

COMMISSIONERS OF CLAIMS,

ACT MARCH 3d, 1871.

No. 21473

36.604

REPORT ON CLAIM

OF

Scipio Burnett
by his Widow Susan

OF THE STATE OF

Georgia

Submitted to Congress Dec. 1874

Amount Allowed. \$ 20.00

No. 21473 Claim of Susan Bennett, of Liberty County, in the State of Georgia
 filed by Scipio Snice deceased

No. of Item.	DESCRIPTION.	AMOUNT CLAIMED.		AMOUNT ALLOWED.		AMOUNT DISALLOWED.	REMARKS.
		Dollars.	Cts.	Dollars.	Cts.		
✓ 4 Hogs		2000		2000			Claimant is a widow whose husband died since the war. They were both slaves during the war, and their property is established by the evidence. It would seem that the widow is entitled to prosecute this claim for her own benefit and that of her little children in her own name. She and her fellow servants testify to the ownership of the property by Bennett and to the taking thereof by the soldiers of Gen. Sherman's Army in December 1864. The claim was originally filed in the name of Scipio Bennett and he made oath to its justice. We substitute the name of his widow Susan Bennett and allow the sum of One Hundred and Twenty Dollars.
✓ 50 Bush Corn		7500		5000	2500		
✓ 60 Bush Rice		12000		5000	7000		
	<u>Total</u>	<u>21500</u>		<u>12000</u>	<u>9500</u>		

21.473- Mch. 3/73

No. _____ 187-

PETITION

OF

Scipio Bennett

TO THE
COMMISSIONERS OF CLAIMS.

Residence of Claimant _____

Liberty County

Nature of Claim _____

Army Supplies

Amount claimed, \$215.00

FILED BY

Raymond Cay Jr.
Savannah, Ga.
GAZETTE PRINT, HINESVILLE, GEORGIA.

That the property in question was taken or furnished for the use of a portion of the army of the United States, known as [5] Howards Corps and commanded by Genl. Kilpatrick & Howard and that the persons who took or received the property, or who authorized or directed it to be taken or furnished, were the following:

NAME.	RANK.	Co.	Regiment, Corps or Station.

That the property was removed to [6] Midway Church and used for or by [7] the troops at that place all this on or about the 20th day of December, in the year 1864

That [8] no voucher, receipt, or other writing, given for the property

That your petitioner verily believe that the property described was [9] taken under the following circumstances, or one or more of such circumstances, viz:

1. For the actual use of the army, and not for the mere gratification of individual officers or soldiers already provided by the Government with such articles as were necessary or proper for them to have.
2. In consequence of the failure of the troops of the United States to receive from the Government in the customary manner, or to have in their possession at the time, the articles and supplies necessary for them, or which they were entitled to receive and have.
3. In consequence of some necessity for the articles taken, or similar articles; which necessity justified the officers or soldiers taking them.
4. For some purpose so necessary, useful, beneficial or justifiable as to warrant or require the Government to pay for it.
5. Under the order or authority of some officer, or other person connected with the army, whose rank, situation, duties, or other circumstances at the time authorized, empowered, or justified him in taking or receiving it, or ordering it to be taken or received.

That [10] Scipio Bennet of Liberty Co. State of Georgia was the original owner of said claim, and that Scipio Bennet of Liberty Co. Ga is the present owner of the same [11]

That your petitioner has remained loyally adherent to the cause and the Government of the United States during the war, and was so loyal before and at the time of the taking of the property for which this claim is made, and he solemnly declares that, from the beginning of hostilities against the United States to the end thereof, his sympathies were constantly with the cause of the United States; that he never, of his own free will and accord, did anything, or offered, or sought, or attempted to do anything, by word or deed, to injure said cause or retard its success, and that he was at all times ready and willing, when called upon, or if called upon, to aid and assist the cause of the Union, or its supporters, so far as his means and power, and the circumstances of the case, permitted.

Note 5. Describe the organization as fully and particularly as possible.
 6. State as well as can be done the place to which the property was conveyed.
 7. State as fully and minutely as possible, the particular persons or commands using the property, and to what purpose or uses it was applied or intended to be applied.
 8. If any vouchers or written papers were given, attach the originals or copies, or state where the originals are to be found and give the substance of them.
 9. "Taken" or "furnished."
 10. The loyalty of the owner of the property when taken or furnished, and of all persons having a present beneficial interest in the claim, must be established by proof.
 11. If any other persons than the original owner now own or have an interest in the claim, state how such ownership or interest was acquired.

That said claim has not before been presented to [12] any branch of the U S Government

That Raymond Gay Jr is hereby authorized and empowered to act as Attorney for the prosecution of this claim.

Wherefore your petitioner pray for such action of your Honorable Commission in the premises as may be deemed just and proper.

Witnesses: R. Gay Jr Scipio Bennet
Mr. Gay

STATE OF Georgia
 COUNTY OF Liberty
 (14) Scipio Bennet
 being duly sworn (15)

deposes and says, that he is the petitioner named in the foregoing petition and who signed the same; that the matters therein stated are true, of the deponent's own knowledge, except as to those matters which are stated on information and belief, and as to those matters he believes them to be true; and deponent further says that he did not voluntarily serve in the Confederate army or navy, either as an officer, soldier, or sailor, or in any other capacity, at any time during the late rebellion; that he never voluntarily furnished any stores, supplies, or other material aid to said Confederate army or navy, or to the Confederate government, or to any officer, department or adherent of the same in support thereof, and that he never voluntarily accepted or exercised the functions of any office whatsoever under, or yielded voluntary support to, the said Confederate government.

Witnesses: R. Gay Jr Scipio Bennet
Mr. Gay

Sworn and subscribed in my presence, the 26th day of February 1873.
John L. Hardin, A. D. J. P. I. S.

Names and residences of witnesses who will be relied upon to prove loyalty
Susan Bennet Liberty Co Ga
Patt. Cumming " "
Prince Cumming " "

Names and residences of witnesses who will be relied upon to prove the other facts alleged in the foregoing petition:
Susan Bennet Liberty Co Ga
Patt. Cumming " "
Prince Cumming " "
 Post office address of claimant: Nicetoe Liberty Co Ga
 Post office address of attorney: Savannah Ga

NOTE 12. If the claim has heretofore been presented to any branch of the Government, state when and where presented, and what action was taken upon it.
 13. Claimants sign here.
 14. Give the names of all the petitioners.
 15. If more than one petitioner, insert the words, "each for himself," and in the next line insert "one of" in the proper blanks.

No. 21473

CLAIM

Lipis Burnett
Liberty County Ga

\$215

APPLICATION
TO HAVE TESTIMONY TAKEN
BY SPECIAL COMMISSIONER

Filed by
H. C. Taylor
Commissioner

closed 11/10/07
Loss Claim

DIRECTIONS.

- NOTE 1.—Insert number of the Claim.
- 2.—"Taken" or "furnished."
- 3.—Describe the military organization by name as fully and particularly as possible.
- 4.—State as well as can be done, the place to which the property was conveyed for the use of the army.
- 5.—State as fully and minutely as is possible, the particular persons or commands using the property, and to what particular use it was applied.
- 6.—The claimant's name should be signed here, either by himself or his attorney.

No. 31473

BEFORE THE COMMISSIONERS OF CLAIMS,

Under Act of Congress of March 3, 1871.

In the matter of the Claim of *Lipis Burnett (Col)*
of *Liberty*, in the County of *Liberty*
and State of *Georgia*

Comes now the claimant, before *Viggin H. Miller* Esq.,
Special Commissioner for the State of *Georgia*, and
represents that he has heretofore filed with the above-named Commissioners a
Petition for the allowance of a claim for property *lost* for the use of
the army of the United States, which claim, as stated below, does not exceed the
sum of five thousand dollars.

That the said claim, stated by items, and excluding therefrom all such items
as refer to the DAMAGE, DESTRUCTION, and LOSS, and not the USE, of property;
to unauthorized or unnecessary DEPREDATIONS of troops and other persons upon
the property; or to RENT or compensation for the occupation of buildings, grounds,
or other real estate, is as follows:

No. of Item	QUANTITIES AND ARTICLES.	VALUE.	
		Dolls.	Cts.
1	<i>4</i> <i>Shells</i> <i>per yr</i>	<i>20</i>	
2	<i>50</i> <i>lbs</i> <i>Coffee</i>	<i>75</i>	
3	<i>65</i> <i>"</i> <i>Rice</i>	<i>120</i>	
Total,		<i>215</i>	

That, as stated in the Petition referred to, the property in question was taken from or furnished by Scipio Beumelle of Lilbert Co., in the State of Georgia, for the use of a portion of the army of the United States, known as 3rd Regiment, and commanded by Genl. Sherman, and that the persons who took or received the property, or who authorized or directed it to be taken or furnished, were the following:

NAME.	RANK.	CO.	Regiment, Corps or Station.

That the property was removed to ⁽⁴⁾ Midway & Ogden and used for or by ⁽⁵⁾ the troops stationed there; all this on or about the 15th day of Dec., in the year 1864, as appears by the petition presented to the Commissioners.

That by the following named persons, the claimant expects to prove that, from the beginning of hostilities against the United States to the end thereof, his sympathies were constantly with the cause of the United States; that he never, of his own free will and accord, did anything, or offered, or sought, or attempted to do anything, by word or deed, to injure said cause or retard its success, and that he was at all times ready and willing, when called upon, or if called upon, to aid and assist the cause of the Union, or its supporters, so far as his means and power, and the circumstances of the case, permitted.

Scipio Beumelle of Lilbert Co. Ga.
John Cummings of
Prince Cummings of
Miscellaneous of

That, by the following-named persons, the claimant expects to prove the taking or furnishing of the property for the use of the army of the United States:

of
of
of
of
of
of

The claimant now prays that the testimony of the witnesses just designated be taken and recorded, at such place and at such time as the Special Commissioner may designate, at the reasonable cost of the said claimant; and that due notice of the time and place of the taking thereof be given to the Claimant, or to his counsel.

Submitted on this 26th day of November, 1872

Scipio Beumelle
Claimant.
Raymond C. ...
Attorney.

P. O. Address of Attorney:
River Road Ga

[FRONT PAGE.]

Before the Commissioners of Claims.

ACT OF CONGRESS, MARCH 3, 1871.

Case of Susanna Bennett
No. 4472

It is hereby certified, that on the 7th day of March
1874, at Wichita, in the county of Wichita
and State of Georgia, personally came before me the following
persons, viz:

Susanna Bennett Claimant,
Raymond C. Kay Counsel, or Attorney,
and Priscilla Stevens
Priscilla Stevens Claimant's Witnesses,

for the purpose of a hearing in the above entitled cause.

Each and every deponent, previous to his or her examination, was properly and duly sworn or affirmed by me to tell the truth, the whole truth, and nothing but the truth, concerning the matters under examination; and the testimony of each deponent was written out by me, or in my presence, and as given before me, and subsequently read over to said deponent, by whom it was also subscribed in my presence.

Witness my hand and seal this 7th day of March

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SEAL

Virgil H. Kelley
Special Commissioner of the Commissioners of Claims.
State of Georgia

Deposition of Susanna Bennett

In answer to the First General Interrogatory, the Deponent says:

My name is Susanna Bennett, my age 30
years, my residence Wichita, Ga., in the State of
Georgia, and my occupation a farmer;
I am related to the claimant,
and have a beneficial interest in the claim.

[NOTE: The Claimant should always be first examined when present, in which case the words "related to" as printed immediately above, should be stricken out.]

2

Susanna Bennett } Special Commissioner
73 } Virgil H. Kelley
United States } & Priscilla Stevens

The above case is respectfully
submitted to the Commissioners
of Claims for their
consideration & decision
Respectfully
Claimant's Atty

Scipio Bennett (Col) Before the
U.S. Special Commission
United States at Riceboro, Ga.

Testimony of claimant ^{wife} on loyalty.

1 I was born in Meigs Co. Ga. I am 37 years old. I live on Mrs. DeLoach's place, Liberty Co. Ga. I farm. My husband was the claimant in this case. He is dead; died a month ago Thursday. I am prosecuting his claims as his widow. I have 5 children.

2 In 1861 my husband lived on Major Thompson's place & I lived at Harris' place with Mrs. King my mother. It was 31 miles from Maj. Thompson's place. I was married to him 2 years before freedom. Maj. Thompson married one of King's daughters & she died & I came up there & afterwards ^{married} my husband there, one year afterward I ^{lived} there ever since & so did my husband till he died. We worked on his place until freedom as slaves.

3 I know my husband took the oath for registering for I used to go with him to work to Hinesville when he rode.

6-38 To each and every question being

3 put separately the claimant answers no.

4

not to for herself and husband.

29 We never had any chance until the army came here then he was working for them a week or two waiting on them - they didn't pay him anything. It was after they took his property.

30-39 To each and every question being separately put the claimant answers no, both for herself and husband.

40 At the beginning of the rebellion I felt too glad I wanted to see it come. My mother used to tell me about it a long time before the Yankees came here. I was always on the side of the Union & I knew my husband was a free man. I can't tell what he was before. I know he always did everything he could for them after I knew he was

41 In conclusion I do solemnly declare that from the beginning of the rebellion against the U.S. to the end thereof my sympathies were constantly with the cause of the Union, that I never of my own free will and accord did anything or offered or sought or attempted to do anything by word or deed to injure said cause or retard its success and that I was at all times ready and willing

when or if called upon to aid and assist
 the cause of the Union so far as my
 means & power & the circumstances of
 the case permitted. My husband and I
 always talked one thing -

4.3 At the beginning of the war we were
 both slaves and became free when the
 Union army came through. At that
 we became free we worked right in
 the same place for our old master.
 He took 2 days & we 14 days work.
 We got this property by working together
 on our own work after we got through
 our tasks - We bought a pig & raised
 from them - We both had pigs when
 we married. He had only one son.
 My master was Mr. G. King - & he died.
 I went with my young mistress who
 married Mr. Thompson - He died in the
 war & his wife died before he was killed.
 I bought a piece of land of Raymond
 Gay but we haven't moved on it yet. My
 husband took sick before he was free
 making the house. I live on the same
 plantation. He don't own anything
 thing. He own but I & my children
 any interest in this property. My
 child is about 10 yrs. old. My
 mother owned a good many slaves. I can't

tell how many. He worked as all by his
 taste. I believe the driver was the only
 one on the place who owned a house.
 Almost all had other property - cattle
 hogs, corn, &c. for
 H. Jones Susan X. Bennett
 Surrency, M. Adkinson small

I Sworn to and subscribed before me
 Virgil Killyed
 Special Commissioner
 State of Georgia

Testimony of Prince Cummins colored
 on loyalty.

1 I was born in Liberty Co. Ga. a slave
 and became free at the time the
 army came through. My master was
 Mr. Thompson. I am about 43 yrs. old
 & farm. I live on Thompson's place &
 know Scipio Bennett & know his
 wife Susan. I am no kin to either
 them. I have no beneficial interest in
 their claim. I have known Scipio
 Bennett long time but was living on my
 place. I think he married Susan about
 2 years before the army came here. They
 both belonged to the same master then.
 He is dead - died about a month ago.
 We lived on the same place about 200
 yds apart during the war. I saw him

offered & talked with him about the war. He said we were going to be free after the Yankees got here. He was on their side all the time - he had no chance to help them until they got here, then he carried them to their camp. I think he would have helped them to go if he had had a chance. His wife was a good Union woman. They are both strong friends of the Union army.

Witnesses

Amey, M. Adlington Prince ^{his} ~~Stumman~~ _{mark}

Sworn to and subscribed before me
 Virgil Kilby
 Special Commissioner
 State of Georgia

Testimony of Priscilla Stevens, col
 on loyalty.
 1 I was born on Wm S. King's place in McIntosh Co. Ga. I was a slave. I am about 40 yrs. old. I live on Mrs. Jones' place Liberty Co. Ga. I have been a Quaker. I never saw no one that I know Susan Bennett but she belonged to one man. I am no kin to them - only fell or servants. I have no beneficial interest in this claim.

I have known them from a child. They were very good Union people. We couldn't do anything until they came through. I can't see what we were doing. I was glad that all that we could do for them. The colored people were all good Union people as far as I knew.

Witnesses

Amey, M. Adlington Priscilla ~~Stevens~~ _{mark}

Sworn to and subscribed before me
 Virgil Kilby
 Special Commissioner
 State of Georgia

2

Item No. 2. I had 50 bushels of corn
It was in the ear but measured as more
50 bushels of shelled corn. I can't tell
nighly how much was planted but I think
2 or 3 acres. It was good corn. It is
measured. They got some shelled out
the rest was sacked in measure.

Item No. 3. I had 100 bushels of rice.
We were just threshing it & had about
half done. They carried sheaves & just
just hid it in bundles. We planted
about an acre. We had a swamp place
& we could grow over 100 bushels when
we thought it would not always grow so
the rice by the stacks when we have
done taking it in.

17. 18. passed.

19. I never have received any pay for the
property, nor has my husband. This
is the just and only claim we have
ever made.

Witness, Susan P. Bennett
Mary M. Adlington

Virgil C. Kilgus
Special Commissioner
State of Georgia

12. Testimony of Prince Cummings - (col)
on property.

1. I was present when this property was
taken.
2. I saw the bag of corn & rice taken from
them.
3. They went night and took the things
without saying much.
4. It was taken at Mrs. Bennett's house
on Thompson's plantation - It was
hired before Christmas. I don't remember
for the year. It was taken by Mrs. P.
Patrick's soldier - there was more than
one - more than 100 - they were in
horses & on their feet. They were 2 or 3
hours taking it.
5. There were present Scipio Bennett
his wife, Scilla Stephens, James
Keller & others.
6. There were officers there, I heard them
order the soldier to take the property
that is the way I heard. I heard they
were soldiers & the name of some
of them was something like that. I
rice from the house.
7. They loaded the house & wagon team.
8. They removed it to the camp at
Way Church. I didn't go on that day
but I was down there about a day before.

Handwritten signature or mark at the bottom of the page.

- 3
- I knew they hadn't moved & they went in that direction -
- 10 They took it for their own use. I saw them use the rice & corn for feeding the horses.
- 11 I didn't hear any complaint made.
- 12 I didn't hear any voices or see any soldiers.
- 13 The property was taken in the dry time - they came in the morning & were back & forwards all day. They did not take any of it secretly.
- 14 When this property was taken the army was encamped in that neighborhood. They were encamped at midday about 3 miles from Stewart's house. Kelpatnick & Sherman's army were encamped there - they came up the next day. They staid there 2 weeks or more. I didn't know the quarters master or any of the other officers.
- 15 This property was in good condition. The hogs were fat & the corn was gathered in the barn.
- 16 Steward's I think there were 4 or 5 of hogs - 2 meat hogs that I think would weigh 150 lbs. no less than that. I think the other would weigh 100 lbs. 130 lbs. or may be not more than that.

They killed the hogs & carried them on horse & in wagons.

Steward's 2. They had about 5 bushels of corn. I can't tell whether it was measured or not. I can't tell how many acres they planted. I think it was 5 or 6 bushels of corn from the back. It was taken in wagons. There were so many wagons there that I can't tell how many loads there were. There were more than 4 or 5 wagon loads. 6 or 7 wagons I think that they carried with corn.

Steward's 3. I think about 60 bushels of rice, not all thrashed. I guess as the quantity by the stacks. They threw it into wagons in sacks & the way on was piled up with sheaves. There 6 or 7 wagons took the rice & the corn. We never charge corn by the ears. We always calculate how much it will make shelled. I think together it amounted that she had 10 bushels of corn & 10 bushels of rice. They took all of her potatoes & goods. Men Bennett was a hard working, industrious man. He had a large field of rice. I can't tell the number of acres he had in his field of corn & it was a splendid

season for corn & rice. This property
all belonged to Mr. Bennett & I saw
the Union army take them all away
they took all this things out of his house.

Witness
Susan Bennett
Prince & Cummings

I am so, in & subscribed for me
Virgil Killgore
Special Commissioner
State of Georgia

Testimony of Priscilla Stephens on
property

- 1 I was present when this property was
taken. I lived next door.
- 2 I saw them take the logs, corn & rice.
- 3 They didn't say anything - just took
the things - only said they wanted
them.
- 4 These things were taken at Mr. Ben-
nett's house on Mr. Thompson's place
about 3 miles before Christmas. The
Union soldiers took it - there was a
whole gang of them. I don't know
many. They were only a few hours
taking the things.
- 5 There were present Susan Bennett & her
husband, Prince Cummings.

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Cummings was on the place but not
at the house, & I was there.

- 6 There were some officers there. Some
took them from their soldiers. They took
it away from the house & were around
the other around.
- 7 They shot the logs down & hung them
on the house - one was done cleaned
she had 2 bacon hogs & one old one
& another one. I don't know their
weight - they took them all off. They
took the corn & rice out of the house.
- 8 They removed it in wagons & on horse
9 They took it to Midway - they camped
there. I didn't follow them.
- 10 I don't know the use - but I suppose they
took it to eat & use. They fed their horses
right there.
- 11 I didn't hear any complaint made
except he told them that they had taken
all his provisions & they told him that
in a day or two he would get it back.
- 12 I don't hear any complaint made
except he told them that they had taken
all his provisions & they told him that
in a day or two he would get it back.
- 13 The property was taken
I think they came in between 10
o'clock.
- 14 When they took this property the ar-
my was encamped at Midway about

2 miles off St. was Kilpatrick's farm
I think they had been there about a
month. I didn't know any of the
corn.

15 The corn seed was in the house
bagged in the field that went to
the Hammonds. She had 2 barrels
of 2 bush each. I don't know exactly
their ages. They were very fat and plump.
I don't know their weight.

Hammond No. 2. She had a good lot of ground
she planted a good piece of ground.
I don't know how much. It was in the
cars in the house.

Hammond No. 2. I couldn't tell how much
rice exactly. Some was brashed & some
wasn't. He had 2 good stacks of
about half brashed & that was in the
barn. They carried it every bit of it. He
took all the hogs, corn, & rice. I don't
tell how much rice they had planted.
This property all belongs to Mr. Bennett. It
wasn't his master's. 7/18/19. Personal

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Virgil Kilgus
Special Commissioner
State of Georgia

[LAST PAGE.]

REMARKS BY THE SPECIAL COMMISSIONER.

Respectfully Submitted

Virgil Kilgus
Special Commissioner
Ga.

The United States,

To Susan Bennett, widow
of Scipio Bennett, deceased
of Ga

For the amount allowed her by Act of Congress, Private No.
approved March 3, 1875, entitled "An Act making
appropriations for the payment of claims reported allowed by the
Commissioners of Claims under the Act of Congress of March 3,
1871:"

\$ 120 00

Payable in care of Raymond Day, Jr.,
Savannah, Georgia

TREASURY DEPARTMENT,

TREASURY DEPARTMENT,

Second Comptroller's Office,

Third Auditor's Office,

March 20th, 1875.

March 1875

H. Spalding
Clerk.

James H. ...
Clerk.