Declaration for Pension or for Increase of Pension or under Sixteen years of Age.

State of Tennessee, County of Cocke

ON THIS 5th day of June A. D. one thousand eight hundred and eight

personally appeared before me Clerk & Master of the Chancery Court of Co

of Record within and for the County and State aforesaid

[If application is made through guardian insert name of guardian, adding

Jas. Richd Johnson

"guardian of," and then give names of minors. If minors apply in their own names insert names of claimants.]

resident of Sutton, County of Cocke, State of Tenn

aged years, ~~respectively,~~ who, being duly sworn according to law, make the following declaration in order to obtain the pension provided by Act of Congress for children under sixteen years of age. That ~~they are~~ he is the legitimate child~~ren~~ of Willis Johnson deed

who enlisted under the name of Willis Johnson at

, on the day of A. D. 18

In Co E 2d Tenn Cav.

in the war of 1861 — 5 —, who died

at on the day of A. D. 18

and who bore at the time of his death the rank of , in

that he left a widow surviving Eliza J. who remarried 3d August 1866 to Andrew Sutton

that the above-named ~~are~~ is the only surviving legitimate child~~ren~~ of Willis Johnson

who ~~were~~ was under sixteen years of age at the time of his death, of whom

that said children were the issue of soldier, as follows, the dates of their birth being as hereinafter stated:

Jas Richd Johnson, of soldier by Eliza J., born 21st Apl 1853

, of soldier by , born 18

, of soldier by , born 18

, of soldier by , born 18

, of soldier by , born 18

, of soldier by , born 18

, of soldier by , born 18

That the mother was married under the name of Eliza Jane Ellison

to Willis Johnson, there being no legal barrier to such marriage; that the said children have not aided or abetted the rebellion; and that a prior application has been filed by the widow of soldier, as guardian = #212/530

that declarant hereby appoint with full power of substitution and revocation

J. L. McFARLAND, of Washington, D. C.

his attorney to prosecute the above claim; that his post office address is Sutton

Cocke Co Tenn

James Richard his x mark Johnson

attest.

Also personally appeared P. L. Styles residing at Sutton Tenn and J. A. Giles residing at Cosby Tenn, persons whom I certify to be respectable and entitled to credit, and who, being by me duly sworn according to law, say that they were present and saw James, Richard, Johnson, the claimant sign name (or make his mark) to the foregoing declaration; that they have every reason to believe, from appearance of said claimant and their acquaintance with him that he the identical person he represent himself to be; and that they have no interest in this claim.

J. A. Giles
P. L. Styles
[Signature of Affiants.]

[If Affiants sign by mark, two persons who can write sign here.]

Sworn to and subscribed before me this 5th day of June A. D. 1888.

and I hereby certify that the contents of the above declaration, &c., were fully made known and explained to the applicant and witnesses before swearing, including the words ..... erased, and the words ....., added; and that I have no interest, direct or indirect in the prosecution of this claim.

John R. Shutts C & M
[Official Signature.]
Chancery Court.
[Official Character.]

[L. S.]

1. "Was enlisted," "drafted," or otherwise, as the case may be.
2. State company and regiment, if in the army; or vessel &c., if in the navy.
3. State nature of wounds and all circumstances attending them, or the disease and manner in which it was incurred, in either case showing soldier's death to have been the sequence
4. "In the service aforesaid," or otherwise.
5. If widow survive so state, giving her name, and the date of her death or other facts divesting her title.
6. If any have died, state date of death.
7. State names of children and of their mothers, and dates of birth
8. If more than once married so state, giving name and dates and parties officiating.
9. If either soldier widow, or guardian of children have previously applied, so state, giving date and number of application.
10. If guardian applies, declaration must be signed by guardian, If minors are over age, and apply in their own name, declaration must be signed by each applicant.

...REN.
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..., Applicant.
...n deed
...d Reg't.
Vols.
...cation
...LAND,
...n, D. C.
Washington, D. C.

DECLARATION OF

Guardian of Minor Children for Pension,

UNDER ACT OF JULY 25, 1866.

State of Tennessee } SS
County of Cocke }

On this 9th day of November A. D. 1860, personally appeared before me, (1) J. F. Stanberry Clerk of the Circuit Court Cocke Eliza J. Cutton (2) aged 37 years, a resident of Cocke, ~~in the~~ County of ——, and State of Tennessee, and whose Post Office address is New Port, in the County and State aforesaid, who, being duly sworn according to law, doth on oath make the following declaration, as Guardian of the minor child of Willis Johnson deceased, in order to obtain the benefits of the provision made by the second section of the act of Congress approved July 25, 1866, increasing pensions to widows and orphans. He further declares that he is the Guardian of (3) James Richard Johnson whose father was a Private in Company "E" 2nd Regiment of Tenn Cavy Vols in the war of 1861, and that the said Willis Johnson died at Nashville Tennessee on the Eighteenth day of February A. D. 1863; (4) in consequence of Sickness called Fever

that the mother of the child aforesaid (5) now makes this application as Guardian of her said child, & states that she has not abandoned the support of said child, but that she has always cared for and supported him

and that the date of birth of said ward is as follows: James Richard was born on the 21st day of April A.D. 1853.

He further declares that the parents of the said ward were married at in the County of Haywood, and State of North Carolina on the 11 day of February, by Esq. Joseph Fincher and that the maiden name of his mother was Eliza Jane Ellison

My Post Office address is as follows New Port Cocke County Tenn

CERTIFICATE OF WITNESSES.

Also personally appeared Isaac Allen and John R. Shutts residents of ....., in the County and State aforesaid, persons whom I certify to be respectable and entitled to credit, and who, being duly sworn, say that they were present and saw Eliza J. Chittort sign her name ..... to the foregoing declaration; and they further swear that they have every reason to believe, from the appearance of the applicant and their acquaintance with her that she is the identical person she represents herself to be, and that they have no interest in the prosecution of the claim.

x Isaac Allen
x John R. Shutts
Signatures of Witnesses.

Sworn to and subscribed before me, this 9th day of November A. D. 1891, and I certify that I have no interest, direct or indirect, in the prosecution of this claim; and further that I have read to the affiants the foregoing affidavits before they made oath to the same.

Signature of Judge or other officer: J. L. Stanbery Clerk

[SEAL.]

INSTRUCTIONS.

(1) Describing the official character of the person administering the oath.
(2) Name of Guardian. (3) Names of Wards. (4) Here state the cause of death.
(5) Here insert, "is dead, or has re-married," or "has abandoned the care of," or "is an unsuitable person, by reason of immoral conduct, to have charge of said child or children," followed by a specific statement of the facts in the case.

N. B.—All applications for Pensions must be made before a Judge or Clerk of a Court of Record.

DECLARATION OF GUARDIAN OF MINOR CHILDREN FOR PENSION, Act July 25, 1866.

CLAIM OF Eliza J. Chittort Newport, Tenn.

FILED BY Spencer Hunsort ATTORNEY Knoxville, Tenn.

Printed and Sold by W. H. Moore, 484 11th St., Washington, D. C.

PROOF AS TO SERVICE.

The Adjutant General U. S. A. reports name on rolls as Willis Johnson,

also the rank, company, and regiment, and the dates of enrollment and muster,

as stated on preceding page. He also reports "Private, missing while on parole as prisoner

at Nashville Tenn."

PROOF AS TO DEATH.

1st. Report of Adjutant General.
2d. Report of Surgeon General.
3d. Certificate of Disability.
4th. Testimony of Army Surgeon.
5th. Testimony of Officers.
6th. Testimony of Fellow Soldiers.
7th. Testimony of Attending Physician.
8th. Other testimony.

The adjutant General reports "was sent to Hospital and never since heard from" Records on file report him "Admitted to No. 3 General Hospl. Nashville Tenn. February 18. 1863 where he died Feby 20. 1863 of Chronic Diarrhoea.

The Surgeon General reports June 4, 1866. "Willis Johnson, Co H 1st East Tenn. Cav. is reported as having died February 20th 1863 at G.H. No. 3 Nashville Tenn. of Chronic Diarrhoea. No evidence on file of the death of Willis Johnson, Co. D. 2 Tenn. Cav.

INCIDENTAL MATTER.

Rejected on the ground of the remarriage of the claimant there being a minor child of the soldier under sixteen years of age living at the date of remarriage.

ALLEGATIONS OF CLAIMANT.

Other children of soldier by former wife, No allegation

Other children of soldier by claimant, No allegation

Loyalty of claimant, Declared.

SUMMARY OF PROOF.

FORMER MARRIAGE OF SOLDIER.

The marriage of to

is shown by No allegation

DEATH OF FORMER WIFE.

No allegation

MARRIAGE OF SOLDIER TO CLAIMANT.

The ~~marriage~~ Cohabitation of Willis Johnson with Olya J. _____

is shown by the affidavit of two witnesses who have known the parties for 15 years.

DATES OF BIRTH OF CHILDREN.

No proof furnished.

DATES OF DEATH OF CHILDREN.

No allegation.

CUSTODY OF CHILDREN BY FORMER MARRIAGE.

No minors claim on file

WAR OF THE REBELLION. Act of July 14, 1862, and subsequent acts.

WIDOW'S PENSION.

(ORIGINAL WITH INCREASE.)

Eliza J. Johnson, Widow of

Willis Johnson,

Rank, Private

Company, E.

Regiment, 2nd Tenn. Cav.

Residence of claimant, Haywood County, and State of North Carolina.

Post office, Cosby, Cocke County, Tennessee.

Attorney, W. T. Bascom. Washington D. C.

~~Fee, $~~

No contract, and no material evidence filed since July 8, 1870.

Rate of pension, $ per month, commencing , 18 , the date of , and two dollars per month additional for each child, as follows:

By former marriage.	Born,	, 18 .	Commencing	, 18 .
	Sixteen,	, 18 .		
	Born,	, 18 .	"	, 18 .
	Sixteen,	, 18 .		
	Born,	, 18 .	"	, 18 .
	Sixteen,	, 18 .		
	Born,	, 18 .	"	, 18 .
	Sixteen,	, 18 .		
By last marriage.	Born,	, 18 .	"	, 18 .
	Sixteen,	, 18 .		
	Born,	, 18 .	"	, 18 .
	Sixteen,	, 18 .		
James Richard	Born, April 21	, 1853.	"	, 18 .
	Sixteen, April 20	, 1869.		
	Born,	, 18 .	"	, 18 .
	Sixteen,	, 18 .		
	Born,	, 18 .	"	, 18 .
	Sixteen,	, 18 .		

Payments on all former certificates covering any portion of the same time to be deducted.

~~Admitted~~ Rejected July 30th, 18 . J. B. Ryan, *Examiner.*

Approved, Rejected Aug 12, 1872, *Reviewer.*

, *Chief of Division.*

DATES SHOWN BY PAPERS.

Enlistment,	September 16, 1862.	Widow's app. filed,	October 16, 1865.
Muster into rank,	January 26, 1863.	Claim completed,	, 18 .
Discharge,	, 18 .	Former marriage of soldier,	, 18 .
Death,	February 20th, 1863.	Death of former wife,	, 18 .
Invalid app. filed,	, 18 .	Claimant's marriage to soldier,	, 18 .

Witnesses' Testimony in Relation to Birth of Minor Children.

ARMY PENSION CLAIM.—INCREASE CASE, ACT JULY 25, 1866.

JOINT AFFIDAVIT.

State of Tennessee, County of Cocke, **ss.**

ON THIS 2nd day of July, 1870 before the undersigned, a (1) Justice of the Peace in and for the County and State aforesaid, personally appeared John W Shutts and Mary Ama Vess, each of lawful age, residents of the County of Cocke in the State of Tennessee, who, being duly sworn according to law, on oath declare that they are and have been for many years past personally well acquainted with the family of (3) Willis Johnson, deceased, with whom, also, affiants were well acquainted in his lifetime, and who, at the date of his death, was a resident of the County of Cocke, in the State of Tennessee. Affiants further state that they are personally well acquainted with Mrs. Eliza Jane Sutton, who is the reputed and accredited widow of the aforesaid Willis Johnson, deceased. That during their marriage there were born to said parties, the following named children, at the dates and places, as follow, to-wit: (4) James Richard Johnson, Born April 21st 1856 in the County of Cocke State of Tennessee

That our knowledge of the facts is derived from choosing always lived neighbors.

WHICH FACT OF DATES AND PLACES OF BIRTH AFFIANTS POSITIVELY TESTIFY TO, FROM PERSONAL KNOWLEDGE. Affiants further state that *they were present in the room, were eye witnesses to the births when they severally took place, and acted as assistants in the accouchments of the mother of said children*, the said Mrs. Eliza Jane Sutton, the reputed and accredited widow of the said (3) Willis Johnson deceased.

Affiants further state that they are credibly informed, and believe the fact to be true, without any question to the contrary, that (3) Willis Johnson, deceased, father of the aforesaid minor children, on account of whose services and the births of said children, the aforesaid Mrs. Eliza Jane Sutton is making application as his widow for pension, was formerly a Pvt in Company "E" commanded by Captain John Henry, in the 2nd Regiment of (5) Tenn Cav. Vols., commanded by Colonel D. M. Rhea in the war of 1861–2, &c., and that by virtue of said military services, and the death consequent thereof, a right of claim for pension vests in the widow hereinbefore named, as the legal beneficiary of said deceased soldier, said pension being entitled to augmentation in amount by the children hereinbefore named at the rate of two dollars per month per child under sixteen years of age, agreeably to the provisions of the Act of Congress approved July

Midwife's or Assistant's Testimony in Relation to Birth of Minor Children.

ARMY PENSION CLAIM.—INCREASE CASE, ACT JULY 25, 1866.

SINGLE AFFIDAVIT.

State of Tennessee, County of Cocke, ss.

ON THIS 2nd day of July, 1870 before the undersigned, a (1) Justice of the Peace in and for the County and State aforesaid, personally appeared Clarinda Ward, of lawful age, a resident of the County of Cocke in the State of Tennessee, who, being duly sworn according to law, on oath declares that (3) She is and has been for many years past personally well acquainted with the family of (4) Willis Johnson, deceased, with whom, also, affiant was well acquainted in his lifetime, and who at the date of his death, was a resident of the County of Cocke in the State of Tennessee. Affiant further state that (3) She is personally well acquainted with Mrs. Eliza Jane Sutton, who is the reputed and accredited widow of the aforesaid (4) Willis Johnson, deceased. That during their marriage there were born to them, the following named children, at the dates and places, as follows, to-wit: (5)

James Richard Johnson who was born on the 21st day of April A.D. 1863.

WHICH FACT OF DATES AND PLACES OF BIRTH AFFIANT POSITIVELY TESTIFIES TO FROM PERSONAL KNOWLEDGE.

Affiant further states that (3) She *was present in the room, was an eye witness to the births when they severally took place, and acted as* (6) Midwife *in the accouchement of the mother of said children*, the said Mrs. Eliza Jane Sutton (nee Johnson), the reputed and accredited widow of the said (4) Willis Johnson, deceased.

Affiant further states that (3) She is credibly informed, and believes the fact to be true, without any question to the contrary, that (4) Willis Johnson, deceased, father of the aforesaid minor children, on account of whose services and the births of said children, the aforesaid Mrs. Eliza Jane Johnson is making application as his widow for pension, was formerly a Private in Company E, commanded by Captain John Henry, in the 2nd Regiment of (7) Tennessee Cavalry, commanded by Colonel D M Rhea in the war of 1861–2, &c., and that by virtue of said military services, and the death consequent thereof, a right of claim for pension vests in the widow hereinbefore named, as the legal beneficiary of said deceased soldier, said pension being entitled to augmentation in amount by the children hereinbefore named at the rate of two dollars

GENERAL AFFIDAVIT.

State of Tennessee County of Cocke ss.

In the matter of the Pension Claim No of Eliza Sutton

ON THIS 9th day of August A. D. 1882; personally appeared before me a Justice of the Peace in and for the aforesaid County, duly authorized to administer oaths Mary Viss aged 66 years, a resident of Sutton in the County of Cocke and State of Tenn and whose Post Office address is the Same and Martha Johnson aged 45 years, a resident of Sutton in the County of Cocke and State of Tennessee and whose Post Office address is the Same

well known to me to be reputable and entitled to credit, and who, being duly sworn, declare in relation to aforesaid case as follows: affiant Mary Viss Say that she was

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

present at the Birth of four of Eliza Sutton Children Widow of Willis Johnson Namely To Witt. Vs.

James R. Johnson Bored April 22 1854
Susana E Johnson Borned feb 6. 1856
Mary Johnson Borned May 14. 1858
Martha Johnson Borned May 14 1860
~~Wm J. Johnson Born June 6 1862~~

Births

and affiant Martha Johnson States that she was present at the Birth of 2 of Said children Namely To Witt Vs.

Susana E Johnson Borned feb 6th 1856
& Wm J Johnson Borned June 6. 1862

We know these fact as Bove Stated By hour Presents at the Births of Said children as A Bove Given

Sworn to and subscribed before me, the undersigned authority, this 2nd day of July A. D., 1870, and I hereby certify that the affiants are credible persons and of good reputation for veracity, and reside as stated in the foregoing affidavit. I also certify that said affidavit was read over, fully explained to, and understood by the affiants before the signing and execution thereof. That I have no interest in this matter.

Civil Officer's Signature. J. M. Ragan Justice of the peace for Cocke County

United States of America, State of Tennessee, County of Cocke, **Sct.**

I, P. W. Anderson, Clerk of the County Court within and for the County and State aforesaid, do hereby certify that J. M. Ragan, Esq., before whom the foregoing affidavit was made, and who has thereunto signed his name, was at the date of so doing a Justice of the Peace in and for the County and State above named, duly commissioned, qualified and sworn; that all his official acts as such are entitled to full faith and credit, and that his signature as it appears above, is genuine.

GIVEN under my hand and seal of County Court, at Office in Newport, this 2nd day of July, A. D., 1870

P. W. Anderson, *Clerk*

of the County *Court.*

REMARKS.—In case the Deputy authenticates the Clerk's certificate, evidence may be required to show that the Deputy is duly appointed and authorized by law to sign the Clerk's name and use the seal of the Court—therefore it is better to have the Clerk's own individual anthentication at once, and thus save the trouble and expense of a general authentication certificate respecting the Deputy, which might be required if the papers were authenticated by him instead of the Clerk.

"ADDITIONAL EVIDENCE."

ARMY PENSION CLAIM.

Act of B

Case No. 112,878

Mrs.

Widow of Willis Johnson

Late a Pvt. *Co.* E, *dec'd, of the* 2nd *Regiment of* Tenn

Agency

WITNESSES' JOINT AFFIDAVIT

AS TO DATES AND PLACES OF THE BIRTHS OF MINOR CHILDREN.

Attorney.

Knoxville, Tennessee.

INSTRUCTIONS.

1. *"Justice of the Peace"* or *"Notary Public"* as the case may be