

22079-

76- FORM A 858
Derry

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.

Joe M. Smith
Henderson County.

Postoffice

Franklin
Henderson

Filed

Aug. 21st 1912

Approved

Sept 1 1913

Pension allowed from

Dec 1 1913

Rejected

Commissioner of Pensions.
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, Joe 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 at Appomattox court-house Va. and have my parole dated Apr. 10, 1865; and was the only man in Co. B. 18th Miss. that stacked a gun (Give date and cause.) when Lee surrendered. 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? I was 67 in July 1911.
2. Where were you born? Rankin Co. Miss. July 20th 1844.
3. How long have you resided in Texas? 34 years in Dec. 1911.
4. In what county do you reside? Henderson.
5. How long have you resided in said county and what is your postoffice address? Have been in this Co. two years, and my post office is La Rue.
6. Have you applied for a pension under the Confederate pension law and been rejected? If rejected, state when and where. I have not.
7. What is your occupation, if able to engage in one? Farming.
8. In what State was the command in which you served organized? Miss. (enlisted
9. How long did you serve? Give, if possible, the date of enlistment and discharge. three years) 1862
Apr. 10, 1865
10. What was the letter of your company, number or name of battalion, regiment or battery? Co. B.
18th Miss. Humphreys Brigade, Kershaws div.
11. If transferred from one command to another, give time of transfer, name of command and time of service. Never was transferred, never had leave of absence
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?

** Never was 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?

Never was detailed for such service.

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)

Joe M. Smith

Sworn to and subscribed before me, this *20* day of *October*, A. D. 19*11*.

John S. Prince

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

State of Texas, on this day personally appeared *Mrs W.M. Keller & W.M. Thomas*, who are personally

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

Smith the above named applicant for a pension, and that they personally know that the said *Joe*

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)

Mrs. W.M. Keller

(Signature of Witness)

W.M. Thomas

Sworn to and subscribed before me, this *20* day of *August*, A. D. 19*12*

John S. Prince

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

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 Joe M. Smith 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, ap-
proved March 26, A. D. 1909, is charged on the land and personal property rolls of said county with estate, real, per-
sonal and mixed, at the assessed value of 2775.00 dollars. (TX)

22079

Given under my hand, this 20 day of Oct, A. D. 1921

My Dear

State and County Assessor.



E. A. BUFORD, 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 Joe M. Smith who is reported to have enlisted in
 Company B, Regiment 18th Miss Infantry
Humphreys Brigade
 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. Buford
 Commissioner of Pensions.

22079

ADJUTANT GENERAL'S OFFICE
AUG 26 1912
1948113
WAR DEPARTMENT.

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

1948113

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, August 27, 1912.

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

The records show that Joseph M.
Smith, private, Company B, 18th Missis-
sippi Infantry, Confederate States Army,
enlisted August 4, 1862, and
that he was surrendered and paroled
at Appomattox Court House, Virginia,
April 9, 1865.



Geo. Andrew

The Adjutant General.

(A.G.O. 72-1)

Per *da*

DEPOSITION IN PENSION CLAIMS, with Caption and Certificates.

1170-1109-3m

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Joe M. Smith

Under Act March 26, 1909, pending

Henderson

Applicant for Confederate Pension.

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

Answers and depositions of (1)

~~John Fletcher~~ *H.A. Cox*

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

~~John Fletcher~~ *H.A. Cox*

Witness, answers

75 years old

To 2nd Int. He Ans:

yes

To 3d Int. he answers:

4 years during the war

To 4th Int. he Answers:

yes

To 5th Int. he Answers:

Co. A 18th Miss. during the 60's, Virginia. about 3 years

To 6th Int. he Answers:

I do not know

To 7th Int. he Answers:

I do not know.

To 1st Cross-Int. he Answers:

I was a member of Bruce Co.

To 2nd Cross-Int. he Answers::

*I am not certain only as to the name
am for Smith was in the war with me.*

To 2nd Cross-Inter. he Answers::

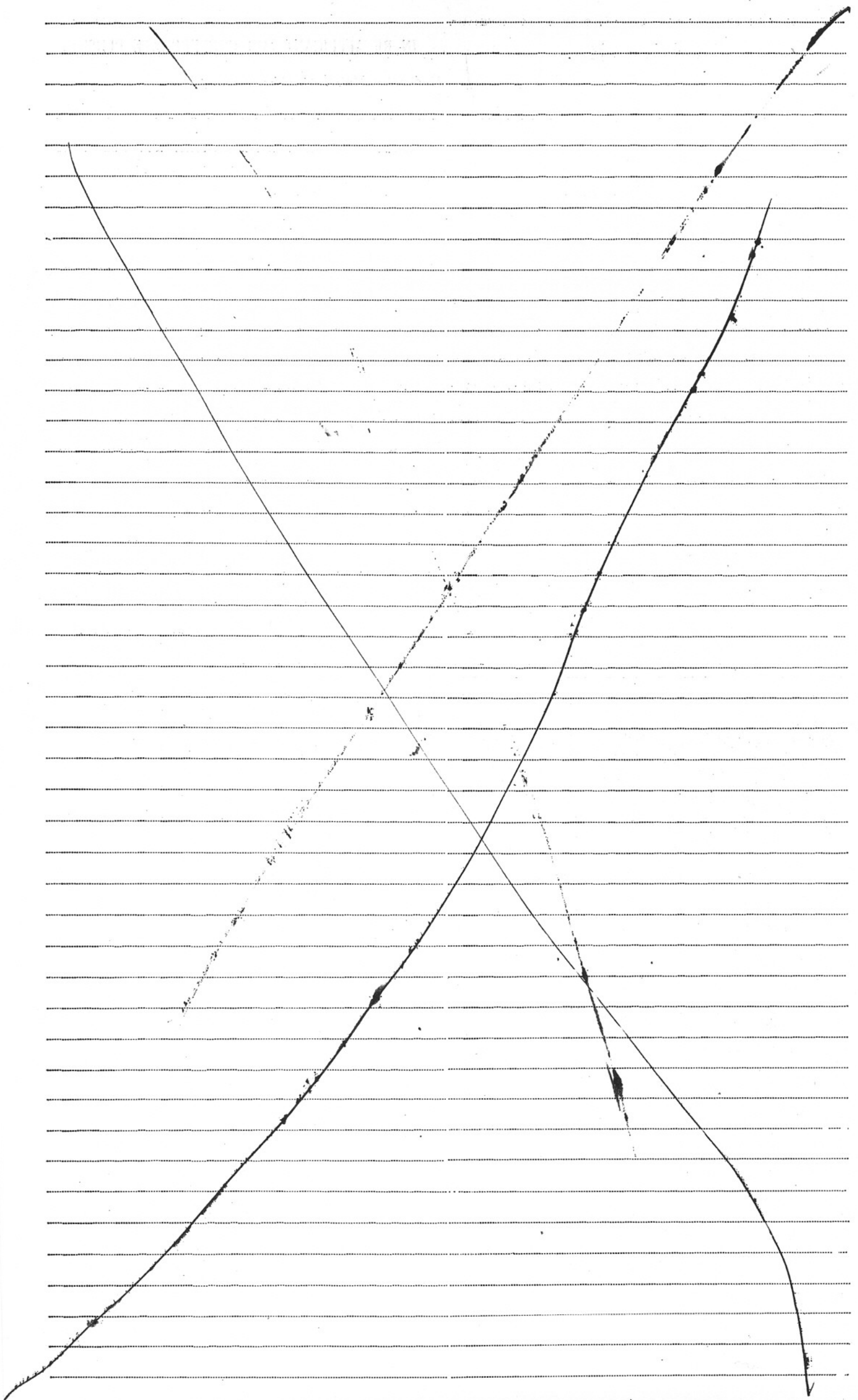
*I do not know anything
otherwise*

To 3d Cross-Int. he Answers::

To 4th Cross-Int. he Answers::

I do not, he did not

TX



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.

sign here

H. A. Cox

Subscribed and sworn to before me, this

day of

1912

G. L. Gily
G. L. Gily *Chancery Clerk*
G. L. Gily *Chancery Clerk*

THE STATE OF

County of

I,

(Here give name and official character of officer before whom taken.)

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

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)

Given under my hand and official seal, this the day of, 19

(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

Applicant for Confederate Pension

DEPOSITION
OF

G. A. Cox

John Miss

Witness for Applicant

Filed day

of 19

Clerk.

By Deputy.

Fee for Taking Deposition, \$

VON BOECKMANN-JONES COMPANY, PRINTERS, AUSTIN, TEX.

EX PARTE

Joe 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 John Fletcher and who reside in the County of Mississippi 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 can not be proven by any witness residing in the County of Henderson and State of Texas, of which is a bona fide resident.

Joe M. Smith
(Applicant) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness.

John Fletcher, Mendenhall, Mississippi.

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

TX

To be Propounded to John Fletcher:

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

Cross INT. 3. Do you know whether or not the said Joe 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 Joe 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.

Joe M. Smith
(Applicant) Attorney for Applicant.

Application for Confederate

Pension.

FOR USE OF SOLDIERS OR WIDOWS.

Henderson

County, Texas.

Pending before the County Judge of said County.

EX PARTE

Joe M. Smith

Applicant.

INTERROGATORIES

propounded to

John Fletcher.

Witnesses.

BOND

This BOND must be sworn to by the owner of the original warrant, and also signed by the owner and two sureties before it will be approved and duplicate warrant issued.

THE STATE OF TEXAS,
County of Tarrant

EXECUTE AND RETURN THIS BOND AND
DUPLICATE WARRANT WILL BE ISSUED.

Before me, the undersigned authority, on this day personally appeared Joe M. Smith, who, after being by me duly sworn on oath, says that is the true owner of Confederate Pension Warrant No. 59222 for the sum of Twenty Two & 00/100 Dollars, drawn by the Comptroller of the State of Texas, on Mar 31/1934, in favor of Joe M Smith, and that the same is in fact lost or destroyed, or has not been received.

(SEAL)

Joe M Smith
Owner of Warrant

Sworn to and subscribed before me this the 10th day of May, 1934
A notary public
for Tarrant Co., Texas.

THE STATE OF TEXAS,
County of Tarrant

KNOW ALL MEN BY THESE PRESENTS, That we, Joe M. Smith, as principal, and J. J. Carlile and Mrs. W.M. Keller, as sureties, are held and bound unto Miriam C. Ferguson DAN MOODY, Governor of the State of Texas, and his successors in office, in the sum of Fifty & 00/100 Dollars, for the payment of which sum, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, jointly and severally.

Whereas, the above named principal has filed with the Comptroller an affidavit, stating that he is the true owner of said Confederate Pension Warrant, drawn by the Comptroller of the State of Texas, on the date shown in the above affidavit, in favor of said payee, and that the same is in fact lost or destroyed; and

Whereas, duplicate of said Confederate Pension Warrant, in favor of the original payee, will be issued;

Now, therefore, the condition of the above obligation is such that the owner of said warrant will hold the State harmless and return to the Comptroller, upon demand being made therefor, such duplicate or copies, or the amount of money named therein, together with all costs that may accrue against the State, on collecting the same.

Given under our hands, this 10th day of May, A. D., 1934

Joe M Smith
Principal.

J. J. Carlile
Surety.

Mrs. W.M. Keller
Surety.

Approved 12 day of May, 1934

TX

Duplicate

County Henderson

Number 22079

Address R. F. D. #1 Street.

Grapevine, Texas.
(City or Town)

Geo. H. Shepard
Comptroller.

