

Soldier's Application for Pension

I, William Carroll Robertson (W.C.)
am a citizen of Kentucky, resident at Murray in the County of Galloway
in said State of Kentucky, and was a soldier from the State of Kentucky in the war between
the United States and the Confederate States and I do hereby apply for aid under the Act of the General Assembly of
Kentucky, entitled "An Act granting pension to disabled and indigent Confederate soldiers." And I do solemnly swear
that I was a member of Company H. 3d. Kentucky Infantry
in the service of the Confederate States, and that by reason of disability and indigence I am now entitled to receive the
benefit of this Act. I further swear that I do not receive aid or pension from any other State, or from the United States,
and that I am not an inmate of any soldier's home, and that I am unable to earn a reasonable support for myself and fam-
ily. I do further solemnly swear that the answers given to the following questions are true:

In what County, State and year were you born?

Answer Galloway Co. Kentucky April 22, 1842

When did you enlist and in what command? Give the names of the regimental and company officers under whom you served?

Answer June or July 1861, Tillman's Command
Col. Tillman, Lieut Col. A. P. Thompson, Capt. G. A. C. Holt,
1st Lieut. T. A. Miller, 2nd Lieut. J. O. Mathison

How did you get out of the army, when and where?

Answer After three years and 1/2 services was cut off from command
on Hoods retreat and had to come around through Kentucky in order to make
my escape and before I could reach my command Lee Surrendered.
Were you ever in prison? If so, state what prison and when released.

Answer No

Were you paroled? If so, when and where?

Answer No

Did you take the oath of allegiance to the United States Government?

Answer Yes

If so, when and under what circumstances?

Answer Jan. 1865. Forced to take it at Paducah.

In what business are you now engaged, if any, and what do you earn?

Answer Farmer not much About \$100⁰⁰ a year.

What estate have you in your own right, real and personal, and what is its actual cash value?

Answer Interest in 80 acres of land \$1600⁰⁰

What estate has your wife in her own right, real and personal, and what is its actual cash value?

Answer none

State the net income of yourself and your wife from all sources for the past year. This must include all money received either from wages, rents or interest on loaned money, if any.

Answer Nothing in excess of \$100⁰⁰

Do you use intoxicants to any extent?

Answer No

How long and since when have you been an actual resident of the State of Kentucky?

Answer Since birth April 22, 1842

Have you an attorney to look after this application?

Answer Yes

If so, give his name and address?

Answer Barnett & Wells Murray Ky

Witness my hand this 15th day of April 1912

WITNESSES:

C. O. Gingles, Physician

W. R. Robertson, P. O. Murray, Ky

Postoffice Address

Street and No. (if any)

J. E. Allbritton, Witness

R. F. D. (if any) # 1

Postoffice Address Murray Ky

W. N. Beale, Witness

Postoffice Address Murray Ky

STATE OF KENTUCKY

Ballouay County } I, J. W. Patterson, Judge of said County,

certify that William B. Robertson and his wife are

assessed with 80 acres, valued at \$1000, and with \$185 of personal property.

Witness my hand this 10th day of May 1912

J. W. Patterson, Judge County Court.

If applicant and his wife have no property, the Judge must so certify.

STATE OF KENTUCKY

Calloway County } Personally appeared before me Idella Wells
Notary Public of said County, the above named William Carroll (W.C.) Robertson
the applicant, with whom I am personally acquainted, and having the application read and fully explained to him, as
well as the statements and answers therein made, made oath that the said statements and answers are true.

Witness my hand and seal of office, this 15th day of April, 1912
Idella Wells N.P.

STATE OF KENTUCKY

Calloway County } Personally appeared before me Idella Wells
Notary Public of said County, the above named C. C. Gingles
one of the subscribing witnesses to the foregoing application, and who is a physician of good standing, and being duly
sworn says that he has carefully and thoroughly examined William Carroll (W.C.) Robertson
the applicant, and find him laboring under the following disabilities: Unable to earn a support by manual labor.

Arterio Sclerosis with valvular
disease of heart.

Witness my hand and seal of office, this 15th day of April, 1912
Idella Wells N.P.

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

STATE OF KENTUCKY

Calloway County } Personally appeared before me Idella Wells
Notary Public of said County, the above named Jas. E. Allbritton
and W. N. Beale, two of the subscribing witnesses to the foregoing application,
with whom I am personally acquainted, and known to me to be citizens of veracity and standing in this community, and
who make oath that they are personally acquainted with the foregoing applicant, and that the facts set forth and state-
ments made in this application are correct and true, to the best of their knowledge and belief, and that they have no in-
terest in this claim, and that 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 army.

State here what witnesses know of their own knowledge.

That he was a good soldier and that they
served together in the army

Witness my hand and seal of office, this 15th day of April, 1912
Idella Wells N.P.

No. 3298

STATE OF KENTUCKY

Soldier's Application for Pension

Orin L. Robertson

Co. _____ Rgt. _____

Filed MAY 31 1912

Allowed _____

Read Specifications on Back.

SPECIFICATIONS

1.
2.
3.
4.
5. Allowed by order of Pension Board Apr 28 1912

W. J. Stone Commissioner

All blanks on this filing to be filled by the Pension Board

KENTUCKY STATE JOURNAL PUBLISHING CO., FRANKFORT, KY

Filed APR 22 1912

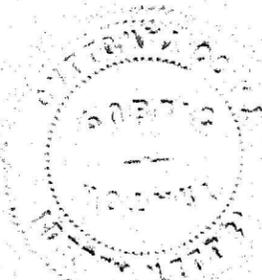
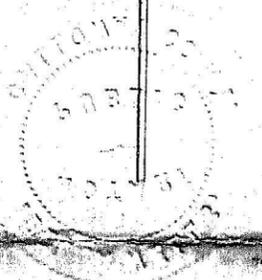
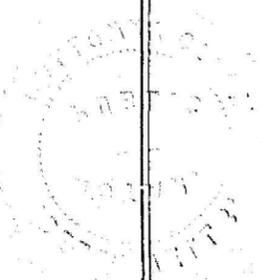
OK. MAY 27 1912

To Applicants for Pension

The material facts to be proven in the pension claim, under the laws of the State of Kentucky, are as follows:

1. Service in army.
2. Present Disability.
3. Indigency.
4. How you got out of the Army.
5. Character as a Soldier and Citizen.
6. Applications will not be filed unless certificates of Doctor and County Judge are filed out.

1. May be proven by officers or comrades.
2. May be proven by physician's certificate.
3. May be proven by neighbors and by certificate of County Judge.
4. May be proven by filing parole or discharge, or in case these have been lost or destroyed, by officers or comrades who know the facts.
5. May be proven by comrades and citizens.



ADJUTANT GENERAL'S OFFICE
1919064
WAR DEPARTMENT

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

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
WASHINGTON. June 4, 1912.

Respectfully returned to the

Examiner,
Confederate Pension Department,
Frankfort, Kentucky.

The records show that W. C. Robertson, private, Company H, 3d (Mounted) Kentucky Infantry, Confederate States Army, enlisted August 1, 1861. On the company roll dated June 30, 1864, last on file, he was reported present. No later record of him has been found.



The Adjutant General.

(A. G. O. 72-1)

Per 

No.S.....

HEADQUARTERS

Confederate Pension Department

W. J. STONE, EXAMINER

FRANKFORT, KY.

May 31 191*2*

GEN. W. P. HALL,
Adjutant General, U. S. A.,
WASHINGTON, D. C.

Dear Sir:

Mr E. Robertson

who is an applicant for Pension under the Kentucky Pension law, claims
to have been a member of Company *A-3d Ky*
Regiment *Inftry* C. S. A., and to have been

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.....

Please give me the record of this soldier.

Respectfully,

W. J. Stone
Examiner.

APPLICATION FOR PENSION OF WILLIAM C. ROBERTSON.
=====

APPEAL FROM DECISION OF W. J. STONE, PENSION COMMISSIONER,

To

PENSION BOARD.
=====

This application shows that the applicant, W. C. Robertson, enlisted on Aug. 1st., 1861, and that he served for three and one-half years (3½ years), and that he was out off from his command on Hood's retreat, and that he finally made his escape from the enemy into Kentucky, and that he used diligent efforts in attempting to get back to his command, but before he succeeded in doing so, General Lee surrendered.

The application is rejected by the Pension Commissioner, on the grounds that the reason given by the applicant for not returning to the command, is not sufficient.

The applicant believes that a consideration of the whole record, and all the facts set out in the record, and not one particular sentence, will show conclusively that the applicant did make a real, meritorious effort to regain his command, and that he failed, not for any lack of purpose on his part, but on account of the situation which he had to confront. If he, in company with a large part of the command, was justifiable in the retreat, it certainly follows that he was not required to face certain death itself in a futile attempt to regain the command. It seems to the applicant that his whole duty was fulfilled when he made a real, faithful effort to do so.

We submit that the record, taken as a whole, abundantly shows that he did make a real, genuine, faithful effort to get back to his command, and the applicant insists further that in construing the evidence of this point, due consideration should be given the fact that he gave faithful service for the long period of three and one-half years, (3½ years), and that with not enough to eat, scant

clothing, and with little or no pay.

The record furthermore shows that he only enlisted for three years, (3 years); consequently, he filled the entire time of enlistment, and half a year besides.

The applicant feels, in good faith, that if the spirit rather than the letter of the law, is to be followed, that his application should receive favorable consideration from this Honorable Board, and he most earnestly prays that this Board may grant him the pension of which he stands so much in need.

W.C. Robertson
By Bennett Ware, atty.

The affiant W.C. Robertson states that he has no old soldier to prove that he tried to get back to the Confederate Army, after he had been cut off from his command on the Hood raid, because his companions at the time are all dead, but he states under oath ^the did try to get back and come very near being captured, and that it was generally known that the country south of him was full of Federal soldiers.

Subscribed and sworn to ^{before me} by W.C. Robertson

W.C. Robertson

This July 16. 1914.

H.B. Branch. Clerk.

We the undersigned Confederate soldiers state that we have known W.C. Robertson for many years, and believe what he has stated in the above affidavit to be true, and that his reputation among his neighbors and acquaintances for truth and veracity is good, and that he is intitled to the benefits of the Confederate Pension Law.

~~W. B. Beal served in the same Co with him for 8 years and knows the above to be true~~
~~W. J. Manning served in same Co with him two years and knows the above to be true~~
~~W. J. Beal served with him and knows he would not make a false statement~~

*R. B. Capelana
J. M. Mitterback
W. B. Branch*

*J. M. Winterfield
J. N. Williams
L. E. Albritton*

~~R. M. Blahely~~
~~Served in the same Company~~

P. L. Charleston

THOMAS W. PATTERSON
JUDGE CALLOWAY COUNTY COURT
MURRAY, KENTUCKY

Calloway County Court.

Wm. C. Robertson. Application for Pension.

This application having been filed and after laying over one month, and the applicant and witnesses being before the court and duly sworn, and the evidence being heard and the court fully adveised doth adjudge that the facts as set forth in this application seem to fully ~~verified~~, and the applicant and witnesses are men of good upright character and entitled to belief. All of which is respectfully reported.

This May 27th, 1912.

T. W. Patterson J.C.C.

OFFICE
CITIZENS BANK BUILDING
TELEPHONE 253

E. C. K. Robertson,
MASTER COMMISSIONER
CALLOWAY CIRCUIT COURT
MURRAY, KY

CIRCUIT COURT
APRIL TERM 2ND MONDAY
AUGUST TERM 1ST "
NOV. TERM 2ND "

The affiant W.C. Robertson states that after he was cut off from his command on the Hood raid, that the country south of him was full of Federal soldiers besides many bands of bush whackers were operating through the country and that some who belonged to his regiment started back , but could not get though and returned, and that he made diligent inquiry and kept up with the conditions , and that it was considered by every body to be extremely perilous to start back , and that this condition existed untill the close of the War..... *W.C. Robertson*.....

Subscribed and sworn to by W.C. Robertson this March 13. 1914.

Joe Lancaster
Clerk of the Calloway Circuit Court

By..... *E. C. K. Robertson* D.C.



OFFICE
CITIZENS BANK BUILDING
TELEPHONE 253

E. C. K. Robertson,

MASTER COMMISSIONER
CALLOWAY CIRCUIT COURT
MURRAY, KY

CIRCUIT COURT
APRIL TERM 2ND MONDAY
AUGUST TERM 1ST "
NOV. TERM 2ND "

The affiants J.E.Allbritton and W.R.Broach state that after W.C.Robertson and other Confederate soldiers were cut off from their command on the Hood raid , that the reason that it was dangerous to return to their command was because , the country south of them was held by Federal soldiers , and that Wilsons cavalry, and many bands of bush whackers were operating in west Tennessee and that those that started back never reach the command.....

J. E. Allbritton

W. R. Broach

Subscribed and sworn to by J.E.Allbritton and W.R.Broach this

March 13, 1914.....

J. E. Lancaster
Clerk of the Calloway Circuit Court

By *E. C. K. Robertson*..... D.C.



April 17, 1913.

~~Mr. William C. Robertson,~~
Murray, Kentucky.

Dear Sir:-

Upon examining the proof filed with your application for pension I find that you enlisted Aug.1, 1861, and on your company roll dated June 30, 1864, you were present with your company. Two witness swear that you were a good soldier. There is no other proof of service and none as to how or when you got out of the army.

Proof on these points necessary.

Get all the proof you can and forward to this office to be filed with your application before it is submitted to the Pension Board for its action.

Yours truly,

Examiner.

WJS-C

OFFICE
CITIZENS BANK BUILDING
TELEPHONE 253

E. C. K. Robertson,

MASTER COMMISSIONER
CALLOWAY CIRCUIT COURT
MURRAY, KY

CIRCUIT COURT
APRIL TERM 2ND MONDAY
AUGUST TERM 1ST "
NOV. TERM 2ND "

Sep. 6. 1913.

Hon. W.J. Stone

Frankfort, Ky.

Dear sir,

I am sending you proof that I was in the Confederate Army from
Aug. 1. 1861 to Dec, 1864, as to how I got out of the Army I refer
you to my application.

Respectfully *W.C. Robertson*

Murray, Ky.

The affiant W.J. Beale states that W.C. Robertson enlisted in the Con-
federate Army on ^{Aug.} 1. 1861 for three years and that he knows that
he served three years or longer

..... *W.J. Beale*

Subscribed and sworn to before me by W.J. Beale this Sep. 6. 1913.

Joe Lancaster

Clerk Calloway Circuit Court

By *E.C.K. Robertson* D.C. ..

Murray, Ky.

The affiants J.E.Allbritton and J.G.Churchill state that we were with W.C.Robertson in the Confederate Army in December 1864, and that they were with him on the Hood rade about the middle of the month , also that they were with him in the battle of Franklin , Tenn.

Signed.

J. E. Allbritton
J. G. Churchill

Subscribed and sworn to before me by J.E.Allbritton and J.G.Churchill this Sept. 6. 1913.

Joe Lancaster
Clerk of the Calloway Circuit Court
By *W. C. Robertson* D.C.

J. L. MARTIN & COMPANY,
CLOTHING AND SHOES

Murray, Ky., Dec - 10th 1913

Hon. W. J. Stone
Frankfort Ky.

Dear Sir:-

I am enclosing proof as to whether it was dangerous for me to have tried to returned back to the Army or not. If you think this is enough, please let me hear from you in regard to same.

Respt Yours
W. C. Robertson

Murray, Ky.

The affiants J.E.Allbritton and J.G.Churchill state that we were with W.C.Robertson in the Confederate Army in December 1864, and that they were with him on the Hood rade about the middle of the month , also that they were with him in the battle of Franklin , Tenn.

Signed.....

J. E. Allbritton
J. G. Churchill

Subscribed and sworn to before me by J.E.Allbritton and J.G.Churchill this Sept. 6. 1913.

Joe Lancaster
Clerk of the Calloway Circuit Court
By *W. C. Robertson* D.C.

J. L. MARTIN & COMPANY,
CLOTHING AND SHOES

Murray, Ky., Dec - 10th 1913

Hon. W. J. Stone
Frankfort Ky.

Dear Sir:-

I am enclosing proof as to whether it was dangerous for me to have tried to returned back to the Army or not. If you think this is enough, please let me hear from you in regard to same.

Respt yours
W. C. Robertson

The opponents, J. E. Albritton and W. M. Watterfield state that they were in the Army with the applicant, W. C. Robertson and also know it was unsafe for any soldier to travel around any where in West Kentucky or West Tennessee almost any time in 1865.

He also know about the time W. C. Robertson came home, we believe it would have been very dangerous for him to have tried to returned to the Army at any time after he came home.

Jas. E. Albritton
W. M. Watterfield

Subscribed and sworn to before me by
Jas. E. Albritton and W. M. Watterfield This 10.
Day of December 1913

R. H. Halwell, Clerk,
By N. H. Branch D.C.

OFFICE
CITIZENS BANK BUILDING
TELEPHONE 258

E. C. K. Robertson,

CIRCUIT COURT
APRIL TERM 2ND MONDAY
AUGUST TERM 1ST "
NOV. TERM 2ND "

MASTER COMMISSIONER
CALLOWAY CIRCUIT COURT

MURRAY, KY Jan. 26. 1914.

Hon. W.J. Stone

Frankfort, Ky.

Dear sir,

Find inclosed affidavits of R.M.Blakeley and J.E.Allbritton .

As before stated I joined the Confederate Army on the 1st. day of Aug. 1861 and served continuously untill the last of Dec. 1864 and when cut off on the Hood retreat from Nashville, Tenn. the conditions in this country were such that I could not get back to the command.

Respectfully *William C. Robertson*

OFFICE
CITIZENS BANK BUILDING
TELEPHONE 258

E. C. K. Robertson,

CIRCUIT COURT
APRIL TERM 2ND MONDAY
AUGUST TERM 1ST "
NOV. TERM 2ND "

MASTER COMMISSIONER
CALLOWAY CIRCUIT COURT
MURRAY, KY

The affiants Retherford M.Blakeley and J.E.Allbritton states that William C.Robertson was with us on the Hood raid in Dec. 1864 and that on the Hood retreat from Nashville, Tenn. was cut off from the command and we all considered it very dangerous to return to the Army.

Retherford M. Blakeley.....
Jas. E. Allbritton.....

Subscribed and sworn to before me by Retherford M.Blakeley and J.E.Allbritton this Jan. 26.1914. *Jas. Lancaster*.....
Clerk Calloway Circuit Court
By *E. C. K. Robertson* D.C.



May 16, 1914.

Rev. W. J. Beale,
Murray, Kentucky.

Dear Sir:-

In the matter of the application of W. C. Robertson, when he filed his application there was no proof of service after June 30, 1864, and none as to how he got out of the army. This information was given him on the 17th day of April, 1913. Since that some additional proof has been filed, but it does not bring him within the provisions of the pension law.

Very truly,

Commissioner.

WJS-C

September 7th, 1914.

J. N. Williams,

Murray, Kentucky.

My Dear Friend:-

I am in receipt of yours of the 1st relative to the application of W. C. Robertson. The war records show his service from the date of his enlistment- August 1, 1861- to June 30, 1864, and the only proof he furnished with his application when he filed it was that J. E. Allbritten and W. N. Beale testified that he was a good soldier. Later some additional affidavits have been filed which show his service to December, 1864.

Mr. Robertson states, and so does his witnesses, in this additional proof that in December, 1864, he was cut-off from his command somewhere near Nashville and had to come back into Calloway County, Kentucky, in order to get with his command, and that after he got back into Calloway County he made an effort to return to his command and came near being captured and then came back home and remained there. That is the sum and substance of the ~~proof on file, which seems to show that he was voluntarily absent~~ from his command without leave from December, 1864. It is claimed that Mr. Robertson enlisted for 3 years and had served more than three years when he left his command. You will remember that in October, 1862, the Confederate Congress passed an act doing away with any terms of enlistment and conscripting every man then in the Confederate army and all men within its jurisdiction between the ages of 18 and 45 years, so that there were no terms of enlistment after October, 1862, but all were in the army and subject to military duty as long as the war lasted.

I should be glad indeed if circumstances were different in Mr. Robertson's case. If all Confederate soldiers had remained away from service because there was danger, there would have been no Confederate army and no battles fought, and no men in prison. And if you can see a way for the problem to be worked out and bring him within the provisions of the pension law I shall be glad to see his name go on the roll.

Your friend,

Murray, Ky. Sept. 23. 1914.

I James Allbritton and P.G.Thornton of Murray Calloway County Ky.

state that we know of our own knowledge that W.C.Robertson would have risked his life in returning to his command from Jan: 1865 to the close of the war and that there would have been a greater probability of loosing ## his life than it would for him to have gotten through the lines of the Federals up and down the Hatchey River.

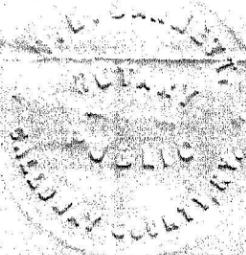
I James Allbritton further state that my company was detached and we were scouts between the two armys , keeping the Confederates posted as to the whereabouts of the Federals, and that we had a fight with them at Kings Bridge , and that the Federals had that river guarded from head to mouth, and that they had no respect for the life of a Confederate Soldier, and to my mind it was imposible for one to ### ## have gotten through the Federal lines.

James Allbritton

P G Thornton

Subscribed and sworn to before me by James Allbritton and
and P.G.Thornton this Sept 24 1914.

N B Bennett
Notary Public C C



Murray, Ky. Sep. 23. 1914.

I James Allbritton and P.G.Thornton of Murray Calleway County Ky.

state that we know of our own knowledge that W.C.Robertson would have risked his life in returning to his command from Jan: 1865 to the close of the war, and that there would have ^{been} a greater probability of loosing his life than than it would for him to have gotten through the lines of the Federals up and down the Hatchey River.

I James Allbritton further state that my company was detached and we were posted scouts between the Armies , keeping the Confederates as to the whereabouts of the Federals , and that we had a fight with them at Kings Bridge , and that the Federals had that river guarded from head to mouth , and that they had no respect for the life of a confederate soldier , and to my mind it would have been imposible for one man to have gotten through the Federal lines.

P. G. Thornton

James Allbritton

Subscribed and sworn to before me by James Allbritton and #####
P.G.Thornton this Sept. 24 1914.

N. B. Barnett
Notary Public C.C.



Murray Ky 9/25/14.
Hon W J Stans

Frankfort Ky

Dear Sir + Bro

I have enclosed an affidavit
of James Albritton and P. J. Thornton
in behalf of W. C. Robertson, if this
makes his proof complete, please let me
know at once, to my knowledge this
Man served 3 years the time he insisted
for, and made a good soldier, he was in
my company. I know where of I speak
he is a Gentleman of the first class
any thing that you can do for him
will be highly appreciated by me
Your true friend W. J. Beall

UNITED STATES POSTOFFICE

E. C. K. ROBERTSON, Postmaster.

B. E. LANGSTON, Assistant
EDGAR ROBERTSON, Clerk.

CARRIERS:

Route 1. J. F. Boyd
" 2. H. A. Redden
" 3. R. A. Starks
" 4. Poley Harris
" 5. J. R. Melugin
" 6. H. H. Graham
" 7. J. R. Smith.

MURRAY, KY. Jan. 15. 1915.

Judge A.J.G.Wells

Frankfort, Ky.

Dear sir and friend,

Have furnished all the proof it looks like that is necessary to get my pension, but for some cause it has not been allowed, and I make this appeal to you, to go over and take the proof up with Capt. Stone and go over it with him and see what is the matter and I believe that your knowledge of my having served three and a half years in the Confederate army,

~~and the fact that some who served side by side with me being among the first~~
to receive pensions that you will be able to get this through.

I wrote the Gov. some time ago but have heard nothing from him.

I know you are busy and have many things to think about, but if you or them ever do anything for me it will have to be done soon for I am getting old and need this help very bad.

Do this much for me and if ever a time comes that I can repay you may depend on me.

Your friend

W. C. Robertson



Kentucky State Reformatory

A. J. G. WELLS, WARDEN
Frankfort, Ky.

Jan. 16th., 1915.

Governor James B. McCreary,
Frankfort, Ky.

Dear Governor:

Inclosed, please find letter from our mutual friend,
W. C. Robertson, of Murray, Ky.

Mr. Robertson has lived a close neighbor to me all his life,
and is a very upright, deserving citizen, and served for 3½ years
in the Confederate Army.

He thinks that others from Calloway County, less worthy than
himself, have been granted pensions, and writes me this earnest
letter to see if I can do anything for him.

I know of my own personal knowledge that he has been your
life-time friend and supporter, and if it is possible, I hope
that he may be able to draw this pittance during his declining
years.

I write this letter to you with the hope that you may find
time to take a personal interest in his case.

A talk with Captain Stone indicates that there is some
trouble with the proof as to how he got out of the Army.
I am sure that he was not a deserter, and nobody makes any claim
to this effect, as I understand it, but, as you know, business
was carried on rather loosely in some cases in those times, and
the records are incomplete, and some times it is difficult to
make the proof to the letter on this point. I have talked to
Captain Stone about this case, and the trouble is about as I
have indicated.

I shall feel very proud, if you are willing to talk with
Captain Stone about it, and see if the difficulty can be overcome.

Thanking you for whatever interest you may find time to take
in this matter, I am

Most respectfully yours,

AJGW/Hey.

April 23rd, 1915.

Rev. W. J. Beale,

~~Frankfort, Kentucky.~~

Dear Sir:-

Replying to your inquiry for the status of the application of W. C. Robertson, I have again re-examined his application, with all the proof filed with it, and this proof all shows that he left the army not later than sometime in the month of December, 1864, and never returned to it, and the reason given is that it was not safe for a soldier to travel from his home back to his command, which does not seem to me under the law a valid reason for remaining away from his command, and therefore I cannot see that this proof brings him within the provisions of the law.

I am sorry this condition exists, but I see no way to remedy it.

Very truly,

~~Commissioner.~~

WJS-C



COMMONWEALTH OF KENTUCKY
EXECUTIVE DEPARTMENT
FRANKFORT

JAMES B. McCREARY
GOVERNOR

W. C. Robertson Private Soldier
Company ~~2~~ - 3rd Ky Infantry
in Appeal to Governor, Auditor
Secretary of State, as Board
After hearing Major Wells &
Dr Beale for W. C. Robertson
& Capt W. J. Stone Commissioner of Pensions
in opposition to granting the Pension
from Pension Board -
The Commission decided that the
Pension W. C. Robertson be granted
April, 28, 1915

James B. McCreary
Governor
C. H. Beel
Secretary

April 29, 1915.

W. C. Robertson enlisted August 1, 1861, in Company H, 3rd Kentucky Infantry, and there is record proof of service to June 30, 1864. When he filed his application the only proof of service he filed was that W. N. Beale and J. E. Allbritten stated that he was a good soldier and that they served together in the army.

This proof did not bring the applicant within the provisions of the pension law and he was ~~xx~~ notified of the fact and requested to furnish any further proof that he could as to how long he served and when and how he got out of the army.

He then filed an affidavit stating that he was separated from his command in December, 1864, and returned to his home and did not return to his command because it was dangerous to undertake to do so. He then filed a number of other affidavits, which prove the statements he made in this affidavit to be true. He further states in his affidavit that he had enlisted for three years and had served for more than the time for which he enlisted.

The affidavits which he filed proved that to be true. But from September, 1862, there were no terms of enlistment for Confederate soldiers. The Confederate Congress at that time passed an Act conscripting for the entire war, whatever its length might be, all the men who were then enlisted in the army. Consequently his term of service had not expired and could not have expired until peace was made.

The pension law provides that a man who deserted and did not return to the service cannot receive its benefits. Leaving ones command voluntarily and remaining away from it, without permission, has always been construed to be desertion, and in this case the fact is clearly proven that W. C. Robertson, after being

separated from his command, instead of making an effort to re-join his command, which was then moving South, he went one hundred miles or more in the opposite direction, to his home, and the reason assigned by himself for not returning to his command, and also by his witnesses, is that it "was dangerous for a Confederate soldier to travel through the country from his home back to his command". The fact remains that it could not be any more dangerous to travel back to his command than it was to travel through the same territory away from his command, and there is no provision in the law anywhere that a man shall be excused from remaining away from his command because of "danger", because armies are never enlisted and put into the field to be in a safe place, nor is there being danger in the discharge of ones duties accepted as a valid reason for not performing their duty in any army that was ever enlisted.

Therefore, this application, and the proof filed with it, does not bring the applicant within the law, and it was therefore rejected.

W. J. Stone

Commissioner.