

COMPTROLLER'S OFFICE  
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FORM NO. 1 - AMENDED  
OCTOBER 1, 1902  
13989

CONFEDERATE PENSION APPLICATION

Name of Applicant

James J. Bennett

County,

Post Office

Smith  
Bureau St

Comptroller's File No.

13989

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

this day of

A. D.

E. N. Collier  
Chief Pension Clerk

I hereby **APPROVE** within application for pension, this **SEP 26 1908** day of

A. D.  
J. N. Stephens  
Comptroller

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

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 other blank but this.

THE STATE OF TEXAS

County of *Smith*

To the Honorable County Judge of *Smith* County, Texas:

Your petitioner, *J. T. Garnett*, 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.

*J. T. Garnett*

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 *J. T. Garnett*
- Q. What is your age? Answer *77*
- Q. In what County do you reside? Answer *Smith County state of Texas*
- Q. How long have you resided in said County and what is your postoffice address? Answer *Since 1852, Ballard Texas*
- Q. Have you applied for a pension under the Confederate Pension Law heretofore, and been rejected? If so, state when and where? Answer *I never have applied for nothing*
- Q. What is your occupation, if able to engage in one? Answer *Farmer*
- Q. What is your physical condition? Answer *Bad health and old age*
- 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 *Bowel trouble and other complaints*
- Q. In what State was your command originally organized? Answer *State of Texas Smith Co*
- Q. How long did you serve? Give date of enlistment and discharge. Answer *As well as I remember, went off with second company Tyler Tex served till*
- Q. What was the name or letter of your company and name or number of your regiment? Answer *Company G H 34 Texas Cavalry*
- Q. State whether you served in the infantry, artillery, cavalry, or the navy. Answer *Infantry & Cavalry*
- 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 *One mule, \$50 Dollars*



- 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 sold about ~~200~~ 1,000 dollars of my own*
- Q. What estate has your wife in her own right, real and personal, and what is its value? Answer *She has none fees dead 21 years.*
- 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 *I am*
- Q. Are you unable by your labor to earn a support? Answer *I am not able*
- Q. Have you transferred to others any property of value of any kind for the purpose of becoming a beneficiary under this law? Answer *I have not.*
- Q. Did you ever desert the Confederacy? Answer *Never did.*
- Q. Have you been continuously since the first day of January, 1880, a bona fide resident citizen of this State? Answer *Yes sir.*
- Q. If you originally enlisted in the Confederate service from the State of Texas, were you at the date of the passage of this act, a bona fide resident citizen of the State of Texas? Answer *Yes.*

Wife

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

(Signature of Applicant) *J. J. Garnett*

Sworn to and subscribed before me this *17* day of *June* A. D. *1888*

*J. A. Burrell*  
County Judge *Smuk* County, Texas.

AFFIDAVIT OF WITNESSES.

(NOTE—There must be at least two credible witnesses.)

THE STATE OF TEXAS }  
County of *Smuk*

Before me *J. A. Burrell*

County Judge of *Smuk* County, State of Texas, on this day personally appeared *J. White and A. M. Stripley*

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

(Signature of Witness).....

(Signature of Witness) *J. A. Burrell*

Sworn to and subscribed before me this *17* day of *June* A. D. *1888*

(SEAL)

County Judge *Smuk* County, Texas.

AFFIDAVIT OF PHYSICIAN.

THE STATE OF TEXAS

County of Smith } Before me J. A. Buecock  
County Judge of Smith County, State of Texas, on this day personally appeared

J. C. Davis M.D., 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 James J. Barnett 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: affected with Paralysis

(Signature of Physician)

Sworn to and subscribed before me this 12 day of June A. D. 1908

(SEAL)

J. A. Buecock  
County Judge Smith County, Texas.

CERTIFICATE OF COUNTY JUDGE.

THE STATE OF TEXAS

County of Smith } I J. A. Buecock  
County Judge of Smith County, State of Texas, do hereby certify that on the 10<sup>th</sup>  
day of August A. D. 1908, before me came on to be heard the application of

James J. Barnett 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 J. C. Davis who is a reputable practicing physician of this county, was made before me. I also certify that the said applicant James J. Barnett, 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 James J. Barnett 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 this 10<sup>th</sup>  
day of Aug A. D. 1908

(SEAL)

J. A. Buecock  
County Judge Smith County, 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  
James J. Barnett for a pension, together with the proof in support thereof, was duly submitted  
by Hon. J. A. Buecock County Judge of this Smith  
County, to the Commissioners of this Smith County, at a regular term thereof  
on the 10<sup>th</sup> day of Aug A. D. 1908, 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 this 10<sup>th</sup>  
day of Aug A. D. 1908

(Signature of Commissioners)

(SEAL)

W. A. Strang  
J. B. Boyner  
D. J. Johnson  
E. J. Wake  
J. A. Buecock Co. J. W. (TX)

The State of Tex  
 County of Smith } Before me J. A. Bullock  
 County Judge Smith  
 County Tex, on this day personally appeared  
 J. M. McDougal who by me being duly  
 sworn says that he is - 63 years old - and  
 personally known - James J. Garnett - and  
 personally known that said Garnett enlisted  
 and served as soldier in Confederate Army -  
 in Co "H" 34<sup>th</sup> Tex. Col. (Duncan Co) - that applicant  
 knew and saw applicant nearly all of the time  
 from 1863 - to 1865 close of war - that applicant  
 was in Co "H" - 35<sup>th</sup> Tex. Col. - applicant is sworn  
 that applicant was in Co "H" 34<sup>th</sup> Col. after 1862  
 when he was in Douglas Co. - Bates Reg. -  
 that he constantly saw applicant in service  
 and was Lieutenant in said Co. and that applicant  
 did not desert the service under good service

J. M. McDougal

Sworn to before me this the 2<sup>d</sup> day of Aug. - 1908

J. A. Bullock  
 County Judge Smith of Tex

The State of Texas }  
 County of Smith - } Before me J. A. Buechel  
 County Judge Smith  
 County Texas - on this day personally  
 appeared J. G. Chitwood, who by me being  
 duly sworn says - that he is - 64 years old -  
 and personally knows James J. Garnett -  
 and personally knows that said James J.  
 Garnett - enlisted and served as a Confederate  
 Soldier in the Confederate Army - that  
 that applicant was in Douglas Co. (Cumbria or better or type)  
 he and the ~~the~~ 10th Regt. -  
 that applicant saw him at Dallas serving as  
 a Soldier - that applicant saw him while in  
 service every day for about four months  
 and that applicant personally knows that  
 applicant did not desert the service -  
 this was in every part of 1862 and that  
 applicant was killed in Bell Hamilton Co -  
 10th Regt.

J. G. Chitwood

Sworn to before me this 2<sup>d</sup> day of Aug.  
1908 -

J. A. Buechel  
 Co. Judge  
 Smith Co. Tex.

(TX)



Comptroller's Department,  
State of Texas,  
Austin.

J. W. STEPHENS, COMPTROLLER.  
JOHN T. SMITH, CHIEF CLERK.

To the Adjutant General  
To the Military Secretary,  
War Department,  
Washington, D. C.

Dear Sir:

I have the honor to request the military record of  
*J. T. Garnett* who is reported to have enlisted in  
Company *46*, *34<sup>th</sup>* Regiment *Texas Cavalry* (*35<sup>th</sup> 2*)  
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,

*J. W. Stephens*  
Comptroller.



1425162

War Department, Washington, D. C.

WAR DEPARTMENT, 1425162

THE ADJUTANT GENERAL'S OFFICE,  
WASHINGTON, September 17, 1908.

*Respectfully returned to the*

Comptroller,  
State of Texas,  
Austin.

The name J. T. Garnett has not been found on the rolls, on file in this office, of Company H, 34th Texas Cavalry, or Company H, 35th Texas Cavalry, Confederate States Army, nor has any record been found of the capture or parole of a man of that name of either of said organizations, or of Company H, 35th (Likens') Regiment Texas Cavalry, Confederate States Army. There are no rolls on file in this office of Likens' Regiment.

Austin, Texas, Sept. 10, '08.

J. W. Stephens,  
Comptroller of Texas.

For military record of J. T. Garnett Company H 34th (35th\*) Regt. Texas Cav. C. S. A., who is an applicant for state pension.

[A. G. O. 72-1]

*J. W. Stephens*  
The Adjutant General  
m. B.

Received A. G. O. SEP 14 1908



# Affidavit of Physician 13989

THE STATE OF TEXAS,  
County of Smith.

Pension Certificate No. 13989

Smith

Before me Jesse F. Odom, County Judge of Smith County,

State of Texas, on this day personally appeared Dr. J. C. Davis

who is a physician in good standing, who, being by me duly sworn, on oath says that he has carefully examined Jas. T. Garnett and finds him laboring under the following disabilities:

(If a soldier, state fully whether he lost a limb, or limbs, or is blind or totally disabled; in the latter case stating specifically the personal ailment and conditions that render entirely helpless and incapacitated, physically or mentally, for any work or business; if the widow of a soldier, "for any kind of work suitable for her sex.")

*Bullard Texas - 2/19/1914*  
*This is to certify that J. T. Garnett is an old Confederate Soldier, was wounded twice. He is now 96 years old, has been unable to do any work for 5 years. The last two years he has been totally disabled to do anything had to be waited on as a child.*

Sworn to and subscribed before me, this 19 day of February - (TX) A. D. 1914

(SEAL.)

*J. C. Davis M.D.*  
*Jesse F. Odom*  
County Judge Smith County, Texas.