

20619-

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.

E. D. Potter

Hudson

County.

Postoffice

Euston

Filed

July 19th 1911

Approved

Mar. 4th 1912

Pension allowed from

June 4th 1912,

Rejected

Commissioner of Pensions.

VON BOECKMANN-JONES CO., PRINTERS, AUSTIN

Curt

FORM A

For Use of Soldiers, Who are in Indigent Circumstances

THE STATE OF TEXAS }

County of Henderson

I, E.D.Potter, 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 In Williamson County, Texas, we heard of the Surrender and went home.

(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 ~~amount~~ 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? 67 years.
2. Where were you born? In Jackson County, Ala.
3. How long have you resided in Texas? 55 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. Eustace.

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? Texas.

9. How long did you serve? Give, if possible, the date of enlistment and discharge 3 years.

10. What was the letter of your company, number or name of battalion, regiment or battery? Company H, I think, Col. W.P. Lane's Regiment, 1st Texas Partisians Rangers. Cap. Thompson was my captain.

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? Cavalry.

13. If commissioned direct by the President, what was your rank and line of duty?

I was a private.

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 so detailed.

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) E. D. Patten

Sworn to and subscribed before me, this 1st, day of May, A. D. 1911.

[SEAL.]

John S. Price
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 John S. Price, County Judge of Hudson County, State of Texas, on this day personally appeared M. D. Lammert & H. B. Davis, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know E. D. Patten the above named applicant for a pension, and that they personally know that the said E. D. Patten has been a bona fide resident citizen of the State of Texas since prior to January 1, A. D. 1880, and that they have no interest in this claim.

(Signature of Witness) M. D. Lammert

(Signature of Witness) H. B. Davis

Sworn to and subscribed before me, this 18 day of June, A. D. 1911.

[SEAL.]

John S. Price
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 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.....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 THE STATE AND COUNTY ASSESSOR

I, W. H. Davis, State and County Assessor in the County of Henderson, State of Texas, do certify that E. D. Patton 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 \$870.00 dollars.

Given under my hand, this 19 day of July, A. D. 1911

W. J. Edwards

State and County Assessor.



EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

D.E.Potter,

Under Act March 26, 1909, pending

Applicant for Confederate Pension.

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

Answers and depositions of (1) J.E.Dillard

to the accompanying interrogations (2) and cross interrogatories
propounded to him in the above entitled cause taken before (3)
in accordance with the accompanying (7) agreement

To the first interrogatory the said J.E.Dillard

Witness, answers My name is J.E. Dillard, age 77 years 8 months
P.O. Kaufman Texas - Residence Kaufman Texas

To 2nd Int. he answers:

I do.

To 3d Interrogatory he answers: About 48 years. I first
got acquainted with him in the Indian Territory in Nov
1862

To 4th Int. he Ans:

I do.

To 5th Int he Ans: I do. I know he served as an enlisted man
in Capt Geo Thompson Company, Lane's Reg 40 Tex Cavalry. He served
from Nov 1862 to June 1865

To 6th Int. He Answers:

He was a private soldier.

To 7th Int. he Ans: He was not detailed for any special
service that I know of.

To 1st Cross-Int. he Ans: My knowledge is personal because he
served in the same regiment with me and I saw him serving.
I did not know of any other E.D. Potter in that Co or regiment. I know this is correct

To 2nd Cross-Int. he Ans: I am positively certain he is the same
man.

To 3d Cross Int. he Ans: I do. He was regarded as a very honorable
and efficient soldier.

To 4th Cross-Int. he Ans: He did not that I ever knew
of, he came home after the close of the
war with the captain of his company.

J.E.Dillard

(TX)

Subscribed and sworn to before me, this 5th day of May, 1911

Thos. R. Bond Co Judge
of Kaufman Co Texas.

THE STATE OF Texas
County of Kaufman
of Kaufman Co Tex

I, Thos. R. Bond Co Judge
(Here give name and official character of officer before whom taken.)

J. E. Dillard do hereby certify that
and _____ are personally known to me to be credible citizens of said
County and State, and that the foregoing answers of J. E. Dillard
_____ 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) J. E. Dillard.

Given under my hand and official seal, this the 5th day of May, 1911
(L. S.) Thos R. Bond Co Judge of
Kaufman 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, any Notary Public, or any Commissioner of Deeds of Texas.

File No. _____

In _____ County, Texas,
I, _____ the Honorable County Judge of said County.

EX PARTE

D. E. Carter
Applicant for Confederate Pension

DEPOSITION
OF

Hon J. E. Dillard
Witness _____ for Applicant

Filed _____ day

of _____ 19 _____

Clerk.

By _____ Deputy.

Fee for Taking Deposition, \$ _____

VON SOECKMANN-JONES COMPANY, PRINTERS, AUSTIN.

W H H Smith
Lula. L.

- (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

E.D.Potter.

Applicant for Confederate Pension.

Pending in 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 Hon. J.E. Dillard, and _____ who reside in the County of Kaufman 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 his 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 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.

E.D. Potter

(Applicant) Attorney _____ for Applicant.

Direct Interrogatories to be Propounded to the Witness _____.

Hon. J.E. Dillard, of Kaufman, Texas.

- 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 E.D. Potter who _____ is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said E.D. Potter, and when and where did you first know him?
- INT. 4. Do you personally know that the said E.D. Potter 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 E.D. Potter, 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 E.D. Potter, 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 E.D. Potter 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 Hon. J.E. Dillard, of Kaufman, Texas.

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said E.D. Potter, 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 E.D. Potter, 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 E.D. Potter, serving in the same company or regiment, or special service in which you say the said E.D. Potter, enlisted, if you have stated that said E.D. Potter, 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 E.D.Potter,
applicant serving in the same command, or the special service to which he was assigned?

If you say that you so know other soldiers or sailors of the same name of E.D.Potter,
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 E.D.Potter,
is the identical person serving as testified by you?

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

THE STATE OF TEXAS, }

County of Henderson

I, John S. Prince, 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.

John S. Prince
County Judge Henderson County, Texas.

E. D. Potter
(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.

EX PARTE

E.D.Potter

Applicant for Confederate Pension.

Pending in 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.H.Hammel
and _____ who reside in the County
of Swisher 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 his 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 he is a bona fide resident.

E.D.Potter,

(Applicant) Attorney _____ for Applicant.

Direct Interrogatories to be Propounded to the Witness _____.

W.H.Hammel, of Tulia, Swisher County, Texas.

- 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 E.D.Potter who
_____ is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said E.D.Potter
and when and where did you first know him?
- INT. 4. Do you personally know that the said E.D.Potter
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 E.D.Potter
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 E.D.Potter
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 E.D.Potter 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 W.H.Hammel, of Tulia, Texas.

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

TX

DEPOSITION IN PENSION CLAIMS, with Caption and Certificates.

1170-1109-3m

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act March 26, 1909, pending.

Henderson*E D Potter*

Applicant for Confederate Pension.

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

Answers and depositions of (1)

*W H Hamil*to the accompanying interrogations (2) **agreement**propounded to *known* in the above entitled cause taken before (3) **P.B. Taylor, a Notary Public,**
in accordance with the accompanying (7) *Direct Cross interrogations*

To the first interrogatory the said

Witness, answers *W H Hamil* **W.H. Hamil, age 65, Tulia, Swisher County, Texas.**To 2nd Int. he answers: **Yes.**To 3d Int. said witness Answers: **Ever since 1862.**To 4th Int. said witness Answers: **I do.**To 5th Int. said witness answers: **Walter P. Lane's Texas Cavalry, Capt. John Thompson's Company; Arkansas, Indian Territory, Louisiana and Texas-1862-1865.**To 6th Int. said wit. answers: **He was a Private.**To 7th Int said witness Answers: **He was not conscripted, and did service in the field.**To 1st Cross-Int. said witness answers: **Personal. I knew no other E.D. Potter.**To 2nd cross-Int. said witness answers: **I am.**To 3d Cross-Int. said witness answers: **He served honorably from the time he went in until he went out.**To 4th Cross-Int. said wit. answers: **He did not.**

TX

W.H. Hamil

Subscribed and sworn to before me, this 8th day of July, 1911

P.B. Taylor

Notary Public, Swisher County, Texas.

THE STATE OF TEXAS.

County of SWISHER.

Texas,

in and for Swisher County do hereby certify that

I, P.B. Taylor, a Notary Public,
(Here give name and official character of officer before whom taken.)

W.H. Hamil,

~~is~~ ^a ~~are~~ personally known to me to be credible citizens of said County and State, and that the foregoing answers of said W.H. Hamil,

the witness - before named, and

, whose name appears signed to the foregoing deposition, were made before me and was sworn to and subscribed before me, by said witness (4) W.H. Hamil,

Given under my hand and official seal, this the 8th day of July, 1911

(L. S.)

P.B. Taylor

Notary Public, Swisher 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.

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

EX PARTE

E. D. Carter

Applicant for Confederate Pension

DEPOSITION
OF

W.H. Hamil

Witness for Applicant

Filed _____ day

of _____ 19 _____

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.

OFFICE OF
Commissioner of Pensions
State of Texas
Austin



20619

ADJUTANT GENERAL'S OFFICE

JUL 28

1810602

1911

WAR DEPARTMENT.

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

1810602
WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, August 1, 1911.

Respectfully returned to the

Commissioner of Pensions,
State of Texas,
Austin.

The name E. D. Patton has not been found on the only roll, dated July 19, 1863, on file in this office of Company H, 1st Texas Partisan Rangers, later called W. P. Lane's Regiment and Crump's Regiment, Confederate States Army, (in which organization a Captain Thompson served,) nor has any record been found of the capture or parole of a man of that name as a member of either of said regiments.

F. C. Ambworth

The Adjutant General.

(A.G.O. 72-1)

Per 7