

Oct 15 - 1913

Dear Comrade

I return your application and with it the record from War Department at Washington which casts a shadow over your application - I hope you may be able to get positive proof strong enough to overcome this record of the War Department.

Yours truly
Geo. W. Byers
Commr of Pensions

Compliments of
East Texas Genealogical Society
www.rootsweb.com/~txetgs

267086-

FORM A

Soldier's Application
for a Pension

OK

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

Name of Applicant
James Mowen
Smith County

Postoffice
Tyler TX

Filed
Aug 30 1913

Approved
Oct 1 1913

Pension allowed from
Mar 1 1914

Rejected

Geo. W. Byers
Commissioner of Pensions
Commissioner of Pensions

E. L. Steck, Printing, Bookbinding, Austin
Ent.

FORM A

For Use of Soldiers Who Are In Indigent Circumstances

THE STATE OF TEXAS

County of Smith

I, James Brown do hereby make application to the Commissioner of Pensions for a pension to be granted me under the Act passed by the 33rd Legislature of the State of Texas, and approved April 7, 1913, 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; or that I was in the service of the State of Texas during the war, to protect said State against the Indians and Mexicans for more than 6 months.

That I was honorably discharged or surrendered was a prisoner of war at Point Lookout Md. at close of war - was released from there in June 1865 & came home
 (Give date and cause.)

that I have been a bona fide citizen of this State since prior to January 1, A. D. 1900, 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 a salary or fees of \$300.00 per annum, nor have I an income from any other employment or other source whatever which amounts to \$300.00 per annum, nor do I receive from any source whatever money or other means of support amounting in value to the sum of \$300.00 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, exclusive of a home of the value of not more than \$1000.00; 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? 88 years old
2. Where where you born? Craig Co. Ga.
3. How long have you resided in Texas? 31 years
4. In what county do you reside? Smith Co.
5. How long have you resided in said county and what is your postoffice address? 30 years
Postoffice Tyler Tex. R. F. D. # 7
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? not able (TX)
8. In what State was the command in which you served organized? Ga.
9. How long did you serve? Give, if possible, the date of enlistment and discharge. served 3 years
10. What was the letter of your company, number of battalion, regiment or battery? letter A
22 Ga. battalion
11. If transferred from one command to another, give time of transfer, name of command and time of service
12. What branch of the service did you enlist in—infantry, cavalry, artillery or navy? artillery

13. If commissioned direct by the President, what was your rank and line of duty?

14. If detailed for special service, under the law of conscription, what was the nature of your service and how long did you serve?

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) *James Brown*

Sworn to and subscribed before me, this *14th* day of *August*, A. D. 19*12*

[Seal.] *James T. Odum*
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 *James T. Odum*, County Judge of *Smith* County,

State of Texas, on this day personally appeared *A. T. Brown & J. Jones*, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know

James Brown the above named applicant for a pension, and that they personally know that the said *James Brown* has been a bona fide resident citizen of the State of Texas since prior to January 1, A. D. 1900, and that they have no interest in his claim.

(Signature of Witness) *A. T. Brown*

(Signature of Witness) *J. J. Jones*

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

[SEAL.] *James T. Odum*
County Judge *Smith* 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 *Smith*.

Before me *James T. Odum*, County Judge of *Smith* County,

State of Texas, on this day personally appeared *H. D. Elliott & J. J. Jones* 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 H. D. Elliott further make oath to the following facts touching the applicant's service in the Confederate Army: (State fully your source of knowledge.)

That he knows James Brown was in the war - That he and the applicant were captured at the same time in Virginia and carried to Point Lookout Md.

That he often saw him during the war and knows that he served or claimed by him -

J. J. Jones states that he personally knows that applicant served in the Confederate army or claimed by him -

(Signature of Witness)

J. J. Jones

(Signature of Witness)

H. D. Elliott

Sworn to and subscribed before me, this 20 day of Sept., A. D. 1913

[SEAL.]

John D. [Signature]
County Judge Smith County, Texas.

CERTIFICATE OF STATE AND COUNTY ASSESSOR

I, H. B. Matthews, State and County Assessor in the County of Smith

State of Texas, do certify that James Brown 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 33rd Legislature, approved April 7, 1913, is charged on the land and personal property rolls of said county with estate, real personal and mixed, at the assessed value of 200. dollars.

Given under my hand, this 20 day of Sept., A. D. 1913

H. B. Matthews

State and County Assessor.





GEO. W. KYSER, 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 James. Bowen who is reported to have enlisted in Company "A", Regiment 22nd Ga. Artillery in service of the Confederate States Army.

Purpose: The person above named is an applicant for a Confederate pension granted by the State, and I desire to verify his proof of service.

Very respectfully,



Geo. W. Kyser
Commissioner of Pensions.

95026

ADJUTANT GENERAL'S OFFICE

8-190

2085680

1913

WAR DEPARTMENT

2085680

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, October 8, 1913.

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

The records show that James Brown, private, Company C, 22d Battalion Georgia Heavy Artillery (formerly Company A, Oglethorpe Siege Artillery), Confederate States Army, enlisted May 14, 1862. On the company muster roll for May and June, 1864 (last roll on file) he was reported as having deserted May 28, 1864 - dropped from the roll and final statement given. Nothing further or later relative to this man has been found of record.



The Adjutant General.

The State of Texas,

County of Smith.

Before me Jesse F. Odom, County Judge of Smith County, Texas, on this day personally appeared H. D. Elliott, known to me to be a credible citizen of said County, and who being by me duly sworn, states on oath that he is 70 years of age; that he has known James Brown for about 70 years; that he and the said James Brown were born and raised at the same ^{place} and that he has personally known him all his life; that he personally knows that the said James Brown enlisted and served in the Confederate Army; that affiant and applicant were in prison together at Point Lookout, Md.; that they were in this prison together at that he and applicant were captured at the same time in Virginia; the time the war closed; that affiant was released from said prison about July 1st 1865; that just a few days, probably a week before affiant was released, the said James Brown was released from said prison; that affiant is certain and positive of the above facts, because he was there on the ground, and as stated above, has known the applicant for nearly 70 years; that he personally knows that applicant did not desert the confederacy; that he was a prisoner of war at Point Lookout, MD., at the time the war closed, and James Brown was there also as a prisoner of war, and was released from said prison just a few days before affiant was, and affiant was released about July 1st 1865.

H. D. Elliott

Sworn to and subscribed before me this the 18th day of December, 1913.

Jesse F. Odom
County Judge, Smith County, Texas



JESSE F. ODOM
COUNTY JUDGE SMITH COUNTY
TYLER, TEXAS

December 19th 1913.

Hon. Geo. W. Kyser,
Austin, Texas.

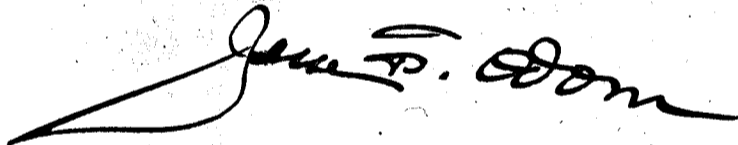
Dear Sir:-

I am herewith returning you the pension application of James Brown. You will note that I have taken an affidavit from H. D. Elliott, which in my opinion refutes the idea that this applicant deserted. Mr. Elliott is a very reliable citizen, and am sure that his statement of the matter is true. And as he has known him for nearly 70 years, he could not be mistaken.

Please advise me if you will pass this application now; and if not, I will endeavor to procure some more proof along the same lines.

Thanking you in advance for your prompt attention, I am,

Yours very truly,



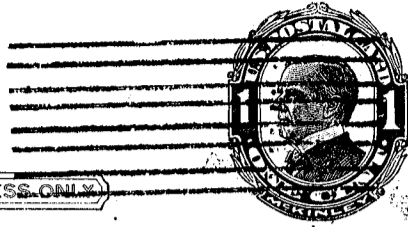
County Judge.



AUSTIN. TEX.

6 — PM

SEP 23-13



THIS IS A CAPITOL STATION ADDRESS ONLY

James Brown
Tyler
Route 7 Tex

1256-913-700

Office of Commissioner of Pensions
State of Texas

Austin, Texas, July 15, 1913.

Your application for a pension, under the Act approved April 7, 1913, has been received by this office, and will be passed on some time prior to December 1st, 1913. If approved, the nearest beginning date, under the provisions of the law, is September 1st, 1913. In the meantime you are respectfully requested not to write urgency letters, because you may rest assured that your claim will receive due attention.



Very respectfully,

GEO. W. KYSER,
Commissioner of Pensions.