

(ORIGINAL)

Soldier's Application for Pension

I, James Montgomery

am a citizen of Kentucky, resident at Elizabethton in the County of Hardin

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 E 8th Ky Cavalry J.A. Morgan's

Command

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 Hardin Co. Ky. 1840

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

Answer September 1862 Co E 8th Ky Cavalry
Leroy Clarke Co. Price Capt

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

Answer Surrendered at Washington Lee's Office or May 1865

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

Answer

Were you paroled? If so, when and where?

Answer Nashville June May 1865

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

Answer No

If so, when and under what circumstances?

Answer

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

Answer *Attorney at Law*

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

Answer *Household goods \$250 Estate in remainder in 70 acres with \$1000 bond & lot on West Point \$100 & farm lot \$200 \$950 value*

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 *\$75*

Do you use intoxicants to any extent? *No*

Answer

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 *No*

If so, give his name and address?

Answer

Witness my hand this *5th* day of *January* 191*5*.

WITNESSES:

J. N. Oberman, Physician, P. O. *Elizabethtown Ky. Box 24*

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

J. B. Williams, Witness R. F. D. (if any)

Postoffice Address *Elizabethtown Ky.*

Fletcher Swain, Witness

Postoffice Address *Elizabethtown Ky.*

STATE OF KENTUCKY

Hardin County } I, *D. M. Rider* Judge of said County,

certify that *James Montgomery* and his wife *Ella S. Montgomery* are

assessed with *4.2* acres, valued at \$ *200*, and with \$ of personal property.

Witness my hand this *5th* day of *January*, 191*5*.

D. M. Rider Judge County Court.

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

STATE OF KENTUCKY

Hardin County } Personally appeared before me... J. L. ...
County Clerk of said County, the above named... James M. ...
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... 12... day of... January... 1915.

STATE OF KENTUCKY

Hardin County } Personally appeared before me... R. N. Sprigg
Deputy County Clerk of said County, the above named... J. W. ...
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... James M. ...
the applicant, and find him laboring under the following disabilities: Unable to earn a support by manual labor.

on account of a general debility of the
system of the stomach liver & kidneys

Witness my hand and seal of office, this... 12... day of... Jan... 1915.

(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

Hardin County } Personally appeared before me... R. N. Sprigg
Deputy County Clerk of said County, the above named... J. B. Williams...
and... L. ... 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... army.

State here what witnesses know of their own knowledge.

Witness my hand and seal of office, this... 12... day of... Jan... 1915.

J. L. ... Clerk H.C.C.
By R. N. Sprigg D.C.

No. 3238

STATE OF KENTUCKY

Soldier's Application for Pension

JAMES MONTGOMERY

Co. ... Sgt.

Filed FEB 17 1915
Attest J. J. ...
Allowed ...

Read Specifications on Back

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

Allowed Apr. 15th 1915
W. J. ... 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.

(ORIGINAL)

Soldier's Application for Pension

I, James M. Wood, ex-servant
am a citizen of Kentucky, resident at Elizabeth town in the County of Hardin
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 E of the 8th 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 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 Hardin County Kentucky in 1840

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

Answer September 8th 62 Leroy Clarke Colonel
Nichols Captain

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

Answer Sumner's Army at Washington Georgia Paroled at
Nashville Tenn

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

Answer No

Were you paroled? If so, when and where?

Answer Yes at Nashville Tenn in May, 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 Tenn May - 1865 for the General Command

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

Answer *Lawn Care \$100*

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

Answer *my personal value \$3000 mortgage of \$5000 - 15 acre orchard worth \$1500 with a lien of \$1250 Home lots goods worth \$250 total in remainder in J.S. case \$1000 Home at West Point worth \$100 4 term lots worth \$200*

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 *\$75*

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 1840*

Have you an attorney to look after this application?

Answer *No*

If so, give his name and address?

Answer

Witness my hand this *4th* day of *August* 191*4*

James Martz

WITNESSES:

J. H. Osborn, Physician

P. O.

Postoffice Address *Elizabethtown Ky*

Street and No. (if any)

Wood English, Witness

R. F. D. (if any)

Postoffice Address *Elizabethtown Ky*

W. C. Hays, Witness

Postoffice Address *Winesboro*

STATE OF KENTUCKY

Nardin County

County

D. O. Rider

Judge of said County,

certify that *James Martz* and his wife *Ellen S. Martz* are

assessed with *25* acres, valued at \$*1100*, and with \$*2500* of personal property.

Witness my hand this *19* day of *Oct*, 191*4*

D. O. Rider

Judge County Court.

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

STATE OF KENTUCKY

Hardin County } Personally appeared before me J. L. Sprigg...
Co. Clerk of said County, the above named James Montgomery...
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 17 day of Oct, 1914

STATE OF KENTUCKY

Hardin County } Personally appeared before me Deputy Clerk
of said County, the above named J. W. ...
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 James Montgomery...
the applicant, and find him laboring under the following disabilities: Unable to earn a support by manual labor.

One account of a general debilitated condition, due disease of the stomach, liver & kidneys.

Witness my hand and seal of office, this 14 day of Oct, 1914

(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 in their oath; also any other information regarding applicant's army service.)

STATE OF KENTUCKY

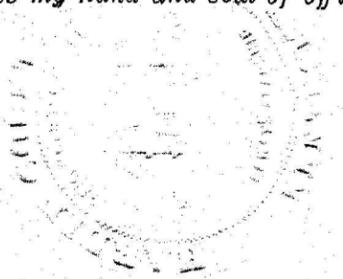
Hardin County } Personally appeared before me J. L. Sprigg...
Clerk of Co. Court of said County, the above named Wood English
and H. C. Hays, two of the subscribing witnesses to the foregoing application, with whom I am personally acquainted, and known to me to be citizens of veracity and standing in 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.

He was in the Confederate army, with James Montgomery. He enlisted him in the army in 1862.

Witness my hand and seal of office, this 1 day of Sept, 1914

J. L. Sprigg Clerk, Hardin County Court
By R. N. Sprigg D.C.



No. *7*
32238X

STATE OF KENTUCKY

Soldier's Application for Pension

Jas Montgomery

Co. Rgt.

NOV 23 1914

Filed *Oct 19 - 1914*

Attest: J. E. ...

Allowed *By ...*

Read Specifications on Back.

SPECIFICATIONS

1. *JEM*
2. *JEM*
3. *JEM*
4. *JEM*
5. *JEM*

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 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.

Indorsement.

PENSION EXAMINER'S OFFICE.

FRANKFORT, KY.

JAMES MONTGOMERY

Enlisted Sept. 10, 1862, in Co. F, 8th Ky. Cav. and was surrendered May 8, 1865, at Washington, Ga. and released May 22, 1865, at Nashville, Tenn. upon taking the oath of allegiance. Proof shows applicant has \$5,600.00 worth of property and therefore does not come within the provisions of the pension law.

W J Stone.

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
WASHINGTON, Nov. 25, 1914.

Respectfully returned to the

Examiner,
Confederate Pension Department,
Frankfort, Kentucky.

The records show that James Montgomery, corporal; Company E, 8th Kentucky Cavalry, C.S.A., enlisted September 10, 1862; that he was surrendered at Washington, Ga., May 8, 1865, and was released at Nashville, Tenn., May 22, 1865, on taking the oath of allegiance.

R. J. McLean
The Adjutant General.

Form No. 74, A. G. O.
Ed. June 15-14-75,000.

03-3003

Indorsement.

PENSION EXAMINER'S OFFICE.

FRANKFORT, KY.

JAMES MONTGOMERY

Enlisted Sept. 10, 1862, in Co. E, 8th Kentucky Cav. and was surrendered May 8, 1865, at Washington, Ga. and released May 28, 1865, at Nashville, Tenn. upon taking the oath of allegiance to the U.S. Government.

Property: \$1800.00.

Approved:

W J Stone.

No. S.

HEADQUARTERS

Confederate Pension Department

W. J. STONE, EXAMINER

FRANKFORT, KY.

November 23rd 1914

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

Dear Sir:

James Montgomery

who is an applicant for Pension under the Kentucky Pension law, claims to have been a member of Company "E" - 8th Kentucky Regiment Cavalry C. S. A., and to have been

.....
.....
.....
.....
.....
.....
.....
.....

Please give me the record of this soldier.

Respectfully,

W. J. Stone
Examiner.

Capt Stone Please let me know if any thing further needed, Please take this up as soon as you can & let me know as soon as it is papered - & greatly oblig
Yours
James Montgomery

.... Hardin County Court....

Regular Term, Monday Nov. 16, 1914

PRESENT: HON. D. W. RIDER, JUDGE.

James Montgomery
ON
APPLICATION FOR PENSION

It appearing of record that James Montgomery of Hardin County, Ky., filed his application for pension on Oct. 19, 1914, it being a regular County Court, held for Hardin County, and the said application was laid over until the Regular Term Nov. 16, 1914, of the Hardin County Court; and the matters coming on for proof, as required under the act passed by the Legislature on March 11, 1912, granting pensions to Confederate Soldiers.

Came W. C. Montgomery of Hardin County Ky., and W. A. Bandy of Hardin County Ky., and _____ of _____ Ky.,

who testified that James Montgomery has been a citizen and an actual bona-fide resident of the State of Kentucky continuously since January 1st, 1907, and now resides in Hardin County, Ky., and that the said James Montgomery and wife _____ own real and personal property in this State of value of \$1400.00, and that he has not an income by reason of a contract or agreement for a valuable consideration with any person able to provide such support, or by reason of partial ability, to earn a support, an income, or property or all of these combined, is able to obtain an income of \$300 per year.

STATE OF KENTUCKY, } SCT:
HARDIN COUNTY.

I, D. W. RIDER, Judge of the County Court, aforesaid, certify that Dr. W. C. Bandy, physician of _____ Ky., and Wood English of _____ Ky., and H. Kays of _____ Ky., are reputable citizens, and are entitled to credit on oath; and it appearing from the evidence heard, that James Montgomery is a citizen of Hardin County, Ky., and has not been absent therefrom, as a resident, for a period of one year, and that he has been a bona-fide resident of the State of Kentucky since January 1st, 1907; and that he has not an income of \$300 per year, and see no cause why he should not be granted a pension.

This November 16, 1914

D. W. Rider
Judge Hardin County Court.

STATE OF KENTUCKY, } SCT:
HARDIN COUNTY.

I, E. G. CORLEY, Clerk of the County Court, and State aforesaid, certify that the foregoing is a true copy of all orders, etc., in the Pension Application of James Montgomery as it appears of record in this office.

Given under my hand this 21, day of November, 1914

E. G. Corley Clerk.
By _____ D. C.

December 8th, 1914.

James Montgomery,

Elizabethtown, Ky.

Dear Sir:-

Your application was received here on the 23rd day of November and had not been reached for examination, but since the receipt of your letter I have examined the application and the proof filed with it and find that the war records show that you enlisted Sept. 10, 1862, in Company E, 8th Kentucky Cavalry, and was surrendered at Washington, Ga. May 8, 1865, and released at Nashville, Tenn. May 22d, 1865, which makes your military record all right. But I find that you state in your application that you have more than \$5,600.00 worth of property, and that your assessment shows \$2,950.00 worth.

The law provides that a person owning \$2500.00 worth of property cannot receive the benefits of the pension law. I notice also that you state what your indebtedness is, but there is no provision in the law for deducting the indebtedness of the applicant from the amount of property he owns. Consequently the amount of property he owns you own would bar you from the provisions of the law.

Your comrade,

Commissioner.

WJS-C

January 4th, 1915.

~~James Montgomery,~~

Elizabethtown, Ky.

Dear Sir:-

I am in receipt of yours of the 2nd, and note carefully what you say.

The proof filed with your application shows that you own \$5,600.00 worth of property. There is no provision in the law for deducting the indebtedness of a man from the amount he owns.

A number of applications similar to yours have been filed, and a pension has not been allowed in a single one of them, and this is exactly right, and we have had a case here that illustrated it, where the applicant owned \$7,000.00 worth of property, and had borrowed enough money on it to be used in his business to bring the amount that he owned clear of indebtedness below \$2500.00.

I note that you say that after you prepared your application and before you filed it, you had adjusted your indebtedness by the sale of property which brought your possessions below the \$2500.00. If you had done that you should not have filed your application with the proof in it as it is. A pension could not be allowed you under the law with this application now on file. So far as the property qualifications are concerned the proof must show that the applicant does not possess property of the value of \$2500.00.

Very truly,

January 9th, 1915.

James Montgomery,

Elizabethtown, Ky.

Dear Sir:-

I have received from you an application blank partially filled out, unaccompanied by the "Finding of facts" by the County Judge, and nothing showing that it has ever been filed in the County Court, and I am writing you for your own information and benefit.

The reason a pension could not be allowed you on your application that you filed sometime ago was that the proof showed you own property above \$2500.00 in value. Now if I should transfer that proof and finding of fact to the County Judge to this application the very same conditions would exist relative to this application as did to the first application.

In my last letter I told you that I thought the shortest way for you to get on the pension roll would be to fill a new application, and what I meant was that the application should be filed in the regular way, that is, filed in the County Court on or before a regular term and lay over until a subsequent regular term, when the County Judge should make the examination as required by law and make his report accordingly. That is necessary because, as said above, if the proof filed with your former application could be transferred to this application it would prevent you being allowed a pension, but if your financial condition has changed since the filing of the first application so as to bring you within the provisions of the pension law it will be necessary for the proof to show that at the present time you do come within the provisions of the pension law so far as your property is concerned.

I am returning you the application which has just reached here in order that the proper steps may be taken. I have no disposition to delay you, but am writing you this letter and sending you the application back so that you may take the steps that the law requires in every application.

Your comrade,

Commissioner.

WJS-0

ELIZABETHTOWN, KY., 1/21 1915

Mr. W. J. Stone

Dear Sir

I asked Judge Hobson to see you & the other members of the board as to my pension & have been waiting to hear from him. I feel sure you are misconstruing the act. If it is the proper construction and a soldier might have over \$2500 & mortgaged to its full value & be not worth a cent or yet he could not draw a pension. We all can see that was not intended. It surely means that the soldier must have over & above his debts \$2500. I thought Hobson could get you all to see it that way & have me give the preparation. I made my statement long time before I filed it & before I filed it I disposed of the orchard & my home & secured the mortgages & did not think it necessary to show that

in my application. If you still
think it necessary that I show this
let me know. how to do it, I am
much interested in having my con-
struction of the act upheld not for
myself but for others as I feel the
construction given by you was really
the intent of the legislature.

Your Comrade

Geo. Montgomery

P.S. The two intercepts show what is
the value of my possessions. I'm

.... Hardin County Court....

Regular Term, Monday February 15, 1915

PRESENT: HON. D. W. RIDER, JUDGE.

James Montgomery
ON
APPLICATION FOR PENSION.

It appearing of record that James Montgomery of Hardin County, Ky., filed his application for pension on January 16, 1915, it being a regular County Court, held for Hardin County, and the said application was laid over until the Regular Term February 15, 1915, of the Hardin County Court; and the matters coming on for proof, as required under the act passed by the Legislature on March 11, 1912, granting pensions to Confederate Soldiers.

Came J. Montgomery of Elizabethtown Ky.,
and H. James of Elizabethtown Ky.,
and _____ of _____ Ky.,

who testified that James Montgomery has been a citizen and an actual bona-fide resident of the State of Kentucky continuously since January 1st, 1907, and now resides in Hardin County, Ky., and that the said James Montgomery and wife Ella S. Montgomery own real and personal property in this State of value of \$1500.00, and that he has not an income by reason of a contract or agreement for a valuable consideration with any person able to provide such support, or by reason of partial ability, to earn a support, an income, or property or all of these combined, is able to obtain an income of \$300 per year.

STATE OF KENTUCKY, } SCT:
HARDIN COUNTY.

I, D. W. RIDER, Judge of the County Court, aforesaid, certify that W. W. Connor, physician of Elizabethtown Ky., and J. B. Williams of Elizabethtown Ky., and Fletcher Dwin of Elizabethtown Ky., are reputable citizens, and are entitled to credit on oath; and it appearing from the evidence heard, that James Montgomery is a citizen of Hardin County, Ky., and has not been absent therefrom, as a resident, for a period of one year, and that he has been a bonafide resident of the State of Kentucky since January 1st, 1907; and that he has not an income of \$300 per year, and see no cause why he should not be granted a pension.

This February 15, 1915

D. W. Rider
Judge Hardin County Court.

STATE OF KENTUCKY, } SCT:
HARDIN COUNTY.

I, J. S. Dwin, Clerk of the County Court, and State aforesaid, certify that the foregoing is a true copy of all orders, etc., in the Pension Application of James Montgomery, as it appears of record in this office.

Given under my hand this 15th day of February, 1915

By J. S. Dwin Clerk.
D. C.

Bardonia N.Y.
Feb. 10th 1919.

My dear Mr. Stanc:

My father James Montgomery
died Monday Feb. 3rd 1919.

Will you kindly send my mother
the paper blanks to be filled out
for her to draw his pension.

We have not as yet received his
check for the last three months
pension. Will we be able to
collect it and if so how much
we go about it? I trust we can
get it as it is badly needed as
Papa did not have anything
except that and nineteen dollars
had he not been in the
Hospital over five months

which cost about four hundred and fifty dollars with but his doctor's bills. You know Mauma & Papa have lived in Elizabethtown until the last year when they moved to Bardetown.

Should we file application here or Elizabethtown. It would be much more convenient to file it here and I think Mauma expects to make her home here.

Thanking you for your past interest in Mauma and Papa and with many good wishes for you I am

Sincerely
Mauma Whelan.

Mrs. Henry Whelan,
Bardetown Ky.