

2659
APR 7 1910

FORM C

No.

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. R. Duke

Anderson County.

Postoffice *Neches*

Filed *Nov. 20, 1909.*

Approved.....

Reserves

Quarterly Allowance, \$24.00.

Pension allowed from.....

Rejected **FEB 28 1910**

Commissioner of Pensions.

VON BOECKMANN-JONES COMPANY, PRINTERS, AUSTIN, TEXAS

Soldier's Application for Pension

For use of blind, maimed and totally disabled soldiers
who are in indigent circumstances

THE STATE OF TEXAS }
County of Anderson }

I, E R 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 or surrendered Paroled in 1865 at close of war

(Give date and cause.)

that I have been a bona fide citizen of this State since prior to January 1, 1880, and have been continuously since a citizen of the State of Texas, and that I

(Here state fully the disability under which the applicant claims a pension, whether he lost in service a limb or limbs, eyes, or cause of total blindness, or whether he is totally disabled by reason of wounds received in service or disease.)

The Applicant - E R Duke is disabled to work from disease locomotor ataxia

J. Duke m d

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 an 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? Georgia
3. How long have you resided in Texas? 38 years
4. In what county do you reside? Anderson
5. How long have you resided in said county and what is your postoffice address? 38 years
Richwood Anderson Co Texas
6. Have you applied for a pension under the Confederate Pension Law heretofore and been rejected? If rejected, state when and where. no application
7. What is your occupation, if able to engage in one? Farming



- 8. In what State was the command in which you served organized? Alabama
- 9. How long did you serve? Give, if possible, date of enlistment and discharge. 2 years
recruited in 1865
- 10. What was the letter of your company, number or name of battalion, regiment or battery? co B
63 Alabama reg Tanner Brig
- 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? infantry
- 13. If commissioned as an officer direct by the President, what was your rank and line of duty? private
- 14. If detailed for special service, under the law of conscription, what was the nature of your service and how long did you serve? 2 years
- 15. Have you transferred to others any property of any kind for the purpose of becoming a beneficiary under this law? I 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. K. Duke

Sworn to and subscribed before me, this 25 day of July, A. D. 1907
J. A. Shields

[SEAL.] County Judge J. P. F. Etcheberry County, Texas.

AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS }

County of Anderson }

Before me O. C. Funderburk, County Judge of Anderson County, State of Texas, on this day personally appeared Dan Rumpston & C. D. 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. K. Duke, the above-named applicant for a pension, and they personally know that the said E. K. Duke has been a bona fide resident citizen of the State of Texas since prior to January 1, 1880, and that they have no interest in this claim.

(Signature of Witness) Dan. P. Rumpston

(Signature of Witness) C. D. Davis

Sworn to and subscribed before me, this 19th day of July, A. D. 1907

[SEAL.] County Judge O. C. Funderburk Anderson County, Texas.

AFFIDAVIT OF PHYSICIAN

THE STATE OF TEXAS }

County of Anderson }

Before me J. A. Shields, County Judge of Anderson County, State of Texas, on this day personally appeared J. P. F. Etcheberry, who is a physician in good standing, who, being by me duly sworn, on oath says that he has carefully and thoroughly examined E. K. Duke, the applicant, and finds him laboring under the following disabilities:

not you know any other soldier or sailor of the same name as said E. K. Decker 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 E. K. Decker 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 E. K. Decker is the identical person serving as testified by you?

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

THE STATE OF TEXAS,

County of Culberson

I, O. J. Sandelmark, 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. J. Sandelmark
County Judge Culberson County, Texas.

E. K. Decker
(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. 1

INTERROGATORIES
propounded to

Witnesses.

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

E. K. Duke

Under Act March 26, 1909, pending

Anderson

Applicant for Confederate Pension.

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

Answers and depositions of (1)

J. F. Shackelford and S. G. Sanford

to the accompanying interrogations (2)

& Cross Interrogations

propounded to

them

in the above entitled cause taken before (3)

Chas R. Osborne

in accordance with the accompanying (7)

regressionment

To the first interrogatory the said

J. F. Shackelford

Witness, answers: —

and the said J. F. Shackelford + S. G. Sanford answers: —

(7)

J. F. Shackelford - 65 - Eclectic Ala

S. G. Sanford - 63 - Eclectic Ala

To the 2nd Int they answer: —

yes



To the 3rd Int they answer:

*J. F. Shackelford knew him all his life
Cocoa Co Ala when boys growing up.*

*S. G. Sanford knew him only when
he enlisted with him in 1864 for 11
months -*

To the 4th Int. They answer: —

yes

To the 5th Int. they answer: —

yes -

Company B Reg 63 Ala - 1864 - at
Montgomery - 1864 - and part 1865 -
Mobile -

To the 6th Int. they answer: — he

was a private -

To the 7th Int. they answer: —

Volunteers

for war -

To the 1st Cross Int. They answer: —

We were in service with
him - Do not know any
other

To the 2nd Cross Int they answer: *yes*

EXHIBIT

To the 3rd Cross Int they answer:

He served honorably ^{we}

EXHIBIT
COLLECTED
NOV 1914

To the 4th Cross Int they answer:

He did ~~not~~ desert his command.



- (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.

Subscribed and sworn to before me, this 6th day of November, 1909
J. H. Shackelford
S. G. Sanford

THE STATE OF Alabama
County of Elmore
Notary Public

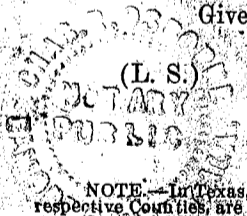
I, Chas. P. Osborne
(Here give name and official character of officer before whom taken.)
J. H. Shackelford & S. G. Sanford

do hereby certify that J. H. Shackelford and S. G. Sanford
are personally known to me to be credible citizens of said
County and State, and that the foregoing answers of J. H. Shackelford and
S. G. Sanford the witness as before named, and

whose name appears signed to the foregoing deposition, were made before me
and were sworn to and subscribed before me, by said witness (4) Chas. P. Osborne

Given under my hand and official seal, this the 6th day of November, 1909

Chas. P. Osborne
Notary Public



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.	County, Texas.
before the Honorable County Judge of said County.	
EX PARTE	
Applicant for Confederate Pension	
DEPOSITION OF	
Witness for Applicant	led _____ day _____ 190__
	Clerk.
	Deputy.
Fee for Taking Deposition, \$ _____	

RECEIVED
FEB 13 1618582
WAR DEPARTMENT

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

1618582

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, February 11, 1910.

Respectfully returned to the

Commissioner of Pensions,
State of Texas, Austin.

The name E. R. Duke has not been found on the rolls, on file in this office, of any company of the 2d Alabama Reserves, which was designated, between March and May, 1865, as the 63d Alabama Infantry, Confederate States Army, of which latter organization there are no rolls on file.

It is shown by the records that one Edmund H. Duke, private, Company B, 2d Alabama Reserves, Confederate States Army, enlisted July 11, 1864, and on the roll of the company dated October 31, 1864, which is the last on file, he was reported as present.

The records of prisoners of war afford no information concerning any man named E. R. Duke or Edmond H. Duke as a member of either of the organizations mentioned, but said records show that one E. K. Duke, private, Company B, 63d Alabama Infantry, Confederate States Army, surrendered at Citronelle, Alabama, May 4, 1865, and was paroled at Meridian, Mississippi, May 11, 1865.



The Adjutant General.