Soldier's Application for Pension

I, John Allen

am a citizen of Kentucky, resident at Hollis in the County of Magoffin 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 Co. A. 10th Ky. Cavalry

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 family. 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 Born in Breathitt Co. Ky. Feby. 4th 1844

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

Answer I enlisted I think in Nov. 1862 under captain George Diamond Jack May was Colonel

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

Answer I surrendered at Mt. Sterling Ky at the close of the war in 1865

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 I took it in Mt. Sterling Ky. I think in apl 1865 when we surrendered

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

Answer I try to Farm a little but I cant do hardly anything

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

Answer I have nothing

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

Answer She has nothing

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 $25.00 or $30.00

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 68 70 years

Have you an attorney to look after this application?

Answer yes

If so, give his name and address?

Answer B. W. Huggins of Salyersville Magoffin Co. Ky.

Witness my hand this 12th *day of* April 1917.

his
John + Allen
mark

WITNESSES:

M. C. Kash, *Physician* — P. O. Hollis Magoffin Co. Ky.

Postoffice Address Salyersville Ky. — *Street and No. (if any)*

W. L. Arnett, *Witness* — *R. F. D. (if any)*

Postoffice Address Hendricks Ky.

Jeff Couch, *Witness*

Postoffice Address Nitty Magoffin Co. Ky.

STATE OF KENTUCKY

Magoffin County } I, R. C. Salyer, *Judge of said County, certify that* John Allen *and his wife* ..... *are assessed with* 0.0 *acres, valued at* $0.0, *and with* $0.0 *of personal property.*

Witness my hand this 27 *day of* May, 1917.

R. C. Salyer *Judge County Court.*

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

STATE OF KENTUCKY

Magoffin County } Personally appeared before me

a Notary Public of said County, the above named John Allen 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 12th day of April, 1917.

B.W. Higgins N.P.M.C.

STATE OF KENTUCKY

Magoffin County } Personally appeared before me

a Notary Public of said County, the above named M.C. Kash M.D. 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 Allen the applicant, and find him laboring under the following disabilities: Unable to earn a support by manual labor.

Disease of heart, kidneys, and defect of right foot and leg with ankylosis and fractured joint

Witness my hand and seal of office, this 13th day of Apl., 1917.

B.W. Higgins N.P.M.C.

(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

Magoffin County } Personally appeared before me

a Notary Public of said County, the above named H.G. Arnett and Jeff Couch, 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 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.

Witness my hand and seal of office, this 13th day of Apl., 1917.

B.W. Higgins N.P.M.C.

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.

No. 4291

STATE OF KENTUCKY

Soldier's Application for Pension

John Allen

Co. A. 10th Ky. Cav. Rgt.

JUN 7 - 1912

Filed April 22nd, 1912.
F. C. Lacy Cin. C.C.

Allowed April 20, 1924.

J. F. George, Com.

Read Specifications on Back.

SPECIFICATIONS

1. .....
2. .....
3. .....
4. .....
5. .....

.....

J. F. George Commissioner.

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

KENTUCKY STATE JOURNAL PUBLISHING CO., FRANKFORT, KY.

John Allen

John Allen on June 29 of Staffordshire Co

CONFEDERATE PENSION DEPARTMENT

FRANKFORT, KENTUCKY

John Allen.

Enlisted March, 10, 1863
Co, D. 10th, Ky, Calv,
captured July 7th, 1863, took
the oath of allegiance in
February, 1865, claiming to
have been loyal, enlisted
through false representation
desired to take the oath
and become a loyal citizen.

Proven by the records.

W. J. S.

CONFEDERATE PENSION DEPARTMENT

FRANKFORT, KENTUCKY

John Allen.

Enlisted March the 10th,
1863 in Company "D" 10th,
Ky Cav. Captured July the
7th, 1863. Affidavits filed
on April the 26th, 1924
complete his proof.

Indigent.

L. T. Grange
Comr

ADJUTANT GENERAL'S OFFICE
RECEIVED
JUN 22 1912
1926473
WAR DEPARTMENT

☞Address: "The Adj[illegible]eneral,
Wi[illegible]rtment, Washington, D. C"

1926473

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, June 21, 1912.

Respectfully returned to the

Examiner,
Confederate Pension Department,
Frankfort, Kentucky.

The records show that John Allen, private, Captain Geo. R. Diamond's Company, May's Battalion Kentucky Mounted Rifles, afterwards Company D, 10th (Diamond's) Kentucky Cavalry, Confederate States Army, enlisted March 10, 1863.

The records of prisoners of war show that he was captured July 7, 1863, in Wise County, Virginia, and was confined at Camp Douglas, Illinois. Those records also show that he applied for oath of allegiance in February, 1865, claiming "to have been loyal; enlisted through false representation; desires to take oath and become a loyal citizen." No later record of him has been found.

Henry P. McCain
Adjutant General.

(A.G.O.72-1) *Per* D

No. ..... S .....

HEADQUARTERS

Confederate Pension Department

W. J. STONE, EXAMINER

FRANKFORT, KY.

June 18-14.

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

Dear Sir:

John Allen

who is an applicant for Pension under the Kentucky Pension law, claims to have been a member of Company D-10 Ky

Regiment Cav. *C. S. A., and to have been*

Capt Geo. I. Diamond

Col. A. J. May-

Please give me the record of this soldier.

Respectfully,

W. J. Stone

Examiner.

Ad... GENERAL'S OFFICE
JUN 15 1924566 1912
WAR DEPARTMENT.

☞Address: "The Adj... ral.
W... ent, Washington, D. C"

1924566

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON, June 15, 1912.

Respectfully returned to the

Examiner,
Confederate Pension Department,
Frankfort, Kentucky.

The name John Allen has not been found on the rolls, on file in this Department, of Company A, 10th Kentucky Cavalry, Confederate States Army, nor has any record been found of the capture or parole of a man of that name and organization.

Adjutant General.

E

No. ....S....

HEADQUARTERS

Confederate Pension Department

W. J. STONE, EXAMINER

FRANKFORT, KY,

June 13th, 1912

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

Dear Sir:

John Allen,

who is an applicant for Pension under the Kentucky Pension law, claims to have been a member of Company "A" - 10th Ky.

Regiment Cav. *C. S. A., and to have been*

Please give me the record of this soldier.

Respectfully,

W. J. Stone

Examiner.

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

WASHINGTON. July 28, 1915.

Respectfully returned to the

Examiner,
Confederate Pension Department,
Frankfort, Kentucky.

No record of service of a man named John Allen as a member of Company D, 10th (Diamond's) Kentucky Cavalry, Confederate States Army, has been found, other than that of the man of that name mentioned in statement of this office dated June 21, 1912.

It appears that in the regiment mentioned there was another John Allen who served in Company H. The records show this man to have enlisted May 15, 1863, at Buchanan, Virginia, and on the only company roll on file, dated July 23, 1863, he was reported present. No later record of him has been found.

H. P. McCain

The Adjutant General.

Form No. 74—A. G. O.
Ed. Mar. 17-15—75,000.

Received A.G.O. JUL 28 1915

No. ..... W .....

HEADQUARTERS

Confederate Pension Department

W. J. STONE, EXAMINER

FRANKFORT, KY.

July 23rd 1915

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

Dear Sir:

Mrs. .....

who is an applicant for pension under the Kentucky Widows' Pension Law, claims that her husband John Allen *was a member of Company* "D" *Regiment* 10th Ky. Cavalry *C. S. A., and was* (Diamond's)

On June 21,1912, in reply to a similar request you gave me the record of John Allen showing that he enlisted Mch.10,1863, and was captured July 7, 1863, and took the oath of allegiance at Camp Douglass, Ills. in Feb'y.1865, claiming to have been loyal and desiring to take the oath and become a loyal citizen. It is now claimed that there were two John Allens belonging to that company and regiment, and that the one who was is applying for a pension is not the John Allen whose record was shown as given above.

I would thank you to inform me whether the records show that there was another John Allen with this same company and regiment.

Please give me the record of this soldier.

Respectfully,

W. J. Stone

Examiner.

SPECIAL NOTICE.—The civil officer before whom this affidavit is executed should be careful to fill in all spaces, both in the caption and jurat.

GENERAL AFFIDAVIT

STATE OF Kentucky, County of Montgomery, ss.

In the matter of... John Allens Claim for Pension

ON THIS... 13th ...day of... May..., A. D. 1912, personally appeared before me ...in and for the aforesaid County, duly authorized to administer oaths. B. F. Day ...aged 66 ...years, a resident of Mt. Sterling in the County of Montgomery, and State of Kentucky whose Post-office address is Mt. Sterling Ky. #41 Clay Street well known to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case as follows: I was a member of Co B 10th Ky Cavalry in the Confederate State army from about the 20th day of January 1863 until the Surrender in 1865, I was Captured at Cynthiana Ky June 13th 1864 and was not back with my Command until about the 1st of April 1865, Just before the Surrender

(NOTE.—Affiants should state how they gain a knowledge of the facts to which they testify.)

The Claimant John Allen was a Member of our regiment he belonged to Co D 10th Ky Cavalry his first Captain was Geo R Diamond, Second Captain James Donalson, Lieutenants Jas Donalson & David A Powell John H Williamson & James W McFaul The Col was A J May & Edward Trimble, The Lieut Col was Geo R Diamond, the Majors was Wm R Lee & Wm Cox, I know he served Continuous from 20th Jan 1863 until June 13th 1864, I was then Captured and so Most of them until the Command of the Regiment Surrendred at Mt Sterling the last of April 1865 — he was with it and Surrendred with it.

he ...further declares that... he ...no interest in said case and... is ...not concerned in its prosecution.

...

...
(If Affiants sign by mark two witnesses who can write sign here.)

...B. F. Day...
(Signature of Affiant.)

STATE OF Kentucky, COUNTY OF Montgomery, ss:

Sworn to and subscribed before me this day by the above named affiant, and I certify that I read said affidavit to said affiant, including the words ——— erased, and the words Not of Law added, and acquainted him with its contents before he executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me and that he is a credible person.

Witness my hand and seal this 13th day of May 1912

[L. S.]

R. L. Biggstaff
(Official Signature.)

Notary Public Montgomery County Ky
My Commission expires Feb 8th 1914
(Official Character.)

☞ To be executed before a Court of Record or some officer thereof having custody of its seal, a Notary Public, or Justice of the Peace, whose official signature shall be verified by his official seal, and in case he has none, his signature and official character shall be certified by a Clerk of a Court of Record, or a City or County Clerk, unless such certificate is already on file in the Pension Office, when such fact should be stated.

Geo Allen

..... Division

..... Pension

No.....

ADDITIONAL EVIDENCE

CLAIM OF

John Allen

.....

.....

AFFIDAVIT OF

W F Day

.....

.....

.....

FILED BY

Printed and for sale by Wilkens, 11th and E Sts. N.W.
Washington, D. C.

B. F. DAY
ATTORNEY-AT-LAW
MT. STERLING, KY.

May 13th 1912

John Allen

Dear Sir—

I hand you my affidavit touching your service in the Rebel army, as I now remember it, you know I was captured at Cynthiana and did not see you again until a few days before the surrender, I notice at the foot of your letter you say "Co A 10th Ky Cav" The records show that you & Granville belongs to Diamond Co D 10th Ky Cavalry and that the officers were as stated in my affidavit, I have a copy of the Roster of the Regt before me on the back of this sheet I give you a list of each Co and the Captains You was possibly transfered either to Harris Co or Swango Co— Yours Truly B F Day

10th Reg C S C & A —

Col A J May resigned Aug 21 1864 —
" Edward Smith Killed at Saltville in Nov 1864

Lt Co. Geo R Diamond
W W Cox wounded at Saltville

Majors — G R Diamond
W W Cox
Wm R Lee Resigned Oct 3d 1863 —

Adjutant J W Kendall —

Co A. Capt. E Smith & A J Harris
Co B. " W W Cox & A R Colvin
Co C " Anderson Moore & Wm Ratliff —
Co D " ~~Geo R Diamond~~ ~~David Evans~~ & James Houston
Co E " David Evans & W F Hargis
Co F " Aquila Gipson
Co G " A J Gipson & Marshall Ratliff —
Co H " Hiram Justice & Harrison Fulton
Co I " John D Ratliff & John D Stillman
Co K " E J H Harmon
Co L " B J Beal
Co M "

State of Ky. Mayoffice County Court
Mayoffice County } May 27th 1912

The officiat John Allen States that he has nothing that he has lived in the thes Stats all his life & he knows thes are facts as I have personal knowledge of the same and I recommend this to be a Meritorious Claim

R L Sawyer Jpm CC

February 22nd, 1934.

John Allen, Esq.

Fendricks, Kentucky.

Dear Sir:-

I am in receipt of yours of the 21st. I have examined the proof filed with your application and I find that the war records show that you enlisted March 10, 1865, in Captain George E. Diamond's company (afterwards known as Company D, 20th Kentucky Cavalry). The war records show that you were captured July 7, 1863, in Wise County, Virginia, and were in prison at Camp Douglass, Ills. and the records also show that you applied to be allowed to take the oath of allegiance to the U. S. Government in February, 1865, "claiming to have been loyal, enlisted through false representation, desiring to take the oath and become a loyal citizen". Taking the oath of allegiance to the U. S. Government by a Confederate soldier before the close of the war or before being honorably discharged renders it impossible for the Pension Board to grant a pension on his military record.

Very truly,

Examiner.

WJS-O

STATE OF KENTUCKY
ADJUTANT GENERAL'S OFFICE
FRANKFORT

CONFEDERATE PENSION DEPARTMENT
W. J. STONE, EXAMINER

January 23rd, 1914.

John Allen, Esq.
Hendricks, Kentucky.

Dear Sir:-

I am in receipt of yours of the 21st. I have examined the proof filed with your application and I find that the war records show that you enlisted March 10, 1863, in Captain George R. Diamond's company (afterwards known as Company D, 10th Kentucky Cavalry). The war records show that you was captured July 7, 1863, in Wise County, Virginia, and was in prison at Camp Douglass, Ills. and the records also show that you applied to be allowed to take the oath of allegiance to the U. S. Government in February, 1865, "claiming to have been loyal, enlisted through false misrepresentation, desiring to take the oath and become a loyal citizen". Taking the oath of allegiance to the U. S. Government by a Confederate soldier before the close of the war or before being honorably discharged renders it impossible for the Pension Board to grant a pension on his military record.

Very truly,

W. J. Stone
Examiner.

WJS-C

State of Kentucky }
Magoffin County }

The affiant John Allen states that he was first in Capt. Hawkins Company and was disbanded at Hazelgreen Ky. about Oct. 1862 and then reenlisted in Nov. or Dec. 1862 in Capt. George Diamond & I think it was Co. A. 10th Ky. Cavalry & surrendered at Mt. Sterling Ky. with my Co. and Regiment at the close of the war in 1865 I never was captured in my life I never was sent to prison. I never was in Camp Douglass Ill. I never was in the state of Ill. in my life. When my Co. and Regiment surrendered at Mt. Sterling at the close of the war in 1865 We all took the oath they said it was the oath of Allegiance.

B. F. Days affidavit is on file with my application. Att. Payne Patrick

his
John X Allen
mark

Virgil Patrick

Sworn to before me by John Allen this 3rd Day Feby 1914.

B. W. Higgins N. P. M. C.

my Commission Expires Mch 7th 1916

Hendricks Magoffin Co Ky.
Feby 3rd 1914

Dear Charley; —
find enclosed
my affidavit in support of my Pension
Claim please go to Capt Stone and File
it with my Application which is on File
in the Confederate Pension office Charley
there seems to be a little hitch in my
Claim I am very much surprised as
I Know I fought through the war in
the Rebel Army and all I want is justice
you Know my Condition I am not able
to travel and spend money in getting proof
but I am entitled to my Pension if I
can get Justice so find out if anything
else is wanted and let me Know at
once what it is and I will get more
proof if I can.

your Friend
John Allen

Charley do this as you Know
that John Allen is old and worn out and
needs help and I am as well satisfied that
he is telling the truth as I am a living man
see what you can do and wright John at
once. Green Berry Swango lives at Mt. Sterling
he Knows all about Johns Soldierhood as does B. F. Day
they both fought through the war with John

You dont Know how sorry I am for poor old John for God sake try and do something for him.
I hope you are getting along all O.K.
I am very Respectfully your friend
Branch W. Higgins
Let me hear from you.

February 6th, 1914.

John Allen, Esq.,
Hendricks, Kentucky.

Dear Sir:-

I am in receipt of yours of the 2nd and note carefully what you say. In my former letter I gave you what the war records show as to the enlistment and service of John Allen of Company D, 10th Kentucky Cavalry, commanded by Col. A. J. May. In your application you stated that you belonged to Company A, and the reply of the War Department to my inquiry for the record of John Allen, Company A, 10th Kentucky Cavalry, the reply I received was that the name John Allen had not been found on the roll of Company A, 10th Kentucky Cav.

I then made inquiry for the record of John Allen of Company D, 10th Kentucky Cav., having noticed that Judge D. F. Day stated in his letter to you that you belonged to Company D, and not to Company A, and the reply of the War Dept. to my inquiry for the record of John Allen of Company D, was as stated to you in my letter of the 23rd of January last.

If you were not that John Allen, it will be necessary for you to produce proof that you was not the John Allen referred to in the records of the War Dept. Judge Day testifies to your service to June 10, 1864, and says he saw you at Mt. Sterling when the remnant of the command surrendered there, but ofcourse knows nothing of you after his capture, except that he saw you at Mt. Sterling.

Very truly,

Examiner.

WJS-C

April 27th, 1914.

John Allen,
Hollis, Kentucky.

Dear Sir:-

I have only just now found it possible to reach your application for re-examination since the additional proof was filed, and I have carefully examined it. In view of the fact that the war records show that there was a John Allen who took the oath of allegiance to the United States Government in Feb'y. 1865, claiming to have been loyal and enlisted through false representation and desiring to take the oath an become a loyal citizen, and who belonged to Company D, Diamond's 10th Kentucky Cavalry, and there being nothing in the additional proof filed to show that you were not that John Allen, it is necessary that you furnish atleast one affidavit in addition to that of B. F. Day's, which is now on file. I see in a letter written to me that it is stated that Greenberry Ewango, of Mt. Sterling, knows all about your service, and if that is true it would be well for you to get his affidavit, and any others that you can in support of your application.

Very truly,

Commissioner.

SPECIAL NOTICE.—The civil officer before whom this affidavit is executed should be careful to fill in all spaces both in the caption and jurat.

GENERAL AFFIDAVIT

—o—

STATE OF Kentucky ..... County of Wolfe ..... ss

In the matter of Pension Claim of John Allen,

.....

ON THIS 1 day of Aug A. D. 1914 personally appeared before me A Notary Public in and for the aforesaid County, duly authorized to administer oaths S. T. Allen aged 66 years, a resident of Campton Ky in the County of Wolfe and State of Kentucky whose Post-office address is Campton, Ky well known to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case as follows: I am acquainted with John Allen. He served in the Confederate army. he

(NOTE.—Affiants should state how they gain a knowledge of the facts to which they testify.)

Enlisted in the Confederate army in 1862, Captain Dixon's Company D + Colonel Jack Maynard Colonel + he served from then till the close of the war, in 1865, I saw him last in the army in Tazewell County Va. about January 10th 1865. + they were then starting to Ky.

he further declares that he has no interest in said case and is not concerned in its prosecution

S. T. Allen

Signature of Affiants.

(If Affiants sign by mark two witnesses who can write sign here.)

STATE OF Kentucky COUNTY OF Wayne ss

Sworn to and subscribed before me this day by the above named affiant, and I certify that I read said affidavit to said affiant, including the words ~~.....~~ D ~~.....~~ erased, and the words ~~.....~~ added, and acquainted him with its contents before he executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution; and that said affiant, is personally known to me and that he is a creditable person.

My Com Expires Feby 26th 1916. [L.S.]

J. C. Linden
(Official Signature)

Notary Public
(Official Character)

☞ To be executed before a Court of Record or some officer thereof having custody of its seal, a Notary-Public or Justice of the Peace, whose official signature shall be verified by his official seal, and in case he has none, his signature and official character shall be certified by a Clerk of a Court of Record, or a City or County Clerk, unless such certificate is already on file in the Pension Office, when such fact should be stated.

Division .....
Pension .....
No .....

ADDITIONAL EVIDENCE

CLAIM OF

Read AUG 1 1914

AFFIDAVIT OF

FILED BY

John Allen,
Hendricks, Ky.

Hendricks,
Kentucky,
August, 7-
Nineteen-
Fourteen.

Hon. W.J. Smith,

Pension Commissioner,

Frankfort, Ky.

Dear Sir:-

After a long time have been able to secure the enclosed Affidavit, which I trust will be sufficient to establish my claim for Pension.

I am now very feeble, and unable to perform any manual labor whatever, and not able financially to buy one. Postage 5¢ enc, hope you can allow my pension soon.

If there should be anything else needed, please advise me at once.

Very truly your old friend,

John Allen,

August 25th, 1914.

John Allen,

Hendricks, Kentucky.

Dear Sir:-

I am in receipt of yours of recent date enclosing the affidavit of S. F. Allen. He states in his application that you joined the army in 1862 and served till the close of the war, but further says that the last time he saw you in the army was about January 10, 1865, so ofcourse he cannot know that you served till the close of the war.

I have carefully re-examined the affidavit of B. F. Day, and find that he states that he was captured June 13,1864, and saw nothing more of you except that you was at Mt. Sterling when the regiment surrendered in April, 1865. In view of what the war records show as to the record of John Allen of Co. D, 10th Kentucky Cavalry, and the fact that B. F. Day knows nothing of him since the date of his capture until he saw you at Mt. Sterling on the day the regiment surrendered, and also the fact that S. F. Allen is extremely indefinite in his statements, and there being nothing in his affidavit to show how he knew the things that he stated to be true, it leaves the proof in your case incomplete to the extent

that you should furnish proof showing your service from the 13th of June, 1864, till the close of the war.

Very truly,

Commissioner.

WJS-C

November 30th, 1914.

Lark Arnett,

Hendricks, Ky.

Dear Sir:-

I am in receipt of yours of November 28th relative to the application of John Allen, and I note carefully what you say, and assure you that nothing would prevent me promptly allowing him a pension, but there is such conflict in the testimony filed that it would be impossible for him to be allowed a pension while this conflict exists.

The war records show that John Allen was a member of Captain Diamond's Company of May's Battalion, Kentucky Mounted Rifles, which company afterwards became Company D, 10th Kentucky Cavalry, and he states in his application that he was a member of this same company and regiment and that he surrendered at Mt. Sterling at the close of the war. The war records further show that he was captured July 7,1863, and was confined at Camp Douglass, Ills., and that in February, 1865, he asked to be allowed to take the oath of allegiance to the U.S.Government, and did take it, claiming to have been loyal, enlisted through false representation, desires to take the oath and become a loyal citizen. When he was informed of what the records show he then makes an affidavit, dated February 3, 1914, in which he says that he never was captured, never was in prison, and never was in Camp Douglass, Ills. Weight is bound to be given to what the record shows, because it was made at the time that these things occurred. B. F. Day testifies that he served with John Allen until he (Day) was captured and that he saw no more of him until the day Col. Giltner's forces surrendered at Mt. Sterling, Ky. about May 1,1865. Now, it was possible for the war records to be correct and John Allen still have been at Mt. Sterling on that day without ever having re-enlisted or returned to the service after he left prison. If John Allen is correct, and he was not captured, there was beyond question another John Allen in the same company and regiment enlisted on the same date, but there is nothing in the war records, and no proof on file with this appli-

cation to show that there was any more than one John Allen in Diamond's Company of the 10th Kentucky Cavalry.

Without other proof than is now on file, to show that John Allen is correct in his statements, itwill be impossible for a pension to be allowed him under the law.

Very truly,

Commissioner.

WJS-C

State of Kentucky
County of Morgan 88

The affiant Wilson T Banks states that he is well acquainted with John Allen applicant for pension that he knew him in the any and states that he positively knows that this John Allen was captured at Gladeville Va at any time or place unless it was after the month of July 1864

He states further that this applicant John Allen has a record of John Allen who belonged to the 10th Kty Infanty commanded by Col Ben Caudill and that that John Allen was captured at Gladeville Va and came ahead of the prisoners and was killed in Estill County this affiant being near him when he was killed

W J COMBS

The affiant W T Banks states that the statements of the foregoing affidavit are true

W J COMBS

Subscribed and sworn to by W T Banks before me this 16th day of July 1915.

Ben F Kinkell Clerk
By J W Perry D.C.

State of Kentucky
County of Morgan

The affiant John Allen states that on
the day of 19 he filed his application
for pension as a Confederate soldier
under the laws of Kentucky
That in that application he stated as he
now states that he was a member of Co
D 6th Ky Cavalry that on the 10th Kentucky
Cavalry Commanded first by Col Ab May
afterwards by Col Ed Trimble whom was
killed in the battle of Saltville Va in
Oct 1864 This affiant being sworn first the
time he was killed
This affiant states that it is claimed
that he was captured at Gladeville Va
in June 1862 or 1863. but this affiant says
it is not true that he was captured
there the war at any other time or place
during the war. and says he was never
in the hands of the Yankees until he
surrendered to them about the last day
of April or the first day of May 1865 at
the time this affiant was
mustered out at the close of the war
This affiant further states that he had
an uncle John Allen who belonged to
the 10th Ky Infantry commanded by Col

Ben Caudill and that his said uncle
John Allen was often at Gladeville
Va in June as this affiant believes 1863
Family 1881 - answers as to Edwards Killen
and affiant supposes that his name
and that of his uncle have gotten
confused with each other as also the
fact of his said uncles Costume
He repeats that he was never at Gladeville Va at any time
Witness
J W Berry.

His
John X Allen
mark

The affiant John Allen says the state-
ments of the foregoing affidavit are true
Witness J W Berry

His
John X Allen
mark

Subscribed and sworn to by John Allen
before me this 16th day of July 1915.
J W Berry Deputy for
Ben F Kickliter Clerk
of the Hardeman Co Court

Affidavit of
J. Caudill
Claim of
John Allen

August 12th, 1915.

Judge B. F. Day,

Mt. Sterling, Ky.

Dear Sir:-

There is an application on file here for pension for one John Allen, and after a great deal of investigation I find the testimony so confusing that I have decided to write you and possibly you might be able to give me more information than is contained in your affidavit filed with this case.

When he filed his application he stated that he thought he enlisted in November, 1862, under Captain George Diamond and Col. Jack May, and that he surrendered at Mt. Sterling at the close of the war in 1865, and when his application reached here I at once wrote the War Dept. for a copy of any record of him that might be on file there, and I was informed that the records show that John Allen enlisted March 10,1863, in Captain George R. Diamond's Company, Mays' Battalion, Kentucky Mounted Rifles, which afterwards became Company D, of Diamond's 10th Kentucky Cavalry, and that he was captured July 7,1863, in Wise County, Virginia, and confined at Camp Douglass, and that in February, 1865, he applied to be allowed to take the oath of allegiance to the U.S.Government, claiming to have been loyal, and to have been enlisted through false representation and desiring to take the oath and become a loyal citizen, and that no later record of him had been found."

And this record would make it impossible for him to be allowed a pension under the law, and when he was given this information he filed an affidavit stating that he never was captured and that he never was in prison and never took the oath of allegiance to the U.S.Government until the surrender at Mt.Sterling, and also stated in that affidavit that there was another John Allen, an Uncle of his, who belonged to the same company and regiment who was captured at Gladeville, Virginia, sometime in 1863, and that after the war he was killed in Kentucky.

On receiving this information I immediately wrote the war department for a copy of the record of the other John Allen, if the record shows that there was another John Allen who is a member of that same company and regiment, and I was informed that there was only one John Allen shown to have been a member of Company D, Diamond's 10th Kentucky Cavalry, but that there was a John Allen

who belonged to Company H of that regiment, who enlisted May 15th, 1863, and was present with his company July 23,1863, and that no later record of him had been found".

Now, as shown above, the John Allen who belonged to Company B, which was Diamond's Company at that time of the 10th Kentucky Cavalry, was captured July 7th, 1863, while the John Allen who belonged to Company H was present with his company July 23, 1863.

So that he could not have been the man who was captured July 7th.

Now I notice in your affidavit that you say that the John Allen whom you knew from about the 20th day of January, 1863, was present with his company June 13,1864, at Cynthiana, the day on which you was captured, and that you say"no more of him until the day on which you and Giltner's command was surrendered at Mt. Sterling, Ky.".

The above shows the proof filed with this application, which you will see is confusing, and I am writing you thus fully to see if you have any information that will enable me to get it straightened out.

If the man who is applying for a pension is the man whom you knew in the army, and you are certain that he was with the command up till the time you were captured, and then you are certain he is the man who was at Mt. Sterling the day of the surrender at that Point, then the proof required in his case would be to show that he was in the service continually until the surrender, and that is necessary on account of what is shown by the war records, because it was possible for a man to have been captured and to have taken the oath of allegiance to the U.S.Government in Feb'y.1865, and to have gone home and remained there and to have simply come down to Mt. Sterling on the day of the surrender.

There is in the office of the Records Division here a list of the names of the men who were surrendered at Mt. Sterling on May 1st and 2nd, 1865, and John Allen's name is not on that roll.

Ofcourse I am glad to do anything I can to get every soldier's record correct, and this is why I have continually followed up this case.

Very truly,

Commi

August 19th, 1915.

B. G. Salyer,
Golden, Missouri.

Dear Sir:-

One John Allen, of Hollis,(Magoffin Co), Ky., who claims to have been a member of Company A of the 10th Kentucky Cavalry, has applied for a pension, and on inquiry to the War Department for any record of him that might be on file there I was informed that the records did not show the name John Allen on Company A of the 10th Kentucky Cavalry, which regiment later became the 13th Kentucky Cavalry, but there was a John Allen who belonged to Captain Diamond's Company D of the 10th Kentucky Infantry, which later became the 13th Kentucky Cavalry, and that he ~~xxxxxxxxxxxxxx~~ captured July 7, 1863, and took the oath of allegiance to the U.S.Government in February, 1865, at Camp Douglass, Ills., claiming to have been loyal, enlisted through false rppresentation, and desired to take the oath and become a loyal citizen.

When this information was given him, and he was told that he could not be allowed a pension with that record, he at once claimed that he never was captured, that he never was in prison, and never was in the State of Illinois, but served continuously from the very time he enlisted until the close of the war, and was surrendered and paroled at Mt. Sterling, Ky. about the 1st of May, 1865.

In following up and investigating this matter I have been informed by Judge B. F. Day at Mt. Sterling, Ky. that there were three Allens that belonged to Company D of that regiment, one of whom was a John Allen, and that there was a John Allen in Company H of that regiment, and I have been unable to determine from the proof on file whether the John Allen who is applying for a pension is the same one who took the oath of allegiance at Camp Douglass or not, but it looks as if he is, because he claims to belong to Company B in a later communication, and the records ~~xxxx~~ show that it was the John Allen of Company D who took the oath.

In a letter just received from Judge Day he referred me to you, saying that you might be able to give me some information that would help me to get this matter straightened out, and I will thank you for any information you can give me.

Very truly,

WE TAKE CARE OF OUR CUSTOMERS

CHARTERED JANUARY 11, 1887

BARRY COUNTY BANK

CAPITAL AND SURPLUS $42,000.

CASSVILLE, MO.,

Sept. 13, 1915.

Mr. W. J. Stone, Commissioner,

Frankfort, Ky.

Dear sir:-

Your letter of 19th, of Aug. addressed to me at Golden, Mo. to hand and I desire to ask your pardon for the delay in answering.

The John Allen referred to in your letter was never a member of Company B. of 10th Kentucky Cavalry, but there was 2 John Allens belonging to Capt. Geo. Diamond's Company D. of our regiment, therefore there must be a mistake when he claims to have belonged to Company B.

Wishing you success and good health in this the latter part of your life, I am,

Yours very truly,

R. G. Dalyer

State of Kentucky }
Montgomery County } Set

The affiant B F Day says, that he has heretofore given his affidavit herein in regard to matter of a pension for John Allen of Fowlkes Magoffin County Kentucky, now at the request of said Allen I make the follow-ing additional Statements, About the 4th of October 1862 at Hazel Green Wolfe County Ky, the first year of enlistment of many of the 5th Ky Infantry of the Confederate States Army expired and them men were discharged, It was then agreed by A J May Wm Cox Geo Diamond Jack Harris Chap Evans Myself and others, to organize a Cavalry Regiment for the Confederate Service, We set to work and during the winter of 1862-3 partially organized Ten or Eleven Companies, Which was finally organ-ized into a regiment Called the 10th Kentucky Cavalry, the organization was effected at Camp Bowyer in Tazwell Co Va about the 25th day of June 1863, In the organization of the Companies in Eight or Ten Counties in Eastern Kentucky and in Three or four Counties in Virginia Several of the Companies adopted the same letter of the alphabet and upon the organization we found Diamonds Company Called Company "A" as was also the Companies of Cox and Harris — but on the organization of the regiment, the letters of the Companies were Changed and Harris Company became Co A, Cox's Co, became Co B and Diamonds Company become Co D, this re-Lettering of said Com-panies Caused Considrable annoyance at the time and since, While at Frankfort last winter I examined the application proofs of John Allen and there learned from Certain Transcript of Records that John Allen was alleged Captured in Wise County Va July 7th 1863, This could hardly be, as I Remember said John Allen of Diamonds Company was at that time together with two of his brothers with said Diamonds Company at Camp Bowyer and a few days after this was with the advance Guard of our regiment that Chased a regiment of Federal Soldiers from Jeffersonville Tazwell Co Va, through Burks Garden to Wolfe ville with Co Va We there had a little

Skirmish with them and killed their Commander and mortally wounded their Second in Command, The regiment returned from Wytheville to Tazewell Co Va, from them during the Summer we Skulked into Ky and Captured and dispersed a small force of Federals in Pike County at the Mouth of Pond said John Allen was with us on this raid, We again returned to Tazewell Co Va and remained there until some time in September 1863, John Allen was with us all this time, We then Marched to Bristol Tennessee where we were placed under the Command of Gen John S Williams and Served under him in East Tennessee until after the Seige of Knoxville when we retreated back to Virginia and John Allen aforesaid was with us during this Campaign We then was transferred to Gen Jno H Morgans Command Marched with him to Wytheville Va and engaged General Calder of the Federal Cavalry, I remember of seeing John Allen there when we buried May Parker of the 4th Ky Cavalry next day, Our regiment then came to Kentucky on the Morgan raid in June 1864 John Allen was with his Company, on this raid, He assisted myself and J A Ingram in Carrying Lieut John Diamond seriously wounded from the field on the first days fight at Cynthiana Ky, I was Captured next day, and saw nothing more of John Allen, until the Surrender at Mt Sterling Ky in April 1865, he and I were both there, I did not take any oath I do not know what he did, There was an Allen John Allen belonged to our regiment, I think he belonged to Justices Company, A Considerable portion of Ben Caudills regiment was Captured in Wise Co Va about the 1st of July 1863 This regiment was also Called 10th Ky Cavalry, I am informed there were John Allens in that regiment, an examination of the rosters will disclose this fact if true, or it may do so or not as the rolls are very imperfect

B F Day

State of Ky
Montgomery Co } Sct

This day personally appeared before me B F Day personally known to me and subscribed & sworn to the foregoing affidavit of two pages, this Apl 19-1924. My Com. Exp. 1/12/1928. Chas Duff
Notary Public

Affidavit of John Allen:

State tof Kentucky:
Magoffin County.) Sct.

THE AFFIANT, John Allen, says; that he lives in Magoffin County, Kentucky, and is 83 years of age, and is the same John Allen, who has for several yars had a claim pending before the Commissioner of Confederate Pensions, seaking a pension as a private in Company "A" - 10th Cavelry, in the Confederate States Army, that he is informed that there is no such name as John Allen, appears on the roll of Company "A"- of the said Regiment; affiant states, that the company he belonged to was Commanded by George Diamond, and that during the recruiting of the Regiment was called Company "A" when the regiment was organized at Camp Bowen in Tazwell County, Va. about the last of June 1863; affiant states, that the Companies were all re-lettered and that Diamonds Company, dropped the letter "A" and there-after was called Company "D" and that Captain Ed Trimbles, Company, there-after was called Company "A".

Affiant states; that as he is informed by the Commissioner of Pensions, that he was captured in Wise County, Va. on July 7th 1863, and that he was then with his company and regiment at Camp Bowen in Tazwell County, Va. on the farm of Col. Henry Bowen, and that in a very few days there-after went with his regiment then Commanded by Col. A.J.May, and followed the raider Col. Tolson, and killed him in the Streets of Withsville Withe Co. Va. Affiant states, that they then returned to Camp near Liberty Hill, Tazwell County and remained there until about the 20th of September 1863, and from there marched to Bristol Tenn. Affiant states, that he remembers that a few days after their arrival at Bristol, Tenn, that he was

while in Tennessee engaged in active service and that he was in a fight at Bristol, Bluntsville and Blue Springs, and also engaged in many other fights until the siege of Knoxville, affiant, states, that after their said service at the previous mentioned places, that they retreated toward Virginia, and in route fought at Morris Twon, Bean Station, and many other places to Abingdon,Va. and was under the Command of Gen. John S.Williams, and after that was under the Command of Morgan, and fought Wilder,near Withsville Va. and about the 1st day of June 1864, come to Kentucky, with his regiment then under command of Morgan,and that early in June 1864, fought Burbridge at Mt. Sterling,Ky. and that during said fight his regiment sustained great losses in the way of men,that in two days fighting there was nearly all their officers killed, or wounded and among the dead were Captain Swango, and Moore, and among the wounded there was Captain Harris, Cox and May; that in a few days after this incounter they met Burbridge, at Cynthana, and there was engaged in two days battle, at this place they sustained heavy losses and escaped to Virginia,with but a reminant of the Regiment left.

Affiant,states;that they again met Burbridge, at Saltsville, about the 1st of October, 1864, and that in this battle gave the enemy the worst of it, but that his regiment suffered considerable loss . Col. Trimble was killed and other officers wounded, that in the following December and after they had sustained these losses mentioned and after their regiment had been reduced from about 1200 men to only 200 they faught as best they could at different points. Salt Ville,Glades Sprongs,etc;that after these engagements they

traveled East and had skirmishes with General Wilder, up until Lee's surrender,and then came to Mt.Sterling and surrendered. Affiant,states that he was with his regiment at the places previously mentioned and that he was never captured or never took any oath of alliegence except at Mt.Sterlig after the surrender. Affiant states;that he signed any thing that he was ask to sign and returned home;that he never was in prison,never in Illinois and never in Camp Douglass, affiant states,that there was another John Allen, in his said regiment and that he belohged to Company "H" which was commanded by Captain Hiram Justice,but that he does not know what became of the said John Allen,or does not know any thing about hisservice, affiant further states,that it was his understanding that the regiment commanded by Col. Ben Caudill was also called the 10th Kentucky, cavalry,and that this said Regiment was captured in Wise County Va. as he remembers in the month of July 1863, and that this Company had several men by the Name of Allen, and among them was two or more called John . affiant states,that he was never captured,that he is 83 years of age,very feable and has no property of any kind,money for his support and is unable to labor.

John his x mark Allen

Subscribed and sworn to before me by John Allen, this the 12th day of April, 1924.

E D Holbrook
Notary Public Magoffin Co.

My Commission expires (3rd Apr.,) day of Apr. 3rd 1927.

Salyersville, Magoffin County, Kentucky.
April 11th 1924.

State of Kentucky.
Magoffin County. SCT.

I, L.C.Bailey, Judge of the Magoffin County, Court in and for the County and State aforesaid, do Certify that John Allen, of Magoffin County, Kentucky, is personally known to me and is now old and feable and has no property or income that is known to me, that there is no assessments against him for taxation, and that as shown by the records of Magoffin County, he is not possessed of any real estate, he is not able to labor for his support.

L. C. Bailey
Judge of the Magoffin County Court.

State of Kentucky.
Magoffin County. Sct.

I Frank L.Prater, county court clerk in and for the county and State aforesaid, certify that John Allen, of Magoffin County, Kentucky is personally known to me, and that he is an old man about the age of 83, and is not possessed of any real or personal property as is shown by the records of my office, and that he is unable to labor for his support.

Given under my hand, this the 11th day of April 1924.

Frank L. Prater.
Clerk Magoffin County Court.

SIXTY-EIGHTH CONGRESS.

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Congress of the United States

Committee on Public Buildings and Grounds

House of Representatives

Washington, D. C.

April 30, 1925.

The Commissioner of Pensions,
FRANKFORT,
Kentucky.

Dear Sir:

I have received a letter on behalf of John Allen, whose address is FORAKER, Kentucky, in which it is stated that he filed his claim for pension ten years ago, and that it was not allowed until about one year ago. He thinks he is entitled to back pension, and asks that I write you and call attention to the matter, and ask you to send him a blank in order that he may make claim for it. I told him I would do so, hence this letter. This old soldier served in Company D, 10th Ky. Cav.

I will appreciate any information you may see fit to give me on the subject, which I can transmit to my correspondent.

Very truly yours,

John W. Langley

G
P
O