

17804

DEAD FORM A

Soldier's Application for Pension

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

2-15-29

Name of Applicant.

B. O. Ayres

Hudson

County.

Postoffice.

La Rue

Filed

Sept. 1, 1909.

Approved

FEB 28 1910

Pension allowed from

Rejected

Commissioner of Pensions.

VON BOECKMANN-JONES CO., PRINTERS, AUSTIN

Unknown as to time of residence
J. B. Reardon
Harry Carter

THE STATE OF TEXAS }

County of Hudson

I, B. O. Ayers, 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

I was paralled at Camp Chou D. in May 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 am 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? 75 years
2. Where were you born? In Ark.
3. How long have you resided in Texas? 40 years (2 spent some years here at an earlier date.)
4. In what county do you reside? Hudson
5. How long have you resided in said county and what is your postoffice address 3 years
Lafayette
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? Unable - Farming
8. In what State was the command in which you served organized? Mississippi
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
H. 34th Miss.
11. If transferred from one command to another, give time of transfer, name of command and time of service. Not transferred (TX)
12. What branch of the service did you enlist in—infantry, cavalry, artillery or navy? Infantry

13. If commissioned direct by the President, what was your rank and line of duty? Non com-
missioned
14. If detailed for special service, under the law of conscription, what was the nature of your service and how long did you serve? Not detailed
15. Have you transferred to others any property of any kind for the purpose of becoming a beneficiary under this law? No

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

(Signature of Applicant)

B. O. Ayres

Sworn to and subscribed before me, this 9 day of Aug. A. D. 1909

John S. Prince
County Judge Henderson County, Texas.

[SEAL.]

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 J. R. Reinson & Harry Carter, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know B. O. Ayres

Ayres the above named applicant for a pension, and that they personally know that the said B. O. Ayres

Ayres 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)

J. R. Reinson
Harry Carter

(Signature of Witness)

Sworn to and subscribed before me, this 22 day of Aug. A. D. 1909

John S. Prince
County Judge Henderson County, Texas.

[SEAL.]

AFFIDAVIT OF WITNESSES

(If possible, the two witnesses should have served with the applicant in the army, and, if so, let them, or either, state it in their oath, their source of knowledge; also any information regarding applicant's army service.)

THE STATE OF TEXAS }

County of _____

Before me _____, County Judge of _____ County,

State of Texas, on this day personally appeared _____

who are personally known to me to be credible citizens, who, being by me sworn, on oath state that they are personally acquainted with the foregoing applicant, and that the facts set forth and statements made in his application are correct

and true, to the best of their knowledge and belief, and that they have no interest in this claim, and said applicant's habits are good and free from dishonor. And.....further make oath to the following facts touching the applicant's service in the Confederate Army:

(Signature of Witness)

(Signature of Witness)

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

[SEAL.]

County Judge.....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 BO Ayers 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, ap-
proved March 26, A. D. 1909, is charged on the land and personal property rolls of said county with estate, real, per-
sonal and mixed, at the assessed value of 400 dollars.

Given under my hand, this 27 day of Aug, A. D. 1907

Mrs Davis

State and County Assessor.



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

WAR DEPARTMENT, 1620712

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, February 16, 1910.

Respectfully returned to the

Commissioner of Pensions,
State of Texas,
Austin.

The records show that B. O. Ayres, private, corporal and sergeant, Company H, 34th Mississippi Infantry, Confederate States Army, enlisted March 18, 1862; that he was captured August 3, 1864, near Atlanta, Georgia; paroled March 18, 1865, at Camp Chase, Ohio, and was received March 27, 1865, at Boulware's Wharf and exchanged.

[Signature]

The Adjutant General.

[A. G. O. 72-1]

DEPOSITION IN PENSION CLAIMS, with Caption and Certificates.

694-609-5m

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act March 26, 1909, pending

B.O. Ayres

In Henderson

Applicant for Confederate Pension.

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

Answers and depositions of (1) Hon. Tom Spite, M.C. and J.M. Chism

to the accompanying interrogations (2) and cross interrogatories

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

in accordance with the accompanying (7) agreement

To the first interrogatory the said Tom Spite

Witness, answers Thomas Spight aged 67 yrs, Ripley, Miss.

To 2nd Int. he Ans:

Yes

To 3d Int. he Ans:

My acquaintance commenced with him in about 1862

To 4th Int. he Ans:

Yes

To 5th Int. he Ans:

He enlisted in Co. H 34 Miss Inf Regt I think about March, 1862 in Tappan Co. Miss for 3 yrs or during the war.

To 6th Int. he Ans:

No

To 7th Int he Ans:

No

To First cross Int said witness Ans:

I was captain of a company in the same regiment and introduced the soldier from the same county. I never knew of any other soldier of the same name.

To 2nd Cross Int. said witness Ans:

I know every person in the county. He is thought we have lived in different states and I have seen him for many years. He was regarded as a good soldier and I never heard any charge against him that I can remember.

To 4th Cross He Ans:

I have no recollection of anything of the kind. From my knowledge of him I don't think he did.

(over.)

Th. Spight
Late Capt. Co. B. 34 Miss

Answers and depositions of J.M.Chism, the witness named in the agreement hereto attached.

To the First Int. said J.M.Chism Answers:

*J.M. Chism, Co 7,
Stickney Flat, Miss.*

To 2nd Int. he Ans:

yes

To 3d Int. he Ans:

*At Bogalusa, Miss. in March
1862 to 1865*

To 4th Int. He Answers:

yes

To 5th Int. he Ans:

*I do, 1862 to 1865, Army of Term,
Co. H, 34th Miss.*

To 6th Int. said witness Ans:

*non-commissioned officer
(Sargent)*

To 7th Int. he Ans:

no, he volunteered.

To First cross Int. he Ans:

*I was Capt of his Comp-
any. There was no other in that
company*

To 2nd Cross he Ans.

*There was no other in that
~~company~~ yes*

To 3d cross Int He Ans:

yes yes

To 4th Int-He Ans:

never did

*J.M. Chism
Capt Co H 34 Miss*

Subscribed and sworn to before me, this 24 day of August, 1909

J. H. Street
clerk

THE STATE OF Mississippi

County of Lippah

clerk J. M. Chism hereby certify that

and J. M. Chism are personally known to me to be credible citizens of said

County and State, and that the foregoing answers of Thos Spight

and J. M. Chism the witness es before named, and

whose names appear signed to the foregoing deposition, were made before me

and were sworn to and subscribed before me, by said witness (4) Respectively

Given under my hand and official seal, this the 24 day of Aug, 1909

(L. S.)

J. H. Street
Chancery Clerk

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

B. O. Ayres
Applicant for Confederate Pension

DEPOSITION
OF

Thos Spight, M.C.

Capt. J. M. Chism
Witness for Applicant

Filed _____ day _____

of _____ 190 _____

Clerk.

By _____ Deputy.

Fee for Taking Deposition, \$ _____

VON MOECKMANN-JONES COMPANY, PRINTERS, AUSTIN, TEXAS



- (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.

EX PARTE

B.O. Ayres

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 Tom Spite M.C. Spight
M.C. and J.M. Chism who reside in the County
of Chipper in the State of Mississippi 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 her 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
and State of Texas, of which she is a bona fide resident.

13 O Ayres
(Applicant) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness.

Hon. Tom Spite, M.C. and J.M. Chism

- 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 B.O. Ayres who
~~widow~~ is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said B.O. Ayres
and when and where did you first know him?
- INT. 4. Do you personally know that the said B.O. Ayres
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 B.O. Ayres
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 B.O. Ayres
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 B.O. Ayres 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.

TX

To be Propounded to Hon. Tom Spite, M.C. and J.M. Chism

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

not you know any other soldier or sailor of the same name as said B.O. Ayres
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 B.O. Ayres
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 B.O. Ayres
is the identical person serving as testified by you?

Cross INT. 3. Do you know whether or not the said B.O. Ayres
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 B.O. Ayres
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, 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.

County Judge Henderson County, Texas.

B.O. Ayres
(Applicant) Attorney for Applicant.

In Re

Application for Confederate

Pension.

FOR USE OF WIDOWS.

James B. Ayres County, Texas.

Pending before the County Judge of said County.

EX PARTE

B.O. Ayres
Applicant.

INTERROGATORIES

propounded to

John S. Prince

John S. Prince
Witnesses.

APPLICATION FOR MORTUARY WARRANT

THE STATE OF TEXAS,

County of HendersonI, Fred F Ayresdo hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late B. O. Ayres, who was a pensioner of theState of Texas, and whose file number was 17804 and whose original county was HendersonThe said pensioner B O Ayres, died on the6th day of Feb, 1929, in the town of La RueCounty of Henderson, Texas.The pensioner died in the home of Fred F Ayreswho was related to the pensioner as SonThat the warrant, which application is hereby made for, shall be applied to paying all or part of the funeral expenses incurred by the said pensioner B O Ayres

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) Son

that my postoffice address is

La Rue

City

Street or R. F. D.

Texas

State

Signed Fred F AyresSworn to before me this 20 day of Feb, 1929W F LanghamNotary Public in and for Henderson Co State of Texas.

CERTIFICATE OF UNDERTAKER

I, W O Wood

do certify that I am undertaker in the

town of La Rue, County of Henderson, State of Texas.that I had charge of the body of Furnished Casket, who died in thetown of La Rue, County of Henderson, State of Texas.on the 6 day of Feb, 1929. That said body was prepared for burial by me

on the _____ day of _____, 192____, and that I am of the opinion that

warrant herein applied for should be issued to the said Fred F Ayres

who makes the foregoing application.

Signed W. O. Wood

Undertaker.

CERTIFICATE OF PHYSICIAN

I, Sterling O Hays

do certify that I am a practicing

physician, and that I attended B. O. Ayres in his last illness, andam of the opinion that his ailments were General Debility, Immiditya fine piece of Worn Out Machinery

I further certify that I am of the opinion that the Mortuary Warrant above requested should be issued in the name of the aforementioned applicant, in accordance with Act passed by the Thirty-eighth Legislature and approved March 2, 1923.

Signed Sterling O Hays M.D.Physician's Address La Rue - Texas -

TX

17804

2-15-29

