

DEAD

Endorsements Hereon for Comptroller's Use Exclusively.

FORM No. 1.

7964

CONFEDERATE PENSION APPLICATION.

Name of Applicant,

J. D. Hale

County.

Smith

Post Office.

Tyler Texas

Comptroller's File No.

7964

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

27

day of *March*

A. D.

1901

E. A. Dolues
Pension Clerk.

I hereby *approve* the within application

for pension, this

22

day of

March

A. D.

1901

A. M. Love
Comptroller.

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

MAVERICK-CLARKE LITHO CO., SAN ANTONIO.

COMPTROLLER'S OFFICE,
RECEIVED
MAR 6 1901
Referred to _____
No. _____

Compliments of
East Texas Genealogical Society
www.etgs.org

APPLICATION of Indigent Soldier or Sailor of the late Confederacy for pension under the Act of May 12, 1899.

THE STATE OF TEXAS,

COUNTY OF Smith

To the Honorable County Judge of Smith County, Texas.

Your petitioner, J. D. Hale 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 J. D. Hale
- Q. What is your age? Answer 60 years, Sept. 30-1900, foot.
- Q. In what County do you reside? Answer Smith
- Q. How long have you resided in said County and what is your post office address? Answer 7 years. Tyler - 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 Farming
- Q. What is your physical condition? Answer Good - except from effect of wounds.
- 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 Gun shot wounds rec'd in Confederate Army. wounds in arm and foot.
- Q. State in what company and regiment you enlisted in the Confederate army, and the time of your service? Answer Company "E" 9th Ga. Regt Infantry, 6 months.
- Q. If you served in the Confederate navy state when and where, and the time of your service. Answer No
- 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 have no real estate nor personal property at all.



- 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 None
- 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 Yes
- 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

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. D. Hale

Sworn to and subscribed before me this 3 day of Jan A. D. 1901

Geo. W. Cross
Smith

(SEAL)

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, Geo. W. Cross

County Judge of Smith

County, State of Texas, on this day personally appeared Mrs. S. E. Hale

who are personally known to me to be credible citizens, who being by me duly sworn on oath, state that they personally know J. D. Hale the above named applicant for a pension, and that they personally know that the said J. D. Hale enlisted in the service of the Confederacy, and performed the duties of a soldier (or sailor) as claimed by him in the above and foregoing application, and that they further know that he, the said applicant, is unable to support himself by labor of any sort.

(Signature of Witness) J. D. Hale

(Signature of Witness)

(Signature of Witness)

(Signature of Witness)

Sworn to and subscribed before me this 8 day of Feb. A. D. 1901

Geo. W. Cross
Smith

(SEAL)

County Judge Smith County, Texas.

(See also citations)

AFFIDAVIT OF PHYSICIAN.

THE STATE OF TEXAS,

COUNTY OF Smith } Before me Geo. W. Cross
County Judge of Smith County, State of Texas, on this day personally appeared

Dr. J. D. Hale, 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 J. D. Hale

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: that he is wounded with a slipped arm; also crippled ankle, and wounded in the side

(Signature of Physician) J. D. Hale M.D.

Sworn to and subscribed before me this 28 day of Jan A. D. 1901

(SEAL)

Geo. W. Cross
County Judge Smith County, State of Texas.

CERTIFICATE OF COUNTY JUDGE.

THE STATE OF TEXAS,

COUNTY OF Smith } I, Geo. W. Cross
County Judge of Smith County, State of Texas, do hereby certify that on the 16

day of Feb. A. D. 1901, before me came on to be heard the application of J. D. Hale

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. D. Hale

who is a reputable practicing physician of this County, was made before me. I also certify that the said applicant J. D. Hale

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 J. D. Hale 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 16 day of Feb. A. D. 1901

(SEAL)

Geo. W. Cross
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 J. D. Hale

for a pension, together with the proof in support thereof, was duly submitted by Hon. Geo. W. Cross County Judge of this Smith

County, to the Commissioners Court of this Smith County, at a regular term thereof on the 16 day of February A. D. 1901, 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 February A. D. 1901

(SEAL)

(Signatures of Commissioners.)
W. J. McFarland 1
J. J. Barnett 2
J. D. Epperson 3
W. E. Brown 4



A 68.

File No. *✓*

IN THE COMMISSIONERS' COURT
of *Smith* County,
BEFORE THE COUNTY JUDGE OF SAID COUNTY.

Ex Parte *J. D. Hale*

COMMISSION
TO TAKE THE DEPOSITION OF

H. H. Morgan

VS.

J. D. Hale
Applicant for Confederate Pension.

Issued the *9* day of
Jan. 18*91*

Returned and filed the.....day of
..... A. D. 1.....

Clerk.....Court,
.....County, Texas.
.....Deputy.

THE STATE OF TEXAS.

To the Clerk of the District Court, Judge or Clerk of the County Court, or any Notary

Public in and for the County of Shelby State of Texas—GREETING:

WE HEREBY AUTHORIZE AND REQUIRE YOU, OR EITHER OF YOU, to summon

A. H. Morgan

a resident of your

County

to come before you forthwith, and that you then and there take his answers, under oath, to the attached copy of Direct & Cross Interrogatories, and that you return the same, without delay, to the Clerk of this Court as herein provided:

1. That you reduce his answers so taken to writing, in proper form, and cause the same to be subscribed and sworn to by said witness.
2. That you certify under your hand and seal of office, that said answers were sworn to and subscribed before you.
3. That you seal up in an envelope the answers so taken, together with the annexed interrogatories, and this Commission, with your name across the seal.
4. That you endorse on the envelope the name of the applicant for pension herein, and the name of said witness.
5. That you direct the package to the "Clerk of the County Court of Smith County, Tyler Texas."
6. That if said package is sent by mail, the Postmaster or his Deputy shall endorse thereon that he received it from your hands, and sign his name thereto; or if you entrust it to private conveyance, as provided by the Statute, you will apprise the person receiving it that it *must* be delivered to the Clerk of *this* Court by *himself in person*; which evidence, so taken as above, is to be used in proof of and on hearing of a pension claim now pending in the Commissioners' Court of Smith County, in said State of Texas, before the County Judge of said County, entitled "Ex parte J. D. Hale applicant for Confederate pension."

HEREIN FAIL NOT, but make due return of this Writ as the law directs.

Given under my hand and seal of office, at Tyler this 9 day of Jan. A. D. 1901

ATTEST: Geo. W. Cross (TX)

Judge County Clerk of the Smith Co. Court of Smith Co. Texas.

Deputy

EX PARTE
J. D. Hale
Applicant for Confederate Pension.

Pending in the Honorable Commissioners' Court
of *Smith* County, Texas,
before the Honorable County Judge of said County.

The Honorable County Judge of *Geo. W. Cross* 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 *H. H. Morgan*
who resides in the County of *Shelby* and 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
to his claim for a pension under the Act of May 12, 1899, 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. D. Hale

(Applicant's) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness.....

H. H. Morgan

- 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 *J. D. Hale* who is an applicant for pension under Act of May 12, 1899?
- INT. 3. How long have you known the said *J. D. Hale* applicant for pension, and when and where did you first know him?
- INT. 4. Do you personally know that the said *J. D. Hale* applicant for pension, enlisted in the service of the Confederacy, and performed the duties of a soldier or sailor?
- INT. 5. Do you personally know in what company and regiment the said *J. D. Hale* applicant, 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 further know that *J. D. Hale*, the said applicant for pension, is unable to support himself by labor of any sort?

CROSS INTERROGATORIES.



TO BE PROPOUNDED TO

H. H. Morgan

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said applicant, 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 in which applicant

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.D. Hale serving in the same company or regiment in which you say the said applicant, J.D. Hale, enlisted? or if you have stated that said applicant enlisted and served in the navy of the Confederacy, then state whether or not you know any other sailor of the same name as said J.D. Hale applicant, serving in the same command?

If you say that you so knew other soldiers or sailors of the same name as applicant's, 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.D. Hale applicant for pension, is the identical person serving as testified by you?

CROSS INT. 3. If you have answered Direct Interrogatory No. 6 in the affirmative, then please state your source of knowledge or information? Is not this your answer simply based upon conjecture?

CROSS INT. 4. Do know whether or not the said J.D. Hale applicant for pension, ever deserted the service in the Confederate army or navy?

THE STATE OF TEXAS,
County of Smith

I, Geo. W. Cross, 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.

Geo. W. Cross
County Judge Smith County, Texas.

J.D. Hale

(Applicant,) ~~Attorney~~ for Applicant.

In Re
Application for Confederate
Pension.

IN COMMISSIONERS' COURT,

Smith COUNTY, TEXAS.

Pending before County Judge of said County.

EX PARTE
J.D. Hale
Applicant.

INTERROGATORIES
PROPOUNDED TO

H. H. Morgan

WITNESSES.

1 Before he was wounded

2 Int of Answers ~~do~~

3 Cross Interrogatories

4
 5 ~~x1~~ I know from my own
 6 personal knowledge as he
 7 was a Protestant and mine
 8 and his wife was staying at
 9 our home at the time and
 10 I received letters from him
 11 by mail after he was wounded
 12 and returned home. I did
 13 not see him there was no other
 14 in the company

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 16 ~~x2~~ I am positive that

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 19 x3 I have waited upon him
 20 frequently and know from
 21 my own personal knowledge
 22 having been with him and
 23 living around since the
 24 war that he is unable to
 25 perform any labor

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 27 x4 Answers he did not
 28 as he was honorably disch
 29 arged

30 H. H. Morgan

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I Tho. J. Clements J. P. & Ex. Officer
Notary Public in and for
Shelby Co Texas do hereby certify
that the answers of H. H. Morgan
the witness before named were
made before me and were seen
and subscribed before
me by the said witness
Given under my hand offi-
cially this the 15th day of Jan 1894
Tho. J. Clements Justice
Peace & Ex. Officer Notary
Public Shelby Co Tex

Depositions

H. H. Morgan

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LEIGHORN ABSTRACT
FROM
GEO. D. BARNARD & CO.

Ex Parte }
 L. C. Hale }
 Suite pending

in Commissioner
 Court of Smith Co. Ex. as
 Answers and Depositions of
 H. H. Morgan to the accompa-
 nying direct and cross inter-
 rogatories propounded to him
 taken before Tho^s J. Clements J^r.
 Ex Officio Notary Public Shelby
 Co. Ex. in accordance with the
 accompanying Commission

Answer of the witness H. H.
 Morgan of Simpson Shelby
 Co. Ex.

1st Interrogatory he answers
 H. H. Morgan, 36 years old
 Simpson Shelby Co. Ex.

Int 2 I have known him
 for a great while

Int 3
 I have known him since
 1859

Int 4 he answers I do

Int 5: Answers I do Company E
 9th Ga Reg. Andersons Brigade
 Nevada Division Longstreet's
 Corps It was in 62 or 63 he was
 at Yorktown and was wound-
 ed in the Battle of the 7
 Pines. Served about 12 months

Int 6

(TX)