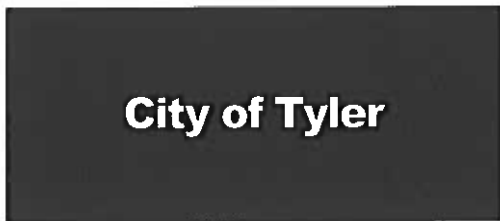


Planning and Zoning
423 W. Ferguson
P.O. Box 2039
Tyler, Texas 75710
(903) 531-1175 (phone)
(903) 531-1170 (fax)
www.tylerpz.org



Fax

To: James From: Gayle
Fax: 817-624-8428 Pages: 2 Incl. cover
Phone: 817-625-2721 Date: 9-29-11
Re: Stone language cc: also called

Urgent For Review Please Comment Please Reply Please Recycle

● Comments:

James,
I know the time on this
is shorter than our usual
6 weeks. Let me know if
this can be done.

Thank you,
Gayle

9/29/2011

Fort Worth Monument Company
5811 Jacksboro Hwy
Fort Worth, TX 76114
Main Number: (817) 625-2721
Fax Number: (817) 624-8428

James,

Please remit proofs to 903-531-1170.
We are expecting to have our ceremony on October 27, 2011.
Please let me know when this can be ready for shipment.

Note: Shipping instructions.
Please call the day before delivery.
Deliver to Street Department, 3305 Frankston Highway, Tyler, Texas
Phone: (903) 531-1393 or (My direct line) 903-531-1174
Deliver between 8 a.m. – 5 p.m.

Benjamin Bryant Beard

1840- 1915

A faithful resident of Tyler, he served as Smith County Judge, County Commissioner and Fair President. He was a member of the Texas Legislature and Mayor of Tyler.

Thanks,
Gayle
Planning Technician
Historic Preservation Officer
903-531-1174

CARRIER: Southwestern Motor Transport

BOL#: 40711508		PRO#:	
Shipper: Fort Worth Monument 6811 Jacksboro Hwy Fort Worth TX 76114 Phone: 817.625.2721 Fax: 817.624.8428 Contact: James Ramsey		(PLACE PRO LABEL HERE)	
Consignee: Street Department 3306 Frankston Highway Call before delivery Tyler TX 75701 Phone: 903.531.1393 Fax: Contact:		Pickup Date: 10/10/2011 Ready Time: 12:00pm - 5:00pm P.O. NO. (Other references if applicable): Shipper Locator Information:	Bill Third Party PREPAID To: Freightquote.com 16025 W. 113th Street Lanexa KS 66219

Special instructions:

Destination call the day ahead to schedule delivery appt. Thanks!

DELIVERY APPOINTMENT REQUEST

NO OF PKGS	KIND OF PACKAGE	WM	DESCRIPTION OF PRODUCT	NMFC ITEMS	CLASS	SHIPPING WEIGHT (LBS)
1	Pallet		Granite Headstone (30L 20W BH)	90503	50	450

*An X indicates hazardous material

Total weight (subject to correction) **450**

RECEIVE: On the point of origin, on the date specified, here the consignor manifests herein, the property herein described, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, numbered, and described, as indicated above, which the carrier agrees to carry and to deliver to the consignee at the said destination, if on its route or otherwise to deliver to another carrier on the route to said destination. It is mutually agreed as to each carrier of all or any of the goods over all or any portion of the route to destination and as to each party of any time interested in all or any of the goods, that every person to be performed hereunder shall be subject to all the conditions of this bill of lading not prohibited by law, whether printed or written, which are hereby agreed to by the shipper and accepted for himself and his assigns.

NOTICE: Freight moving under this Bill of Lading is subject to classification and tariffs established by the carrier and are available to shipper upon request. This notice, expressed and negated, any claimed oral or written contract, promise, representation, or understanding between parties, except to the extent of any written contract signed by both parties to the contract.

I HEREBY declare that the contents of this consignment are fully, accurately described above by proper shipping name and are classified, packed, marked and labeled, and are in all respects in proper condition for transport according to applicable international and national government regulations. Any unauthorized alteration or use of this bill of lading or the tendering of this shipment to any carrier other than that designated by, company, may VOID company's obligations to make any payments relating to this shipment and VOID all rates quoted.

SHIPPER: Fort Worth Monument	CARRIER: Southwestern Motor Transport 3102151
SIGNATURE	SIGNATURE DATE UNITS RECEIVED
X	X

All shippers, consignors, consignees, freight forwarders or freight brokers are jointly and severally liable for the freight charges relating in this shipment. STRAIGHT BILL OF LADING (ORIGINAL NON-NEGOTIABLE)
 CUSTOMER AGREES TO THE ORGANIZATION'S TERMS AND CONDITIONS, WHICH CAN BE FOUND AT WWW.FREIGHTPAYMENTCENTER.COM.

Covered by one or more U.S. Patents, including at least U.S. 7,430,517 B1

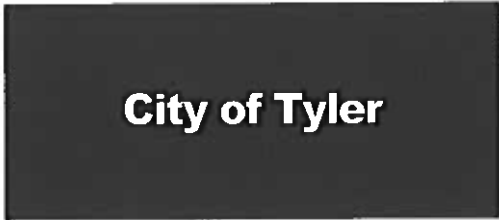
Benjamin Poyant Beard
 DAL 06812221890
 SOUTHWESTERN MOTOR TRANSPORT (SMTL)

RECEIVED

OCT 14 2011

PLANNING DEPARTMENT

Planning and Zoning
423 W. Ferguson
P.O. Box 2039
Tyler, Texas 75710
(903) 531-1175 (phone)
(903) 531-1170 (fax)
www.tylerpz.org



9/16/11

Fax

To: Harold Beard From: _____
Fax: 903 592-4754 Pages: 2 including cover
Phone: _____ Date: _____
Re: _____ cc: _____

Urgent For Review Please Comment Please Reply Please Recycle

● Comments:

Benjamin Bryant Beard

1840- 1915

A faithful resident of Tyler, he served as Smith County Judge, County Commissioner and Fair President. He was a member of the Texas Legislature and Mayor of Tyler.

I went completely different from your submission, but let me know what you think.

Thanks,

Gayle

Ron Lott - Pre-Plat

A resident of Tyler from age 12, he served as Smith County Commissioner, President of Smith County Fair Association, Smith County Judge, Member of Texas Legislature and Mayor of Tyler.

~~His~~

his public service - he served as Smith County Judge, County Commissioner, and President and Fair President.

A resident of Tyler from age 12, he ~~served as~~ Smith County Judge, County Commissioner & Fair President, before serving on the Texas State Legislature and ~~becoming~~ & later became Mayor of Tyler.

A faithful resident of Tyler, he served ~~was~~ Smith County Judge, County Commissioner and Fair President. He later ~~was~~ was a member of the Texas Legislature and Mayor of Tyler.

9/15/11

To: Gayle Mapes (903) 531-1170

From: Harold Beard*

Suggested language
for Benjamin Beard
marker.

HB

* telephone (903) 592-4812

2 pgs total

531 0056

Office fax

add more info
of public source.

fun
fax
592-4754

1840-1915

Benjamin B. Beard

Came to Tyler by wagon from Alabama at age 12 in 1852. After a lifetime of public service he was Mayor of Tyler when he died in 1915

HM1106-11-007



NOMINATION FORM
HALF MILE OF HISTORY

Section A: Nomination Information

Name of Nominated person, place or event: Benjamin Bryant Beard

The nominee is being honored for outstanding contributions in the area(s) of (please check all that apply):

<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Entertainment/Media	<input type="checkbox"/> Philanthropy
<input type="checkbox"/> Architecture	<input checked="" type="checkbox"/> Government/Military	<input type="checkbox"/> Religion
<input type="checkbox"/> Arts and Culture	<input type="checkbox"/> Industry	<input type="checkbox"/> Science
<input type="checkbox"/> Aviation	<input type="checkbox"/> Invention/Innovation	<input type="checkbox"/> Sports
<input type="checkbox"/> Business/Corporate Leadership	<input checked="" type="checkbox"/> Law	<input type="checkbox"/> Transportation
<input checked="" type="checkbox"/> Community Service	<input type="checkbox"/> Medicine	<input type="checkbox"/> Other
<input type="checkbox"/> Education	<input type="checkbox"/> Oil/Gas	

Section B: Nominator's Information

Name of person making nomination: Harold C. Beard

Address: 3022 Concord Pl.

City: Tyler State: TX Zip: 75701

Daytime telephone: (903) 597-1922 Email: _____

Relationship to nominated individual: Great Grandson

Nominated Individual's year of birth: 1840 Nominated Individual's year of death: 1915

Section C: Narrative

The narrative section of the application is the most important. It is the primary source of information judges use to make their selection of new inductees. The two-page narrative submittal must utilize size 12 Times New Roman font and be double spaced. Please include a recommended 25-30 word marker caption at the end of the narrative. Any additional material will be referred to only for verification of accuracy of the nomination. No submitted materials will be returned.

The narrative section must contain an explanation of the nominee's enduring contribution that make this person/place/event worthy of the honor. Please describe the impact the nominee has had on the community, county, region, nation and/or world. For Individuals, please include any honors earned by the nominee as well as a list of organizations in which the nominee has been involved. Also, please indicate their educational background as well as the length of time the individual has lived in Smith County. Inclusion of photos is preferred but optional. Do not send original photos. All submitted materials will become property of the City of Tyler and its Historical Preservation Board.

Please submit nominations to:
City of Tyler Historical Preservation Board
Attention: Half Mile of History
P.O. Box 2039
Tyler, Texas 75710

RECEIVED

MAR 30 2011

HISTORICAL ACHIEVEMENTS

BENJAMIN BRYANT BEAIRD

Benjamin Bryant Beaird was born in August 1, 1840 in Alabama and came to Tyler with his family in June, 1852. At the time of his death 63 years later in 1915 he was serving a second term as mayor of Tyler. Most of his adult life was spent in service to Tyler, Smith County and Texas in various capacities:

- 1862-1864 Co. D 15th Texas Infantry. Wounded at battle of Mansfield.
- 1865 Established Beaird Farm.
Recognized by TX Agriculture Dept in 2000 as a Historic Farm
- 1875 Admitted to Smith Co. Bar Association
- 1876-1880 Two terms elected Smith County Commissioner
- 1876 Elected president of Smith County Fair Association
- 1886-1894 Elected to Four Terms as Smith County Judge
- 1894-1898 Smith County Representative to Twenty Fourth and Twenty Fifth TX Legislatures
- 1911-1915 Mayor of Tyler

In 1875 he was admitted to the Bar under provisions of a Texas law enacted in 1846 and amended in 1873. A qualified applicant approved by a district court could practice before appellate courts. He maintained a private practice while not in elected office. At the time of his death he was a member of the Price and Beaird firm.

On April 23, 1874 the Smith County Fair Association was chartered by Texas Legislature and Benjamin Beaird was elected President. The Association had a thirteen member Board of Directors and issued capital stock valued at \$5,000. The Fair covered 73.5 acres located between S. Broadway and S. Donnybrook north of present/day Bergfeld Shopping Center. The Fair disbanded in 1904 and Mr. Rudolph Bergfeld purchased the land.

In 1865 he married Mary Ann Adams. They were the parents of ten children among whom were Walter Beard who served one term on the Smith County Commissioner Court , Rufus Beard who was a Methodist Minister and was the first pastor of the St. Paul Methodist Church and Patrick Henry Beard who was Clerk of the District Court in Smith Country from 1900 to 1908. Walter Beard gave the land from the Beard Farm for the original Dixie School and also for Pleasant Retreat Methodist Church.

Benjamin Beard died January 15, 1915. On the day of his funeral the Tyler Courier Times reported “Practically every business house closed its doors from 10 to 11 O’clock this morning out of respect to Mayor Ben B. Beard- public school were dismissed – It was one of the largest crowds ever assembled at Marvin Methodist Church”.

The State Legislature passed a resolution that states “Ben Beard was a distinguished and useful citizen who served his state and country faithfully”.

The 77th State Legislature passed a resolution on March 16, 2001 recognizing Beard Farm and its “esteemed founder a noteworthy gentleman who devoted much of his life to serving his fellow Texans”.

The Smith County Commissioners Court on March 26, 2001 recognized “Beard Farm which has served Smith County well for 130 years”.

Benjamin B. Beard lived a life of devotion to his family and his Country. His growth from a boy who came to Tyler in a wagon into being mayor of Tyler reflected the growth of Tyler and Texas. He contributed much to that growth.

Benjamin and Mary Ann Beard are buried in Oakwood Cemetery.

REFERENCES:

Chronicles of Smith County

Vol. 13 No, 1

Vol. 15 No, 1

Texas Dept. of Agriculture

Family Land Heritage Registry 2000

Public Records of Texas

Public Records of Smith County

Tyler Daily Courier Times

Texas Bar Journal

Centennial History 1882-1982

Personal Writing by Benjamin B. Beaird

History Records of St Paul Methodist Church



Benjamin Bryant Beaird Founder of Beaird Farm
Army of the Confederacy: 1862 - 1864
County Commissioner, Smith County: 1876 - 1879
County Judge, Smith County: 1886 - 1894
Member of the 24th and 25th Texas State Legislatures
Mayor of Tyler: 1911 - 1915
Lived: 8/1/1840 to 1/15/1915

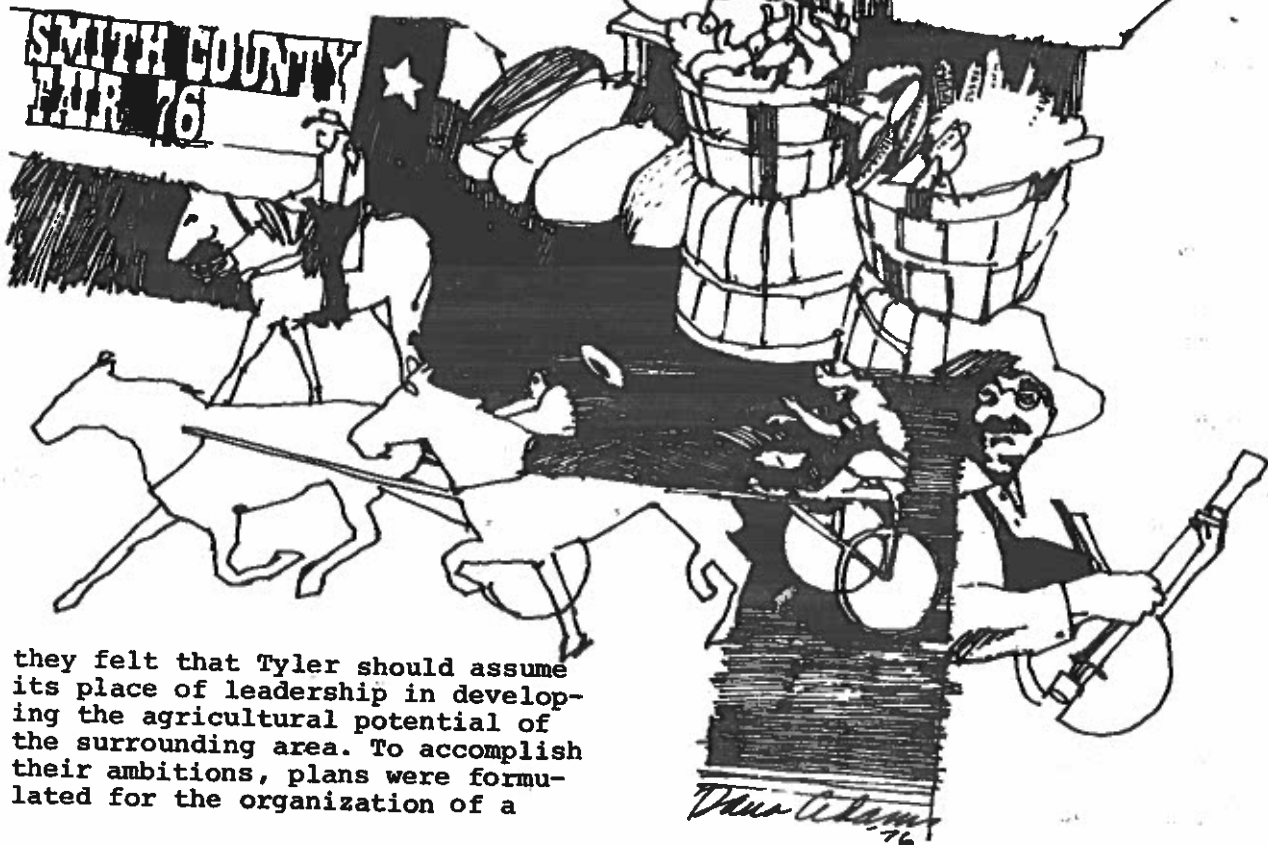
Chronicles of Smith Co. Vol. 15 Tyler's First Fair Na 1

by Loy J. Gilbert

1979

AS THE EARLY SETTLERS moved westward, they took with them the idea of the traditional "fairs" which afforded the citizens an opportunity to compete with each other in the display of products from farm and industry. Records reveal that such a fair was held in Starrville in northeastern Smith County in the early 1850's.¹ The Smith County Agricultural and Mechanical Society Association was organized in Tyler in 1860², but records are not available to indicate if the organization ever held a fair. The Sabine Valley Fair Association held fairs at Starrville in 1870 and 1871 and possibly longer.³

In 1876 the South was beginning to emerge from the oppressive carpet-bag rule of the reconstruction era. As the civic leaders of Tyler regained control of local government,



they felt that Tyler should assume its place of leadership in developing the agricultural potential of the surrounding area. To accomplish their ambitions, plans were formulated for the organization of a

illustration by Dana Adams, Jr.

fair that would be second to none in which to exhibit the products of the area.

Their plans and efforts attracted attention throughout East Texas. The Dallas Herald reported on April 8, 1876, that "Grangers of Smith County are making preparation for a great fair in October." The same paper commented again on April 22nd, that "The work of raising subscriptions for a county fair in Smith County is progressing finely. The stock-holders are to have a meeting and organize on April 25."

At the meeting on April 25, final organizational plans were completed and application for a charter was authorized. The application, completed on May 11, was filed with the Secretary of State on May 15. B. B. Beard was elected President and H. G. Askew, Secretary. The terms of the charter defined the broad aims and hopes of the fledgling organization:

CHARTER

Section 1. By the authority, and under the provisions of an act of the Legislature of the State of Texas, entitled "An Act concerning private corporation, approved April 23rd, 1874." Be it known, That J. H. Brown, H. B. Butler and H. G. Askew, all citizens of the State of Texas, and all others who may become associated with them as stock holders and successors, be, and they are hereby created a body politic and corporate, under the name and style of The Smith County Fair Association.

Section 2. Said Association is formed for the purpose of the establishment and operation of a fair, the encouragement of agriculture and horticulture, the improvement of the breed of domestic animals, the development of the mechanical and all other industrial arts, the promotion of athletic sports, and the encouragement of mental discipline and learning, by competition for appropriate premiums and otherwise.

Section 3. Said Association shall hold its exhibitions annually or semi-annually as its Directors may determine, upon grounds to be located and obtained by the Association within three miles of the court house in the City of Tyler, Smith County, Texas. The principle office of the Association shall be in the said city of Tyler.

Section 4. The term of the existence of this charter shall be for the period of twenty years.

Section 5. The number of the Directors of said Association shall be thirteen. The names and residences of those who are elected for the first year are as follows: J. H. Brown, L. A. Denson, J. B. Douglas and Bryan Marsh, of the city of Tyler; B. B. Beard, J. W. Shuford, H. L. Tate, William Green, E. R. W. McCrary, B. F. Miller and T. J. Caswell, of the county of Smith; J. T. Walker, of the county of Cherokee; and Zion Cantrell, of the county of Henderson; all of the State of Texas.

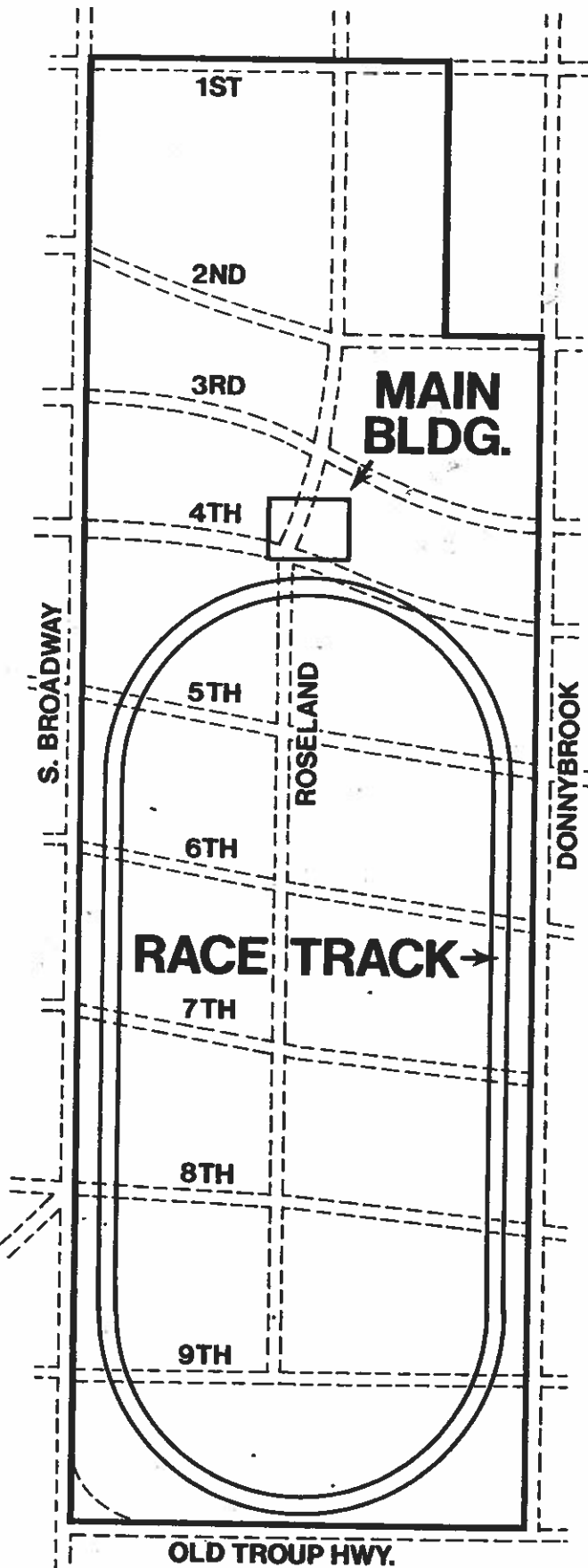
Section 6. The capital stock of said Association shall be five thousand dollars, divided into one hundred shares of fifty dollars each.

In witness whereof we have here unto set our hands and seals, this the twenty-fifth day of April, A. D. 1876.

J. H. Brown seal
H. B. Butler seal
H. G. Askew seal⁴

The fact that directors from outside Smith County were named indicates that plans were being made for a fair to encompass the entire East Texas area and not just Smith County.

A 73-1/2 acre site was selected about two miles south of the square, a part of land on which the Confederate ordnance works had been located only eleven years before. The site was rectangular in shape, and today is bounded on the



(LEFT) Map of the area encompassed by the 1876 race track and fairgrounds. Since Broadway did not extend this far south in 1876, access to the fairgrounds was probably made from the east on the present Donnybrook Street.



HENRY GARRISON ASKEW



JUDGE BENJAMIN BRYANT BEAIRD

(RIGHT) Three of the men who played important roles in the establishment of the 1876 fair.

Photo of ASKEW loaned by a kinsman, Alfred W. Oliphant, Jr. of Dallas.

Photo of BEAIRD loaned by a grandson, H.E. "Pete" Beaird, of Tyler

Photo of DR. GOODMAN from the Archives of the Society.



DR. WILLIAM J. GOODMAN

Centennial History Of The Texas Bar

1882-1982

Committee on History and Tradition
of the State Bar of Texas

Treylor Russell
Chairman

William B. Carasow
Vice-Chairman

Members of the Committee:

Price Daniel	T.M. Gayton
George T. Barrow	S.E. Bell
Marion O. Bousar	Lola Lee Bomber
Jim D. Bowmar	Norton A. Calvin, Jr.
Richard R. Drew, Jr.	Joyce Cox
Joshua M. Daniel III	Ralph Elliott
Richard Elliott	Homa S. Hill
J.R. Hollingsworth	John N. Jackson
M.C. Ledbetter	John F. Maxfield
Joseph W. McKeight	Homer L. Moss
William F. Newton	Tom B. Ranney, Jr.
Harry Schulz	Gilbert Sharpe
William W. Turvey	A. Walker, Jr.
Lawrence H. Warburton, Jr.	Ralph Yearborough
	Allen Washington

Staff:

Barbara Earls
Melissa Locke

honesty, and general deportment. The judge then proceeded to examine the applicant; and if convinced that the applicant was qualified, the judge would issue a temporary license to practice. This temporary license expired at the end of the contemporaneous term of the court, at which time the judge would appoint a panel of three distinguished lawyers to determine whether the applicant should receive a permanent license.

In addition, the act of 1839 provided penalties against those who presumed to practice law without first receiving an official Republic license. Disbarment penalties, so to speak, were also provided for malpractices and felony convictions of attorneys.

The only other act passed by the government of the Republic to regulate the legal profession was approved on February 5, 1840. This act superseded the previous one to the extent that a person could be admitted to the practice of law after the issuance of a certificate of qualification by any district judge of the Republic; the three-member panel system being abolished. Despite these attempts by the Republic Congress to control the professional standards of Texas attorneys, the licensing of lawyers in those days was often rather impromptu. Constitutional Convention delegate Charles Stanfield Taylor, for example, formed a law partnership with William Underwood on March 2, 1839, although at that time Taylor had no license to practice. The following April 12, Taylor simply passed an examination administered by Underwood and two other lawyers and was thereby granted his license to practice. In another instance, Constitutional Convention delegate W.C. Crawford, a minister by profession, had a brief but unsuccessful exposure to the practice of law. Concerning his experience, Crawford had this to report:

I made an appointment to preach where Shalbyville now stands. Then it was a cornfield and a blacksmith shop. When I reached the place, a court under the then ruling dynasty had assembled to try a man by the name of Bolls for murder committed the night before upon one of his neighbors killed in a drunken carousal. He was refused counsel unless your humble servant would plead his cause, which, of course, I did to the best of my ability; but he was found guilty and hung on the following Tuesday. I have thought that my efforts caused the people to elect me the next year to the convention that met at Washington on the Brazos where I signed the Declaration of Independence of the Glorious Republic of Texas.

Unfortunately, however, "the Glorious Republic" was not allowed to last for even a mere decade. In 1846 the coveted territory of Texas was once again swallowed up by yet another "foreign" power, the westwardly expansionistic United States of America; and this accident of annexation inevitably necessitated further revision of Texas laws, including those statutes pertaining to the licensing of lawyers.

On May 12, 1846, the First Legislature of Texas passed "An Act to Regulate the License and Practices of Attorneys and Counselors at Law." This act took effect on June 22, 1846, and provided for the issuance of both permis-

nent and temporary law licenses. Any person desiring to become a practicing attorney was initially required to obtain a certificate from a county court judge affirming that he had resided in the state for at least six months, that he was twenty-one years of age or older, and that he had a good reputation for "moral character and honest deportment." This certificate was presented to a district judge or a Supreme Court Justice, each of whom was empowered to issue a temporary law license that was valid for the remainder of that specific term of the court. If the applicant sought a permanent license, after examining the applicant's certificate, the judge would appoint a committee of three or more lawyers to set a date upon which they could orally examine the applicant in open court. Then if the majority of the committee and the court were satisfied with the applicant's credentials, he was granted his permanent law license "the next day." By an amendment approved on March 12, 1897, however, the time for the committee to report its decision was extended from "the next day" to "within five days."

If a temporary or permanent license was granted by a district court, then the attorney could practice before any district or inferior court. If the license was issued by the Supreme Court, then the applicant could practice before any court in the state. This provision was abolished, though, on April 18, 1873, by the passage of a legislative act permitting an attorney to practice before the appellate courts upon the presentation of a license from a district court. Thus, the district courts became, in effect, the sole licensing agent of the state and remained so until 1903.

The 1846 regulatory act also allowed an immigrant attorney to practice law in Texas if he was already licensed by any court in the state from which he emigrated. He was not subject to any residency requirement but did have to apply with satisfactory evidence to the judge of the Texas court to which he was admitted. In addition to these provisions, all licensees were required to take an oath or affirmation prescribed by the Constitution of Texas and administered by the judge or clerk of the court.⁶⁶ No person convicted of bribery, perjury, forgery, larceny, or other felonies or treason could obtain a license to practice law; and conviction for any of these crimes was grounds for revocation of an attorney's license.⁶⁷

An interesting section of this first law-licensing statute provided that anyone attempting to practice law in Texas without a license was liable to a fine of from \$50 to \$600. This was in 1846! One-half of the fine went to the county treasury, and the other half went to whomever informed the court of the violation!

⁶⁶ Good character requirements have been incorporated into all law-licensing statutes and will not always be mentioned in the remainder of the text.

⁶⁷ This oath, like the good character requirement, became a standard procedure in all subsequent law-licensing statutes. By an act of January 18, 1860, the oath was broadened to include support of the Constitution of the United States; and with the exception of the period of the Civil War, this sort of provision is still in effect today.

⁶⁸ This portion of the act of 1846 is the only one that has remained totally intact and more or less verbatim up through the present statutes.

Provision for Admittance to the Bar

JOHN E. KINNEY



John E. Kinney, who had practiced law in Miami since 1900, died in his sleep August 20.

Mr. Kinney was born in Brooklyn, N. Y., Jan. 8, 1873, the son of Mr. and Mrs. John Edward Kinney Sr. He was graduated from the law school of Nashville College at Nashville, Tenn., in 1900.

Upon his admittance to the Texas Bar in 1900, Mr. Kinney began his law practice in Roberts County, Texas, and he practiced there continuously until his death.

From 1911 to 1918, he was county judge of Roberts County, and he was Selective Service Government Appeal Agent during both World Wars.

Mr. Kinney was a member of the American Bar Association, State Bar of Texas and Masonic Lodge, and he was a Knight Templar. For eight years he was mayor of the City of Miami.

In 1902, he married the former Bena H. Carter and she died Aug. 3, 1945. Surviving are four children, Mrs. Clara Mae Nelson of Miami; Mrs. Agnes E. Findlay of Compton, Calif.; Leon M. Kinney of Big Spring; and Sterling E. Kinney, who practices law in Amarillo.

HIRAM F. LIVELY



An 81-year-old attorney who had practiced law in Dallas for more than half a century, Hiram F. Lively, died August 8 at his home in Dallas. Senior member of the firm of Lively, Alexander, George & Thuss, he had been active in the firm until three weeks before his death.

Mr. Lively, the son of Hiram Young and Delliah Lively, was born June 12, 1867, in Wood County, Texas. He moved to Dallas 67 years ago and later graduated from Dallas public schools. He received his A.B. degree from Baylor University in 1891, and began the study of law with G. G. Wright, a Dallas attorney.

In 1895, Mr. Lively was admitted to the Texas Bar and began his law practice in Sherman. After a few months, however, he moved to Dallas, where he practiced continuously until his death.

In 1921, he formed a partnership with Edward P. Dougherty, and that association continued until Mr. Dougherty's death in 1946. He was an assistant district attorney under Hatton W. Sumners, and in 1904 he was elected county judge of Dallas County, an office he filled for two elective terms before resuming the private practice of law.

At the time of his death, Mr. Lively was vice-president of the board of directors of the Scot-

tish Rite Hospital for Crippled Children. For more than fifty years he had taught Sunday school classes at the Highland Baptist Church. He was an active Mason and belonged to both the Scottish Rite and York Rite bodies. He served as Grand Master of the Grand Lodge of Texas, A.F. & A.M., in 1930, and he was an honorary 33rd Degree Scottish Rite Mason, a Knight Templar, a member of Hella Temple Shrine, the Red Cross of Constantine, the Knights of Pythias and the Odd Fellows. He was a member of the board of directors of the L. A. Pires Endowment Corporation, which he had helped organize for using and conserving the bequest made by L. A. Pires to the Masonic bodies to which he belonged at the time of his death.

Mr. Lively was president of the Dallas Bar Association in 1921-22 and he was a member of the State Bar of Texas. He particularly enjoyed fishing and hunting and spent many of his weekends at his farm.

Surviving are his wife, the former Trixie Green, whom he married in 1906; his son, Hiram F. Lively, also an attorney; and a sister, Mrs. R. B. McCain, all of Dallas.

EDWIN P. PRICE



Following an illness of three months, Edwin P. Price, Tyler attorney and first president of the Smith County Bar Association, died in a Tyler hospital April 28.

Born in King George County, Virginia, May 7, 1876, Mr. Price came to Texas in 1887, residing in Waco until 1892, when he moved to Tyler. Mr.

Price served in the Spanish-American War in 1898, and he was also admitted to the Texas Bar the same year.

From 1900 to 1902, Mr. Price was city attorney of Tyler. He then resumed the private practice of law and continued to practice in Tyler the remainder of his life, with the exception of 15 months when he was in Austin as an Assistant Attorney General under Gerald C. Mann. Mr. Price was a member of the law firm of Price & Beard from 1912 to 1917. He then became a member of the firm of Butler, Price & Maynor until the latter's death, when the firm name was changed to Butler & Price, and he continued this association until June 1942, when he became a member of Attorney General Mann's staff.

Mr. Price was a member of the State Democratic Executive Committee from 1940 to 1941. In 1938, he took part in organizing and was elected the first president of the Smith County Bar Association. Active in civic and educational affairs, Mr. Price was a former member of the Tyler school board and past president of the East Texas Fair Association. He was a member of the State Bar of Texas.

Surviving are his wife, Mrs. Faye Richardson Price; one son, Ned Price, also an attorney; and one daughter, Annie Price, all of Tyler; and one sister, Mrs. Hattie Price of Elkton, Va.

St. Paul Methodist Church

St. Paul Methodist Church was organized 32 years ago, fall of 1910, with a membership of about thirty-five persons. Mr. Shuford Long was chairman of the board and superintendent of the Sunday school. The Rev. R. E. Beard was the pastor. He had the Tyler circuit with eight churches on the entire charge. St. Paul Church was one of them, but was known then as East Side Methodist Church. Strangely enough, after these many years of useful service, Brother Beard is again stationed in Tyler as pastor of the Tyler Circuit, but with a different group of churches than before. Today, he and his good wife are celebrating their fiftieth wedding anniversary.

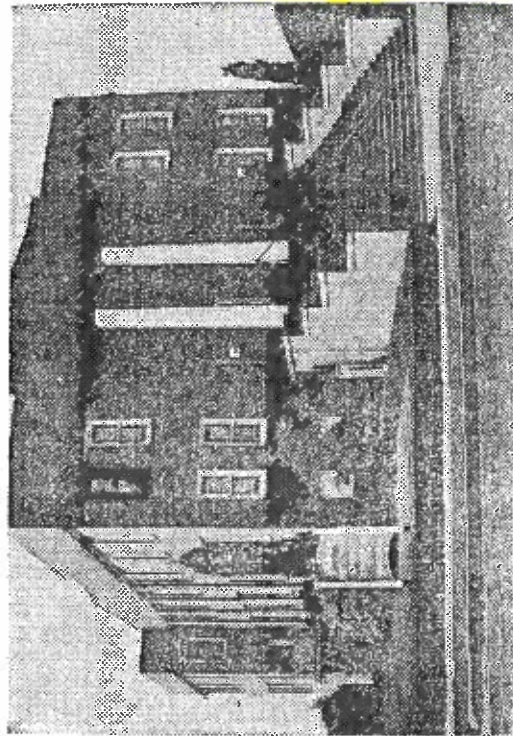
The old church was located on the corner of East Earl and Horace Streets. The parsonage was on East Erwin and Mahon. The present brick building, with sanctuary and educational building, was erected in 1927 during the pastorate of Rev. A. J. McCary. The Building Committee consisted of T. C. Buntyn, S. R. Hill, R. R. Leggett, W. A. Strange, D. C. Horner, R. E. Barbee, P. C. Pinkerton, L. L. Kidd, and Bonner Jones. The name of the church was changed to St. Paul Methodist Church in 1931, the same year the new brick parsonage was built next to the church. This was done during the pastorate of Rev. W. L. Cannon.

Following the pastorate of Rev. R. E. Beard, Rev. W. A. Pounds, father of Tyler's own Abe Pounds, was assigned to this church. Brother Beard was pastor 1910-11; Brother Pounds, 1911-15. Then came E. P. Swindell, 1916; W. F. Weeks, 1916-19; T. C. Sharp, 1920; W. M. Bass, 1920-23. Brother Bass is superannuated and now lives in Tyler. It was under his ministry that St. Paul Church was changed from a circuit to a station. Rev. A. J. McCary was pastor 1923-27; John H. Crowe, 1928-29; W. L. Cannon, 1930-31; John H. Mills, 1931-34; Leo Hopkins, 1934-38; during Brother Hopkins' ministry the church made rapid strides of growth numerically and financially. Rev. R. S. Marshall was pastor in 1939. The present pastor, T. Walter Moore, was assigned here in November, 1940, and is now in his second year. Dr. S. S. McKenney is district superintendent.

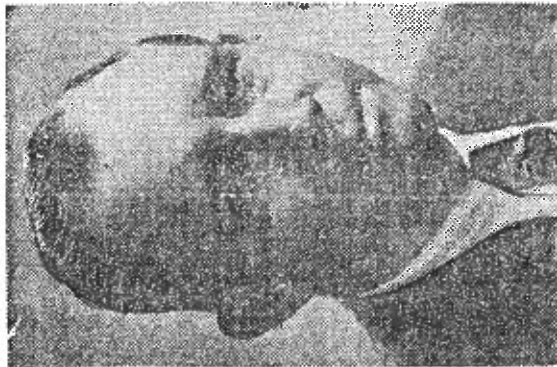
Frank Milstead is superintendent of the church school which has an enrollment of 432. All departments are well organized and have busy programs of activity. Joe Frobese is chairman of the Board of Stewards. There are 23 members on the board. The membership of the church is now well over 800.

The Woman's Society of Christian Service, under the presidency of Mrs. Herman Kidd, is an active organization with four circle groups, a Wesleyan Guild, a young women's and girls' group, and a spiritual life group. Last summer the church installed a Kimball pipe organ, a project sponsored by this fine organization of women. Mrs. Don Gibson was president at that time.

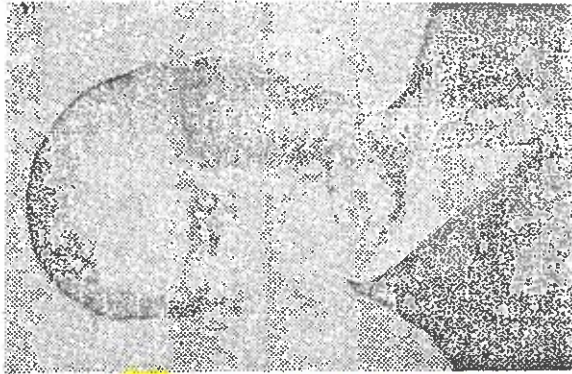
St. Paul Methodist Church serves a large territory in East Tyler. There is constant activity among all the various groups. The church sponsors such activities as teachers' training schools, daily vacation Bible school, revivals, visitation evangelism, Christian education and missions; supports such worthy causes as world missions, war relief, orphanage, hospitals, American Bible Society, colleges and universities, and many others. The services of worship are well attended. St. Paul Church is desirous of serving "the present age." A cordial invitation is extended to anyone to enter its sanctuary for prayer and worship.



ST. PAUL METHODIST CHURCH



FRANK MILSTEAD, Superintendent of Sunday School



T. WALTER MOORE, Pastor

May 1951

"GIVE WITH A SONG IN YOUR HEART"

St. Paul's Methodist Church

S. Clayton and E. Elm
Tyler, Texas

Dear Friends:

We frequently hear outsiders speak of St. Paul's as a strong church. This reputation is based upon the consistent devotion of its membership. The loyalty of its members through the years has given St. Paul's its stability of character. We are proud of the record of our church.

As we begin this budget campaign, we are confident that we are entering a period of enlarged Christian service. God has given us a rich heritage of faith. We want to use this heritage to bear greater fruit for His Kingdom.

Someone has said that "religion is what we do with our opportunity". Here is our great opportunity! We are convinced that our plans are not merely man-made, but that within them is the compulsion of the spirit of Christ.

Our prayer under God is that we make the most of this challenge to enlarge the effectiveness of the work of our church.

Sincerely yours,

Rubal Moore
Pastor.



MAY, 1951

St. Paul's Methodist Church

S. Clayton and E. Elm
Tyler, Texas

Dear Friend:

It is with much pride and appreciation that I write these few lines concerning the growth of St. Paul's Methodist Church of Tyler. I have seen it grow from the little frame building to two good brick buildings, its membership from the small band to the number of more than one thousand members.

I am thankful for the service I rendered to those who have found peace to their soul and have gone to receive their reward in Heaven, also for those remaining to carry on the work committed into their hands.

I rejoice today in the wonderful progress of St. Paul's Church and pray that it shall continue to grow and be of much service through the leadership of the Holy Spirit of our God and Father.

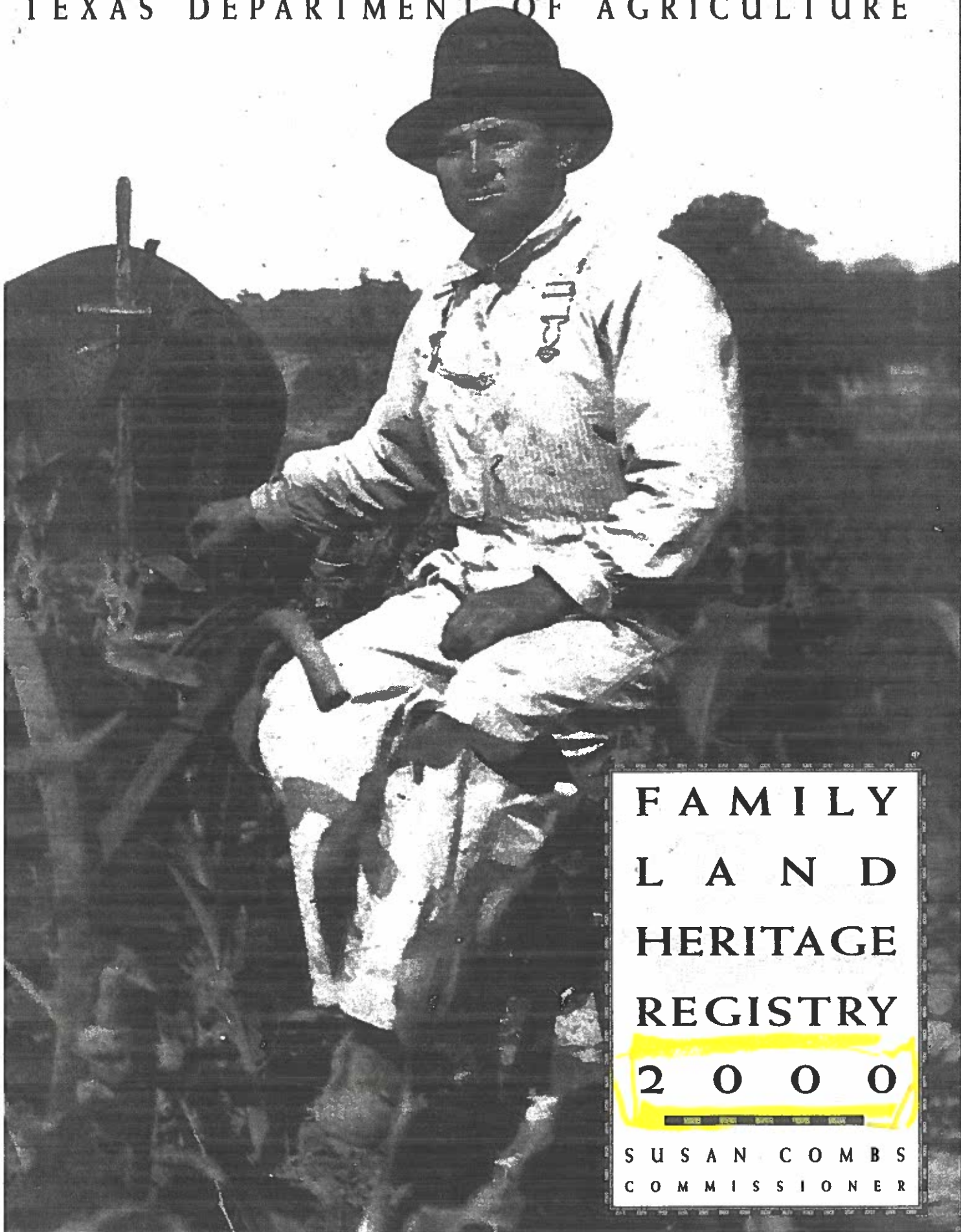
Rev. R. E. Beaird

Ex-Pastor.



"I'VE PLEDGED—ITS MY CHURCH TOO"

TEXAS DEPARTMENT OF AGRICULTURE



FAMILY
LAND
HERITAGE
REGISTRY

2 0 0 0

SUSAN COMBS
COMMISSIONER

BEAIRD FARM

SMITH COUNTY

Two and a half miles west of Tyler on Highway 64 West.

DATES OF OWNERSHIP	NAMES
1868-1896	Benjamin B. Beard
1896-1939	Walter E. Beard
1939-1980	Bennie E. Beard Sr.
1980-2000	Harold C. Beard



Benjamin Bryant Beard was born in Bibb County, Alabama and came to Shelby County with his parents at age six. They later moved to Smith County. After serving two years in the Army of the Confederacy, he married Mary Jane Adams and they had ten children – Sarah Alberta, Walter Emmett, Rufus Edward, Patrick Henry, Lexie, Benjamin Jr., Jerry Johnson, Mary Elizabeth, Lena Lottie and Doll Baby. His father-in-law, J.J. Adams, sold him 161.5 acres of land in October 1868 and Benjamin added an additional 512.71 acres. Benjamin made many improvements on the land – fenced the land, cleared brush to allow cultivation and planted cotton. He served as county commissioner, county judge, and member of the 24th and 25th Texas State Legislatures. He was also mayor of Tyler.

Walter Emmett inherited the original 161.5 acres in 1896 and in 1899 inherited another 138.5 acres of land

from his father. He later purchased the remainder of his father's farm from his siblings. He married Elizabeth and they had three children – Bennie E., Henry E. and Walter E. Jr. For fourteen years, Walter operated a cotton gin to support his family. He donated an acre for the construction of the Pleasant Retreat Methodist Church in 1929 and was a founding member. He served two terms as Smith County commissioner and helped establish Dixie Elementary School in 1924 on land he provided.

Bennie inherited 197.1 acres of land upon the death of his father in June 1939. He continued dairy operations to support his family. He ran a commercial rose operation from 1947 to 1957. Later he planted coastal

Bermuda pastures. Bennie served in World War I and later served two terms as Smith County commissioner. He was very active in the Democratic Party. Ben and his wife, Lera Thedford, had two sons – Ben Edward and Harold C.

In 1980, Harold acquired 96.35 acres of land from his father, Bennie. He has done many improvements on the land including erosion control, soil testing, constructing ponds and holding pens for cattle. Today, Harold, his wife, Rosemary, and cousins Richard and Dorothy Beard, reside on the Beard Farm.

ACRES IN ORIGINAL PARCEL: 161.5

ACRES HELD TODAY: 96.35

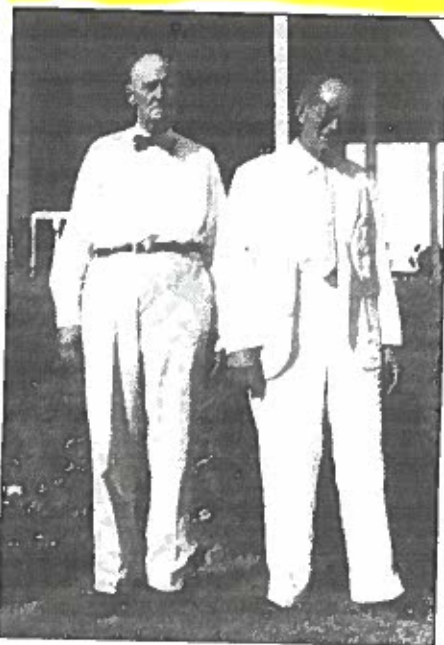
Crops or livestock raised: 1868 – Cotton, corn and cattle; 2000 – Braford cattle and coastal Bermuda grass.

RICHARD E. BEAIRD FARM

SMITH COUNTY

Two and a half miles west of Tyler on Highway 64 West.

DATES OF OWNERSHIP	NAMES
1868-1896	Benjamin B. Beaird
1896-1939	Walter Emmett Beaird
1939-1981	Henry E. Beaird
1981-2000	Richard E. Beaird



Benjamin Bryant Beaird was born in Bibb County, Alabama and came to Shelby County with his parents at age six. They later moved to Smith County. After serving two years in the Army of the Confederacy, he married Mary Jane Adams and they had ten children – Sarah Alberta, Walter Emmett, Rufus Edward, Patrick Henry, Lexie, Benjamin Jr., Jerry Johnson, Mary Elizabeth, Lena Lottie and Doll Baby. His father-in-law, J.J. Adams, sold him 161.5 acres of land in October 1868 and Benjamin added an additional 512.71 acres. Benjamin made many improvements on the land – fenced the land, cleared brush to allow cultivation and planted cotton. He served as county commissioner, county judge and member of the 24th and 25th Texas State Legislatures. He also served as mayor of Tyler.

Walter Emmett inherited the original 161.5 acres in 1896 and in 1899 inherited another 138.5 acres of land from his father. He later purchased the remainder of his father's farm from his siblings. He married Elizabeth

and they had three children – Bennie E., Henry E. and Walter E., Jr. For fourteen years, Walter operated a cotton gin to support his family. He donated an acre for the construction of the Pleasant Retreat Methodist Church in 1929 and was a founding member. He served two terms as Smith County commissioner and helped establish Dixie Elementary School in 1924 on land he provided.

Henry acquired 227.73 acres of land upon the death of his father in June 1939. He and his wife, Lena, had three children – Henry Jr., Ann Elizabeth and Richard. Richard acquired 85 acres of land from his father in 1981. Today, he and his wife, Dorothy, reside on the farm where they produce Coastal Bermuda hay.

ACRES IN ORIGINAL PARCEL: 161.5

ACRES HELD TODAY: 85

Crops or livestock raised: 1868 – Cotton, corn and cattle; 2000 – Hay.

1/21/1915

In Memory
of
Hon. Ben B. Beard.

Mr. Magee offered the following resolution:

Whereas, Hon. Ben B. Beard, a member of the Texas Legislature from Smith county in the House of Representatives of the Twenty-fifth and Twenty-sixth Legislatures, departed this life at his late home in the city of Tyler, on January 18, 1915, at the age of 75 years; and

Whereas, The said Hon. Ben B. Beard was a distinguished and useful citizen of the State of Texas, who had served his State and his country faithfully as a soldier in the Confederate army for four years, as county judge of Smith county for ten years; as a member of the Texas Legislature for four years, and as mayor of the city of Tyler for almost four years; therefore, be it

Resolved, That when this House adjourn today that it do so out of respect to the memory of this good and useful citizen and faithful public servant; that a page in the Journal of this House be dedicated to the memory of the said Ben B. Beard, and that these resolutions be printed in proper form on said page; that ten copies of these resolutions, typewritten and properly attested be sent by the Chief Clerk of this House to Mr. Bryan Beard, a son of deceased, at Tyler, Texas, for distribution among the relatives of the distinguished dead; and also that these resolutions and preamble be adopted by a rising vote.

The resolution was read second time and was adopted unanimously.

About the

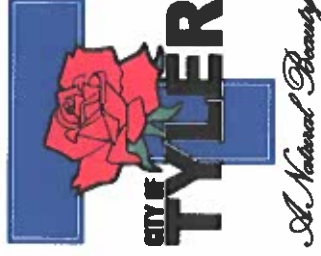
Half Mile of History

The City of Tyler's historic preservation program, the Half Mile of History, resulted from a recommendation that came out of the Tyler 21 planning process. The fifth goal of the Historic Preservation Chapter is:

"Promote and display diverse aspects of Tyler's history to enhance resident and visitor awareness of its importance."

The goal of the Half Mile of History is to pay tribute to people, places and events that have contributed to the rich history of Tyler and Smith County.

The Half Mile of History is a permanent, outdoor, half-mile loop that surrounds the square in the heart of downtown Tyler. Stone plaques are placed in the sidewalk along the Half Mile of History to commemorate significant people, places or events.



Half Mile of History Marker Unveiling

in honor of

Benjamin Bryant Beard

Thursday, Oct. 27, 2011

Half Mile Of History Honors Former Mayor

From Staff Reports

Tyler's Half Mile of History has another stone.

City leaders gathered Thursday to recall the contributions of late Tyler Mayor Benjamin Bryant Beard, honoring his legacy with a stone for downtown Tyler.

Mayor Barbara Bass said the city's historic preservation program, the Half Mile of History, resulted from a recommendation that came out of the Tyler 21 planning process.

A goal of the program is to pay tribute to people, places and events that have contributed to the rich history of Tyler and Smith County, she said.

Remarks shared about the Beard and his legacy were made during a brief ceremony at Gallery Main Street, 110 W. Erwin St.

The Half Mile of History is a permanent, outdoor, half-mile loop that surrounds the square in the heart of downtown Tyler.

It's designed to boost resident and visitor awareness about what makes Tyler unique, Mayor Bass said.

Stone plaques are placed in the sidewalk along the Half Mile of History to commemorate significant people, places or events.

Thursday's addition marks the 28th stone in the Half Mile of History program, said Heather Newman,

Tyler communications assistant.

Tyler Historic Preservation Board member Danny Noteware said the late mayor was born in Alabama on Aug. 1, 1840, and came to Tyler with his family in June 1852.

At the time of his death on Jan. 15, 1915, he was serving a second term as Tyler's mayor, a feat for someone of humble beginnings who, as a boy, rolled into Tyler in a wagon, Noteware said.

Records show Beard spent most of his adult life serving the city and surrounding region, and the list of civic contributions is long.

See HISTORY, Page 2B



HISTORIC: From left, Beverly Beard, Lisa Beard, Harold Beard, Dr. David Beard and Rosemary Beard gather to celebrate the unveiling of a Half Mile of History stone for downtown in honor of the late Benjamin Bryant Beard, former mayor of Tyler.

— Courtesy Photo

HISTORY

Continued From 1B

oric Farm.

He served in the 15th Texas Infantry where he was wounded in battle.

He's also the namesake behind Beaird Farm, recognized by the Texas Agriculture Department in 2000 as a His-

toric Farm.

Beaird served as Smith County judge, Smith County commissioner and Smith County representative to the 24th and 26th Texas legislatures before assuming the role of

mayor, from 1911 to 1915.

He was a beloved husband and father — he married Mary Ann Adams in 1865 and they raised 10 children.

Some of the Beard offspring would go on to follow in their

father's footsteps: Walter Beard

served one term on the Smith County Commissioners Court and donated land from Beard Farm to the original Dixie School and also to Pleasant Rest Methodist Church.

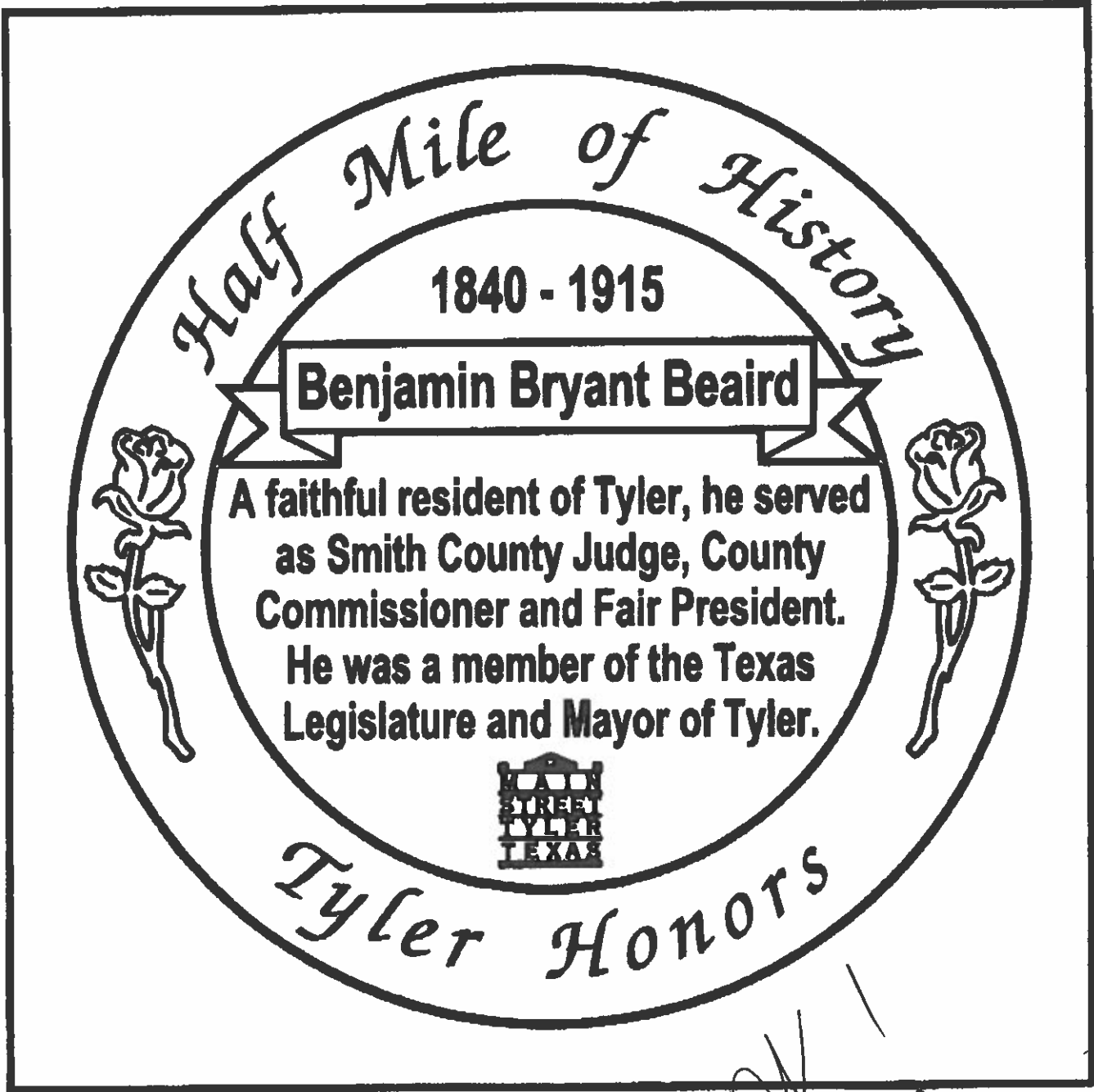
Son Rufus Beard was the first pastor of the St. Paul Methodist Church.

And son Patrick Henry Beard was clerk of the District Court in Smith County. Both 77th state Legislature

and Smith County Commissioners Court passed resolutions in 2001 recognizing Beard Farm and its founder.

Benjamin and Mary Ann Beard are buried in Oakwood Cemetery.

James -



OK!

James

10/4/11