

13

Not believed to be

indigent, will

\$1500 worth of

land files proof that he has
commenced proceeds

Reconsidered & recommended
that the application be
approved, this 26th of
September A. D. 1906

E. A. Bolmer
Chief Pension Officer

Shewly Approved

SEP 26 1906

Comptroller

0113682

Endorsements Hereon for Comptroller's Use Exclusively

FORM No. 1—AMENDED

OCTOBER 1, 1902

Confederate Pension Application

Name of Applicant

P. J. Heath

County,

Postoffice ~~name~~

Palentine

Comptroller's File No.

13682

I have carefully examined the within applica-
tion for pension, together with the proof in sup-
port thereof, and I recommend that the application
be disapproved

this 29 day of Sept
A. D. 1906 E. A. Bolmer
Chief Pension Officer

I hereto disapprove within application for
pension, this 29th day of
Sept A. D. 1906
E. A. Bolmer
Comptroller

No Application Rejected by County Judge or County Com-
missioners Should Be Forwarded to Comptroller

Compliments of
East Texas Genealogical Society

NOTE—The law provides that pensions can begin only on the first day of April and October of each year.

FORM No. 1. Amended October 1, 1902.

APPLICATION of Indigent Soldier or Sailor of the late Confederacy for pension under the Act of May 12, 1899. Hereafter use no blank but this.

THE STATE OF TEXAS, }
 COUNTY OF Anderson }

To the Honorable County Judge of Anderson County, Texas.

Your petitioner, R. F. Heath respectfully represents that he is a resident citizen of Anderson County, in the State of Texas, and that he makes this application for the purpose of obtaining a pension under the act passed by the Twenty-sixth Legislature of the State of Texas, and approved May 12, A. D. 1899, the same being an act entitled "An act to carry into effect the amendment to the Constitution of the State of Texas, providing that aid may be granted to disabled and dependent Confederate soldiers, sailors, and their widows under certain conditions, and to make an appropriation therefor," and I do solemnly swear that the answers I have given to the following questions are true.

NOTE—Applicant must make answer to all of the following questions, and such answers must be written out plainly in ink.

- Q. What is your name? Answer R. F. Heath
- Q. What is your age? Answer 81 years
- Q. In what County do you reside? Answer Anderson
- Q. How long have you resided in said County and what is your postoffice address? Answer Lived here since 1865
- Q. Have you applied for a pension under the Confederate Pension Law heretofore, and been rejected? If so, state when and where. Answer No
- Q. What is your occupation if able to engage in one? Answer Not able to engage in one.
- Q. What is your physical condition? Answer Very feeble from old age.
- Q. If your physical condition is such that you are unable by your own labor to earn a support, state what caused such disability. Answer Physical disability and feeble from old age.
- Q. In what State was your command originally organized? Answer Alabama
- Q. How long did you serve? Give date of enlistment and discharge. Answer Served about 3 years. Enlisted in fall 1862. Served to the end of war.
- Q. What was the name or letter of your company and name or number of your regiment? Answer Co "D" Louis Bertallion (Lewis)
- Q. State whether you served in the infantry, artillery, cavalry, or the navy. Answer Cavalry
- Q. State whether or not you have received any pension or veteran donation land certificate under any previous law, and if you answer in the affirmative state what pension or veteran donation land certificate you have received. Answer None
- Q. What real and personal property do you now own, and what is the present value of such property? Give list of such property and value. Answer None

TX

- Q. What property, and what was the value thereof, have you sold or conveyed within two years prior to the date of this application? Answer 100 acres of Land. Valued at \$1500.00
- Q. What estate has your wife in her own right, real and personal, and what is its value? Answer None
- Q. What income, if any, do you receive? Answer None
- Q. Are you in indigent circumstances; that is, are you in actual want, and destitute of property and means of subsistence? Answer Yes.
- Q. Are you unable by your labor to earn a support? Answer Yes
- Q. Have you transferred to others any property of value of any kind for the purpose of becoming a beneficiary under this law? Answer No
- Q. Did you ever desert the Confederacy? Answer No
- Q. Have you been continuously since the first day of January, 1880, a bona fide resident citizen of this State? Answer Yes
- Q. If you originally enlisted in the Confederate service from the State of Texas, were you at the date of passage of this act a bona fide resident citizen of the State of Texas? Answer Enlisted in Alabama

Wherefore your petitioner prays that his application for pension be approved and that such other proceedings be had in the premises as required by law.

Robert F. Heath

(Signature of Applicant)

Sworn to and subscribed before me this 8th day of February A. D. 1906

(SEAL.)

County Judge Anderson County, Texas.

AFFIDAVIT OF WITNESSES

(NOTE—There must be at least two credible witnesses.)

THE STATE OF TEXAS,

COUNTY OF Anderson

Before me R. W. Henderson

County Judge of Anderson County, State of Texas, on this day personally appeared

G. W. Hudson J. B. Phillips

who are personally known to me to be credible citizens, who being by me duly sworn on oath, state that they personally know R. F. Heath the above named applicant for a pension, and that they personally know that the said R. F. Heath is unable to support himself by labor of any sort.

(Signature of Witness) G. W. Hudson

(Signature of Witness) J. B. Phillips

Sworn to and subscribed before me this 9 day of Aug A. D. 1906

(SEAL.)

County Judge Anderson County, Texas.

PROOF OF SERVICE MUST NOT BE MADE A PART OF THIS AFFIDAVIT

AFFIDAVIT OF PHYSICIAN

THE STATE OF TEXAS,
 COUNTY OF Anderson } Before me [Signature]
 County Judge of Anderson County, State of Texas, on this day personally appeared E. W. Link M.D.
E. W. Link M.D., who is a reputable practicing physician of this County, who being by
 me duly sworn on oath, states that he has carefully and thoroughly examined R. F. Heath
 applicant for a pension, and finds him laboring under the following disabilities which render him unable to labor at any work or calling
 sufficient to earn a support for himself: Mental weakness, Chronic Rheumatism, one leg
 (Signature of Physician) [Signature]
 Sworn to and subscribed before me this 10 day of Aug A. D. 1906
 (SEAL) [Signature]
 County Judge Anderson County, State of Texas.

CERTIFICATE OF COUNTY JUDGE

THE STATE OF TEXAS,
 COUNTY OF Anderson } I, [Signature]
 County Judge of Anderson County, State of Texas, do hereby certify that on the 8th
 day of February A. D. 1906, before me came on to be heard the application
 of R. F. Heath for a pension under the Confederate Pension Law of this
 State, Approved May 12, A. D. 1899; that the answers of said applicant to the questions propounded were made under oath as the
 same appear in writing in the foregoing application; that the affidavits of the witnesses who are credible citizens were made before me
 as the same hereinbefore appear, and that the foregoing affidavit of Doctor E. W. Link
 who is a reputable practicing physician of this county, was made before me. I also certify that the said applicant R. F. Heath
R. F. Heath, is not an inmate of the Texas Confederate Home, nor otherwise disqualified
 under the provision of Section 12, of the Confederate Pension Law. I further certify that after considering all the proceedings had
 before me relative to the said application for a pension by the said R. F. Heath
 I find the said applicant is lawfully entitled to the pension provided by the Confederate Pension Law of this State, and I hereby approve
 said application.
 Witness my hand and seal of office at Palestine this 11th
 day of August A. D. 1906
 (SEAL) [Signature]
 County Judge Anderson County, State of Texas.

CERTIFICATE OF COUNTY COMMISSIONERS

THE STATE OF TEXAS
 COUNTY OF Anderson } We, the undersigned members of the Commissioners Court of
Anderson County, Texas, hereby certify that the foregoing application of R. F. Heath
R. F. Heath for a pension, together with the proof in support thereof, was duly submitted
 by Hon. [Signature] County Judge of this Anderson County,
 to the Commissioners of this Anderson County, at a regular term thereof on the
 day of August A. D. 1906 and after a careful consideration of the same we find the said applicant is
 lawfully entitled to the pension provided for by the Confederate Pension Law of this State, and we hereby approve said application.
 Witness our hands and seal of office at Palestine this 13
 day of August A. D. 1906
 (SEAL) [Signature]
 (Signature of Commissioners) [Signatures]



Comptroller's Department

State of Texas

Austin

J. W. STEPHENS, COMPTROLLER
JOHN T. SMITH, CHIEF CLERK

To the Military Secretary,
War Department,
Washington, D. C.

Dear Sir:

I have the honor to request the military record of
R. F. Heath who is reported to have enlisted in
Company *D.*, *Lewis' Regiment* *Battalion 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,

J. W. Stephens
Comptroller



Address: "The Military Secretary,
War Department, Washington, D. C."
1166912

WAR DEPARTMENT,

THE MILITARY SECRETARY'S OFFICE.

WASHINGTON, September 25, 1906.

Respectfully returned to the

Comptroller,
State of Texas,
Austin.

The records show that Robert F. Heath, also borne as R.F.Heath, was a member of Company D, Lewis's Battalion, Alabama Cavalry, C.S.A.; that he surrendered May 4, 1865, at Citronelle, Alabama, and that he was paroled May 14, 1865, at Gainesville, Alabama.

MILITARY SECRETARY'S OFFICE

1166912

Austin, Texas,

R. F. Heath

*co. D, Lewis' Batta, Ala Cav
C.S.A.*

Record.

*Requested, by the
State Comptroller*

J.P. Cannon
The Military Secretary

(M.S.O. 72-1)

Received, M.S.O., SEP 8 1906

J. J. BABCOCK.

J. D. MOSELEY.

BABCOCK & MOSELEY,
REAL ESTATE AGENTS.

the old Pop Cell
Son

RENTALS OF PROPERTY, SALES OF PROPERTY, COLLECTION
OF CLAIMS.

SELMA, ALA. May 8/6

Mr G W Hudson

Dear Sir

(TX)

Your letter has been handed me
I remember Mr R. F. Heath well and he
will remember me as one of the clerks
of the Co - Old Bob was a good looking
and a good man. If he will send
me his application my best love to Mr Heath
I wish for him - You can say to Mr Heath
I fixed an application some few months ago
for Dan Howard - Give the same man my love
and say to him to please to meet some time
I'll know the time God Bless him + his family
Yours truly
J. J. Babcock

13682

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act May 12, 1899, pending in County Commissioners Court of Anderson

P. J. Heath
Applicant for Confederate Pension

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

Answers and depositions of (1)

~~J. J. Botch~~ age 62
N. W. Stewart Sr. P.O. Selma Ala
age 61

to the accompanying interrogatories (2)

yes, I have known him for 40 years
propounded to in the above entitled cause taken before (3) in Dallas Tex. Ala
4- yes, he was in Lewis' Batt Mathews Rangers
in accordance with the accompanying (5) from Cahaba Ala & remained

To the first interrogatory the said

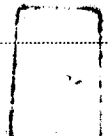
2 years -

Witness, answers:

Have not seen him in 30 years
or more, & can say just what condition he
is in at this time. He made a good
soldier

N. W. Stewart Sr.

(TX)



Lined area for deposition text.

Subscribed and sworn to before me, this 4th day of Aug 1906
W.R. Shapen
Justice of the Peace

THE STATE OF Alabama
County of Dallas
I, W.R. Shapen Justice of the Peace
(Here give name and official character of officer before whom taken.)
do hereby certify that J.J. Babcock & H.H. Stewart Sr
and are personally known to me to be credible citizens of said
County and State, and that the foregoing answers of said J.J. Babcock
and H.H. Stewart Sr
the witness 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 & (4) J.J. Babcock & H.H. Stewart Sr
Given under my hand and official seal, this the 4th day of Aug 1906
(L. S.) W.R. Shapen J.P.

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 the Commissioners Court
OF
Auderson County, Texas.
Before the Honorable County Judge of Said County.
R.F. Heath
Applicant for Confederate Pension.
DEPOSITION
OF
J.J. Babcock
H.H. Stewart
Witness for Applicant.
Filed the _____ day
of _____ 190____
By _____ Clerk.
Deputy.
Fee for Taking Deposition, \$ _____

Ex Parte
R. F. Heath

In an application for
Confederates pension
Under act March 12, 1899, pending
in County Commissioners Court
of Anderson County, Texas,
before the Honorable County Judge
of said County.

Answers & depositions of (1) J. J. Babcock,
age 62, P.O. address ~~Blount~~ Alabama
to the accompanying interrogatories (2) Yes, have
known him for 40 years, propounded
to ^{in the} above entitled cause
taken before (3) in Dallas County, Ala.,
(4) Yes, he was in Lewis Bat. Matthews
Regt. - in accompanying (5) from
Caffaba, Ala., and remained.

To the 1st inty. the said 2 yrs
witness, answers. Have not seen him
in 30 yrs or more, & can't say just
what condition he is in at this
time - he made a good soldier.

John Babcock

(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

R. F. Heath
APPLICANT FOR CONFEDERATE PENSION

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

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. J. Babcock* and *H. H. Stewart*, who reside in the County of *Dallas* in the State of *Alabama* 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 to his claim for a pension under the Act of May 12, 1899, 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 he is a bona fide resident.

R. F. Heath
(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 *R. F. Heath*,

who is an applicant for pension under Act of May 12, 1899?

Int. 3. How long have you known the said *R. F. Heath*, applicant for pension, and when and where did you first know him?

Int. 4. Do you personally know that the said *R. F. Heath* applicant for pension, 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 *R. F. Heath* applicant, 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 further know that *R. F. Heath*, the said applicant for pension, is unable to support himself by labor of any sort?

Cross Interrogatories

To be Propounded to

Waived



~~Cross Interrogatory 1. If in answer to the foregoing direct interrogatories you have stated that you personally know or did know said applicant, 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 in which applicant 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 _____ serving in the same company or regiment in which you say the said applicant _____ enlisted, or if you have stated that said applicant enlisted and served in the navy of the Confederacy, then state whether~~

or not you know any other sailor of the same name as said _____, applicant serving in the same command.

If you say that you so knew other soldiers or sailors of the same name of applicant's, 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 _____, applicant for pension, is the identical person serving as testified by you?

Cross Int. 3. If you have answered Direct Interrogatory No. 6 in the affirmative, then please state your source of knowledge or information. Is not this your answer simply based on conjecture?

Cross Int. 4. Do you know whether or not the said _____, applicant for pension, ever deserted the service in the Confederate army or navy?

THE STATE OF TEXAS }
COUNTY OF Anderson }

I, W. Erwin, County Judge of said County, in said State, do hereby waive a 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 W. Erwin may be attached hereto.

W. Erwin
County Judge Anderson County, Texas

P. F. Heath
(Applicant) Attorney for Applicant.

IN RE
APPLICATION FOR
CONFEDERATE PENSION

IN COMMISSIONERS' COURT,
Anderson County, Texas,
Pending before County Judge of said County.

P. F. Heath
EX PARTE
APPLICANT

INTERROGATORIES
PROBONDED TO
J. P. [Signature]
W. H. Stewart
Witnesses.

The State of Texas!

County of Anderson! Before me R. E. Erwin County Judge in and for Anderson County, Texas, tthis day personally appeared Robert F Heath applicant for a confederate pension, who after being by me duly sworn deposes and says; that about three years ago he applied for a confederate pension under the pension law, and that said application passed the Hon. Commissioners' Court of Anderson County, Texas, and was forwarded to the Comptroolers department at Austin, and that said pension was rejected for the reason that said application showed that I had conveyed within two years prior to making such application ~~and received~~ \$1200.00 worth of property, that for a long time I have been destitute of money and means of subsistance, that I am unable to labor and am very feeble.

Robert F. Heath

Subscribed and sworn to before me this the 27th day of July, 1908.

[Signature]
Co. Judge of Anderson County, Texas.

(TX)