

23462

FORM A.

### Soldier's Application for a Pension

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

*Devis*

Name of Applicant.

*M. Buie*

*Smith*

County.

Postoffice

*Oveston Pt 2*

Filed

Approved

*Sept 1 1913*

Pension allowed from

*Dec 1 1913*

Rejected

*George*  
Commissioner of Pensions.

E. L. Steck, Printing, Bookbinding, Austin

Commissioner of Pensions

*ent*

FORM A

For Use of Soldiers Who Are In Indigent Circumstances

THE STATE OF TEXAS

County of Smith

I, M. Price

do hereby make application to the Commissioner of Pensions for a pension to be granted me under the Act passed by the 53rd 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

(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? 72 years
2. Where were you born? in Florida
3. How long have you resided in Texas? 23 years
4. In what county do you reside? Smith County
5. How long have you resided in said county, and what is your postoffice address? I have resided here 14 years address at 2 Overton
6. Have you applied for a pension under the Confederate pension law and been rejected? If rejected, state when and where. I have never applied for a pension
7. What is your occupation, if able to engage in one? none What is your physical condition? poor
8. In what State was the command in which you served organized? in Alabama
9. How long did you serve? Give, if possible, the date of enlistment and discharge. June 1861 April 65
10. What was the letter of your company, number of battalion, regiment or battery? letter
11. If transferred from one command to another, give time of transfer, name of command and time of service. A. G. Ala Regiment
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 always in ranks*
- 15. What is the assessed value of your home, if you own a home? *don't own a home*
- 16. What is the assessed value of your other property? *about 200 dollars*
- 17. 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 a pension be approved and such other proceedings be had in the premises as are required by law.

(Signature of Applicant) *M. Buie*

Sworn to and subscribed before me, this *10th* day of *Oct*, A. D. 19*12*

[Seal.]

*James S. Osborn*  
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 S. Osborn*, County Judge of *Smith* County,

State of Texas, on this day personally appeared *J. M. Yancy & G. W. Ward*, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know

*M. Buie*, the above named applicant for a pension, and that they personally know that the said *M. Buie* 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) *J. M. Yancy*

(Signature of Witness) *G. W. Ward*

Sworn to and subscribed before me, this *15th* day of *Oct.*, A. D. 19*12*

[Seal.]

*James S. Osborn*  
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 \_\_\_\_\_  
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 per-

sonally 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 his 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.)

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(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 STATE AND COUNTY ASSESSOR**

I, **H.B. Matthews**, State and County Assessor in the County of **Smith** State of Texas, do certify that **M. Buie**, 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-third Legislature, approved April 7, 1913, is charged on the tax rolls of said county with a homestead of the value of **No** Dollars, and of other property, real or personal, or both of the value of **No** Dollars.

Given under my hand, this **20th** day of **October**, A. D. 19 **13**

*H. B. Matthews*  
State and County Assessor.



EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

M. Buie

Under Act March 26, 1909, pending

in Smith

Applicant for Confederate Pension.

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

Answers and depositions of (1) D.J. Atkins

to the accompanying interrogations (2) and cross-interrogatories

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

in accordance with the accompanying (7) agreement

To the first interrogatory the said D.J. Atkins

Witness, answers

To the 2nd Int., he answers: Yes

To the 3rd Int., he answers: About 50 years. First met him in the war

To the 4th Int., he answers: Yes

To the 5th Int., he answers: Co. A 6th Ala Regiment I think in Spring of 1862 - Columbia Ala. about 3 yrs

To the 6th Int., he answers: He was not. He served as a private.

To the 7th Int., he answers: He was not

To the 1st Cross-Int., he answers: By being with him in the same Regiment & Company. He was the only M Buie

To the 2nd Cross-Int., he answers: Yes

To the 3rd Cross-Int., he answers: Yes

To the 4th Cross-Int., he answers: He did not

To the 1st Int., the said witness, answers:

To the 2nd Int., he answers: The M Buie who served with me left Ala & moved to Tex & I have corresponded with him

To the 3rd Int., he answers: Yes

To the 4th Int., he answers: He did not

To the 5th Int., he answers:

To the 6th Int., he answers:



To the 7th Int., he answers:

To the 1st Cross-Int., he answers:

To the 2nd Cross-Int., he answers:

To the 3rd Cross-Int., he answers:

To the 4th Cross-Int., he answers:

Witnesses sign here:

*D. J. Atkins*

Subscribed and sworn to before me, this 23<sup>rd</sup> day of Sept, 1913  
*A. C. Crawford*  
Probate Judge

THE STATE OF Alabama.

County of Houston  
*Probate Judge*

I, *A. C. Crawford*  
(Here give name and official character of officer before whom taken.)

do hereby certify that D. J. Atkins

and \_\_\_\_\_ are personally known to me to be creditable citizens of said County and State, and that the foregoing answers of D. J. Atkins

\_\_\_\_\_ 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 23<sup>rd</sup> day of Sept, 1913

(L. S.)

*A. C. Crawford*  
Probate Judge

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 or Record having a seal, any Notary Public, or any Commissioner of Deeds of Texas.

File No. \_\_\_\_\_

In Orwell County, Texas.  
Before the Honorable County Judge of Said County.

EX PARTE

*M. R. R. R.*  
Applicant for Confederate Pension

DEPOSITION

of \_\_\_\_\_

Witness \_\_\_\_\_ for Applicant.

Filed \_\_\_\_\_ day

of \_\_\_\_\_, 1913

\_\_\_\_\_, 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 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

M. Buie

Applicant for Confederate Pension.

Pending in 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 D.J. Atkins and ... who reside in the County of Alabama 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 cannot be proven by any witness residing in the County of Smith and State of Texas, which he is a bona fide resident.

M. Buie

(Applicant) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness

D.J. Atkins

- INT. 1. What is your name? Age? Present place of residence and postoffice address? D.J. Atkins 73. Dothan Ala
INT. 2. Do you personally know, or did you at any time know M. Buie who is an applicant for pension under Act of March 26, 1909? Yes
INT. 3. How long had you known the said M. Buie and when and where did you first know him? About 50 yrs. First knew him in the war
INT. 4. Do you personally know that the said M. Buie enlisted in the service of the Confederacy, and performed the duties of a soldier or a sailor? Yes
INT. 5. Do you personally know in what company and regiment the said M. Buie 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 M. Buie 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 M. Buie 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 D.J. Atkins

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said M. Buie 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 M. Buie 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 knew of any other soldier or sailor by the name of M. Buie serving in the same company or regiment, or special service in which you say the said M. Buie enlisted, if you have stated that said M. Buie 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 M. Buie applicant serving in the same command, or the special service to which he was assigned?

If you say that you know other soldiers or sailors of the same name of M. Buie 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 M. Buie is the identical person serving as testified by you?

Cross INT. 3. Do you know whether or not the said M. Buie 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 M. Buie deserted his command, or voluntarily abandoned his post of duty or the service during said war?

THE STATE OF TEXAS }  
County of Smith.

I, Jesse F. Odom, 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.

Jesse F. Odom  
County Judge Smith County, Texas.

M. Buie  
(Applicant) Attorney for Appellant.

**Application for Confederate Pension.**

*In Re*

FOR USE OF SOLDIERS OR WIDOWS.

M. Buie

County, Texas.

Pending before the County Judge of said County.

EX-PARTE

M. Buie  
Applicant.

INTERROGATORIES  
propounded to

Witnesses.

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

M. Buie

Under Act March 26, 1909, pending

in Smith

Applicant for Confederate Pension.

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

Answers and depositions of (1) W.R. King

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 W.R. King

Witness, answers Ayn 80 Ashford

To the 2nd Int., he answers: I do

To the 3rd Int., he answers: 60 years

To the 4th Int., he answers: I do

To the 5th Int., he answers: Co "A" 6th Ala Reg.

To the 6th Int., he answers: Private

To the 7th Int., he answers: No

To the 1st Cross-Int., he answers: No

To the 2nd Cross-Int., he answers: I am

To the 3rd Cross-Int., he answers: He did

To the 4th Cross-Int., he answers: I know he did not



Subscribed and sworn to before me, this 16<sup>th</sup> day of Oct, 1913

W R King

THE STATE OF Alabama,

County of Keussau

Probate Judge

I,

A C Bradford

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

W.R.King

do hereby certify that

and is are personally known to me to be creditable citizens of said County and State, and that the foregoing answers of W.R.King

the witness before named, and

whose name appear s 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 16<sup>th</sup> day of Oct, 1913

(L. S.)

A C Bradford  
Probate Judge

NOTE.—In Texas, any Clerk of the District Court, any County 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.

*see this for answers*

File No.

In Smith County, Texas.

Before the Honorable County Judge of Said County.

EX PARTE

Mr. Paulie

Applicant for Confederate Pension.

DEPOSITION

of

W R King

Witness for Applicant.

Filed \_\_\_\_\_ day \_\_\_\_\_

of \_\_\_\_\_, 1913

\_\_\_\_\_, 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 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

M. Buie

Applicant for Confederate Pension.

Pending in 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 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 W.R. King and who reside in the County of Ala in the State of Ala 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 cannot be proven by any witness residing in the County of Smith and State of Texas, which he is a bona fide resident.

M. Buie (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 M. Buie who is an applicant for pension under Act of March 26, 1909?
INT. 3. How long had you known the said M. Buie and when and where did you first know him?
INT. 4. Do you personally know that the said M. Buie 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 M. Buie 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 M. Buie 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 know further if M. Buie 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 W.R. King

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said M. Buie 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 M. Buie 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 knew of any other soldier or sailor by the name of M. Buie serving in the same company or regiment, or special service in which you say the said M. Buie enlisted, if you have stated that said M. Buie 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 M. Buie  
applicant serving in the same command, or the special service to which he was assigned?

If you say that you know other soldiers or sailors of the same name of M. Buie  
then can you and how do you identify and locate the one from the other or others?

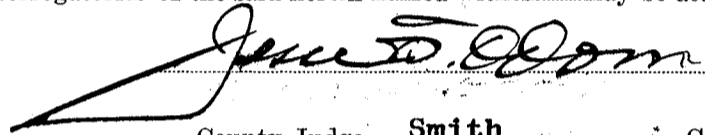
CROSS INT. 2. Are you positively certain that said M. Buie  
is the identical person serving as testified by you?

CROSS INT. 3. Do you know whether or not the said M. Buie  
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 M. Buie  
deserted his command, or voluntarily abandoned his post of duty or the service during said war?

THE STATE OF TEXAS }  
County of Smith. }

I, Jesse F. Odom, 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 Smith County, Texas.  
M. Buie

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

In Re

Application for Confederate  
Pension

FOR USE OF SOLDIERS OR WIDOWS.

Smith

County, Texas.

Pending before the County Judge of said County.

EX-PARTE

M. Buie

Applicant.

INTERROGATORIES

propounded to

J. R. King

Witnesses.

