

Fill and Return

6721

FORM A-1

No. A. 6721

Application of Indigent Soldier or Sailor of the Confederacy for a Pension Under the Laws of the State of Oklahoma

EVERY QUESTION MUST BE FULLY ANSWERED. WRITE THE ANSWERS CAREFULLY, USING INK. APPLICATION MUST BE SWORN TO BEFORE SOME OFFICER AUTHORIZED TO ADMINISTER OATHS, AND FILED WITH AND DULY APPROVED BY THE COUNTY JUDGE OF THE COUNTY WHEREIN THE APPLICANT LIVES. READ THE ENTIRE APPLICATION BEFORE BEGINNING. OBSERVE THE INSTRUCTIONS IN FINE PRINT UNDER THE LINES. MAKE YOUR ANSWERS EXPLICIT.

STATE OF OKLAHOMA, COUNTY OF _____ ss:

I, the undersigned, a Confederate Soldier (or Sailor), do hereby make application for a pension, to be granted me according to the laws of the State of Oklahoma, and under oath I make answer to the following questions:

1. What is your FULL NAME? James Elbert Emmert
Give your first name, your middle initial and your surname.
2. What is your post office address? Talihina Oklahoma
3. What is your street, route or box number? _____
4. Are you an actual resident of the State of Oklahoma? yes Of what county? LeFlore
5. How long have you lived in the State of Oklahoma continuously? 45 years
6. Where were you born? near Bristol Tenn. What is your age? 81
7. Have you ever applied for a pension anywhere? no Where? _____ When? _____
8. If so, were you granted a pension? _____ If not, why not? _____
9. Do you receive any income, annuity, pension, salary, wages, fees, money or other means of support, from any source whatever? no If so, state in detail the source and amount thereof. _____
10. Do you, your wife or both of you, own property of any kind either real, personal or mixed (household goods and wearing apparel not included), either in fee simple, for life, or in your own right, or an interest therein, or does anyone hold in trust for your benefit or use, any such property? (Answer yes or no.) no
11. If so, give value of said property over and above all encumbrance _____
12. What is your physical condition? Poor Are you able to work? no
13. What occupation are you engaged in? none
14. Are you an inmate of any public home or institution, charitable or otherwise? no
15. Do you apply for a pension because you are indigent and unable to earn a livelihood by manual labor? yes
16. Did you serve in infantry, cavalry, artillery or navy? Cavalry
17. In what state was your command organized or from what state did you enlist? Arkansas
18. When did you enlist? Oct. 1861 Where? Sebastian Co. Ark. You served how long? About one year
19. What was the name or letter of your company, battery or ship? Do not remember
20. State the name and number of your regiment or battalion Detached troop, used to guard ammunition trains
21. To what other commands if any were you transferred? none
22. State the names and rank of your officers - Griffith Capt. John Adkins First Lieut.
23. How were you released from the Confederate service? (Captured, paroled or honorably discharged.) Being just a
hardly old enough for service was sent home When? 1862
Where? Fort Smith Ark.
24. Were you ever wounded in battle? no
25. Were you a commissioned officer by the President of the Confederate States? no State rank and date of commission. _____
26. Were you detailed for special service in any armory or shop for the maintenance of the army or navy? no State fully. _____

I, the undersigned applicant, do solemnly swear that the foregoing answers are all true and complete, and I do further swear that I never deserted, or abandoned my post of duty while in the service of the Confederacy or any of the states thereof, but served honorably until released and that I know no reason why I am not entitled to receive a pension.

IF APPLICANT SIGNS BY MARK HAVE TWO WITNESSES TO MARK SIGN HERE

X J E Emmert
Applicant sign here, first name, middle initial and surname.
Subscribed and sworn to before me this 25 day of April A. D. 1928

Susan Pruitt Notary Public
Signature and title of officer.

My Commission expires _____ 192_____

NOTE: It is unlawful for anyone to charge or receive a fee, either directly or indirectly, for the procuring of a pension, or for taking the acknowledgments or oaths required herein. See that all the questions are answered. If applicant cannot write he must sign by mark, show the mark between the words "his" and "mark," and have two witnesses thereto sign on the lines for that purpose.

Fill Affidavit No. 1

5 years citizenship required now

AFFIDAVIT NO. 1. RESIDENCE AND CITIZENSHIP. BY TWO CITIZENS WHO KNOW THE APPLICANT HAS RESIDED IN THE STATE OF OKLAHOMA.

STATE OF OKLAHOMA, COUNTY OF Jefferson ss:

Before me Notary Public in and for said county and state, on this 25th day of April 1928, personally appeared John J. Thomas whose address is Galihina, and A. N. Thomas whose address is Galihina, who are personally known to me to be credible citizens, who by me being duly sworn, each for himself depose and saith:

That he is personally acquainted with the within named applicant for pension; that he has read the within and foregoing application and to the best of his knowledge and belief the statements therein contained are true; that to his knowledge said applicant is now and has been a bona fide resident and citizen of the State of Oklahoma for 4.0 years next preceding this date; that he personally knows that said applicant's habits are good and free from dishonor; and that he knows of no reason why said applicant should not be granted a pension under the laws of Oklahoma; and further that he has no interest whatever in this claim for a pension.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 25 DAY OF April A. D. 1928
Susan Gowen
Notary Public Jefferson Co Okla.
In and for said County and State.
(SEAL)

John J. Thomas
A. N. Thomas
SIGNATURES OF TWO WITNESSES
My commission expires June 11 19231

AFFIDAVIT NO. 2. PROOF OF SERVICE IN THE CONFEDERATE ARMY OR NAVY—BY TWO COMRADES IF POSSIBLE

STATE OF _____ COUNTY OF _____ ss:

Before me _____, a _____ in and for said county and state, on this _____ day of _____ 192____, personally appeared _____ whose address is _____, and _____, whose address is _____, both known to me to be credible citizens, and after being duly sworn by me, each for himself depose and saith:

That he knows personally that _____, the within named applicant for a pension, served in the Confederate army (navy) from _____ 186____, until _____ 186____, in Company (or Battery) _____, of the _____ Regiment of _____; that his officers were _____; that he served honorably and did not desert at any time, but remained true to his colors, that he was released from service on the _____ day of _____, 186____, at _____ by reason of _____

State fully why and by what method—honorable discharge, capture, parole, etc., and by what authority.

Affiants further state that they know these statements to be true because of having served themselves in the Confederate Army (Navy).

_____, affiant first above named, states that he served in Company _____ of _____ Regiment of _____, from _____ 186____ until _____ 186____

_____, affiant last above named, states that he served in Company _____ of _____ Regiment of _____, from _____ 186____ until _____ 186____

Affiants declare that they have no interest in this claim for a pension, and further state: _____

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____

DAY OF _____ A. D. 192____

In and for said County and State.
(SEAL)

(SIGNATURES OF TWO COMRADES)

My commission expires _____ 192____

NOTE: There must be two witnesses to each of the affidavits above. Both affidavits must be acknowledged before some officer authorized to administer oaths, which officer must express his title and affix his seal. Signatures by mark must be witnessed by two persons. If additional affidavits are needed, or it is necessary to send to distant points to secure proof of service, copies of Affidavit No. 2 may be made on separate sheets, and when executed, attached to the application proper. If applicant has a parole, discharge or other documentary evidence, it should be attached to the application, which, when completed, SHOULD BE SENT TO THE COUNTY JUDGE of the county wherein the applicant lives.

Not no war record book

Fill Affidavit No. 1

Form A-1 No. A 6721

Application for Pension for Confederate Soldier or Sailor.

DO NOT WRITE BELOW THIS LINE

JAMES E EMMERT

P. O. TWINNINA, OKLA.

St., R., Bx. No.

Filed in Pension Office 4-28-1928

Disallowed

Allowed

Allowed from No. P. Amt. \$

Reconsidered and allowed

From Amt. \$ No. P. Commissioner.

THIS SPACE BELOW FOR USE OF COUNTY JUDGE ONLY

State of Oklahoma, County of *Adair*

Filed in the office of the County Judge of said county and state this *26* day of *April* 192*8*

It is here by recommended that the within named applicant for pension be granted a pension, if found eligible by Commissioner.

James Emmert

(SEAL) County Judge.

County Judge Must Approve

Needs affidavits

Have record sent for 1-1-28 but application not well

4-28-28

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE.
WASHINGTON January 7, 1928.

Respectfully returned to

Commissioner,
Pension Department, State of
Oklahoma, Oklahoma City, Oklahoma.

The name J. E. Emmert has not been found on the muster rolls of any organization, State of Arkansas, C. S. Army.

Several men named Griffith are shown to have served in various organizations, State of Arkansas, C.S.A., as Captains.

Lieut. John Adkins has not been identified.

Lutz Wahl,
Major General,
The Adjutant General.
By rc.

A 6721

STATE OF OKLAHOMA
PENSION DEPARTMENT
OKLAHOMA CITY 1-3-1928

THE ADJUTANT GENERAL,
WAR DEPARTMENT,
WASHINGTON, D. C.

SIR:

I have the honor to request
that you furnish us with a copy
of any record you may have of the
C. S. A. service of:

J. E. EMMERT.

Company CAVALRY

Regiment of _____

Captain GRIFFITH

Major LT JOHN ADKINS

Colonel _____

Enlisted 1862 186__

At SEBASTAIN COUNTY ARK.

Discharged _____ 186__

At _____

Remarks:

RECEIVED
JAN 6 1928
OLD RECORDS

Respectfully,

J. J. Stewart
COMMISSIONER

Received A. G. O JAN 6 1928

Talithina Okla

Dec 31-27

Pension Dept.

Apmt got recd
Okla home City Okla -

I am writing for information and to regard to making application for a pension for a Confederate soldier. I enlisted in Confederate army in the fall of 1862 in Sebastian County Arkansas.

I belonged to a cavalry troop that did scout work all the time I was with it and was not attached to any regiment. My Captain was named Griffith and First Lieut. John Adkins. The first work I remember doing was we guarded a train of ammunition from Fort Smith Arkansas up to near the Missouri line.

I was only 15 years old when I enlisted and after serving several months was sent home on account of my age. Right away after going home my father moved us to Texas and I lost track of my comrades and am not now able to find any of them.

Please send me application
blanks and all necessary in-
formation

Respt. Yours

J. E. Emmert

Tauhina

Okeha

Emmett

Sent Mar Rec

1-3-28

now ref this
Recd 1-3-27

J. E. Emmett

Portland
Main

Emmett
all
and

January 18,
1928

Mr. J. E. Emmert,
Talihina, Okla.

Dear Sir:

We have your letter of December 31st and have been waiting for your pension application. For fear that you may have lost the blank sent you some time ago I am enclosing another, together with extra affidavit blanks.

We scarcely ever write the War Department for a copy of service record until we have a pension application on file in our office; but in your case we wrote there on receipt of your December 31st letter, and we now have a reply to the effect that your name has not been found on the muster roll of any organization from the State of Arkansas. This will mean that you will be dependent for proof of service on the affidavits of at least two comrades who served in the same command with you, and we do so hope you will be able to locate such comrades, to whom you can send the extra blanks herewith enclosed.

Trusting that we may hear from you soon, we
are

Yours very truly,

Confederate Pension Department
T. B. Hogg, Commissioner.

By

Clerk.

Encl.

Talihina Okla

Jan - 27 - 28

Pension Commissioner

Okla home City Okla

Dear Sir,

I received the pension application blank. I am unable to find any one who was with me when I was in the confederate army, but my sister who is older than I am is living and she was present when I enlisted and can make an affidavit to that effect and that I was away from home for quite awhile and known at that time to be in the army. My sister and I both can get affidavits as to our reliability. My older brother Jake Emmert was killed in the battle of Oak Hill Arkansas. He was a confederate soldier. I was only 15 years old at the time and his getting killed was the reason I enlisted so young.

Yours Truly

J E Emmert

RUTH MILLER
COUNTY COURT STENOGRAPHER

GROVER FLANAGAN
COUNTY JUDGE LEFLORE COUNTY
POTEAU, OKLAHOMA.

POTEAU DIVISION:
FIRST MONDAY IN JANUARY, APRIL,
JULY AND OCTOBER
SPIRO DIVISION:
FIRST MONDAY IN FEBRUARY, MAY,
AUGUST AND NOVEMBER
TALIHINA DIVISION
FIRST MONDAY IN MARCH, JUNE,
SEPTEMBER AND DECEMBER

A-6721

April 26, 1928.

In Re: Confederate Pension, J. E.
Emmert, Talihina, Okla.

Commissioner of Pensions,
Oklahoma City, Okla.

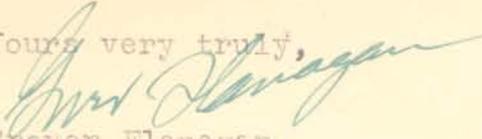
Dear Mr. Commissioner:

In the above matter inclosed is
the application of Mr. Emmert supported by
affidavit number One showing 40 years
resident in this county and also affidavit
number 2 by one witness, Elsie Adams.

I have known Mr. Emmert for the
past 21 years, he is a fine man, a good
citizen and is no doubt in my mind but
what his statement made in his application
is true.

I trust that you will be able to
grant him this pension, for the last few
years he has needed the same.

Yours very truly,


Grover Flanagan,
County Judge.

Tali'hina Okla

May 24 - 28

Confederate Pension Agent.

Oklahoma City

Dear Sir,

Some time ago I sent in my application for a pension together with the proof of my enlistment in the army. This was approved by the County Judge before I sent it to you. As I have not heard from you in regard to this I am writing to ask you to ^{set me} hear from you right away

Yours truly

J E Emmert

May 25, 1928.

A-6721

Mr. James E. Emmert,
Talihina, Oklahoma.

Dear Sir:

My letter to you had just been sent to the post office when yours of the 24th inst. arrived. It will give you full answer to your question. We would have written you at a much earlier date had it not been for the long illness of the Pension Commissioner, who just examined your papers recently.

Yours very truly,

Clerk.

May 25, 1928.

A-6721

Mr. James E. Emmert,
Talihina, Oklahoma.

Dear Mr. Emmert:

Everything pertaining to your pension application has been carefully examined by General Hogg, our Commissioner, and he directs me to advise that while he feels sure you served in the Confederate army during the year designated, 1861-62, yet being unable to obtain any proof of your service from the War Department he needs at least one good affidavit from a comrade who has personal knowledge of your service.

In your letter of December 31, 1927 you say that right after your return home from the army, in 1862, your father moved his family to Texas and in this way you lost track of all your comrades. But don't you think by writing to the newspapers of the various towns in Arkansas in the county where you enlisted you might find families who could tell you of at least one living comrade - and where he now lives? I am sure you ought to try this method, and so in the hope that you will do so I am sending you some more affidavit blanks, enclosed. If you really desire to be put on our pension roll it will pay you to put forth an effort to secure an affidavit. Your sister's affidavit is good, but of course not being in the army with you she could not have the complete knowledge which we require. Get all your friends to help you in your search for this comrade; you have no idea how many of our applicants, who fully believed they never could trace comrades and get affidavits, found upon making strenuous efforts that they could be successful, and later were granted pensions upon the strength of the affidavits they secured. You ought to try.

With kind regards to you, and assuring you that the Commissioner wants very much to hear that you have located a comrade, I am

Yours very truly,

Encl.

Clerk

A-6721

War record sent for 1-2-28
but Mr. Emmert did not send
his application till 4-28-28
and so it was not filed till
then;

No war record
and
Affi No 2 only from sister

Mr Emmert has not got any
proof from a company that was
in the army with him -

5-19-28 NB Hoegg

A-6721

Talihina Okla

June 3-28

Pension Dept.

Oklahoma City Okla,

I have your letter of recent date in regard to my application for a pension. I have sent you an affidavit that I enlisted also my own affidavit that I served. If you want any more proof as to ^{the} reliability of my word I refer you to Jno. J. Thomas, Talihina Okla. J. B. Harper Talihina Okla - both members of the Oklahoma Legislature, and ask you to look up my Masonic record. I have been a member of the Masonic lodge more than fifty years, I have made diligent search for some one who served with me but have not been able to find any of them - There was only one man in my company that I was acquainted with before enlisting and he is dead, the others came from a different section of the state and were strangers to me and after the war I never heard of them or saw them again, and can't find them now.

Please let me hear from you, and please hurry this - J. E. Emmert

June 8, 1928.

A-6721

Mr. J. E. Emmert,
Talihina, Okla.

Dear Sir:

The Pension Commissioner directs me to reply to your letter of June 3rd by saying that he desires very much to grant your pension claim, but he still does not feel justified in doing so unless he is furnished better proof of your service in the army. He does not doubt your word at all, but under the law governing his actions in this Department he does need good proof of service filed here with your application for pension.

Trusting that there yet may be some way for you to get the affidavit you need, and assuring you that we are all much interested in your getting on our roll, I am

Yours very truly,

Clerk.

a-6721



HOUSE OF REPRESENTATIVES

STATE OF OKLAHOMA

ELEVENTH LEGISLATIVE SESSION

CHAIRMAN COMMITTEES ON:
 PUBLIC HEALTH AND SANITATION
 PURE FOOD AND DRUGS

MEMBER COMMITTEES ON:
 PURCHASE COAL AND ASPHALT
 LANDS
 FISH AND GAME
 APPROPRIATIONS
 PROHIBITION ENFORCEMENT
 MINES AND MINING
 INDIAN AFFAIRS

JOHN J. THOMAS
LEFLORE COUNTY
TALIHINA, OKLAHOMA

June 11th 1928

Confederate Pension Agent,
Oklahoma City Okla.

My Dear Sir;

In Re Application of
J E Emmert for pension.

I wish to advise you that I have known the above applicant for around 45 years. I have found him to be a man worthy of credence and I am sure he would not misrepresent anything or make a false statement.

I am also acquainted with Mrs Elsie Adams of Cameron Okla, who I am told has made an affidavit in behalf of Mr Emmert and in support of her I consider her a lady that also is worthy of credence and would not make a false statement.

I am writing this letter, for your information, and wish to state that I have no interest in the case save to make a true statement on behalf of Mr Emmert, whom I have known for these many years.

Mr Emmert tells me he cannot find any one now living, who can make an affidavit required by your department and that he is seeking those who have known him for years to establish his reputation for truth.

I shall appreciate your efforts to clarify the matter so Mr Emmert can enjoy this small income in his fast declining days.

Yours very truly,

John J. Thomas
John J. Thomas

*This letter
does not
help me
M.E.*

July 7, 1928.

A-6721

Honorable John J. Thomas,
Talihina, Oklahoma.

Re: Mr. J. E. Emmert.

Dear Sir:

The delay in replying to your letter of June the Eleventh has been caused by the Commissioner's absence from his office at the time of its receipt, and by my being compelled to spend the most of my time during this past three weeks on our pension warrants - the month of June being the close of the quarter. Will you please pardon?

General Hogg directs me to advise that while he appreciates your letter, and he does not in any way doubt the word of either Mr. Emmert or Mrs. Adams, yet he would not feel justified in granting Mr. Emmert's claim for pension since he does not have the required proof of service in the army. He regrets this very much, and hopes that the applicant will yet be able to furnish him with proof.

Mr. Emmert was not regularly enlisted in the army and therefore there is no record of his service on file in the War Department, and he has even forgotten his company and regiment. The only affidavit he has sent us so far is the one from his sister, and since she, not having been in the command with him, could not have personal knowledge of his service, her affidavit cannot be accepted as conclusive evidence of the service.

Thanking you for your kindly interest in one of our applicants, and trusting that Mr. Emmert will keep on trying to get a good affidavit, and assuring you that we all will do anything we can to help this applicant, I am

Very truly yours,

Clerk.

AFFIDAVIT.

STATE OF OKLAHOMA) SS
COUNTY OF LEFLORE?)

Before me, J.N.Ross a Notary Public in and for said county and state, on this 15 day of Febuary, 1928, personally appeared Elsie Adams, whose address is Cameron, Oklahoma, known to me to be a credible citizen , and after being duly sworn by me depose and states:

That she is a sister of J.E.(Elbert) Emmert, who is an applicant for a pension. That she was living with her parents before and during the Cival War at their home near Hackett City, Arkansas and the said J.E.(Elbert) Emmert was also at home before and during the fârst part of 1861, that during the latter part of 1861 he inlisted in the Confederate Army and a short time after he had inlisted he was ordered out. He was only a boy, being two years younger than myself and our parents objected when it was made known to them that he had inlisted. When he received notice to report for service, he left with his horse, beding and ect. He was gone for quite a while and upon his return home stated that the officers had ordered him to come home and remain until he received orders to return. At the time he was ordered home his Company was in camp near Fort Smith, Arkansas.

Elsie Adams

Subscribed and sworn to before me the day and year first above written.

My Com. Exp.

April 1st 1931

J N Ross
Notary Public