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~~DEAD~~

H. FORM A. 776

**Soldier's Application
for a Pension**

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

4-27-29

Name of Applicant.

Nicholas Carnochan

Montgomery County.

Postoffice Comroe, Texas.

Filed Aug. 30. 1913

Approved Sept. 1. 1913

Pension allowed from Dec. 1. 1913

Rejected

George Kyles

Commissioner of Pensions.

ent.

FORM A

For Use of Soldiers Who Are In Indigent Circumstances

THE STATE OF TEXAS }

County of Montgomery.

I, Nicholas Carnochan 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. I was captured at the battle of the Wilderness May 6-1864, and was released from the Federal prison ~~xxx~~ after the war at Elmira New York, on the 16th day of June, 1865.

(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? I am 70 years of age.
2. Where were you born? We-tumpka, Alabama.
3. How long have you resided in Texas? 29 years.
4. In what county do you reside? Montgomery County.
5. How long have you resided in said county and what is your postoffice address? Four years this time, but I lived here before from 1894 to 1907. My P.O. address is Conroe, Texas.
6. Have you applied for a pension under the Confederate pension law and been rejected? If rejected, state when and where. Never applied before.
7. What is your occupation, if able to engage in one? Not able to engage in any occupation, but was a harness maker by trade.
8. In what State was the command in which you served organized? Alabama.
9. How long did you serve? Give, if possible, the date of enlistment and discharge. Over 4 years including my imprisonment. From April 27-1861 to June 16-1865.
10. What was the letter of your company, number of battalion, regiment or battery? Company 1.5. Alabama Infantry. and Company C 13th Alabama Infantry.
11. If transferred from one command to another, give time of transfer, name of command and time of service. From Company 1 3rd. Alabam Infantry to Company C 13th. Alabam Infantry. This transfer by order of Secry. War mutual consent of both commands to be band master of latter
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? I was a musician until the battle of Gettysburg when band was disorganized and I went to ranks.

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 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) Nicholas Carnochan

Sworn to and subscribed before me, this 20th day of August, A. D. 1913.

W M Williams
County Judge Montgomery County, Texas.



AFFIDAVIT OF WITNESSES

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

THE STATE OF TEXAS }
County of Montgomery

Before me W M Williams, County Judge of Montgomery County,

State of Texas, on this day personally appeared Alfred Morris Jr & E. H. Pitts, who are personally

known to me to be credible citizens, who, being by me duly sworn, on oath state that they personally know Nicholas

Carnochan, the above named applicant for a pension, and that they personally know that the

said Nicholas Carnochan 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) Alfred Morris Jr

(Signature of Witness) E. H. Pitts

Sworn to and subscribed before me, this 29th day of September, A. D. 1913.

W M Williams
County Judge Montgomery 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 per-

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

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(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

I,, State and County Assessor in the County of.....

State of Texas, do certify that..... 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..... dollars.

Given under my hand, this..... day of....., A. D. 19.....

.....
State and County Assessor.

EX PARTE

IN RE APPLICANT for CONFEDERATE PENSION

Under Act March 26, 1909, pending

Nicholas Carnochan

in Montgomery County,

Applicant for Confederate Pension.

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

Answers and depositions of (1) J.E. Parker

to the accompanying interrogations (2) of Teague, Freestone County, Texas. propounded to him in the above entitled cause taken before (3) W.R. Boyd Notary Public in accordance with the accompanying (7) Interrogatories.

To the first interrogatory the said J.E. Parker Witness, answers John E. Parker 69 years old, Reside at Teague Texas, postoffice address Teague Texas.

To, 2nd Inty he answers.

Yes, knew him from boyhood,

To 3rd Inty. he answers. I first knew him at Wetumpka Ala, about 1860

To 4th Inty. he answers. Yes,

To 5th Inty, he answers. Yes he enlisted at Wetumpka Ala, about the 1st of April 1861, in Co, 1 3rd Ala Inf.

He served for about one year and was then transferred to Co, 3 13th Ala. Reg. and served until close of War.

To 6th Inty he answers. He was never commisssioned so far as I know.

To 7th Inty he answers. He was never so detailed within my knowledge.

To 1st cross Inty. he answers. I was with him for a year, and saw him constantly thereafter in same army and was with him in prison at Elmira N.Y. I did not know of any other Nicholas Carnochan in the Confederate army or at any other time.

To corss Inty 2nd he answers. Yes.

To cross Inty 3rd he answers. Yes, never had a better soldier.

To corss Inty 4, he answers, NO, he did not.



John E. Parker
2nd day of *Sept.*, 191*3*
W.R. Boyd Not Public
Freestone Co Tex

Subscribed and sworn to before me, this _____ day of _____, 191*3*

THE STATE OF ~~Freestone~~ Texas
County of Freestone

I, W.R. Boyd a Notary Public in
(Here give name and official character of officer before whom taken)

and for ~~Freestone County, Texas~~ do hereby certify that ~~John E. Parker~~
~~###~~ is ~~###~~ personally known to me to be^e credible citizen^s of said
County and State, and that the foregoing answers of John E. Parker
_____, the witness before named, ~~###~~
_____, whose name appear^s signed to the foregoing deposition, were made before
me and were sworn to and subscribed before me, by said witness (4) John E. Parker

Given under my hand and official seal, this the 2nd day of September, 191*3*.
(L. S.) W.R. Boyd Notary Public
Freestone 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, and Notary Public, or any Commissioner of Deeds of Texas.

File No. _____

In Montgomery County, Texas,
Before the Honorable Judge of Said County.

EX PARTE

Nicholas Carnochan

~~John E. Parker~~

Applicant for Pension

DEPOSITION OF

John E. Parker

Witness _____ for Applicant.

Filed _____ day

of _____, 191

Clerk.

By _____, Deputy.

Fee for Taking Deposition, \$ _____

E. L. Steek, Printings, Bookbindings, Austin



- (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.

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

If you say that you so know other soldiers or sailors of the same name of Nicholas Carnochan 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 Nicholas Carnochan is the identical person serving as testified by you?

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

THE STATE OF TEXAS,

County of Montgomery

I, W.M. Williams, 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.

W.M. Williams

County Judge Montgomery County, Texas.

Robt. J. Sullivan

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

Application for Confederate Pension.

In Re

FOR USE OF SOLDIERS OR WIDOWS.

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

EX PARTE

Nicholas Carnochan
Applicant.

INTERROGATORIES propounded to

John G. Parker

Witnesses.

EX-PARTE

Pending in Montgomery County, Texas, before the Honorable County Judge of said County

Nicholas Carnochan Applicant for Confederate Pension.

The Honorable County Judge of Montgomery 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 John E. Parker and who resides in the County of Limestone 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 a 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 witnesses residing in the County of Montgomery and State of Texas, of which he is a bona fide resident.

Robt. J. Seelwan (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 Nicholas Carnochan who is an applicant for pension under Act of March 26, 1909?
INT. 3. How long had you known the said Nicholas Carnochan and when and where did you first know him?
INT. 4. Do you personally know that the said Nicholas Carnochan 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 Nicholas Carnochan 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 Nicholas Carnochan 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 Nicholas Carnochan 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 John E. Parker

CROSS INTERROGATORY 1. If, in answer to the foregoing direct interrogatories, you have stated that you personally know or did know said Nicholas Carnochan 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 Nicholas Carnochan 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 Nicholas Carnochan serving in the same company or regiment, or special service in which you say the said Nicholas Carnochan enlisted, if you have stated that said Nicholas Carnochan 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 Nicholas Carnochan
applicant serving in the same command, or the special service to which he was assigned?

If you say that you so know other soldiers or sailors of the same name of Nicholas Carnochan
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 Nicholas Carnochan
is the identical person serving as testified by you?

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

THE STATE OF TEXAS, }
County of Montgomery. }

I, W.M. Williams, 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.

W.M. Williams
County Judge, Montgomery County, Texas.
Robt. J. Seewan
(Applicant) Attorney.....for Applicant.

In Re

Application for Confederate

Pension

FOR USE OF SOLDIERS OR WIDOWS

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

EX PARTE

Nicholas Carnochan
Applicant.

INTERROGATORIES

propounded to

Geo. J. DeLaney

Witnesses.

EX PARTE

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

Nicholas Carnochan Applicant for Confederate Pension.

The Honorable County Judge of Montgomery 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 George F. Sedbury and who reside in the County of Elmore in the State of Alabama 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 a 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 witnesses residing in the County of Montgomery and State of Texas, of which he is bona fide resident.

Robert J. Sullivan (Applicant's) Attorney for Applicant.

Direct Interrogatories to be Propounded to the Witness

George F. Sedbury

- 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 Nicholas Carnochan who is an applicant for pension under Act of March 26, 1909?
INT. 3. How long had you known the said Nicholas Carnochan and when and where did you first know him?
INT. 4. Do you personally know that the said Nicholas Carnochan 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 Nicholas Carnochan 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 Nicholas Carnochan 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 Nicholas Carnochan 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 George F. Sedbury

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

EX PARTE

IN RE APPLICANT for CONFEDERATE PENSION

Nicholas Carnochan

Under Act March 26, 1909, pending in *Montgomery County Texas*

Applicant for Confederate Pension.

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

Answers and depositions of (1)

Geo F. Sudberry, Wetumpka Ala,

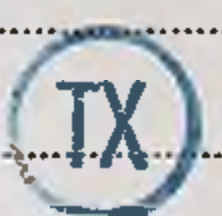
to the accompanying interrogations (2) *and cross interrogatories*
propounded to *him* in the above entitled cause taken before (3) *W. D. Still, Judge of Probate*
in accordance with the accompanying (7) *Commission and agreement*

To the first interrogatory the said *Geo F. Sudberry*

Witness, answers *my name, and residence address is*

- (1) *Geo F. Sudberry, age 70, Wetumpka Alabama*
- (2) *I do know Nicholas Carnochan*
- (3) *I have known him since his boyhood at Wetumpka, Ala, before the war of 1861-65-*
- (4) *I do know that Nicholas Carnochan served as a soldier-*
- (5) *He enlisted in Co. D. 3rd Reg. Ala Infantry at Wetumpka, Ala, later was transferred to Capt Hyles Co. in 13th Ala. Infantry - Enlisted in 1861, and served until close of the war.*
- (6) *He was not a commissioned officer*
- (7) *He was not in any special service served as a soldier*

1st Cross Interrogatory witness states that he served in the same Company and same regiment with said Nicholas Carnochan and that he knows what he has stated from his own personal knowledge and that he has never known of any other soldier or sailor by the name of Nicholas Carnochan.



To the 2nd Cross interrogatory he says that he is positively certain that Nicholas Carnochan is the identical person about whom he has testified.

To the 3rd Cross Interrogatory he says
that he does know that Nicholas Gar-
mochan served from his enlistment
to close of war

To 4th Cross Interrogatory witness says
that he positively knows that he
did war

Geo. F. Sedberry

Subscribed and sworn to before me, this 25 day of Sept, 1913

M. B. Still
Judge of Probate

THE STATE OF Alabama
County of Calhoun

I, M. B. Still Judge
(Here give name and official character of officer before whom taken)

Geo. F. Sedberry do hereby certify that Geo. F. Sedberry
and Geo. F. Sedberry are personally known to me to be credible citizens of said
County and State, and that the foregoing answers of Geo. F. Sedberry
the witness before named, and

whose name appears signed to the foregoing deposition, were made before
me and were sworn to and subscribed before me, by said witness (4) Geo. F. Sedberry

Given under my hand and official seal, this the 25 day of Sept, 1913

(L. S.)

M. B. Still
Judge of Probate

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, and Notary Public, or any Commissioner of Deeds of Texas.

File No.

In Montgomery County, Texas,
Before the Honorable Judge of Said County.

EX PARTE

Applicant for Pension

Nicholas Larnach

DEPOSITION OF

Geo. F. Sedberry

Witness for Applicant.

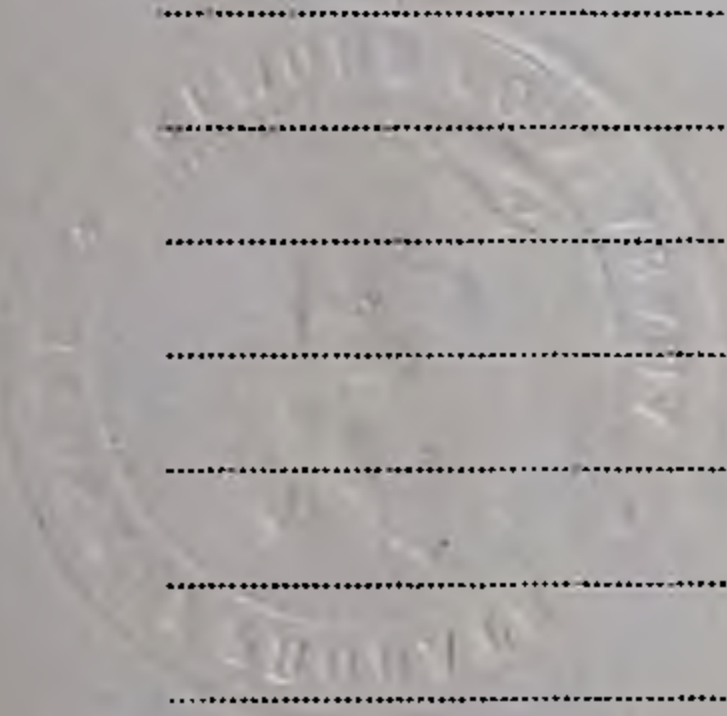
Filed day

of 191

..... Clerk.

By Deputy.

Fee for Taking Deposition, \$



IX

- (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.

-CERTIFICATE OF STATE AND COUNTY ASSESSOR.

I, Robt. Lee Talley, State and County Assessor in the County of Montgomery, and State of Texas, do certify that _____

_____, or his wife _____, or his trustee, or trustee for his wife,

whose name is ~~XXXXXXXX~~ signed to the foregoing application for a pension, under

Act of the 33rd. Legislature, approved April 7, 1913, is charged on the tax rolls

of said County with a homestead of the value of no Dollars,

and of other property, real or personal, or both of the value of Two Hundred Fifty

Dollars.



Given under my hand, this 7th. day of October, A.D. 1913.

Robert Lee Talley
State and County Assessor.

APPLICATION FOR MORTUARY WARRANT

THE STATE OF TEXAS,

County of Travis } I, Mrs. Kate Carnochan, wife

do hereby certify that I am the person to whom is entrusted the paying of the accounts and indebtedness of the late Nick Carnochan, who was a pensioner of the State of Texas, and whose file number was H-776 and whose original county was Montgomery

The said pensioner Nick Carnochan, died on the 27 day of April, 1929, in the town of Austin,

County of Travis, Texas.

The pensioner died in the home of Texas Confederate Home who was related to the pensioner as State Institution

That the warrant, which application is hereby made for, shall be applied to paying all or part of the funeral expenses incurred by the said pensioner Nick Carnochan

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) and wife

that my postoffice address is Texas Confederate Home Street or R. F. D. Austin, Texas City

Signed Mrs Kate Carnochan State

Body shipped to Conroe Texas

Sworn to before me this 27 day of Apr, 1929.

Deliver warrant to Chas. B. Cook, undertaker, and ship body to Conroe, Texas.

Ernest Harris

Notary Public in and for Travis State of Texas.

CERTIFICATE OF UNDERTAKER

I, H. J. Brown, do certify that I am undertaker in the town of Austin, County of Travis, State of Texas that I had charge of the body of Nick Carnochan, who died in the town of Austin, County of Travis, State of Texas on the 27 day of April 1929. That said body was prepared for burial by me on the 27 day of April 1929, and that I am of the opinion that warrant herein applied for should be issued to the said Mrs Kate Carnochan who makes the foregoing application.

Signed H. J. Brown Undertaker.



CERTIFICATE OF PHYSICIAN

I, D. C. Hanston, do certify that I am a practicing physician, and that I attended Nick Carnochan in his last illness, and am of the opinion that his ailments were Cerebral Hemorrhage



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-eighth Legislature and approved March 2, 1923.

Signed D. C. Hanston M.D.

Physician's Address Austin Tex

Must return before 40 days expires from date of Pensioners' death.