

19696

FORM A

DEAD

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.

H. M. Smith

Henderson

County.

Postoffice

Chandler

Filed

Approved

DEC 1 1910

Pension allowed from

DEC 1 - 1910

Rejected

C. E. Holmes

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, H M Smith, 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 I was surrendered

(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? Sixty five years Old
2. Where were you born? Henry County Alabama
3. How long have you resided in Texas? forty eight years
4. In what county do you reside? Henderson County Texas
5. How long have you resided in said county and what is your postoffice address? four years Chandler Henderson Co Tex
6. Have you applied for a pension under the Confederate pension law and been rejected? If rejected, state when and where. I have never applied
7. What is your occupation, if able to engage in one? Macinics
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. three years
10. What was the letter of your company, number or name of battalion, regiment or battery? Company C 48th Texas Regt
11. If transferred from one command to another, give time of transfer, name of command and time of service. was never transferred TX
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?

I was not a Commissioner Officer

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 never detailed

15. Have you transferred to others any property of any kind for the purpose of becoming a beneficiary under this law?

I have not

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)

H M ^{his} Smith
marks

Sworn to and subscribed before me, this 5 day of Nov. A. D. 1910

John S. Price

County Judge Henderson County, Texas.

[SEAL.]

AFFIDAVIT OF WITNESSES

[NOTE.—There must be at least two credible witnesses.]

THE STATE OF TEXAS }

County of Henderson

Before me John S. Price, County Judge of Henderson County,

State of Texas, on this day personally appeared J. J. Dobb & Lo Gade, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know H M

Smith the above named applicant for a pension, and that they personally know that the said H M Smith 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)

J. J. Dobb

(Signature of Witness)

Lo Gade

Sworn to and subscribed before me, this 5 day of Nov. A. D. 1910

John S. Price

County Judge Henderson County, Texas.

[SEAL.]

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

Handwritten
1969
fix

Comptrol Austin

I am returning to
you the blank affidavits
of H. M. Smith
who died yesterday
please send blank
to make claim for
burial expenses

Ref J J Dotts

Notary Public
Henderson Co Tex (TX)

January
8, 1921.

Mr. T. J. Dohs,
Notary Public,
Chandler, Texas.

Dear Sir:

Complying with your request of recent date, I am enclosing mortuary warrant application blanks on account of the death of Mr. H. H. Smith, a Confederate pensioner.

You will please have these blanks executed in proper form and return to this Department, when a warrant for \$30.00 will be issued in favor of party filing claim.

Yours very truly,

Comptroller.



HR/mco

Encl.

ADJUTANT GENERAL'S OFFICE

1726510

0161

WAR DEPARTMENT.

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

1726510


WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, Dec. 20, 1910.

Respectfully returned to the
Commissioner of Pensions,
State of Texas,
Austin.

The records show that Henry M.
Smith, private, Company C, Spaight's
Battalion, afterward Company E,
Spaight's 21st Regiment Texas Infan-
try, Confederate States Army, was en-
listed May 4, 1862. On the muster
roll of the company for January and
February, 1864, he is reported pres-
ent, and on the roll for January and
February, 1865, next and last roll on
file, his presence or absence is not
stated. No later record of him has
been found.



The Adjutant General.

(A.G.O. 72-1)

Per 

Received

DEC 19 1910

EX PARTE

H.M.Smith

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 H.C.Fuller
and W.D.Fuller who reside in the County
of Newton 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.

H.M.Smith

(Applicant) At ~~XXXX~~ for Applicant.

Direct Interrogatories to be Propounded to the Witness.

H.C.& W D Fuller

- 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 H.M.Smith who
is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said H.M.Smith
and when and where did you first know him?
- INT. 4. Do you personally know that the said H.M.Smith
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 H.M.Smith
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 H.M.Smith
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 H.M.Smith 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.

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To be Propounded to H.C.& W.D.Fuller of Newton, Texas.

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally
know or did know said H.M.Smith 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 H.M.Smith 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 H.M.Smith serving in the same company or regiment, or special
service in which you say the said H.M.Smith enlisted, if you have stated that said
H.M.Smith 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 H.M. Smith
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 H.M. Smith
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 H.M. Smith
is the identical person serving as testified by you?

Cross INT. 3. Do you know whether or not the said H.M. Smith
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 H.M. Smith
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.

(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. 1

INTERROGATORIES
propounded to

Witnesses.

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.

H.M. Smith

Henderson

Applicant for Confederate Pension.

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

Answers and depositions of (1) H.C. Fulton and W.D. Fulton

to the accompanying interrogations (2) and cross interrogatories

propounded to them in the above entitled cause taken before (3)
County Judge, Newton County, Texas.
in accordance with the accompanying (7) agreement

To the first interrogatory the said H.C. Fulton

Witness, answers H.C. Fuller age 65, Newton, Newton County, Texas.

To 2nd ~~he~~ Ans: H.C. Fuller ans. yes I know H.M. Smith.To 3d Int. ~~he~~ Ans: H.C. Fuller ans. I first knew him in Beaumont Tex. in 1862
He was in the Army at that time.To 4th Int. ~~he~~ Ans: H.C. Fuller ans. yes, he enlisted + performed the duties of a Soldier.To 5th Int. ~~he~~ Ans: H.C. Fuller ans. He served in W.C. Gibbs Co. + in Speight's Battalion.
He was in the Army when I enlisted in 1862 at Beaumont, Texas. I know that he served till close of war.To 6th Int. ~~he~~ Ans: H.C. Fuller ans. He was not an officer.To 7th Int. ~~he~~ Ans: H.C. Fuller ans. He was not in the Conscription Service.

Answers to Cross-Interrogatories:

To 1st Cross-Int ~~he~~ Ans: H.C. Fuller ans. I served with him in the Army.
I did not know of any other H.M. Smith serving in the Army.To 2nd Cross-Int ~~he~~ Ans: H.C. Fuller ans. yes, I know from our Correspondence.To 3d Cross-Int. ~~he~~ Ans: H.C. Fuller ans. yes he rendered honorable service.To 4th Cross-Int. ~~he~~ Ans: H.C. Fuller ans. He did not desert his duty.

Answers and Depositions of the witness W.D. Fulton:

To the First Int. he Ans: W.D. Fuller, Age 67 years old, resides in Newton County, Tex., P.O. Newton Tex.

To the 2nd Int. he Ans: I knew H.M. Smith.

To 3d Int. he Ans: I knew him about 4 years, I first knew him at Sabine Pass, 1861.

To 4th Int. he Ans: I do know that he enlisted and served as a Soldier.

To 5th Int. he Ans: He enlisted in W.O. Gibbs Company + Speight's Battalion. He enlisted in 1861, + served till close of war.

To 6th Int. he Ans: He was not commissioned as an officer.

To 7th Int. he Ans: He was not under the Scauscript-law.

To First Cross-Int he Ans: I served in the Army with him.
I did not.

To 2nd Cross-Int. he Ans:- I did not know of an other H.M. Smith, serving in the Army.

To 3d Cross-Int. he Ans: He did.

To 4th Cross-Int. he Ans: He served honorably till close of war.

Subscribed and sworn to before me, this 12 day of Dec, 1910
H.C. Fuller
W.D. Fuller
G.B. Tolson County Judge
Newton Co. Tx

THE STATE OF Texas
County of Newton }
I, G.B. Tolson County Judge
(Here give name and official character of officer before whom taken.)
do hereby certify that H.C. Fuller
and W.D. Fuller are personally known to me to be credible citizens of said
County and State, and that the foregoing answers of H.C. Fuller and W.D. Fuller
as the witness before named, and as the same
Persons, whose name appear signed to the foregoing deposition, were made before me
and were sworn to and subscribed before me, by said witness (4) H.C. Fuller & W.D. Fuller
Given under my hand and official seal, this the 12 day of December, 1910
G.B. Tolson
County Judge Newton Co. Tx
(L. S.)

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

H.M. Smith
Applicant for Confederate Pension

DEPOSITION

OF
W.D. & H.C. Fuller
of Newton Co. Tx
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.

MORTUARY WARRANT ACCOUNT

Chandler, _____ Texas, January 10, 1921 19

STATE OF TEXAS

To Mrs. H. M. Smith. Dr.


WRITE ADDRESS PLAINLY _____ Chandler, Texas.

Account of Death of Pensioner No. 19696, County Henderson

Pensioner's Name in full H. M. Smith

Account must be itemized, but Mortuary Warrant will not be issued for more than Thirty Dollars.

| | |
|------------------------|-------|
| 1 Casket | 68.00 |
| Robe or clothing | 26.00 |
| | <hr/> |
| | 96.00 |
| Expense paid by family | 66.00 |
| | <hr/> |
| | 30.00 |



The above account for Thirty _____ Dollars
is just, due and unpaid.

Sworn to and subscribed before me this 10th day of January, 1921 19

Notary Public, Henderson County, Texas.

19696

APPLICATION FOR MORTUARY WARRANT

STATE OF TEXAS,

County of HendersonI, Mrs. H.M. Smith

do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late H. M. Smith, who was a pensioner of the State of Texas, and whole file number is 19696 and whose original county is Henderson

The said pensioner H. M. Smith, died on the 4th day of January, 1921, in the town of Chandler, County of Henderson, Texas.

The pensioner died in the home of Mrs. H.M. Smith who was related to the pensioner as wife

That the warrant, which application is hereby made for, shall be applied to paying all or part of the expenses incurred by the said pensioner.

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

I am related to the pensioner as (Friend) wife and that my home is in the town of Chandler, County of Henderson State of Texas, that my postoffice address is Chandler, Texas.

Signed Mrs. H. M. Smith

Before me C.M. Dingler, a Notary Public in and for the County of Henderson, State of Texas, personally appeared Mrs. H.M. Smith, who being by me duly sworn did certify to, and sign the foregoing statement.

(Seal of Office)

Notary Public in and for Henderson Co., Texas.

CERTIFICATE OF UNDERTAKER.

I, H.G. Blake, do certify that I am undertaker in the town of Chandler, County of Henderson, State of Texas that I had charge of the body of H. M. Smith, who died in the town of Chandler, County of Henderson, State of Texas on the 4th day of January 1921. That said body was prepared for burial by me on the 4th day of January, 1921. That said body was buried in the Chandler Cemetery, which is located in the County of Henderson State of Texas, and that I am of the opinion that warrant herein applied for should be issued to the said Mrs. H. M. Smith, who makes the foregoing application.

Signed Blair Blake Smith
for H.G. Blake Undertaker.

CERTIFICATE OF PHYSICIAN.

I, Dr. G.F. Moon, do certify that I am a practicing physician, and that I attended H. M. Smith in his last illness, and am of the opinion that his ailments were Senility

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-fifth Legislature, and approved March 2, 1917.

Signed G.F. Moon, M.D. Physician.Physician's Address Chandler, Texas.