Soldier's Application for Pension

I, Abner Rucker

am a citizen of Kentucky, resident at Clay City in the County of Powell in said State of Kentucky, and was a soldier from the State of Tennessee, 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 A, 37th Regiment

in the service of the Confederate States, and that by reason of disability and indigence I am now entitled to receive the benefit of this Act. I further swear that I do not receive aid or pension from any other State, or from the United States, and that I am not an inmate of any 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 Feby 29, 1836, Grainger County, Tennessee

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

Answer ~~First~~, Carrol's Brigade, in June or July 1861, Chesley Johnican Captain; Rodeman Hurold, Captain; Rose White, Colonel; and Major Jno Day

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

Answer Surrendered at Knoxville, Tenn. probably thirty days about after Lee surrendered.

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

Answer In prison at Louisville, Ky., released about one or two months after Lee's surrender.

Were you paroled? If so, when and where?

Answer

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

Answer Yes

If so, when and under what circumstances?

Answer When released from prison at Louisville Ky.

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

Answer No occupation - not to exceed $50.00 per year.

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

Answer House & lot, valued at $150.00 in Clay City, Ky.
No personal property except a little household goods.

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 to exceed $50.00 for myself and $100.00 for my wife.

Do you use intoxicants to any extent?

Answer No - takes an occasional drink.

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

Answer Ever since discharged from Louisville prison, in 1865.

Have you an attorney to look after this application?

Answer No.

If so, give his name and address?

Answer .....

Witness my hand this 9th *day of* April 1912.

WITNESSES: Attest Luther Young — Abner his x mark Rucker

R. A. Irvin, *Physician* — P. O. Clay City, Ky.

Postoffice Address Clay City, Ky — *Street and No. (if any)* .....

J. O'Hara, *Witness* — *R. F. D. (if any)* .....

Postoffice Address Clay City

G. T. Hackworth, *Witness*

Postoffice Address Clay City, Ky.

STATE OF KENTUCKY

..... **County** } *I,* .....*Judge of said County, certify that* .....*and his wife* .....*are assessed with* .....*acres, valued at* $....., *and with* $..... *of personal property.*

Witness my hand this.....*day of* ....., 191...

.....*Judge County Court.*

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

STATE OF KENTUCKY

..... County } Personally appeared before me Luther Loving Police Judge of Clay City, Ky. of said County, the above named Abner Rucker 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 19th day of April, 1912

Luther Loving, Police Judge Clay City Ky

STATE OF KENTUCKY

Powell County } Personally appeared before me Luther Loving Police Judge of Clay City, Ky. 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 Abner Rucker the Applicant, and find him laboring under the following disabilities: Unable to earn a support by manual labor. Suffering from rheumatism and stomach trouble and account of his old age is unable to earn a living by manual labor.

Witness my hand and seal of office, this 19 day of April, 1912

Luther Loving, Police Judge Clay City

(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

Powell County } Personally appeared before me Luther Loving Police Judge of Clay City, Ky. of said County, the above named J. H. O'Neal and G. Hockworth, 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 19th day of April, 1912

To Applicants for Pension

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

1. Service in army.
2. Present Disability.
3. Indigency.
4. How you got out of the Army.
5. Character as a Soldier and Citizen.
6. Applications will not be filed unless certificates of Doctor and County Judge are 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. 2268

STATE OF KENTUCKY

Soldier's Application for Pension

Abner Rucker

Co. ..... Rgt.

JUL 29 1912

Filed April 26th 1912.
J. W. Wooley Clerk Pce
By W. G. Frazier D.C.

Allowed .....

Read Specifications on Back.

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

Approved

W. J. Stone Commissioner.

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

KENTUCKY STATE JOURNAL PUBLISHING CO., FRANKFORT, KY

Indorsement

Confederate Pension Department

STATE OF KENTUCKY

FRANKFORT,

ABNER RUCKER.

Enlisted Sept.6,1861, in Company K, 37th Tenn.Inf. and was surrendered April 30, 1865, at Knoxville, Tenn. and released June 15,1865, at Louisville, Ky. upon taking the oath of allegiance to the U. S. Government.

Proven by the record and comrades.

Property: $150.00.

W J Stone.

I recommend that this claim be allowed.

Adjutant General.

Allowed by the State Pension Board.

Chairman.

SOLDIER

Name Rucker, Abner

Address Clay City (Powell Co)

Filed July 29, 1912.

Company "K" Regiment 37th Tennessee Inf.

Discontinued

Died Office Notified

Remarks:

POWELL COUNTY COURT.

June Term 1912.

In the matter of the Application of for Pension of Abner Rucker.

The evidence shows that claimant owns a house worth about $200.00, has no income. Net earnings of himself and wife are about $100.00, per year; that he is a feeble old man and unable to earn his support by manual labor; that his claim is a meritorious one and should be allowed.

The witnesses heard are J. B. Eaton and G. T. Hackworth, Clay City, Ky.

JUDGE, POWELL COUNTY COURT.

February 1, 1913.

Mr. John C. H. Day,

Winchester, Kentucky.

Dear Sir:-

Your letter of January 31st addressed to Governor McCreary has been referred to me for reply.

Neither of the applications to which you refer have been reached for consideration by the Board. I have examined the applications and proof filed, and find that in the case of William Harrison there is no proof at all concerning his military record, either in the archives in the War Dept. or by comrades, in his case. Absolutely nothing to show that he was ever enlisted or served in the army.

In the case of Abner Rucker, the record shows that he enlisted Sept. 6, 1861, in Company K, 37th Tennessee Infantry, and "deserted" September 2nd, 1863. The record of the prisoners of war show that he was captured April 30, 1865, at Knoxville, Tenn. and released June 16, 1865, at Louisville, Ky. upon taking the oath of allegiance, which shows that he was either erroneously reported "deserted" or that he re-enlisted and served till the close of the war. It would be well, if he can, to file some statement in explanation of why this record of "desertion" was made against him. There were cases of men being temporarily absent without leave being reported as deserters when they had not really deserted.

In the case of William Harrison, proof would, ofcourse,

have to be furnished before the Pension Board could pass favorably upon his claim.

Very truly,

Examiner.

WJS-C

State of Kentucky, }
County of Powell. } Sct

The Affiant, Abner Rucker, states that he was in the Confederate Army and was engaged in the Battle of Murfreesborough, Tenn., in December 31, 1862, under Captain Chesley Johnican, and on the first and second days of January, 1863, retreated with Gen. Bragg's Army to Chattanooga district.

That sometime in the year 1863,(the exact date this affiant is not able to state) and while on picket duty with four other men, this affiant and his comrades were cut off from their command by the burning of Loudon Bridge.

That this affiant then went to Rutledge, Tenn., where he joined Captain Herald's Company, 12th Tennessee Batallion, commanded by Major Day, with which Company and Batallion he remainder until the close of the war. Affiant says that General Vaughn was in command of the Company and Batallion mentioned above.

Affiant says that in the year 1865, and near the close of the war he was sent out on a scouting expedition under Lieut. Dalton, and while out with Lieut. Dalton,he and all the men with him were captured at Knoxville, Tenn.

Affiant says that he never at any time deserted the Confederate Army, but was with it from the time he first enlisted until he was captured at Knoxville, Tenn., in 1865.

Abner Rucker
his
mark

Attest J. H. O'Lear

Subscribed and sworn to before me by Abner Rucker, this February 3rd, 1913.

Luther Ewing
Police Judge Clay City, Ky.

August 7th, 1913.

Mr. Luther Loring,
c/o Day Lumber & Coal Co.,
Clay City, Ky.

Dear Sir:-

I am in receipt of yours of the 6th inst. relative to the status of the applications of Wm. Henry Harrison and Abner Rucker.

There is an entry of "desertion" against Abner Rucker, and on February 1, 1913, I wrote a long letter to Mr. John C. M. Day explaining fully what the records at Washington show and what was needed to make his proof clear. It will be necessary that he prove the record to be incorrect and that he did not desert, which can no doubt be done by his comrades, in the event that he had a clear record. I am enclosing herewith a copy of the brief made by Capt. Stone for this application.

In the case of William Henry Harrison, the only affidavits that have been received here relative to his case are from his brother, James Harrison, and William Henry Harrison himself. The one that you say you sent of Abner Rucker's does not appear on file with Harrison's application. In James Harrison's affidavit he merely states that: "He personally knows that his brother, William Henry Harrison, served in the Confederate Army; that said William Henry Harrison served in Captain Joe Dickin's Company, in the 7th Kentucky Cavalry, commanded by Col. Chenault."

This is all right for part of his record, i.e., the

enlistment, but the most essential point he has not touched, which is how and when his brother, William Henry Harrison, got out of the army. It is absolutely necessary that an applicant prove a clear military record before the Pension Board will allow him a pension. William Henry Harrison states in the affidavit sent about February 8, 1913, that"while he was at home he was again captured and sent to Point Lookout, Maryland, for exchange, but was never exchanged, and remained at Point Lookout, Md. until he was released after the close of the war." If he had two comrades to state these facts relative to his getting out of the army as they know them, it would assist very much in clearing up the case.

Yours truly,

WJS-C

Examiner.

DAY LUMBER AND COAL CO.
INCORPORATED

SUCCESSOR TO
SWANN-DAY LUMBER CO.
FLOYD DAY AND CO.

GENERAL OFFICES, CLAY CITY, KY.

LUMBER DEPARTMENT

Clay City, Ky., August 16, 1913

W J Stone, Examiner
Frankfort, Ky.

Dear Sir:-

I have yours of the 7th regarding the applications of Wm. Henry Harrison and Abner Rucker.

We note you never received Mr. Rucker's affidavit of February 3rd, 1913 in support of his claim, and in answer to the charge of "desertion", which is substantially as follows:

Rucker states that he was in the Confederate Army and engaged in the Battle of Murfreesborough, Tenn in December 31,1862 under Capt. Chesley Johnican, and on the 1st and 2nd days of Jany 1863 retreated with Gen. Bragg's Army to Chattanooga district; that sometime in year 1863 while on picket duty with four other men, this affiant and his comrades were cut off from their command by the burning of Loudon Bridge; that affiant went to Rutledge, Tenn, where he jointed Capt Herald&s Co., 12th Tenn. Bat. commanded by Maj.Day, with which Company and Bat. he remained until the close of the wat; that in 1865 and near the close of the war he was sent out on a scounting expedition under Lieut. Dalton and while on this trip, he and all men with him were captured at Knoxville, Tenn.; and that he never deserted at all.

If you cannot locate the original affidavit, think I can have him furnish substantially the same facts under oath and forward to you, if it will be of any assistance to you, in clearing his record.

Yours ~~truly~~

Luther Loving -

August 19, 1913.

Mr. Luther Loving,

Clay City, Ky.

Dear Sir:-

I am in receipt of yours of the 16th inst. relative to the application for pension of Abner Rucker. On the 7th day of August I wrote you the status of Mr. Rucker's application fully. I note what you say in this letter as to Mr. Rucker's statement. Proof of the facts as stated in his letter will be necessary, and that proof must be by persons who actually know the facts.

Very truly,

Examiner.

WJS-C

Clay City Ky Jany 16-14

W. J. Stone, Examiner
Frankfort Ky

Dear Sir:-

In May 1912, I filed application for pension as a Confederate soldier, but my claim has never been allowed - on account of the fact that you say the records show I deserted in September 1863, - I did not desert - but was cut off from my command, Col. White's Regiment - Capt Jenkins's Company "A" - and afterward served under Gen. Vaughn, Major Geo. Day, Capt Herod, and remained in the service until the end of the war and was mustered out at Louisville, Ky - and the records will certainly show this fact. I did not desert in September 1863, but in the fight when London Bridge was burned, I was cut off from my Company & did not get with Gen. Vaughn for a month or two -

I have no money to pay for having the records searched - but I understand you have access to these records & can tell whether or not the records show I served with Gen. Vaughn's command from the latter part of 1863 until the close of the war, and I am sure they do & that I am entitled to pension -

Won't you please be good enough to write me about the matter at an early date - Yours truly, Abner Rucker