

Forward

COMPTROLLER'S OFFICE
RECEIVED
FEB 28 1908
Referred to _____
No. _____

Noticed
Endorsements Hereon for Comptroller Use Exclusively
FORM No. 1
MAY 1902
OCTOBER 1, 1902

CONFEDERATE PENSION APPLICATION

Name of Applicant,

J. E. Alston
County,

Post Office *Spiller*

Comptroller's File No. _____

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 _____ day of **MAR 25 1908**

A. D. _____

E. A. Adams
Chief Pension Clerk.

I hereby **Disapprove** the within application for pension, this **MAR 25 1908** day of _____

W. D. Stephens
Comptroller.

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

State Printing Co., Houston.

NOTE—The law provides that pensions can begin only on the first day of April and October of each year.

FORM No. 1. Amended October 1, 1902.

APPLICATION of Indigent Soldier or Sailor of the late Confederacy for pension under the Act of May 12, 1899. Hereafter use no other blank but this.

THE STATE OF TEXAS }

County of *Smith* }

To the Honorable County Judge of *Smith* County, Texas:

Your petitioner, *J. J. Alston* respectfully represents that he is a resident citizen of *Smith* County, in the State of Texas, and that he makes this application for the purpose of obtaining a pension 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 *J. J. Alston*
- Q. What is your age? Answer *61 years*
- Q. In what County do you reside? Answer *Smith*
- Q. How long have you resided in said County and what is your postoffice address? Answer *Fifty years - P.O. Tyler Texas RFD No 9*
- 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 *Farmer*
- Q. What is your physical condition? Answer *Weak, one leg only. Cat's paw head*
- Q. If your physical condition is such that you are unable by your own labor to earn a support, state what caused such disability. Answer *Exposure in Army*
- Q. In what State was your command originally organized? Answer *Alabama*
- Q. How long did you serve? Give date of enlistment and discharge. Answer *Entered June 11th 1864. Discharged June 1865*
- Q. What was the name or letter of your company and name or number of your regiment? Answer *Co - 'D' 2nd Ala Regt*
- Q. State whether you served in the infantry, artillery, cavalry, or the navy. Answer *Infantry*
- 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 received. Answer *No*
- 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 *None*

TX

- 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 estate has your wife in her own right, real and personal, and what is its value? 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 Yes
- Q. Are you unable by your labor to earn a support? Answer No
- 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 you ever desert the Confederacy? Answer No
- Q. Have you been continuously since the first day of January, 1880, a bona fide resident citizen of this State? Answer Yes - Came to Tex 1872
- Q. If you originally enlisted in the Confederate service from the State of Texas, were you at the date of the passage of this act, a bona fide resident citizen of the State of Texas? Answer -

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

(Signature of Applicant) J. J. Alston

Sworn to and subscribed before me this 18 day of Sept A. D. 1907

(SEAL.)

J. A. Bullock
County Judge Smith County, Texas.

AFFIDAVIT OF WITNESSES.

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

THE STATE OF TEXAS }
COUNTY OF Smith

Before me J. A. Bullock

County Judge of Smith County, State of Texas, on this day personally appeared John
D. Scott and R. B. Lester

who are personally known to me to be credible citizens, who being by me duly sworn on oath, state that they personally know J. J. Alston the above named applicant for a pension, and that they personally know that the said J. J. Alston is unable to support himself by labor of any sort.

(Signature of Witness) Geo. B. Scott

(Signature of Witness) R. B. Lester

Sworn to and subscribed before me this 18th day of Sept A. D. 1907

(SEAL.)

J. A. Bullock
County Judge Smith County, Texas.

AFFIDAVIT OF PHYSICIAN.

THE STATE OF TEXAS }

COUNTY OF Smith }

County Judge of Smith County, State of Texas, on this day personally appeared W. Montgomery

Before me J. A. Bucock

who is a reputable practicing physician of this County, who being by me duly sworn on oath, states that he has carefully and thoroughly examined J. J. Alston applicant for a pension, and finds him laboring under the following disabilities which render him unable to labor at any work or calling sufficient to earn a support for himself: Portly deaf, with only one leg - and very weak

(Signature of Physician) H. F. Montague, M.D.
Sworn to and subscribed before me this 18th day of Sept A. D. 1907

(SEAL.)

J. A. Bucock
County Judge Smith County, Texas.

CERTIFICATE OF COUNTY JUDGE.

THE STATE OF TEXAS }

COUNTY OF Smith }

County Judge of Smith County, State of Texas, do hereby certify that on the 29th day of Jan A. D. 1908, before me came on to be heard the application of J. J. Alston

I, J. A. Bucock

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, and that the foregoing affidavit of Doctor W. Montgomery who is a reputable practicing physician of this county, was made before me. I also certify that the said applicant J. J. Alston is not an inmate of the Texas Confederate Home, nor otherwise disqualified under the provision of Section 12, of the Confederate Pension Law. I further certify that after considering all the proceedings had before me relative to the said application for a pension by the said J. J. Alston I find the said applicant is lawfully entitled to the pension provided by the Confederate Pension Law of this State, and I hereby approve said application.

Witness my hand and seal of office at Fyler this 29th day of Jan A. D. 1908

(SEAL.)

J. A. Bucock
County Judge Smith County, Texas.

CERTIFICATE OF COUNTY COMMISSIONERS.



THE STATE OF TEXAS }

COUNTY OF Smith }

Court of Smith County, Texas, hereby certify that the foregoing application of J. J. Alston

We, the undersigned members of the Commissioners Court of Smith County, Texas, hereby certify that the foregoing application of J. J. Alston

for a pension, together with the proof in support thereof, was duly submitted by Hon. J. A. Bucock County Judge of this Smith County, to the Commissioners of this Smith County, at a regular term thereof on the 10th day of Feb A. D. 1908, 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 Fyler Tex this 10th day of Feb A. D. 1908

(Signature of Commissioners)

(SEAL.)

W. A. Strang
J. A. Bucock
D. G. Epperson
E. J. Lake

EX PARTE

J. J. Alston
Applicant for Confederate Pension.

Pending in the Honorable Commissioners Court
of *Smith* County, Texas,
before the Honorable County Judge of said County.

The Honorable County Judge of *Smith* 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 *Mrs Virginia Nix*
and *Texas* who reside in the County of *Dallas* 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 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 *Smith* and State of Texas, of which he is a bona fide resident.

J. J. Alston
(Applicant) Attorney for Applicant.

Direct Interrogatories to be propounded to the Witness

- 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 *J. J. Alston* who is an applicant for pension under Act of May 12, 1899?
- INT. 3. How long have you known the said *J. Alston* applicant for pension and when and where did you first know him?
- INT. 4. Do you personally know that the said *J. J. Alston* applicant for pension 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 *J. J. Alston* 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 *J. J. Alston* the said applicant for pension, is unable to support himself by labor of any sort?

CROSS INTERROGATORIES.



To be Propounded to *Mrs Virginia Nix*

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 you knew of any other soldier or sailor by the name of *J. J. Alston* serving in the same company or regiment in which you say the said applicant *J. J. Alston* 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

Subscribed and sworn to before me, this 10th day of October, 1907

Geo A. Tuttenington a
notary public Dallas Co. Tex.

THE STATE OF TEXAS }
COUNTY OF Dallas

I, Geo A. Tuttenington a notary public
(Here give name and official character of officer before whom taken)

do hereby certify that Mrs Virginia M. M...
and is are personally known to me to be a credible citizen of said
County and State, and that the foregoing answers of Mrs Virginia M. M...

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 10 day of Oct, 1907

(L. S.)

Geo A. Tuttenington a
notary public Dallas Co. Tex.

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
Smith
County, Texas.
Before the Honorable County Judge of Said County.

EX PARTE
J. G. Alston
Applicant for Confederate Pension

DEPOSITION
OF
Mrs Virginia M. M...

Witness for Applicant.
_____ day
of _____ 1907
Clerk.
Deputy.

Fee for taking Deposition, \$1.00

77

DEPOSITION IN PENSION CLAIMS, WITH CAPTION AND CERTIFICATES.

1589-506-2m

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act May 12, 1899, pending in County Commissioners Court of Suett

J. J. Alston

Applicant for Confederate Pension

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

Answers and depositions of (1) Mrs Virginia Nix

to the accompanying interrogations (2) and Cross Interrogatories propounded to her in the above entitled cause taken before (3) me Geo A. Guttermeyer a notary Public in accordance with the accompanying (5) agreement

To the first interrogatory the said Mrs Virginia Nix

Witness, answers My name is Mrs Virginia Nix. Am 71 years of age. Live in Dallas Co. Post office address is Oak Cliff Texas.

To the 2nd Int. said witness answers: I did personally know him.

To the 3rd Int. said witness answers: I have known him ever since he was ten years old. Lived by him for years. His mother was my husband's sister. When I lived by him he & I resided in Barber County Alabama.

To the 4th Int. said witness answers: I know he was enlisted and that he was gone from home a good while. It has always been my understanding that he performed the duties of a soldier.

To the 5th Int. said witness answers: I do. It was company D, Second Reserve Alabama. He went to the war in 1864. He was then living in Barber Co Ala. He went to Mobile Ala. I do not know whether he served in the Army or in the Navy. He served at Mobile. He served till the war ended.

To the 6th Int. said witness answers: He lost his leg; is 62 or 63 yrs of age & I am of the opinion that he is able to do very little, if any thing to earn a support.

To Cross Interrogatories
To the Cross Int. said witness answers: I have personal knowledge of all the facts above stated, except the name of the Company, & number of the Reserve. I know the Company & Reserve from the Discharge which I have before me. I did

TX

not know any other man by that name, at any time or place.

To the 2nd & 3rd said witness answers.

I am certain that he is the identical man.

To the 4th & 5th said witness answers.

I know he is crippled, and that he is old.

I therefore conclude that he is little able to support himself.

To the 6th & 7th said witness answers.

If he ever deserted the army, I never heard of it.

I did in fact know the name of the company and the number of the Reserve before I said the discharge. But through all these years I had forgotten them until I refreshed my memory by seeing the discharge.

Mrs Virginia O'Key

EX PARTE

J. J. Alston

Applicant for Confederate Pension.

Pending in the Honorable Commissioners Court of Smith County, Texas, before the Honorable County Judge of said County.

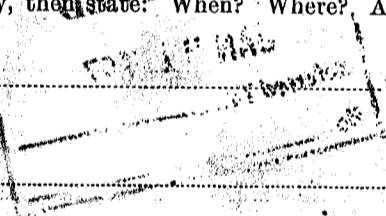
The Honorable County Judge of Smith County, Texas, will please take notice that, five days after the service hereof, applicant herein will apply to the Clerk of the County Court of said County and State, for a commission to take the depositions of J. W. Sparks and G. Gregg who reside in the County of Gregg 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 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 Smith and State of Texas, of which he is a bona fide resident.

J. J. Alston

(Applicant) Attorney for Applicant.

Direct Interrogatories to be propounded to the Witness

- 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 J. J. Alston who is an applicant for pension under Act of May 12, 1899?
INT. 3. How long have you known the said J. J. Alston applicant for pension and when and where did you first know him?
INT. 4. Do you personally know that the said J. J. Alston applicant for pension 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 J. J. Alston 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 J. J. Alston 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 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 F. Gaeston applicant, serving in the same command?

If you say that you so knew other soldiers or sailors of the same name of 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 F. Gaeston 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 on conjecture?

Cross INT. 4. Do you know whether or not the said F. Gaeston applicant for pension, ever deserted the service in the Confederate army or navy?

THE STATE OF TEXAS,

County of Smith

I, J. A. Brunch, 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.

J. A. Brunch
County Judge Smith County, Texas.
F. Gaeston
(Applicant) Attorney for Applicant.

Direct Interrogatories

<p>In Re</p> <p>Application for Confederat</p> <p>Pension.</p>	<p>IN COMMISSIONERS COURT.</p> <p><u>Smith</u></p> <p>County, Texa</p>	<p>Pending before County Judge of said County.</p>	<p>Ex Parte</p> <p><u>F. Gaeston</u></p> <p>Applicant.</p>	<p>INTERROGATORIES</p> <p>PROPOUNDED TO</p> <p><u>Mr. Brunch in this</u></p>	<p>Witnesses.</p>
---	---	--	---	---	-------------------

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 of 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 on conjecture?

CROSS INT. 4. Do you 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 Smith }

I, J. A. Bullock 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 S. may be attached hereto.

J. A. Bullock
County Judge Smith County, Texas.
J. J. Alston
(Applicant) Attorney.....for Applicant.

In Re
Application for Confederate
Pension.

IN COMMISSIONERS COURT,
Smith County, Texas
Pending before County Judge of said County.

Ex Parte
J. J. Alston
Applicant.

INTERROGATORIES
PROPOUNDED TO
J. M. Spence

Witnesses.
.....
.....
.....

DEPOSITION IN PENSION CLAIMS, WITH CAPTION AND CERTIFICATES.

1589-506-2m

EX PARTE

T. J. Alston

Applicant for Confederate Pension

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act May 12, 1899, pending in County Commissioners Court of *Smith*

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

Answers and depositions of (1) *For St Sparks Kilgore Gregg County Texas*

to the accompanying interrogations (2) propounded to *him* in the above entitled cause taken before (3) *R. F. Osborn Justice of the Peace* in accordance with the accompanying (5) *agreement*

To the first interrogatory the said *For St Sparks* Witness, answers *For St Sparks age 60 years, Kilgore Gregg County Texas, Post Office address the same*

2 Answer: *I do know T. J. Alston the applicant*

3 answer: *I have known him for 45 or 50 years, first knew him in Baldwin County, Alabama, about the year 1854 or 1855 do not remember the exact date*

4 Answer: *I personally know T. J. Alston the applicant enlisted in the service of the confederacy, as a private soldier,*

5 Ans: *I do not know of my own knowledge what company and Regiment T. J. Alston applicant enlisted, but have been informed that he served under Captain G. H. Jones Co. D. 2nd Regt Ala Reserves.*



6 Ans: *Judging from his present condition I don't think him able to labor, for support on account of afflictions*

Joe W Sparks

Subscribed and sworn to before me, this 21 day of Sept, 1907
R. F. Osborn J.P. and ex-officio Notary
Public for Precinct 6, Gregg Co., Texas.

THE STATE OF TEXAS }

COUNTY OF Gregg

Gregg Co. Texas do hereby certify that

I, R. F. Osborn J.P. Precinct No 6
(Here give name and official character of officer before whom taken)

and Joe W Sparks is are personally known to me to be credible citizens of said
County and State, and that the foregoing answers of Joe W Sparks

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) Joe W Sparks,

Given under my hand and official seal, this the 21 day of Sept, 1907

(L. S.)

R. F. Osborn J.P. and ex-officio Notary
Public for Precinct No 6, Gregg 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 the Commissioners Court

OF

Smith

County, Texas.

Before the Honorable County Judge of Said County.

EX PARTE

R. F. Osborn

Applicant for Confederate Pension

DEPOSITION
OF

Joe W Sparks

Witness for Applicant.

Filed 21 day

190

Clerk.

Deputy.

Fee for taking Deposition, \$ 50



Comptroller's Department

State of Texas

Austin

MAR 10 1908

J. W. STEPHENS, COMPTROLLER
JOHN T. SMITH, CHIEF CLERK

To The Adjutant General

To the Military Secretary,

War Department,

Washington, D. C.

Dear Sir:

I have the honor to request the military record of

T. J. Alston

who is reported to have enlisted in

Company

D

2nd

Regiment

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,

J. W. Stephens

Comptroller



ADJUTANT GENERAL'S OFFICE
MAR 13 1908
1353148
WAR DEPARTMENT

Austin, Texas,
March 10, 1908.

J. W. Stephens, Comptroller,
Comptroller's Dept., State of Texas.

For military record of T. J. Alston,
"D", 2d Alabama Inf., C.S.A.

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

WAR DEPARTMENT,
1353148

THE ADJUTANT GENERAL'S OFFICE,


WASHINGTON, March 14, 1908.

Respectfully returned to the

Comptroller,
State of Texas,
Austin.

The records show that Thomas J. Alston, private, Company D, 2d Alabama Reserves, C.S.A., enlisted July 30, 1864. No letter record of him has been found.

I have the honor to request the military record of


The Adjutant General.

(A.G.O. 72-1)