

(ORIGINAL)

# Soldier's Application for Pension

I, Zachariah Fugate

am a citizen of Kentucky, resident at Fraughtman in the County of Prigg

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 "C" 10th Regt of Mounted  
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 Prigg County, Kentucky in 1845

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

Answer In 1862 in Co. "C" 10th Ky Mtd Infantry

Ben Candill was Colonel. Sam Chenoweth  
was Major. Anderson Kay was my Captain

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

Answer In April 1865, near Richmond, Va. We were  
on our way to reinforce Gen. Lee, and heard of the news  
Were you ever in prison? If so, state what prison and when released. never and disabled

Answer No.

Were you paroled? If so, when and where?

Answer I took the oath of allegiance after the surrender  
at Mt. Sterling, Ky.

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

Answer Yes - see answer above

If so, when and under what circumstances?

Answer After the surrender in 1865

STATE OF KENTUCKY

*Pray* County }  
*Smith & Levi Hill*

Personally appeared before me *Jochuah Tugate*  
*Daniel*

.....of said County, the above named .....  
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 *20<sup>th</sup>* day of *May*, 191*2*

STATE OF KENTUCKY

*Pray* County }  
.....

Personally appeared before me *a Notary Public*  
*Dr. R. C. ...*

.....of said County, the above named .....  
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.....  
the applicant and find him laboring under the following disabilities: Unable to earn a support by manual labor.

*That he is old and infirm and on account of his general debility he is unable to labor for his support*

Witness my hand and seal of office, this *22<sup>nd</sup>* day of *May*, 191*2*

*Arch ...*  
*my card expires July 31-1914*  
*Dr. R. 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

*Pray* County }  
*Smith*

Personally appeared before me *Daniel*  
*Levi Hill*

....., 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.

*That he was a soldier of good character and that from personal acquaintance with him they knew him to be a man of good standing and worth of a person*

Witness my hand and seal of office, this *22<sup>nd</sup>* day of *May*, 191*2*

*My card expires July 31-1914*  
*Arch ...*  
*Notary Public*  
*Pray Co. Ky*

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

Answer None - I earn very little. Not enough to provide comfortably for my support.

What estate have you in your own right, real and personal, and what is its actual cash value?  
Answer A mule and cow - worth about \$200.00

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 Not as much as \$100.00

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 All my life

Have you an attorney to look after this application?

Answer Yes

If so, give his name and address?

Answer John Baker, Hazard, Ky

Witness my hand this 22 day of August 1912

WITNESSES:

W. B. Beckie, Physician P. O. Hazard, Ky

Postoffice Address Hazard, Ky Street and No. (if any)

Daniel Smith, Witness R. F. D. (if any)

Postoffice Address Henderson, Ky

Levi Hill, Witness

Postoffice Address Troublesome, Ky

STATE OF KENTUCKY

Provan County } I, J. G. Campbell, Judge of said County, certify that Jacobson and his wife are assessed with ... acres, valued at \$..., and with \$... of personal property.

Witness my hand this 22 day of May 1913 J. G. Campbell Judge County Court.

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

No. 3119

STATE OF KENTUCKY

**Soldier's Application for Pension**

ZACHARIAH FUGATE

Co. . . . . Rgt.

Filed . . . . . JANUARY 25, 1913.

Allowed . . . . .

Read Specifications on Back.

- SPECIFICATIONS
- 1. ....
  - 2. ....
  - 3. ....
  - 4. ....
  - 5. ....

Allowed Jan 15 1913

W. J. Stone, Commissioner.

All blanks on this filing to be filled by the Pension Board  
KENTUCKY STATE JOURNAL PUBLISHING CO., FRANKFORT, KY

**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.

Indorsement.

PENSION EXAMINER'S OFFICE,

FRANKFORT, KY.

ZACHARIAH FUGATE

Enlisted Oct. 1, 1862, in Co. C, 13th Kentucky Cavalry, and on his company roll for Dec. 31, 1863, he was reported deserted. Comrades testify that he returned to the service and served till the close of the war. The war records show that he was surrendered and paroled and released May 22d, 1865, at Louisa, Ky. upon taking the oath of allegiance to the U.S. Government.

Indigent.

Approved:

W J Stone.

ADJUTANT GENERAL'S OFFICE

2105255

WAR DEPARTMENT

WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,

2105255 WASHINGTON, December 11, 1913.

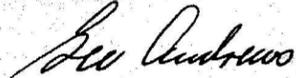
Respectfully returned to the

Examiner,  
Confederate Pension Department,  
Frankfort, Kentucky.

The Confederate records on file in this office show that Zachariah Fugate, private, Company C, 13th Kentucky Cavalry (formerly known as 10th Kentucky Infantry), was enlisted October 1, 1862, at Whitesburg, Kentucky. He was reported on the muster roll of the company for August 31 to December 31, 1863 (last on file), "Deserted".

The records of prisoners of war on file of the 1st Division Department of Kentucky, shows as follows: "Oath administered to Zachariah Fugate, 13th Ky. Cavy. May 22, 1865, at Louisa, Ky."

Nothing additional found bearing on the subject of inquiry.



The Adjutant General.

(A. G. O. 74)

No. \_\_\_\_\_ S. \_\_\_\_\_

HEADQUARTERS

# Confederate Pension Department

W. J. STONE, EXAMINER

FRANKFORT, KY.

DEC 8 - 1913 191

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

Dear Sir:

*Zachariah Fugate*

who is an applicant for Pension under the Kentucky Pension law, claims  
to have been a member of Company *C - 10<sup>th</sup> Ky*  
Regiment *Mtd Inf* C. S. A., and to have been

*Took oath at Mt Sterling Ky  
after surrender.*

Please give me the record of this soldier.

Respectfully,

*W. J. Stone*  
Examiner.

August 20, 1914.

Jason Richey,

Hindman, Kentucky.

Dear Sir:-

Replying to yours of recent date relative to the application of Zachariah Fugate, his application is on file here, but the "findings of facts" and summary of testimony of witnesses" required by law to be made by the County Judge has never been filed with the application. Therefore, the application cannot be considered until the law is complied with in this respect.

I have examined his military record and I find that the war records show that he enlisted October 1, 1862, in Company C, 13th Kentucky Cavalry, and on his company roll for December 31, 1863, he is reported "Deserted", and I find that the prisoners-of-war records show that he took the oath of allegiance to the U. S. Government at Louisa, Ky. on May 22, 1865, but there is no proof to show that he ever returned to the service after he deserted about December, 1863.

The findings of the County Judge and proof to show that he returned to the service after he deserted and served till the close of the war will have to be filed with his application before he would come within the provisions of the pension law.

Very truly,

Commissioner.

WJS-C

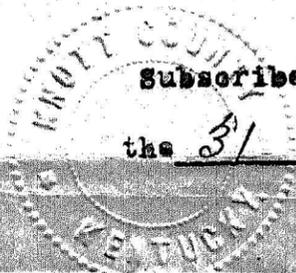
State of Kentucky, Knott County.

The affiant John McKee states that he is well acquainted with Zack Fugate and has been ever since the commencement of the Civil war in the year 1861. He and I belonged to the same Co. He joined the Confederate service in the fall of 1862. We served in the Confederate service together until the end of the war and he and I were disbanded together in Virginia between New River and Abington Va. We were disbanded on April the 5<sup>th</sup> 1865. as I now remember. Our Regimen had been ordered to Richmond Va. and we were on our way when we learned that Lee had surrendered. Major Chinawert disbanded us without any written discharge. I am very positive that he never deserted the army after he joined the army in the fall of 1862 until the close of the war in the Spring of 1865. The reason that I am positive about the matter he and I were frequently together on scout duty and became intimate friends.

*his*  
John McKee  
*mark*

Subscribed and sworn to by John McKee before me on this the  
the 31 day of Aug. 19 14.

W. J. Francis  
Clerk Knott County Court



STATE OF KENTUCKY, / sct.

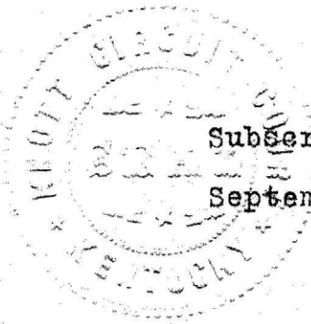
KNOTT COUNTY,

The Affiant Nicholas Richie, states that he is acquainted with Zachariah Fugate and has been acquainted with him since the year of 1861. He served in the same company with my self under Captain Hays, I enlisted in the <sup>Confederate</sup> army in the year 1862. and as well as I can remember Zachariah Fugate enlisted in the fall 1862. We served through the war together and if he ever deserted the army I never heard of it; I do remember distinctly that he was with the command serving as a soldier at the close of the war; our command had been ordered to Richman Va. and we were on our way somewhere in Virginia when we learned of the surrender of General Lee, and our officers disbanded us without giving us any written discharge.

Nicholas<sup>his</sup> Richie.  
*mark*

Subscribed and sworn to by Nicholas Richie before me This  
September 21st. 1914.

J. B. Smith  
Clerk Knott Circuit Court.



PERRY COUNTY COURT,

November term 9 day of November, 1914.

Ex Parte

Application of Zachariah Fugate.

WITNESS Manuel Fugate of Argy, Ky, being duly sworn states as follows:

I am acquainted with Zachariah Fugate. I have known him for 20 years and he has continuously resided in this State all this time; he is assessed with \$ 200.00 worth of land and is wholly unable to earn his support; he has no profession or trade by which to earn his support, nor has he any visible income from any source.

*Manuel Fugate*  
mark

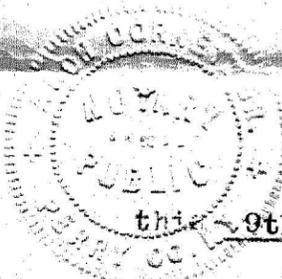
XXXXXX

Subscribed and sworn to before me by Manuel Fugate, this the 9th day of November, 1914.

*Arch Cornwell Jr*  
Notary Public Perry Co Ky

Witness E. C. Duff, Jr., of Perry County, Ky after being duly sworn states that he is acquainted with Zachariah Fugate and that he has no property except \$ 200.00 for which he assessed and no trade or profession and no means of support.

*E. C. Duff Jr*  
County Judge, Perry Co., Ky.



Subscribed and sworn to before me by E. C. Duff, Jr., this 9th day of November, 1914.

My com. expires Feb. 3, 1918.

*Arch Cornwell Jr*  
Notary Public, Perry County, Ky.

November 20th, 1914.

Jason Richie,

Hindman, Kentucky.

Dear Sir:-

I am in receipt of a letter from you without date relative to the application of Zachariah Fugate. I have carefully re-examined the application with all the proof filed with it, and I find nowhere in this proof any statement as to a probable reason why Mr. Fugate was marked as a deserter on his company roll dated December 31, 1863, and no statement as to when he returned to the service from desertion.

It is true the witnesses state that the command was disbanded between New River and Abbeyton, Va. in April, 1865, but it is not shown anywhere that Zachariah Fugate was with the command when it was disbanded. The war records show that he took the oath of allegiance to the U. S. Government at Louisa, Ky. May 22d, 1865, but it is nowhere shown that he ever returned to the service or that he was present with the command when it was disbanded, and if he had returned to the service and was with the command at the time it was disbanded, the date of his return to service should be shown, or if he did not desert, there should be some explanation as to why the charge of desertion was made against him.

Very truly,

Commissioner.

WJS-C

5

In Re application of Zacariah Fugate for pension.

The affiant, Samuel Smith, says that he was a soldier in the confederate army and has been acquainted with the applicant Zachariah Fugate all their lives or since they were boys together. I remember seeing him in arms serving as a confederate soldier before I joined the service.

We served through the war together, and if he ever deserted the army I have no recollection of it. My impression is that he never did.

I remember distinctly that the, applicant, Zachariah Fugate, together with myself and some others were on scout duty in the mountains of Kentucky sometime in the Winter of 1864. He was serving then as a confederate soldier and I distinctly remember that the applicant, Fugate, returned with me to our command in Virginia. We returned to our command, as well as I remember, about six months before the command was ordered to Richmond Virginia. The applicant remained with the command serving as a confederate soldier until the command had marched toward Richmond somewhere in the neighborhood of New River. There we received information that General Lee had surrendered. Shortly after this information our officers proceeded to disband our command and I know the applicant, Zachariah Fugate, was present when our command was disbanded. The reason I am so positive about this is that I remember that the applicant, Fugate, got his horse drowned while swimming New River. This was as we returned.

Sworn to before me by Samuel Smith this 28 day of November, 1914.

*Samuel Smith*  
A. J. Powers, Clerk  
By D. B. Smith D. B.

*Jason Richie*

J. M. BAKER  
ATTORNEY & COUNSELOR AT LAW  
HINDMAN, KY.

Hindman, Ky., Dec 5, 1914.

Hon. W. J. Stone,  
Frankfort, Ky.,

Dear sir:

Find inclosed affidavit of the applicant, Zacharia Fugate, in regard to his application for pension. This man is growing very old, is troubled with rheumatism and is almost illiterate, as you can see by his signature to his affidavit. I am well acquainted with many of the men who served with him in the army and am unable to find any one who will swear that he ever deserted the army. But on the contrary can find many who will swear that he never did desert the army.

*Jason Richie*

J. M. BAKER  
ATTORNEY & COUNSELOR AT LAW  
HINDMAN, KY.

I hope you will give this your consideration at your earliest convenience and let me know if there is any thing else that you will have to know before you take action favorable to the applicant. Thanking you in advance for any favor, I am,

Yours as ever,

*Jason Richie*

*Jason Richie*

J. M. BAKER  
ATTORNEY & COUNSELOR AT LAW  
HINDMAN, KY.

*W. J. Stone*

*Frankfort Ky.*

Dear sir I send you herewith some proof in the claim of Zachariah Fugate. we have not been able to find a witness that will swear that our Fugate ever deserted the army but can find plenty who will swear that he never did. however the enclosed affidavits show that he was serving in the army at the close of the war and if he ever deserted these affidavits show that he had returned. The affidavits of witnesses as to his property and ability you will notice that one of these witnesses is the county judge of Perry co himself

Jason Richie

J. M. BAKER  
ATTORNEY & COUNSELOR AT LAW  
HINDMAN, KY.

This is an old man and I have all ways heard from his comrades in arms that he was a fine soldier and was often on scout duty and the reason given by them for ~~his~~ his being marked a deserter is that it must have been done by mistake while he was on scout duty.

I hope you will find time soon to look over this old mans case do the best you can for him if the papers is incomplete let me know at once what the trouble is and I assure you that this old man will be greatly obliged.

Jason Richie

Jason Richie

J. M. BAKER  
ATTORNEY & COUNSELOR AT LAW  
HINDMAN, KY.

Hon W J Stone  
Frankfort Ky

Dear Sir  
I have been requested to write you in regard to the claim of Zachariah Tuggett which has been filed for some time. I am aware of the fact that you are greatly annoyed about these matters; but hope you will pardon me for asking you if there is any more proof needed in his case for he is old and needs the money very much.  
Hoping you will give this your earliest attention.  
Jason. Richie.

In Re application for pension by Zacharia Fugate.

The affiant and applicant, Zacharia Fugate, states I was a confederate soldier in the war between the States. I joined the confederate ~~the~~ army as well as I remember, in the fall of 1862 and served through the war- I served under captain Hays. I am very positive that I never did desert the ~~arm~~ army at any time during the war.

I do not know why I stand marked as a deserter but I will give some probably reasons why it might have been done. I was frequently on duty as a scout, spy and foraging duty. Sometimes while on such duty we would come in contact with the enemy and could not return to the command as soon as might otherwise have been expected. Under such circumstances I might have been marked a deserter and by mistake of the order by sargeant the mistake might never have been ratified. If such mistake ever happened I never received notice of it. Sometimes during the stirring times of the war such might of happened. I only give this as a probably reason.

I very distinctly remember that myself, together with a number of others were sent on a scout over the mountains into Kentucky and we were away from the command quiet a while on this scout and could have been marked deserters while absent at that time. I distinctly remember that we returned to the command as soon as we practicy could and if I was marked a deserter at that time or at any other time I never knew of it. As well as I remember we returned off of the scout above mentioned about five or six months before our command was ordered to Richmond, Va. Our command then proceeded on its way to Richmond until we reached the vicinity New River where our commander received information that General Lee had surrendered. Our officers then marched us back about a days journey and ~~it was during this days journey that we recrossed New River which we~~ had crossed a day or two previous. While recrossing New River My horse was drowned. The next day our officers proceeded to disband us. I was present during all this time serving as a <sup>Confederate</sup> soldier. After we were disbanded I returned to Kentucky and afterwards took the oath of allegiance to United States government.

*Zacharia Fugate*

Subscribed and sworn to before me, by Zacharia Fugate, this Dec 5, 1814.

*J. B. Smith,*  
*Clerk. Huott Circuit Court,*

Arg Ky Jan 29 21

W. J. Stone  
Frankfort Ky.

Dear Sir:

my Husband  
Zachariah Fugate <sup>Arg Ky.</sup> whom  
was receiving Pension  
of 12<sup>00</sup> Per Mo.

Deceased Jan 11-1921  
Please forward to me  
the Proper Blanks to be  
filled in by widow  
whom is entitled  
to receive Pension  
do this at once for me  
yours very truly  
Polly Fugate