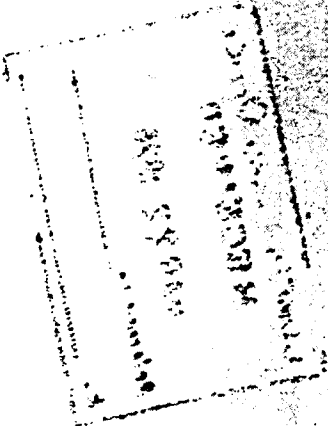


41954

FORM B.

Cancelled April 8, 1935

In Mississippi
WIDOW'S APPLICATION
FOR A PENSION



The Comptroller of Public Accounts reserves the right to call for additional testimony if he deems it necessary.

Name of Applicant.

Mrs Lucy A Boucher

McLennan County.

R. F. D. or Street No 1533 Proctor St.

Postoffice Waco, Texas.

Filed March 22-1926

Approved April 8-1926

Pension allowed from Mar 1-1926

Rejected

S. H. Ferrell

Comptroller of Public Accounts.

REMOVED FROM THE
RECORDS OF THE
COMPTROLLER OF PUBLIC ACCOUNTS

April 16, 1935.

17

Mr. H. G. Boucher
819 East Methvin
Longview, Texas

Dear Mr. Boucher:

I am in receipt of your letter of April 15 inclosing check for \$150.00 remittance for Confederate pension warrants issued to your Mother, Mrs. L. A. Boucher for the months of July, August, September, October, November and December, 1934.

Inasmuch as only three of these warrants have been paid by the State Treasurer, I placed a stop payment against the October, November, and December, 1934 warrants which stop payment was dated April 8, 1935. The fact that you have remitted the full amount of all of these warrants, I am lifting the stop payment order placed against the October, November and December, 1934 warrants and they will be paid to Mrs. Boucher when they are called for payment by the State Treasurer and she presents them for payment. I am unable to say when they will be called for payment.

You request information as to whether or not the pension granted Mrs. Boucher can be reinstated after her return to Texas. You are advised that under a late ruling of the Attorney General of Texas, Mrs. Boucher will not be reinstated as a pensioner though she might return to Texas sometime in the near future. The law of this State permits pensioners to leave Texas and remain for a period of not more than six months. If they remain longer than six months, under the ruling of the Attorney General it would be conclusively presumed that such pensioner intended to no longer be a resident of Texas. Under this ruling Mrs. Boucher could not become a resident of this State again and be eligible for pension, as the law requires that in order to be eligible for pension, she must have been a resident of Texas since prior to 1921 and must have been such resident for ten years prior to the execution of the application.

In order that you may be fully advised as to the law, I quote you below that part of the Attorney General's opinion which involves the absenting of a pensioner from the confines of this State.



May 14, 1935.

17

Mrs. Rosa Witt
Route 4, Box 78
Houston, Miss.

Dear Mrs. Witt:

Replying to your letter of May 13 in which you request that I assist Mrs. Lucy A. Boucher in the recovery of a pension payment of \$85.00 paid her for the month of June, 1934.

In order that you may be fully advised as to what has been done by this office in endeavoring to have this matter satisfactorily settled, I am inclosing you a photostat copy of a letter from this office to Mr. H. G. Boucher, dated April 18, 1935 and also a photostat copy of his reply to same.

It would appear from the statement of your Brother, H. G. Boucher that the money to which you refer has already been used by Mrs. Lucy A. Boucher in paying the expense of her trip to Mississippi.

Yours very truly,

JHT:R
Incl.

Comptroller of Public
Accounts.



so some one would have
to stay with her all the
time they said they could
not keep her with what she
was getting and it seems
to me like they expect me
to keep her with out any
thing

And now I think after
I have helped you get
your money back you
could help me get the
June 1934 money for Mrs.
Lucy C. Boncher

Please help me

and oblige

Mrs Rosa Witt
Rosenberg -

MAY 1 3 1935

RECEIVED

Houston Mirror

May 10 1935

Mr. Geo. H. Sheppard

Comptroller

Austin

Texas

Dear Sir:

Your letter of April 18th
and in reply will say
I think I have given
H. B. Boncher ample time
to send his [mother's]
Mrs. Boncher's money to her
I think his needs should
over balance his expenses
they have had all the
privilege of spending her
money and when she got

April 18, 1935.

17

Mr. H. G. Boucher
319 East Methvin
Longview, Texas

Dear Mr. Boucher:

I am today in receipt of a letter from Mrs. Rosa Whitt of Houston, Mississippi stating that her Mother, Mrs. Lucy A. Boucher has never received payment for the pension warrant issued her for June, 1934. She states that Mrs. Boucher came to her home in Mississippi on June 29, 1934. Your statement is that according to your best recollection Mrs. Boucher left the State of Texas on July 5th. According to either of these statements I feel that Mrs. Boucher should have received her June payment and I am asking that if you or your wife cashed the June, 1934 warrant along with the other warrants issued her and you have not remitted the amount to Mrs. Boucher that you please do so at once, unless there is some good reason for refusing to make this remittance.

The statement of Mrs. Whitt is that her Mother was left with her without a penny.

Please let me know at once what action you are taking with reference to making this remittance.

Yours very truly,

JHT:E.

Comptroller of Public
Accounts.



Longview, Texas.
April 20, 1935.

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

Dear Sir;

Your letter received in reference to the June 1934 pension warrant issued to my Mother Mrs. L.A. Boucher, and in answer to same, beg to state that it was used in part payment of her expenses to Mississippi. I am surprised at the statement made by my Sister Mrs Whitt that my Mother was left with out any funds, I have sent her a few dollars of my own since she has been there, and expect to send her some more as soon as I can do so. In fact I would never of let her leave here if my wife had been able to see after her, but my wife has been under the treatment for cancer for more than a year, and has been in bed most of the time. Trusting this will explain to your intire satisfaction about this matter, I remain,

Yours very truly

L.A. Boucher

41954
McLennan



STATE ARCHIVES
APR 25 1935
OFFICE



April 18, 1935.

17

Mrs. Rosa Whitt,
Route 4 Box 75
Houston, Mississippi

Dear Mrs. Whitt:

Replying to your letter of April 15 in which you request the pension claim of your Mother, Mrs. Lucy A. Boucher be transferred to Mississippi.

There is no law in Texas which permits a pensioner to be transferred from Texas to another State. Mrs. Boucher has been out of the State of Texas for such a length of time that she is no longer eligible for pension from Texas and her application has been cancelled as stated in my letter to you of April 8, 1935.

Inasmuch as all pension warrants issued to Mrs. Boucher since June, 1934 were illegally issued on account of her absence from Texas and which it appears from the records have been cashed by H. C. Boucher of Longview, Texas, Mr. Boucher has, at the request of this office, remitted to the Pension Fund \$150.00 which is the amount of illegal warrants issued.

From your statement it appears that Mr. H. G. Boucher or his wife has cashed the June, 1934 pension warrant and is probably holding the amount, as it was stated by Mr. H. G. Boucher that he was cashing the warrants at his Mother's request. I am today writing him to make remittance to Mrs. Boucher the amount of her June, 1934 warrant unless there is some good reason why he should not do so.

Yours very truly,

JHT:E.

Comptroller of Public
Accounts.




COMPTROLLERS IN
APR 18 1935
RECEIVED

Houston, Miss
April 16-1935

Mr. Geo. H. Sheppard
Comptroller
Houston, Texas

Dear Sir

In reply to your letter of the 8th
I informed the Chancery
Clerk at Longview Texas
plenty time in July 1934
to notify you to stop
Mrs. Boucher's pension but he
made me no reply then.

but in Mar. 1935 I wrote 
him again he then refered
me to you I have tried
since Mrs. Boucher has


3

been here to get her
previous papers transferred
to Miss

Mrs. Boucher my mother
told me that Mrs. H. G.
Boucher at Longview

endorsed all of her papers
while she was with her and
looks like to me you

could ask the Chanover
Clerk there and find out
who signed them.

You said she drew in
your name if she did she did
not bring any of the 
money here.

She was left with me
with out a penny

3

and has not Rec any
since she has been here
and I hope you will
transfer the pension
papers to her so she can
draw something here
she cant even stand on
her feet nor use her
hands I have to feed her
with a spoon and I think
that you could see she
needs help from some
where and I am just a
poor Widdow woman. (TX)
hoping to Rec her papers
soon

Mrs Rosa Witt

10 5 11/20/25

April 16, 1935.

17

Hon. Charley Lockhart
State Treasurer
Austin, Texas

Dear Sir:

Please raise the stop payment order placed against
the following Confederate pension warrants issued to Mrs.
L. A. Boucher:

| Warrant Numbers | Dates |
|-----------------|-----------|
| 10143 | Oct. 1934 |
| 17825 | Nov. " |
| 25009 | Dec. " |

Yours very truly,

JHT:E.

Comptroller of Public
Accounts.



Widow's Application for Confederate Pension

THE STATE OF TEXAS,

County of McLennan

I, Mrs. Lucy A Boucher do hereby make application to the Comptroller of Public Accounts 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 Lewis A Boucher deceased, who departed this life on the 2nd day of Feb, A. D. 1911, in the county of Jim Wells 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 19th day of Dec, A. D. 1865, in the county of Chickasaw in the State of Miss

My husband, the said Lewis A Boucher, 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 above the sum of \$300.00 per annum, nor do I own in my own right, nor does anyone hold in trust for my benefit or use, estate or property, either real, personal or mixed, either in fee or for life, of the value of one thousand dollars, exclusive of the home of the value of not over \$2000; nor do I receive any aid or pension from any other State, 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? 83 yrs
2. Where were you born? Mound County Miss
3. How long have you resided in the State of Texas? Jan 1900
4. How long have you resided in the county of your present residence? 7 Years
5. What is your postoffice address? 1533 Proctor St Waco Texas
6. Did your husband draw a pension? No If so, give his file number
7. What is your husband's full name? Lewis Alexander Boucher
8. In what State was your husband's command originally organized? Miss

9. How long did your husband serve? 4 Years If known to you, give date of enlistment and discharge do not know

10. What was the name or letter of the company, or number of the regiment in which your husband served? If he was transferred from one branch of service to another, give time of transfer, description of command and time of service, (If applicant's husband was a pensioner give his file number, which is evidence sufficient for proof of service.) Comp Company G

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. Infantry

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

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

(Signature of Applicant) Lucy Ann Boucher

Sworn to and subscribed before me this 6th day of Feb, A. D. 1923

[Seal.]

County Judge McLennan County, Texas.



*Where applicant has remarried it is necessary that she state facts covering particulars of last marriage, date, to whom married, and date of last husband's death. She must also state that she is now a widow.

Longview, Texas.

April 15, 1935

26556

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

Dear Sir;

Your letter just received in reference to my Mothers pension, and in reply beg to say. When she left here for Mississippi she asked me to collect and keep it for her untill she returned, as she only expected to stay there a short time. But later on she decided to stay untill warm weather, so I wrote you to send it her. But wrote me that you could not do it, and asked when she left Texas, and the statement I sent should have read, July 5th, as that was the date I was under the impression she left. In your letter I have just received you state that she was not intitled to the pension after she left the state so I am sending you a check for the six months that I collected since she left amounting to \$150.00 dolllars Trusting this explanation will be satisfactory, I remain,

Yours very truly

H. G. Bunch

P.S.

Please advise me if her pension can be reinstated when she returns to Texas.

APR 15 1935
COMPTROLLERS OFFICE



April 8, 1935.

17

Mrs. Rosa Whitt
Route 4, Box 75,
Houston, Mississippi.

Dear Mrs. Whitt:

Replying to your letter of April 4 in which you state Mrs. L. A. Boucher went to your home in Mississippi on June 29, 1934.

This office should have been notified of Mrs. Boucher's absence from Texas at the time she left. If such information had been given this office as required by the law no pension warrants would have been issued to Mrs. Boucher after June, 1934 as she would not have been entitled to payments during the time she was out of Texas. The fact that Mrs. Boucher has now remained out of Texas for a period of more than six months it is presumed under the law, that she is at this time a non-resident of Texas and no further pension warrants will be issued to her and her application is being canceled of this date.

Inasmuch as the records of the State Treasurer's Office show that Mrs. Boucher has already cashed three monthly payments to which she was not entitled, to-wit: the July, August, September, 1934 payments she is now due the State of Texas \$75.00. I am asking that you please have her remit to the Pension Fund through this office this amount. A stop payment order has been placed against the warrants issued her for October, November, and December, 1934. The December, 1934 warrant was the last warrant mailed her as this office had information in January, 1935 that she was absent from the State of Texas.

In your letter dated March 28, 1935 you stated that your Mother had been visiting you since last summer and so far her pension has not been forwarded to her. If in fact Mrs. Boucher has not received any money from her pension warrants during her stay in Mississippi then I would like to know who has been cashing the warrants as the June, July, August and September, 1934 warrants were indorsed "Mrs. Lusk A. Boucher". I would thank you to at once give me information as to whether Mrs. Boucher has received any payments for these warrants issued for June, July, August and September, 1934.

Yours very truly,

JHT:E.

Comptroller of Public
Accounts.



April 8, 1935.

17

Mr. H. G. Boucher,
318 E. Methvin
Longview, Texas.

Dear Mr. Boucher:

In a letter dated January 23, 1935 in reply to an inquiry made by this office as to when your Mother, Mrs. L. A. Boucher left the State of Texas, you made the following statement:

"Mrs. Lucy A. Boucher left Texas on the 5th." From this statement I supposed she left on January 5, 1935.

Mrs. Rosa Whitt of Route 4, Box 75 Houston, Mississippi states in a letter dated April 4, 1935 that her Mother, Mrs. L. A. Boucher came to her house on June 29, 1934. Under the present law of Texas, Mrs. Boucher would not have been entitled to pension payments and I would like very much to know by whom these warrants have been handled since she left the State, as it is a violation of the law for any one to open or cash these warrants with the knowledge that the pensioner has removed from the State. Notice of such law is given on each envelope in which pension warrants are mailed.

If you know, please furnish me information at once as it is claimed by Mrs. Whitt that Mrs. Boucher has not received any pension payments since she went to Mississippi as all warrants issued to Mrs. Boucher up to and including December, 1934 were mailed to her at Longview, Texas, P. O. Box 173.

I will appreciate an early reply giving the requested information.

Yours very truly,



JHT:E.

Comptroller of Public
Accounts.

Mrs. L. A. Boucher

June 1934 - ^{II} 78404 Pd Feb. 18, 1935
Mrs. Lucy A. Boucher

July 1934 - ^{II} 86385 - Pd. Mar. 7, 1935
Mrs. Lucy A. Boucher

Aug. 1934 - ^{II} 94366 - Pd. Mar. 18, 1935
Mrs. Lucy A. Boucher

Sept. 1934 - ^F 02354 Pd April 4, 1935
Mrs. Lucy Boucher

(TX)

April 8, 1935.

17

Hon. Charley Lockhart
State Treasurer,
Austin, Texas

Dear Sir:

Please stop payment on the following Confederate Pension warrants issued Mrs. L. A. Boucher, a Confederate pensioner. Mrs. Boucher is not in the State of Mississippi.

| Warrant Numbers | Dates |
|-----------------|-----------|
| 10143 | Oct. 1934 |
| 17825 | Nov. " |
| 25009 | Dec. " |

Yours very truly,



JHT:E.

Comptroller of Public
Accounts.

warrant # 32488 for Jan. 31, 1935
cancelled April 8, 1935

Houston, Miss.

April 4, 1935

Mr. Geo. H. Shepherd

Austin, Texas

Dear Sir:

Your letter has just been received.

My mother, Mrs. L. A. Boucher, came to my house on the 29th of June in 1934. I have been trying to find out how to have her pension changed ever since. Please write me how to do it just as soon as you get this as she is very much in need of help.

Yours very respectfully,
(Mrs.) Rosa Whitt
Route 4 Box 75

P. S.

(Division number 17)

TX

APR 8 1935

April 1, 1935.

17

Mrs. Rosa Whitt,
Route 4, Box 75
Houston, Mississippi.

Dear Mrs. Whitt:

Replying to your letter of March 29 which is in regard to pension payments to Mrs. L. A. Boucher. In your letter you state Mrs. Boucher has been visiting you since last summer and so far her pension warrants have not been forwarded to her.

At the time Mrs. Boucher left the State of Texas this office should have been notified of her absence from the State of Texas. I am asking that you please furnish me at once the exact date on which Mrs. Boucher left the State of Texas on her visit to you in Mississippi.

When the requested information has been furnished Mrs. Boucher will be notified of the manner of handling her pension warrants since she has been absent from Texas.

Yours very truly,

TX

JHT:R

Comptroller of Public
Accounts.

ROLLERS OFFICE
APR 1 1935

RECEIVED

41954

McLenman

Houston, Miss.

March 28, 1935

State Comptroller

Austin, Texas

Dear Sir:

My mother, Mrs. L. A. Boucher who makes her home with Mr & Mrs. H. G. Boucher, has been visiting me since last summer and so far, her pension has not been forwarded to her here. She left word with her son to forward it to her but he has failed to do so.

She is confined to her bed and very much in need of it as I am a widow with very little of this world's goods. So you see, it makes it hard for me to support her and buy her medicine with no help.

Please advise me concerning this matter and if her pension has been drawn by some one else.
yours very respectfully,
Mrs. Rosa Whitt

P.S. Am enclosing addressed envelope

January 21, 1935.

17

Mr. H. G. Boucher,
319 E. Methvin,
Longview, Texas.

Dear Mr. Boucher:

Replying to your letter of January 18
in which you state that Mrs. Lucy A. Boucher has
gone to Mississippi on a visit.

Under the law of Texas pensioners are permitted
to temporarily leave the State and remain for a period
of six months during which time their right as a pensioner
would not be effected except during their absence no
pension warrants will be issued to them. If the pensioner
returns to Texas within six months then back warrants
will be issued to them for the time they have been so
absent. If a pensioner should remain out of Texas longer
than six months then no warrants will be issued for the
time and the amount which would have issued will revert
to the Pension Fund.

Please notify this office at once of the exact
date on which Mrs. Boucher left the State of Texas and
also notify this office of the exact date of her return.

No further pension warrants will issue to Mrs.
Boucher so long as she remains out of the State.

Yours very truly,

Comptroller of Public
Accounts.

JHT:E.

TX

Boucher

AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS,
County of McLennan

Before me, Jas. R. Jenkins, County Judge of McLennan County, State of Texas, on this day personally appeared Mrs A N Edmonds

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 Mrs Lucy A Boucher, applicant for a pension as the widow of Lewis A Boucher deceased, is in truth and fact the widow of Lewis A Boucher deceased; that they personally know that she has not remarried since the death of her husband, for whose services in the army she claims a pension, and that they have no interest in this claim.*

(Signature of Witness) Mrs A N Edmonds

(Signature of Witness) Mrs J N Sonnenburg

Sworn to and subscribed before me, this 6th day of April, A. D. 1925

Jas R Jenkins
County Judge McLennan County, Texas.

[Seal.]

*Where applicant has remarried it is necessary that she state facts covering particulars of last marriage, date, to whom married, and date of last husband's death. She must also state that she is now a widow.

AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS,
County of McLennan

Before me, Jas. R. Jenkins, County Judge of McLennan County, State of Texas, on this day personally appeared Mrs A N Edmonds

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 Mrs Lucy A Boucher 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) Mrs A N Edmonds

(Signature of Witness) Mrs J N Sonnenburg

Sworn to and subscribed before me, this 6th day of April, A. D. 1925

Jas R Jenkins
County Judge McLennan County, Texas.

[Seal.]

April 1st, 1926.

Mrs. Lucy A. Boucher,
1533 Proctor St.,
Waco, Texas.

Dear Madam:

Your application for confederate pension will be approved on receipt of the affidavit provided for by Article 6212 R. C. S. 1925. In filing this affidavit please carry into same the age of your husband at the time he enlisted.

Yours very truly,

(H)

KR/ms

COMPTROLLER.

March 22, 1926.

Mrs. Lucy Al Boucher.
1533 Proctor Street,
Waco, Texas.

Dear Madam:

I am in receipt of your application for confederate pension but cannot approve same on account of your failure to furnish any proof whatever of your husband's service and you have also failed to show regiment in which he served. If you cannot give number of his regiment, probably you can furnish me with name of the commanding officer of his regiment.

Unless the records on file in Washington show honorable service on the part of Mr. Boucher, it will be necessary for you to submit proof of his service in the form of affidavits of two witnesses personally knowing of the services rendered. Should the records show honorable service, you may submit in lieu of affidavit of witnesses, the affidavit provided for by Art. 6212, R.C.S. 1925.

Yours very truly,

TX

KR/wpm.

COMPTROLLER.

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 McLennan

Before me, _____, County Judge of _____ County, State of Texas,
on this day personally appeared _____, who

~~are 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 applicant's husband in the Confederate Army: (State fully your source of knowledge)~~

(Signature of Witness) _____

(Signature of Witness) _____

Sworn to and subscribed before me, this _____ day of _____, A. D. 192_____

[Seal.] _____ County Judge _____ County, Texas.

CERTIFICATE OF STATE AND COUNTY ASSESSOR

I, Frank Miller State and County Assessor in the County of McLennan
State of Texas, do certify that Mrs. Lucy A Boucher 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 Dollars, and of other property, real or personal, or
both, of the value of none Dollars.

Given under my hand, this 18th day of March A. D. 1926

Frank M Miller
State and County Assessor.
By Virgie La Dow
Deputy





Comptroller's Department
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 Lewis A Boucher, who is
reported to have enlisted in Company G
Regiment_____.

Mississippi Infantry

in service in the Confederate States Army.

Very respectfully,

8 Received A G. O. MAR 26 1926

S. H. Gurrell



Comptroller of State of Texas.

Form 2632b—S420-1124-1m.

41954
7-22-20



Address: "The Adjutant General,
War Department, Washington, D. C.

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
WASHINGTON. March 27, 1926.

Respectfully returned to

Comptroller, State of Texas,
Austin, Texas.

The records show that Lewis A. Boucher, also borne Louis A. Boucher, private, Company G, 11 Regt. Mississippi Infantry, C.S.A., was enrolled April 26, 1861 at Oxford, Miss, age, 30 years; occupation, carpenter.

He retired April 26, 1864; disease, Rheumatism.

No later record of his service has been found.

Lutz Stahl
Brigadier ~~Major~~ General,
Acting The Adjutant General,

By *P. G.*

100-100000-100000

RECEIVED BY THE CLERK OF THE COUNTY COURT

AT THE COURT HOUSE, JACKSONVILLE, FLORIDA

ON APRIL 15, 1926

FILED FOR RECORD

BY THE CLERK

IN CASE NO. 100-100000-100000

FILED FOR RECORD

BY THE CLERK

IN CASE NO. 100-100000-100000

FILED FOR RECORD

BY THE CLERK

IN CASE NO. 100-100000-100000

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FILED FOR RECORD

BY THE CLERK

IN CASE NO. 100-100000-100000

FILED FOR RECORD

BY THE CLERK

IN CASE NO. 100-100000-100000

Filed April 6th 1926

J. W. Baker

Clerk County Court

in Leon County, Fla.

By J. C. Morris deputy



THE STATE OF TEXAS

COUNTY OF MCLENNAN

Before me the undersigned authority on this day personally appeared Mrs. Lucy A. Boucher, known to me to be a credible citizen, who after being sworn on her oath says:

My name is Lucy A. Boucher. I am 84 years old. I am the widow of Lewis A. Boucher, who was a confederate soldier. He and I were married December 19th, 1865 at Treblec, Mississippi.

My husband enlisted in the Confederate Army in 1861 in Lafayette County, Mississippi. He served till the end of the Civil War and was honorably discharged in Virginia. He at no time deserted the Confederate cause.

I have made diligent search for information as to the number of his regiment and Company and have been unable to secure ^{same}. I have been a citizen of the State of Texas since 1900, and of this County since 1918. My husband, Lewis A. Boucher, died February 2nd, 1911, and I have never remarried. My husband was about 35 years of age when he enlisted in the Confederate Army.

I am quite sure that all his comrades who served with my husband in the war, and all witnesses to his service are now dead, and if any are living their whereabouts are unknown to me.

Lucy A. Boucher

Subscribed and sworn to before me this 6th day of April, 1926.

Jas. R. Jenkins
County Judge, McLennan County,
Texas.

I, Jas. R. Jenkins, County Judge of McLennan County, Texas, do hereby recommend to the Comptroller, that a pension be granted Mrs. Lucy A. Boucher, whose application for pension has heretofore been filed with the Comptroller of the State of Texas.

Jas. R. Jenkins
County Judge, McLennan County,
Texas.

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"The question at hand involves the absenting of a pensioner from the confines of this State, thereby, further presenting the intention of such pensioner whether such absenting was a temporary or permanent removal of residence from this state. Clearly, had the removal been for a length of time of more than six months, such pensioner would be deemed to have removed permanently from this state and be no longer a resident thereof as, by Article 6230, the Legislature, within its powers, has enacted the rule that, in absences for such a length of time, it is to be conclusively presumed that such pensioner intended to no longer be a resident of our State. In such cases the intention of change of residence from our State into another is presumed to have been in the mind of such pensioner upon the removal. Your department has in the opinion of the writer and you are so advised, correctly construed through its past policy this provision of our law. Further, your past policy of withholding warrants which become due during the absence of such pensioners until you are able to determine whether such removal was intended for a permanent change of residence in another state or not is, in the writers opinion, also correct."

I want to thank you for the remittance of the \$150.00 to the Pension Fund on account of warrants being illegally issued to Mrs. Boucher.

Yours very truly,

JHT:E.

Comptroller of Public
Accounts.