

EX PARTE

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

P.N. Drake

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 Anderson Douglas W.H. Fariss 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 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.

P. N. Drake

(Applicant) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness

Anderson Douglas W. H. Fariss

- 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 P.N. Drake who is an applicant for pension under Act of March 26, 1909?
INT. 3. How long had you known the said P.N. Drake and when and where did you first know him?
INT. 4. Do you personally know that the said P.N. Drake 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 P.N. Drake enlisted and served in the Confederate army? When? Where? And the time of service?
INT. 6. Do you personally know that P.N. Drake 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 P.N. Drake 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 Anderson Douglas W.H. Fariss

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said P.N. Drake 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 P.N. Drake 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 P.N. Drake serving in the same company or regiment, or special service in which you say the said P.N. Drake enlisted, if you have stated that said P.N. Drake 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 P.N. Drake

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 P.N. Drake

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 P.N. Drake

is the identical person serving as testified by you?

Cross INT. 3. Do you know whether or not the said P.N. Drake

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 P.N. Drake

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.
P.N. Drake
(Applicant) Attorney.....for Applicant.

mirrored text

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

P.N. Drake

Applicant.

INTERROGATORIES

propounded to

Witnesses.

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

P.N. Drake

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) ~~Anderson Douglas~~ W. H. Fariss

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 ~~Anderson Douglas~~ W. H. Fariss

Witness, answers 70 year old Huntsville Ala

To the 2nd Int., he answers: Yes

To the 3rd Int., he answers: all his life

To the 4th Int., he answers: Yes

To the 5th Int., he answers: Yes ex of 4th Ala Inf

To the 6th Int., he answers: Private

To the 7th Int., he answers: No he was a Private an active soldier in line

To the 1st Cross-Int., he answers: He was raised here and lived here all of his life up to 1861

To the 2nd Cross-Int., he answers: The P. W. Irvell & Knew and enlisted in ex of 4th Ala Inf is the same man

To the 3rd Cross-Int., he answers: He was taken prisoner at one of the Battles but I don't know which one

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

(TX)

Witness sign here: W. H. Fariss

Subscribed and sworn to before me, this 14 day of Nov, 1912

W. T. Lawren
Judge Probate

THE STATE OF Alabama.

County of Madison

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

Judge Probate do hereby certify that Anderson Douglas W. H. Fariss

and is xxx personally known to me to be credible citizens of said County and State, and that the foregoing answers of Anderson Douglas W. H. Fariss

W. H. Fariss the witness before named, and

whose name appear W. H. Fariss signed to the foregoing deposition, were made before me and were sworn to and subscribed before me, by said witness (4) W. H. Fariss

Given under my hand and official seal, this the 14 day of Nov, 1912

(L. S.)

W. T. Lawren
Judge Probate

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

EX PARTE

C. W. Brode
Applicant for Confederate Pension

DEPOSITION

W. H. Fariss
OF
Anderson Douglas

Witness _____ for Applicant.

Filed _____ day

of _____, 1912

By _____, Clerk.

By _____, Deputy.

Fee for Taking Deposition, \$ _____

Lined area for deposition text.

Q

ANSWER

13 XXX

ANSWER

WITNESSES

WITNESSES SIGN HERE:

- (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

P. N. Drake

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 J. K. Kelly and _____ who reside _____ in the County of _____ 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.

P. N. Drake

(Applicant) Attorney _____ for Applicant.

Direct Interrogatories to be Propounded to the Witness _____

J. K. Kelly

- 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 P. N. Drake who _____ is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said P. N. Drake and when and where did you first know him?
- INT. 4. Do you personally know that the said P. N. Drake 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 P. N. Drake 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 P. N. Drake 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 P. N. Drake 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 J. K. Kelly _____

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said P. N. Drake 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 P. N. Drake 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 P. N. Drake serving in the same company or regiment, or special service in which you say the said P. N. Drake enlisted, if you have stated that said P. N. Drake 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 P.N. Drake

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 P.N. Drake

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 P.N. Drake

is the identical person serving as testified by you?

Cross INT. 3. Do you know whether or not the said P.N. Drake

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 P.N. Drake

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.

P.N. Drake

Jesse F. Odom
County Judge Smith County, Texas.

P. N. Drake

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

P.N. Drake

P.N. Drake

P.N. Drake

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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

P. N. Drake
Applicant.

INTERROGATORIES

propounded to

Jesse F. Odom
Witnesses.

P.N. Drake

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

P.N. Drake

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) **J.H. Kelly**

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 **J.H. Kelly** my age is 75 years. I am a witness, answers **Speegleville Route #1 Texas.**

To the second Interrogatory, he answers: Yes, have known him all his life

To the third Interrogatory, he answers: All his life, first knew him near huntsville Ala.

To the fourth Interrogatory, he answers: Yes.

To the fifth Interrogatory, he answers: He was in forth Ala. Infantry Co. "F" In 1860, at Huntsville, through whole war, He served whole four years.

To the sixth Interrogatory, he answers: He was not commissioned as I know of

To the seventh Interrogatory, he answers: He was never detailed for special service.

To the first Cross-interrogatory, he answers: Because I served with him There was no other soldier by the name of P. N. Drake

To the second Cross-interrogatory, he answers: There was no other soldier by that name. I am certain that P. N. Drake is the person who served with me.

To the third Cross-interrogatory, he answers: He served honorably all through the war.

To the fourth Cross-interrogatory, he answers: He never did.

TX

Witness sign here!

Subscribed and sworn to before me, this 6th day of Nov 1917

Tom L. McCullough
County Judge McLennan Co Texas

THE STATE OF Texas
County of McLennan

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

do hereby certify that J.H. Kelly

and J.H. Kelly is as personally known to me to be credible citizens of said County and State, and that the foregoing answers of J.H. Kelly

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 6th day of Nov, 1917

(L. S.)

Tom L. McCullough
County Judge McLennan 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.

Use this form
File No.

In Smith County, Texas.
Before the Honorable County Judge of said County.

EX PARTE

P.H. Drake
Applicant for Confederate Pension

DEPOSITION
OF

J.H. Kelly

Witness for Applicant.

Filed _____ day

of _____, 1917

By _____, Clerk.

By _____, Deputy.

Fee for Taking Deposition, \$ _____

TEXAS

TEXAS

TEXAS



- (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.
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