

17

374/3

From B.

WIDOW'S APPLICATION FOR A PENSION

The Comptroller of Public Accounts reserves the right to call for additional testimony if he deems it necessary.

Dear
Name of Applicant.

Mrs. J. K. Small

Gregg County.

Postoffice *Longview*

Filed *May 13 - 1921*

Approved *June 9 - 1921*

Pension allowed from *June 1 - 1921*

Rejected

Lon A. Smith
Comptroller of Public Accounts.

E. L. STECK, AUSTIN

For Use of Widows of Soldiers Who Are In Indigent Circumstances

THE STATE OF TEXAS,

COUNTY OF Gregg

I, Mrs. Mrs. J. K. Small do hereby make application to the Comptroller of Public Accounts for a pension, to be granted me under the Act passed by the Thirty-third Legislature of the State of Texas, and approved April 7, A. D. 1913, on the following grounds:

I am the widow of J. K. Small deceased, who departed this life on the 21 day of August, A. D. 1884, in the county of Gregg in the State of Texas.

I have not remarried since the death of my said husband, and I do solemnly swear that I was never divorced from my said husband, and that I never voluntarily abandoned him during his life, but remained his true, faithful and lawful wife up to the date of his death. I was married to him on the 21 day of July, A. D. 1857, in the county of Bartholomew in the State of Inda.

My husband, the said J. K. Small, enlisted and served in the military service of the Confederate States during the war between the States of the United States, and that he did not desert the Confederate service. I have been a resident of the State of Texas 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 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 anyone hold in trust for my benefit or use, estate or property, either real, personal or mixed, either in fee or for life, of the value of one thousand dollars, exclusive of the home of the value of not over \$1000; nor do I receive any aid or pension from any other State, or from the United States, or from any other source, and I do further state that the answers given to the following questions are true:

1. What is your age? 81 yrs
2. Where were you born? Ala.
3. How long have you resided in the State of Texas? 32 yrs
4. How long have you resided in the county of your present residence? And what is your postoffice address? 32 yrs Langueer
5. Did your husband draw a pension? If so, give his file number. no
6. What was your husband's full name? John K. Small
7. What was the date of his death? 21 day of August 1884
8. In what State was your husband's command originally organized? Texas

9. How long did your husband serve? If known to you, give date of enlistment and discharge. 4 years - 1861 - 1865

10. What was the name or letter of the company, or number of the battalion, regiment or battery of artillery in which your husband served? If he was transferred from one branch of service to another, give time of transfer, description of command and time of service. Walkers Division Mills Regiment

11. Name branch of service in which your husband served, whether infantry, cavalry, artillery, or the navy, or if commissioned as an officer by the President, his rank and line of duty, or if detailed for special service, under the law of conscription, the nature of such service, and time of service. 1st Infantry afterwards Cavalry

12. 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 her application for a pension may be approved and such other proceedings be had in the premises as are required by law.

(Signature of Applicant) Mrs J K Small

Sworn to and subscribed before me this 5 day of May, A. D. 1921

[Seal.]

County Judge W. A. Ray Gregg County, Texas.



*Where applicant has remarried it is necessary that she state facts covering particulars of last marriage, date, to whom married, and date of last husband's death. She must also state that she is now a widow.

AFFIDAVIT OF WITNESSES

[Note.—There must be at least two creditable witnesses.]

THE STATE OF TEXAS,

COUNTY OF Gregg

Before me, W.A. Ray, County Judge of Gregg County, State of Texas, on this day personally appeared J. J. Butts & J. A. Callaway, who are personally known to me to be creditable citizens, who, being by me duly sworn, on oath state that they personally know that Mrs. J. K. Small, applicant for a pension as the widow of J. K. Small deceased, is in truth and fact the widow of J. K. Small deceased; that they personally know that she has not remarried since the death of her husband, for whose services in the army she claims a pension, and that they have no interest in this claim.*

(Signature of Witness) J. J. Butts

(Signature of Witness) J. A. Callaway

Sworn to and subscribed before me, this 12 day of May, A. D. 1921

W.A. Ray
County Judge Gregg County, Texas.

[Seal.]

*Where applicant has remarried it is necessary that she state facts covering particulars of last marriage, date, to whom married, and date of last husband's death. She must also state that she is now a widow.

AFFIDAVIT OF WITNESSES

[Note.—There must be at least two creditable witnesses.]

THE STATE OF TEXAS,

COUNTY OF Gregg

Before me, W.A. Ray, County Judge of Gregg County, State of Texas, on this day personally appeared J. J. Butts & J. A. Callaway, who are personally known to me to be creditable citizens, who, being by me duly sworn, on oath state that they personally know the above named applicant for pension, and that they personally know that the said J. K. Small 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 this claim.

(Signature of Witness) J. J. Butts

(Signature of Witness) J. A. Callaway

Sworn to and subscribed before me, this 12 day of May, A. D. 1921

W.A. Ray
County Judge Gregg County, Texas.

[Seal.]

AFFIDAVIT OF WITNESSES

(If possible, the two witnesses should have served with the applicant's husband in the army, and if so, let them, or either of them, state it in their oath; also any information regarding the army service of applicant's husband.)

THE STATE OF TEXAS,

COUNTY OF _____

Before me, _____, County Judge of _____ County, State of Texas, on this day personally appeared _____, who personally

known to me to be creditable 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 her application are correct and true, to the best of their knowledge and belief, and that they have no interest in this claim.

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

(Signature of Witness) _____

(Signature of Witness) _____

Sworn to and subscribed before me, this _____ day of _____ A. D. 19 _____

[Seal.]

County Judge _____ County, Texas.

CERTIFICATE OF STATE AND COUNTY ASSESSOR

J. C. PERSONS State and County Assessor in the County of **GREGG**

State of Texas, do certify that Mrs. *J. H. Swann* 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 *None* Dollars, and of other property, real or personal, or both, of the value of *None* Dollars.

Given under my hand, this *12* day of *May* A. D. 19 *21*

J. C. PERSONS

State and County Assessor.

Wm Nelson
Deputy -



EX-PARTE

IN RE APPLICATION FOR CONFEDERATE PENSION

Under Act April 7, 1913, pending.....

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

Application for Confederate Pension.

Answers and depositions of (1).....

to the accompanying interrogatories (2).....

propounded to.....in the above entitled cause taken before (3).....

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

To the first interrogatory the said.....

Witness, answers.....

EX-PARTE

Pending in.....County,

Texas, before the Honorable County Judge of said County.

Applicant for Confederate Pension.

The Honorable County Judge of.....County, Texas, will please take notice that, five days after service hereof, applicant herein will apply to the Clerk of the County Court of said County and State for a commission to take the deposition of..... and....., 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 of.....claim for a pension under the act of April 7, 1913, 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.....and State of Texas, which.....is a bona fide resident.

(Applicant) Attorney.....for Applicant.

Direct Interrogatories to be Propounded to Witness.....

- INT. 1. What is your name? Age? Place of residence and postoffice address?
Thomas M. Carroll, 68 yrs., Pelican, La.
- INT. 2. Do you personally know, or did you at any time know **Mrs. Nancy W. Small (Widow)**....., who.....is an applicant for pension under Act of April 7, 1913?
- INT. 3. How long had you known the said **John K. Small (deceased)**, since **1857**..... and when and where did you first know him? **1857 De Boto Parish, Louisiana.**
- INT. 4. Do you personally know that the said **John K. Small**..... enlisted in the service of the Confederacy, and performed the duties of a soldier or a sailor? **Yes.**
- INT. 5. Do you personally know in what company and regiment the said **John K. Small**..... 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? **No.**
- INT. 6. Do you personally know that **Think he was a private.**..... 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 know further if..... **John K. Small**..... 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? **No.**

CROSS INTERROGATORIES

To be propounded to..... **Thomas M. Carroll**

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said **John K. Small**..... 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 **he**..... 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 K. Small**..... serving in the same company or regiment, or special service in which you say the said **John K. Small**..... enlisted, if you have stated that said **John K. Small**..... enlisted and served in the navy of the Confederacy, then state whether or **I know that he enlisted in the Confederate Service in the State of Texas, about the beginning of the war.**

TX

not you know any other soldier or sailor of the same name as said John K. Small applicant serving in the same command, or the special service to which he was assigned? **No.**

If you say that you know other soldiers or sailors of the same name of _____ 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 K. Small is the identical person serving as testified by you? **Yes.**

CROSS INT. 3. Do you know whether or not the said John K. Small 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? **Yes.**

CROSS INT. 4. Do you know whether or not the said John K. Small deserted his command, or voluntarily abandoned his post of duty or the service during said war? **He did not.**

THE STATE OF TEXAS

COUNTY OF _____

Thos. M. Bartoll
Sworn to and subscribed to before me this the 11th day of May 1921,
Thos. M. Bartoll
Notary Public in and for
the State of Louisiana

I, _____, 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.

County Judge _____ County, Texas.

(Applicant) Attorney _____ for Applicant.

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.

State of Louisiana)
Parish of De Soto)

Be it known that this day before me the undersigned Notary Public personally came and appeared Thomas M. Carroll who after being duly sworn deposes and says that he personally knew John K. Small (Deceased) whose widow is Nancy W. Small, and that the said John K. Small enlisted in the Confederate Service about 1861, some where in the State of Texas, and that he served during the duration of said War, but he does not know what Company or regiment.

Witness.

E. H. Joyner
E. H. Joyner

Thomas M. Carroll

Subscribed and sworn to before me, this 11th day of May, 1921.

E. H. Joyner
Notary Public, in and for De Soto Parish, Louisiana.

THE STATE OF _____
County of _____

I, _____
(Here give name and official character of officer before whom taken.)

_____ do hereby certify that _____
and _____ are personally known to me to be creditable citizen of said County and State, and that the foregoing answers of _____

_____ 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 _____ day of _____, 1921.

(L. S.)

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

EX-PARTE

Wm. J. K. Small
Applicant for Confederate Pension

DEPOSITION
of

Thomas M. Carroll

Witness for Applicant

Filed _____ day

of _____, 1921

by _____, Clerk

by _____, Deputy

Fee for Taking Deposition, \$ _____

Lined area for deposition text.

TX

- (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

Pending in..... County,

Texas, before the Honorable County Judge of said County.

Applicant for Confederate Pension.

The Honorable County Judge of..... County, Texas, will please take notice that, five days after service hereof, applicant herein will apply to the Clerk of the County Court of said County and State for a commission to take the deposition of..... and....., 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 of..... claim for a pension under the act of April 7, 1913, 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..... and State of Texas, which..... is a bona fide resident.

(Applicant) Attorney..... for Applicant.

Direct Interrogatories to be Propounded to Witness.....

- INT. 1. What is your name? Age? Place of residence and postoffice address?
W.R.Carroll, age 76 years, Pelican, De Soto Parish, Louisiana.
- INT. 2. Do you personally know, or did you at any time know **J.K.Small**, who se
Wife..... is an applicant for pension under Act of April 7, 1913?
- INT. 3. How long had you known the said **J.K.Small**
and when and where did you first know him? **about 64 years, De Soto Parish, La.**
- INT. 4. Do you personally know that the said **J.K.Small**
enlisted in the service of the Confederacy, and performed the duties of a soldier or a sailor? **Yes.**
- INT. 5. Do you personally know in what company and regiment the said **J.K.Small**
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? **1862 Freestone County Texas. He served untill close of the war.**
- INT. 6. Do you personally know that **J.K.Small**
was commissioned as an officer directly by the President of the Confederate States? What was his rank and line of duty? **Private.**
- INT. 7. Do you know further if **J.K.Small**..... 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? **Private was never detailed for special service as refered to above.**

CROSS INTERROGATORIES

To be propounded to **W.R.Carroll**

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said **J.K.Small**..... 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 **J.K.Small**..... 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 **J.K.Small**..... serving in the same company or regiment, or special service in which you say the said **J.K.Small**..... enlisted, if you have stated that said **J.K.Small**..... enlisted and served in the navy of the Confederacy, then state whether or

TX

not you know any other soldier or sailor of the same name as said J.K. Small

applicant serving in the same command, or the special service to which he was assigned? I do not.

If you say that you know other soldiers or sailors of the same name of J.K. Small 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.K. Small is the identical person serving as testified by you? Yes.

Cross INT. 3. Do you know whether or not the said J.K. Small 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? He did.

Cross INT. 4. Do you know whether or not the said J.K. Small deserted his command, or voluntarily abandoned his post of duty or the service during said war? He did not.

THE STATE OF TEXAS

COUNTY OF _____

I, _____, 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.

County Judge _____ County, Texas.

(Applicant) Attorney _____ for Applicant.

Application for Confederate Pension

COMPTROLLER'S OFFICE RECEIVED MAY 14 1921

FOR USE OF SOLDIERS OR WIDOWS

Pending before the County Judge of Said County _____ County, Texas.

EX-PARTE

Applicant.

INTERROGATORIES Propounded to

Witnesses.

EX-PARTE

IN RE APPLICATION FOR CONFEDERATE PENSION

Under Act April 7, 1913, pending

Application for Confederate Pension.

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

Answers and depositions of (1)

to the accompanying interrogatories (2)

propounded to in the above entitled cause taken before (3)

in accordance with the accompanying (7)

To the first interrogatory the said **W.R.Carroll**

Witness, answers **I know from personal knowledge that J.K.Small served as a private in the service of the Confederacy.**

He enlisted as a private in a Company made up by the Counties of Freestone and Navarro in the State of Texas. I do not know the name or number of the Company in which he served, neither do I know the name of the Captain of his Company. R.Q.Mills was Col. of the Regiment. (Known as Mills Legion).

After the fall of Arkansas Post the said J.K.Small with a few others made their escape and was later transfered into the Cavalry Service. What command I do not know, but was in Walker's Division.

I never knew of any other soldier or sailor by the name of J.K.Small.

- (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.

Roy & Mills Oct 10 2nd 1871

2717-320-1M

THE E. L. STEAK CO., AUSTIN



Comptroller's Department
State of Texas
Austin

Lon A Smith
M. WIGNON, COMPTROLLER
T. B. REESE, CHIEF CLERK

5-13-21

To the Adjutant General,
War Department,
Washington, D. C.

Dear Sir:

I have the honor to request the military record of *J. K. Small* who is reported to have enlisted in Company _____, Regiment *mills* *Walkers Division*.

1st Infantry afterwards Cavalry.

in service in the Confederate States Army.

Purpose: The *widow* 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,

Lon A Smith
Comptroller of Public Accounts.

RECEIVED
MAY 17 1921
OLD RECORDS DIVN.

Received A. G. O. MAY 17 1921

37413

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, MAY 25 1921

ORD
749
ev?

Respectfully returned to

Comptroller's Dept.
State of Texas
Austin

with the information that records show

John H. Small
Pvt. Co. D. 10 Regt. Texas
Inf. Co. enlisted
Oct. 31, 1861 at Hemp-
stead Texas

Rolls covering period from
Dec. 31/62 to Apr. 30/64 shows him
absent in Trans. Miss. Dept.
A detachment of above company
was mustered as Co. D. 8 Tex. Inf
about Apr. 30/63 and of which on roll
Mar. & Apr. 1863 he is shown present.
On muster roll Jan. & Feb. 1864 (last on
file) he is shown present. No
prisoner of war record found.
Roger Q. Mills was Colonel of 10 Tex. Inf.
Name not found as of 1 Tex. Inf
or Texas.

P. C. Harris
The Adjutant General.

Per *HW*

Comptroller's Office
RECEIVED
MAY 31 9 21
forwarded to



APPLICATION FOR MORTUARY WARRANT

STATE OF TEXAS,
 County of Gregg } I, Ruth M. Stewart
 do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of
 the late Mrs. J. K. Small, who was a pensioner of the
 State of Texas, and whose file number is 37413 and whose original county is Gregg
 The said pensioner Mrs. J. K. Small, died on the
10th day of May, 1923, in the town of Longview
 County of Gregg, Texas.

The pensioner died in the home of Ruth M. Stewart
 who was related to the pensioner as Mother Daughter

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 Mrs. J. K. Small

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) Daughter
 and that my home is in the town of Longview, County of Gregg
 State of Texas, that my postoffice address is 307 South High
Street, Longview, Texas.

Signed Ruth M. Stewart

Before me, Thos. D. Campbell, a notary Public in and for the County
 of Gregg, State of Texas, personally appeared Ruth M. Stewart
 who being by me duly sworn, did certify to and sign the foregoing statement.

(Seal of Office)

Thos. D. Campbell, Notary Public
 in and for Gregg, Texas.

CERTIFICATE OF UNDERTAKER

I, S. C. Forman, do certify that I am an undertaker in the
 town of Longview, County of Gregg, State of Texas
 that I had charge of the body of Mrs. J. K. Small, who died in the
 town of Longview, County of Gregg, State of Texas
 on the 10th day of May, 1923. That said body was prepared for burial by me
 on the 10th day of May, 1923. That said body was buried in the
Fisher Cemetery, which is located in the County of Gregg
 State of Texas, and that I am of the opinion that warrant herein applied for should be
 issued to the said Ruth M. Stewart, who makes the
 foregoing application.

Signed S. C. Forman Undertaker.

CERTIFICATE OF PHYSICIAN

I, W. Halvey MD do certify that I am a practicing
 physician, and that I attended Mrs. J. K. Small in his last illness, and
 am of the opinion that his ailments were Arctic aneurysm

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-fifth Legislature,
 and approved March 2, 1917.

May 10th
ak

Signed W. Halvey MD Physician.

Physician's Address Longview Texas