

Paid 16610

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.

J J Falls
Street

County

Postoffice

Lindale

Filed

AUG 20 1909

Approved

AUG 31 1909

Pension allowed from

Rejected

Commissioner of Pensions.

VON BOECKMANN-JONES CO., PRINTERS, AUSTIN

FORM A

For use of Soldiers, who are in indigent circumstances

THE STATE OF TEXAS }
 County of Smith

I, J Q Fails, 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

I Did. I enlist, I did not desert the Confederate service I was loyal to my duty. Never abandoned Post of Duty. Surrendered, down with date.
 (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:

1. What is your age? 64
2. Where were you born? Alabama
3. How long have you resided in Texas? no
4. In what county do you reside? Smith Co.
5. How long have you resided in said county and what is your postoffice address? Lindale Tx. 9 years N 4
6. Have you applied for a pension under the Confederate pension law and been rejected? If rejected, state when and where. Have never applied
7. What is your occupation, if able to engage in one? Farming
8. In what State was the command in which you served organized? Louisiana (TX)
9. How long did you serve? Give, if possible, the date of enlistment and discharge. 3 1/2 years
10. What was the letter of your company, number or name of battalion, regiment or battery? Company C Fifth Regiment
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? Cavalry

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?

Not conscription

15. Have you transferred to others any property of any kind for the purpose of becoming a beneficiary under this law?

None 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.

E. J. Falls

(Signature of Applicant)

Sworn to and subscribed before me, this *1st* day of *July*, A. D. 19*09*

[SEAL.]

J. A. Brown
County Judge *Smith* County, Texas.

AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS }

County of *Smith*

Before me *J. A. Brown*, County Judge of *Smith* County,

State of Texas, on this day personally appeared *Oscar McFarland* *N. R. Gentry*, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know

E. J. Falls the above named applicant for a pension, and that they personally know that the said *E. J. Falls* 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) *Oscar McFarland*

(Signature of Witness) *N. R. Gentry*

Sworn to and subscribed before me, this *1st* day of *July*, A. D. 19*09*

[SEAL.]

J. A. Brown
County Judge *Smith* 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 *Smith*

Before me *J. A. Brown*, County Judge of *Smith* County,

State of Texas, on this day personally appeared *J. C. Falls*,

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 J. B. Fails further make oath to the following facts

touching the applicant's service in the Confederate Army:

J. C. Fails says that brother J. B. Fails ~~entered in a Confederate~~ Confederate service in 1863, that he left home and remained away until the close of the war that in the fall of 1864 the applicant says he went to his brother's command to take his father's place in the army, while his father resided home and while there saw his brother in actual service. Applicant further says he is 61 years and ~~old~~ has lived in Texas 43 years

(Signature of Witness) J. B. Fails

(Signature of Witness)

Sworn to and subscribed before me, this 16 day of Aug, A. D. 1909

J. A. Brund
County Judge Smith County, Texas.

[SEAL.]

CERTIFICATE OF THE STATE AND COUNTY ASSESSOR

I, Mrs L. J. Jarvis, State and County Assessor in the County of Smith State of Texas, do certify that J. B. Fails 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 (870) dollars.

Given under my hand, this 9th day of July, A. D. 1909

By Wm. H. Day
Office Deputy

Mrs L. J. Jarvis
State and County Assessor.



VON BOECKMANN-JONES CO., PRINTERS, AUSTIN

789-709-2m



E. A. BOLMES, 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 T. J. Faile who is reported to have enlisted in
 Company Co, 5th Regiment Louisiana Cavalry
 in the service of the Confederate States Army.

Purpose: The widow of 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,



E. A. Bolmes

Commissioner of Pensions.

16610

ADJUTANT GENERAL'S OFFICE
AUG 31 1560585 1909
WAR DEPARTMENT

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

1560585
WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,
WASHINGTON, September 1, 1909.

Respectfully returned to the
Commissioner of Pensions,
State of Texas,
Austin.

The name T. J. Fails has not been found on the rolls, on file in this office, of Troop C, 5th Regiment Louisiana Cavalry, Confederate States Army, nor has any record been found of the capture or parole of a man of that name and organization.

[Signature]
The Adjutant General.

[A. G. O. 72-1]

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

J. L. Fails

Under Act March 26, 1909, pending

Smith

Applicant for Confederate Pension.

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

Answers and depositions of (1)

My name is G. L. Parker
My age is 62 years and Present Place of residence is Henderson county Texas My Post office is Murchison Texas R. F. D. no 2

I knew G. L. Fails personally in the army propounded to him in the above entitled cause taken before (3)

in accordance with the accompanying (7)

To the first interrogatory the said

Witness, answers

I first knew G. L. Fails in 1863 and have been acquainted with him ever since then about 46 years

int 4 yes I do. he enlisted in my company in 1863

int 5- yes Sir. he enlisted in Company C, 5th Louisiana Cavalry. he enlisted in Louisiana in 1863 and served until the close of the war

cont he was a Private

int 7 he was never on any special detail

cross. int. 1, I know no other G. L. Fails at all

cont 2, I am sure he is the same G. L. Fails that served with me in the Confederate army

cont 3, yes Sir he served honorably

cont 4 no Sir he never deserted

(TX)

G L Parker

Subscribed and sworn to before me, this *9th* day of *August*, 190*9*

W. T. Cotton Notary Public
Anderson County Texas

THE STATE OF *Texas*
County of *Henderson*

I, *W. T. Cotton* a Notary Public
(Here give name and official character of officer before whom taken.)

~~for Henderson County~~ do hereby certify that *G. L. Parker*
and *is* are personally known to me to be credible citizens of said
County and State, and that the foregoing answers of *the said*
G. L. Parker the witness before named, and
, whose name appear signed to the foregoing deposition, were made before me
and were sworn to and subscribed before me, by said witness (4)

Given under my hand and official seal, this the *9th* day of *August*, 190*9*

(L. S.)

W. T. Cotton
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. _____
In *Smith* County, Texas.
Before the Honorable County Judge of said County.

EX PARTE

G. L. Parks
Applicant for Confederate Pension

DEPOSITION

OF
G L Parker

Witness _____ for Applicant

Filed _____ day

of _____ 190

By _____ Clerk.

Deputy.

Fee for Taking Deposition, \$ _____

Lined area for deposition text.



- (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

J. J. Fails

Applicant for Confederate Pension.

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

The Honorable County Judge of *Smith* 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 *G. L. Parker* and *Anderson* who reside in the County of *Anderson* 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 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 witness residing in the County of *Smith* and State of Texas, of which he is a bona fide resident.

J. J. Fails

(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 *J. J. Fails* who is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long have you known the said *J. J. Fails* applicant for pension and when and where did you first know him?
- INT. 4. Do you personally know that the said *J. J. Fails* 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. J. Fails* 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. J. Fails* 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 *G. L. Parker*

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. J. Fails* serving in the same company or regiment or special service in which you say the said applicant *J. J. Fails* 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 soldier or sailor of the same name as said J. S. Fails 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. S. Fails applicant for pension, is the identical person serving as testified by you?

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

THE STATE OF TEXAS,

County of Smith

I, J. A. Brumby, 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.

J. A. Brumby
County Judge Smith County, Texas.

J. S. Fails
(Applicant) Attorney.....for Applicant.

Application for Confederate Pension.

Pension.

FOR USE OF SOLDIERS

Smith

County, Texas,

Pending before the County Judge of said County.

EX PARTE

J. S. Fails

Applicant.

INTERROGATORIES

propounded to

G. S. Parker

Witnesses.