

20480-

## FORM A

## Soldier's Application for Pension

The Commissioner of Pensions reserves the right to call for additional testimony if he deems it necessary.

Name of Applicant

C.C. Austell.

Henderson

County.

Mabank

Postoffice

~~Mabank~~, Texas.

Filed

July 5<sup>th</sup> 1911.

Approved

Mar 1<sup>st</sup> 1912.

Pension allowed from

Apr 15<sup>th</sup> 12.

Rejected

R. B. Buford

Commissioner of Pensions.

VON BOECKMANN-JONES CO., PRINTERS, AUSTIN

Ent.

R. E. Austell, Mabank, Tex.  
Joe Martin.



## FORM A

## For Use of Soldiers, Who are in Indigent Circumstances

THE STATE OF TEXAS }  
 County of Henderson }

I, C.C. Austell, do hereby make application to the Commissioner of Pensions for a pension to be granted me under the Act passed by the Thirty-first Legislature of the State of Texas, and approved March 26, A. D. 1909, 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; that I was honorably discharged or surrendered Surrendered at Wichburg, Cross County, Arkansas, in 1865.

(Give date and cause.)

that I have been a bona fide citizen of this State since prior to January 1, A. D. 1880, 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 in salary or fees one hundred and fifty dollars per annum, nor have I an income from any other employment or other source whatever which amounts to one hundred and fifty dollars per annum, nor do I receive from any source whatever money or other means of support amounting in value to the sum of one hundred and fifty dollars 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; nor do I receive any aid or pension from any other State, or from the United States, or from any other source, and that I am not an inmate of the Confederate Home, and I do further state that the answers given to the following questions are true:

1. What is your age? 67 years.
2. Where were you born? In the State of South Carolina.
3. How long have you resided in Texas? Since 1874.
4. In what county do you reside? Henderson.
5. How long have you resided in said county and what is your postoffice address 25 years, address  
Malakoff, Texas.
6. Have you applied for a pension under the Confederate pension law and been rejected? If rejected, state when and where No.
7. What is your occupation, if able to engage in one? Farmer
8. In what State was the command in which you served organized? Arkansas.
9. How long did you serve? Give, if possible, the date of enlistment and discharge 4 years.
10. What was the letter of your company, number or name of battalion, regiment or battery? Company B.  
CoL. MC Neils, 5th Ark.
11. If transferred from one command to another, give time of transfer, name of command and time of service. TX
12. What branch of the service did you enlist in—infantry, cavalry, artillery or navy? Cavalry, but was dis-  
mounted.



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? No so detailed. One time detailed to go after deserters, with Capt. Biscoe and others.

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) C. C. Austell

Sworn to and subscribed before me, this 27 day of June, A. D. 19 11

[SEAL.]

John S. Prince  
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 John S. Prince, County Judge of Henderson County, State of Texas, on this day personally appeared R. N. Quinn & J. B. Taffie, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know C. C. Austell, the above named applicant for a pension, and that they personally know that the said C. C. Austell has been a bona fide resident citizen of the State of Texas since prior to January 1, A. D. 1880, and that they have no interest in this claim.

(Signature of Witness) R. N. Quinn

(Signature of Witness) J. B. Taffie

Sworn to and subscribed before me, this 27th day of June, A. D. 19 11.

[SEAL.]

John S. Prince  
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 Henderson

Before me John S. Prince, County Judge of Henderson County, State of Texas, on this day personally appeared R. E. Austell 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 applicant's habits are good and free from dishonor. And R.E.Austell, further make oath to the following facts touching the applicant's service in the Confederate Army: (State fully your source of knowledge.)

I am 63 years old. Am a brother of applicant, address is Makank, Texas.

I was at home during the first part of the war, about a year before the surrender. I was with C.C.Austell and we were surrendered together at the same time and place. He never deserted.

R.E.Austell

(Signature of Witness)

(Signature of Witness)

Sworn to and subscribed before me, this 3 day of July, A. D. 1911

[SEAL.]

John S. Prine  
County Judge Henderson County, Texas.

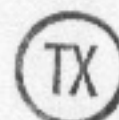
# CERTIFICATE OF THE STATE AND COUNTY ASSESSOR

I, W.H. Davis, State and County Assessor in the County of Henderson State of Texas, do certify that Mrs C.C. Austell 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 None dollars.

Given under my hand, this 3 day of July, A. D. 1911

W.H. Davis

State and County Assessor.





"Deserter"

*County Judge Notified*  
Endorsements Hereon for Comptroller's Use Exclusively

FORM NO. 1—AMENDED

OCTOBER 1, 1902.

## Confederate Pension Application.

Name of Applicant.

*E. C. Austell*

*Henderson* County,

Post Office *Harrisburg*

Comptroller's File No.

I have carefully examined the within application for pension, together with the proof in support thereof, and I recommend that the application be

*Disapproved*  
this *SEP 15 1905* day of

A. D. *E. A. Bolmer*

Chief Pension Clerk.

I hereby *Disapprove* within application for pension, the *SEP 15 1905* day of

A. D. *J. W. Stephens*  
Comptroller

\* No Application Rejected by County Judge or County Commissioners Should Be Forwarded to Comptroller.

VON BOECKMANN-JONES COMPANY, PRINTERS, AUSTIN, TEXAS.

RECEIVED

Referred to  
No.



NOTE—The law provides that pensions can begin only on the first day of April and October of each year.

1246-006-2m.

FORM No. 1. Amended October 1, 1902.

APPLICATION of Indigent Soldier or Sailor of the late Confederacy for pension under the Act of May 12, 1899. Hereafter use no other blank but this.

THE STATE OF TEXAS,

COUNTY OF Henderson

To the Honorable County Judge of Henderson County, Texas.

Your petitioner, C. C. Austell respectfully represents that he is a resident citizen of Henderson County, in the State of Texas, and that he makes this application for the purpose of obtaining a pension under the act passed by the Twenty-sixth Legislature of the State of Texas, and approved May 12, A. D. 1899, the same being an act entitled "An act to carry into effect the amendment to the Constitution of the State of Texas, providing that aid may be granted to disabled and dependent Confederate soldiers, sailors, and their widows under certain conditions, and to make an appropriation therefor," and I do solemnly swear that the answers I have given to the following questions are true.

NOTE—Applicant must make answer to all of the following questions, and such answers must be written out plainly in ink.

- Q. What is your name? Answer C. C. Austell
- Q. What is your age? Answer 60
- Q. In what County do you reside? Answer Henderson
- Q. How long have you resided in said County and what is your post office address? Answer About 8 years, Ham, Texas
- Q. Have you applied for a pension under the Confederate Pension Law heretofore, and been rejected? If so, state when and where. Answer No
- Q. What is your occupation if able to engage in one? Answer Farming
- Q. What is your physical condition? Answer Very feeble
- Q. If your physical condition is such that you are unable by your own labor to earn a support, state what caused such disability. Answer I was wounded & captured in the war
- Q. In what State was your command originally organized? Answer Kansas
- Q. How long did you serve? Give date of enlistment and discharge. Answer 4 years — Enlisted in 1862 & discharged in 1865
- Q. What was the name or letter of your company and name or number of your regiment? Answer Co. B + 5th Ark Reg.
- Q. State whether you served in the infantry, artillery, cavalry, or the navy. Answer Infantry & Cavalry
- Q. State whether or not you have received any pension or veteran donation land certificate under any previous law, and if you answer in the affirmative state what pension or veteran donation land certificate you have received. Answer No
- Q. What real and personal property do you now own, and what is the present value of such property? Give list of such property and value. Answer None

TX



- Q. What property, and what was the value thereof, have you sold or conveyed within two years prior to the date of this application? Answer None
- Q. What estate has your wife in her own right, real and personal, and what is its value? Answer None
- Q. What income, if any, do you receive? Answer None
- Q. Are you in indigent circumstances; that is, are you in actual want, and destitute of property and means of subsistence? Answer Yes
- Q. Are you unable by your labor to earn a support? Answer Yes
- Q. Have you transferred to others any property of value of any kind for the purpose of becoming a beneficiary under this law? Answer No
- Q. Did you ever desert the Confederacy? Answer No
- Q. Have you been continuously since the first day of January, 1880, a bona fide resident citizen of this State? Answer Yes
- Q. If you originally enlisted in the Confederate service from the State of Texas, were you at the date of the passage of this act a bona fide resident citizen of the State of Texas? Answer Yes

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

(Signature of Applicant) E. C. Austell

Sworn to and subscribed before me this 30 day of January A. D. 1908

(SEAL)

County Judge Hudson County, Texas.

### AFFIDAVIT OF WITNESSES.

(NOTE—There must be at least two credible witnesses.)

THE STATE OF TEXAS,

COUNTY OF Hudson

Before me M. B. Bladon

County Judge of Hudson County, State of Texas, on this day personally appeared John K. Simmons & R. C. Faulk

who are personally known to me to be credible citizens, who being by me duly sworn on oath, state that they personally know E. C. Austell the above named applicant for a pension, and that they personally know that the said E. C. Austell is unable to support himself by labor of any sort.

(Signature of Witness) John K. Simmons

(Signature of Witness) R. C. Faulk

Sworn to and subscribed before me this 30 day of January A. D. 1908

(SEAL)

County Judge Hudson County, Texas.

PROOF OF SERVICE MUST NOT BE MADE A PART OF THIS AFFIDAVIT.



AFFIDAVIT OF PHYSICIAN.

THE STATE OF TEXAS,

COUNTY OF Henderson } Before me M. Blades  
County Judge of Henderson County, State of Texas, on this day personally appeared

....., who is a reputable practicing physician of this County, who being by me duly sworn on oath, states that he has carefully and thoroughly examined E. C. Austell applicant for a pension, and finds him laboring under the following disabilities which render him unable to labor at any work or calling sufficient to earn a support for himself: Old Age & Debility

(Signature of Physician) J. T. Rather, M.D.

Sworn to and subscribed before me this 3d day of January A. D. 1905

(SEAL)

County Judge M. Blades Henderson County, State of Texas.

CERTIFICATE OF COUNTY JUDGE.

THE STATE OF TEXAS,

COUNTY OF Henderson } I, M. Blades  
County Judge of Henderson County, State of Texas, do hereby certify that on the 3d day of January A. D. 1905, before me came on to be heard the application of E. C. Austell

for a pension under the Confederate Pension Law of this State, Approved May 12, A. D. 1899; that the answers of said applicant to the questions propounded were made under oath as the same appear in writing in the foregoing application; that the affidavits of the witnesses who are credible citizens were made before me as the same hereinbefore appear, and that the foregoing affidavit of Doctor

who is a reputable practicing physician of this county, was made before me. I also certify that the said applicant

E. C. Austell is not an inmate of the Texas Confederate Home, nor otherwise disqualified under the provision of Section 12, of the Confederate Pension Law. I further certify that after considering all the proceedings had before me relative to the said application for a pension by the said E. C. Austell

I find the said applicant is lawfully entitled to the pension provided by the Confederate Pension Law of this State, and I hereby approve said application.

Witness my hand and seal of office at Atkins this 3d

day of January A. D. 1905

(SEAL)

County Judge M. Blades Henderson County, State of Texas.

CERTIFICATE OF COUNTY COMMISSIONERS.

THE STATE OF TEXAS,

COUNTY OF Henderson } We, the undersigned members of the Commissioners Court of Henderson County, Texas, hereby certify that the foregoing application of

E. C. Austell for a pension, together with the proof in support thereof, was duly submitted

by Hon. M. Blades County Judge of this Henderson County, to the Commissioners of this Henderson County, at a regular term thereof on the 12

day of May A. D. 1905, and after a careful consideration of the same we find the said applicant is

lawfully entitled to the pension provided for by the Confederate Pension Law of this State, and we hereby approve said application.

Witness our hands and seal of office at Atkins this 12

day of May A. D. 1905

(Signature of Commissioners)

(SEAL)

W. S. Baker  
E. J. W. Shan  
J. T. Davidson  
T. P. Weimer

TX





## Comptroller's Department

State of Texas

Austin

Sept 6. 1905

J. W. STEPHENS, COMPTROLLER  
JOHN T. SMITH, CHIEF CLERK

To the Military Secretary,  
War Department,  
Washington, D. C.

Dear Sir:

I have the honor to request the military record of  
C. C. Austell who is reported to have enlisted in  
Company D, 5<sup>th</sup> Regiment, Arkansas Cavalry  
in the service of the Confederate States army.

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

Very respectfully,

J. W. Stephens  
Comptroller





MILITARY SECRETARY'S OFFICE

1052205

WAR DEPARTMENT

Austin, Tex.  
Sept 6, 1905

C. C. Austell,  
Co, "B" 5 Ark Cav. C.S.A.

J. W. Stephens, Comptroller.  
State of Texas.

Requests military record  
of above named for  
pension purposes.

Address: "The Military Secretary,  
War Department, Washington, D. C."  
1052205

WAR DEPARTMENT,

THE MILITARY SECRETARY'S OFFICE,

WASHINGTON, Sept. 12, 1905.

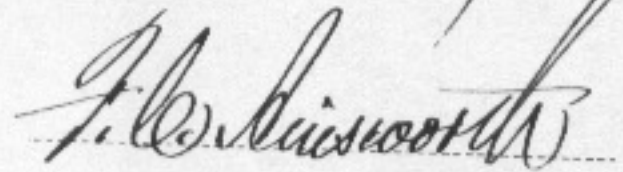
Respectfully returned to

The Comptroller,  
State of Texas,  
Austin.

There are no rolls, on file in  
this office, of the 5th Arkansas  
Cavalry, C.S.A.

The records show that one C. C.  
Austell, private, Company B, 30th  
Arkansas Infantry, C.S.A., which  
regiment was commanded by Colonel  
James W. Rogan, was enlisted June  
19, 1862. The roll of the company  
for January and February, 1864, last  
on file, shows him "deserted, de-  
tailed to go after deserters, July  
12, 1863. Has not since reported."

The records also show that one C.C.  
Austell, Company B, Rogan's Regiment,  
Arkansas Cavalry, C.S.A., was sur-  
rendered May 11, 1865, and that he  
was paroled at Wittsburg, Arkansas,  
May 25, 1865.



(M. S. O. 72-1)

Per

mde

The Military Secretary.



EX PARTE

C. C. Austell  
Applicant for Confederate Pension.

Pending in the Honorable Commissioners Court  
of Henderson County, Texas,  
before the Honorable County Judge of said County.

The Honorable County Judge of Henderson 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 J. A. Martin  
and J. P. Boon who reside in the County of Cross in  
the State of Ark. 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 to his claim  
for a pension under the Act of May 12, 1899, 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 can not be proven by any  
witness residing in the County of Henderson and State of Texas, of which he is a bona fide resident.

C. C. Austell  
(Applicant) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness.

J. A. Martin + J. P. Boon

- 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 C. C. Austell who  
is an applicant for pension under Act of May 12, 1899?  
INT. 3. How long have you known the said C. C. Austell applicant for pension,  
and when and where did you first know him?  
INT. 4. Do you personally know that the said C. C. Austell applicant for pension  
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 C. C. Austell  
applicant, 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 further know that C. C. Austell the said  
applicant for pension, is unable to support himself by labor of any sort?

CROSS INTERROGATORIES.

TX

To be Propounded to

J. A. Martin + J. P. Boon

CROSS INTERROGATORY 1. If in answer to the foregoing direct interrogatories, you have stated that you personally know  
or did know said applicant, 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 in which applicant 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 C. C. Austell serving in the same company  
or regiment in which you say the said applicant C. C. Austell enlisted,  
or if you have stated that said applicant enlisted and served in the navy of the Confederacy, then state whether or not you know



any other sailor of the same name as said E. C. Mustell applicant  
serving in the same command.

If you say that you so knew other soldiers or sailors of the same name of applicant's, 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 E. C. Russell applicant for pension, is the identical person serving as testified by you?

Cross INT. 3. If you have answered Direct Interrogatory No. 6 in the affirmative, then please state your source of knowledge or information. Is not this your answer simply based on conjecture?

CROSS INT. 4. Do you know whether or not the said E. C. Mustell applicant for pension, ever deserted the service in the Confederate army or navy?

THE STATE OF TEXAS,

County of Henderson

I, John A. Adams 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 Ed may be attached hereto.

County Judge Henderson County, Texas.

(Applicant) Attorney for Applicant.

In Re

**Application for Confederate Pension.**

IN COMMISSIONERS COURT,

*Wenderson* County, Texas,  
Pending before County Judge of said County.

Ex Parte  
Applicant.

INTERROGATORIES

PROFOUNDED TO

FOUNDED TO  
H. Martin  
J. T. Coar

Witnesses.



EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

C. C. Austell

Under Act May 12, 1899, pending in County Commissioners Court of

Henderson

Applicant for Confederate Pension.

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

Answers and depositions of (1) J. A. Martin of Wynne, Ark.to the accompanying interrogatories (2) cross Interp  
propounded to him in the above entitled cause taken before (3)in accordance with the accompanying (5) agreementTo the first interrogatory the said J. A. Martin

Witness answers:

- Int. 1 - My name is J. A. Martin 61 years of age. My place of residence is Wynne Cross County Arkansas.
- Int. 2 - Do you know C. C. Austell?
- Ans. 2 - I am personally acquainted with C. C. Austell, and have known him intimately for fifty five (55) years.
- Int. 4 - Do you personally know that C. C. Austell applicant for pension, enlisted in the service of the Confederacy and performed the duties of a soldier?
- Ans. 4 - I do know personally that in the said C. C. Austell enlisted and served in the Confederate Army.
- Int. 5 - Do you personally know in what Company, and regiment the said C. C. Austell applicant enlisted and served in the Confederate Army's, when, where, and the term of service? Do you personally know and so have stated that he enlisted and served in the Confederate Army, then state when, where, and how long he so served. (TX)
- Ans. 5 - In the said C. C. Austell in Company



"Q" 5<sup>th</sup> Arkansas Trans-Mississippi  
 Regiment in the Spring of 1862, present  
 duty in Arkansas and Texas and  
 served until the Surrender in April  
 1865.

Int 6- Do you further know that C. C. Austell,  
 the said Applicant for Pension is  
 unable to support himself by labor  
 of any sort?

Ans. 6- I know that the said C. C. Austell  
 the said Applicant is unable to  
 support ~~by~~ himself by manual labor  
 of any kind.



Subscribed and sworn to before me, this 2nd day of May 1905  
*My Commission Expires January 16-1909.* Wm M. Black Notary Public

THE STATE OF TEXAS,  
 County of Ends  
 I, Wm M. Black a Notary Public,  
 do hereby certify that J. A. Martin  
 and R. M. Spain are personally known to me to be credible citizens of said  
 County and State, and that the foregoing answers of J. A. Martin  
 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 2nd day of May 1905  
*My Commission Expires January 16-1909.* Wm M. Black 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, any Notary Public, or any Commissioner of Deeds of Texas.

File No. \_\_\_\_\_

In the Commissioners Court  
 OF  
Henderson County, Texas.  
 Before the Honorable County Judge of Said County.

EX PARTE  
R. C. Austel  
 Applicant for Confederate Pension.

DEPOSITION  
 OF  
J. A. Martin

Witness for Applicant.  
W. H. Carey Clerk.  
W. J. Caldwell Deputy.

Filed the 12 day of May 1905

Fee for Taking Deposition, \$ \_\_\_\_\_



TX

- (1) Here give the name and residence of each witness.
- (2) Here state "and cross interrogatories," if any.
- (3) Here give the name and official character of the person taking the deposition.
- (4) Here state "respectively," if more than one witness.
- (5) Here state whether "Commission, or agreement," if Commission was waived.

*J. A. Martin Myrum Ark.*

*none*

*Wm. H. Block N.P. for Gross Co.*

*Ark. - Commission*



EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

C. C. Austell

Under Act May 12, 1899, pending in County Commissioners Court of

Henderson

Applicant for Confederate Pension.

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

Answers and depositions of (1)

R. M. Shain of Wynne Ark,

to the accompanying interrogatories (2)

propounded to him in the above entitled cause taken before (3)

in accordance with the accompanying (5)

To the first interrogatory the said

Witness, answers:

Int 1- what is your name, age, rank, place of residence and post-office address?

Ans 1. - My name is R. M. Shain, age 41 years, rank in Cross County, Arkansas, my post office address is Wynne Ark.

Int 2. - Do you personally know, or did at any time know C. C. Austell, who is an applicant for pension under Act of May, 12, 1899?

Ans 2. I am personally acquainted with him the said C. C. Austell.

Int 3. How long have you the said C. C. Austell, applicant for pension, and when and where did you first know him?

Ans 3. - I have known the said C. C. Austell since June, 1862, and know him in St Francis County, Arkansas, which is now a part of Cross County, and has been since November, 15th, 1862.

(TX)

Int 4. - Do you personally know that the said C. C. Austell, applicant for pension, was listed in the service of the Confederacy?



and performed the duties of a soldier?

Ans 4 I do.

Q 5 - Do you personally know in what Company and regiment the said C. C. Austitt applicant, enlisted and served in the Confederate Army? When, where, and the time of service?

Ans 5 - He the said C. C. Austitt, enlisted in the Confederate Army in Company "G" - 5th Arkansas - 9th Miss. Regiment in Jan 1862, and served the greater part of the time in Arkansas and Texas, and served faithfully until the surrender in April 1865.

Q 6 - Do you further know that C. C. Austitt, the said applicant for pension is unable to support himself by labor of any sort?

Ans 6 - I know that the said C. C. Austitt the applicant from his age, that he is unable to support himself from manual labor of any sort.



Subscribed and sworn to before me, this 2<sup>nd</sup> day of May 1905  
*My Commission Expires January 16 - 1909.*  
*R. M. Spain*  
*Notary Public*

THE STATE OF ~~TEXAS~~ Kansas  
 County of Cross

I, Wm M Block a Notary  
 (Here give name and official character of officer before whom taken.)

J. A. Martin do hereby certify that  
R. M. Spain are personally known to me to be credible citizens of said  
 County and State, and that the foregoing answers of R. M. Spain

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 2<sup>nd</sup> day of May 1905

(L. S.)  
*My Commission Expires January 16 - 1909.*

*Wm M Block*  
*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, any Notary Public, or any Commissioner of Deeds of Texas.

File No.

In the Commissioners Court

OF

*Needham County, Texas.*  
 Before the Honorable County Judge of Said County.

EX PARTE

*C. C. Austell*

Applicant for Confederate Pension.

DEPOSITION

*R. M. Spain*

Witness for Applicant.

Filed the day

of 1

Clerk.

Deputy.

By

Fee for Taking Deposition, \$



TX

- (1) Here give the name and residence of each witness.
- (2) Here state "and cross interrogatories," if any.
- (3) Here give the name and official character of the person taking the deposition.
- (4) Here state "respectively," if more than one witness.
- (5) Here state whether "Commission, or agreement," if Commission was waived.

*Spain Gross Co. - Wymark Ark.*  
*Wm. Block N. P. for Gross Co. Ark.*  
*Commission -*



DEPOSITION IN PENSION CLAIMS, with Caption and Certificates.

1170-1109-3m

## EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

C.C. Austell

Under Act March 26, 1909, pending

in Henderson

Applicant for Confederate Pension.

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

Answers and depositions of (1) Joe Martin,

*Joseph A Martin 67 years old,  
Myrtle, Arkansas*

to the accompanying interrogations (2) and cross interrogatories

propounded to him in the above entitled cause taken before (3) *R. H. Dalton, Notary Public*

in accordance with the accompanying (7) agreement,

To the first interrogatory the said Joe Martin,

Witness, answers

To 2nd Int. said Witness And: *Yes I have known  
C. C. Austell*To 3d Int he Ans: *For sixty years. First knew him  
in St. Francis now Cross County Arkansas,*To 4th Int. he Ans: *Yes, I served with him.*To 5th Int .he Ans: *Yes, CO. "B" 5th Ark. Reg.  
In the Spring 1862, St. Francis now cross co, Ark,  
and served more than Four years*To 6th Int. he Ans: *C. C. Austell was not a  
Commissioned officer,*To 7th Int he ans: *C. C. Austell was a Volunteer*To 1st Cross-Int. he Ans: *I know this to be the identical**C. C. Austell that served with me as stated. I knew no other*To 2nd Cross-Int. he Ans: *I am Positive, having been in**Correspondence with him since his Residence in Texas,*To 3d Cross-Int. he Ans: *Served Honorably and was  
Discharged Honorably at the close of the War,*

To 4th Cross-Int. he Ans:

*He was not a Deserter, but staid  
Faithfully until the close of the war.*

TX



Subscribed and sworn to before me, this 29<sup>th</sup> day of June, 1911.  
Joseph A. Martin

THE STATE OF Arkansas }  
 County of Cross } I, R. H. Dalton, Notary Public  
 (Here give name and official character of officer before whom taken.)  
 do hereby certify that Joseph A. Martin  
 and \_\_\_\_\_ are personally known to me to be credible citizens of said  
 County and State, and that the foregoing answers of Joseph A. Martin  
 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 29<sup>th</sup> day of June, 1911.  
 (L. S.) R. H. Dalton,  
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, any Notary Public, or any Commissioner of Deeds of Texas.

File No. \_\_\_\_\_

In \_\_\_\_\_ County, Texas.  
 Before the Honorable County Judge of said County.

**EX PARTE**

C. C. Austerl  
 Applicant for Confederate Pension

**DEPOSITION**  
 OF  
Joe Martin

Witness \_\_\_\_\_ for Applicant

Filed \_\_\_\_\_ day \_\_\_\_\_ of \_\_\_\_\_ 19\_\_\_\_

Clerk. \_\_\_\_\_  
 Deputy. \_\_\_\_\_

Fee for Taking Deposition, \$ \_\_\_\_\_

VON BOECKMANN-JONES COMPANY, PRINTERS, AUSTIN, TEX.





- (1) Here give the name and residence of each witness.
- (2) Here state "and cross interrogatories," if any.
- (3) Here give the name and official character of the person taking the deposition.
- (4) Here state "respectively," if more than one witness.
- (5) Here state whether "Commission, or agreement," if Commission was waived.





R. A. BUFORD, 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 C. C. Austin who is reported to have enlisted in  
 Company '73', Regiment Col. M. C. Neils, 5th Art.  
Surrendered at, Winburg Cross Co. 1865.  
 in the service of the Confederate States Army.

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

Very respectfully,

R. A. Buford  
 Commissioner of Pensions.





ADJUTANT GENERAL'S OFFICE  
1803465  
WAR DEPARTMENT

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

1803465  
WAR DEPARTMENT,

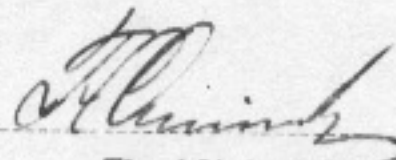
THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, July 10, 1911.

*Respectfully returned to the*

Commissioner of Pensions,  
State of Texas, Austin.

The records show that C. C. Austell, private, Company B, 30th (McNeill's) Arkansas Infantry, Confederate States Army, enlisted June 19, 1862; that he surrendered May 11, 1865, and was paroled at Wittsburg, Arkansas, May 25, 1865.



The Adjutant General.

(A.G.O. 72-1)

Per 

Received A.G.O. JUL 2 1911



EX PARTE

C.C.Austell

Applicant for Confederate Pension.

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

The Honorable County Judge of Henderson 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 Joe Martin,  
and who reside in the County  
of Cross in the State of Arkansas, 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 applica-  
tion 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 can not be proven by any witness residing in the County of  
Henderson and State of Texas, of which he is a bona fide resident.

C.C.Austell,

(Applicant) ~~XXXXXXXXXXXX~~

Direct Interrogatories to be Propounded to the Witness.

Joe Martin

- 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 C.C.Austell who  
is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said C.C.Austell  
and when and where did you first know him?
- INT. 4. Do you personally know that the said C.C.Austell  
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 C.C.Austell  
enlisted and served in the Confederate army? When? Where? And the time of service? If you person-  
ally 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 C.C.Austell  
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 C.C.Austell  
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.

To be Propounded to Joe Martin,

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally  
know or did know said C.C.Austell 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 C.C.Austell 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 C.C.Austell serving in the same company or regiment, or special  
service in which you say the said C.C.Austell enlisted, if you have stated that said  
C.C.Austell 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 C.C.Austell

applicant serving in the same command, or the special service to which he was assigned?

If you say that you so know other soldiers or sailors of the same name of C.C.Austell

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..... C.C.Austell

is the identical person serving as testified by you?

Cross Int. 3. Do you know whether or not the said C.C.Austell

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 C.C.Austell

deserted his command, or voluntarily abandoned his post of duty or the service during said war?

THE STATE OF TEXAS,

County of Henderson

I, John S. Prince,

I, John S. Prince, 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.

John S. Price  
County Judge Henderson

County Judge Henderson. County, Texas

C. C. Hustell

(Applicant) Attorney.....for Applicant.

*In Re*

**Application for Confederate Pension.**

FOR USE OF SOLDIERS OR WIDOWS.

Henderson

County, Texas.

Pending before the County Judge of said County.

## EX PARTE

C.C.Austell

**Applicant.**

## INTERROGATORIES

propounded, to

Joe Martin

**Witnesses.**



No. 311

Boyd & Ellis

\$ 175<sup>00</sup>

20480 Henderson

Confederate Pension Fund Fund

OFFICE OF

COMMISSIONER OF PENSIONS

STATE OF TEXAS

AUSTIN

Correct, for the sum of \$

175<sup>00</sup>

Charge to Confederate Pension Fund

Commissioner of Pensions.



Malakoff

J 4 as

October 16 1917

Mr J C Jones

Commissioner of Pension

Dear Sir my Brother

L. B. Austell Died August  
12<sup>th</sup> at Pittsburg Texas

And I had the County  
Judge to tend to the  
Burial and the State

Ward Pay for same and  
now the Ar holding the

Ex Pence against me

Please rite me wither

you all paid it or not

let me hear from you

at once over





Back your letter to

R E Austell  
Mala Koff  
Texas

(17)



C. EVERETT BRYSON  
COUNTY JUDGE CAMP COUNTY

20480

PITTSBURG, TEXAS. August 14th, 1917.

Hon. J. C. Jones,  
Commissioner of Pensions,  
Austin, Texas,

Dear Sir:

Mr. C. C. Austell, whose original county is Henderson, and who is on the Confederate Pension Roll, died on the 12th inst. here at Pittsburg.

Please send Mr. Starling Cope the necessary papers to make proof of his death so that the dept. may issue a mortuary warrant to cover the burial expenses. Mr. Cope's address is Pittsburg, Camp Co. Texas.

Trusting that you will give this matter your usual and prompt attention, I am,

Yours very sincerely,

C. E. Bryson



August 17th, 1917

Mr. Starling Cope,  
Pittsburg, Texas.

My dear Sir:-

Beg to acknowledge receipt of letter from  
Hon. C. E. Bryson, County Judge, informing me of the  
death of pensioner C. C. Austell # 20480, Henderson County.

That application for Mortuary Warrant might be  
presented, I am inclosing the necessary application and affidavit  
both of which must be filled completely and correctly before the  
warrant can be allowed.

I shall be pleased to serve you at any time,

Yours truly,

J. C. Jones,  
Commissioner



Lis  
Copy filed  
20480



## APPLICATION FOR MORTUARY WARRANT.

STATE OF TEXAS,

County of

Camp

I,

Starling Cope

do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late

C. C. Austell

of the State of Texas, and whose file number is

20480

and whose original county is

Henderson

The said pensioner

C. C. Austell

died on the

12th day of August

1917

near

Pittsburg

County of

Camp

Texas.

The pensioner died in the ~~home of~~ house he had rented on Joe Daniel's place who was related to the pensioner as

That the warrant which application is hereby made for, shall be applied to paying all or part of the expenses incurred by the said pensioner

C. C. Austell

I further certify that the warrant for the current quarter has not been cashed by the pensioner, to the best of my knowledge and belief.

I am related to the pensioner as (Friend)

and that my home is in the town of

Pittsburg

County of

Camp

State of

Texas

that my postoffice address is

Pittsburg, Texas

Sworn to this 25 day of August 1917

Signed

S. J. Cope

Before me

C. B. Byson, County Judge

in and for the County

of

Camp

State of Texas, personally appeared

Starling Cope

, who being by me duly sworn did certify to, and sign the foregoing statement.

(Seal of Office)

C. B. Byson, County Judge

in and for

Camp Co., Texas.

## CERTIFICATE OF UNDERTAKER.

I, \_\_\_\_\_ do certify that I am an undertaker in the town of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_, that I had charge of the body of C. C. Austell, who died in the town of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 1917. That said body was prepared for burial by me on the \_\_\_\_\_ day of \_\_\_\_\_, 1917. That said body was buried in the \_\_\_\_\_ Cemetery, which is located in the County of \_\_\_\_\_, State of \_\_\_\_\_, and that I am of the opinion that warrant herein applied for, should be issued to the said \_\_\_\_\_ who makes the foregoing application.

Signed

Undertaker.

## CERTIFICATE OF PHYSICIAN.

I, C. F. Henderson, do certify that I am a practicing physician and that I attended C. C. Austell in his last illness, and am of the opinion that his ailments were consumption

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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 35th Legislature, and approved \_\_\_\_\_ 1917.

Signed

C. F. Henderson

Physician.

Physician's Address

Pittsburg, Texas



## MORTUARY WARRANT

In accordance with Law passed by Thirty-fifth Legislature of Texas in Regular Session

Pittsburg Texas, August 25, 1917

STATE OF TEXAS

To Boyd &amp; Ellis Dr.

WRITE ADDRESS PLAINLY

Pittsburg Camp Co. Texas

Account of Death of Pensioner No. 20480, County Henderson

Pensioner's Name in full C. C. Austell

ITEMIZE ACCOUNT NOT TO EXCEED THIRTY DOLLARS.

Coffin  
Robe

120 <sup>00</sup>
8-0-0
<hr/>
\$ 74-00

To above account for

Twenty and 00/100

Dollars

is just, due and unpaid.

Boyd Ellis, B. &amp; J. Boyd

Sworn to and subscribed before me this

25

day of

August

1917

C. C. Bryson, County Judge

Notary Public,

Camp

County,

Texas

TX