

12

27241-
DEAD FORM A.

Soldier's Application for a Pension

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

Dead
2-1-29

Name of Applicant.

Ben A. Long,

Smith County.

Postoffice: **Bullard, Texas.**

Filed *Apr. 1914*

Approved *for Mar. 4*

Pension allowed from *June 1914*

Rejected

Geo. W. Byrd

Commissioner of Pensions
Commissioner of Pensions.

E. L. Steck, Printing, Bookbinding, Austin

EW

FORM A

For Use of Soldiers Who Are In Indigent Circumstances

THE STATE OF TEXAS

County of **Smith.**

I, **Ben A. Long** do hereby make application to the Commissioner of Pensions for a pension to be granted me under the Act passed by the 53rd 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? **76 years old.**
2. Where were you born? **Texas**
3. How long have you resided in Texas? **70 years.**
4. In what county do you reside? **Smith.**
5. How long have you resided in said county, and what is your postoffice address?
22 years. Bullard, Texas.
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? **Not able to engage in one.** What is your physical condition? **Feeble**
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. **Three years and eleven months. Enlisted on June 13th 1861 and surrendered May 13th 1865**
10. What was the letter of your company, number of battalion, regiment or battery?
Company C, 3rd Texas Regiment.
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?
Cavalry.

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? **\$600.00**

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) *Ben A. Long*

Sworn to and subscribed before me, this **4th** day of **April**, A. D. 19 **14**

Jesse F. Odom
County Judge **Smith** County, Texas.

[Seal.]

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 **L.L. Clements & Felix D. Smith**, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know **Ben A. Long**, the above named applicant for a pension, and that they personally know that the said **Ben A. Long** 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) *L.L. Clements*
(Signature of Witness) *Felix D. Smith*

Sworn to and subscribed before me, this **4th** day of **April**, A. D. 19 **14**

Jesse F. Odom
County Judge **Smith** County, Texas.

[Seal.]

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-

Subscribed and sworn to before me, this 9th day of April, 1914

C. F. Gibson
County Judge
Cherokee Co. Tex.
C. F. Gibson

THE STATE OF Texas,

County of Cherokee.

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

County Judge

do hereby certify that Jno. B. Long
and Jno. A. Boyd are personally known to me to be credible citizens of said
County and State, and that the foregoing answers of Jno. B. Long and Jno. A. Boyd

the witness es before named, and
whose names appear signed to the foregoing deposition, were made before
me and were sworn to and subscribed before me, by said witness es respectively

Given under my hand and official seal, this the 9th day of April, 1914

(L. S.)

C. F. Gibson
County Judge, Cherokee 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, and Notary Public, or any Commissioner of Deeds of Texas.

File No. _____

In Smith County, Texas,
Before the Honorable Judge of Said County.

EX PARTE

Ben A. Long
Applicant for Pension

DEPOSITION OF

Jno. A. Boyd
Witness for Applicant.

Filed _____ day

of _____, 1914

_____, Clerk.

By _____, Deputy.

Fee for Taking Deposition, \$ _____

Lined area for deposition text.



- (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.

DEPOSITION IN PENSION CLAIMS, with Caption and Certificates.

727-513-1m

EX PARTE

Ben A. Long

Applicant for Confederate Pension.

IN RE APPLICANT for CONFEDERATE PENSION

Under Act March 26, 1909, pending

in Smith

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

Answers and depositions of (1) **Jno. B. Long and Jno. A. Boyd, both of whom reside in Cherokee County, Texas,**

to the accompanying interrogations (2) **and cross-interrogatories** propounded to **them** in the above entitled cause taken before (3) **the undersigned** in accordance with the accompanying (7) **agreement**

To the first interrogatory the said **Jno. B. Long**

Witness, answers **John B. Long, 70 years--Rusk, Texas. Rusk, Texas**

Ans. Int. 2. **Yes.**

Ans. Int. 3. **I first knew him about 1855, at Rusk. Have known him ever since.**

Ans. Int. 4. **Yes.**

Ans. Int. 5. **Yes. He was in Co. "C" 3rd. Texas Cavalry. He served in said Co. from June 10th. 1861 until the close of the war.**

Ans. Int. 6. **He was not.**

Ans. Int. 7. **He was not.**

Answers of John B. Long to Cross Interrogatories.

Cross Int. 1. **I was in the same Company with him all through the war, was well acquainted with him, have known him well ever since the war, and am positive that he is the identical person with whom I served. Never knew any other soldier by the same name.**

Cross. Int 2. **Yes.**

Cross Int. 3. **He served honorably all through the war. Was a brave and loyal soldier.**

Cross Int. 4. **He never deserted nor abandoned his post of duty, but was faithful until the war closed.**

John B Long

Answers of John A. Boyd.

To the first interrogatory the said Jno. A. Boyd answers:

Int. 1. **John A. Boyd, age 76 years, residence and P. O., Rusk, Texas.**

Int 2. **Yes.**

Int. 3. **I knew him before the War, all during the war, and have known him ever since.**

Int 4 **Yes.**

Int. 5. **Yes. He served in Co. "C", 3rd. Texas Cavalry. From June 10, 1861 until the close of the War. I was in same company with him all through the War.**



Int. 6th. He was not.

Int. 7. He was not.

Cross Int.

Ans. X Int. 1. I know it because I was in same Co. with him, as was J. B. Long, the other affiant hereto, and I did not know any other man by the same name. Having known him ever since the war, I am positive that he is the identical man with whom I served.

Ans. X Int. 2, Yes.

Ans. X Int. 3 Yes, he did.

Ans. X Int. He never deserted, but served until the close of the War.

John A. Hayes

EX-PARTE

Ben A. Long

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 Jno. B. Long and Jno. A. Boyd who reside in the County of Cherokee 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.

Ben A. Long (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? John B. Long, 70 years - Russett, La.
INT. 2. Do you personally know, or did you at any time know Ben A. Long who is an applicant for pension under Act of March 26, 1909? Yes
INT. 3. How long had you known the said Ben A. Long and when and where did you first know him? Long before the war.
INT. 4. Do you personally know that the said Ben A. Long 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 Ben A. Long 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? Co. 'D' 3rd Inf. Cav. Army Alex. Hays Turner & Co. from June 10 1861 to close of war.
INT. 6. Do you personally know that Ben A. Long 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 Ben A. Long 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? No - He was a fighting soldier.

CROSS INTERROGATORIES



To be propounded to Jno. B. Long and Jno. A. Boyd

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said Ben A. Long 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 Ben A. Long 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 Ben A. Long serving in the same company or regiment, or special service in which you say the said Ben A. Long enlisted, if you have stated that said Ben A. Long enlisted and served in the navy of the Confederacy, then state whether or

Served with him all the war. Don't know any other by that name.

not you know any other soldier or sailor of the same name as said Ben A. Long
applicant serving in the same command, or the special service to which he was assigned? *no*

If you say that you know other soldiers or sailors of the same name of Ben A. Long
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 Ben A. Long
is the identical person serving as testified by you? *yes*

CROSS INT. 3. Do you know whether or not the said Ben A. Long
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? *yes*

CROSS INT. 4. Do you know whether or not the said Ben A. Long
deserted his command, or voluntarily abandoned his post of duty or the service during said war? *He did not.*

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.

Jesse F. Odom
County Judge Smith County, Texas.

Ben A. Long
(Applicant) Attorney for Applicant.

In Re
**Application for Confederate
Pension**

FOR USE OF SOLDIERS OR WIDOWS

Smith
County, Texas.

Pending before the County Judge of said County.

EX-PARTE

Ben A. Long
Applicant.

INTERROGATORIES
propounded to

Jesse F. Odom
Ben A. Long
Witnesses.

APPLICATION FOR MORTUARY WARRANT

THE STATE OF TEXAS,

County of Cherokee } Mrs. Henry Merk

do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late Ben A. Long, who was a pensioner of the State of Texas, and whose file number was 27241 and whose original county was Smith

The said pensioner, Ben A. Long, died on the first day of January, 1929, in the town of Mt. Selman, County of Cherokee, Texas.

The pensioner died in the home of Mrs. Henry Merk who was related to the pensioner as daughter

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 Ben A. Long

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) daughter that my postoffice address is

Mt. Selman Texas City State

Sworn to before me this 4 day of Feb, 1929

Signed Mrs. Henry Merk B. H. Ruppel

Notary Public in and for Cherokee State of Texas.

CERTIFICATE OF UNDERTAKER

I, J. A. Caswell, do certify that I am undertaker in the town of Bullard, County of Smith, State of Texas that I had charge of the body of Ben A. Long, who died in the town of Mt. Selman, County of Cherokee, State of Texas on the 1st day of January, 1929. That said body was prepared for burial by me on the 1st day of January, 1929, and that I am of the opinion that warrant herein applied for should be issued to the said Mrs. Henry Merk who makes the foregoing application.

Signed J. A. Caswell Undertaker.

CERTIFICATE OF PHYSICIAN

I, C. L. Newburn, do certify that I am a practicing physician, and that I attended Ben A. Long in his last illness, and am of the opinion that his ailments were pneumonia

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 C. L. Newburn Physician's Address Jacksonville Texas TX

27241 2-1-29

TEXAS LAW YEAHKTOM RCM HOIOMIPLRE

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COMPTROLLERS OFFICE
RECEIVED
FEB 8 1929
Referred To _____
No. _____

MAIET LI ETAT

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