

16

16613

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.

*B. J. Erwin*

*Smith* County

Postoffice. *Deer Creek*

Filed. *JUL 11 1909*

Approved. *AUG 3 1909*

Pension allowed from.....

Rejected.....

Commissioner of Pensions.

VON BOECKMANN-JONES CO., PRINTERS, AUSTIN

*[Faint handwritten notes on the left side of the page, including names and dates.]*

FORM A

For use of Soldiers, who are in indigent circumstances

THE STATE OF TEXAS }  
 County of Smith

I, D. F. Erwin, 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 1865 Surrendered at Shreveport in May

(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
2. Where were you born? Alabama
3. How long have you resided in Texas? 59
4. In what county do you reside? Smith
5. How long have you resided in said county and what is your postoffice address? 59  
Fyler Tex
6. Have you applied for a pension under the Confederate pension law and been rejected? If rejected, state when and where. Yes, about 3 years ago in Fyler
7. What is your occupation, if able to engage in one? Unable
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. 19<sup>th</sup> June 1861  
Served 18 months Discharged on acct being under age
10. What was the letter of your company, number or name of battalion, regiment or battery? 1<sup>st</sup> Tex  
Battery afterwards joined 35<sup>th</sup> Tex Cavalry Co H  
+ served until the surrender
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  
& Cavalry



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)

*B. F. Ewin*

Sworn to and subscribed before me, this 26 day of June, A. D. 1909

[SEAL.]

*J. A. Bullard*  
County Judge Suick County, Texas.

AFFIDAVIT OF WITNESSES

[NOTE.—There must be at least two credible witnesses.]

THE STATE OF TEXAS }

County of Suick }

Before me *J. A. Bullard*, County Judge of Suick County,

State of Texas, on this day personally appeared Sid S Johnson & Geo R Kennedy, who are personally

known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know

B. F. Ewin the above named applicant for a pension, and that they personally know that the said

Ewin 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)

*B. F. Ewin*

(Signature of Witness)

*Sid S Johnson*

Sworn to and subscribed before me, this 26 day of June, A. D. 1909

[SEAL.]

*J. A. Bullard*  
County Judge Suick 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 Suick }

Before me *J. A. Bullard*, County Judge of Suick County,

State of Texas, on this day personally appeared Sid S Johnson & Geo R Kennedy

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 *me* further make oath to the following facts touching the applicant's service in the Confederate Army:

*That applicant served in Douglas Texas Battery in the Army of Tennessee, originally known as battery for the last three years of war was commanded by Capt. Jas P. Douglas whom personally I saw in military and social life Army - not frequently with him - and saw him in the same*

(Signature of Witness) *Sid L Johnson*

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

Sworn to and subscribed before me, this *26* day of *June*, A. D. 1909

*J. B. ...*  
County Judge, *Smith* County, Texas.

[SEAL.]

CERTIFICATE OF THE STATE AND COUNTY ASSESSOR

I, *Mrs L P Jarvis*, State and County Assessor in the County of *Smith* State of Texas, do certify that *B. F. Erwin* 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 *nothing* dollars.

Given under my hand, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_\_



*The Estate of Mrs L B Erwin is assessed Eleven thousand five which three heirs are interested*

*Given under my hand this 24<sup>th</sup> June 1909*

*Mrs L P Jarvis*  
State and Co Assessor

*By Wm H Day -*  
Office Deputy

Julius Sanders

S. S. Johnson

John Harmon

T. J. Owens

Home \$ 750.00

Notified 9/24/06  
Endorsement Hereon for Comptroller's Use Exclusively

FORM No. 1—AMENDED

OCTOBER 1, 1902

359

Confederate Pension Application

Name of Applicant

B. F. Erwin

Smith County,

Postoffice Miles

Comptroller's File No.

I have carefully examined the within application for pension, together with the proof in support thereof, and I recommend that the application be Disapproved

March 28 1906

this day of

A. D.

E. A. Holmes

Chief Pension Clerk.

I hereby Disapprove the within application for pension, this March 28 1906 day of

J. M. Stephens  
Comptroller.

No Application Rejected by County Judge or County Commissioners Should Be Forwarded to Comptroller

COMPTROLLER'S OFFICE,  
RECEIVED  
MAR 14 1906  
Referred to  
No.

NOTE—The law provides that pensions can begin only on the first day of April and October of each year.

FORM No. 1. Amended October 1, 1902.

APPLICATION of Indigent Soldier or Sailor of the late Confederacy for pension under the Act of May 12, 1899. Hereafter use no blank but this.

THE STATE OF TEXAS, }  
 COUNTY OF Smith

To the Honorable County Judge of Smith County, Texas.

Your petitioner, B. F. Ezyon respectfully represents that he is a resident citizen of Smith County, in the State of Texas, and that he makes this application for the purpose of obtaining a pension under the act passed by the Twenty-sixth Legislature of the State of Texas, and approved May 12, A. D. 1899, the same being an act entitled "An act to carry into effect the amendment to the Constitution of the State of Texas, providing that aid may be granted to disabled and dependent Confederate soldiers, sailors, and their widows under certain conditions, and to make an appropriation therefor," and I do solemnly swear that the answers I have given to the following questions are true.

NOTE—Applicant must make answer to all of the following questions, and such answers must be written out plainly in ink.

Q. What is your name? Answer Benjamin Franklin Ezyon

Q. What is your age? Answer 50

Q. In what County do you reside? Answer Smith

Q. How long have you resided in said County and what is your postoffice address? Answer 53 years  
P.O. Smith Co. Texas

Q. Have you applied for a pension under the Confederate Pension Law heretofore, and been rejected? If so, state when and where. Answer no

Q. What is your occupation if able to engage in one? Answer Farmer

Q. What is your physical condition? Answer In good health

Q. If your physical condition is such that you are unable by your own labor to earn a support, state what caused such disability. Answer aged by disability

Q. In what State was your command originally organized? Answer in Dallas Tex

Q. How long did you serve? Give date of enlistment and discharge. Answer during the confederate war

Q. What was the name or letter of your company and name or number of your regiment? Answer Company Texas Battery and your balance time credit from paper as a comdr

Q. State whether you served in the infantry, artillery, cavalry, or the navy. Answer artillery

Q. State whether or not you have received any pension or veteran donation land certificate under any previous law, and if you answer in the affirmative state what pension or veteran donation land certificate you have received. Answer no

Q. What real and personal property do you now own, and what is the present value of such property? Give list of such property and value. Answer I own nothing, real or personal



- Q. What property, and what was the value thereof, have you sold or conveyed within two years prior to the date of this application? Answer I have conveyed no property
- Q. What estate has your wife in her own right, real and personal, and what is its value? Answer A home in Tyler, value \$750.00
- Q. What income, if any, do you receive? Answer None
- Q. Are you in indigent circumstances; that is, are you in actual want, and destitute of property and means of subsistence? Answer In my present condition, I am nearly
- Q. Are you unable by your labor to earn a support? Answer Yes
- Q. Have you transferred to others any property of value of any kind for the purpose of becoming a beneficiary under this law? Answer No
- Q. Did you ever desert the Confederacy? Answer No
- Q. Have you been continuously since the first day of January, 1880, a bona fide resident citizen of this State? Answer Yes
- Q. If you originally enlisted in the Confederate service from the State of Texas, were you at the date of passage of this act a bona fide resident citizen of the State of Texas? Answer Yes

Wherefore your petitioner prays that his application for pension be approved and that such other proceedings be had in the premises as required by law.

(Signature of Applicant)

Benjamin Franklin Erwin

Sworn to and subscribed before me this

4

day of

Jan

A. D. 1906

(SEAL.)

A. Lindsey

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

A. Lindsey

County Judge of

Smith

County, State of Texas, on this day personally appeared

Seal

S. Johnson and T. J. Owens

who are personally known to me to be credible citizens, who being by me duly sworn on oath, state that they personally know Benjamin Franklin Erwin the above named applicant for a pension, and that they personally know that the said applicant is unable to support himself by labor of any sort.

(Signature of Witness)

S. Johnson

(Signature of Witness)

T. J. Owens

Sworn to and subscribed before me this

4

day of

Jan

A. D. 1906

(SEAL.)

A. Lindsey

County Judge

Smith

County, Texas.

PROOF OF SERVICE MUST NOT BE MADE A PART OF THIS AFFIDAVIT

AFFIDAVIT OF PHYSICIAN

THE STATE OF TEXAS,

COUNTY OF Smith } Before me A. Lindsey

County Judge of Smith County, State of Texas, on this day personally appeared

D. H. Connally Co Health Officer, who is a reputable practicing physician of this County, who being by

me duly sworn on oath, states that he has carefully and thoroughly examined B. G. Erwin

applicant for a pension, and finds him laboring under the following disabilities which render him unable to labor at any work or calling

sufficient to earn a support for himself: On account of valvular affection of the heart which prevented him from performing hard manual labor

(Signature of Physician) D. H. Connally M.D.

Sworn to and subscribed before me this 4 day of Jan A. D. 1906

(SEAL)

A. Lindsey  
County Judge Smith County, State of Texas.

CERTIFICATE OF COUNTY JUDGE

THE STATE OF TEXAS,

COUNTY OF Smith } I, A. Lindsey

County Judge of Smith County, State of Texas, do hereby certify that on the 16

day of Feb A. D. 1906, before me came on to be heard the application

of B. G. Erwin for a pension under the Confederate Pension Law of this

State, Approved May 12, A. D. 1899; that the answers of said applicant to the questions propounded were made under oath as the

same appear in writing in the foregoing application; that the affidavits of the witnesses who are credible citizens were made before me

as the same hereinbefore appear, and that the foregoing affidavit of Doctor D. H. Connally M.D.

who is a reputable practicing physician of this county, was made before me. I also certify that the said applicant B. G. Erwin

is not an inmate of the Texas Confederate Home, nor otherwise disqualified

under the provision of Section 12, of the Confederate Pension Law. I further certify that after considering all the proceedings had

before me relative to the said application for a pension by the said B. G. Erwin

I find the said applicant is lawfully entitled to the pension provided by the Confederate Pension Law of this State, and I hereby approve

said application.

Witness my hand and seal of office at Tyler Tex this 16

day of Feb A. D. 1906

(SEAL)

A. Lindsey  
County Judge Smith County, State of Texas.

CERTIFICATE OF COUNTY COMMISSIONERS

THE STATE OF TEXAS

COUNTY OF Smith } We, the undersigned members of the Commissioners Court of

Smith County, Texas, hereby certify that the foregoing application of B. G. Erwin

for a pension, together with the proof in support thereof, was duly submitted

by Hon. A. Lindsey County Judge of this Smith County,

to the Commissioners of this Smith County, at a regular term thereof on the 16

day of Feb A. D. 1906 and after a careful consideration of the same we find the said applicant is

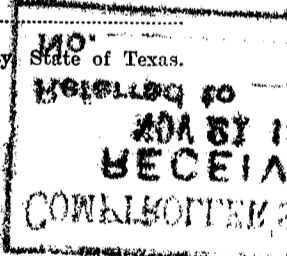
lawfully entitled to the pension provided for by the Confederate Pension Law of this State, and we hereby approve said application.

Witness our hands and seal of office at Tyler Tex this 16

day of Feb A. D. 1906

(SEAL)

T. J. Owens 1  
J. B. Bonner 2  
D. G. Esperson 3  
E. J. Lake 4







E. A. BOLMES, 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 J. F. Erwin who is reported to have enlisted in  
 Company 1<sup>st</sup> Texas Battery Regiment (Douglass')  
 in the service of the Confederate States Army.

Purpose: The widow of 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. Bolmes

Commissioner of Pensions.



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

WAR DEPARTMENT, <sup>1553167</sup>

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, August 12, 1909.

*Respectfully returned to the*

Commissioner of Pensions,  
State of Texas,  
Austin.

The records show that B. F. Erwin,  
private, \_ Douglass' Texas Battery  
(formerly designated Good's Battery),  
Confederate States Army, was enlisted  
June 13, 1861. On the company roll  
for November and December, 1861 (the  
last on which his name is borne), he  
is reported present. No later record  
found.

  
The Adjutant General.

(A. G. O. 72-1)



## Comptroller's Department

State of Texas

Austin *March 15. 1906*J. W. STEPHENS, COMPTROLLER  
JOHN T. SMITH, CHIEF CLERK

To the Military Secretary,

War Department,

Washington, D. C.

Dear Sir:

I have the honor to request the military record of  
*Benjamin F. Erwin* who is reported to have enlisted in  
 Company *Douglas* Regiment *Light Artillery (Texas)*  
 in the service of the Confederate States army. *Army of Tennessee*

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,

*J. W. Stephens*  
 Comptroller



MILITARY SECRETARY'S OFFICE

1111650 1906

WAR DEPARTMENT

*Austin Texas  
Mch. 15/06*

*Benjamin F Erwin  
Douglas Co Art'y (Texas)  
Army Tennessee C.S.A*

*J. W. Stephens, Comptroller  
asks the military record  
of above named*

Address: "The Military Secretary,  
War Department, Washington, D. C."

1111650

WAR DEPARTMENT,

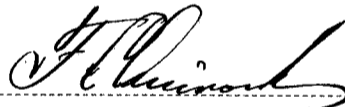
THE MILITARY SECRETARY'S OFFICE,

WASHINGTON, March 20, 1906.

*Respectfully returned to*

The Comptroller,  
State of Texas,  
Austin.

The records show that B. F. Erwin private, Good's (afterwards Douglas') Battery, Texas Artillery, C.S.A., was enlisted June 13, 1861. He is reported on the battery muster roll to December 31, 1861 (last on which his name is borne), present. No later record of him has been found.



The Military Secretary.

(M.S.O. 72-1)

Per *J*

The State of Texas } In matter application  
Smith County } of B. F. Erwin for Pension

W. J. Sanders being duly sworn by me  
deposes and says I reside in Smith County  
have resided here for about 57 years except  
about 20 years I lived in Western Texas. I enlisted  
the 10 day of June 1861 in the Confederate service at  
Inlet Tex. in the First Texas Battery known  
as Douglas' Battery and served through out  
the war in same battery. B. F. Erwin enlisted in  
same battery at the same time and served therein with  
me for about one year. He left us at Knoxville  
Tenn as we were returning from Ky  
Have known B. F. Erwin for about 45 to 50 years.  
I make the statement that he left us at Knoxville Tenn  
returning from Ky because Erwin says he did - I  
do not recollect of my own knowledge just where  
he left  
W. J. Sanders

Sworn to and subscribed before me on  
this the 4 day of Jan 1906  
A. Lindsey Esq  
Smith County

(TX)

In Re  
B. F. Brown  
Applicant for Pension  
Affidavit of J. F. Sanders

*[Faint, illegible handwritten text, likely bleed-through from the reverse side of the page.]*

The State of Texas } Before me the undersigned  
 Smith County } authority on this day  
 personally appeared J. S. Barron who after  
 being duly sworn says upon oath  
 I am acquainted with P. A. Erwin I have  
 known him about 45 or 47 years. I served  
 in the Confederate Army with him for  
 about 12 to 18 mos. We served in the 1<sup>st</sup> Tex  
 Battery known as Douglas Battery. ~~the~~  
~~Battery served under John J. Goode~~  
 John J. Goode was Captain  
 of this Battery first and James P. Douglas  
 was Captain after him.

J. S. Barron  
 Sworn to and subscribed before me on this  
 the 24<sup>th</sup> day of Jan. 1906

S. A. Lindsey  
 Col. Judge Smith Co. Texas

(TX)

In Re

OF Erwin

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Subscribed by  
JA Burrow