

12409

Endorsements Hereon for Comptroller's Use Exclusively

FORM No. 1—AMENDED

OCTOBER 1, 1902

# Confederate Pension Application

Name of Applicant

*M. N. Butler*

*Henderson* County,

Postoffice *Malakoff*

Comptroller's File No. **12409**

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

**March 25 1907**

this \_\_\_\_\_ day of \_\_\_\_\_

A. D. \_\_\_\_\_

*E. A. Palmer*

Chief Pension Clerk

I hereby \_\_\_\_\_ the within application for pension, this \_\_\_\_\_ day of \_\_\_\_\_

**March 25 1907**

*J. M. Stephens*  
Comptroller.

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

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

605-2m

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 blank but this.

THE STATE OF TEXAS,

COUNTY OF

To the Honorable County Judge of Henderson County, Texas.

Your petitioner, M. N. Butler 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 M. N. ButlerQ. What is your age? Answer 62 years oldQ. In what County do you reside? Answer HendersonQ. How long have you resided in said County and what is your postoffice address? Answer about 11 years

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 farmingQ. What is your physical condition? Answer Very poor

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 Infirmary of age & effects of exposure in war

Q. In what State was your command originally organized? Answer OKQ. How long did you serve? Give date of enlistment and discharge. Answer 2 years

Enlisted March 9th 1863 & served till close of war

Q. What was the name or letter of your company and name or number of your regiment? Answer Co. "H" 4th Va. CavalryQ. State whether you served in the infantry, artillery, cavalry, or the navy. Answer 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 passage of this act a bona fide resident citizen of the State of Texas? Answer —

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)

M. N. Butler

Sworn to and subscribed before me this

18

day of

Aug

A. D.

1906

(SEAL.)

J. R. Blades

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

J. R. Blades

County Judge of Henderson County, State of Texas, on this day personally appeared

C. L. Clark + J. D. Finley

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

(Signature of Witness)

C. L. Clark

(Signature of Witness)

J. D. Finley

Sworn to and subscribed before me this

18

day of

Aug

A. D.

1906

(SEAL.)

J. R. Blades

County Judge Henderson County, Texas.



- 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
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- 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 passage of this act a bona fide resident citizen of the State of Texas? Answer —

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)

M. N. Butler

Sworn to and subscribed before me this 18 day of Aug

A. D. 1906

(SEAL.)

J. R. Blades  
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 J. R. Blades

County Judge of Henderson County, State of Texas, on this day personally appeared

C. L. Clark + J. D. Finley

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

(Signature of Witness)

C. L. Clark

(Signature of Witness)

J. D. Finley

Sworn to and subscribed before me this 18 day of Aug

A. D. 1906

(SEAL.)

J. R. Blades  
County Judge Henderson County, Texas.



# AFFIDAVIT OF PHYSICIAN

THE STATE OF TEXAS,

COUNTY OF

Henderson

Before me

M. B. Bladdy

County Judge of

Henderson

County, State of Texas, on this day personally appeared

J. W. Evans

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

M. N. Butler

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, Rheumatism, Indigestion  
+ Nephritis + Chronic enlarged spleen & liver.

(Signature of Physician)

J. L. Evans M.D.

Sworn to and subscribed before me this

18

day of

A. D.

1907

(SEAL)

M. B. Bladdy

County Judge

Henderson

County, State of Texas.

## CERTIFICATE OF COUNTY JUDGE

THE STATE OF TEXAS,

COUNTY OF

Henderson

I,

M. B. Bladdy

County Judge of

Henderson

County, State of Texas, do hereby certify that on the

day of

February

A. D.

1907

before me came on to be heard the application

of

M. N. Butler

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

J. W. Evans

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

M. N. Butler

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

M. N. Butler

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

Johns

this

16

day of

February

A. D.

1907

(SEAL)

County Judge

M. B. Bladdy

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

M. N. Butler

for a pension, together with the proof in support thereof, was duly submitted

by Hon.

M. B. Bladdy

County Judge of this

Henderson

County, at a regular term thereof on the

day of

February

A. D.

1907

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

Johns

this

16

day of

February

A. D.

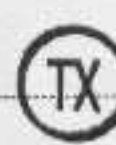
1907

(Signature of Commissioners)

M. J. Pace

W. A. M. Lead

S. G. Nettles



(SEAL)



## AFFIDAVIT OF PHYSICIAN

THE STATE OF TEXAS,

COUNTY OF

Henderson

Before me

M. B. Bladdy

County Judge of

Henderson

County, State of Texas, on this day personally appeared

J. V. Evans

, 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

M. N. Butler

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, Rheumatism, Indigestion  
+ Nephritis + Chronic enlarged Spleen + Liver.

(Signature of Physician)

J. L. Evans M.D.

Sworn to and subscribed before me this

18

day of

A. D.

1907

(SEAL)

County Judge

Henderson

County, State of Texas.

## CERTIFICATE OF COUNTY JUDGE

THE STATE OF TEXAS,

COUNTY OF

Henderson

I,

M. B. Bladdy

County Judge of

Henderson

County, State of Texas, do hereby certify that on the

day of

July

A. D.

1907

, before me came on to be heard the application

of

M. N. Butler

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

M. N. Butler, 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

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

Athens

this

16

day of

July

A. D.

1907

(SEAL)

County Judge

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

by Hon.

M. N. Butler

for a pension, together with the proof in support thereof, was duly submitted

to the Commissioners of this

Henderson

County, at a regular term thereof on the

day of

July

A. D.

1907

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

Athens

this

16

day of

July

A. D.

1907

(Signature of Commissioners)

M. J. PaceW. A. ConlidgeW. A. M. LeavelleS. G. Nettles

TX

(SEAL)



## EX PARTE

*M. N. Butler*

Applicant for Confederate Pension

## IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act May 12, 1899, pending in County Commission-

ers Court of *Henderson*

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

Answers and depositions of (1) *James W. Rector*to the accompanying interrogatories (2) *Cross Interrogatories*propounded to ~~them~~ in the above entitled cause taken before (3) *C. A. Secoraph**Notary Public, Caldwell Co, Texas.*in accordance with the accompanying (5) *agreement*

To the first interrogatory the said

Witness, answers:

- (1) *James W. Rector. age 66 yrs. Residence 6 miles from Lockhart, Texas. P.O. Lockhart Tx. RR #6.*
- (2) *Yes. I have known him for about forty four years. I first knew him in Fauquier Co, Va. during winter of 1861 and 1862.*
- (4) *Yes. as a soldier.*
- (5) *Yes. Company H (Black Horse), 4th Va Cavalry, In Fauquier Co, Va., during the winter of 1861 and 1862. He served during the rest of the Civil War.*
- (6) *No.*

*Cross Interrogatories*

- (1) *I was present, I belonged to the same Company - I did not or do not know of any other M. N. Butler.*
- (2) *Yes.*
- (3) *- - -*
- 4 *He did not.* *James W. Rector*



# Direct Interrogatories propounded to John N. Rector.

- (1) John N. Rector, age 70 years  
Residence, Dale Caldwell Co, Texas -  
P.O. - Dale, Texas.
- (2) Yes.
- (3) About 60 years, when he was a baby in  
his mothers arms,  
In Fauquier Co, Texas.
- (4) Yes (TX)
- (5) Yes - Black Horse Company 4th Va.  
Cavalry - Fauquier Co, Va. during  
the winter of 1861 & 1862. He served  
to the surrender at Appomattox C.H.

(6) Yes - Cross Interrogatories

(1) I was there in his neighborhood  
when he enlisted

Knew no other M.N. Butler

(2) Yes

(3) I have been at his home and  
know his circumstances.

(4) He did not desert.

John N Rector



Subscribed and sworn to before me, this 23<sup>rd</sup> day of August 1906



C. A. Leecraft,  
Notary Public,  
Caldwell Co., Tex.

THE STATE OF TEXAS,

County of Caldwell

I, C. A. Leecraft, Notary Public  
(Here give name and official character of officer before whom taken.)

Caldwell Co., Texas do hereby certify that James W. Rector  
and John H. Rector are personally known to me to be credible citizens of said  
County and State, and that the foregoing answers of James W. Rector  
and John H. Rector

the witnesses 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 witnesses respectively

Given under my hand and official seal, this the 23<sup>rd</sup> day of August 1906

(L. S.)

C. A. Leecraft  
Notary Public, Caldwell Co., Texas.

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

M. W. Butler  
Applicant for Confederate Pension.

DEPOSITIONS

OF

James W. Rector

Witness for Applicant.

Filed the \_\_\_\_\_ day

of \_\_\_\_\_ 1 \_\_\_\_\_

Clerk.

By \_\_\_\_\_ Deputy.

Fee for Taking Deposition, \$ 1.00



## EX PARTE

*M. N. Butler*  
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 *James Pector*  
and *John Pector* who reside in the County of *Caldwell* in  
the State of *Texas* 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.

*M. N. Butler*

(Applicant) Attorney for Applicant.

## Direct Interrogatories to be Propounded to the Witness.

*James and John Pector*

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

## CROSS INTERROGATORIES.

To be Propounded to

*James and John Pector*

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 *M. N. Butler* serving in the same company  
or regiment in which you say the said applicant *M. N. Butler* 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 M. N. Butler 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 M. N. Butler 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 M. N. Butler applicant  
for pension, ever deserted the service in the Confederate army or navy?

7

THE STATE OF TEXAS.

County of Henderson

I, J. R. Blades 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 es may be attached hereto.

J. R. Blades  
County Judge Henderson County, Texas.

M. N. Butler  
(Applicant) Attorney for Applicant.

TX

In Re  
Application for Confederate  
Pension.

IN COMMISSIONERS COURT,

Henderson County, Texas,

Pending before County Judge of said County.

Ex Parte  
M. N. Butler  
Applicant.

INTERROGATORIES

PROFOUNDED TO

J. M. P. Victor

Witnesses.





## Comptroller's Department

State of Texas

Austin

MAR 14 1907

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

*M. N. Butler* who is reported to have enlisted in  
Company *H*, *4<sup>th</sup>* Regiment *Virginia 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

MAR 19 1224070 1907

WAR DEPARTMENT

Austin, Texas.  
Mar. 14, 1907.

J. W. Stephens,  
Comptroller.

For mfly. record of M. N. Butler,  
H, 4th Va. Cav., C. S. A. applicant  
for Confederate Pension.

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

1224070  
WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON. March 20, 1907.

*Respectfully returned to the*

Comptroller,  
State of Texas,  
Austin.

The records of this office show that Marshall Butler (name also borne as M. N. Butler), private, Company H, 4th Virginia Cavalry, C. S. A., enlisted March 1, 1863, and that he was captured May 9, 1865, at Fairfax Court House, Virginia. His name appears on a roll of prisoners of war paroled at Fairfax Court House, Virginia, date of parole is not stated. No later record.

*H. H. Quinn*

P. H.

The Adjutant General.