

14

14531

14531 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.

W. J. Nix

Andrew

County

Postoffice

Montalba Post

Filed

AUG 31 1909

Approved

Pension allowed from

former application

Rejected

Commissioner of Pensions.

VON BECKMANN-JONES CO., PRINTERS, AUSTIN

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FORM A

For use of Soldiers, who are in indigent circumstances

THE STATE OF TEXAS }

County of Anderson }

I, H. L. Nix, 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 disbanded at Comstock Texas in 1865 because hostilities had ended

(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 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 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:

TX

- 1. What is your age? 74 years
- 2. Where were you born? In Kentucky
- 3. How long have you resided in Texas? 64 years
- 4. In what county do you reside? Anderson County
- 5. How long have you resided in said county and what is your postoffice address? about 35 years. P.O. Montalto P.F.D # 1

6. Have you applied for a pension under the Confederate pension law and been rejected? If rejected, state when and where. Yes. About 2 years ago - Rejected because owner of land

7. What is your occupation, if able to engage in one? Farming

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. enlisted Feb 22, 62 serving to close May 6, 65. 3 1/2 years more

10. What was the letter of your company, number or name of battalion, regiment or battery? Company "D" 13th Texas Regiment - under Burnett

11. If transferred from one command to another, give time of transfer, name of command and time of service. Yes. Transferred from Company "D", 13th Texas, to Company "K" 22 Tex Infantry

12. What branch of the service did you enlist in—infantry, cavalry, artillery or navy? Cavalry, which was afterwards dismounted -

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?

No - was 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)

H. H. SR

Sworn to and subscribed before me, this *13th* day of *July*, A. D. 19*09*

[SEAL.]

O. C. Funderburk

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 *O. C. Funderburk*, County Judge of *Anderson* County,

State of Texas, on this day personally appeared *O. C. Cotton and*, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know *H. H.*

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

Nix 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)

O. C. Cotton

(Signature of Witness)

A. P. Gains

Sworn to and subscribed before me, this *14* day of *July*, A. D. 19*09*

[SEAL.]

O. C. Funderburk

County Judge *Anderson* 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 *Anderson* }

Before me *O. C. Funderburk*, County Judge of *Anderson* 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 personally acquainted with the foregoing applicant, and that the facts set forth and statements made in his application are correct

and true, to the best of their knowledge and belief, and that they have no interest in this claim, and said applicant's habits are good and free from dishonor. And We further make oath to the following facts touching the applicant's service in the Confederate Army:

We each served in the same company with applicant W. H. Nix for more than two years, in the civil war. We were in Company "D" 13th Texas Dismounted Cavalry. Applicant was a good soldier and never at any time deserted his command.

I, M. P. Gaines, desire to qualify the above statement to this extent: "I did not to the best of my recollection serve for 2 years in the same company with applicant, but I entered the service with him and served with him until he was transferred and was in the same Brigade with him through the war."

(Signature of Witness) *P. C. Cotton*

(Signature of Witness) *M. P. Gaines*

Sworn to and subscribed before me, this 14th day of July, A. D. 1909



O. C. Funderburk

County Judge Anderson County, Texas.

[SEAL.]

CERTIFICATE OF THE STATE AND COUNTY ASSESSOR

I, Bend Jackson, State and County Assessor in the County of Anderson State of Texas, do certify that W. H. Nix 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-first Legislature, approved March 26, A. D. 1909, is charged on the land and personal property rolls of said county with estate, real, personal and mixed, at the assessed value of 540⁰⁰ dollars.

Given under my hand, this 14 day of July, A. D. 1909

Bend Jackson
State and County Assessor.

COMPTROLLER'S OFFICE
RECEIVED
AUG 29 1907
Referred to
No.

Endorsements Hereon for Comptroller's Use Exclusively.

FORM NO. 1 - AMENDED.
OCTOBER 1, 1902.

Confederate Pension Application.

Name of Applicant,

W. H. New

Andrews

County,

Post Office *Clontalaba*

Comptroller's File No.

I have carefully examined the within application for pension, together with the proof in support thereof, and I recommend that the application be **DISAPPROVED**

this *10th* day of *Sept*

A. D.

E. H. Goetz
Chief Pension Clerk

I hereby **DISAPPROVE** the within application for pension, this *10th* day of

A. D.

J. M. Perkins
Comptroller

No Application Rejected by County Judge or County Commissioner's Should be Forwarded to Comptroller.

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 other blank but this.

THE STATE OF TEXAS,)

COUNTY OF Anderson)

To the Honorable County Judge of Anderson County, Texas.

Your petitioner, N. H. Nix 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 N. H. Nix (TX)
- Q. What is your age? Answer 72 years
- Q. In what County do you reside? Answer Anderson
- Q. How long have you resided in said County and what is your post office address? Answer 50 years, Montalba Tex Route
- 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 Farming
- Q. What is your physical condition? Answer Very weak.
- 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 Old age & crippled.
- Q. In what State was your command originally organized? Answer Texas
- Q. How long did you serve? Give date of enlistment and discharge. Answer Served over 3 years. Enlisted Feb. 22-1862 served till May-1865.
- Q. What was the name or letter of your company and name or number of your regiment? Answer Company K 22nd Texas Infantry
- Q. State whether you served in the infantry, artillery, cavalry, or the navy. Answer Infantry
- 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 No
- 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 100 acres of land, valued at \$200.00, 12 cattle valued at \$60.00, 1 horse \$40.00, 10 hogs \$20.00 Total value \$420.00

- 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 *sold 4 cattle for \$22⁰⁰*
- 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, except the property enumerated above*
- 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 the passage of this act, a bona fide resident citizen of the State of Texas? Answer *Yes*

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

(Signature of Applicant) *W. H. [unclear]*

Sworn to and subscribed before me this *18th* day of *August* A. D. *1907*

(SEAL.)

County Judge *Anderson* County, Texas.

AFFIDAVIT OF WITNESSES.

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

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 duly sworn on oath, state that they personally know _____ the above named applicant for a pension, and that they personally know that the said _____ is unable to support himself by labor of any sort.

(Signature of Witness) _____

(Signature of Witness) _____

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

(SEAL.)

County Judge _____ County, Texas.

AFFIDAVIT OF PHYSICIAN.

THE STATE OF TEXAS,

COUNTY OF Anderson
County Judge of Anderson
Moore

Before me R. E. Erwin
County, State of Texas, on this day personally appeared Dr. F. B.

....., 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 N. H. Nix 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: General Anemia

(Signature of Physician) F. B. Moore

Sworn to and subscribed before me this 15th day of August A. D. 1907

(SEAL)

R. E. Erwin
County Judge Anderson County, State of Texas.

CERTIFICATE OF COUNTY JUDGE.

THE STATE OF TEXAS,

COUNTY OF Anderson
County Judge of Anderson
N. H. Nix

I, R. E. Erwin
County, State of Texas, do hereby certify that on the 13th day of August A. D. 1907, before me came on to be heard the application of N. H. Nix

..... 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 F. B. Moore who is a reputable practicing physician of this county, was made before me. I also certify that the said applicant

N. H. Nix....., 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 N. H. Nix. 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 Palentine this 15th day of August A. D. 1907

(SEAL)

R. E. Erwin
County Judge Anderson County, State of Texas.

CERTIFICATE OF COUNTY COMMISSIONERS.



THE STATE OF TEXAS,

COUNTY OF Anderson
Anderson
N. H. Nix
R. E. Erwin

We, the undersigned members of the Commissioners Court of Anderson County, Texas, hereby certify that the foregoing application of..... for a pension, together with the proof in support thereof, was duly submitted by Hon. R. E. Erwin County Judge of this Anderson County, to the Commissioners of this Anderson County, at a regular term thereof on the 12th day of August A. D. 1907, 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 Palentine this 16th day of August A. D. 1907

(SEAL)

(Signature of Commissioners)
J. F. Nash
W. H. Farish
W. B. Harrington
W. M. Brown



Comptroller's Department

State of Texas

Austin

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

To the Adjutant General
To the Military Secretary,

War Department,

Washington, D. C.

Dear Sir:

I have the honor to request the military record of

W. H. Hix

who is reported to have enlisted in

Company *K*, *13th* Regiment *Texas Cavalry*
" *D* " *22^d* " *Infantry*
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,

TX

J. W. Stephens
Comptroller

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

WAR DEPARTMENT,
1281679

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, September 13, 1907.

Respectfully returned to the
Comptroller,
State of Texas,
Austin.

Austin, Texas.

AUG. 30, 1907

W. H. Nix
Co K 13th Texas Cav. and
Co D 22nd Texas Inf. C. S. A

J. W. Stephens, Comptroller

Record

It is shown by the records that
Wm. H. Nix, Company D, 13th Texas
Cavalry, C. S. A., was enlisted Febru-
ary 22, 1862, in Anderson County,
Texas, and that he was transferred
December 11, 1862, to Company K, 22d
Texas Infantry, C. S. A. On the roll
of the latter regiment for January
and February, 1864 (last on file)
he is reported present.

The name in question has not been
found on the rolls of Company K, 13th
Texas Cavalry, or Company D, 22d
Texas Infantry, C. S. A.



The Adjutant General,

(A. G. O. 72-1)



Received, A. G. O., SEP 3 1907

The State of Texas | In the commissioners Court of Anderson County, Tex.
 County of Anderson | Application of W. H. Nix for a Confederate pension

Before me R. E. Erwin County Judge in and for Anderson County,

Texas, on this day personally appeared G. W. Hudson who after being by me duly sworn on oath says, that he resides in Anderson County, Texas, and that his P. O. Address is Palestine, Texas, that he ~~was~~ is old enough to have served in the war between the States from 1862- to 1865, that he personally knows W. H. Nix applicant for a confederate pension and has known him for 50 years, he enlisted in 1862 in Company D 13th Texas Calvary dismounted was then transferred to Company K 22nd Texas Infantry. being the same Brigade of which I served, and his first enlistment was in the company in which I served, I personally know that the applicant preformed the duties of a soldier for something over three years in said service. I further personally know that the applicant is unable to make a support by labor of any sort. I also further know that the applicant never deserted the confederacy.



G. W. Hudson

Subscribed and sworn to before me this the 13th day of Aug/ 1907.

R. E. Erwin
 Co. Judge of Anderson County, Texas.

The State of Texas | In the Commissioners Court of Anderson County, Texas.
 County of Anderson | Application of W. H. Nix for a confederate pension.

Before me R. E. Erwin County Judge in and for Anderson County,
 Texas, on this day personally appeared C. G. Wagner who after being
 by me duly sworn on oath says, that he resides in Anderson County, Texas,
 and that his P. O. address is Palestine, Texas, that he is 68 years of
 age. That he personally knows W. H. Nix applicant for a confederate
 pension and has known him ~~for~~ since the year 1862. He enlisted in the
 year 1862 in Company D 13th Texas Cavalry dismounted, was then trans-
 ferred to Company K 22nd Texas Infantry, being the same Brigade ~~of~~ which
 I served, ~~Said his statement on this matter is true and correct.~~
 I personally know that the applicant performed the duties of a soldier
 for something over three years in said service. I further personally
 know that the applicant is unable to make a support by labor of any
 sort. I also further know that the applicant never deserted the confed-
 eracy.

(TX)

C. G. Wagner

Subscribed and sworn to before me this the 13th day of Aug. 1907.

R. E. Erwin
 Co. Judge of Anderson County, Texas.

R. E. ERWIN,
COUNTY JUDGE ANDERSON COUNTY, ATTORNEY AT LAW,
PALESTINE, TEXAS.

Aug. 27th, 1907.

Hon. J. W. Stephens,
Austin, Texas.

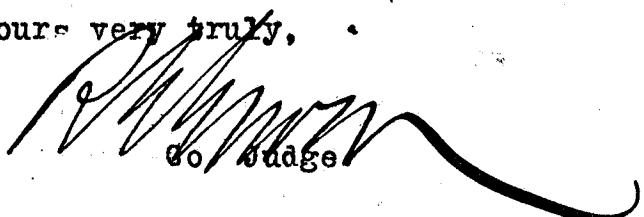
Dear Sir:-

Referring to the attached application of W. H. Nix for a Confederate Pension, I desire to say that I have made a personal investigation as to the physical and financial condition of the applicant W. H. Nix, and, while his application shows that he owns some little property I know all the circumstances surrounding the purchase of it, and had it not been for the old mans grand/children it would never have been paid for. The old gentleman is totally disabled and his grand-children have about all they can do to support them-selves. The old man is honest and worthy, and, I understand from those that know him best that he made a good soldier, and I would be glad to see him secure the pension for the short while that he will be with us.

I write this letter in view of the fact that his application shows that he owns a little property, so that you may understand its value to him as means to support. Assuring you that a favorable consideration of this matter will be appreciated by Mr. Nix's many friends in Anderson County, I am,

(TX)

Yours very truly,


Co. Judge

Palestine, Texas. Aug. 27th, 1907.

Hon. J. W. Stephens,

Austin, Texas.

Dear Sir:-

I was one of the witnesses proving the service of W. H. Nix as a Confederate Soldier. I wish to say in regard to the one hundred acres of land reported in his application, I personally know a good deal of the circumstances connected with the purchase of same, he bought it on a credit and it was several years before it was paid out, and this was through the efforts of his grand-children who lived with him, and did nearly all the work in clearing and putting the place in cultivation without their efforts he never could have paid for it and if they were allowed even small remuneration for their labor the place would belong to them.

The applicant had his thigh broken several years ago, since which time he has not been able to do but little without the help of his grand-children he would be on sufferance. The applicant belonged to the skirmish line in the first Brigade of Walker's Division, and no braver soldier ever shouldered a musket. Under the circumstances I believe he ought to be pensioned and ask your careful consideration of same.

(TX)

Yours respectfully,