

SMITH, JOHN - Arrived in Texas in December, 1835, as a member of Captain W. A. O. Wadsworth's Company of the Georgia Battalion. For reasons explained in his affidavit printed below he joined Captain William H. Patton's Company March 20, was promoted to First Sergeant, participated in the battle of San Jacinto as such and was discharged August 6, 1836.

Following is the petition of Mr. Smith found in the files of the Board of Claims, General Land Office, dated February 13, 1860:

"Your petitioner John Smith of the County of Starr, State of Texas, would respectfully represent that he is entitled to three hundred and twenty acres of land for three months service as a volunteer under the late Republic of Texas under the command of Captain Wm. Wadsworth.

"Your petitioner joined the company of Captain Wadsworth on or about the 15th December 1835 and continued in the service under Captain Wadsworth until about the 20th day of March A. D. 1836. Your petitioner was not in the battle under Colonel Fannin, he being absent under orders on an express to San Antonio.

"On about the 20th day of March A D 1836, your petitioner joined the company of Capt. Wm. H. Patton on the Colorado River, and continued in the service under Captain Patton until about the 6th day of August A. D. 1836. Petitioner received an honorable discharge from Captain Patton, which he sold to some person, name not recollected, who is entitled to the pay and bounty for his said service under Capt. Patton.

"Your petitioner however did not receive any discharge from Captain Wadsworth, as he and all the officers of his company fell in the Fannin massacre.

"Your petitioner is the just owner of the claim for three months service under Captain Wadsworth for which he is entitled to three hundred and twenty acres of land, and that he has not sold, alienated or transferred the same in any manner, and that he has never received and discharge from the said service from the causes stated herein."

In the same file is the following deposition of Captain David Murphree who commanded Captain William H. Patton's Company at San Jacinto:

"On this 3rd day of March A D 1860, before me George W. Gammell, Clerk of the County Court of Said County and State, personally appeared David Murphree to me well known, who being duly sworn according to law declared

That in the spring of 1836, a few days after the arrival of Santa Anna at San Antonio, he, with a small party, was engaged in conveying supplies from the Ranches on the San Antonio to the Crossing of the Cibolo, on the Goliad Road, where by agreement Colonel Fannin with his command should have been and now finding the troops there, one of his party was dispatched to communicate with Colonel Fannin. Some two or three days afterwards this Courier returned to Cibolo accompanied by one John Smith and two or three others, bearing a communication from Colonel Fannin to his said party, directing it either to return to Goliad or to go to Gonzales where troops were then assembling,

with a view to relieve the Alamo. The latter direction was chosen. The said John Smith accompanying the party was thereby prevented from returning to Goliad and joining his company, and consequently escaped the massacre at Goliad. It was understood that the said John Smith volunteered by permission of his commander to accompany the said Courier (who joined his affiant's party at the Cibolo) as an escort for the safety of the dispatch, expecting to return immediately to his proper Company at Goliad, and, as before stated, was prevented by affiant's party going to Gonzales instead of to Goliad.

Affiant further states, that the said Smith joined the same company with him at Gonzales, to wit, Wm. H. Patton's Company - and served together with affiant throughout the campaign of 1836. Was Orderly Sergeant of said Company. Was in the Battle of San Jacinto, and at all times discharged his duty as a Soldier."

Bounty Certificate No. 312 for 320 acres was issued to Mr. Smith, December 22, 1860 for having served in the army from December 15, 1835 to February 15, 1836. In the certificate it is written that Mr. Smith escaped the massacre at Goliad. Mr. Smith was living in Starr County, December 22, 1860 when he sold the certificate to Adolph Bohn for \$96.00.

Mr. Smith was issued a headright certificate February 1, 1838 for one-third of a league of land by the Brazoria County Board of Land Commissioners.