

Appearance of  
evidence  
taken outside  
of County —  
Should be by  
deposition

COMPTROLLER'S OFFICE,  
RECEIVED  
DEC 21 1899  
Referred to \_\_\_\_\_  
No. \_\_\_\_\_

COMPTROLLER'S OFFICE,  
RECEIVED  
JUN 6 1900  
Referred to \_\_\_\_\_  
No. \_\_\_\_\_

*7241*  
Endorsements Hereon for Comptroller's Use Exclusively.

FORM No. 1.

CONFEDERATE PENSION APPLICATION.

Name of Applicant,  
*J. T. Mitchell*  
*Menderson* County.  
Post Office *Cal. Fork, Texas*  
Comptroller's File No. *7241*

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

*Approved*  
this *JUL 9* day of *1900*

A. D. \_\_\_\_\_  
*Wm. J. Brown*  
Pension Clerk.

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

*July 19 1900*  
A. D. *1900*  
*Wm. J. Brown*  
Comptroller.

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

FORM No. 1.

198

APPLICATION of Indigent Soldier or Sailor of the late Confederacy for pension under the Act of May 12, 1899.

THE STATE OF TEXAS,

COUNTY OF

To the Honorable County Judge of Henderson County, Texas.

Your petitioner, Stephen Thomas Mitchell 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 Stephen Thomas Mitchell
- Q. What is your age? Answer 61 years
- Q. In what County do you reside? Answer Henderson
- Q. How long have you resided in said County and what is your post office address? Answer Have resided in said county 9 years. P. O. Catfish
- 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 Farming
- Q. What is your physical condition? Answer Good
- 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 Disease of Lung
- Q. State in what company and regiment you enlisted in the Confederate army, and the time of your service? Answer Company A, 53rd Reg. Cavalry Ala. Served from fall of 1863 to April 1865
- Q. If you served in the Confederate navy state when and where, and the time of your service. Answer
- 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 none
- 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 Two miles of the value of Sixty dollars

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 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 I have property as above stated
- 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  
March
- Q. Have you been continuously since the first day of January, 1880, a bona fide resident citizen of this State? Answer yes

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

(Signature of Applicant)

S. T. Mitchell

Sworn to and subscribed before me this

10

day of

July

A. D.

1899

W. F. Greenman

(SEAL)

County Judge

Greene County, Texas.

# AFFIDAVIT OF WITNESSES.

(NOTE—There must be at least two credible witnesses.)

THE STATE OF TEXAS,

COUNTY OF

Smyth

Before me,

Geo. W. Cross

County Judge of

Smyth

County, State of Texas, on this day personally appeared

T. A. Wood

and James Powell

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

S. T. Mitchell

the above named applicant for a pension, and that they

personally know that the said

S. T. Mitchell

enlisted in the service of the

Confederacy, and performed the duties of a soldier (or sailor) as claimed by him in the above and foregoing application, and that they

further know that he, the said applicant, is unable to support himself by labor of any sort.

(Signature of Witness)

T. A. Wood

(Signature of Witness)

James Powell

(Signature of Witness)

(Signature of Witness)

Sworn to and subscribed before me this

10<sup>th</sup>

day of

July

A. D.

1899.

Geo. W. Cross

(SEAL)

County Judge

Smyth

County, Texas.

AFFIDAVIT OF PHYSICIAN.

THE STATE OF TEXAS,

COUNTY OF Henderson

Before me W. H. Freeman

County Judge of Henderson

County, State of Texas, on this day personally appeared

B. C. Wallace

, 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 S. I. Mitchell

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: Chronic Bronchitis and

Hydrocele

(Signature of Physician)

B. C. Wallace

Sworn to and subscribed before me this

14

day of

August

A. D. 1899

(SEAL)

W. H. Freeman

County Judge Henderson County, State of Texas.

CERTIFICATE OF COUNTY JUDGE.

THE STATE OF TEXAS,

COUNTY OF Henderson

I, W. H. Freeman

County Judge of Henderson

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

day of July

A. D. 1899

, before me came on to be heard the application of

S. I. Mitchell

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

B. C. Wallace

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

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 S. I. Mitchell 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, Texas this

day of August

A. D. 1899

(SEAL)

W. H. Freeman

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

S. I. Mitchell

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

by Hon. W. H. Freeman

County Judge of this Henderson

County, to the Commissioners Court of this Henderson

County, at a regular term thereof on the

day of Nov

A. D. 1899

, 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, Texas this

day of Nov

A. D. 1899

(Signatures of Commissioners.)

(SEAL)

Ameyant  
James Wiley  
Wood Forest  
S. W. Smith

TX

File No. ....

## IN THE COMMISSIONERS' COURT

of ..... County,  
BEFORE THE COUNTY JUDGE OF SAID COUNTY.

Ex Parte .....

## COMMISSION

TO TAKE THE DEPOSITION OF

VS. {

Applicant for Confederate Pension.

Issued the ..... day of

1

Returned and filed the ..... day of

A. D. 1

Clerk ..... Court,

..... County, Texas.

..... Deputy.

## THE STATE OF TEXAS.

To the Clerk of the District Court, Judge or Clerk of the County Court, or any Notary  
Public in and for the County of Smith State of Texas—GREETING:

WE HEREBY AUTHORIZE AND REQUIRE YOU, OR EITHER OF YOU, to summon

F. A. Wood, and Jane Powell

resident of your

to come before you forthwith, and that you then and there take their  
answers, under oath, to the attached copy of Direct Interrogatories, and that you  
return the same, without delay, to the Clerk of this Court as herein provided:

1. That you reduce their answers so taken to writing, in proper form, and cause the same to be subscribed  
and sworn to by said witness.

2. That you certify under your hand and seal of office, that said answers were sworn to and subscribed  
before you.

3. That you seal up in an envelope the answers so taken, together with the annexed interrogatories, and this  
Commission, with your name across the seal.

4. That you endorse on the envelope the name of the applicant for pension herein, and the name of said witness.

5. That you direct the package to the Judge Clerk of the County Court of  
Henderson County, Athens Texas."

6. That if said package is sent by mail, the Postmaster or his Deputy shall endorse thereon that he received it  
from your hands, and sign his name thereto; or if you entrust it to private conveyance, as provided by the Statute,  
you will apprise the person receiving it that it must be delivered to the Clerk of this Court by himself in person; which  
evidence, so taken as above, is to be used in proof of and on hearing of a pension claim now pending in the Commis-  
sioners' Court of Henderson County, in said State of Texas, before the County Judge of said  
County, entitled "Ex parte S. L. Mitchell  
applicant for Confederate pension."

HEREIN FAIL NOT, but make due return of this Writ as the law directs.

Given under my hand and seal of office, at Athens Texas

this 5th day of May A. D. 1900

ATTEST: W. F. Freeman



Judge Clerk of the County Court of Henderson Texas.

Deputy.

Subscribed and sworn to before me, this 14 day of May 1900

J. H. Wood

J. C. Powell

THE STATE OF TEXAS, }  
County of Smith } I, Geo. W. Cross, County  
Judge, Smith Co. Tex. do hereby certify that J. A. Wood  
and Sam Russell are personally known to me to be credible citizens of said  
County and State, and that the foregoing answers of J. A. Wood &  
Sam Russell the witness before named, and J. A. Wood

Sam Powell, respectively 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 14 day of May 1900

[L. S.]

Geo. W. Cross  
Smith Co. Judge

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.

A 70.

File No. ....

In the Commissioners' Court

OF

County, Texas,

Before the Honorable County Judge of said County.

EX PARTE

Applicant for Confederate Pension.

DEPOSITION

OF

Witness ..... for Applicant.

Filed the ..... day

of ..... 1

Clerk.

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

*S. J. Mitchell*

Applicant for Confederate Pension.

Pending in the Honorable Commissioners' Court  
of *Anderson* 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 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 \_\_\_\_\_  
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  
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 \_\_\_\_\_  
and State of Texas, of which he is a bona fide resident.

(Applicant,) Attorney \_\_\_\_\_ for Applicant.

## Direct Interrogatories to be Propounded to the Witnesses

*7 A. Wood and James Powell*

- 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 *S. J. Mitchell* who  
is an applicant for pension under Act of May 12, 1899?
- INT. 3. How long have you known the said *S. J. Mitchell* applicant for  
pension, and when and where did you first know him?
- INT. 4. Do you personally know that the said *S. J. Mitchell* applicant for  
pension, enlisted in the service of the Confederacy, and performed the duties of a soldier or sailor?
- INT. 5. Do you personally know in what company and regiment the said *S. J. Mitchell*  
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 *S. J. Mitchell*, the said  
applicant for pension, is unable to support himself by labor of any sort?

## CROSS INTERROGATORIES.



TO BE PROPOUNDED TO \_\_\_\_\_

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.....  
.....serving in the same company or regiment in which you say the said applicant, ....., 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 .....applicant, serving in the same command?

If you say that you so knew other soldiers or sailors of the same name as 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 ....., 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 upon conjecture?

CROSS INT. 4. Do know whether or not the said .....applicant for pension, ever deserted the service in the Confederate army or navy?

*Cross Interrogatories waived*

THE STATE OF TEXAS, }  
County of *Henderson* }

I, *W. F. Freeman*, 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.

*W. F. Freeman*  
County Judge *Henderson* County, Texas.

(Applicant,) Attorney.....for Applicant.

A 69.

In Re  
Application for Confederate  
Pension.

IN COMMISSIONERS' COURT,

COUNTY, TEXAS.

Pending before County Judge of said County.

EX PARTE

Applicant.

INTERROGATORIES

PROPOUNDED TO

WITNESSES.

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act May 12, 1899, pending in County Commis-  
sioners' Court of Madison  
County, Texas, before the Honorable County Judge of  
said County.

Applicant for Confederate Pension.

Answers and deposition of (1)

T. A. Wood and Jane  
Ravell, Smith County - Texas

to the accompanying interrogatories (2)

and Gross - interrogatories  
propounded to them in the above entitled cause taken before (3) J. W. Cross  
County Judge - Smith County, Tex.  
in accordance with the accompanying (5) Commissioner

To the first interrogatory the said

T. A. Wood & Jane Ravell, each  
Witness, answers: T. A. Wood - 81 - years old - Smith  
County - Tex - Jane Ravell - 52  
years old - Smith County - Tex -

2 - Yes I know him

3 - I have known him 40 years -

4 Yes - I know he enlisted in the  
service of the Confederacy and  
performed the duty of a Soldier.

5 - He served in Company "A" - 53  
Ala. Cav. Cavalry - He enlisted about  
the last of the year 1862 - in  
Randolph County Ala. - 3 years

6 - I know ~~him~~ that S. T. Mitchell  
is not able to support himself  
by labor of any sort.

Answers to Cross Interrogatories -

To 1st Cross-Int I know him personally  
and well - He is a relative and  
I have known him nearly  
all his life

TX

2<sup>nd</sup> I never knew any other soldier  
by that name. And I am  
positively certain that he is the  
identical person who enlisted  
and served as stated in  
answer to direct interrogatory.  
I know he never deserted the  
Confederacy.