

23751

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.

Name of Applicant.

John M. M. Saine

County.

Postoffice *Longview Texas*

Filed *Aug. 30. 1913*

Approved *Sept 1. 1913*

Pension allowed from *Dec 1. 1913*

Rejected

*[Signature]*

Commissioner of Pensions.

E. L. Steck, Printing, Bookbinding, Austin

*[Signature]*

*Mattney Mason  
Stoney  
Rochester, Tex.*

FORM A

For Use of Soldiers Who Are In Indigent Circumstances

THE STATE OF TEXAS

County of Gregg

I, John M. McLain 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.

(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 four yrs.
2. Where were you born? Cobb Co. Ga.
3. How long have you resided in Texas? Since 1893
4. In what county do you reside? Gregg
5. How long have you resided in said county and what is your postoffice address? 18 yrs. Longview, Texas
6. Have you applied for a pension under the Confederate pension law and been rejected? If rejected, state when and where. Have not applied
7. What is your occupation, if able to engage in one? Clerk
8. In what State was the command in which you served organized? Ga.
9. How long did you serve? Give, if possible, the date of enlistment and discharge. Enlisted Sept. 18-1861  
Served until surrender - May 1865
10. What was the letter of your company, number of battalion, regiment or battery? Co. 'A'  
18th Ga. Regt.
11. If transferred from one command to another, give time of transfer, name of command and time of service. Transferred to Wheeler's Cavalry - after Battle of Gettysburg, on account of broken leg - received 6 months
12. What branch of the service did you enlist in—infantry, cavalry, artillery or navy? Infantry



13. If commissioned direct by the President, what was your rank and line of duty? was not
14. If detailed for special service, under the law of conscription, what was the nature of your service and how long did you serve? was not
15. Have you transferred to others any property of any kind for the purpose of becoming a beneficiary under this law? I 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) John McLoain

Sworn to and subscribed before me, this 11 day of Sept, A. D. 1913

[Seal.]

J. H. McHaney  
County Judge Gregg County, Texas.

### AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS }

County of Gregg

Before me J. H. McHaney County Judge of Gregg County,

State of Texas, on this day personally appeared J. J. Ross & J. J. Butts, who are personally known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know

John M. McLoain, the above named applicant for a pension, and that they personally know that the said John M. McLoain 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) J. J. Ross

(Signature of Witness) J. J. Butts

Sworn to and subscribed before me, this 8 day of Oct, A. D. 1913

[SEAL.]

J. H. McHaney  
County Judge Gregg 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.)

X THE STATE OF TEXAS }

County of Panola

Before me W. R. Anderson County Judge of Panola County,

State of Texas, on this day personally appeared J. W. Garrison,

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 I further make oath to the following facts touching the applicant's service in the Confederate Army: (State fully your source of knowledge.)

X I J.W. Garrison, personally knew that John M. Mc-Lain, enlisted and served in the late war between the states. He enlisted some time in 1861 and served until until surrender. I served in same company with him, Company "A". 18th Georgia. I was in battle at Geddissberg, at which time applicant received severe wound in leg, Applicant get transfer after being wounded and I never served with him any mere. I never knew any other person serving in war by the name of John M. Mc-Lain, I personally knew that applicant is the same John M. Mc-Lain, with whom I served in war, as above detailed. Applicant was a loyal and faithful soldier, having never abandered his best of duty during his service.

✓ (Signature of Witness) J W Garrison  
(Signature of Witness)

Sworn to and subscribed before me, this 7<sup>th</sup> day of October, A. D. 1913.

[SEAL.]

M Anderson County Judge Panola County, Texas.

**CERTIFICATE OF STATE AND COUNTY ASSESSOR**

I, C B Hamilton, State and County Assessor in the County of Gregg

State of Texas, do certify that John M. Mc-Lain 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 33rd Legislature, approved April 7, 1913, is charged on the land and personal property rolls of said county with estate, real personal and mixed, at the assessed value of nothing dollars.

Given under my hand, this 8 day of October, A. D. 1913

C B Hamilton  
State and County Assessor.



DEPOSITION IN PENSION CLAIMS, with Caption and Certificates.

EX PARTE

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act <sup>April 7-1913</sup> March 26, 1909, pending

*John M. McLain*  
Applicant for Confederate Pension.

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

Answers and depositions of (1) *Mallory Mason and Stanley Mason*

to the accompanying interrogations (2) *and Interrogatories*  
propounded to *them* in the above entitled cause taken before (3)

in accordance with the accompanying (7) *agreement.*

To the first interrogatory the said

Witness, answers *My name is M. S. Mason - Age 71 years*  
*Residence and P.O. address Rockwall Texas,*

Int. 2 - *Yes -*

Int. 3 - *Since we were boys in Capt Co, Ga*

Int. 4 - *Yes -*

Int. 5 - *John M. McLain enlisted in Company*  
*A 18 Ga Regt. in August or September 1861 -*

*We were messmates in said Co and Regt -*  
*and I know that he was a true and*  
*brave soldier and that he had the full*  
*confidence and respect of the officers and*  
*Comrades of said Command*

Int. 6 - *He was not a Commissioned officer -*

Int. 7 - *He was not - Conscripted -*

*What I have stated is true, and the*  
*knowledge was obtained by being his*  
*messmate and daily associated with him*

*I never knew any other John M. McLain*  
*and know he is the party referred to.*

*He did not desert this Command or*  
*abandon his post of duty -*



Witness signature *M. S. Mason*

Subscribed and sworn to before me, this 16<sup>th</sup> day of Sept, 1913

Seal here *J. W. Reese*  
officer here *County Judge*  
*Rockwall County Texas*

THE STATE OF Texas  
County of Rockwall  
*in & for Rockwall County Texas*

I, *J. W. Reese, County Judge*  
(Here give name and official character of officer before whom taken.)

do hereby certify that *M. S. Mason*  
and *is* are personally known to me to be creditable citizens of said  
County and State, and that the foregoing answers of *M. S. Mason*  
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 16 day of Sept, 1913

(L. S.) seal here  
*officer here and this certificate*

*J. W. Reese*  
*County Judge in & for*  
*Rockwall 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 or Record having a seal, any Notary Public, or any Commissioner of Deeds of Texas.

File No. \_\_\_\_\_  
County, Texas.

Before the Honorable County Judge of Said County.

**EX PARTE**

*John M. McF...*  
Applicant for Confederate Pension

**DEPOSITION**  
of

Witness for Applicant

Filed \_\_\_\_\_ day

of \_\_\_\_\_, 1913

Clerk.

By \_\_\_\_\_, Deputy.

Fee for Taking Deposition, \$ \_\_\_\_\_

- (1) Here give the name and residence of each witness.
- (2) Here state "and cross interrogatories," if any.
- (3) Here give 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.

TX

EX-PARTE

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

John M. McLain  
Applicant for Confederate Pension.

The Honorable County Judge of Gregg 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 Mallory Mason and Stonley Mason who reside in the County of Rockwall 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 of 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 cannot be proven by any witness residing in the County of Gregg and State of Texas, which he is a bona fide resident.

John M. McLain  
Applicant's Attorney for Applicant

Direct Interrogatories to be Propounded to the Witness u.

Mallory and Stonley Mason

- 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 John M. McLain who is an applicant for pension under Act of March 26, 1909?
- INT. 3. How long had you known the said John M. McLain and when and where did you first know him?
- INT. 4. Do you personally know that the said John M. McLain 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 John M. McLain 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 personally know that John M. McLain 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 John M. McLain was, under the provisions of the conscript law, detailed for any kind of special service in the field, shops, arsenals, etc., of the Confederacy? What was the nature of his service, and how long did he serve?

CROSS INTERROGATORIES.



To be propounded to Mallory and Stonley Mason

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said John M. McLain 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 John M. McLain 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 knew of any other soldier or sailor by the name of John M. McLain serving in the same company or regiment, or special service in which you say the said John M. McLain enlisted, if you have stated that said John M. McLain 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 John M. McLain  
applicant serving in the same command, or the special service to which he was assigned?

If you say that you know other soldiers or sailors of the same name of John M. McLain  
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 John M. McLain  
is the identical person serving as testified by you?

CROSS INT. 3. Do you know whether or not the said John M. McLain  
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 John M. McLain  
deserted his command, or voluntarily abandoned his post of duty or the service during said war?

THE STATE OF TEXAS }  
County of Gregg

I, J. H. McHaley, 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 as may be attached hereto.

J. H. McHaley  
County Judge Gregg County, Texas.  
John M. McLain  
(Applicant) ~~Attorney~~ for ~~Appellant~~

In Re  
**Application for Confederate Pension.**

FOR USE OF SOLDIERS OR WIDOWS.

County, Texas.

Pending before the County Judge of said County.

**EX-PARTE**

Applicant.

INTERROGATORIES  
propounded to

Witnesses.