

32523

FORM A.

**Soldier's Application
for a Pension**

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

Name of Applicant.

*M. D. Lammous**Henderson* County.

Postoffice

Athens, Tx

Filed

FEB 14 1916

Approved

Feb. 28-1916

Pension allowed from

Mar 1-1916

Rejected

J. C. Jones
Commissioner of Pensions.

FORM A

694-315-2M

For Use of Soldiers Who are in Indigent Circumstances

THE STATE OF TEXAS }

County of

Henderson

I,

M. D. Lammons

do hereby make application to the Commissioner of Pensions for a pension to be granted me under the Act passed by the 33rd Legislature of the State of Texas, and approved April 7, 1913, 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; or (that I was in the service of the State of Texas during the war, to protect said State against the Indians and Mexicans for more than 6 months.) That I was honorably discharged or surrendered

*Surrendered at
Greensboro, N. C. April 26, 1865 at
the close of the war*

(Give date and cause.)

that I have been a bona fide citizen of this State since prior to January 1, A. D. 1900, 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 a salary or fees of \$300.00 per annum, nor have I an income from any other employment or other source whatever which amounts to \$300.00 per annum, nor do I receive from any source whatever money or other means of support amounting in value to the sum of \$300.00 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, exclusive of a home of the value of not more than \$1000.00; 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? *70 years*
2. Where were you born? *In Dale Co Alabama*
3. How long have you resided in Texas? *43 years*
4. In what county do you reside? *Henderson*
5. How long have you resided in said county, and what is your postoffice address?

*I have resided in Henderson County 43 years
My Post^{office} is Athens, Tex.*

6. Have you applied for a pension under the Confederate pension law and been rejected? If rejected, state when and where *Have never applied*

7. What is your occupation, if able to engage in one? *none* What is your physical condition? *Fair*

8. In what State was the command in which you served organized? *In Alabama*

9. How long did you serve? Give, if possible, the date of enlistment and discharge *Enlisted in Jan. 1864
discharged Apr 26 - 1865.*

10. What was the letter of your company, number of battalion, regiment or battery?

Co. D, 57 Alabama Regiment

TX

11. If transferred from one command to another, give time of transfer, name of command and time of service.

Was not transferred

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?

was a private soldier

14. If detailed for special service, under the law of conscription, what was the nature of your service and how long did you serve?

was not detailed for any special service

15. What is the assessed value of your home, if you own a home?

\$1000

16. What is the assessed value of your other property?

\$50

17. 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 a pension be approved and such other proceedings be had in the premises as are required by law.

(Signature of Applicant.)

M. D. Lammens

Sworn to and subscribed before me, this

31

day of

Jan

A. D. 191*6*

C. O. Owen

[Seal.]

County Judge *Henderson* County, Texas.

AFFIDAVIT OF WITNESSES

[Note.]—There must be at least two creditable witnesses.

THE STATE OF TEXAS }

County of

Henderson

Before me

C. O. Owen

County Judge of

Henderson

County,

State of Texas, on this day personally appeared

D. F. Henry

R. C. Jones

known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know

M. D. Lammens

, the above named applicant for a pension, and that they personally know that the

said *M. D. Lammens* has been a bona fide resident citizen of the State of Texas since prior to

January 1, A. D. 1900, and that they have no interest in his claim.

(Signature of Witness)

D. F. Henry

(Signature of Witness)

R. C. Jones

Sworn to and subscribed before me, this

17

day of

Feb

A. D. 191*6*

C. O. Owen

[Seal.]

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

C. O. Owen

County Judge of

Henderson

County,

State of Texas, on this day personally appeared

J. H. Patterson

who ~~are~~ personally known to me to be ^a credible citizen, who, being by me sworn, on oath state that ~~they are~~ ^{he is} per-

sonally 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 ^{his} knowledge and belief, and that ^{he has} ~~they have~~ no interest in his claim, and said applicant's habits are good and free from dishonor. And ^{he} further make oath to the following facts touching the applicant's service in the Confederate Army: (State fully your source of knowledge.)

I was personally acquainted with M. D. Lammerson applicant herein before the war; we were raised in the same neighborhood in Alabama. Applicant was a member of my company, D. 57th Alabama Infantry. and I have known applicant since the war, he belonged to my company about 18 months from early in 1864 to the surrender in 1865

(Signature of Witness)

^{his}
J. G. Patterson
mark

(Signature of Witness)

Sworn to and subscribed before me, this 10 day of July, A. D. 1916

C. S. Owen

[Seal.]

County Judge Henderson County, Texas.



CERTIFICATE OF STATE AND COUNTY ASSESSOR

I, A. F. Henry, State and County Assessor in the County of Henderson State of Texas, do certify that M. D. Lammerson, 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-third Legislature, approved April 7, 1913, is charged on the tax rolls of said county with a homestead of the value of One Thousand Dollars, and of other property, real or personal, or both, of the value of Fifty Dollars.

Given under my hand, this 12 day of July, A. D. 1916

A. F. Henry

State and County Assessor.

EX-PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act March 26, 1909, pending in

M. D. Lammours
Applicant for Confederate Pension.

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

Answers and depositions of (1)

Citizen of J. U. Tomlin - a resident
Vauxaudt County Texas

to the accompanying interrogatories (2)

propounded to him in the above entitled cause taken before (3) P. M. Lively County Judge.in accordance with the accompanying (7) Direct & Cross Interrogatories and CommissionTo the first interrogatory the said J. U. Tomlin

Witness, answers My name is Jesse U. Tomlin. I reside in
Vauxaudt County Texas - and have continuously
resided in this County about 40 years - and
my Post office is Canton Texas. R. R. No 4.
and I am 74 years of age.

To 2nd Inter. he answers -

yes. I am personally acquainted with M.
D. Lammours - the applicant for Pension in
this case.

To 3rd Inter. he answers

I have known this applicant. - M. D.
Lammours - practically all his life. We
were raised together in Dale County Alabama
- that is our fathers were near neighbors and
M. D. Lammours and I were school mates and
boy friends.

To 4th Inter. he answers -

yes. I do personally know that this same
M. D. Lammours enlisted as a soldier in the
Confederate Army. He enlisted at Pollard
Alabama in January 1864 and remained
with the Confederate Army until the close of the war
in 1865. He surrendered in North Carolina in
1865.

To 5th Inter. he answers.

yes. This M. D. Lammours enlisted in Company
"D" 57th Alabama Infantry under W. C. Borthwell
Captain. and his Capt. was afterwards promoted to Col.
and W. H. Brewer became his Captain. I belonged
to Company "E" the same Regiment. and was
in the service when M. D. Lammours enlisted and

over

M. D. Sammons served continuously as a private in the ranks.

To 7th Inter. he answers

No - M. D. Sammons was not detailed to any kind of special service - but rendered continuous service as a private soldier in the ranks. and he served from 15 to 18 months as such soldier.

— Answers to Cross Interrogatories —

To 1st Cross Inter. he answers -

I enlisted in Company "E" 57th Alabama Infantry in 1863. and was with this Regiment when M. D. Sammons enlisted in January 1864. I had known M. D. Sammons from early boyhood - and know the facts stated from my own personal knowledge.

I never knew any other soldier or sailor or any other individual by the name of M. D. Sammons

To 2nd Cross Inter. he answers -

Yes - I am positively certain that this applicant M. D. Sammons is the identical person serving as testified by me.

To 3rd Cross Inter. he answers -

Yes. M. D. Sammons served honorably and faithfully as a soldier while in the service

To 4th Cross Inter. he answers -

No - M. D. Sammons never deserted his command nor did he abandon his part of duty. but made a good true faithful soldier.

J. W. Gamlin

Subscribed and sworn to before me, this 8th day of February, 1916.
R. M. Lively, County Judge
Vanzandt County Texas.

THE STATE OF Texas }
COUNTY OF Vanzandt }
Vanzandt County Texas do hereby certify that Jesse U. Tomlin is
and one personally known to me to be creditable citizens of said
County and State, and that the foregoing answers of said Jesse U. Tomlin
the witness before named, and

whose name appears signed to the foregoing deposition, were made before
me and were sworn to and subscribed before me, by said witness (4) Jesse U. Tomlin

Given under my hand and official seal, this the 8th day of February, 1916.
(L. S.) R. M. Lively - County Judge
Vanzandt County 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 _____ County, Texas.

Before the Honorable County Judge of
said County.

EX-PARTE

Applicant for Confederate Pension

DEPOSITION
of _____

Witness _____ for Applicant.

Filed _____ day
of _____, 1916.

By _____, Clerk.
_____, Deputy.

Fee for Taking Deposition, \$ _____

E. L. STECK, PRINTING, BOOKBINDING, AUSTIN



- (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

M. D. Lammans

Applicant for Confederate Pension.

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

The Honorable County Judge of _____ County, Texas,
will please take notice that, five days after 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 _____
and _____ who reside _____ in the County
of _____ in the State of _____ 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 April 7, 1913, 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 cannot be proven by any witness _____ residing in the County
of _____ and State of Texas, which _____ is a bona fide resident.

(Applicant) Attorney _____ for Applicant.

Direct Interrogatories to be Propounded to Witness _____.

INT. 1. What is your name? Age? Place of residence and postoffice address?

INT. 2. Do you personally know, or did you at any time know M. D. Lammans who
is an applicant for pension under Act of April 7, 1913?

INT. 3. How long had you known the said M. D. Lammans
and when and where did you first know him?

INT. 4. Do you personally know that the said M. D. Lammans
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. D. Lammans
enlisted and served in the Confederate Army? When? Where? And the time of service? If you per-
sonally 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 M. D. Lammans
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 know further if M. D. Lammans 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 J. A. Lammans

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you person-
ally know or did know said M. D. Lammans 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 M. D. Lammans 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 knew of any other soldier or
sailor by the name of M. D. Lammans serving in the same company or regiment, or special
service in which you say the said M. D. Lammans enlisted, if you have stated that said
M. D. Lammans 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 M. D. Lammans
applicant serving in the same command, or the special service to which he was assigned?

If you say that you know other soldiers or sailors of the same name of M. D. Lammans
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. D. Lammans
is the identical person serving as testified by you?

CROSS INT. 3. Do you know whether or not the said M. D. Lammans
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 M. D. Lammans
deserted his command, or voluntarily abandoned his post of duty or the service during said war?

THE STATE OF TEXAS

COUNTY OF Hudson

I, C. D. Owen, 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 an-
swers to the hereinabove direct and cross interrogatories of the said herein named witness may be attached hereto.

C. D. Owen
County Judge Hudson County, Texas.
M. D. Lammans

(Applicant) ~~Attorney for Applicant~~

In Re

Application for Confederate Pension

FOR USE OF SOLDIERS OR WIDOWS

County, Texas.

Pending before the County Judge of said County.

EX-PARTE

Applicant.

INTERROGATORIES

propounded to

Witnesses.



J. C. JONES, 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 M. D. Lammons who is
reported to have enlisted in Company D, Regiment 5-7 Alabama Infantry

in service in the Confederate States Army.

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

Very respectfully,



Commissioner of Pensions.



32523

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON. Feb. 23, 1916.

Respectfully returned to the

Commissioner of Pensions,
State of Texas, Austin.

The name M. D. Lammons has not been found on the rolls, on file in this office, which partially cover period from July to October, 1863, of Company D, 57th Alabama Infantry, C. S. A., and no record has been found of the service, capture or parole of a man of this name and organization.

The Union records of prisoners of war show that one Murdock Lammons, private, Company F, 27th Alabama Infantry (of which the 57th Alabama Infantry formed a part after April 9, 1865), C. S. A., was paroled at Greensboro, N. C., May 1, 1865. No further record found.

H. J. Mearns
The Adjutant General.