.]

County Judge Anderson 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 Henderson)

Before me, A. J. Reagan J.P. Ex officio & W.P. Henderson County Judge of Henderson County,

State of Texas, on this day personally appeared M. D. L. Price, 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):

The he was in Co C. 77 Texas Regiment. With W. M. Capps. That they both M. D. L. Price and W. M. Capps served in the same regiment for a short while.

(Signature of Witness) M D L Price

(Signature of Witness) _____

Sworn to and subscribed before me, this 27 day of July, A. D. 1915

A. J. Reagan J.P. Exo
& W.P. Henderson County Judge Henderson County, Texas.

[Seal.]


CERTIFICATE OF STATE AND COUNTY ASSESSOR

I, R. R. Radler, State and County Assessor in the County of Anderson, State of Texas, do certify that Mrs. Lemira Capps, 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 none

none Dollars, and of other property, real or personal, or both, of the value of none Dollars.

Given under my hand, this 20 day of Sept, A. D. 1915

R. R. Radler State and County Assessor. 



J. C. JONES, COMMISSIONER

OFFICE OF
COMMISSIONER OF PENSIONS
STATE OF TEXAS
AUSTIN

To the Adjutant General,

War Department,

Washington, D. C.


Dear Sir:

I have the honor to request the military record of William M. Capps who is reported to have enlisted in Company C, Regiment 77 Texas Cavalry, later Mechanic in A. W. Clarkson's Co. of Engineers.

in service in the Confederate States Army.

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

Very respectfully,

J. C. Jones 
Commissioner of Pensions.

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON. Sept. 28, 1915.

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

No record has been found in this office of an organization known as the 77th Texas Cavalry, C.S.A.

The records show, however, that William M. Capps, private, Co. C, 17th Texas Cavalry, C.S.A., enlisted Feb. 26, 1862, and on the company muster roll dated Dec. 31, 1863, last on which borne, he was reported absent, in Trans-Mississippi Dept. with the 17th Regiment. No later record found of him as a member of this organization.

The records also show that Wm. M. Capps (name also borne as Wm. Capps and as William Capps), private, Co. A, 17th Texas Consolidated Cavalry (Dismounted), Confederate States Army (which was formed on July 1, 1863, in the Trans-Mississippi Dept., principally of men formerly of the 17th Texas Cavalry and other Texas organizations), enlisted March 1, 1862, and that he was detailed as a mechanic in Capt. A.W. Clarkson's Company of Sappers & Miners, C.S.A., from July 28, 1862, to Jan. 11, 1863. On the muster roll dated Feb. 29, 1864 (last on file), for Co. A of the consolidated reg't mentioned, he was reported present. Nothing additional found relative to the inquiry.

H. J. McLean
The Adjutant General.

Form No. 74—A. G. O.
Ed. Mar. 17-18—75,000.

Received A. G. O. 884 25 1915

Alfred M. Murr
of the State of Texas (X)
Murr or Murr
before a judge

Pension Application of
Mrs. Levina Capps.

The State of Texas }
County of Cherokee }
Before

on this day personally appeared
W. B. Killough who is personally
known to me to be a creditable citizen, who,
being by me sworn, on oath state that he
was personally acquainted with the husband
of the foregoing applicant, and that the
facts set forth and statements made in her
application are correct and true to the best
of my knowledge and belief, and that I 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.

~~He was in Co. C. 77 Texas -
Regiment with W. M. Capps~~
served to-gather in A. W. Clark's Company
of Engineers at Arkansas from April
of 1862 to Jan'y 1863. W. B. Killough
Subscribed and sworn to before me this
6th day of August A.D. 1915.

And J. P. Linden J.P.
Ex Officio Notary Public
Cherokee Co. Tex