

2/13189

Endorsements Hereon for Comptroller's Use Exclusively

FORM NO. 1—AMENDED  
OCTOBER 1, 1902

CONFEDERATE PENSION APPLICATION

Name of Applicant

J. D. Pate

Anderson County,

Post Office Elkhart

Comptroller's File No. 13189

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

that the application be

Approved

MAR 21 1908

this day of

A. D.

E. A. Colman

Chief Pension Clerk.

I hereby approve the within application for pension, this day of

MAR 21 1908

A. D.

J. W. Stephens  
Comptroller

No Application Rejected by County Judge or County Commissioners Should be Forwarded to Comptroller

VON ROECKMANN-JONES CO., AUSTIN, TEXAS

Referred to No. 13189  
FEB 19 1908  
RECEIVED  
COMPTROLLERS OFFICE

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, J. B. Pate 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 J. B. Pate
- 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 postoffice address? Answer Since 1855, Beckhart Texas
- 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 bad
- 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, rheumatism
- 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 something over 2 years. Enlisted Spring 1863, & served till Feb. 1865
- Q. What was the name or letter of your company and name or number of your regiment? Answer Company "I" 4th Texas Cavalry, Hardman's Regiment
- 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 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 1 pony \$50.00



- 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 None
- 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 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) J. B. <sup>his</sup> Oate  
Sworn to and subscribed before me this 10<sup>th</sup> day of September 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 Anderson } Before me H. E. Erwin

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

Henry Davis and J. A. Worley  
who are personally known to me to be credible citizens, who being by me duly sworn on oath, state that they personally know J. B. Oate the above named applicant for a pension, and that they personally know that the said J. B. Oate is unable to support himself by labor of any sort.

(Signature of Witness) Henry Davis

(Signature of Witness) J. A. Worley

Sworn to and subscribed before me this 10<sup>th</sup> day of Sept A. D. 1907

(SEAL)

County Judge Anderson County, Texas.

AFFIDAVIT OF PHYSICIAN.

THE STATE OF TEXAS }

County of Anderson }

Before me R. E. Erwin

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

J. B. Moore, 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 J. B. Pate

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: Piles and Rheu-

lism

(Signature of Physician) J. B. Moore

Sworn to and subscribed before me this 13 day of Sept A. D. 1907

(SEAL)

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

CERTIFICATE OF COUNTY JUDGE.

THE STATE OF TEXAS }

County of Anderson }

I R. E. Erwin

County Judge of Anderson County, State of Texas, do hereby certify that on the 10<sup>th</sup>

day of Sept A. D. 1907, before me came on to be heard the application of

J. B. Pate 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 J. B. Moore who is a reputable practicing physician of this county, was made before me. I

also certify that the said applicant J. B. Pate, 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 J. B. Pate 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 11<sup>th</sup>

day of Feb A. D. 1908

(SEAL)

R. E. Erwin  
County Judge Anderson County, 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

J. B. Pate 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 10 day of Feb A. D. 1908, 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 14

day of Feb A. D. 1908

(Signature of Commissioners)

W. L. F. Lash  
W. N. Herrington  
W. M. Brown



(SEAL)

VON BIECKMANN-JONES CO., AUSTIN, TEXAS.

13189

1898-512-100

# Affidavit of Physician

Anderson

THE STATE OF TEXAS,

County of Anderson

Before me A.G. Douthit, a Notary Public County Judge of Anderson County,

State of Texas, on this day personally appeared D. J. Paxton

who is a physician in good standing, who, being by me duly sworn, on oath says that he has carefully examined

T. B. Pate

and finds him laboring under the following disabilities:

(If a soldier, state fully whether he lost a limb, or limbs, or is blind or totally disabled; in the latter case stating specifically the personal ailment and conditions that render him entirely helpless and incapacitated, physically or mentally, for any work or business; if the widow of a soldier for any kind of work suitable for her sex.)

Left Shoulder broken in August 1912, as a result he has not been able to use his left arm at all since. Mr. T. B. Pate is 77 years old and is practically helpless, has no home nor property and is dependent for a living on his children.

Sworn to and subscribed before me, this 26th day of June, A. D. 1912

(SEAL.)

D. J. Paxton M.D. County Judge  
A. G. Douthit County, Texas.  
Notary Public Anderson



EX PARTE

J. B. Pate

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 Jim Downs and M. K. Murchison who reside in the County of Houston 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 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.

J. B. Pate (Applicant) Attorney for Applicant.

Direct Interrogatories to be propounded to the Witness

Jim Downs & M. K. Murchison

- 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 J. B. Pate who is an applicant for pension under Act of May 12, 1899?
INT. 3. How long have you known the said J. B. Pate applicant for pension and when and where did you first know him?
INT. 4. Do you personally know that the said J. B. Pate 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 J. B. Pate 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 J. B. Pate 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 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?

.....  
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.....

THE STATE OF TEXAS, )

County of Anderson )

I, R. E. Erwin, 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.

R. E. Erwin  
County Judge Anderson County, Texas.  
J. B. [unclear]  
[unclear] (Applicant) Attorney..... for Applicant.

In Re  
Application for Confederate  
Pension.

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

Ex Parte  
J. B. [unclear]  
Applicant.

INTERROGATORIES  
PROPOUNDED TO  
J. B. [unclear]  
M. K. [unclear]  
Witnesses.

1 E. J. Paule } Pending In  
 2 F. B. Pate } Habeas Corp. Court  
 3 Applicant for Confined Person } Anderson County Texas

4  
 5 Answers and depositions of the witnesses Mrs.  
 6 Murdison and Jim Horns, taken in the  
 7 above styled and numbered cause, before  
 8 Justice County Judge Houston County  
 9 Texas, in accordance with accompany-  
 10 ing commission.

11  
 12 Answer of the witness Mrs. Murdison.  
 13 To Direct Interrogatory No 1, the witness answers  
 14 Mrs. Murdison age 82 years, Residence  
 15 North of Enfield 4 miles, P. O. address  
 16 Enfield Texas R. F. D. 1.

17  
 18 To Direct Interrogatory No 2, witness answers  
 19 Yes.

20  
 21 To Direct Interrogatory No 3 witness answers:  
 22 I knew him in the Confederate army in 1864  
 23 and 1865 and <sup>have</sup> known him since, but  
 24 have not seen him.

25  
 26 To Direct Interrogatory No 4, the witness answers:  
 27 Yes, I do.

28  
 29 To Direct Interrogatory No 5, the witness answers:  
 30 Company C, 4th Texas Regiment. I do not  
 31 know when or where he enlisted, but know  
 32 that he served two years

(IX)

1 To Direct Interrogatory No 6, the witness answers:-  
 2 I do not know anything whatever of the  
 3 present time of his physical or financial  
 4 condition.

5 M. E. Murchison  
 6 Sworn to and subscribed before me on this  
 7 November 26<sup>th</sup> 1907

8 John Bruce County Judge  
 9 Houston County Texas

10  
 11  
 12 Answer of the witness J. E. Danner to  
 13 Direct Interrogatories.

14  
 15 To Interrogatory No 1 the witness answers:-  
 16 J. E. Danner June 7 age 62 years.  
 17 Residence and Post Office Address  
 18 Ennis Texas.

19 To Interrogatory No 2 the witness answers:-  
 20 Yes. I did know him during the  
 21 latter part of the war. I have not seen  
 22 him since.

23  
 24  
 25 To Interrogatory No 3 the witness answers:-  
 26 I first knew him in the Fall of 1864.  
 27 In the Confederate Army.

28  
 29 To Interrogatory No 4 the witness answers:-  
 30 I know that he served in Company G 4<sup>th</sup>  
 31 Texas Regiment Cavalry. Do not know  
 32 when or where he enlisted.

1 To Interrogatory No 5 witness answers  
2 I don't know when or where he existed  
3 but know that he saw actual service.

4  
5 To Interrogatory No 6, the witness answers  
6 I do not know anything about his pres-  
7 ent physical or financial condition.

8  
9 J E Downes

10 Sworn to and subscribed before me December 26<sup>th</sup> 1907.  
11 John Spence County Judge  
12 Houston County Texas

13  
14 State of Texas } I, John Spence County Judge  
15 Houston County } Houston County Texas do hereby  
16 certify that the answers and depositions of the  
17 witnesses, Mrs Murchison and J E Downes  
18 were taken before me in accordance with  
19 accompanying commissions, and were sworn to  
20 and subscribed before me by the said wit-  
21 nesses, Mrs Murchison and J E Downes  
22 being under my hand and seal of office at  
23 Crockett Texas December 26<sup>th</sup> 1907.

24 John Spence County Judge  
25 Houston County Texas

26  
27  
28  
29  
30 (IX)  
31  
32



Comptroller's Department,

State of Texas,

Austin. MAR 21 1908

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  
T. J. Pate who is reported to have enlisted in  
Company I, 4<sup>th</sup> Regiment Texas Cavalry  
in the service of the Confederate States army.

Purpose: The person above named is an applicant for a Confederate pen-  
sion granted by this State, and I desire to verify his proof of service.

Very respectfully,

J. W. Stephens  
Comptroller.



13189

ADJUTANT GENERAL'S OFFICE

MAR 9 1350560 1908

WAR DEPARTMENT

Austin, Texas,  
March 5, 1908.

T. B. Pate,  
I, 4th Texas Cav. C.S.A.,

J.W. Stephens, Comptroller,

Record for State pension purposes.

WAR DEPARTMENT,  
THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, Mar. 11, 1908.

*Respectfully returned to*

The Comptroller,  
State of Texas, Austin.

The name T. B. Pate has not been found on the rolls, on file in this office, of Company I, 4th Texas Cavalry, C. S. A.

A return of that organization dated headquarters, 4th Texas Cavalry, Camp Requet, near Milican Texas, Brazos County, March 31, 1865, shows "The Pate, Company I, 4th Texas Cav., C.S.A., Genl. Hospital, Greenwood, La., Oct. 10, 1864, S. O. Div. Hdqrs."

No record has been found of capture or parole in his case.

*J. W. Stephens*  
The Adjutant General

June 14, 1954

17

T. B. Pate, Deceased  
Confederate Soldier.  
Pension File No. 13189  
Anderson County, Texas

The records of this office show T. B. Pate of Elkhart, Anderson County, Texas, filed application for Confederate Pension in the State of Texas September 10, 1907. The application was approved and he drew a pension until his death.

T. B. Pate stated in his application for pension filed in 1907 that he was 72 years old. Exact date of birth not shown. He had resided in Elk Hart, Texas since 1855. He stated he enlisted in the spring of 1863 and served until February, 1865 in Company "I", 4th Texas Cavalry, Hardeman's Regiment of Cavalry, Confederate States Army.

The application for pension of Mr. Pate was approved on the affidavits of M. K. Murchison and J. E. Downs. Mr. Murchison resided in Crockett, Texas. Mr. Downs was also a resident of Crockett, Texas. Both of the witnesses stated they had personal knowledge of the service of T. B. Pate in Company "I", 4th Texas Cavalry, Confederate States Army.

The application was also approved on the following report furnished this office by the Adjutant General, War Department, Washington, D. C.

"The name T. B. Pate has not been found on the rolls, on file in this office of Company I, 4th Texas Cavalry, C. S. A.

"A return of that organization dated headquarters, 4th Texas Cavalry, Camp Resquet, near Milican, Texas, Brazos County, March 31, 1865, shows "The Pate, Company I, 4th Texas Cavalry, C. S. A., Genl. Hospital, Greenwood, La., Oct. 10, 1864, S. O. Div. Hdqrs."

No record has been found of capture or parole in this case."

Very truly yours,

Robert S. Calvert  
Comptroller of Public Accounts.

/es

APPLICATION FOR MORTUARY WARRANT

STATE OF TEXAS,

County of Anderson

I, W. T. Pate,

do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late T. B. Pate

State of Texas, and whose file number was 13189 and whose original county was Anderson

The said pensioner T. B. Pate died on the 25th day of February, 1924, near Elkhart, Texas, County of Anderson, Texas.

The pensioner died in the home of W. T. Pate who was related to the pensioner as Son

That the warrant, which application is hereby made for, shall be applied to paying all or part of the expenses incurred by the said pensioner.

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) SON that my postoffice address is Elkhart, Texas, Star Route Elkhart, Texas, Street or R. F. D. Texas, City State

Sworn to before me this 8th day of March, 1924

Signed W. T. Pate Notary Public in and for Anderson State of Texas.

Mortuary return before 40 days expires

CERTIFICATE OF UNDERTAKER

I, N. A. Weatherford do certify that I am undertaker in the town of Elkhart County of Anderson State of Texas that I had charge of the body of [redacted] who died near town of Elkhart County of Anderson State of Texas on the 25 day of February 1924. That said body was prepared for burial by [redacted] and placed on the 26 day of Feb 1924, and that I am of the opinion that warrant herein applied for should be issued to the said W. T. Pate who makes the foregoing application.

Signed N. A. Weatherford Undertaker.

CERTIFICATE OF PHYSICIAN

I, W. E. Davis M.D. do certify that I am a practicing physician, and that I attended A. B. Pate in his last illness, and am of the opinion that his ailments were Pneumonia & Flu.

TX

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 W. E. Davis M.D. Physician's Address Elkhart Texas

Feb 25th dx

Warrant dx