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H-341
FORM A

Soldier's Application for Pension

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

5-14-34

Name of Applicant

Wm Caldwell
Smith County

Postoffice

Tyler

Filed

APR 17 1911

Approved

JUN 1 1911

Pension allowed from

JUN 1 1911

Rejected

R. H. Buford

Commissioner of Pensions

VDA BEECHMANN-JONES CO. PRINTERS, AUSTIN

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RECEIVED BY THE CIVIL AND COUNTY CLERKS

FORM A

For Use of Soldiers, Who are in Indigent Circumstances

THE STATE OF TEXAS }
 County of Smith. }

I, W.M.Caldwell, 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 I joined the confederate Army in Bibb County, Ala., I think it was in July, 1863, and served from that time until the surrender

(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? 63 years
2. Where were you born? In Bibb County, Ala.
3. How long have you resided in Texas? 36 years
4. In what county do you reside? Smith
5. How long have you resided in said county and what is your postoffice address? Three months. Tyler, Texas.
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? Carpenter.
8. In what State was the command in which you served organized? In Mobile, Ala.
9. How long did you serve? Give, if possible, the date of enlistment and discharge. About two years
10. What was the letter of your company, number or name of battalion, regiment or battery? Co. B, First Confederate Battalion, Capt. Johnson was our X Captain.
11. If transferred from one command to another, give time of transfer, name of command and time of service. Never transferred
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?.....

14. If detailed for special service, under the law of conscription, what was the nature of your service and how long did you serve? Was not detailed for any special service

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) N. M. Leadwell

Sworn to and subscribed before me, this 17th day of February, A. D. 19 11

[SEAL.]

June F. 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 June F. Odum, County Judge of Smith County, State of Texas, on this day personally appeared R. E. Caldwell, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know N. M. Leadwell the above named applicant for a pension, and that they personally know that the said N. M. Caldwell 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) R. E. Caldwell

(Signature of Witness) N. E. Leadwell

Sworn to and subscribed before me, this 15th day of April, A. D. 19 11

[SEAL.]

June F. 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

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

EX PARTE

W.M.Caldwell,
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 John Smitherman and Jasper Smitherman who reside in the County of Pontotoc in the State of Miss 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 Smith and State of Texas, of which he is a bona fide resident.

W.M.Caldwell
Applicant's Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witnesses.

John Smitherman and Jasper Smitherman

- 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 W.M.Caldwell who is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said W.M.Caldwell and when and where did you first know him?
- INT. 4. Do you personally know that the said W.M.Caldwell 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 W.M.Caldwell 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 W.M.Caldwell 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 W.M.Caldwell 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 John Smitherman and Jasper Smitherman

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

Cross INT. 3. Do you know whether or not the said W.M.Caldwell
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 W.M.Caldwell
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 W.M.Caldwell may be attached hereto.

Jesse F. Odom
County Judge Smith County, Texas.

W.M. Caldwell
W.M. (Applicant) Attorney for Applicant.

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

W.M.Caldwell,

Applicant.

INTERROGATORIES

propounded to

John Smitherman and

Jasper Smitherman,

Witnesses.

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act March 26, 1909, pending in Smith

W.M.Caldwell

Applicant for Confederate Pension.

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

Answers and depositions of (1) John Smitherman and Jasper Smitherman, both of whom reside in Pontotoc County, State of Mississippi,

to the accompanying interrogations (2) and cross-interrogatories propounded to them in the above entitled cause taken before (3) in accordance with the accompanying (7) agreement

To the first interrogatory the said John Smitherman

Witness, answers John Smitherman 69 yrs Pontotoc Co. Miss. Springville Miss

To the second interrogatory, the said witness answers:

Known him all his life Yes, have known him all his life

To the third interrogatory, the said witness answers:

all his life first knew him in Bobb Co Ala

To the fourth interrogatory, the said witness answers:

I only know that his relatives & friends and neighbors said he enlisted, as I was in the war at the time

To the fifth interrogatory, the said witness answers:

Was reported to me that he first went off in what was known as Videts & after enlisted in another Co. but do not know name of

To the sixth interrogatory, the said witness answers:

No

To the seventh interrogatory, the said witness answers:

No

To the first cross-interrogatory, the said witness answers:

I do not know personally & only answer from report of neighbors & friends at time, do not know of any other by that name

To the second cross-interrogatory, the said witness answers:

Yes

(TX)

To the third cross-interrogatory, the said witness answers:

I do not know of my personal knowledge

To the fourth cross-interrogatory, the said witness answers:

I do not know

To the first interrogatory, the said Jasper Smitherman, witness, answers:

Jasper Smitherman 64 yrs old Post Office
Springville Miss

To the second interrogatory, the said witness answers: Yes

To the third interrogatory, the said witness answers:

5'0 or 5'5" years in Bebb Co. Ala,

To the fourth interrogatory, the said witness answers: Yes

To the fifth interrogatory, the said witness answers:

Yes. Enlisted
in 29th Ala. Reg. Co. "B" about Spring 1864, at Selma Ala,
Served in said Co. about 8 or 10 months & was transferred
to another Co. in Va. Army

To the sixth interrogatory, the said witness answers:

Was no officer

To the seventh interrogatory, the said witness answers:

was not

To the first cross-interrogatory, the said witness answers:

He was in same Company with me, I
know of no other person by same name

To the second cross-interrogatory, the said witness answers:

Yes I am sure

To the third cross-interrogatory, the said witness answers:

He did as long as he served in my Company
but after that I could not say from personal knowledge
but never heard of any thing to ^{contrary}

To the fourth cross-interrogatory, the said witness answers:

He did not that I ever heard of

Witnesses sign here:

John Smitherman
Jasper Smitherman

Subscribed and sworn to before me, this 13 day of April, 1911

W. J. Furr
Clerk of Chancery Court

THE STATE OF Mississippi

County of Pontotoc

Court

I, *W. J. Furr Clerk of Chancery*
(Here give name and official character of officer before whom taken.)

do hereby certify that John Smitherman ~~and Jasper~~

and ~~Jasper Smitherman~~ are personally known to me to be credible citizens of said County and State, and that the foregoing answers of John Smitherman and Jasper Smitherman

the witness before named, and

whose name appears signed to the foregoing deposition, were made before me

and were sworn to and subscribed before me, by said witness respectively

Given under my hand and official seal, this the 13 day of April, 1911

(L. S.)

W. J. Furr
Clerk of Chancery Court

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.

Use this for answers

File No. _____
In Mississ County, Texas,
Before the Honorable County Judge of said County.

EX PARTE

Mr. M. Caldwell
Applicant for Confederate Pension

DEPOSITION
OF

John Smitherman
Jasper Smitherman

Witness for Applicant

Filed _____ day
of _____ 19____
By _____ Clerk.
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.

ADJUTANT GENERAL'S OFFICE

APR 20

1773441

911

WAR DEPARTMENT.

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

1773441

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, April 21, 1911.

Respectfully returned to the

Commissioner of Pensions,
State of Texas,
Austin.

The records show that William
Caldwell (name not found as W. M.
Caldwell), private, Company E, 1st
Confederate Battalion Infantry, Con-
federate States Army, enlisted Feb-
ruary --, 1864. On the company roll
for September and October, 1864, last
on file, he was reported present. No
later record of him has been found.

The Adjutant General.

(A. G. O. 72 1)

Per

Registration Dist. No. **55250**
 Primary Dist. No.

copy

CERTIFICATE OF DEATH
Oklahoma State Board of Health
 BUREAU OF VITAL STATISTICS
 OKLAHOMA CITY, OKLAHOMA

Registered No. **39835**

1 PLACE OF DEATH
 City **Oklahoma City** No. **4000, S. Robt.** St.

2 FULL NAME **W.M. M. Baldwin**

Ward (If death occurred in a hospital or institution give its NAME instead of street and number.)

PERSONAL AND STATISTICAL PARTICULARS

3 SEX **M** 4 COLOR OR RACE **W** 5 Single **Married**
 Married, Widowed, Or Divorced (WRITE the word)

6 DATE OF BIRTH **Dec - 14 - 1847**
 (Month) (Day) (Year)

7 AGE **86** yrs. **4** mos. **28** ds. or minutes
 If less than 1 day

8 OCCUPATION
 (a) Trade, profession or particular kind of work **Carpenter**
 (b) General nature of industry, business, or establishment in which employed (or employer)

9 BIRTHPLACE (State or Country) **Ala**

10 NAME OF FATHER **Unknown**

11 BIRTHPLACE OF FATHER (State or Country) **u**

12 MAIDEN NAME OF MOTHER **u**

13 BIRTHPLACE OF MOTHER (State or Country) **1**

14 THE ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
 (Informant) **Sam M. Daniels**
 (Address) **Oklahoma City**

May - 15 - 1934 **Les Mentzer**
 Registrar

MEDICAL CERTIFICATE OF DEATH

16 DATE OF DEATH **May - 12 - 1934**
 (Month) (Day) (Year)

17 I HEREBY CERTIFY that I attended deceased from **May - 12 - 1934**, to **May 12 - 1934** that I last saw him alive on **May 12 - 1934** and that death occurred on the date stated above at **11:10 a.m.**

The CAUSE OF DEATH was as follows:
Apoplexy

(Duration) yrs. mos. ds.

Contributory (Secondary) (Duration) yrs. mos. ds.

(SIGNED) **A. J. Graham, M. D.**
5/14-1934 (Address) **Oklahoma City**

*State the DISEASE CAUSING DEATH, or, in death from VIOLENT CAUSES, state (1) MEANS OF INJURY; and (2) whether ACCIDENTAL, SUICIDAL, or HOMICIDAL.

18 LENGTH OF RESIDENCE (For HOSPITALS, INSTITUTIONS, TRANSIENTS, or RECENT RESIDENTS)
 At place of death yrs. mos. ds. In the State yrs. mos. ds.
 Where was disease contracted, if not at place of death?
 Former or usual residence **TX**

19 PLACE OF BURIAL OR REMOVAL **Austin Texas** DATE OF BURIAL **May - 16 - 1934**
 20 UNDERTAKER **Hunter Funeral Home, Oklahoma City** ADDRESS

[20214]

MARGIN RESERVED FOR BINDING
 WRITE PLAINLY WITH UNFADING INK. THIS IS A PERMANENT RECORD

APPLICATION FOR MORTUARY WARRANT

THE STATE OF TEXAS,

County of Oklahoma } I, HUNTER FUNERAL HOME

do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late William M. Caldwell, who was a pensioner of the State of Texas, and whose file number was 20214 and whose original county was Smith

The said pensioner Wm M. Caldwell, died on the 12 day of May, 1934, in the town of Oklahoma City County of Oklahoma, Texas. Oklahoma

The pensioner died in the home of Sam McDaniel's who was related to the pensioner as friend

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 Wm M. Caldwell

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) friend that my postoffice address is 4000 So Robinson Street or R. F. D. Oklahoma City City Oklahoma State

Signed Sam McDaniel
Wm M. Hunter

Sworn to before me this 8 day of June, 1934

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

Notary Public in and for Oklahoma State of Texas
My Commission Expires April 10, 1935

CERTIFICATE OF UNDERTAKER

I, Ben V. Hunter, do certify that I am undertaker in the town of Oklahoma City, County of Oklahoma, State of Oklahoma that I had charge of the body of William M. Caldwell, who died in the town of Oklahoma City County of Oklahoma, State of Oklahoma on the 12 day of May, 1934 That said body was prepared for burial by me on the 12 day of May, 1934, and that I am of the opinion that warrant herein applied for should be issued to the said HUNTER FUNERAL HOME who makes the foregoing application.

Signed Ben V. Hunter Undertaker.
HUNTER FUNERAL HOME



CERTIFICATE OF PHYSICIAN

I, A. T. Graham M.D., do certify that I am a practicing physician, and that I attended William M. Caldwell in his last illness, and am of the opinion that his ailments were

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 A. T. Graham M.D.

Physician's Address 222 1/2 West Com. Okla City

no may issued