

WAR OF 1861.

CLAIM FOR MOTHER'S PENSION.

Act of July 14, 1862.

113262

Brief in the case of *Matilda Leair*, Mother of
Thomas Leair, private Co. C. 109th Regt. U. S. C. Infantry
 resident of *Grant* County and State of *Kentucky*
 Post Office address *Care of R. N. Carter, Williamsstown, Ky.*

DECLARATION AND IDENTIFICATION IN DUE FORM.

PROOF EXHIBITED.

Service. *This man was enrolled June 2, 1864 and is reported by Adjutant and Surgeon General W. L. Army:-*
"Died Oct. 26, 1864 in Gen. Hosp. Ashland, Ky., of Intermittent Fever."
 Death. *Shown by testimony of several comrades, one of whom was detailed to remain with and nurse him, and was with him when he died; that while the Regiment was en route from Louisville to Baltimore, he was attacked with Intermittent Fever, was sent to hospital and died of Intermittent Fever, Oct. 26, 1864-*
 Celibacy of Soldier. *Shown by competent testimony*
 Relationship. *" " " "*
 Death or disability of husband. *Her husband was a slave who died, dying several years since not residing with claimant who was free. She has no property and has been for many years head-ridden and dependent upon the proceeds of the labor of this soldier, and, since his death, upon the charities of neighbors. She has been afflicted with rheumatism for 14 years. Shown that his wages since prior to 1860 have been used to procure for her the necessities of life*
 Dependence. *Shown-*
 Legality. *Shown-*
 Agent and his P. O. address. *Cat. C. D. Pemberton, Washington D. C.*

Admitted *May 8th*, 1863, to a Pension of \$ *8.00* per month,
 commencing *October 27*, 1864.

Exd. *D. M. Berkaw*, Examining Clerk.

22-

State of Kentucky, }
County of Grant }

On this 13th day of July 1866, before the undersigned Clerk of the County Court, in and for the County and State aforesaid, personally appeared Matilda Lair, a woman of color, a citizen of said County and State, to me well known, who, being duly sworn, according to law, declares she is the Mother of Thomas Lair, who enlisted in the service of the United States, on ^{or about} the 26 day of May, 1864, at Lexington, Kentucky as private in Capt Samuel M. Campbell's Company I 107th Regiment U. S. Colored Infantry Volunteers, for three years, and who died on the 26th day of October 1864 at ^{but by reason} of what disease she ^{is} unable to state. She further declares that her son ^{then} as Lair, the soldier aforesaid, was ^{her} principal support and that she depended ^{very} upon ^{him} for, at least two thirds of support; that she was at the time he enlisted, ^{and} ~~and~~ for several years before he enlisted, and now is, altogether unable to help herself in or out of bed, and, consequently, not only unable to earn her food and raiment, but unable to cook her food, or to dress or undress herself; that she requires constantly the services of her only daughter, Eliza Lair ^{who is now 14 years of age, and dependent upon her for support,} in assisting her in her various personal necessities. She further declares that she makes this declaration and affidavit for the purpose of obtaining on her own account a the third pension, and on account of her daughter, the said Eliza Lair, who is now 14 years of age, the pension of \$2.00 per month, according to section 9 of the Act approved June 6th 1866, and according to Sec ^{Act Approved} ; and hereby constitutes and appoints Col. W. C. Pennington of Washington D. C. her attorney for her and in her name to prosecute this claim and procure a certificate; authorizing and empowering her said Attorney to do

all legal and necessary acts required in the premises, except drawing the money which will be provided for hereafter.

B. N. Carter

witnesses

Matilda ^{born} Lair
marks

J. A. Carter

Sworn to, subscribed and acknowledged before me by Matilda Lair the day and year first above written; and, also, on the same day, personally appeared D. L. Cunningham and Henry Wallace both citizens of Grant County, whom I certify to be credible persons and entitled to be believed, who after being duly sworn, according to law, declare that they are personally acquainted with Matilda Lair, the declarant, who made and subscribed the foregoing declaration in their presence; also with her daughter the said Eliza Lair, and were personally acquainted with Thomas Lair the ^{soldier} named in her said declaration, who performed the military service therein named and who died in said service on the 26th day of October 1864; that they know that the said Matilda Lair is the reputed mother of the said Thomas Lair, the soldier aforesaid; and that the said Eliza Lair is the sister of the said soldier; these facts they have become acquainted with by living in the same neighborhood in which she lives for the last ten years at least, always understanding from her and the said Thomas Lair the relationship of Mother and son existed between them and never having ^{heard} it disputed or doubted. They also declare that all her statements ^{in regard} to her inability to support herself as well as in regard to dependence on Thomas Lair, the soldier named, her son, also in regard to the relationship of brother and sister asserted or declared between the said Thomas Lair and the said Eliza Lair are all true, and that they have no interest in the claim.

at Henry M. Baird.

J. S. Jeffers

D. L. Cunningham
Henry ^{born} Wallace
marks

about written
Thos A Franklin
Clerk Grant County Court State of Ky

I. D. Jenckes
 Attorney
 Washington
 D.C.

Deserve to and rewarded by

Adjutant General's Office,

Washington D. C.,

October 9, 1865.

Sir:

I have the honor to acknowledge the receipt from your Office of application for Pension No. 133,447, and to return it herewith, with such information as is furnished by the files of this Office.

It appears from the Rolls on file in this Office, that Thomas Carr was enrolled on the 2nd day of June, 1864, at Lexington in Co. "I", 109th Regiment of U.S. Infantry Volunteers, to serve three years, or during the war, and mustered into service as a Private on the 2nd day of June 1864, at Lexington, Ky., in Co. "I", 109th Regiment of U.S. Infantry Volunteers, to serve three years, or during the war. On the Muster Roll of Co. "I" of that Regiment, for the months of Nov. and December 1864, he is reported "Died in Union Hospital, Ashland, Ky., October 26, 1864, by reason of Remittent Fever."

I am, Sir, very respectfully,

Your obedient servant,

D. C. Hazard

The Commissioner of Pensions,
Washington D. C.

Assistant Adjutant General, U. S. A.

Memorandum

Name of applicant

Address

13413

Surgeon General's Office,

Record and Pension Bureau,

Washington, D. C., Oct 10th, 1866

Sir:

I have the honor to return herewith application for Pension, No. 133 447
with such information as is furnished by the records of this Office, Private
Thomas Lgain, Co. "I", 109th
Regiment U. S. C. T., is reported to this Office by A. Aust.
Surgeon G. W. Mc Millan as having died Oct 26th, 1864 at
Paul Hosp. Ashland Ky
of Remitt Fever.

Very respectfully,

Your obedient servant,

BY ORDER OF THE SURGEON GENERAL:

J. J. Woodward

Brevet Major and Assistant Surgeon, U. S. A.

The Commissioner of Pensions,
Washington, D. C.

T. J.

No. 133.447

119.262

ACT OF JULY 14, 1862.

Matilda Sair

Grant Co. Kentucky

Mother of

Thomas Sair

Priv. I 109 11 S. Col. Vols

Died

Oct 26. 1864. Disease unknown
Pension Office,

186

Respectfully referred to the Adjutant
General, for official evidence of service
and death.

Joseph M. Barrett

Commissioner.

Received, Sept 11 1866.

C. D. Hunsbaker

Present

Attorney.

✓
Sept. 23. 1867
Letter for new Dec. evidence
of support Cir. 9. 10. 19

July 29, 1867
Letter enforcing above require-
ments Cir. 2. 9. 10. 19

Dec. 29, 1867
Letter for evidence of sup-
port and oral testimony
of scatters

No. 113368

Kentucky.

Matilda Cair.

Widow of
Thomas Cair.

Rank Private

Company I. P.

Regiment 109. U. S. Troops

Lexington Agency.

Rate per month \$ 8.

Commencing 21 Oct. 1864

Certificate dated 15. May. 1868

and sent to Col. L. D. Schnebaker

Washington

D. C.

At 11th July, 1862.

Book G Vol. 6 Page 61

H. J. Jenseman Clerk

Reimbursement No. 4710, H. S.

Requisition for \$16⁰⁰/₁₀₀ to the

Secretary as requested by the

Office No. 83

July 25th 1867

State of Kentucky }
Henton County } ss

On this first day of October
A.D. 1867, before me Clerk of the County Court
and for the County and State above named,
personally appeared John Neal
a resident of Covington, Henton County, State
of Kentucky, who first being duly sworn by me
according to law that he was late a private
in Company A. of the 102nd Regiment of the
U. S. Colored Troops; that he was person-
ally acquainted with Thomas Lair, a
private in Company "I" of the same Rege-
ment, on whose account his mother Ma-
tilda Lair, has applied for a Pension; that
he knew the said Thomas Lair in Grant County,
before he enlisted in the service of the United
and was well acquainted with his Mother,
Matilda Lair, who resided and still resides,
in Grant County, Kentucky, in which County
affiant formerly resided; that the said Thomas
Lair was sworn into the service of the United
States, at Covington, Kentucky, about the 8th
of June, 1864, and mustered into the service
of the United States, at Louisville, Kentucky,
sometime in the same month, cannot say
precisely what day of that month; that affiant
moved with the Regiment to which he and
the said Thomas Lair belonged from Louis-
ville up the Ohio river towards Baltimore,
and that at Castleburg, in the state of



Affidavit 7048
 John Neal (deceased)
 Matilda Lairs claim
 for Pension
 Witnessed

Kentucky, on Big Sandy river, took the intermittent
 Fever, and was sent to the Hospital, at Ashland
 Kentucky; that he, affiant, was ordered to remain
 at Ashland, when troops moved forward to nurse
 the sick, and that on the 26th day of October,
 1864, as near as he can remember, the said
 Thomas Lairs died of the intermittent Fever at
 Ashland, Kentucky, and that, affiant closed
 the eyes of the said Thomas Lairs in death.
 He further says that he has no interest in
 the claim of Matilda Lairs for Pension on
 account of the services and death of the
 said Thomas Lairs.

John ^{his} Neal
 mark

J. B. Martin
 J. B. Ellis

Overtaken to, and the mark in his name
 made by the above named John Neal
 and the witnesses subscribed their names
 before me, and in my presence, after the
 foregoing affidavit had been read
 and explained by me to the affiant whose
 name appears above, and I also certify
 that I have no interest in the claim
 alluded to in the foregoing Affidavit, in
 any manner whatever

In Testimony Whereof I have
 hereunto subscribed my name
 and affixed my official seal
 at Lexington this Tenth day of
 October 1867

J. C. Ellis
 Clerk of the County Court of Kenton
 County, State of Kentucky



Additional Evidence

State of Kentucky } ss
Grant County }

On this 10th day of July 1867 before me,
W. H. Sully, Clerk of the Grant County Court, State of Kentucky,
personally appeared Matilda Lair, ^{Colonel} who being duly sworn ac-
cording to law, declares that she is the identical person who
applied for and received a mass of Pay and Bounty money
from the U. S. in account of the services and death of
her son, Thomas Lair (Colonel) private Co. I. 107 U. S.
C. I.; that she has applied for a Pension on account of
the services and death of the same soldier, and that the
proof of the time, place and cause of her death, as far
as she could she made in her application for Bounty; that
she has no documentary proof to establish the precise
day, place and disease which caused his death, but such
as she could get she sent to the proper department, and was
deemed sufficient; that she now refers to that proof in the
said Department to establish any fact that may not have
been sufficiently established in her application for Pension,
and asks that a copy of it may be filed by her attorney
with this application, as additional proof in part in order
to the procurement of the Pension applied for by her, and
constitutes applicants, as heretofore, C. P. Parker
of Washington her attorney to control this affidavit, and
file it for the purposes aforesaid

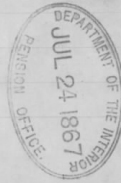
Sworn, subscribed and acknowledged by Matilda Lair ^{her} ~~Colonel~~
on the day and date first above written, and
the same time and place personally appeared before me
W. H. Sully and J. M. Wilson
who after being duly sworn according to law, say

that Matilda Lair who ^{made her name to} ~~suppose~~ the foregoing affidavit in
their presence, is the identical Matilda Lair named in
the foregoing Affidavit, and referred to therein; that they knew both
her and her son Thomas Lair, before he enlisted in the service
of the United States; that she was dependant upon his labor, wholly
dependant for support; that she was before he enlisted, and has
been since greatly afflicted, and unable to get in or out
of bed without the assistance of others and that her said
son, was a miner, whose services, belonged to her and which
were employed for her support; and that they have no
interest in this claim. W. Stoddard

John M. McIlwain

Sworn to and subscribed before me by W. Stoddard & John M. McIlwain
My testimony whereof I hereunto subscribe my
name and affix my official seal this 10 day of
July 10th 1867; and I also certify that the said
Matilda Lair is the person she represents her self to
be, and that W. Stoddard and John M. McIlwain the persons
above named are truthful men, and that I have no
interest in this claim. H. H. Lully

Clerk Grant County Court
State of Ky



State of Kentucky }
County of Grant }

On this 22 day of August
A. D. 1867, before me Clerk of the County Court in
and for the County and State aforesaid aforesaid
personally appeared Matilda Lairs, (Colored) an
resident of Grant County and State of Kentucky,
well known to me to be of good reputation for
veracity and entitled to credit, who being first
duly sworn, declares that her Post Office is
Williamson, Grant County, Kentucky, that her
age is about 55 years; that she is the widow
of Washington Lairs (Colored) who died in Har-
rison County, State of Kentucky, in the year
near Lynchiana, in said County; that she
is the Mother of Thomas Lairs (Colored) who
was a private in Company F of the 109th Reg-
ment U. S. Colored Infantry; who enlisted and
entered at Lexington, State of Kentucky, on or about
the 6th day of June 1864, for three years
and who died at Ash-
land Hospital, in the State of Kentucky, of the
Intermittent Fever, on the 26th day October, 1864;
that her son Thomas Lairs the soldier above named
was about eighteen years of age, and unmar-
ried, and left surviving him neither wife
nor children; that she was wholly depend-
ent on him, the said Thomas Lairs, the soldier,
her son, for support; that her husband's death
and her physical and pecuniary inability caused
her to be dependent on him, the said Thomas
Lairs for her support; that her physical inability

was caused by Rheumatism, which has rendered her unable to walk, or perform any manual labor for her own support, and unable to get in or out of bed for or during the last ten years; that the said Thomas Lair, since old enough to labor has been her chief or entire dependance for supports, having previously been assisted by others; that she hired him out for her support, at Thirteen dollars per month, for the purpose of procuring her the necessaries of life, such as bread, meat, clothing and other articles of subsistence; that she is now confined to her room and to her bed, being unable to walk a step, and unable to feed herself. She makes this declaration for the purpose of obtaining a Pension from the Government on account of the services and death of her son, the said Thomas Lair, and on account of her dependance as aforesaid upon him for support as stated, and hereby constitutes and appoints Col. C. C. Pennicaker, Washington D.C. her Attorney, for her and in her name to present and prosecute this claim or application for a Pension and to procure and transmit to her such pension certificate as may be granted her by the proper department.

J. G. Lannier, Matilda ^{her} Lannier
Coapille mark

Also personally appeared at the same time, Archie Webb, (colored) a resident of Grant County, and state of Kentucky, who first being sworn, according to law;

declares that he has just heard read the foregoing

declares that he has just heard read the foregoing application of Malinda Lair for a pension from the Government of the U. S.; that he, affiant, was a member of Company ^{10th} A. M. S. Colored Infantry, under Captain Julius Reigler; that Thomas Lair belonged to Company D of the same, the 109th U. S. Colored Regiment; that he was acquainted with the said Thomas Lair before he enlisted, both residing in Grant County, Kentucky previous to the enlistment of either; that he and the said Thomas Lair were ^{both} sworn into the service of the U. S. at Lexington, Kentucky on or about 23rd or 8th day of June 1864, and were both mustered into the service of the United States, at Louisville, Kentucky, in the same month, June, but forgets the exact day, but thinks it about the middle of said month; that from Louisville, affiant with his Regiment were ordered on to Baltimore, going up the Ohio, and the said Thomas Lair took ^{sick} at Catlettsburg, Ky, on the bank of Big Sandy river, and was sent by his captain to the Hospital at Ashland, Kentucky, where ^{he} died on the 26th day of October, 1864, as affiant was told by Captain Reigler, at Baltimore, and as he was afterwards informed by John Neel, colored, of Company A of said Regiment who told affiant that he closed the eyes of said Thomas Lair in death at Ashland Hospital, as aforesaid; that he believes from what Captain Reigler and John Neel told him, and from never having since seen the said Thomas Lair, that he died as above stated, and has no doubt of that fact. He further says that he has been acquainted with Malinda Lair, the mother of the said Thomas

Law, since the year 1860, and that in that year and since
she has been bed fast, and unable to perform manual
labor, and unable to walk, as she states in her de-
claration, the whole of which he has no doubt is
true; and that he has no interest whatever
in this application or claim.

Attest:

B. N. Carter

Clara Loring

Arch^l Webb
mark

Sworn to and her mark in his name made
before me this 22nd day of August 1867, and I
certify that I have no interest in this claim in
any way whatever.

In Testimony whereof I
have hereunto subscribed
my name and affixed
my official seal this day
and year last above written.

H. H. Tully

Att. County Court, Grant County,
State of N. Y.



Copy of Application
of Martha of New York
Thomas of New York
Affidavit of John L. Loring
Grantee

Filed by
C. A. Bunnell
Washington, D. C.

State of Kentucky }
Grant County } ss

On this 8th day of November, A.D. 1867, before
me, Clerk of the County Court in and for the
County and State abovenamed, personally appeared
Henry Wallace, a resident of Pendleton County and
State of Kentucky and Daniel L. Cunningham, a
resident of Grant County and State aforesaid, who
being by me duly sworn, according to law, declare as
follows: That they, both, have been personally acquainted
with Matilda Lair, a woman of color, for at least fif-
teen years; that she is the identical Matilda Lair
who has applied for a pension on account of the
services and death of Thomas Lair, late a private
in Company , of the Regiment U.S. Colored
Troops; that the said Thomas Lair was the reputed
son of the said Matilda Lair, and so recognized by
her and the community in which they both lived;
that at least for the last ten years she has been con-
fined to her room, and nearly all that time to her
bed by , and unable to support her
self, and indeed unable to prepare her own victuals
and feed herself a great part of said time; that
her son, the said Thomas Lair, was her only re-
liance for support for that time; that she being a
free woman before the war, hired out the said Thom-
as Lair for her support from the time he was able
to perform manual labor; that affiant Wallace

has often hired him from his mother, and paid her for his services; that was in the employ ment of affiant Wallace at the time he volunteered in the service of the United States; that they know of many instances in which he was thus hired out by her for her support; that her services was upon an average, worth to her dollars per month; that the means thus procured by his services, were expended in buying bread, meat, sugar, coffee, and salt, as well as clothing for her use, and for such attention as she needed in his absence from home that she is not and never has been the owner of any real estate, and nothing of personalty except her household furniture.

They further say they know their statements to be true, because, before affiant Wallace became a resident of Pendleton, County, Kentucky, about one year since, he was a resident of Grant County, in which the said Matilda Lair lives, and that, they, both of them resided near her, and was in constant intercourse with her in regard to the hiring of her son the said Thomas Lair, and on account of partly assisting in procuring her the necessaries of life, And that they have no interest in her claim al luded to above, in a pecuniary sense, and state the facts above recited because true. They believe that Washington Lair, the father of said Thomas Lair is dead, that he died in the County of Hammon and State of Kentucky, but cannot say precisely when he died. Affiant Wallace knew the said Washington Lair well; that he was a slave, at the time of his death, and

that he did not therefore contribute anything to the support of the said Affiant Matilda Lair -
J. L. W. L. W. L.

that he did not therefore contribute anything
to the support of the said Appheast estate
Levir - ^{his} Henry M. Wallace
Affiant B. B. Carter
N. J. Ferguson D. S. Cunningham

Sworn to and subscribed before me, and I hereby
certify that I have no interest in the claim refer-
red in the foregoing Affidavit.

In Testimony Whereof, I have
hereunto subscribed my name and affixed
my official seal this 8th day of November
1867
H. H. Kelly
Clerk Grant County Court
State of Kentucky



EX 7048
Affidavit
of Wallace Cunningham
Claim of Matilda Law

Filed by
L. D. Perreault
Washington D. C.

Amended Declaration of Matilda
 Lair, mother of Thomas Lair, private, Co
 "G" 109 Regiment, U. S. Colored Troops
 State of Kentucky, }
 Grant County }

On this 15th day of March A.D. 1868, before
 me Clerk of the County Court, in and for the County
 and State above mentioned, personally appeared
 Matilda Lair, colored, whom I certify to be a
 respectable and of good reputation for veracity,
 who being duly sworn by me, according to law,
 makes the following amended declaration or
 affidavit for the purpose of obtaining a pen-
 sion from the United States on account of
 the services and death of her son Thomas Lair
 who was a private in Co "G" 109 Regiment of
 the U. S. Colored troops, viz. That she has used
 every means within her power to ascertain the
 location of the Surgeon of the said Regiment to
 which her said son belonged, and has not been
 able to ascertain the same; that she is entirely igno-
 rant of the place of residence of the officers who
 commanded said Regiment, or of those who
 commanded said Co "G" of said Regiment at
 the time of his death; and that it is impossible,
 so far as she now knows, to offer any other
 proof of her son's sickness and death, than
 the affidavits of Archie Webb, and John Neal
 which are now on file in the proper Department.
 She also declares that as stated in her former

declarations that in consequence of her great, continued, and permanent afflictions, as therein stated, that she was not only chiefly but wholly dependent for her support upon the labor of her said son Thomas Lair, and that since his emigration and death, she has been dependent upon the charity of friends and neighbors, having no means of her own for a support, and being totally unable to give her support by her own labor, being dependent upon the friendship of others not only for the means of living, but also upon them for the preparation of the victuals she eats, for dressing her daily, and undressing, and for removal to and from bed.

She further declares that her said son Thomas Lair, was never married, that he left neither widow nor children ^{and that his father as intestate} surviving him, and that she is the only heir, according to the law of Congress entitled to the benefit she seeks to obtain, viz. a pension, on account of the services and death of the said soldier, Thomas Lair.

W. Harrison. ^{first} Matilda Lair. ^{mark} D. L. Cunningham

The above affidavit was read and explained to the applicant, Matilda Lair, subscribed by mark by her and sworn to by her before me on the day and year first above written; and also, at the same time, personally appeared

D. L. Cunningham and W. Harrison

who being first duly sworn ^{by me} according to law, declare that ^{they are} well well acquainted with the said ^{Matilda Lair}

who being first duly sworn, according to law, declare that they are well acquainted with the applicant, Matilda Larr, and have known her for many years; that she has always borne a good character, and is worthy of credit; that she has been greatly afflicted by Rheumatism for 14 years; that her statements are all true; that applicants were well acquainted with her son the said Thomas Larr from the time he was a small boy; that she was dependent upon him wholly for a support from the time he was able to labor until he left her and went into the service of the United States as a soldier; that she hired him out (she being a free woman) for the purpose of earning her a support, and this she did from year to year, and from time to time, for at least the space of ten years previous to his enlisting in the military services of the United States; that they lived in the same neighborhood in which she lived during the last ten or fifteen years, and had every man that one neighbor has to know the condition of another in regard to her condition, which was and is such as she declares it to have been and to be at present; and further they applicants say that they have no manner of interest in the claim of the applicant further than to speak the truth as requested to do in this case. And further they declare that the said Thomas Larr was never married and left neither a widow, children, or child

at his death, and also, that his father Washington
Leir died several years ago, the date of his death
they do not remember and that Matilda Leir
is the only heir at law under act of Congress
of the said Thomas Leir. They also say that her of-
fidant was ^{was sworn} ~~in~~ to her before ^{by} ~~it~~ ^{W. Harris or}

Thorn and subscribed } D. L. Cunningham
before me on the day and date above named
and I further certify that the declarant and
affiants are the persons they represent them-
selves, and that I have no interest direct
or indirect in the pension referred to in the
affidant of declarant

In testimony Whereof I have
hereunto subscribed my name and affixed
my official seal this 15th day of March
1868

H. W. Smith
Clerk of the Grant County
Court, State of Kentucky