

19

12377

Endorsements Hereon for Comptroller's Use Exclusively.

FORM NO. 1-AMENDED.

OCTOBER 1, 1902.

Confederate Pension Application.

Name of Applicant.

N. H. Rhodes

Gregg County,

Post Office Gladewater

Comptroller's File No. 12377

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

March 25 1907

this day of

A. D.

E. A. Polmer
Chief Pension Clerk.

I hereby certify the within application for pension, this March 25 1907 day of

A. D.

J. W. Stephens
Comptroller

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

VON BOECKMANN-JONES COMPANY, PRINTERS, AUSTIN, TEXAS.

COMPTROLLER'S OFFICE,
RECEIVED

DEC 5 1906

Referred to

No.

NOTE—The law provides that pensions can begin only on the first day of April and October of each year.

605-2m

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 blank but this.

THE STATE OF TEXAS,

COUNTY OF Gregg

To the Honorable County Judge of Gregg County, Texas.

Your petitioner, N. H. Rhodes respectfully represents that

he is a resident citizen of Gregg 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. Rhodes
- Q. What is your age? Answer 65 yrs. old.
- Q. In what County do you reside? Answer Gregg
- Q. How long have you resided in said County and what is your postoffice address? Answer 25 years - Gladewater Texas.
- Q. Have you applied for a pension under the Confederate Pension Law heretofore, and been rejected? If so, state when and where. Answer Have never applied before.
- Q. What is your occupation if able to engage in one? Answer Fisherman
- Q. What is your physical condition? Answer Very weak and sickly
- 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 and Rheumatism and malaria.
- Q. In what State was your command originally organized? Answer In Texas
- Q. How long did you serve? Give date of enlistment and discharge. Answer About 4 years. Enlisted about beginning of war; was discharged April 1865
- Q. What was the name or letter of your company and name or number of your regiment? Answer Company H. 28th Texas Regiment Dismounted Cavalry.
- Q. State whether you served in the infantry, artillery, cavalry, or the navy. Answer Cavalry & 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 Own about 1²/₂ of ground on Sabine River - Worth about \$100.00

(TX)

- 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 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 required by law.

Witness: Em Brantley (Signature of Applicant) N. H. Rhodes
 Sworn to and subscribed before me this 9th day of Sept A. D. 1886
 (SEAL.) William Lacy
 County Judge W. J. Ugg 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.

PROOF OF SERVICE MUST NOT BE MADE A PART OF THIS AFFIDAVIT

AFFIDAVIT OF PHYSICIAN.

THE STATE OF TEXAS,

COUNTY OF Tregg } Before me Samuel Lacy
County Judge of Tregg County, State of Texas, on this day personally appeared

E. L. Walker, 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 A. H. Rhodes 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:

Chronic dysentery and malaria is subject to frequent attacks of Rheumatism

(Signature of Physician) E. L. Walker M.D.

Sworn to and subscribed before me this 9th day of Feb A. D. 1906

(SEAL)

Samuel Lacy
County Judge Tregg County, State of Texas.

CERTIFICATE OF COUNTY JUDGE.

THE STATE OF TEXAS,

COUNTY OF Tregg } I, Samuel Lacy
County Judge of Tregg County, State of Texas, do hereby certify that on the

day of 10th Aug A. D. 1906, before me came on to be heard the application of A. H. Rhodes 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 E. L. Walker who is a reputable practicing physician of this county, was made before me. I also certify that the said applicant A. H. Rhodes

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 A. H. Rhodes 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 Longview this 10th day of Aug A. D. 1906

(SEAL)

Samuel Lacy
County Judge Tregg County, State of Texas.

CERTIFICATE OF COUNTY COMMISSIONERS.

THE STATE OF TEXAS,

COUNTY OF Tregg } We, the undersigned members of the Commissioners Court of Tregg County, Texas, hereby certify that the foregoing application of A. H. Rhodes

for a pension, together with the proof in support thereof, was duly submitted by Hon. Samuel Lacy County Judge of this Tregg County, to the Commissioners of this Tregg County, at a regular term thereof on the 13th day of Nov A. D. 1906, 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 Longview this 13th day of Nov D. 1906

(SEAL)

(Signature of Commissioners)

E. F. H. Hart
C. B. Perick
Wm. M. H. H. H.
W. J. Johnston



EX PARTE

A. H. Rhodes
Applicant for Confederate Pension.

Pending in the Honorable Commissioners Court
of *T. J. Jugg* County, Texas,
before the Honorable County Judge of said County.

The Honorable County Judge of *T. J. Jugg* 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 *H. D. Roberts*
and *Texas* who reside in the County of *Hood* 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 *T. J. Jugg* and State of Texas, of which he is a bona fide resident.

A. H. Rhodes
(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 *A. H. Rhodes* who is an applicant for pension under Act of May 12, 1899?
- INT. 3. How long have you known the said *A. H. Rhodes* applicant for pension, and when and where did you first know him?
- INT. 4. Do you personally know that the said *A. H. Rhodes* 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 *A. H. Rhodes* 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 *A. H. Rhodes* the said applicant for pension, is unable to support himself by labor of any sort?

CROSS INTERROGATORIES.



To be Propounded to *A. H. Rhodes*

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 time you knew of any other soldier or sailor by the name of *A. H. Rhodes* serving in the same company or regiment in which you say the said applicant *A. H. Rhodes* 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 A. H. Rhodes 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 A. H. Rhodes 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 A. H. Rhodes applicant
for pension, ever deserted the service in the Confederate army or navy?

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.....

THE STATE OF TEXAS,

County of Tarrant
I, Edwin Lacy

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.

Edwin Lacy
County Judge Tarrant County, Texas.

A. H. Rhodes
(Applicant) Attorney for Applicant.

In Re
Application for Confederate
Pension.

IN COMMISSIONERS COURT,

Tarrant County, Texas,
Pending before County Judge of said County.

Ex Parte
A. H. Rhodes
Applicant.

INTERROGATORIES

PROFOUNDED TO
A. H. Rhodes

Witnesses.



Comptroller's Department

State of Texas

Austin

MAR 8 1907

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
N. H. Rhodes who is reported to have enlisted in
Company *K*, *28th* Regiment *Texas Cavalry*
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,

J. W. Stephens
Comptroller



MILITARY SECRETARY'S OFFICE

1221379

Austin, Texas,
March 8, 1907.

J. W. Stephens, Comptroller,
State of Texas.-

For military record of N. H.
Rhodes, "K", 28th Tex. Cav., C. S. A.,
an applicant for Confederate
Pension.-

MAR 11 1907

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

1221379

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, March 14, 1907.

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

The records show that Newton H.
Rhodes, private, Company K, 28th Texas
Cavalry, C. S. A., was enlisted February
24, 1862. On the company muster roll
for January and February, 1864 (last
on file), he is reported present. No
later record of him has been found.

[Signature]
The Adjutant General.

(A. G. O. 72-1)



- (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.

I am positively certain that the said
N. H. Rhades ^{applicant for pension} is the identical person, serving
as I have testified ~~to~~

& know that he is old and decreped
if the said N. H. Rhades ever deserted the
Service in the Confederate Army & never heard
of it -

EX PARTE

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

N. H. Rhodes
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 B. J. Baker and J. J. Baker who reside in the County of Pusher 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 Gregg and State of Texas, of which he is a bona fide resident.

N. H. Rhodes
(Applicant) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness

B. J. Baker

- 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 N. H. Rhodes who is an applicant for pension under Act of May 12, 1899?
- INT. 3. How long have you known the said N. H. Rhodes applicant for pension, and when and where did you first know him?
- INT. 4. Do you personally know that the said N. H. Rhodes 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 N. H. Rhodes 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 N. H. Rhodes the said applicant for pension, is unable to support himself by labor of any sort?

CROSS INTERROGATORIES.

To be Propounded to B. J. Baker (TX)

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 time you knew of any other soldier or sailor by the name of N. H. Rhodes serving in the same company or regiment in which you say the said applicant N. H. Rhodes 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 N. H. Rhodes 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 N. H. Rhodes 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 N. H. Rhodes applicant for pension, ever deserted the service in the Confederate army or navy?

[Empty dotted lines for answers to interrogatories]

THE STATE OF TEXAS,

County of Gregg

I, Edwin Loey 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 et al may be attached hereto.

Edwin Loey

County Judge Gregg County, Texas.

(Applicant) Attorney... for Applicant.

In Re
Application for Confederate
Pension.

IN COMMISSIONERS COURT,

County, Texas,
Pending before County Judge of said County.

Ex Parte

Applicant.

INTERROGATORIES

PROFOUNDED TO

Witnesses.

EX PARTE

N. H. Rhodes

Applicant for Confederate Pension.

IN RE APPLICANT FOR CONFEDERATE PENSION

Under Act May 12, 1899, pending in County Commissioners Court of

Gregg

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

Answers and depositions of (1) B. T. Baker

to the accompanying interrogatories (2) and Cross Interrogatories
 propounded to him in the above entitled cause taken before (3) U. F. Shepherd,
 Deputy Clerk County Court, Upshur Co, Tex,
 in accordance with the accompanying (5)

To the first interrogatory the said B. T. Baker

Witness, answers: B. T. Baker is my name, My age
 64 yrs, Residence & Post office, Gilmer,
 Upshur County - Texas,

To the 2nd Interrogatory the witness an-
 swers: I personally know N. H. Rhodes the
 applicant here in,

To the 3rd Interrogatory he answers:

I first met the applicant - N. H. Rhodes
 in the war and knew him in the war but
 have not been with him or have seen him
 since the war until I moved to Gilmer,

To the 4th Interrogatory he answers:

I do know that the said N. H. Rhodes
 enlisted in the Confederate Service and
 performed the duties as a soldier, I was
 in the same regiment - from Spring of
 1862 to surrender of Army,

To the 5th Interrogatory he answers:

He was enlisted in Company "K" 28th
 Texas; Dismounted Cavalry, Reynolds Regiment -
 I did not know of his enlisting but became ac-
 quainted with applicant in Spring of 1862 and
 was with him until Spring of 1865,

TX

To the 6th - July he answers;

I am not personally acquainted with the condition of the said N.H. Rhodes but from appearances of his physical condition. I do not think he is able to make his support by labor

Answers to Cross Interrogatories

To the 1st Cross July he answers;

I know this from personal knowledge, I did not know any other soldiers by name of N.H. Rhodes.

To the 2nd Cross July He answers;

I am positively certain that I knew one N.H. Rhodes in the Confederate service, and this applicant, after a lapse of 40 years came to me and recognized me and mentioned incidents and happenings of the war that make me reasonably certain that the applicant is the identical N.H. Rhodes whom I knew personally in the war.

To the 4th Cross interrogatory he answers;

I never did hear of the applicant having ever deserted the Confederate service.

his
B. J. Baker
mark

Subscribed and sworn to before me, this 9 day of August 1906

J. W. Wall, Clerk Co Court
Upshur Co Tex
By W. T. Shepherd Deputy

THE STATE OF TEXAS,)

County of Upshur Co
Co Court, Upshur Co

I, A. T. Shepherd, Deputy Clerk
(Here give name and official character of officer before whom taken.)

do hereby certify that B. J. Baker

and B. J. Baker are personally known to me to be credible citizens of said County and State, and that the foregoing answers of B. J. Baker

the witness B. J. Baker before named, and

whose name B. J. Baker appear signed to the foregoing deposition, were made before me, and were sworn to and subscribed before me, by said witness (4) B. J. Baker

Given under my hand and official seal, this the 9 day of Aug, 1906

(L. S.)

J. W. Wall - Clerk County Court
Upshur 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 the Commissioners Court

OF

Aug 4, Upshur County, Texas.
Before the Honorable County Judge of Said County.

EX PARTE

A. T. Rhodes

Applicant for Confederate Pension.

DEPOSITION

OF

B. J. Baker

Witness for Applicant.

Filed the _____ day

of 1

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 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.

AFFIDAVIT OF WITNESSES.

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

THE STATE OF TEXAS,

COUNTY OF

Tuam

Before me

Edwin Lane

County Judge of

Tuam

County, State of Texas, on this day personally appeared

L

E. C. Martin and W. J. Simpson

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

(Signature of Witness)

W. J. Simpson

(Signature of Witness)

E. C. Martin

Sworn to and subscribed before me this

9th

day of

Feb

A. D. *1906*

(SEAL)

Edwin Lane

County Judge

Tuam

County, Texas.

PROOF OF SERVICE MUST NOT BE MADE A PART OF THIS AFFIDAVIT.

...able to engage in one? Answer *Diarrhea*
...is your physical condition? Answer *catarrh and Rheumatism*
...your physical condition is such that you are unable by your own labor to earn a support, state what
caused such disability. Answer

...in what State was your command originally organized? Answer

How long did you serve? Give date of enlistment and discharge. Answer

Q. What was the name or letter of your company and name or number of your regiment? Answer

Q. State whether you served in the infantry, artillery, cavalry, or the navy. Answer

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



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

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