

(14)

28524

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.

W.D.Kirkpatrick,

Smith County.

Postoffice **Winona, Route 2**

Filed

Approved

Pension allowed from

Rejected

George Hayes

Commissioner of Pensions.

Commissioner of Pensions

P. L. STECK, PRINTING, BOOKBINDING, AUSTIN

East

For Use of Soldiers Who Are in Indigent Circumstances

THE STATE OF TEXAS

County of Smith.

I, W.D.Kirkpatrick 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 Surrendered at close of war.

(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? 71 years of age.
2. Where were you born? South Carolina.
3. How long have you resided in Texas? 30 years.
4. In what county do you reside? Smith.
5. How long have you resided in said county, and what is your postoffice address?
Four years. Winona, Texas, Route 2.
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 What is your physical condition? Feeble
8. In what State was the command in which you served organized? Alabama.
9. How long did you serve? Give, if possible, the date of enlistment and discharge.
Enlisted on August 10th 1861 and served until April 1865.
10. What was the letter of your company, number of battalion, regiment or battery?
Company I, 19th Regiment Alabama Infantry.
11. If transferred from one command to another, give time of transfer, name of command and time of service
Never transferred.
12. What branch of the service did you enlist in—infantry, cavalry, artillery or navy?
Infantry.



13. If commissioned direct by the President, what was your rank and line of duty?.....

Was not.

14. If detailed for special service, under the law of conscription, what was the nature of your service and how long did you serve?..... Was Not.

15. What is the assessed value of your home, if you own a home?.....

Nothing.

16. What is the assessed value of your other property?..... Nothing.

17. 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 a pension be approved and such other proceedings be had in the premises as are required by law.

(Signature of Applicant) *W.D. Kirkpatrick*

Sworn to and subscribed before me, this 17th day of July, A. D. 1914

[Seal.]

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

State of Texas, on this day personally appeared J.A. Haney & W.A. Kirkpatrick, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know.....

W.D. Kirkpatrick, the above named applicant for a pension, and that they personally know that the said W.D. Kirkpatrick has been a bona fide resident citizen of the State of Texas since prior to January 1, A. D. 1900, and that they have no interest in his claim.

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

(Signature of Witness) *W.A. Kirkpatrick*

Sworn to and subscribed before me, this 17th day of July, A. D. 1914

[Seal.]

Jesse F. Odom
County Judge Smith 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..... }

Before me,....., County Judge of..... County,

State of Texas, on this day personally appeared.....

who are personally known to me to be credible citizens, who being by me sworn, on oath state that they are per-

sonally acquainted with the foregoing applicant, and that the facts set forth and statements made in his applica-
tion are correct and true, to the best of their knowledge and belief, and that they have no interest in his claim, and
said applicant's habits are good and free from dishonor. And..... further make oath to the fol-
lowing facts touching the applicant's service in the Confederate Army: (State fully your source of knowledge.)

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(Signature of Witness).....
(Signature of Witness).....


Sworn to and subscribed before me, this..... day of....., A. D. 191.....

[Seal] County Judge..... 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 **W.D. Kirkpatrick**, 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-third Legislature, approved April 7, 1913, is charged on the tax rolls of said county with a homestead of
the value of..... *no* Dollars,
and of other property, real or personal, or both of the value of..... *no*
Dollars.

Given under my hand, this **24th** day of **July**, A. D. 191 **4**

H B Matthews
State and County Assessor.
By Wm H Day
Office Deputy 

Subscribed and sworn to before me, this 21 day of July, 1914

E. A. Reeves, a Notary Public in and for Hood County Texas

THE STATE OF Texas
County of Hood

E. A. Reeves, a Notary Public in and for Hood County Texas
(Here give name and official character of officer before whom taken.)

for Hood County Texas do hereby certify that John S. Daniel is
and one personally known to me to be ^acredible citizens of said
County and State, and that the foregoing answers of John S. Daniel
the witness before named, and

John S. Daniel, whose name appears 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 21 day of July, 1914
(L. S.) E. A. Reeves, a Notary Public in and for Hood 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 _____ County, Texas.
Before the Honorable County Judge of
said County.

EX PARTE

Applicant for Confederate Pension

DEPOSITION
of

Witness _____ for Applicant.

Filed _____ day

of _____, 191

By _____, Clerk.

Deputy.

Fee for Taking Deposition, \$ _____

Lined area for deposition text.

TX

- (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.

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Subscribed and sworn to before me, this 23 day of July, 1914

My Commission Expires April 9, 1916

J. Allison Allen
Notary Public

THE STATE OF
County of

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

.....do hereby certify that.....

andare personally known to me to be credible citizens of said

County and State, and that the foregoing answers of.....

.....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.....day of....., 191.....

(L. S.)

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

EX PARTE

Applicant for Confederate Pension

DEPOSITION
of

Witness.....for Applicant.

Filed.....day

of....., 191.....

By....., Clerk.

Deputy.

Fee for Taking Deposition, \$.....

Continued

I was in Prison for the last 6 Mo. from that time on I know pretty ~~nothing~~ any thing that hapened. I thought if any had hapened dishonorably I would have heard about it.

If A.D. Kiepatricks ever abandoned his post of duty or any service during the war I never heard of it. He was always counted a Extra good Soldier.

TX

- (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

IN RE APPLICANT FOR CONFEDERATE PENSION

W.D.Kirkpatrick

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)

John S. Daniel

to the accompanying interrogations (2) and cross-interrogatories

propounded to him in the above entitled cause taken before (3) the undersigned authority

in accordance with the accompanying (7) agreement

To the first interrogatory the said John S. Daniel,

Witness, answers John S. Daniel, Age 70 years Mineola Wood Co. Texas

To the 2nd Int., he answers: Yes

To the 3rd Int., he answers: have known W.D. Kirkpatrick since 1862, in the Confederate Army at Corinth Mississippi

To the 4th Int., he answers: Yes

To the 5th Int., he answers: ^{Yes} Company D, 19th Alabama Inf. from 1862 to 1864

To the 6th Int., he answers: private

To the 7th Int., he answers: served in infantry

To the 1st Cross-Int., he answers: I served in same regiment & knew him & I know no other W.D. Kirkpatrick in same Company or regiment

To the 2nd Cross-Int., he answers: Yes

To the 3rd Cross-Int., he answers: Can't say positively as I was wounded in July 1864 & left the regiment but he served honorably from 1862 until July 1864 I know

To the 4th Cross-Int., he answers: I know he did not during the period from 1862 to July 1864

John S. Daniel



EX-PARTE

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

W.D. Kirkpatrick Applicant for Confederate Pension.

The Honorable County Judge of Smith County, Texas, will please take notice that, five days after 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 John Daville and [unclear] who reside in the County of [unclear] 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.

W.D. Kirkpatrick (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 W.D. Kirkpatrick who is an applicant for pension under Act of March 26, 1909?
INT. 3. How long had you known the said W.D. Kirkpatrick and when and where did you first know him?
INT. 4. Do you personally know that the said W.D. Kirkpatrick 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 W.D. Kirkpatrick 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 W.D. Kirkpatrick 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 know further if W.D. Kirkpatrick 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

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said W.D. Kirkpatrick 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 W.D. Kirkpatrick 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 knew of any other soldier or sailor by the name of W.D. Kirkpatrick serving in the same company or regiment, or special service in which you say the said W.D. Kirkpatrick enlisted, if you have stated that said W.D. Kirkpatrick 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 W.D.Kirkpatrick 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 W.D.Kirkpatrick then can you and how do you identify and locate the one from the other or others?

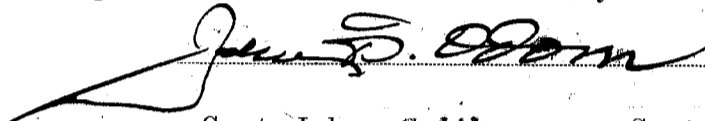
Cross Int. 2. Are you positively certain that said W.D.Kirkpatrick is the identical person serving as testified by you?

Cross Int. 3. Do you know whether or not the said W.D.Kirkpatrick 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 W.D.Kirkpatrick 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.


County Judge Smith County, Texas.
W.D. Kirkpatrick
(Applicant) Attorney for Applicant.

In Re
Application for Confederate Pension
FOR USE OF SOLDIERS OR WIDOWS
..... County, Texas.
Pending before the County Judge of said County.
EX-PARTE
Applicant.
INTERROGATORIES propounded to
Witnesses.

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

W.D. Kirkpatrick

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)

T.O. Robertson age 85
Residence Alpine TX

to the accompanying interrogations (2) and cross-interrogatories

propounded to him in the above entitled cause taken before (3) the undersigned authority

in accordance with the accompanying (7) agreement

To the first interrogatory the said T.O. Robertson

Witness, answers To the best of My knowledge

To the 2nd Int., he answers: yes

To the 3rd Int., he answers: about 60 yrs. ever since he was a child

To the 4th Int., he answers: I do

To the 5th Int., he answers: Capt. Savage Co. Regiment 19th Alabama enlisted about the year 1862. Enlisted in Cherokee Co. Ala.

To the 6th Int., he answers: Private soldier

To the 7th Int., he answers: Volunteer

To the 1st Cross-Int., he answers: I personally know

To the 2nd Cross-Int., he answers: I personally know

To the 3rd Cross-Int., he answers: About 60 yrs.

Ever since he was a child

To the 4th Cross-Int., he answers: I was with him

in the Army several times as to the name of the place he enlisted I am unable to tell I think though he enlisted at Spring-garden Alabama in Cherokee County

I never knew any other soldier by the name of W.D. Kirkpatrick (TX)

I am well satisfied that the W.D. Kirkpatrick is the actual person whom I have testified for. As far as I know he did serve honorably from his enlistment till the close of the war

EX-PARTE

W.D.Kirkpatrick

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 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 T.O. Robertson and [unclear] who reside in the County of [unclear] in the State of [unclear] 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.

W.D. Kirkpatrick (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? T.O. Robertson age 85 Residence Alpine TX
INT. 2. Do you personally know, or did you at any time know W.D.Kirkpatrick who is an applicant for pension under Act of March 26, 1909? yes
INT. 3. How long had you known the said W.D.Kirkpatrick about 60 years and when and where did you first know him? ever since he was a child
INT. 4. Do you personally know that the said W.D.Kirkpatrick enlisted in the service of the Confederacy, and performed the duties of a soldier or a sailor? yes
INT. 5. Do you personally know in what company and regiment the said W.D.Kirkpatrick 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 W.D.Kirkpatrick 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 know further if W.D.Kirkpatrick 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 T.O. Robertson

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said W.D.Kirkpatrick 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 W.D.Kirkpatrick 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 knew of any other soldier or sailor by the name of W.D.Kirkpatrick serving in the same company or regiment, or special service in which you say the said W.D.Kirkpatrick enlisted, if you have stated that said W.D.Kirkpatrick 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 W.D.Kirkpatrick
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 W.D.Kirkpatrick
then can you and how do you identify and locate the one from the other or others?

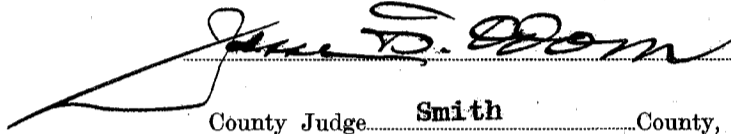
CROSS INT. 2. Are you positively certain that said W.D.Kirkpatrick
is the identical person serving as testified by you?

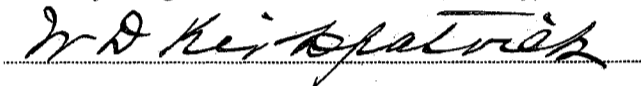
CROSS INT. 3. Do you know whether or not the said W.D.Kirkpatrick
served honorably from the date of his enlistment until the close of the late Civil War between the States or until he
was discharged from said company and regiment, or the special service to which he had been assigned?

CROSS INT. 4. Do you know whether or not the said W.D.Kirkpatrick
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 an-
swers to the hereinabove direct and cross interrogatories of the said herein named witness may be attached hereto.


County Judge Smith County, Texas.


(Applicant) Attorney for Applicant.

In Re
Application for Confederate Pension

FOR USE OF SOLDIERS OR WIDOWS

Pending before the County Judge of said County,
County, Texas.

EX-PARTE

Applicant.

INTERROGATORIES
propounded to

Witnesses.