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20713 —

FORM A

Soldier's Application for Pension

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

Name of Applicant.

J. C. Heaton

Smith

County.

Postoffice.

Troup RR # 6

Filed.

Sept 28th 1911

Approved.

Mar. 1st 1912

Pension allowed from

June 1st 1912

Rejected.

[Signature]

Commissioner of Pensions.

VON BOECKMANN-JONES CO., PRINTERS, AUSTIN

[Signature]

FORM A

For Use of Soldiers, Who are in Indigent Circumstances

THE STATE OF TEXAS }

County of Smith }

I, J. C. Deaton, 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 end of war at Galveston Texas

(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? 64 years of age -
2. Where were you born? Polk County Ala -
3. How long have you resided in Texas? 55 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 16 years -
Troup, Texas RR # 6
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 (TX)
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. 8 months
10. What was the letter of your company, number or name of battalion, regiment or battery? Co. D, Tompkins Brigade - Batt Muskies
35th Tex. Cavalry
11. If transferred from one command to another, give time of transfer, name of command and time of service. not transferred
12. What branch of the service did you enlist in—infantry, cavalry, artillery or navy? Cavalry - but demounted later

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) *J B Deaton*

Sworn to and subscribed before me, this *9th* day of *Sept*, A. D. 19*11*

[SEAL.]

John T. Edom
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 *John T. Edom*, County Judge of *Smith* 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 *J. B. Deaton* the above named applicant for a pension, and that they personally know that the said *J. B. Deaton* 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) *J. A. Drake*
(Signature of Witness) *J. L. B. McKinnan*

Sworn to and subscribed before me, this *22* day of *Sept*, A. D. 19*11*

[SEAL.]

John T. Edom
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

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..... 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 THE STATE AND COUNTY ASSESSOR

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

State of Texas, do certify that J.C. Keaton 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-first Legislature, approved March 26, A. D. 1909, is charged on the land and personal property rolls of said county with estate, real, personal and mixed, at the assessed value of 710⁰⁰ dollars.

Given under my hand, this 27 day of September, A. D. 1911



H.B. Matthews
State and County Assessor.



E. A. BUFORD, Commissioner

OFFICE OF
Commissioner of Pensions
 State of Texas
 Austin

Sept 29th 1911

To the Adjutant General,

War Department,

Washington, D. C.

Dear Sir:

I have the honor to request the military record
 of *J. B. Weaton* who is reported to have enlisted in
 Company *"I"*, Regiment *Ferrill's Brigade, Capt. Mullins*,
 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,

E. A. Buford

Commissioner of Pensions.

ADJUTANT GENERAL'S OFFICE
OCT -3 1833129 1911
WAR DEPARTMENT.

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

1833129

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, October 5, 1911.

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

There are no rolls, on file in this office, of Company I (commanded by Captain W. H. Mullins), 35th (Likens") Texas Cavalry, Confederate States Army, which regiment served in the same brigade as Terrell's Regiment, and no record has been found of the capture or parole of a man named J. C. Deaton as a member of the 35th Texas Cavalry, Confederate States Army.

Please return this record
R. A. Buford

Mullins
The Adjutant General.

(A.G.O. 72-1)

Per

AFFIDAVIT TO ANY FACT

Martin Dallas

State of Texas,

County of Cherokee

Before me, the undersigned authority, this day personally appeared

M.A. Jenkins

to me well known, and who, after being by me, duly sworn, did depose and say that he answered - the question to the best of his knowledge & belief.

G. H. Holcomb
M.A. Jenkins

Sworn to and subscribed before me, this 12th day of Sept. A. D., 1911

(SEAL)

V. M. Sloves (TX)
Notary Public for Cherokee Co
nty.

Mingus Tex
5/27/12

E. A. Buford, Esq

Austin, Tex

Dear Sir: In connection with
the Pension claim of J. C.
Deaton - I am enclosing
you a letter just received
from the Colonel of his Regiment
which might serve to straighten
things out. He would like to
have this letter back especially
if the State of Texas turns him
down - so his children may know
without a doubt that he was what
he always claimed to be -

Respectfully

W. J. Beath

2 encls



J. E. McCORD.

T. M. McCORD.

J. P. McCORD.

OFFICE OF

May 24th. 1912.

J. E. McCORD & SONS.

COLEMAN, TEXAS.

Mr. J. C. Deaton,

Mingus, Texas.

Dear Sir :- In answer to yours asking information as to the status of our regiment will give you a part of its history as I remember it.

You probably know that all muster rolls, reports, orders etc. were destroyed at Austin when the old capitol was burned.

The regiment organized as state troops with J. M. Norris as colonel, April 1862. Reorganized with J. E. McCord as Colonel, March 1863, Transferred to the Confederate service December 1863 by Geberal Order of Governor Murrah and accepted by General Bankhead McGruder from his headquarters at Houston, Texas, and I was present at the time of the issuance of the order of acceptance and brought a copy of same to the Governor.

By order of General McGruder the regiment concentrated on Onion Creek, near Austin, May 1864, reported to General Bankhead on the Navidad July 1st. 1864.

Now you will notice that this transfer was made in the latter part of the War and whether these orders with muster rolls etc. was sent to Richmond, Va. I do not know. I do know that if our commissions were ever issued they failed to reach us. However we remained in the service subject to orders of the Confederate Government, clothed and fed by it and was at the mouth of the Brazos River when the war closed.

As I understand the matter you are trying to get a pension from the State of Texas and I cannot see that it is necessary that there should be evidence of the existance of the Confederate Regiment of "Texas Frontier Cavalry", the name by which our regiment was known, filed in Washington, D. C. in order that your application should be favorable

7 (18)

J. E. McCORD. T. M. McCORD. J. P. McCORD.

OFFICE OF

J. E. McCORD & SONS.
COLEMAN, TEXAS.

#2. J.C.D.

acted upon in this State.

If I can serve you further in this matter please let me know.

Yours very truly,

(TX)

J. E. McCord

ESC



J. E. ...

COMMISSIONER OF THE
GENERAL LAND OFFICE
OFFICE OF THE
COMMISSIONER OF THE GENERAL LAND OFFICE

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

J.C. Deaton

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) ~~LEXIXXHSIXXKXKXKX~~ M.A. Jenkins ~~XXXX~~ of whom resides in Cherokee County, Texas,

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 ~~KXIXXHXKXKXKX~~ M.A. Jenkins

Witness, answers

To the 2nd. interrogatory, the witness answers: Yes

To the 3rd. interrogatory, the witness answers: 50 years

To the 4th. interrogatory, the witness answers: Yes

To the 5th. interrogatory, the witness answers: Capt Mullens - 1864 Galveston - Texas.

To the 6th. interrogatory, the witness answers: No Only a private Soldier

To the 7th. interrogatory, the witness answers: No

To the 1st. cross-interrogatory, the witness answers: In Company with J.C. Deaton - knew no one else by the name of J.C. Deaton

To the 2nd. cross-interrogatory, the witness answers: I am



To the 3rd. cross-interrogatory, the witness answers: I am

To the 4th. cross-interrogatory, the witness answers: He did not desert

To the 1st. interrogatory, the said M.A. Jenkins, witness, answers:

M.A. Jenkins - age 65 years old - Turney - Texas.

To the 2nd. interrogatory, the witness answers:

To the 3rd. interrogatory, the witness answers:

To the 4th.interrogatory, the witness answers:

To the 5th.interrogatory, the witness answers:

To the 6th.interrogatory, the witness answers:

To the 7th.interrogatory, the witness answers:

To the 1st.cross-interrogatory, the witness answers:

To the 2nd.cross-interrogatory, the witness answers:

To the 3rd.cross-interrogatory, the witness answers:

To the 4th.cross-interrogatory, the witness answers:

THE STATE OF Texas.

County of Cherokee.

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

Subscribed and sworn to before me, this _____ day of _____, 19____.

_____ do hereby certify that Lewis Holcomb
and M.A. Jenkins are personally known to me to be credible citizens of said
County and State, and that the foregoing answers of Lewis Holcomb and M.A. Jenkins

_____ the witness ES 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) respectively

Given under my hand and official seal, this the 15 day of September, 1911

(L. S.)

J. B. Deaton
M.A. Jenkins

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
J. B. Deaton
Applicant for Confederate Pension

DEPOSITION
OF
Lewis Holcomb
M.A. Jenkins
Witness 2 for Applicant

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

Fee for Taking Deposition, \$ _____

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.

EX PARTE

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

J.C. Deaton, Applicant for Confederate Pension.

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 Lewis Holcomb and M.A. Jenkins who reside in the County of Cherokee 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 Smith and State of Texas, of which he is a bona fide resident.

J.C. Deaton

(Applicant) ~~XXXXX~~ for Applicant.

Direct Interrogatories to be Propounded to the Witness

Lewis Holcomb and M.A. Jenkins

- INT. 1. What is your name? Age? Present place of residence and postoffice address? Lewis Holcomb
- INT. 2. Do you personally know, or did you at any time know J.C. Deaton who is an applicant for pension under Act of March 26, 1909? yes
- INT. 3. How long had you known the said J.C. Deaton and when and where did you first know him? Since 1862 Confederate Army
- INT. 4. Do you personally know that the said J.C. Deaton 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.C. Deaton 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? Co I 35th Regt Cavalry
- INT. 6. Do you personally know that J.C. Deaton 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 J.C. Deaton 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? about one year

CROSS INTERROGATORIES.

TX

To be Propounded to Lewis Holcomb and M.A. Jenkins

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said J.C. Deaton 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 J.C. Deaton 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 J.C. Deaton serving in the same company or regiment, or special service in which you say the said J.C. Deaton enlisted, if you have stated that said J.C. Deaton 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 J.C. Deaton *NO*
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 J.C. Deaton
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 J.C. Deaton
is the identical person serving as testified by you? *yes*

Cross INT. 3. Do you know whether or not the said J.C. Deaton
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 J.C. Deaton *yes*
deserted his command, or voluntarily abandoned his post of duty or the service during said war? *NO*

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 J.C. Deaton may be attached hereto.

Jesse F. Odom
County Judge Smith County, Texas.

J.C. Deaton
(Applicant) ~~XXXXX~~ for Applicant.

In Re
Application for Confederat
Pension.

FOR USE OF SOLDIERS OR WIDOWS

County, Texas

Pending before the County Judge of said County

EX PARTE

Applicant.

J.C. Deaton

INTERROGATORIES

propounded to

Thurs. Williams

Witnesses.

Mrs. Williams