

28179

FORM A

## Soldier's Application for a Pension

*OK*

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

Name of Applicant.

*J. B. Miller**Henderson* County.

Postoffice

*Atkins, Texas*

Filed

*June 1st 1914*

Approved

*June 1st 1914*

Pension allowed from

*Sept. 1st 1914*

Rejected

*James Kysed*

Commissioner of Pensions.

E. L. Steck, Printing, Bookbinding, Austin

*EW*

## FORM A

## For Use of Soldiers Who Are In Indigent Circumstances

## THE STATE OF TEXAS

County of

*Henderson*

I,

*J. B. Miller*

do hereby make application to the Commissioner of Pensions for a pension to be granted me under the Act passed by the 53rd 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~~ *at Athens, Ga.*  
*in the August or September 1865*

(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 Miss New Meridian*
3. How long have you resided in Texas? *65 years*
4. In what county do you reside? *Calhoun*
5. How long have you resided in said county, and what is your postoffice address? *I have resided in Henderson Co. 61 years - Post-office: Athens, Ga.*
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? *Farming* What is your physical condition? *Fair*
8. In what State was the command in which you served organized? *In Texas*
9. How long did you serve? Give, if possible, the date of enlistment and discharge. *Enlisted in June or July 1861  
discharged in Aug or Sept 1865*
10. What was the letter of your company, number of battalion, regiment or battery? *Co. F. 15th Texas Regiment - Infantry*
11. If transferred from one command to another, give time of transfer, name of command and time of service *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?

*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?

*Not detailed for any special service*

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

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

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)

*J. B. Miller*

Sworn to and subscribed before me, this *6* day of *June*, A. D. 19*14*

*C. D. Owen*

[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 *C. D. Owen*, County Judge of *Hudson* County,

State of Texas, on this day personally appeared *J. B. Miller*, who are personally

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

*J. B. Miller*, the above named applicant for a pension, and that they personally know that the

said *J. B. Miller* 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)

*J. B. Brackshaw*

(Signature of Witness)

*Base Jones*

Sworn to and subscribed before me, this *24* day of *June*, A. D. 19*14*

*C. D. Owen*

[Seal.]

County Judge *Hudson* 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 \_\_\_\_\_ }

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 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 their knowledge and belief, and that they have no interest in his 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: (State fully your source of knowledge.)

(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 STATE AND COUNTY ASSESSOR

I, D. F. Henry, State and County Assessor in the County of Hudson State of Texas, do certify that J. B. Miller, 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 Seven Hundred Dollars, and of other property, real or personal, or both of the value of Two Hundred Five (205.00) Dollars.

Given under my hand, this 24 day of June A. D. 1914  D. F. Henry State and County Assessor.



## EX-PARTE

*J. B. Miller*

Applicant for Confederate Pension.

Pending in *Kendall* 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 March 26, 1909, 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 the Witness \_\_\_\_\_.

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 *J. B. Miller* who  
\_\_\_\_\_ is an applicant for pension under Act of *March 26, 1909*?

INT. 3. How long had you known the said *J. B. Miller*  
and when and where did you first know him?

INT. 4. Do you personally know that the said *J. B. Miller*  
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. B. Miller*  
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 personally know that *J. B. Miller*  
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 *J. B. Miller* 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 *E. M. Diers*

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you person-  
ally know or did know said *J. B. Miller* 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 *J. B. Miller* 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 *J. B. Miller* serving in the same company or regiment, or special  
service in which you say the said *J. B. Miller* enlisted, if you have stated that said  
*J. B. Miller* 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 J. B. Miller  
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 J. B. Miller  
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. B. Miller  
is the identical person serving as testified by you?

Cross INT. 3. Do you know whether or not the said J. B. Miller  
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 J. B. Miller  
deserted his command, or voluntarily abandoned his post of duty or the service during said war?

THE STATE OF TEXAS }

County of Henderson }

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  
answers to the hereinabove direct and cross interrogatories of the said herein named witness may be attached hereto.

C. D. Owen  
County Judge Henderson County, Texas.  
J. B. Miller  
(Applicant) Attorney for Appellant.

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.

Subscribed and sworn to before me, this 13th. day of June, 1914

*E.B. Sides*

THE STATE OF Texas  
County of Van Zandt

I, A.J. Brooks, a Notary Public  
(Here give name and official character of officer before whom taken)

in and for Van Zandt County, Texas do hereby certify that E.B. Sides is

~~not~~ personally known to me to be credible citizens of said County and State, and that the foregoing answers of the said E.B. Sides

the witness before named, ~~and~~  
whose name appear S 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 13th. day of June, 1914

(L. S.)

*A.J. Brooks*  
Notary Public Van Zandt 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, and Notary Public, or any Commissioner of Deeds of Texas.

File No. ....

In Wardlaw County, Texas,  
Before the Honorable Judge of Said County.

EX PARTE

*J. D. Miller*

Applicant for Pension

DEPOSITION OF

*E. B. Sides*

*Centon, Texas*

Witness for Applicant.

Filed ..... day

of ..... 191

..... Clerk.

By ..... Deputy.

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.



## EX-PARTE

*J. B. Miller*

Applicant for Confederate Pension.

Pending in *Henderson* 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 March 26, 1909, 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 the Witness \_\_\_\_\_.

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 *J. B. Miller* who  
\_\_\_\_\_ is an applicant for pension under Act of *March 26, 1909*?INT. 3. How long had you known the said *J. B. Miller*  
and when and where did you first know him?INT. 4. Do you personally know that the said *J. B. Miller*  
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. B. Miller*  
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 personally know that *J. B. Miller*  
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 *J. B. Miller* 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 \_\_\_\_\_

*E. B. Miller*

TX

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you person-  
ally know or did know said *J. B. Miller* 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 *J. B. Miller* 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 *J. B. Miller* serving in the same company or regiment, or special  
service in which you say the said *J. B. Miller* enlisted, if you have stated that said  
*J. B. Miller* 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 J. B. Miller  
 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 J. B. Miller  
 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. B. Miller  
 is the identical person serving as testified by you?  
 CROSS INT. 3. Do you know whether or not the said J. B. Miller  
 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 J. B. Miller  
 deserted his command, or voluntarily abandoned his post of duty or the service during said war?

THE STATE OF TEXAS }

County of Henderson }

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  
 answers to the hereinabove direct and cross interrogatories of the said herein named witness may be attached hereto.

C. D. Owen  
 County Judge Henderson County, Texas.  
J. B. Miller  
 (Applicant) Attorney ~~for~~ Appellant.

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.

## EX PARTE

*J. B. Miller*

## IN RE APPLICANT for CONFEDERATE PENSION

*Apr 7 - 1913*  
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)

*E. C. M. Sides age 72.*  
*E. Sides, Texas*to the accompanying interrogations (2) *yes x Cross Interrogations*propounded to *him* in the above entitled cause taken before (3) *me*in accordance with the accompanying (7) *agreement*To the first interrogatory the said *E. C. M. Sides*

Witness, answers

- (1) *E. C. M. Sides. age 72. E. Sides, Tex.*
- (2) *yes.*
- (3) *When he enter the army. In the army*
- (4) *yes.*
- (5) *15 Texas Company Co. 1861 to 1864. West of Mississippi River*
- (6) *Private Soldier*
- (7) *He was not.*

*Cross Interrogatories*

- (1) *He was the only T. B. Miller in the company I knew*
- (2) *yes.*
- (3) *yes.*
- (4) *He did not.*

Signed *C. M. Sides*

TX

Subscribed and sworn to before me, this 9 day of June, 1914  
C. W. Morris

THE STATE OF Texas }  
 County of Van Zandt }  
Notary Public I, C. W. Morris  
 (Here give name and official character of officer before whom taken)  
 do hereby certify that C. M. Sides  
 and \_\_\_\_\_ are personally known to me to be credible citizens of said  
 County and State, and that the foregoing answers of C. M. Sides  
 \_\_\_\_\_, the witness before named, and he  
 \_\_\_\_\_, whose name appear signed to the foregoing deposition, were made before  
 me and were sworn to and subscribed before me, by said witness (4) C. M. Sides

Given under my hand and official seal, this the 9 day of June, 1914  
 (L. S.) C. W. Morris, Notary Public  
for Van Zandt 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, and Notary Public, or any Commissioner of Deeds of Texas.

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

In Healdston County, Texas,  
 Before the Honorable Judge of Said County.

EX PARTE

J. H. Miller

Applicant for Pension

DEPOSITION OF

C. M. Sides

Edson, Texas

Witness for Applicant.

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

of \_\_\_\_\_, 1914

\_\_\_\_\_, Clerk.

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

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





- (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.B. Miller*  
*Athens, Texas*

Applicant for Confederate Pension.

Answers and depositions of (1)

*E.B. Sides*  
*Canton, Texas*

IN RE APPLICANT for CONFEDERATE PENSION

*Apr 7-1915*  
Under Act March 26, 1909, pending *Henderson*

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

to the accompanying interrogations (2) *x Cross Interrogatory*  
propounded to *him* in the above entitled cause taken before (3) *A.J. Brooks, Notary Public*  
in accordance with the accompanying (7) *agreement*

To the first interrogatory the said *E.B. Sides*

Witness, answers *My name is E.B. Sides. I reside about 6 miles South from the town of Canton, Van Zandt County, Texas; on Rural Route No. 7 out of Canton. I am 69 years of age.*

To the 2nd. interrogatory the said *E.B. Sides* answers: *I am personally acquainted with T.B. Miller; have known him since about the year 1862.*

To the 3rd. Interrogatory the witness answers: *I have known the said T.B. Miller since about 1862. I met him while in service of the Confederacy at Alexander, La. We were both serving in Company F. 15th. Texas Infantry.*

To Interrogatory No. 4 the witness answers: *I do not know when T.B. Miller enlisted, but I do know that he served with me in the capacity named in answer to Int. No. 3. I know that he performed the services as a soldier.*

To Int. No. 5, the witness answers: *Yes. Company F, 15th. Texas Infantry. I do not know what time he enlisted, but I do know that he enlisted prior to the time I met him in 1862. I think that he enlisted at Athens, Henderson County, Texas. I think that he served until the close of the war. He served in the Infantry.*

To Interrogatory No. 6, the witness answers: *He was a private.*

To Int. No. 7, the witness answers: *I am sure that he volunteered and served as a private.*

To Cross Interrogatory No. 1, the witness answers: *I served in the same Company with the said T.B. Miller, as above stated, in answer to the direct interrogatory. I never knew any other T.B. Miller in the service.*

To Cross Interrogatory No. 2, the witness answers: *Yes.*

To Cross Interrogatory No. 3, the witness answers: *Yes.*

To Cross Interrogatory No. 4, the witness answers: *He did not to my knowledge and I believe that I would have known it, if he had.*

TX

## APPLICATION FOR MORTUARY WARRANT

THE STATE OF TEXAS,

County of Henderson I, W E Miller  
do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of  
the late J. B. Miller, who was a pensioner of the State of  
Texas, and whose file number was 28179 and whose original county was Henderson

The said pensioner J. B. Miller, died on the  
17 day of December, 1936, in the town of Athens RFD # 2  
County of Henderson, Texas.

The pensioner died in the home of W E Miller  
who was related to the pensioner as Son

That 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 J B Miller

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

I am related to the pensioner as Son  
that my postoffice address is Athens Texas RFD # 2  
Athens - RFD # 2 Street or R. F. D. Texas  
City State

Sworn to before me this 1st day of Jan, 1937

Signed

W. E. Miller

**Must return before  
40 days expires from  
date of Pensioners' death**

Notary Public in and for Henderson State of Texas.

## CERTIFICATE OF UNDERTAKER

I, John Lebo, do certify that I am undertaker in the  
town of Athens County of Henderson, State of Texas  
that I had charge of the body of J B Miller, who died in the  
town of Athens RFD # 2, County of Henderson, State of Texas  
on the 17 day of December 1936 That said body was prepared for burial by me  
on the 17 day of December 1936 and that I am of the opinion that  
warrant herein applied for should be issued to the said W E Miller  
who makes the foregoing application.

Signed

John Lebo

Undertaker.

(TX)

## CERTIFICATE OF PHYSICIAN

I, J K Webster, do certify that I am a practicing  
physician, and that I attended J. B. Miller in his last illness, and  
am of the opinion that his ailments were Senility Infirmary  
incident to advanced years

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

J K Webster MD

Physician's Address

Athens Texas

23059

Cancelled

28179