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24733

Dead

FORM A.

Soldier's Application for a Pension

OK

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

Name of Applicant.

J. B. King
Smith

County

Postoffice

Tyler

Filed

Aug. 30, 1913

Approved

Sept. 1, 1913

Pension allowed from

Dec. 1, 1913

Rejected

Geo. W. Kysed

Commissioner of Pensions.

E. L. Steck, Printing, Bookbinding, Austin

ant

FORM A

For Use of Soldiers Who Are In Indigent Circumstances

THE STATE OF TEXAS

County of Smith.

I, J.B. King do hereby make application to the Commissioner of Pensions for a pension to be granted me under the Act passed by the 33rd Legislature of the State of Texas, and approved April 7, 1913, 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; or that I was in the service of the State of Texas during the war, to protect said State against the Indians and Mexicans for more than 6 months. That I was honorably discharged or surrendered.

(Give date and cause.)

that I have been a bona fide citizen of this State since prior to January 1, A. D. 1900, 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 a salary or fees of \$300.00 per annum, nor have I an income from any other employment or other source whatever which amounts to \$300.00 per annum, nor do I receive from any source whatever money or other means of support amounting in value to the sum of \$300.00 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, exclusive of a home of the value of not more than \$1000.00; 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? 66 years of age.
2. Where were you born? Alabama.
3. How long have you resided in Texas? 66 years.
4. In what county do you reside? Smith. 8 years.
5. How long have you resided in said county and what is your postoffice address? 8 years. Tyler, Texas, Route 9, Box 13.
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? Farmer.
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. Something over one year.
10. What was the letter of your company, number of battalion, regiment or battery? Enlisted in Home Reserves and served for awhile hunting deserters in Shelby County, Texas. Spent about one month at this work. Was under Capt. Renfro, for awhile; then under Capt. Dick Biggers.
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? Home Guards.



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? I was detailed for special service as mail carrier under J.H. Truitt in Shelby County, Texas. Served at this for about two months. Then I guarded Federal prisoners in Smith County, Texas, for about 10 or 12 months.

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. King

Sworn to and subscribed before me, this 23rd day of August, A. D. 1913

[Seal.] County Judge Smith County, Texas.

AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS

County of Shelby } Before me Edgar W. Foster County Judge of Shelby County,

State of Texas, on this day personally appeared the undersigned witnesses 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. King, the above named applicant for a pension, and that they personally know that the said J. B. King has been a bona fide resident citizen of the State of Texas since prior to January 1, A. D. 1906, and that they have no interest in his claim.

(Signature of Witness) J. M. Saunders

(Signature of Witness) R. L. Parker

Sworn to and subscribed before me, this 26th day of August, D. 1913

[SEAL.] County Judge Shelby 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 Shelby } Before me J. Lee Crawford Notary Public Shelby County,

State of Texas, on this day personally appeared W. W. Willoughby 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 C further make oath to the follow-

ing facts touching the applicant's service in the Confederate Army: (State fully your source of knowledge.)

that the said J. B. King and myself were sworn into the Confederate service at Shelbyville Texas and that we went to Tyler Texas under Captain Ruffra, and after we got to Tyler we served as Prison guards under Capt. Dick Bickers.

(Signature of Witness) W. W. Williams
mark

(Signature of Witness)

Sworn to and subscribed before me, this 30th day of August, A. D. 1913

[SEAL.] J. Lee, Comanche Natary Public County Judge Shelby County, Texas.

CERTIFICATE OF STATE AND COUNTY ASSESSOR

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

State of Texas, do certify that J. B. King 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 33rd Legislature, approved April 7, 1913, is charged on the land and personal property rolls of said county with estate, real personal

and mixed, at the assessed value of 610⁰⁰ dollars.

Given under my hand, this 4 day of September, A. D. 1913 (TX)

H. B. Matthews
State and County Assessor.

EX-PARTE

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

J. B. King
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 J. D. Trout and Shelly who reside in the County of Shelly 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 cannot be proven by any witness residing in the County of Smith and State of Texas, which he is a bona fide resident.

J. B. King
(Applicant) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness

- 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. B. King who is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said J. B. King and when and where did you first know him?
- INT. 4. Do you personally know that the said J. B. King 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. B. King 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 J. B. King 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. B. King 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 said witnesses
CROSS INTERROGATORY 1. If in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said J. King 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. King 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. King serving in the same company or regiment, or special service in which you say the said J. B. King enlisted, if you have stated that said J. B. King 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 applicant serving in the same command, or the special service to which he was assigned?

If you say that you know other soldiers or sailors of the same name of 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 is the identical person serving as testified by you?

CROSS INT. 3. Do you know whether or not the said 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 deserted his command, or voluntarily abandoned his post of duty or the service during said war?

J. B. King
J. B. King
J. B. King
J. B. King

THE STATE OF TEXAS

County of Smith

I, James D. Odum, 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.

James D. Odum
County Judge Smith County, Texas.

J. B. King
(Applicant) Attorney for Appellant.

Witnesses:

INTERROGATORIES
propounded to

Applicant.

EX PARTE

Pending before the County Judge of said County.

County, Texas.

FOR USE OF SOLDIERS OR WIDOWS.

Application for Confederate Pension.

In Re

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

J. B. King

Under Act of 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. Truitt

of Shelby County, Texas

to the accompanying interrogations (2)

and cross interrogatories

propounded to them in the above entitled cause taken before (3)

Morton Paxton, Notary public

in accordance with the accompanying (7)

Agreement

To the first interrogatory the said

J. H. Truitt

Witness, answers

John H. Truitt, Sr., 84 years of age. Fine Bridge, Fort Worth, Texas, R.R. No. 1.

Int. No 2. Yes

Int. No 3. His entire life time. In 1845 in Shelby County, Texas.

Int. No 4. Yes

Int. No 5. Yes. In 1864, in Shelby County, Texas. For one year.

Int. No 6. No

Int. No 7. He guarded prisoners at Tyler, Smith County, Texas. He was a guard. Wait answer.

Answers to Cross Interrogatories

Int. No 1. All men in Shelby County, Texas, between the ages of 16 and 60 were enlisted in the reserve Co. to pick up deserters from the regular Army. I had been detailed to carry the mail for me. I do not

Cross Int. No 2. Yes

Cross Int. No 3. Yes

Cross Int. No 4. If he did I used Spanish

Mistresses

Answer Runes

J. H. Truitt



John H. Truitt

mark

(note) This man could not sign his name on account of being totally disabled

Morton Paxton

Notary public

Subscribed and sworn to before me, this 28 day of August, 1913
Morton Payton, Notary
public, Shelly County, Texas.

THE STATE OF Texas
County of Shelly

I, Morton Payton, Notary public,
(Here give name and official character of officer before whom taken)

do hereby certify that J. H. Truitt
and J. H. Truitt personally known to me to be credible citizen of said
County and State, and that the foregoing answers of J. H. Truitt
the witness before named, and

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

Given under my hand and official seal, this the 28 day of August, 1913

(L. S.)

Morton Payton, Notary
public, Shelly County, 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.

File No. _____
In Smith County, Texas.
Before the Honorable County Judge of said County.

EX PARTE
J. B. Shiver
Applicant for Confederate Pension

DEPOSITION
OF
J. H. Truitt
of Shelly Co.

Witness for Applicant

Filed _____ day
of _____, 1913
By _____, Clerk.
Deputy.

Fee for Taking Deposition, \$ _____
Von Boeckmann-Jones Co., Printers, Austin, Texas.

Placed for the present



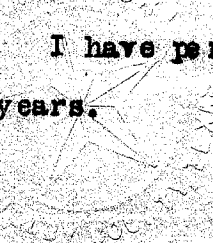

- (1) Here give the name and residence of each witness.
- (2) Here state "and cross interrogatories," if any.
- (3) Here give the name and official character of the person taking the deposition.
- (4) Here state "respectively," if more than one witness.
- (5) Here state whether "Commission, or agreement," if Commission was waived.

Edgar W. Hooker
County Judge, Shelby County
Attorney at Law
Center, Texas

The State of Texas |
County of Shelby |

I, Edgar W. Hooker, County Judge of Shelby County, Texas, do hereby certify that I am personally acquainted with W. W. Willoughby, of Shelby County, Texas, and that the said W. W. Willoughby of Shelby County, Texas, is trustworthy and that his testimony is entitled to full credit.

I have personally known the said W. W. Willoughby for about twelve years.



County Judge, Shelby County, Texas.

TX

APPLICATION FOR MORTUARY WARRANT

THE STATE OF TEXAS,

County of Smith

I, Mrs. Joseph B. King

do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late Joseph B. King

, who was a pensioner of the State of Texas, and whose file number was 24733 and whose original county was Smith

The said pensioner Joseph B. King

died on the II day of May, 19 30, in the town of Tyler

County of Smith, Texas.

The pensioner died in the home of Mr. & Mrs. C.S. Grimes who was related to the pensioner as daughter & Son-in-law

That the warrant, which application is hereby made for, shall be applied to paying all or part of the funeral expenses incurred by the said pensioner Joseph B. King

I further certify that the warrant for the current quarter has not been cashed by the pensioner, to the best of my knowledge and belief.

I am related to the pensioner as (Friend) wife

that my postoffice address is

710 West Erwin St.,
Street or R.F.D.
Tyler Texas.
City State

Signed Mrs. Joseph B. King
J.F. Daniel
19 30

Sworn to before me this 19 day of May

Notary Public in and for Smith County State of Texas.



CERTIFICATE OF UNDERTAKER

I, J.F. Daniel, do certify that I am undertaker in the town of Tyler, County of Smith, State of Texas.

that I had charge of the body of Joseph B. King, who died in the town of Tyler, County of Smith, State of Texas.

on the II day of May 19 30. That said body was prepared for burial by me on the II day of May 19 30, and that I am of the opinion that

warrant herein applied for should be issued to the said Mrs. Joseph B. King, who makes the foregoing application.

Signed J.F. Daniel
Undertaker.

CERTIFICATE OF PHYSICIAN

I, E.W. Clawwater M.D., do certify that I am a practicing physician, and that I attended Joseph B. King in his last illness, and am of the opinion that his ailments were Cerebral Hemorrhage

I further certify that I am of the opinion that the Mortuary Warrant above requested should be issued in the name of the aforementioned applicant, in accordance with Act passed by the Thirty-eighth Legislature and approved March 2, 1923.

Signed E.W. Clawwater M.D.
Physician's Address Tyler Texas



APPLICATION FOR MORTUARY WARRANT

THE STATE OF TEXAS

County of _____ State of _____ do hereby certify that I am the person to whom is entrusted the primary and immediate responsibility of the state of _____

and whose original number was _____ and whose original number was _____ The said pensioner _____

County of _____ State of _____ in the town of _____ Texas, _____

who was related to the pensioner as _____ That the warrant which application is hereby made for shall be applied to paying on or part of the

funeral expenses incurred by the said pensioner _____ I further certify that the warrant for the current quarter has not been issued by the pensioner to the

best of my knowledge and belief. I am related to the pensioner as (friend) _____ that my postoffice address is _____

COMPTROLLER'S OFFICE RECEIVED MAY 21 1930

Signed _____ day of _____ 1930

Notary Public in and for _____ State of Texas

CERTIFICATE OF UNDERTAKER

I do certify that I am undertaker in the town of _____ County of _____ State of _____

that I had charge of the body of _____ in the town of _____ County of _____ State of _____

on the _____ day of _____ 1930 and that I am of the opinion that

warrant herein applied for should be issued to the said _____ who makes the foregoing application.

Signed _____ Undertaker

CERTIFICATE OF PHYSICIAN

I do certify that I am a physician in his last illness and

in the opinion that his ailments were _____

I further certify that I am of the opinion that the Mortuary Warrant above requested should be issued in

the name of the aforementioned applicant in accordance with Act passed by the Thirty-eighth Legislature and approved March 2, 1933.

Signed _____ Physician's Address _____

