

15463

FORM A

Soldier's Application for Pension

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

Name of Applicant.

Sgt Mabley
Henderson County

Postoffice

Athens

Filed

AUG 31 1909

Approved

Pension allowed from

Rejected

Commissioner of Pensions.

VON BOECKMANN-JONES CO., PRINTERS, AUSTIN

FORM A

For use of Soldiers, who are in indigent circumstances

THE STATE OF TEXAS }

County of Henderson }

I, Ally Mabley, do hereby make application to the Commissioner of Pensions for a pension to be granted me under the Act passed by the Thirty-first Legislature of the State of Texas, and approved March 26, A. D. 1909, 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; that I was honorably discharged or

surrendered at Saulsbury N.C. Surrendered. In May April 1865. I was also Surrendered at Vicksburg.

(Give date and cause.)

that I have been a bona fide citizen of this State since prior to January 1, A. D. 1880, 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 in salary or fees one hundred and fifty dollars per annum, nor have I an income from any other employment or other source whatever which amounts to one hundred and fifty dollars per annum, nor do I receive from any source whatever money or other means of support amounting in value to the sum of one hundred and fifty dollars 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; 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? 77 years
2. Where were you born? In Ala.
3. How long have you resided in Texas? 35 years
4. In what county do you reside? Henderson
5. How long have you resided in said county and what is your postoffice address? 7 years Athens

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
8. In what State was the command in which you served organized? Alabama
9. How long did you serve? Give, if possible, the date of enlistment and discharge. Feb 22, 1862, April 1865
10. What was the letter of your company, number or name of battalion, regiment or battery? Company

A. Holt Alabama



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

Consolidated with Co. C. 19th Ala. just a few days before Surrender

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? *No*

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

(Signature of Applicant)

Ally Mobley

Sworn to and subscribed before me, this *27* day of *July* A. D. 19*09*

[SEAL.]

John S. Prince

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 *John S. Prince*, County Judge of *Henderson* County,

State of Texas, on this day personally appeared *H. T. Barber*, who are personally

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

Mobley the above named applicant for a pension, and that they personally know that the said *Ally*

Mobley has been a bona fide resident citizen of the State of Texas since prior to January 1, A. D. 1889,

and that they have no interest in this claim.

(Signature of Witness)

H. T. Barber

(Signature of Witness)

E. M. Sides

Sworn to and subscribed before me, this *27* day of *July* A. D. 19*09*

[SEAL.]

John S. Prince

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 *John S. Prince*, County Judge of *Henderson* County,

State of Texas, on this day personally appeared *F. M. Bookley*

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

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 this claim, and said applicant's habits are good and free from dishonor. And 1 further make oath to the following facts touching the applicant's service in the Confederate Army:

J. F. M. Barkley was living in Alabama when Alex Mobley went to war & when he returned we were born & raised together as neighbor boys. I was not in his command but know personally that he served in the war as stated by him. I served through war with him

(Signature of Witness) J. F. M. Barkley

(Signature of Witness)

Sworn to and subscribed before me, this 27 day of July, A. D. 1909

John S. Bruce
County Judge Henderson County, Texas.

[SEAL.]

CERTIFICATE OF THE STATE AND COUNTY ASSESSOR

W. H. Davis State and County Assessor in the County of Henderson State of Texas, do certify that Alex Mobley 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-first Legislature, approved March 26, A. D. 1909, is charged on the land and personal property rolls of said county with estate, real, personal and mixed, at the assessed value of 440 dollars.

Given under my hand, this 6 day of Aug, A. D. 1909

W. H. Davis
State and County Assessor.



VON BOECKMANN-JONES CO., AUSTIN, TEXAS.

596-809-2m



E. A. BOLMES, 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 Flex Mobley who is reported to have enlisted in
 Company A, Regiment 40th Alabama 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,

E. A. Bolmes

Commissioner of Pensions.



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

1561983
WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,
WASHINGTON, Sept. 3, 1909.

Respectfully returned to the

Commissioner of Pensions,
State of Texas,
Austin.

The records show that Alexander Mobley, private, Company A, 40th Alabama Infantry, Confederate States Army, enlisted March 17, 1862. On the muster roll for January and February, 1864, last on file, he is reported present.



The Adjutant General.

(A. G. O. 72-1)

EX PARTE

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

Alex Mobley,
Applicant for Confederate Pension.

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 Thomas Emerson Breck-
enridge and _____ who reside in the County
of Vanzandt 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 of her claim for a pension under the Act of March 26, 1909, the applica-
tion 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 she is a bona fide resident.

Alex Mobley
(Applicant) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness

THOMAS EMERSON BRECKENRIDGE

- 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 Alex Mobley? whose
widow is an applicant for pension under Act of March 26, 1909?
INT. 3. How long had you known the said Alex Mobley
and when and where did you first know him?
INT. 4. Do you personally know that the said Alex Mobley
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 Alex Mobley
enlisted and served in the Confederate army? When? Where? And the time of service? If you person-
ally 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 Alex Mobley
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 further know if Alex Mobley 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.

TX

To be Propounded to Thomas Emerson Breckenridge.

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally
know or did know said Alex Mobley 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 Alex Mobley 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 Alex Mobley serving in the same company or regiment, or special
service in which you say the said Alex Mobley enlisted, if you have stated that said
Alex Mobley enlisted and served in the navy of the Confederacy, then state whether or

DEPOSITION IN PENSION CLAIMS, with Caption and Certificates.

694-609-5m

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act March 26, 1909, pending
in Henderson County

Applicant for Confederate Pension.

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

Answers and depositions of (1) ~~XXXXXXXXXXXXXXXXXXXX~~ T. E. Breckenridge
of Wills Point, Texas, Rural Route No. 3 (Thomas Emerson Breckenridge)

to the accompanying interrogations (2) ~~And~~ CROSS
propounded to him in the above entitled cause taken before (3) Angus G. Wynne, Notary Public
in accordance with the accompanying (7)

To the first interrogatory the said ~~XXXXXXXXXXXXXXXXXXXX~~ Thomas Emerson Breckenridge
Witness, answers: Thomas Emerson Breckenridge, age 65, Wills Point, Texas R. F.D
No. 3

To the 2nd Int. witness answered:- Knew Mr. Mobley when he was a boy
We were raised right close together, in Marengo County, Alabama.

To the 3rd. Int. the Witness answered:- Have known Alex Mobley all my
life, but I knew him first in Marengo County, Alabama.

To the 4th. Int. witness answered:- Yes. I know that the said Alex
Mobley entered the service of the Confederacy and that he served as a soldier.
He enlisted in Livingston, Sumpter County, Alabama.

To the 5th. Int. Witness answered:- I am not positive about the Company
and regiment, I think it was either the 33rd or 38th Alabama but I will not
be positive. He enlisted in the summer of 1861. He enlisted at Livingston,
Sumpter County, Alabama. He was in the army until the surrender of the
Confederate armies.

To the 6th Int. the Witness answered:- I do not think Alex Mobley was
ever commissioned as an officer in the army.

To the 7th Int. the Witness answered:- I do not think that I remember
any special detail on which Alex Mobley was detailed, but he was color bearer
for his regiment.

(Cross Interrogatories over)

TX

Answers to Cross Interrogatories propounded to Thomas Emerson

Breckenridge, in the above entitled and numbered cause.

To 1st Cross Witness answered.

Ans. I knew Alex Mobley from childhood up and know that the Alex Mobley mentioned as applicant for this pension is the same man that enlisted in the Confederate service and that he served as a soldier through the war. I know further that there was no other man by the name of Alex Mobley with whom I was associated or with whom I served. Being reared together, it would be unreasonable to think that I could get this Alex Mobley and any other man by the same name mixed. I could identify this man that is making application from all others of like name, if there were such others. However he is the only Alex Mobley I knew during the war, or that I have ever known in my life.

To the 2nd Cross Interrogatory the witness answered:

I am positively certain that the said Alex Mobley is the identical person serving as testified, and I know further that there is and could be no mistake of persons in this premises at all.

3rd. Cross Interrogatory the Witness answered:-

I know that the said Alex Mobley served through the war until he was parolled at the end of same. I am not positive of the place where he was parolled; but I know he served through the war. I know that he served honorably in any place where he was placed or assigned.

To 4th Cross Interrogatory the Witness answered:

I know positively that the said Alex Mobley never did in any way desert his command, his post, or a comrade voluntarily during said war. I know that he never neglected a duty that it was possible to perform. I know that he never abandoned his post of the service until the surrender of the Southern forces.

T. E. Breckenridge

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.

Subscribed and sworn to before me, this 5th day of August, 1909

Angus G. Wynne
Notary Public Van Zandt County, Texas

THE STATE OF Texas

County of Van Zandt

I, Angus G. Wynne, a Notary Public
(Here give name and official character of officer before whom taken.)

Van Zandt County, Texas do hereby certify that Thomas Emerson Breckenridge
and _____ are personally known to me to be credible citizens of said
County and State, and that the foregoing answers of Thomas Emerson Breckenridge

_____ the witness _____ before named, and _____
_____, whose name appear _____ signed to the foregoing deposition, were made before me
and were sworn to and subscribed before me, by said witness (4) Thomas Emerson Breckenridge

Given under my hand and official seal, this the 5th day of August, 1909
(L. S.)

Angus G. Wynne
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, any Notary Public, or any Commissioner of Deeds of Texas.

File No. _____

In Henderson County, Texas.
Before _____ Honorable County Judge of said County.

EX PARTE

Alfred M. Mabley
Applicant for Confederate Pension

DEPOSITION

OF

Thomas Emerson Breckenridge
Willie Combs, Jr.

Witness _____ for Applicant

Filed _____ day _____

of _____ 190 _____

Clerk. _____

Deputy. _____

Fee for Taking Deposition, \$ _____

VON ROECKMANN-JONES COMPANY, PRINTERS, AUSTIN, TEXAS