

12408  
Endorsements Hereon for Comptroller's Use Exclusively

FORM No. 1—AMENDED

OCTOBER 1, 1902

## Confederate Pension Application

Name of Applicant

*J. H. Kest*  
*Henderson* County,

Postoffice *Murdison* Route *2*.

Comptroller's File No. **12408**

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. Dolmes*  
Chief Pension Clerk.

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

**March 25 1907**  
A. D.

*J. M. [Signature]*  
Comptroller.

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

THE STATE PRINTING CO., AUSTIN, TEXAS.

COMPTROLLER'S OFFICE,  
RECEIVED  
MAR 28 1907

Referred to \_\_\_\_\_  
No. \_\_\_\_\_

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

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 Henderson }

To the Honorable County Judge of Henderson County, Texas.

Your petitioner, Joseph Jordan Hyatt 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 Joseph Jordan Hyatt

Q. What is your age? Answer 79 years old

Q. In what County do you reside? Answer Henderson

Q. How long have you resided in said County and what is your postoffice address? Answer 6 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 Not able to work

Q. 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 Infirmity of age

Q. In what State was your command originally organized? Answer Georgia

Q. How long did you serve? Give date of enlistment and discharge. Answer about 4 years

Q. What was the name or letter of your company and name or number of your regiment? Answer Served 6 mos

Q. State whether you served in the infantry, artillery, cavalry, or the navy. Answer Infantry

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

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- 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 Wife dead, left no estate
- 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) J. J. Hyatt

Sworn to and subscribed before me this 16th day of January

A. D. 1907

(SEAL.)

M. B. 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 M. B. Blades

County Judge of Henderson County, State of Texas, on this day personally appeared John Reid & John DeHay

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

(Signature of Witness) John W. Reid

(Signature of Witness) John DeHay

Sworn to and subscribed before me this 9 day of January

A. D. 1907

(SEAL.)

M. B. Blades  
County Judge Henderson 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 J. B. Blades  
County Judge of Henderson County, State of Texas, on this day personally appeared W. S. Ashtetter, 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 J. H. Kyatt 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: partial deafness and old age

(Signature of Physician) W. S. Ashtetter  
Sworn to and subscribed before me this 16 day of July A. D. 1907  
(SEAL) J. B. Blades  
County Judge Henderson County, State of Texas.

# CERTIFICATE OF COUNTY JUDGE

THE STATE OF TEXAS,  
COUNTY OF Henderson } I, J. B. Blades  
County Judge of Henderson County, State of Texas, do hereby certify that on the 16 day of July A. D. 1907, before me came on to be heard the application of J. H. Kyatt 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 A. S. Miller who is a reputable practicing physician of this county, was made before me. I also certify that the said applicant J. H. Kyatt, 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 J. H. Kyatt 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) J. B. Blades  
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 J. H. Kyatt for a pension, together with the proof in support thereof, was duly submitted by Hon. J. B. Blades County Judge of this Henderson County, to the Commissioners of this Henderson County, at a regular term thereof on the 16 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  
(SEAL) M. J. Baggett (TX)  
W. K. Clark  
(Signature of Commissioners) W. A. McLeod  
S. G. Nettles



## 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  
*J. J. Hyatt* who is reported to have enlisted in  
Company *K*, *34<sup>th</sup>* Regiment *Georgia Infantry*  
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



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

1224067

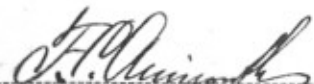
**WAR DEPARTMENT,**

**THE ADJUTANT GENERAL'S OFFICE,**

WASHINGTON. March 20, 1907.

*Respectfully returned to the*  
Comptroller,  
State of Texas,  
Austin.

It is shown by the records of  
this office that Joseph J. Hyatt,  
private, Captain Walker's Company  
(subsequently Company F), 34th  
Georgia Infantry, C.S.A., enlisted  
May 13, 1862, and that he was  
captured July 4, 1863, and paroled  
July 8, 1863, at Vicksburg, Missis-  
sippi. No later record of him  
has been found.



The Adjutant General.

(A. G. O. 72-1)

Austin, Tex.  
Mar. 14, 1907.

J. W. Stephens,  
Comptroller.

For mily. record of J. J. Hyatt,  
K, 34th Ga. Inf., C.S.A., appli-  
cant for Confederate Pension.



DEPOSITION IN PENSION CLAIMS, WITH CAPTION AND CERTIFICATES.

005-13m

## EX PARTE

*J. J. Hyatt*

Applicant for Confederate Pension

## IN RE APPLICANT FOR CONFEDERATE PENSION

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

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

Answers and depositions of (1)

*W. A. Hyatt and W. B. Stevens of Heard County Ga,*to the accompanying interrogatories (2) *and Cross Interrogatories* propounded to *them* in the above entitled cause taken before (3)in accordance with the accompanying (5) *agreement*

To the first interrogatory the said

Witness, answers: *W. A. Hyatt 69 years old, Central Hatchee P.O., Heard County Ga*Sub 2 - *yes*Sub 3 - *About 60 years in Heard County in 1847*Sub 4 - *yes.*Sub 5 *yes 1862 - Heard Co Ga May 1862 - 1862 - Georgia Tennessee Kentucky Alabama Mississippi South Carolina North Carolina up to May 1865, in Company K 34<sup>th</sup> Georgia Regiment*Sub 6 *by service done in war & age I think he is unable**W. B. Stevens answers that he served with J. J. Hyatt in the war from December 1863 up to May 1865 in Company K 34<sup>th</sup> Georgia Regiment. W. B. Stevens age 61. P.O. Franklin Ga R.F.D #2**Answer to Cross Interrogatories**Neither of us knew any other Soldier or Sailor by the name of J. J. Hyatt at any time during the Confederacy*Cross 2 *yes*

(TX)

Cross 3. *By General Correspondence with him*Cross 4 - *He did not*

Witness signature W. A. Hyatt  
 " " " " W. B. Stevens  
 " " " " more

Subscribed and sworn to before me, this 22 day of Feb 1907

J. M. Ray  
 Clerk Superior Court  
 Heard County, Ga.

THE STATE OF Georgia  
 County of Heard I, J. M. Ray Clerk Superior Court  
 (Here give name and official character of officer before whom taken.)

do hereby certify that W. A. Hyatt  
 and W. B. Stevens are personally known to me to be credible citizens of said  
 County and State, and that the foregoing answers of W. A. Hyatt + W. B. Stevens

the witness before named, and W. B. Stevens  
 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 22 day of February 1907

(L. S.) J. M. Ray  
 Clerk Superior Court Heard Co Ga.

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  
W. A. Hyatt  
 Applicant for Confederate Pension.

DEPOSITION  
 OF  
W. A. Hyatt +  
W. B. Stevens  
 Witness for Applicant.

Filed the \_\_\_\_\_ day  
 of \_\_\_\_\_ 1  
 Clerk.  
 By \_\_\_\_\_ Deputy.  
 Fee for Taking Deposition, \$ \_\_\_\_\_



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- (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

*J. J. Hyatt*  
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 *W. A. Hyatt*  
and *W. B. Stevens* who reside in the County of *Heard* in  
the State of *Ga* 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.

*J. J. Hyatt*  
(Applicant) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness

*W. A. Hyatt + W. B. Stevens*

- INT. 1. What is your name? Age? Present place of residence and postoffice address? *J. J. Hyatt*
- INT. 2. Do you personally know, or did you at any time know *J. J. Hyatt* who  
is an applicant for pension under Act of May 12, 1899?
- INT. 3. How long have you known the said *J. J. Hyatt* applicant for pension,  
and when and where did you first know him?
- INT. 4. Do you personally know that the said *J. J. Hyatt* 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 *J. J. Hyatt*  
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 *J. J. Hyatt* the said  
applicant for pension, is unable to support himself by labor of any sort?

CROSS INTERROGATORIES.



To be Propounded to *W. A. Hyatt + W. B. Stevens*

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THE STATE OF TEXAS, }

County of Henderson

I, M. 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 J. J. Hyatt may be attached hereto.

M. Blades  
County Judge Henderson County, Texas.

J. J. Hyatt  
(Applicant) Attorney for Applicant.

In Re  
Application for Confederate  
Pension.

IN COMMISSIONERS COURT,

Henderson County, Texas,

Pending before County Judge of said County.

Ex Parte

Applicant.

INTERROGATORIES

PROPOUNDED TO

J. J. Hyatt  
M. B. Steiner  
Witnesses.