

21

21397-

DEAD FORM A

Soldier's Application for Pension

The Commissioner of Pensions reserves the right to call on additional testimony if he deems it necessary.

Name of Applicant.

S.L. Birdwell

Henderson

County.

Postoffice **Chandler.**

Filed

Oct 14th 1912

Approved

9 Nov. 1st 1913

Pension allowed

Jan 1st 1913

Rejected

[Handwritten signature]

Commissioner of Pensions.

VON BOECKMANN-JONES CO., PRINTERS, AUSTIN

[Handwritten initials]

Riley Glenn, Tyler
Henry Pool, Lindale

FORM A

For Use of Soldiers, Who are in Indigent Circumstances

THE STATE OF TEXAS }
 County of Henderson }

I, S.L. Birdwell, 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 home wounded on furlow when war closed. I was wounded Oct. 5th, 1864 at Altuna Mountain fight and furlowed from hospital at Collumbus, Ga. about Dec. 15th to 20th, 1864.

(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? 68 years.
2. Where were you born? Giles county, Tenn.
3. How long have you resided in Texas? Since 1859.
4. In what county do you reside? Henderson County.
5. How long have you resided in said county and what is your postoffice address? 30 years. Chandler.
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. 4 years.
10. What was the letter of your company, number or name of battalion, regiment or battery? Company K, 10th Texas Cavalry (dismounted).
11. If transferred from one command to another, give time of transfer, name of command and time of service. Not transfered.
12. What branch of the service did you enlist in—infantry, cavalry, artillery or navy? Dismounted infantry. We were mounted for about a year.



13. If commissioned direct by the President, what was your rank and line of duty? I was not 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? To drive Supply team Joe.E.Johnson.

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) S. L. Birdwell

Sworn to and subscribed before me, this 7th day of September, A. D. 1912.

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

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 duly sworn, on oath state that they personally know the above named applicant for a pension, and that they personally know that the said 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)

(Signature of Witness)

Sworn to and subscribed before me, this day of, A. D. 19

[SEAL.]

County Judge 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

T. J. DOBBS
 NOTARY PUBLIC

Chandler, Texas, March 1 1913

On this day personally appeared
 J L Birdwell and after
 being by me duly sworn says
 the following is a fair rendition
 of his property

100 acres of land	\$ 600 ⁰⁰
2 head of horse \$50 ⁰⁰ each	\$ 100 ⁰⁰
2 cows \$15 ⁰⁰ each	\$ 30 ⁰⁰

J L Birdwell
 mark

Sworn to and subscribe
 before me this March 1st 1913


T J Dobbs
 Notary Public
 in and for Henderson Co

T. J. DOBBS
NOTARY PUBLIC

Chandler, Texas, March 1 1913

Person Concerns Austin
Dear Sir

I want to say that
I am an Old Confederate
Soldier and I am personally
acquainted with J J Birdwell
and that he was a Patient
Soldier and to day carrying
the marks of 4 bullets
in his body and is not
able to do Manual labor

By T J Dobbs 



R. 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 S. L. Birdwell, who is reported to have enlisted in
 Company "G", Regiment 19th Texas Cavalry (dismounted)
 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,

R. A. Buford
 Commissioner of Pensions.



ADJUTANT GENERAL'S OFFICE

OCT 18 8 11 AM

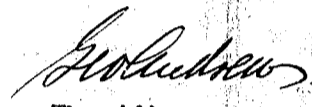
1964585

WAR DEPARTMENT

1964585 **WAR DEPARTMENT,**
THE ADJUTANT GENERAL'S OFFICE,
WASHINGTON, October 18, 1912.

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

The records show that S. L. Birdwell, private, Company K, 10th Texas Cavalry, Confederate States Army, was enlisted September 25, 1861. On the muster roll dated April 5, 1864 (last on file), he was reported "absent detailed as teamster on supply train July 8, 1863, by order Gen. Johnston." No later record of him has been found.



The Adjutant General.

(A. G. O. 74)

Received A. G. O., OCT 17 1912

OFFICE OF

Commissioner of Pensions

State of Texas

Austin

WASHINGTON FIELD, TEXAS

RECEIVED OCT 18 1912

Subscribed and sworn to before me, this 16 day of September, 1912
Henry Pool
Notary Public Smith Co Texas

THE STATE OF
County of } I,
(Here give name and official character of officer before whom taken)
.....do hereby certify that.....
andare 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....., 191.....
(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
S. L. Starnell
Applicant for Confederate Pension

DEPOSITION
OF
Henry Pool

Witness.....for Applicant.
Filed.....day
of....., 191.....
Clerk.....
By....., Deputy.

for Taking Deposition, \$.....
VON ROECKMANN-JONES COMPANY, PRINTERS, AUSTIN, TEXAS

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.

DEPOSITED IN PENSION CLAIMS, with Caption and Certificates.

652-511-1m

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

S.L.Birdwell

Under Act March 26, 1909, pending
in Henderson County,

Applicant for Confederate Pension.

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

Answers and depositions of (1) Henry Pool and ~~Riley Glenn~~

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

Witness, answers My name is Henry Pool my address
is Lindale Texas my age is 70 years.

To 2nd Int. He answers: Yes I know S.L.Birdwell.

To 3d Int.He Answers: I first knew him in Smith County, Texas, in 1861
when we organized a company to go into the Confederate Army.

To 4th Int.he Answers. yes

To 5th Int. Hen answers. yes company K 10 of Texas
Discontinued before

To 6th Int.He Ans:
he was A Private soldier

To 7th Int.he Ans: he was Detailed as Teamster

To First Cross-Int.said witness answers:

To 2nd Cross-Int.He Ans: yes

To 3d Cross-Int.He Ans: yes he was honorable until
Discharge

To 4th Cross-Int.He Ans: he did not he was an honorable
Patriotic soldier from start to finish



EX PARTE

S.L.Birdwell

Applicant for Confederate Pension.

Pending in..... 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..... **Riley Glenn**..... and..... **Henry Pool**..... who reside..... in the County of..... **Smith**..... 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..... and State of Texas, of which..... he is a bona fide resident.

S.L.Birdwell

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

Direct Interrogatories to be Propounded to the Witness.....

Riley Glenn and Henry Pool

- 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..... **S.L.Birdwell**..... who..... is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said..... **S.L.Birdwell**..... and when and where did you first know him?
- INT. 4. Do you personally know that the said..... **S.L.Birdwell**..... 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..... **S.L.Birdwell**..... 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..... **S.L.Birdwell**..... 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..... **S.L.Birdwell**..... 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..... **Riley Glenn and Henry Pool**

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

Cross INT. 3. Do you know whether or not the said S.L. Birdwell
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 S.L. Birdwell
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.

Application for Confederate

Pension.

FOR USE OF SOLDIERS OR WIDOWS.

Henderson County, Texas.

Pending before the County Judge of said County.

EX PARTE

S.L. Birdwell
Applicant.

INTERROGATORIES

propounded to
Henry Pool.

Witnesses.

Subscribed and sworn to before me, this 10th day of September, 1912

W. H. Cassler, Notary Public
Smith County, Texas

THE STATE OF Texas
County of Smith

I, W. H. Cassler, a Notary Public
(Here give name and official character of officer before whom taken.)

in favor of Smith Co. Tex do hereby certify that W. R. (Riley) Glenn

and _____ are personally known to me to be credible citizens of said
County and State, and that the foregoing answers of W. R. (Riley) Glenn

_____ 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 September, 1912

(L. S.)

W. H. Cassler, Notary
Public Smith 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. _____

_____, County, Texas.
Before the Honorable County Judge of said County.

EX PARTE

S. L. Birdwell

Applicant for Confederate Pension

DEPOSITION
OF

Riley Glenn
Signer, doct

Witness _____ for Applicant.

Filed _____ day _____

of _____, 1912

By _____, Clerk.

By _____, Deputy.

Fee for Taking Deposition, \$ _____



- (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

IN RE APPLICANT FOR CONFEDERATE PENSION

S.L. Birdwell

Under Act March 26, 1909, pending

in Henderson County,

Applicant for Confederate Pension.

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

Answers and depositions of (1) ~~Henry Pool and~~ Riley Glenn

to the accompanying interrogations (2) and cross-interrogatories

propounded to him in the above entitled cause taken before (3) Mr. Castle, a Notary Public

in accordance with the accompanying (7) agreement

To the first interrogatory the said Riley Glenn

Witness, answers My name is Riley Glenn my address

is Tyler, Texas my age is 82 years.

To 2nd Int. He answers: Yes I know S.L. Birdwell.

To 3d Int. He Answers: I first knew him in Smith County, Texas, in 1861 when we organized a company to go into the Confederate Army.

To 4th Int. he Answers. yes, to both questions

To 5th Int. Hen answers. S.L. Birdwell enlisted in Co. H, 10th Tex Cavalry about 1861 or 62, at Tyler Texas - served till war ended I think.

To 6th Int. He Ans: I think not. He was a private soldier in my company for about 3 years to my own knowledge

To 7th Int. he Ans: He was not conscripted - He volunteered. He was not detailed for any special service while I was with him. He served in the ranks as a private. Served 3 years to my knowledge. To 1st Cross-Int. I was with S.L. Birdwell & personally knew of his service. I knew no other S.L. Birdwell.

To 2nd Cross-Int. He Ans: Yes -

To 3d Cross-Int. He Ans: He served honorably & was considered a good soldier - during the 3 years of service I was with him.

TX

To 4th Cross-Int. He Ans: He never did any of these things to my knowledge & I never heard that he did either during the war or since -

Explanation

I enlisted with S.L. Birdwell in Co. H, 10th Tex Cavalry during war 1861 or 1862 and I was with him all along

till I was captured and sent to prison during
the latter part of year 1864 -

When I was captured I left S. L. Burdwell
in Com. K. 10th Tex Cavalry
W. R. Gentry

EX PARTE

S.L.Birdwell

Applicant for Confederate Pension.

Pending in _____ 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 Riley Glenn and Henry Pool who reside in the County of Smith 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 _____ and State of Texas, of which he is a bona fide resident.

S.L.Birdwell

(Applicant) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness

Riley Glenn and Henry Pool

- 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 S.L.Birdwell who is an applicant for pension under Act of March 26, 1909?
INT. 3. How long had you known the said S.L.Birdwell and when and where did you first know him?
INT. 4. Do you personally know that the said S.L.Birdwell 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 S.L.Birdwell 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 S.L.Birdwell 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 S.L.Birdwell 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 Riley Glenn and Henry Pool

TX

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

Cross INT. 3. Do you know whether or not the said S.L.Birdwell
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 S.L.Birdwell
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.

Application for Confederate

Pension.

In Re

FOR USE OF SOLDIERS OR WIDOWS.

Henderson County, Texas.

Pending before the County Judge of said County.

EX PARTE

S.L.Birdwell

Applicant.

INTERROGATORIES

propounded to

Riley Glenn

Witnesses.

APPLICATION FOR MORTUARY WARRANT

THE STATE OF TEXAS,

County of Smith

I, Mrs. S. E. Birdwell

do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late S. L. Birdwell, who was a pensioner of the State of Texas, and whose file number was 21397 and whose original county was Henderson

The said pensioner S. L. Birdwell, died on the 17 day of Nov., 1929, in the town of Tyler County of Smith Texas

The pensioner died in the home of Mrs. R. C. Videman who was related to the pensioner as Daughter

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

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 that my postoffice address is

Tyler City

614 West Front St Street or R. F. D. Texas State

Signed S. E. Birdwell

Sworn to before me this 30 day of Nov. 1929

J. F. Daniel Notary Public in and for Smith County State of Texas.

Must return before 40 days expires from date of Pensioners' death

CERTIFICATE OF UNDERTAKER

I, J. F. Daniel, do certify that I am undertaker in the town of Tyler, County of Smith, State of Texas that I had charge of the body of S. L. Birdwell, who died in the town of Tyler, County of Smith, State of Texas on the 19 day of Nov 1929. That said body was prepared for burial by me on the 17 day of Nov 1929, and that I am of the opinion that warrant herein applied for should be issued to the said Mrs. S. E. Birdwell who makes the foregoing application.



Signed J. F. Daniel Undertaker.

CERTIFICATE OF PHYSICIAN

I, John N. Pope, do certify that I am a practicing physician, and that I attended Mr. S. E. Birdwell in his last illness, and am of the opinion that his ailments were Senility - Arteriosclerosis - Apoplexy

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-eighth Legislature and approved March 2, 1923.

Signed John N. Pope Physician's Address Tyler, Texas

