

13  
 Affidavit of  
 witnesses taken  
 outside of  
 County. This  
 should be by  
 deposition or  
 by a judge  
 of Husb. Co.  
 has too much time

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

COMPTROLLER'S OFFICE,  
 RECEIVED  
 JAN 28 1900  
 Referred to \_\_\_\_\_  
 No. \_\_\_\_\_

Exp. 3/14/1900  
 Endorsements Hereon for Comptroller's Use Exclusively.

FORM No. 2. 4042

CONFEDERATE PENSION APPLICATION.

Name of Applicant,  
 Mrs. M. A. Smith  
 Henderson County.  
 Post Office Malakoff, Texas  
 Comptroller's File No. 7408

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

Disapproved  
 this 11 day of Sept  
 A. D. 1900

J. H. Main  
 Pension Clerk.

I hereby disapprove the within application  
 for pension, this 11 day of  
 Sept. A. D. 1900

W. H. Haring  
 Comptroller.

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

APPLICATION of Indigent widow of 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 Anderson County, Texas.

Your petitioner, Mrs. Martha Ann Smith respectfully represents that she is a resident citizen of Anderson County, in the State of Texas; that she is the widow of Jacariah Jefferson Smith, deceased, who was a Confederate soldier (or sailor), and that she makes this application for the purpose of obtaining a pension as the widow of said Jacariah Jefferson Smith, deceased, 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 Martha Ann Smith
- Q. What is your age? Answer 54 years
- Q. In what County do you reside? Answer Anderson
- Q. How long have you resided in said County and what is your post office address? Answer Have resided in said County 36 years. P. O. Malakoff
- 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 none
- Q. What is your physical condition? Answer Feeble
- Q. What was the name of your deceased husband? Answer Jacariah Jefferson Smith
- Q. Were you married to him anterior to March 1, 1862? If so, on what date were you married to him and where? Answer yes. Feb 13<sup>th</sup> 1861
- Q. What was the date of his death? Answer July 2<sup>d</sup>. 1884.
- Q. Are you unmarried, and have you so remained unmarried since the death of your said husband for whose services you claim a pension? Answer yes
- Q. State in what company and regiment your deceased husband for whose services you claim a pension enlisted in the Confederate Army, and the time of his service therein? Answer Company "F," Regiment 20 Texas Served from March 1862 to April 1865
- Q. If your deceased husband served in the Confederate Navy, state when and where, and the time of such 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 so received. Answer none

TX

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 *Undivided one half interest in one hundred acres of land valued at three hundred dollars;*

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 *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 your deceased husband for whose services you claim a pension, ever desert the Confederacy? Answer *No*

Q. Have you been continuously since the first day of ~~January~~ *March*, 1880, a bona fide resident citizen of this State? Answer *Yes Jan*

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

(Signature of Applicant)

*Martha Ann Smith*

Sworn to and subscribed before me this *11<sup>th</sup>* day of *July* A. D. *1899*

*W. F. Freeman*

(SEAL)

County Judge *Frederick* County, Texas.

# AFFIDAVIT OF WITNESSES.

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

THE STATE OF TEXAS,

COUNTY OF *Navarro*

Before me, *E. L. Owsley J. P. & Ex. Officer*

*Walter J. Owsley* County Judge of *Navarro* County, State of Texas, on this day personally appeared *Carroll and W. A. Gage*

who are personally known to me to be credible citizens, who being by me duly sworn on oath, state that they personally know that Mrs. *Martha Ann Smith*, applicant for a pension as the widow of

*Gaekaria Jefferson Smith*, deceased, is in truth and fact the widow of the said

*B. J. Smith*, deceased; that they personally know that the said

*B. J. Smith*, deceased, enlisted in the service of the Confederacy, and

performed the duties of a soldier (or sailor) as claimed by his said widow in the above and foregoing application, and that they further

know that the said Mrs. *Martha Ann Smith*, widow of the said

*B. J. Smith*, deceased, is unable to support herself by labor of any sort.

(Signature of Witness)

*J. Y. Carroll*

(Signature of Witness)

*W. A. Gage*

(Signature of Witness)

(Signature of Witness)

Sworn to and subscribed before me this *13* day of *July* A. D. *1899*

(SEAL)

*E. L. Owsley J. P. & Ex. Officer*  
*Navarro* County, Texas.



## CERTIFICATE OF COUNTY JUDGE.

THE STATE OF TEXAS,

COUNTY OF

*Henderson*

I,

*W. F. Freeman*

County Judge of

*Henderson*

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

*12<sup>th</sup>*

day of

*July*

A. D.

*1899*

before me came on to be heard the application of

Mrs.

*Martha Ann Smith*

widow of

*J. F. Smith*

deceased, 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. I also certify that the said applicant *Mrs. Martha Ann Smith*

is not disqualified under any of the provisions of Section 12, of the Confederate Pension Law. I further certify that after considering all

of the proceedings had before me relative to the said application for a pension by the said Mrs. *Martha Ann**Smith*

as widow of

*J. F. Smith*

deceased, I find the said applicant is lawfully entitled to the pension provided for 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

*14*

day of

*August*

A. D.

*1899*

(SEAL)

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 Mrs. *Martha**Ann Smith*

widow of

*J. F. Smith*

deceased, for a pension,

together with the proof in support thereof, was duly submitted by Hon. *W. F. Freeman*

County Judge of this

*Henderson*

County, to the Commissioners Court of this

*Henderson*County, at a regular term thereof on the *14* 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*

this

*14*

day of

*Nov*

A. D.

*1899*

(Signatures of Commissioners.)

*Chas Gauntt**L. W. Smith**Jim Cuddeley**Wood Forester*

(SEAL)

(SEAL)

County Judge.....County, Texas.

AFFIDAVIT OF WITNESSES.

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

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 Jos. R. Taff, & R. E. Austwell

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

that Mrs. M. A. Smith, applicant for a pension as the widow of

J. J. Smith, deceased, is in truth and fact the widow of the said

J. J. Smith, deceased; that they personally know that the said

J. J. Smith, deceased, ~~enlisted in the service of the Confederacy, and~~

~~performed the duties of a soldier (or sailor) as claimed by his said widow in the above and foregoing application,~~ and that they further

know that the said Mrs. M. A. Smith, widow of the said

J. J. Smith, deceased, is unable to support herself by labor of any sort.

(Signature of Witness) Jos. R. Taff X

(Signature of Witness) R. E. Austwell X

(Signature of Witness).....

(Signature of Witness).....



Sworn to and subscribed before me this 10th day of Aug A. D. 1900

W. H. Freeman

County Judge Henderson County, Texas.

(SEAL)

H-25

- 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 37 yrs.  
Malakoff.
- 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 None
- Q. What is your physical condition? Answer Feeble
- Q. What was the name of your deceased husband? Answer Joshua Jefferson Smith
- Q. Were you married to him anterior to March 1, 1866? If so, on what date were you married to him and where?  
Answer Yes, Feb. 13<sup>th</sup> 1861. Porters Bluff.
- Q. What was the date of his death? Answer July 2nd 1884
- Q. Are you unmarried, and have you so remained unmarried since the death of your said husband for whose services you claim a pension? Answer Yes
- Q. State in what company and regiment your deceased husband for whose services you claim a pension enlisted in the Confederate army, and the time of his service therein? Answer Company C, 2<sup>d</sup> O. Tex. Regt.  
3 yrs.
- Q. If your deceased husband served in the Confederate navy, state when and where, and the time of such service?  
Answer C
- 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 so received.  
Answer No

A 67.

File No. ....

IN THE COMMISSIONERS' COURT

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

Ex parte *Mrs. M. A. Smith*

COMMISSION

TO TAKE THE DEPOSITION OF

VS.

(NON-RESIDENT OF THE STATE OF TEXAS.)

Applicant for Confederate Pension.

Issued the ..... day of

1

Clerk.

By ..... Deputy.

Filed the ..... day of

1

Clerk.

By ..... Deputy.

Clarke & Courts, Manufacturing Stationers, Galveston. 8 99 5



## THE STATE OF TEXAS,

To any Clerk of a Court of Record having a Seal, and Notary Public, or any Commissioner of Deeds duly appointed under the Laws of this State,  
in and for the County of Navarro  
State of Texas GREETING:

WE HEREBY AUTHORIZE AND REQUIRE YOU, or either of you, to summon

W. A. Gager

a resident of your

County

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 the Court as herein provided:

1. That you reduce his 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 Judge 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 Commissioners' Court of Henderson County, in said State of Texas, before the County Judge of said County, entitled "Ex parte Wm M. A. Smith applicant for Confederate pension."

HEREIN FAIL NOT, but make due return of this Writ.

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

this 14th day of March A. D. 1900

ATTEST:

W. R. Freeman

Clerk of the

Judge County

Court of Henderson County.





EX PARTE

*Mrs M. A. Smith*  
Applicant for Confederate Pension.

Pending in the Honorable Commissioners' Court  
of *Sevier* 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

*J. J. Carrall and W. A. Gay*

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 *Mrs M. A. Smith* who  
is an applicant for pension under Act of May 12, 1899?

INT. 3. How long have you known the said *Mrs M. A. Smith* applicant for  
pension, and when and where did you first know her?

INT. 4. Do you personally know that the said *Mrs M. A. Smith* 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 *Mrs M. A. Smith*  
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 *Mrs M. A. Smith*, 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?

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

THE STATE OF TEXAS, }  
County of.....

I, ....., 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.

County Judge.....County, Texas.

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

A 69.

In Re  
Application for Confederate  
Pension.

IN COMMISSIONERS' COURT,  
Henderson COUNTY, TEXAS.

Pending before County Judge of said County.

EX PARTE  
M. M. A. Smith  
Applicant.

INTERROGATORIES  
PROPOUNDED TO

WITNESSES.

EX PARTE

*Mr M. A. Smith*

Applicant for Confederate Pension.

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act May 12, 1899, pending in County Commis-  
sioners' Court of *Henderson*

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

Answers and deposition of (1)

*J J Carroce & W A Gay*

to the accompanying interrogatories (2)

propounded to *them* in the above entitled cause taken before (3)

*E F Ousley Jr*  
*Tex Officer Notary Public*

in accordance with the accompanying (5)

To the first interrogatory the said

Witness, answers:

*J J Carroce & W A Gay*  
*56 & 66 years. Known since 1866 - in Henderson Co Texas*  
*2nd yr*  
*3rd known for since 1866 - in Henderson Co Texas*  
*4th yr*  
*5th Company F Regiment - 20 Texas, in*  
*Spring of 1864. in Henderson Co Texas,*  
*Three years,*  
*6th would not know*







- (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 15 day of March 1900

J. G. Carroll.

W. A. Gage

THE STATE OF TEXAS, }  
County of Navarro } I, E. F. Orsley J. P. & Ex.  
Offic. Notary Public (Here give name and official character of officer before whom taken.)  
do hereby certify that J. G. Carroll  
and W. A. Gage are personally known to me to be credible citizens of said  
County and State, and that the foregoing answers of J. G. Carroll & W. A. Gage

the witness W. A. Gage 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 (s)

Given under my hand and official seal, this the 15 day of March 1900

[L. S.]

E. F. Orsley J. P.  
and Ex-officio Notary Public in and  
for Navarro 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 the Commissioners' Court

OF

Greensboro County, Texas,

Before the Honorable County Judge of said County.

EX PARTE

Wm M. A. Smith

Applicant for Confederate Pension.

DEPOSITION

OF

Witness ..... for Applicant.

Filed the ..... day

1

Clerk.

Deputy.

Fee for Taking Deposition, \$ .....