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DEPOSITION

Case of James G. Montgomery, No. 380524

On this 2nd day of December, 1885, at Paris, County of Sumner, State of Texas, before me, G.P. Hopkins, a Special Examiner of the Pension Office, personally appeared David W. Clauhan, who, being by me first duly sworn to answer truly all interrogatories propounded to him during this Special Examination of aforesaid pension claim, deposes and says: my age is 39 years. Farmer. P.O. Paris, Sumner Co. Texas.

I served in Co. C. 2nd Tenn. Inf. during the late war and became acquainted with the claimant while in the service - did not know him before service and have seen him <sup>occasionally</sup> since his discharge. He was accidentally shot in the foot, right one, I think, by a comrade named Boy Morgan in March or April 1864, I think, at a water mill owned by Judd Brown on Buffalo River Perry Co. Tenn. We were on a scout through that country under A.A. Steagald, by orders of Col. Murphy. We stopped at Browns Mill. Judd to get dinner. I was present at the shooting and saw it. Both men were dismounted and we had finished our dinner. There were some 15 or 20 of us in the squad, who were present or near by. We had a quart bottle of whiskey from which each man was to take one ration, and we thought Morgan took more than his one ration, and Montgomery, took his ration after Morgan set the bottles down on the ground, and said to Morgan, "you took too much, I have a mind to kick you" and made a motion to that effect, falsely, when Morgan in play said "I will shoot you and made a movement with his gun, which was under his arm, by punching it at him

Lammer

when the trigger caught on his clothes in some way, and was discharged, the ball going through Montgomery's foot.

Both men were in playful mood and neither were drunk or intoxicated and the shooting was purely accidental.

We took the man to Mr. Brown's house. Sent Roy Morgan for Dr. Carter and he came and dressed the wound and next day we took claimant to Cedar Creek, Perry Co. Tenn and left him at Widow Sumner, whose wife kept him and I think he staid there until his wound healed.

2 The claimant states he stopped next night at a Mrs. McClanahan, and day after he rejoined his regt at Clifton, what have you to say as to his statement in that particular.

a My recollection is, that we stopped at Mrs. McClanahan, who was my brother, a while in the evening and then went on with claimant and left him at Widow Sumner, and I think he staid there 12 or 15 days. she was a good nurse and could dress his wound. When he got able to hobble out he did join regt. I remember at Clifton.

2 Was not the bottle of whiskey the actual cause of his being wounded?

a Well it is this way. Officer Steagold sent and got a quart of whiskey which was a ration a price for each man and it was distributed as I have said. It was a cold bad day in March or April, before the trees had got leaved out, and our boys needed the whiskey ration, but it was in the distribution of it as I have stated that the <sup>Deponent's</sup> accident occurred.

David McClanahan

Sworn to and subscribed before me this 2<sup>nd</sup> day of December 1885, and I certify that the contents were fully made known to deponent before signing.

J. P. Hopkins

Special Examiner.