

18812

FORM A

Soldier's Application for Pension

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

Name of Applicant

E. K. Duke

Anderson County

Postoffice

Wesley

Filed JUL 30 1910

Approved

AUG 31 1910

Pension allowed from

JUN 1 1910

Rejected

APPROVED
E. J. Palmer
Commissioner of Pensions

Commissioner of Pensions

VON BOECKMANN-JONES CO., PRINTERS, AUSTIN

Compliments of
East Texas Genealogical Society

THE STATE OF TEXAS
COUNTY OF ANDERSON

Before me the undersigned authority... personally known to me to be a reputable practicing physician of Anderson County, Texas, who being by me first duly sworn on his oath deposes and says, I have carefully and thoroughly examined the applicant herein Mr. E. K. Duke and find him suffering from the following named diseases... which renders him totally disabled to do any kind of character of work or to move about the place without assistance, and I know from personal knowledge that this condition has existed for about 8 years, and there is no prospect of recovery or improvement.

Subscribed and sworn to before me this the 12th day of July 1910.

(Official Title)

J. A. Haddock
Justice of the Peace

FORM A

For Use of Soldiers, Who are in Indigent Circumstances

THE STATE OF TEXAS }
County of Anderson }

I, E. H. Duke, do hereby make application to the Commissioner of Pensions for a pension to be granted me under the Act passed by the Thirty-first Legislature of the State of Texas, and approved March 26, A. D. 1909, 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; that I was honorably discharged ~~at~~ at Montgomery Alabama in the year 1863, on account of sickness

(Give date and cause.)

that I have been a bona fide citizen of this State since prior to January 1, A. D. 1880, and have been continuously since a ~~citizen~~ and that I am totally disabled by some kind or chronic of work because of paralysis and have been so for 2 years 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 in salary or fees one hundred and fifty dollars per annum, nor have I am income from any other employment or other source whatever which amounts to one hundred and fifty dollars per annum, nor do I receive from any source whatever money or other means of support amounting in value to the sum of one hundred and fifty dollars 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; 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? 69 years
2. Where were you born? In Georgia but raised in Ala.
3. How long have you resided in Texas? for 39 years
4. In what county do you reside? Anderson
5. How long have you resided in said county and what is your postoffice address. for 39 years
with exception of 4 or 5 years but continuously here for more than 5 years - P.O. Nichis Texas
6. Have you applied for a pension under the Confederate pension law and been rejected? If rejected, state when and where. Yes Applied last year and rejected because I made proof of my last service in the war which was in the Alabama State Cavalry Hospital of
7. What is your occupation, if able to engage in one? Not able to engage in any occupation
8. In what State was the command in which you served organized? Ala
9. How long did you serve? Give, if possible, the date of enlistment and discharge. served about 9 months
Feb. 1, 1862 until Aug 1
10. What was the letter of your company, number or name of battalion, regiment or battery? Company "C" 53 Reg. Alabama Volunteers
11. If transferred from one command to another, give time of transfer, name of command and time of service. Was not 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?.....

Not commissioned

14. If detailed for special service, under the law of conscription, what was the nature of your service and how long did you serve.....

Not detailed

15. Have you transferred to others any property of any kind for the purpose of becoming a beneficiary under this law?.....

Have not

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)

E. H. Duke

Sworn to and subscribed before me, this *11th* day of *July*, A. D. 19*10*

O. G. Funderburk

County Judge *Anderson* County, Texas.

[SEAL.]

AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS }

County of *Anderson* }

Before me *O. G. Funderburk*, County Judge of *Anderson* County,

State of Texas, on this day personally appeared *J. A. McReynolds & Henry Davis*, who are personally

known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know *E. H. Duke*

Duke the above named applicant for a pension, and that they personally know that the said *E. H. Duke*

Duke has been a bona fide resident citizen of the State of Texas since prior to January 1, A. D.

1880, and that they have no interest in this claim.

(Signature of Witness)

J. A. McReynolds

(Signature of Witness)

Henry Davis

Sworn to and subscribed before me, this *11th* day of *July*, A. D. 19*10*

O. G. Funderburk

County Judge *Anderson* 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

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 personally acquainted with the foregoing applicant, and that the facts set forth and statements made in his application are correct

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act March 26, 1909, pending

Anderson

E.K. Duke

Applicant for Confederate Pension.

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

Answers and depositions of (1) J.J. Duke and W.B. Dunlap

to the accompanying interrogations (2) & Cross Interrogatories
propounded to them in the above entitled cause taken before (3)
in accordance with the accompanying (7) Agreement

To the first interrogatory the said J.J. Duke

Witness, answers: To the first and second Interrogatory.

F.J. Duke, Age 72 years, Post Office Goodwater, Ala., I personally knew E.K. Duke at the time of his service. My name is W.B. Dunlap, Age 67 years Post Office Hollins, Ala, I personally knew E.K. Duke, at the time of his services.

And the said answers:

To the Third Interrogatory.

Nine months in time of the Confederate war.

To the 2nd Int they answer:

To the 4th Int -

We do personally know that the said E.K. Duke did enlist in the services of the Confederacy as a Private.

In the Company "G" Fifty third Ala Regiment the second day of August 1862, at Montgomery, Ala. He served for nine months, He served as a private. He did not serve as a conscript officer, nor as any special officer.

To the Cross Interrogatories they both say that there was no other E.K. Duke, enlisted in the Company "G" Fifty third Ala Regiment.



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.

Thomas J. Duke

W.B. Dunlap

Subscribed and sworn to before me, this 21, st day of July, 1910, 190

NOTARY PUBLIC

M. J. Newberry

THE STATE OF Ala
County of Clay

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

a Notary Public do hereby certify that T. J. Duke,
and W. B. Dunlap are personally known to me to be credible citizens of said
County and State, and that the foregoing answers of T. J. Duke, and W. B. Dunlap

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 21, st day of July, 1910, 190

(L. S.)

M. J. Newberry

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 _____ 190

Clerk.

By _____ Deputy.

Fee for Taking Deposition, \$ _____



OFFICE OF
Commissioner of Pensions

State of Texas

Austin

AUG 24 1910

E. A. BOLMES, Commissioner

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

Dear Sir:

I have the honor to request the military record
of E. K. Duke who is reported to have enlisted in
Company C, Regiment 53^d Alabama Cavalry
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,

E. A. Bolmes



Commissioner of Pensions.

18812

ADJUTANT GENERAL'S OFFICE

1688169

WAR DEPARTMENT

Address: "The Adjutant General,
War Department, Washington, D. C."

1688169

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, August 29, 1910.

Respectfully returned to the
**Commissioner of Pensions,
State of Texas,
Austin.**

The records show that Edmond Duke, private, Company C, 53d Alabama Partisan Rangers, Confederate States Army, enlisted August 6, year not stated, and that he was discharged January 21, 1863. No later record of him has been found.

The Adjutant General.

(A. G. O. 72-1)

Per *U*

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

EX PARTE

E. F. Duke
Applicant for Confederate Pension.

The Honorable County Judge of Anderson 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. F. Duke and Cover who reside in the County of Cover in the State of Ala 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 her 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 can not be proven by any witness residing in the County of Anderson and State of Texas, of which she is a bona-fide resident.

E. F. Duke
(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 E. F. Duke who is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said E. F. Duke and when and where did you first know him?
- INT. 4. Do you personally know that the said E. F. Duke 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 E. F. Duke 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 E. F. Duke 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 E. F. Duke 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 J. F. Duke

CROSS INTERROGATORY: If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said E. F. Duke 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 E. F. Duke 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 E. F. Duke serving in the same company or regiment, or special service in which you saw the said E. F. Duke enlisted, if you have stated that said E. F. Duke 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 Ed Duke
applicant serving in the same command, or the special service to which he was assigned?

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

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

THE STATE OF TEXAS, }

County of Anderson
I, O. B. Stenderbuck

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.

O. B. Stenderbuck
County Judge Anderson County, Texas.
Ed Duke
(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. 1

INTERROGATORIES
propounded to

Witnesses.