

13

24006

DEAD FORM A.

Soldier's Application  
for a Pension

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

*Dead*

Name of Applicant.

*J. A. Spruill*  
*Houston*

County.

Postoffice *Graveland Road 1*

Filed *Aug 30 1913*

Approved *Sept 1 1913*

Pension allowed from *Dec 1 1913*

Rejected

*George Kyles*

Commissioner of Pensions.

~~Commissioner of Pensions~~

~~E. L. Steck, Printing, Bookbinding, Austin~~

*Capt J. M. Grumble & Carlsville*  
*J. C. Higgins & Red River Co. Tex.*

FORM A

For Use of Soldiers Who Are In Indigent Circumstances

THE STATE OF TEXAS

County of Houston  
 I, J. A. Spruell

do hereby make application to the Commissioner of Pensions for a pension to be granted me under the Act passed by the 33rd Legislature of the State of Texas, and approved April 7, 1913, 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; or that I was in the service of the State of Texas during the war, to protect said State against the Indians and Mexicans for more than 6 months.

That I was honorably discharged or ~~surrendered~~ Was in Tenn. at close of war. Co. was making effort to join Lee when we learned of his surrender. We never surrendered nor were we discharged. The Co. simply disbanded  
 (Give date and cause.)

that I have been a bona fide citizen of this State since prior to January 1, A. D. 1900, 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 a salary or fees of \$300.00 per annum, nor have I an income from any other employment or other source whatever which amounts to \$300.00 per annum, nor do I receive from any source whatever money or other means of support amounting in value to the sum of \$300.00 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, exclusive of a home of the value of not more than \$1000.00; 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? Seventy (70)
2. Where were you born? In Powder Springs, Georgia
3. How long have you resided in Texas? Sixty-four years (64)
4. In what county do you reside? Houston
5. How long have you resided in said county and what is your postoffice address? about 16 years  
Grapeland Texas R.F.D. No 1
6. Have you applied for a pension under the Confederate pension law and been rejected? If rejected, state when and where. Have never applied before
7. What is your occupation, if able to engage in one? Farmer TX
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. 3 years, enlisted in 1862
10. What was the letter of your company, number of battalion, regiment or battery? Co. H. Whitfields  
Legion
11. If transferred from one command to another, give time of transfer, name of command and time of service  
was never transferred
12. What branch of the service did you enlist in—infantry, cavalry, artillery or navy? artillery

13. If commissioned direct by the President, what was your rank and line of duty? *I was a private Co. H. Whipple's Legion*

14. If detailed for special service, under the law of conscription, what was the nature of your service and how long did you serve? *I never detailed*

15. Have you transferred to others any property of any kind for the purpose of becoming a beneficiary under this law? *No.*

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) *J. A. Spruill*

Sworn to and subscribed before me, this *26<sup>th</sup>* day of *August*, A. D. 19*13*

[Seal.]

County Judge *Houston* County, Texas.

**AFFIDAVIT OF WITNESSES**

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

THE STATE OF TEXAS }

County of *Houston* }

Before me *C. M. Ellis*, County Judge of *Houston* County,

State of Texas, on this day personally appeared *C. E. Spruill & D. Spruill*, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know

*J. A. Spruill*, the above named applicant for a pension, and that they personally know that the said *J. A. Spruill* has been a bona fide resident citizen of the State of Texas since prior to January 1, A. D. 1900, and that they have no interest in his claim.

(Signature of Witness) *C. E. Spruill*

(Signature of Witness) *D. Spruill*

Sworn to and subscribed before me, this *26<sup>th</sup>* day of *August*, A. D. 19*13*

[SEAL.]

County Judge *Houston* 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..... }

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 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





GEO. W. KYSER, COMMISSIONER

OFFICE OF  
COMMISSIONER OF PENSIONS  
STATE OF TEXAS  
AUSTIN

To the Adjutant General,

War Department,

Washington, D. C.

Dear Sir:—

I have the honor to request the military record of J. A. Spuiell who is  
reported to have enlisted in Company "B", Regiment Whitzards Texas  
in service of the Confederate States Army. Legion

Purpose: The J person above named is an applicant for a Confederate pension  
granted by the State, and I desire to verify his proof of service.

Very respectfully,

Geo. W. Kyser

Commissioner of Pensions.



ADJUTANT GENERAL'S OFFICE

DEC-2

2102689

1913

WAR DEPARTMENT.

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WAR DEPARTMENT,

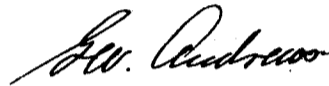
THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, December 3, 1913.

Respectfully returned to the

Commissioner of Pensions,  
State of Texas,  
Austin.

The records show that J.A. Spruill, private, Company H, 27th(Whitfield's) Texas Cavalry, C.S.A., enlisted March 10, 1862. On the muster roll of the company dated June 30, 1864 (last company roll on file), he was reported "Absent, dismounted with Major Stone." No later record of him has been found.



The Adjutant General.

Subscribed and sworn to before me, this 2 day of August, 1909  
Norton Cook Notary Public  
in and for Red River County, Texas

THE STATE OF Texas  
County of Red River } I, Norton Cook Notary Public  
(Here give name and official character of officer before whom taken.)

do hereby certify that F M Smith  
and J C Higgins are personally known to me to be credible citizens of said  
County and State, and that the foregoing answers of F M Smith and J C Higgins  
the witnesses 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) F M Smith and J C Higgins

Given under my hand and official seal, this the 2 day of August, 1909  
(L. S.) Norton Cook Notary Public  
in and for Red River County, Texas.

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 <u>Red River</u> County, Texas. Before the Honorable County Judge of said County.	<b>EX PARTE</b>	Applicant for Confederate Pension	DEPOSITION OF	Witness for Applicant	Filed _____ day of _____ 190____	Clerk. Deputy	Fee for Taking Deposition, \$	VON SOECKMANN-JONES COMPANY, PRINTERS, AUSTIN, TEXAS
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### Certificate of State and County Assessor.

I, Justices State and County Assessor in the County of \_\_\_\_\_

State of Texas do certify that J. A. Spruell, 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-third Legislature, approved April 7, 1913, is charged on the tax rolls of said county with a homestead of the value of Nothing Dollars, and of other property, real or personal, or both of the value of Nothing Dollars.

Given under my hand, this 22 day of Sept A. D. 1913



Justices  
State and County Assessor.

24606

OFFICE OF  
COUNTY JUDGE, HOUSTON COUNTY  
C. M. ELLIS, JUDGE  
CROCKETT, - TEXAS

9/23/13

Hon. Commissioner of Pensions,  
Austin, Texas.

Dear Sir:

I am handing you hereinlosed the application of Mr. J.A.Spruill, an old confederate Soldier, together with depositions as to his service. You will note that the depositions were taken in 1909. At that time Mr.Spruill made application to the County Judge and had these depositions taken but was advised by the Judge for some cause that the depositions were insufficient and was persuaded not to file his application in your office. Just why he so advised him I am unable to now ascertain for I can find no material error in same. Since filing this application I have forwarded Interrogatories to the same parties and same was returned with the advice that these parties are now dead. Mr.Spruill knows no other parties by whom he can make his proof and I submit this to you believing that same is regular in form and that they prove conclusively that Mr.Spruill served honorably to the close of the war.

He <sup>is</sup> a good citizen, faithful to every duty of a man, was from all reports a true soldier, and I heartily recommend him for a pension, believing that our State and our South owes it to him justly for a service faithfully rendered. Please give same your careful consideration and aid another of the noble band, if the law will permit.

Thanking you in advance for same,

I am,

Yours truly,

*C.M. Ellis*  
County Judge.



*Enc,  
Application -  
depositions.*

EX PARTE

*J A Spruell*  
Applicant for Confederate Pension.

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

The Honorable County Judge of *Houston* 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 B Heggars*  
and *F M Smith* who reside in the County of \_\_\_\_\_ in the State of \_\_\_\_\_  
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 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 wit-  
ness residing in the County of \_\_\_\_\_ and State of Texas, of which he is a bona fide resident.

*J A Spruell*  
Applicant's 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 *J A Spruell* who is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long have you known the said *J A Spruell* applicant for pension and when and where did you first know him?
- INT. 4. Do you personally know that the said *J A Spruell* 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 A Spruell* 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 in the Confederate navy, then state: When? Where? And how long he so served?
- INT. 6. Do you personally know that *J A Spruell* applicant for pension, 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 said applicant 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 B Heggars & F M Smith*

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 or special service 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 *J A Spruell* serving in the same company or regiment or special service in which you say the said applicant *J A Spruell* enlisted, or if you have stated that said applicant enlisted and served in the navy of the

TX

Confederacy, then state whether or not you know any other soldier or sailor of the same name as said applicant serving in the same command, or the special service to which he was assigned?

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 *J. A. Spruill* applicant for pension, is the identical person serving as testified by you?

Cross INT. 3. Do you know whether or not the said *J. A. Spruill* applicant for pension 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 *J. A. Spruill* deserted his command or voluntarily abandoned his post of duty, or the service during said war?

THE STATE OF TEXAS,

County of *Houston*

*W. H. H. H. H.*  
*W. H. H. H. H.*

I, \_\_\_\_\_, County Judge of said County, in said State, do hereby waive copy of interrogatories, notice 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.

County Judge *W. H. H. H. H.* County, Texas.

*J. A. Spruill*  
(Applicant) Attorney for Applicant.

In Re

Application for Confederate Pension.

Pension.

FOR USE OF SOLDIERS

County, Texas,

Pending before the County Judge of said County.

EX PARTE

Applicant.

INTERROGATORIES

propounded to

Witnesses.

DEPOSITION IN PENSION CLAIMS, with Caption and Certificates.

694-609-5m

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act March 26, 1909, pending

Houston

J. A. Spruell  
Applicant for Confederate Pension.

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

Answers and depositions of (1) F. M. Smith and J. C. Higgins both residents of Clarksville Texas.

to the accompanying interrogations (2) propounded to them in the above entitled cause taken before (3) Norton Coas in accordance with the accompanying (7) Application

To the first interrogatory the said

Witnesses answer: Our names are F. M. Smith and J. C. Higgins our ages are 69 and 69 respectively August 6-1909 and January 20-1900. Both reside at Clarksville Texas.

No 2. Both answer yes

No 3. " " About the Autumn of 1860

No 4. " " yes

No 5. Both answer a Company H. Whitfields Texas Legion b. March 1862 c. Clarksville Texas. He served from March 1862 to March 1865 served in the Tennessee Army

No 6. Both answer Applicant served as a High Private

No 7. Both answer He served the entire time of his enlistment ~~except about 8 months as a cavalry~~ in the Cavalry 8 months of which time was a dismounted Cavalryman

Cross Interrogatories

No 1. a. Entitled and served with J. A. Spruell b. No.

No 2 - yes

No 3 - yes

No 4 - No

Signed

J. C. Higgins

F. M. Smith

Capt Co. H. Whitfields Legion

