

(ORIGINAL)

Soldier's Application for Pension

I, John Livingston

am a citizen of Kentucky, resident at Philpot

in the County of Davies

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" Eighth and Twelfth Kentucky Regiment

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 soldiers' 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 Davies County, Kentucky, 1842.

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

Answer About December, 1864 or January, 1865. General Forest's Command

Colonel Shacklette

Amos Taylor, Captain.

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

Answer X

Were you ever in prison? If so, state what prison and when released.

Answer Yes. I was captured on or about April 1st, 1865, near Selma, Alabama; held a prisoner in stockade about fourteen days.

Were you paroled? If so, when and where?

Answer Yes. I was paroled at Montgomery, Alabama, in 1865.

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

Answer Yes

If so, when and under what circumstances?

Answer At Nashville, Tennessee.

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

Answer I am not engaged in any business and do not earn anything.

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

Answer One acre of ground with small dwelling, valued at \$700.00 (From tax receipt)

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 My income is not over One Hundred Dollars a year.

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.

Have you an attorney to look after this application?

Answer No.

If so, give his name and address?

Answer X

Witness my hand this 20th day of November 1923.

WITNESSES: John L. Livingston, Physician P. O. Philpot, Ky.

Postoffice Address _____ Street and number (if any) _____
Bert Maddy, Witness R. F. D. (if any) _____

Postoffice Address Louisville, Ky
Mrs. Oscar Bond Witness

Postoffice Address Louisville Ky

STATE OF KENTUCKY
Harrison County } I, B. J. McFarland Judge of said County,

certify that John Livingston and his wife Jan Livingston
own 1 acres of land, valued at \$ 700, and with \$ 100 of personal property.

Witness my hand this 21 day of July, 1924
B. J. McFarland Judge County Court.

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

STATE OF KENTUCKY

Jefferson County }
Notary Public

Personally appeared before me Aline Suter

of said County, the above named John Livingston
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 20th day of November, 1923

My commission expires Nov. 15, 1924.

Aline Suter
Notary Public

STATE OF KENTUCKY

Darwin County }
Shelb

Personally appeared before me J. B. Sutherland

of said County, the above named Dr. R. E. Guffee

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 John Livingston

the applicant, and finds him laboring under the following disabilities: Unable to earn a support by manual labor.

Rheumatism and a weak spine joint

Witness my hand and seal of office this 21 day of July, 1924

J. B. Sutherland Co. Clerk

(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

Darwin County }
County Clerk

Personally appeared before me J. B. Sutherland

of said County, the above named W. G. Kimberlin

and John Watkins, 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 statements made in this application are correct and true, to the best of their knowledge and belief, and that they have no interest in

this claim, and that said applicant's habits are good and free from dishonor. And they further make oath to the following facts touching the applicant's service in the Confederate army.

State here what witnesses know of their own knowledge.

The applicant and each of us enlisted from Darwin County Kentucky, under Captain Amos Taylor and were taken to Paris, Tenn. then we went through Tennessee and Mississippi into Alabama. Each of us entered the Battle of ~~Shiloh~~ ^{Myrtle Grove} which was a running fight that lasted ~~three~~ ^{three} days. The applicant was with us for the first two days, then we became separated, we next met at the prison at Selma, and ^{was} discharged from prison together.

Witness my hand and seal of office, this 21st day of July, 1924

J. B. Sutherland County Clerk

No. 4310

STATE OF KENTUCKY

Soldier's Application for Pension

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 filled 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.

John Livingston
Filed July 23, 1924 Regt,
Co.

Filed September 17 & 1923
Richardson ...

Allowed

Read Specifications on Back.

SPECIFICATIONS

1. *Allowed July*
2. *23, 1924*
3. *J. A. Gandy*
4. *Comm.*
5.

..... Commissioner.

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

The State Journal Co., Frankfort, Ky.

CONFEDERATE PENSION DEPARTMENT

FRANKFORT, KENTUCKY

John Livingston

Enlisted as private in 12th Kentucky Cav. and surrendered April 13, 1865 at Washington, Ga. Took the oath of allegiance May 22, 1865, and allowed to return home. Proven by the records.

Indigent

L. T. George
Com.

ORD

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
WASHINGTON NOV. 17, 1923.

MEMORANDUM

The Examiner,
Confederate Pension Dep't,
Frankfort,
Ky.

The name JOHN LIVINGSTON has not been found on the rolls of Co. H. 8th or 12th Ky. Cav., CSA.

Prisoner of war records show, however, that a man named John Livingston, private 12th, (also known as 8th & 12th) Ky Cav. CSA. (Co. not stated), surrendered April 13, 1865 at Washington, Ga., took oath of allegiance at Nashville, Tenn. May 22, 1865 and allowed to return home.

Name also found as Livingston.

Robert C. Davis
The Adjutant General.

By *RS*

State of Kentucky.

Daviess County Court.

John Livingston,

On Finding of Facts and Evidence.

Application for Pension.

The undersigned Judge of the Daviess County Court reports that the above styled application for pension was filed on the ~~12th~~ day of ~~June~~, 1928, and before the regular term of said court, and was laid over until the regular July term of said court, at which time it came up for a hearing before the court, both the applicant and County Attorney being present and announcing ready.

The applicant testified for himself and introduced as witnesses, W. G. Kimberlin of Owensboro, Kentucky, and John Watkins, of Owensboro, Kentucky, all of whom were duly sworn by me before testifying.

The applicant testified that he was a resident of Daviess County, Kentucky, and had been a resident of the State of Kentucky all his life, and that his post-office address was Philpot, Kentucky; that he was soldier in the Confederate Army, having enlisted in Captain Amos Taylor's Company and in the command of Col. A. R. Shaklett in December 1864, and served in said command until the close of the war, when he was captured near Selma, Alabama, and later paroled at Montgomery Alabama, in 1865; that he has no business; that he owns an acre of land with a dwelling on it which is worth about \$700.00, and that he has personal property of the value of \$100.00; that on account of old age and physical disability he is unable to earn an income of more than \$50.00 per year; that his wife has no property eith real or personal, or any income.

The witnesses, W. G. Kimberlin and John Watkins, stated that they both and the applicant were members of Company H 8th Kentucky Cavalry, having enlisted about December 1864, and serving with said company until the close of the war, except while prisoners of war; that they had known the applicant during the war and corroborated his testimony as to applicants service and that they knew him since that time and that he was a resident of Daviess County Kentucky.

A 1923 State and County tax receipt was read showing the value of the property applicant owns to be assessed at \$700.00. The oath of allegiance dated the 22nd day of May 1865 at Nashville, Tenn. was read in evidence.

The Commonwealth introduced no witnesses.

After hearing the above statements of facts and evidence I recommend that the pension be granted.

B. J. McFarland
County Judge.

July 23, 1924.

Mr. John Livingston,
Philpot, Ky.

My dear Sir and old Comrade:-

Your application for pension just received also statement from the War Department at Washington City, which statement shows you to have a splendid record as a Confederate Soldier and it is with pleasure that I place your name on the Confederate Pension rolls of Kentucky and I congratulate your County Judge and County Clerk for the splendid manner in which they prepared your application.

Your old friend and comrade,

J. F. George

Commissioner.

April, 20, 1931-

Mr. J. R. Fuqua,
Owensboro, Ky,

My dear Sir:

We have been informed that you are the administrator of the estate of John Livingston, deceased. It will be necessary for you to send us the date of his death, so we will know the amount due his estate, I inclose information as to what must be done to collect this amount.

Very Truly,

Comma.

Owensboro, Kentucky,
March 19, 1932.

Mr. B. F. Day, Commissioner of Pensions,
Frankfort, Kentucky.

Dear Sir:

I am sending you herewith certified copy of the order of the Daviess County Court, showing that J. R. Fuqua, Owensboro, Kentucky, is Administrator of the Estate of John Levingston, deceased. Mr. Levingston died April 2, 1932, and Mr. Fuqua thinks there is some unpaid pension due him.

The widow of John Levingston, Mrs. Lou Levingston died in August, 1931. She was totally dependent on her husband from the date of his death to her death in August. Mr. Fuqua is also her administrator. Is there not also some pension due her estate, for about four months.

Please let me hear from you. I am

Yours very truly,

W. F. Burkhead

TFB:MD
1 enc.

March, 21, 1932-

T. F. Birkhead,
Owensboro, Ky.

Dear Sir:

Your letter of March 19th received. There is due
the estate of John Livingston ^{41.35}~~\$21.35~~ being accrued pension
from February 1st, to April, 2nd, 1931, and I inclose a
voucher for that amount which the Administrator may fill out
and return to this office, and it will be paid the next
quarter, which is May, 15th. There is nothing due the
widow's estate, for the reason, she never filed application
for pension,

Very Truly,

Comm.