

**TRANSCRIPTION OF
WILLIAM RUTLEDGE**

Survivor's Pension Application File Pension Year: 1836

Application State: Tennessee Archive Publication

Number: M804

Archive Roll Number: 2106

Total Pages in Packet: 23

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Transcribed by
Cheryl Rutledge-Brennecke 2024

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Service N.C.
Rutledge, William
Number S.4171
carded.

(8-1776)

SERVICE

NUMBER

N.6.

Rutledge, William

S.4171

carded

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30.440

30445

West Tennessee

William Rutledge

of Wayne Co in the State of Tennessee

who was a private in the company commanded

by Captain Caldwell of the regt commanded

by Col Rutherford in the N. Carolina unit

for six months

Inscribed on the Roll of West Tennessee

at the rate of 20 Dollars---Cents per annum

to commence on the 4th day of March, 1834

Certificate of Pension issued the 26 day of February

and 1836 and sent to Nov E. J.

Shields. N. N

Arrears on the 4th of Sep 1935 -- \$90.--

Semi-anl. allowance ending 4 Mar 36 --\$10--

\$100--

(Revolutionary Claim,

(Ad June 7, 1832

Recorded by Wm Allison Clerk

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[to the right side of the page] Let to Hon L. (crease in paper) May 12, 1836

30.443
30445
West Tennessee

Set to Hon. L. May 21. 1836

William Rutledge

of Wayne Co. in the State of Tennessee
who was a private in the Company commanded
by Captain Caldwell of the regt commanded
by Col Rutledge in the N. Carolina mil
itary for six months

Inscribed on the Roll of West Tennessee
at the rate of 20 Dollars — Cents per annum
to commence on the 1st day of March, 1831.

Certificate of Pension issued the 25 day of Febru
ary 1836 and sent to Hon E. P.
Shields. N. C.

Amount to the 1st of Sept 35 — \$90 —
Semi-annual allowance ending Sept 36 10 —

\$ 100 —

{ Revolutionary Claim, }
{ Ac. June 7. 1832. }

Recorded by Wm Allison Clerk
Book E. 2 Vol. 7. Page 103

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13 447

Wm Rutledge

Tennessee

i

admitted for six months

E.J. Shields H.R.

Nov (Wednesdays is x'd out)

H. R

13. 447

Mr. Rutledge
Sims

admitted for ex note

E. J. Shields H.R.
No ~~W.D. Jones~~
N. R

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War Department

Pension Office

Sir:

The evidence in support of your claim, under the act of June 7, 1832, has been examined, and the papers are herewith returned. The following is a statement of your case in a tabular form. On comparing these papers with the following rules, and the subjoined notes, you will readily perceive that objections exist, which must be removed, before a pension can be allowed. The notes and the regulations will show what is necessary to be done. Those points to which your attention is more particularly directed, you will find marked in the margin with a brace, (thus: }). You will, when you return your papers to this Department, send this printed letter with them, and you will, by complying with this request, greatly facilitate the investigation of your claim.

A STATEMENT, showing the Service of Wm Rutledge

Period when the service was rendered: 1778

Duration of the claimant's service: Month 3

Month 3

Month 3

Days 14

Rank of the claimant: P (with dittos going down)

Name and rank of the Field officers under whom he served: Cap Caldwell

Age at present, and place of abode, when he entered the service: 76, N.C.

Proof by which the declaration is support: Traditionary & witness

As the seal has no devices or inscription
which is legible no certificate of a member of
Congress is required. See note i.

I am respectfully,

Your obedient servant,

James L. Edwards

Commissioner of Pensions.

WAR DEPARTMENT,

Pension Office.

Sir:

The evidence in support of your claim, under the act of June 7, 1832, has been examined, and the papers are herewith returned. The following is a statement of your case in a tabular form. On comparing these papers with the following rules and the subjoined notes, you will readily perceive that objections exist, which must be removed, before a pension can be allowed. The notes and the regulations will show what is necessary to be done. Those points to which your attention is more particularly directed, you will find marked in the margin with a brace, (thus: {). You will, when you return your papers to this Department, send this printed letter with them; and you will, by complying with this request, greatly facilitate the investigation of your claim.

A Statement, shewing the Service of *Wm Rutledge*

Period when the service was rendered.	Duration of the claimant's service.			Rank of the claimant.	Name and rank of the Field of- fice under whom he served.	Age at present, and place of abode when he entered the service.	Proof by which the declaration is supported.
	Years.	Months.	Days.				
1778	3	3	3	P	Capt Caldwell	76 N. C.	Traditions & witness.
			14				

As the seal has no device or inscription which is legible the certificate of a member of Congress is required, see note i

I am, respectfully,

Your obedient servant,

JAMES L. EDWARDS,

Commissioner of Pensions.

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REGULATIONS UNDER THE ACT OF JUNE 7, 1832.

The following regulations have been adopted:

This law has been construed to extend, as well to the line, as to every branch of the Staff of the Army, and to include under the terms "Continental Line," "State troops," "militia," and "volunteers," all persons enlisted, drafted, or who volunteered and who were bound to military service, but not those who were occasionally employed with, the army upon civil contracts, such as Clerks to Commissaries and to Store Keepers, &c. Teamsters, Boatmen, &c. Persons who served on board of private armed vessels are also excluded from the benefits of the law, as well as persons who turned out as patrols, or were engaged in guarding particular places at night, and were not recognized as being in actual military service.

Four general classes of cases are embraced in this law:

1. The Regular 'Troops.
2. The State 'Troops. Militia, and Volunteers.
3. Persons employed in the Naval service.
4. Indian Spies.

As rolls of the regular troops in the Revolutionary War exist in this Department, all persons, claiming the benefit of this law as officers, non-commissioned officers, musicians or privates, will, in the first instance, make application by transmitting the following declaration, which will be made before a Court of Record of the County where such applicant resides. And every Court having by law a seal and Clerk is considered a Court of Record.

DECLARATION,

In order to obtain the benefit of the Act of Congress of the 7th of June, 1832.

State, Territory, or District of)

County of) ss.

On this _____ day of _____ personally appeared (a) before

_____ A.B. a resident (b) of in the county of _____ and State, Territory or District of _____ aged [c] _____ years, who being first duly sworn, according to law, doth on his oath make the following declaration, in order to obtain the. benefit of the provision made by the act of Congress, passed June 7th, 1832. That he enlisted in the Army of the United States in the year (d) _____, with _____ and served in the _____ (e) regiment of the _____ line, under the following named officers:

[Here set forth the names and rank of the Field and Company Officers; the time he left the service; (and if he served under more than one term of enlistment, he must specify the particular period, and rank and names of his officers;) the town or county and State in which he resided when he entered the service; the battles, if any, in which he was engaged, and the country through which he marched. This form is to be varied so as to apply to the cases of officers and persons who belonged to the militia, volunteers, navy, &c.]

He hereby relinquishes every claim (f) whatever to a pension or an annuity, except the present, and he declares that his name is not on the Pension Roll of any Agency in any State, or (if any) only on that of the Agency in the State of _____

Sworn to and subscribed the said aforesaid.

A. B.

[And then will follow the certificate of the Court.]

And the said Court do hereby declare their opinion (g) that the above named applicant was a revolutionary soldier, and served as he states.

I _____ of the Court of _____

do hereby certify (h) that the foregoing contains the original proceedings of the said Court in the matter of the application of _____ for a pension.

In testimony whereof I have hereunto set my hand and seal of office (i) this _____ day of _____ &c.

If, on examination of the proper record the names of applicants, making such declaration, cannot be

found, they will produce such proof as the rule given in note (j) points out.

Every applicant who claims a pension by virtue of service in the State Troops, Volunteers or Militia, except those who belonged to the New Hampshire Militia and State Troops of Virginia, will make and subscribe a declaration similar to the foregoing, with the following additions, viz:

(k) We, A. B., a Clergyman, residing in the _____ and C. D. residing in (the same) hereby certify, that we are well acquainted with _____, who has subscribed and sworn to the above declaration; that we believe him to be _____ years of age; that he is reputed and believed, in the neighborhood where he resides, to have been a soldier of the Revolution, and that we concur in that opinion.

Sworn and subscribed the day and year aforesaid.

[And then will follow the certificate of the Court.]

And the said Court do hereby declare their opinion, after the investigation of the matter, and after putting the interrogatories prescribed by the War Department, that the above named applicant was a Revolutionary Soldier, and served as he states. And the Court further certifies that it appears to them that A.B. who has signed the preceding certificate is a clergyman, resident in the _____ and that C.D., who has also signed the same is a resident in the _____ and is a credible person, and that their statement is entitled to credit.

I _____ Clerk of the Court of _____ do hereby certify that the foregoing contains the original proceedings of the said Court, in the matter of the application _____ [for a pension.

In testimony whereof, I have hereunto set my hand and seal
of office, this _____ day of &c.

Every applicant will produce the best proof in his power. This is the original discharge or commission; but if neither of these can be obtained, the party will so state under oath, and will then procure, if possible, the testimony of at least one credible witness, stating in detail his personal knowledge of the services of the applicant, and such circumstances connected therewith, as may have a tendency to throw light upon the transaction.

If such surviving witness cannot be found, the applicant will so state in his declaration (l) and he will also, whether he produce such evidence or not, proceed to relate all the material facts, which can be useful in the investigation of his claim, and in the comparison of his narrative with the events of the period of his

REGULATIONS UNDER THE ACT OF JUNE 7, 1832.

The following regulations have been adopted:
 This law has been construed to extend, as well to the line, as to every branch of the Staff of the Army, and to include under the terms "Continental Line," "State troops," "militia," and "volunteers," all persons enlisted, drafted, or who volunteered and who were bound to military service, but not those who were occasionally employed with the army upon civil contracts, such as Clerks to Commissaries and to Store Keepers, &c., Teamsters, Boatmen, &c. Persons who served on board of private armed vessels are also excluded from the benefits of the law, as well as persons who turned out as patrols, or were engaged in guarding particular places at night, and were not recognized as being in actual military service.

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1. The Regular Troops.
2. The State Troops, Militia, and Volunteers.
3. Persons employed in the Naval Service.
4. Indian Spies.

As rolls of the regular troops in the Revolutionary War exist in this Department, all persons claiming the benefit of this law as officers, non-commissioned officers, musicians or privates, will, in the first instance, make application by transmitting the following declaration, which will be made before a Court of Record of the County where such applicant resides. And every Court having by law a seal and Clerk is considered a Court of Record.

DECLARATION.

In order to obtain the benefit of the Act of Congress of the 7th of June, 1832.

State, Territory, or District of } ss.
 County of }

On this day of personally appeared (a) before
 A. B. a resident (b) of in the county of and State, Territory or District
 of aged (c) years, who being first duly sworn, according to law, doth on his oath make the
 following declaration, in order to obtain the benefit of the provision made by the act of Congress, passed
 June 7th, 1832. That he enlisted in the Army of the United States in the year (d) with and
 served in the (e) regiment of the line, under the following named officers:

[Here set forth the names and rank of the Field and Company Officers; the time he left the service; (and if he served under more than one term of enlistment, he must specify the particular period, and rank and names of his officers;) the town or county and State in which he resided when he entered the service; the battles, if any, in which he was engaged, and the country through which he marched. ~~Q~~ This form is to be varied so as to apply to the cases of officers and persons who belonged to the militia, volunteers, navy, &c.]

He hereby relinquishes every claim (f) whatever to a pension or an annuity, except the present, and he declares that his name is not on the Pension Roll of any Agency in any State, or (if any) only on that of the Agency in the State of A. B.

Sworn to and subscribed the day and year aforesaid.

[And then will follow the certificate of the Court.]

And the said Court do hereby declare their opinion (g) that the above named applicant was a revolutionary soldier, and served as he states.

I of the Court of
 do hereby certify (h) that the foregoing contains the original proceedings of the said Court in the matter of
 the application of for a pension.

In testimony whereof, I have hereunto set my hand and seal of office (i) this
 day of &c.

If, on examination of the proper record, the names of applicants, making such declaration, cannot be found, they will produce such proof as the rule given in note (j) points out.

Every applicant who claims a pension by virtue of service in the State Troops, Volunteers or Militia, except those who belonged to the New Hampshire Militia and State Troops of Virginia, will make and subscribe a declaration similar to the foregoing, with the following additions, viz:

(k) We, A. B., a Clergyman, residing in the and C. D. residing in (the same)
 hereby certify, that we are well acquainted with , who has
 subscribed and sworn to the above declaration; that we believe him to be
 years of age; that he is reputed and believed, in the neighborhood where he resides, to have been a soldier
 of the Revolution, and that we concur in that opinion.

Sworn and subscribed the days and year aforesaid.

[And then will follow the certificate of the Court.]

And the said Court do hereby declare their opinion, after the investigation of the matter, and after putting the interrogatories prescribed by the War Department, that the above named applicant was a Revolutionary Soldier, and served as he states. And the Court further certifies, that it appears to them that A. B. who has signed the preceding certificate is a clergyman, resident in the and that C. D., who has also signed the same is a resident in the and is a credible person, and that their statement is entitled to credit.

I, Clerk of the Court of do hereby certify that the foregoing
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In testimony whereof, I have hereunto set my hand and seal
 of office, this day of &c.

Every applicant will produce the best proof in his power. This is the original discharge or commission; but if neither of these can be obtained, the party will so state under oath, and will then procure, if possible, the testimony of at least one credible witness, stating in detail his personal knowledge of the services of the applicant, and such circumstances connected therewith, as may have a tendency to throw light upon the transaction.

If such surviving witness cannot be found, the applicant will so state in his declaration, (l) and he will also, whether he produce such evidence or not, proceed to relate all the material facts, which can be useful in the investigation of his claim, and in the comparison of his narrative with the events of the period of his

alleged service, as they are known at the Department. A very full account of the services of each person will be indispensable to a favorable action upon his case. The facts stated will afford one of the principal means of corroborating the declaration of the applicant, if true, or of detecting the imposition, if one be attempted; and unless, therefore, these are amply and clearly set forth, no favorable decision can be expected. All applicants will appear before some Court of Record in the County, in which they reside, and there subscribe and be sworn to, one of the declarations above provided, according to the nature of his case.

The Court will propound the following [m]1. Interrogatories to all applicants of a pension, on account of service in the Militia, State troops, or Volunteers, except the Militia of New Hampshire and the State troops of Virginia.

1. Where and in what year were you born?

2. Have you any record of your age, and if so, where is it?

3. Where were you living when called into service; where have you lived since the Revolutionary war, and where do you now live?

4. How were you called into service; were you drafted, did you volunteer, or were you a substitute? And if a substitute, for whom?

5. State the names of some of the Regular Officers, who were with the troops, where you served; such Continental and Militia Regiments as you can recollect, and the general circumstances of your services.

6. (To a Soldier. Did you ever receive a discharge from the service, and if so, by whom was it given and what has become of it?

(To an Officer. Did you ever receive a commission, and if so, by whom was it signed, and what has become of it?

7. State the names of persons to whom you are known in your present neighborhood, and who can testify as to your character for veracity, and their belief of your services as a soldier of the Revolution.

The Court will see that these answers to these questions are embodied in the declaration, and they are requested to annex their opinions of the truth of the statement of the applicant.

The applicant will further produce in Court, if the same can be done, in the opinion of the Court, without too much expense and inconvenience to him, two respectable persons - one of whom should be the nearest clergyman, if one lives in the immediate vicinity of such applicant, who can testify, from their acquaintance with him, that they believe he is of the age he represents, and that he is reputed and believed in the neighborhood to have been a Revolutionary soldier, and that they concur in that opinion. If one of these persons is a Clergyman, the Court will so certify, and they will also certify, to the character and standing of other persons giving such certificates.

The traditionary evidence of service is deemed very important, in the absence of any direct proof, except the declaration of the party. And the Courts are requested to be very particular in the inquiry whether the belief is general, and whether any doubts have ever existed upon the subject.

Applicants unable to appear in Court by reason of bodily infirmity, may make the declaration before required, and submit to the examination, before a Judge or Justice of a Court of Record of the proper county, and the Judge or Justice will execute the duties, which the Court is herein requested to perform, and will also certify that the applicant cannot, from bodily infirmity, attend the Court.

Whenever any official act is required to be done by a Judge or Justice of a Court of Record, or by a Justice of the peace, the certificate of the Secretary of State or Territory, or of the proper Clerk of the Court or County, under his seal of office, will be annexed, stating that such person is a

Judge or Justice of a Court of Record, or a Justice of the Peace, and that the signature annexed is his genuine signature.

No payments can be made on account of the services of any person, who may have died before the taking effect of the act of June 7, 1832; and in case of death subsequent thereto, and before the declaration herein required is made, the parties interested will transmit such evidence as they can procure, taken and authenticated before a Court of Record, showing the services of the deceased, the period of his death, the opinion of the neighborhood respecting such services, the title of the claimant, and the opinion of the Court upon the whole matter.

[a] The declarant must appear in open Court, unless prevented from doing so by reasons of bodily infirmity; in which case the declarant will follow the rule down for his guidance.

[b] The declarant must make his declaration in the county where he resides. If he should fail to do so, he must assign a sufficient reason for not conforming to this rule.

[c] The age of the claimant must invariably be mentioned.

[d] The declarant must mention the period or periods of the war when he served.

[e] Every continental officer or soldier must give the name of the Colonel under whom he serves; otherwise a satisfactory examination of the claim cannot be had. Every claimant must state, with precision, the length of his service, and the different grades in which he served, in language so definite as to enable the Department to determine to what amount of pension he is entitled. In a case where the applicant cannot, by reason of the loss of memory, state precisely how long he served, he should amend his declaration by making an affidavit in the following words:

"Personally appeared before me, the undersigned, a Justice of the Peace &c. A.B. who, being duly sworn, depose and saith, that by reason of old age, and the consequent loss of memory, he cannot swear positively as to the precise length of his service; but, according to the best of his recollection, he served not less than the periods mentioned below, and in the following grades:--For ----- year -----months, and ----- days, I served as a ____ For ____ months and ____ days, I served as a ____; and for such service I claim a pension."

It is important, in all cases, to determine with precision the period for which each applicant served, and the particular rank he held, as the law directs the pension to be paid according to the grade of the pensioner and the length of his service. The use of the phrase *about three or four months*, is too indefinite, and all such qualifying expressions are objectionable. Some persons who apply for pensions merely state that they served two years in the militia, &c. without specifying the tours, the names of the officers, and other particulars respecting their services. This form of a declaration is highly objectionable. It must, in every case, be clearly shown under what officers the applicant served; the duration of each term of engagement; highly objectionable. It must, in every case, be clearly shown under what officers the applicant served; the duration of each term of engagement; the particular place or places where the service was performed; that the applicant served with an embodied corps called into service by competent authority; that he was either in the field or in garrison; and for the time during which the service was performed, he was not employed in any civil pursuit.

[f] The law makes the relinquishment indispensable.

[g] The opinion of the Court is always required.

[h] The Clerk must give his certificate in every case.

[i] The Clerk must affix his seal, and if it has no device or inscription by which it can be distinguished from any other seal, or if he has no public seal of office, the certificate of a Member of Congress, proving the official character and signature of the certifying officer, should accompany the papers.

Mode of authenticating papers.

In every instance where the certificate of the certifying officer who authenticates the papers is not written on the same sheet of paper which contains the affidavit, or other papers authenticated, the certificate

must be attached thereto by a piece of tape or narrow ribbon, the ends of which must pass under the seal of office of the certifying officer, so as to prevent any paper from being improperly attached to the certificate.

Proof of Service

[j] In a case where the name of the applicant is not found on the records of the Department, he must prove his service by two credible witnesses who are required to set forth in their affidavits the time of the claimant's entering the service, and the time and manner of his leaving the same, as well as the regiment, company, and line to which he belonged. The magistrate who may administer the oath must certify to the credibility of the witnesses, and the official character and signature of the magistrate must be certified by the proper officer, under his seal of office.

☞ The notes from [a] to [i] are all equally applicable in the cases of Militia men, Volunteers and State Troops. The proof required by rule is note [j] applies to continental troops only.

[k] This traditional evidence is indispensable in militia cases.

[l] If a witness cannot be found, the declarant must state the fact.

[m] The answers to the interrogatories must all be written, and sent to the War Department, with the declarations.

alleged service, as they are known at the Department. A very full account of the services of each person will be indispensable to a favorable action upon his case. The facts stated will afford one of the principal means of corroborating the declaration of the applicant, if true, or of detecting the imposition, if one be attempted; and unless, therefore, these are amply and clearly set forth, no favorable decision can be expected. All applicants will appear before some Court of Record in the County in which they reside, and there subscribe and be sworn to, one of the declarations above provided, according to the nature of his case.

The Court will propound the following (m) interrogatories to all applicants for a pension, on account of service in the Militia, State troops, or Volunteers, except the Militia of New Hampshire and the State troops of Virginia.

1. Where and in what year were you born?
2. Have you any record of your age, and if so, where is it?
3. Where were you living when called into service; where have you lived since the Revolutionary war, and where do you now live?
4. How were you called into service; were you drafted, did you volunteer, or were you a substitute? And if a substitute, for whom?
5. State the names of some of the Regular Officers, who were with the troops, where you served; such Continental and Militia Regiments as you can recollect, and the general circumstances of your services.
6. { To a Soldier. } Did you ever receive a discharge from the service, and if so, by whom was it given, and what has become of it?
 { To an Officer. } Did you ever receive a commission, and if so, by whom was it signed, and what has become of it?

7. State the names of persons to whom you are known in your present neighborhood, and who can testify as to your character for veracity, and their belief of your services as a soldier of the Revolution.

The Court will see that the answers to these questions are embodied in the declaration, and they are requested to express their opinions of the truth of the statement of the applicant.

The applicant will further produce in Court, if the same can be done, in the opinion of the Court, without too much expense and inconvenience to him, two respectable persons—one of whom should be the nearest clergyman, if one lives in the immediate vicinity of such applicant, who can testify, from their acquaintance with him, that they believe he is of the age he represents, and that he is reputed and believed in the neighborhood to have been a Revolutionary soldier, and that they concur in that opinion. If one of these persons is a Clergyman, the Court will so certify, and they will also certify to the character and standing of other persons giving such certificates.

The traditional evidence of service is deemed very important, in the absence of any direct proof, except the declaration of the party. And the Courts are requested to be very particular in the examination of the belief is general, and whether any doubts have ever existed upon the subject.

Applicants unable to appear in Court, by reason of bodily infirmity, may make the declaration before a Justice of the Peace, or a Judge or Justice of a Court of Record of the proper county, and the Judge or Justice will execute the duties, which the Court is herein requested to perform, and will also certify that the applicant cannot, from bodily infirmity, attend the Court.

Whenever any official act is required to be done by a Judge or Justice of a Court of Record, or by a Justice of the Peace, the certificate of the Secretary of State or Territory, or of the proper Clerk of the Court or County, under his seal of office, will be annexed, stating that such person is a Judge or Justice of a Court of Record, or a Justice of the Peace, and that the signature annexed is his genuine signature.

No payments can be made on account of the services of any person, who may have died before the taking effect of the act of June 7, 1832; and in case of death subsequent thereto, and before the declaration herein required is made, the parties interested will transmit such evidence as they can procure, taken and authenticated before a Court of Record, showing the services of the deceased, the period of his death, the opinion of the neighborhood respecting such services, the title of the claimant, and the opinion of the Court upon the whole matter.

[a] The declarant must appear in open Court, unless prevented from doing so by reason of bodily infirmity; in which case the declarant will follow the rule laid down for his guidance.

[b] The declarant must make his declaration in the county where he resides. If he should fail to do so, he must assign a sufficient reason for not conforming to the rule.

[c] The age of the claimant must invariably be mentioned.

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[e] Every continental officer or soldier must give the name of the Colonel under whom he served; otherwise a satisfactory examination of the claim cannot be had. Every claimant must state, with precision, the length of his service, and the different grades in which he served, in language so definite as to enable the Department to determine to what amount of pension he is entitled. In a case where the applicant cannot, by reason of the loss of memory, state precisely how long he served, he should amend his declaration by making an affidavit in the following words: "Personally appeared before me, the undersigned, a Justice of the Peace, &c. A. B. who, being duly sworn, deposed and said, that, by reason of old age, and the consequent loss of memory, he cannot swear positively as to the precise length of his service; but, according to the best of his recollection, he served not less than the periods mentioned below, and in the following grades:—For ——— year ——— months, and ——— days, I served as a ———. For ——— months and ——— days, I served as a ———; and for such service I claim a pension."

It is important, in all cases, to determine with precision the period for which each applicant served, and the particular rank he held, as the law directs the pension to be paid according to the grade of the pensioner and the length of his service. The use of the phrase *about three or four months*, is too indefinite, and all such qualifying expressions are objectionable. Some persons who apply for pensions merely state that they served two years in the militia, &c. without specifying the tours, the names of the officers, and other particulars respecting their service. This form of a declaration is highly objectionable. It must, in every case, be clearly shown under what officers the applicant served; the duration of each term of engagement; the particular place or places where the service was performed; that the applicant served with an embodied corps called into service by competent authority; that he was either in the field or in garrison; and for the time during which the service was performed, he was not employed in any civil pursuit.

[f] The law makes the relinquishment indispensable.

[g] The opinion of the Court is always required.

[h] The Clerk must give his certificate in every case.

[i] The Clerk must affix his seal, and if it has no device or inscription by which it can be distinguished from any other seal, or if he has no public seal of office, the certificate of a Member of Congress, proving the official character and signature of the certifying officer, should accompany the papers.

Mode of authenticating papers.

In every instance where the certificate of the certifying officer who authenticates the papers is not written on the same sheet of paper which contains the affidavit, or other papers authenticated, the certificate must be attached thereto by a piece of tape or narrow ribbon, the ends of which must pass under the seal of office of the certifying officer, so as to prevent any paper from being improperly attached to the certificate.

Proof of Service.

[j] In a case where the name of the applicant is not found on the records of the Department, he must prove his service by two credible witnesses who are required to set forth in their affidavits the time of the claimant's entering the service, and the time and manner of his leaving the same, as well as the regiment, company, and line to which he belonged. The magistrate who may administer the oaths must certify to the credibility of the witnesses, and the official character and signature of the magistrate must be certified by the proper officer, under his seal of office.

[k] The notes from [a] to [i] are all equally applicable to the cases of Militia men, Volunteers and State Troops. The proof required by rule is note [j] applies to continental troops only.

[l] This traditional evidence is indispensable in militia cases.

[m] If a witness cannot be found, the declarant must state the fact.

[n] The answers to the interrogatories must all be written, and sent to the War Department, with the declaration.

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State of Tennessee) March the 11th 1834

Wayne County)

On this day personally
appeared before William Hawk an
acting Justice of the peace in & for
said County & State aforesaid William
Rutledge aged about Seventy Seven
years who being duly sworn deposeth
& saith that by reason of old age
and consequent, loss of memory he
cannot swear positively as to the
precise truth of his service but
according to the best of his recollection
he served not less than the periods
mentioned below & in the following
grades for nine months as mentioned
in his former declaration including
the three first terms of service
mentioned in said declaration, he
served as a private soldier in the
militia he thinks he served two
weeks as a private soldier in the
militia in the scouting parties ment-
ioned in said declaration his service
making in all nine months and

State of Tennessee March the 11th 1894
Wayne County. On this day personally
appeared before William Hawk an
acting Justice of the Peace in & for
said County & there appeared William
Rutledge aged about twenty seven
years who being duly sworn to depose
to the truth that by reason of old age
and consequent loss of memory he
cannot swear positively as to the
precise length of his service but ac-
cording to the best of his recollection
he served not less than the periods
mentioned below in the following
grades for nine months as mentioned
in his former declaration including
the three first terms of service
mentioned in said declaration he
served as a private soldier in the
militia he thinks he served two
weeks as a private soldier in the
militia in the scouting parties men-
tioned in said declaration his service
making in all nine months and

Page 9

two weeks & for such service he
claimed a pension.

Sworn to and
subscribed before on
March the 11th 1834 Wm Rutledge (signature)
Wm Hawk (seal)

State of Tennessee Wayne County
March the 11th 1834 I William
Hawk (A Justice of the Peace)
for said County & State do
hereby certify that the oath of
William Rutledge was then made
and that John Witherspoon in
the Declaration hereunto testified
are in due form of law and that I
believe the statement of the petitioner
and that the said John Witherspoon
is a man of current moral
character and ought to be believed
an oath

Two weeks & for such service he
claims a Pension
I have to and
subscribed before me H^m Rutledge
March the 11th 1834
Jm. Hawk

State of Tennessee, Wayne County
March the 11th 1834. I William
Hawk Justice of the Peace
for said County & State do
hereby certify that the oath of
William Rutledge
and that same were sworn in
the Declaration hereunto annexed
are in due form of law and that I
believe the statement of the parties
and that the said John Weatherman
is a man of current character
character and ought to be believed
on oath

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State of Tennessee Wayne County
I William Barnett Clerk of the Court of pleas
and quarter sessions of said County, do hereby
certify that William Hawk Esq before
whom the foregoing affidavit was taken
and whose attestation appears thereto and
when the same appears to have been taken and
attests an acting Justice of the Peace of
this County duly commissioned and qualified
and as such full faith and oaths are
due to all his acts.

In testimony whereof I have
hereunto set my hand and
affixed my seal of
office [not legible - paper crease]
day of March 1834
William Barnett Clerk

State of Tennessee)
Wayne County)

I James Robertson
Chairman of the County
Court of Wayne County aforesaid do
hereby certify that William Barnett, whose
name is officially signed to the above
certificate, is & was Clerk of said County
at the time of signing said certificate
& that full faith & credit is & ought
to be given to all his official acts as such
& that the above certificate is due form of law
given under my hand & seal this
12th day of March 1834
James Robinson (seal)
Chairman cerf,
4 (to the left side)

State of Tennessee Wayne County.

I William Barnett Clerk of the Court of pleas and quarter Sessions of said County, do hereby Certify that William H. Hunt Esq. before whom the foregoing affidavit was taken and whose attestation appears thereto, was when the same appears to have been taken and attests an acting Justice of the Peace of said County duly Commissioned & qualified and as such full faith and credit are due to all his acts.

In testimony whereof I have
unto Set my hand and
Affixed my Seal of
Office
day of March 1834
William Barnett Clerk

State of Tennessee

Wayne County

I James Robertson
Chairman of the County
Court of Wayne County aforesaid, do
hereby certify, that William Barnett, whose
name is officially signed to the above certificate,
is & was Clerk of said Court
at the time of signing said Certificate
& that full faith & credit is & ought to be
given to all his official acts as such

And that the above Certificate is due form & place
Given under my hand & Seal this
12th day of March 1834 James Robertson
Chairman 1834

Washington City District of Columbia
February 8th 1836

I, Ebenezer J. Shields a member in
Congress from the 10th Congressional
District in the State of Tennessee, do
hereby certify that William Barnett
whose name is signed to the foregoing
Certificates, was the Clerk of the Court of
Pleas and quarter sessions of Wayne
County in said state at the time of the
state of the same., said that James C Al-
derson, was his deputy at the date of the
above signature purporting to be the
signatures of Wm Barnett attesting as
such and that said signatures are
In the hand writing of the said
James C Alderson and since
[page is creased, not legible] and due to them as
the official acts of the said William
Barnett. In Testimony whereof
I have sworn to & subscribed my
name this 8th day of February,
1836
E.J. Shields, M.C.

Washington City, District of Columbia
February 8th 1836

I Charles J. Shields a member in
Congress from The 10th Congressional
District in the State of Tennessee, do
hereby, Certify, That William Barnett
whose name is signed to the foregoing
Certificates, was the Clerk of the Court of
Plas and quarter Sessions of Wayne
County in said State at the time of the
date of the same, And that James C. Alder-
son, was his deputy at the date of the
above signatures purporting to be the
signatures of Wm Barnett, acting as
Clerk and that said signatures are
in the hand writing of the said
James C. Alderson. And that for all
the official acts of the said William
Barnett in said testimony whereof
I do hereby certify
name this 8th day of February A.D.
1836

C. J. Shields M.C.

admitted for
the month
1836

State of Tennessee)
Wayne County)

September sessions of the County
Court of said County for the year 1832

On the 25th day of Sept 1832 personally
appeared in open court before its justice of
said court, now sitting, William Rutledge,
a resident of said county & state aged seventy six years
since June last, in his being first duly sworn
according to law doth on his oath make the
following declaration in order to obtain the
benefit of the Act of Congress passed June
7th 1832.

That he entered the service of the United States
under the following named officers & served as
herein stated. That is to say, he volunteered
& entered the above named service in Rowann
County in the State of North Carolina early in
the Revolutionary war, underneath command
of Capt. David Caldwell, in General Griffith
Rutherford's Brigade. He marched on this
tour down on Cross Creek in North Carolina
for the purpose of keeping down the Scotch
Tories in that quarter. [lined-out text]
[5 1/2 lines of lined-out text] He was then dis-
charged at the expiration of his term of service
which was three months – He next volunteered &
entered the service in said county of Rowann for
the term of three months. He was marched thru
Burke County over the mountains & crossed over
to the head of the Catawba River, & from thence over
to the head of Tennessee River, against the Chero-
kee Indians, under the command of Captain Joseph
Dickson in General Rutherford's Brigade.

State of Tennessee
Wayne County } September Sessions of the Court
} Court of said County for the year 1832

On this 25th day of Sept. 1832 personally
appeared in open Court before the justice of
said Court, now sitting, William Mulledy Dwyer
a resident of said County & State aged twenty six years
since June last, in his being first duly sworn ac-
cording to law doth on his oath make the
following declaration in order to obtain the
benefit of the act of Congress passed June
3rd 1832

That he entered the service of the United States
under the following named officers, & served as
herein stated. That is to say. — He volunteered

& entered the above named service in Rowan
County in the State of North Carolina early in
the Revolutionary war, under the command
of Capt. David Caldwell in General Griffith
Purshoffs Brigade. He marched on this
four days his troop broke in North Carolina
for the purpose of keeping down the Scotch
Irish in that quarter. — from there marched
the town of ~~Franklin~~ where he was ~~discharged~~

as a private in the 1st of June — He was
the next promoted to the rank of sergeant
in Company of the 1st of June. He was then dis-
charged at the expiration of his term of service
which was three months — He next volunteered & entered

the service in said County of Rowan for
the term of three months. He was marched then,
over the County over the mountains & crossed near
the head of the Catawba River, & from thence over
to the head of Tennessee River, against the Chero-
kee Indians. under the command of Capt. Joseph
Dickson in General Purshoffs Brigade —

On this expedition the troops with which applicant was associated drove the Indians from their settlements & towns, burnt their towns huts & wigwams & destroyed everything before them. He was then marched back to Rowann County where he was discharged at the end of his [3 to the left side] term of service. He next volunteered & entered the service; again for the term of three months under Captain Joseph Dickson, who was the highest officer in command on this expedition. He marched down to Pinetree in South Carolina for the purpose of quelling & keeping down the Tories. I was again marched home & discharged at the end of this term of service which was one of three months. Applicant then went to live up in Wilks County, State of N. Carolina, where he went again into service as a volunteer under Maj. Micajah Lewis, & marched near the Haw River thirteen or fourteen miles from Guilford Courthouse, where he & his associate troops defeated the Tories under the command of Col. Piles – They killed in this engagement a number of the Tories, in full nearly all that were in the action & took no prisoners. Col. Pickins was their General on this occasion on the side of the United States troops Col. Lee was also in this engagement. about this time the said applicant was sent in company with Captain Robert Cleveland with an express from the Moravian towns to General Green at Guilford court house, which express was to inform Gen.

On this expedition the troops with which, ap-
plicant was associated, drove the Indians
from their settlements & towns, burnt their towns
& magazines, & destroyed every thing before them.
He was then marched back to Roman Corner
where he was discharged at the end of his
term of service & he next volunteered & entered
the service, again for the term of three months,
under the Capt. Joseph Dickson, who
was the highest officer in command during
on this expedition. He marched down
to Santee in South Carolina, for
the purpose of quelling & keeping
down the Tories, & was again marched
home & discharged at the end of his term
of service, which was only three months.
Applicant then went to live up in Wilks
County, State of S. Carolina, where he went
again into service as a volunteer, under
McCajah Lewis, & marched north to Horn
River Station or fourteen miles from
Guilford Court house, where he & his associate
troops defeated the Tories under the command
of Col. Pickens. ~~Where~~ they killed in this engagement
a number of the Tories, in full view of the whole
that were in the action & took ~~the~~ ^{up} prisoners.
Col. Pickens was ~~their~~ ^{General} ~~Commander~~
on this occasion on the side of the United
States troops. ^{Col. Lee was also in this engagement} About this time he had applicant
was sent in ~~Capt. Bates~~ Company with Capt. Robert
Chandler with an express from the Moravian
towns to General, from at Guilford Court
house. Which express was to inform Gen.

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Green, that the British were at the shallow ford on the Yadkin River, advancing towards this quarters. This was a short time before the battle fought at Guilford Court house. This was the last service that applicant performed except being afterwards engaged in several scouting parties. He has no documentary evidence & he knows of no person whose testimony he can procure, who can testify to his service except Col. John Witherspoon of said County of Wayne State of Tennessee He hereby relinquishes every claim whatever to a pension or annuity except the present, & declares that his name is not on the pension roll of the agency of any State

Sworn to and subscribed
in open court the date
first above written
Test. Wm. Barnett, Clerk

Wm. Rutledge (signature)

Questions put by the War Department

Question 1st Where & in what year were you Born? A. I was born in the State of Pennsylvania near the town of Carlisle in the year 1756.

2nd Q. Have you any record of your age and if so where is it? I think I have at home a record of my age on a small piece of paper in my father's own handwriting.

3rd Where were you living when called into service; where have you lived since, & where do you now live. A. When first called into service I lived in Rowann County, N.C. But afterwards in Wilks County during the Revolutionary war. I came from Wilks County N.C. to Tennessee something like forty years ago. Lived in Williamson County where I resided, moved to Maury County where I lived until until three years last part since which time I have resided in Wayne County, Tennessee, where I now live.

4th How were you called into service; were you drafted, did you volunteer, or were you a substitute? & if a substitute for whom.

Ans. I volunteered in all the expeditions set forth in my declaration.

5th State the names of some of the regular officers who were with the troops where you served; such Continental & Militia Regiments as you can recollect, & the general circumstances of your service.

Ans This question I have answered as well as I am able in the above declaration.

6th did you ever receive a discharge from the service & if so by whom was it given, & what has become of it? I received four discharges, one from Capt. Caldwell, two from Capt. Dickson, and another from

Questions put by the war department

Question 1st Where & in what year was you born? A. I was born in the State of Pennsylvania near the town of Carlisle in the year 1856.

2nd Do you have any record of your age and so where is it? I think I have at home a record of my age on a female piece of paper in my father's room home.

3rd When were you living when called into service, when have you lived since, & where do you now live - A. When first called into service I lived in Adams County Pa. C. But afterwards in Mills County during the Revolutionary War - I came from Mills County Pa. to Tennessee something like 4 years ago, & I lived in Adams County, Tennessee until three years last past since which time I have resided in Wayne County Tennessee & now live.

4th Have you been called into service, were you drafted, did you volunteer, or was your substitute? & if a substitute for whom? Ans I volunteered in all the expeditions set forth in my declaration.

5th State the names of some of the regular officers, who were with the troops, when you served; such as Colonel, Captain, Lieutenant, & so on as you can recollect, & the general circumstances of your service.

Ans This question I have answered as well as I am able in the above declaration. 6th Did you ever receive a discharge from the service & if so, by whom was it given, & what has become of it? I received ~~two~~ ^{two} discharges one from Capt. Caldwell, ~~and another from~~ ^{from} Capt. ~~Caldwell~~ ^{Dickson}, and another from

Maj. Micajah Lewis, but I have lost
or mislaid them all.

7th State the names of the persons to whom
you are acquainted in your present
neighbourhood, & who can testify as to
your character for veracity, & their belief
of your services as a soldier of the revolution.

Ans I am known to Squire Henry Rayburn
Gen. John Rayburn Col. John Witherspoon
Robert Thompson Col. Gallagher Lewis
Johnson and Samuel Johnson and others
all of whom can testify both as to my
character for veracity & the reputation of
my being a Revolutionary soldier in the
neighbourhood where I now live.

He further states that he was under Gen.
Rutherford at the battle fought at
Ramsour Mill, where Capt. Gillespie was
killed. Where the United States
troops & the Tories had a very considerable en-
gagement. A number were slain on
both sides, but the Tories were completely
routed--some taken prisoners & the
rest driven from the field.

He also states that the said Maj. Lewis was mortal-
ly wounded in the engagement at Whiteside Mill
on Rudee fork of Haw river
& that he was carried
off the field, & died the next day.

Sworn to and subscribed Wm Rutledge (signature)
in open court the date
first above written
Test. William Barnett, Clerk

~~that~~ Maj. McCajah Lewis, but I have lost
or mistaid them all.

7th State the names of the persons to whom
you are acquainted in your present
neighbourhood, & who can testify as to
your character for veracity, & their belief
of your services as a soldier of the Revolution.
Ans. I am known to ^{again} Henry Rayburn
John Rayburn Col. John Weather, John
Robert Thompson, Col. Gallier, ~~James~~
Johnson, and Saml. Johnson and others
all of whom can testify both as to my
character for veracity & the reputation of
my being a Revolutionary soldier in the
neighbourhood, where I now live.

~~He~~ further state that ~~he~~ ^{the} was under Gen.
Butterford at the battle fought at
Ramsdell's mill, where Capt. Gilly's
was killed. When ~~the~~ the United States
troops the Doris had a very considerable
engagement - a number were slain on
both sides, but the Doris were completely
routed - some taken prisoners & the
rest driven from the field.

He also states, that the said Maj. Lewis was mortally
wounded in the engagement ^{at Myles's mill} ~~in the~~
^{about midnight} ~~at midnight~~ ^{on the night of the 1st of Nov.}
He was ~~carried~~ off the field, & died the next day.

I am to our Subscribers
in open Court the state
Jest Henry Mittere
Zeb. William Parmit Clark

We William Baker a Clergyman residing in said county & state & Henry Rayburn residing in the same county & state, hereby certify that we are well acquainted with William Rutledge, who has subscribed & sworn to the above declaration; that we believe him to be seventy six years of age; that he is reputed & believed in the in the neighbourhood where he resides, to have been a soldier of the Revolution, and that we concur in that opinion. and that we have often heard him speak of his services in the Revolution before the 1st of June last.

Sworn to and subscribed	William Baker (signature)
In open court the date	Henry Rayburn (signature)
Above written	
Test. William Barnett, Clerk	

State of Tennessee)
Wayne County)

September sessions of the county
court of said county for the year 1832
This day being the 27th day of Sept 1832
personally appeared in open court before
the justices of said court John Witherspoon
aged about 67 years next October, & after being duly
sworn according to law, on his oath
made the following statement:
That he was personally acquainted with
William Rutledge, who has subscribed and
sworn to the above declaration in the revolutionary
war, that he knows in the Wm Rutledge was in the United
States service, during said war
and he states that he also knew

Mr William Baker a Fleggyman residing in
said County & State of Henry Rayburn residing
in the same, ~~County & State~~, hereby certify
that we are well acquainted with William
Rutledge, who has subscribed & known to the
above declaration; that we believe him
to be seventy & 7 years of age; that he is
reputed & believed in the neighborhood where
he has resided, to have been a soldier of
the Revolution, and that we know
in that opinion — ~~that we have often~~
heard him speak of his services before the ^{in the Revolution} of 1776
East

William Baker

Henry Rayburn

sworn to and Subscribed
in open Court the date
above written

Test. William Barnett Clerk

State of Tennessee
Wayne County, } Sept. 29th 1832
Court of said County for the year 1832

This day being the 24th day of Sept 1832
personally appeared in open Court before
the justices of said Court John Matheson
aged about 69 years, & after being duly
~~sworn~~ according to law, from his oath
made the following statement —

That he was personally acquainted with
William Rutledge, who has subscribed and
known to the above declaration, in the Revolution
ary war, that he knows ^{as Rutledge was} in the
States service, during said war ^{in the Revolution} ~~in the~~ ^{that}
~~some time~~, and he states, he also knows

the said Rutledge when he was in the service under Maj. Micajah Lewis at the defeat of Col. Piles, and that he well remembers, the said Rutledge was at that engagement. He has known the said Rutledge ever since the revolution, both in N. C. & in Tennessee, in Williamson County & also in Wayne County. And that he has no doubt that the said Rutledge performed the service in said war as stated in his declaration & that he has always been believed & reputed in the neighbourhood where he has lived, as well as in the neighbourhood where he now lives, to be a soldier of the revolution. and that the said Rutledge is a man of veracity.

Sworn to and subscribed in John Witherspoon (signature)
open court the date first
herein written
Test. William Barnett Clerk

the said Rutledge when he was in the
service under Maj. George Lewis at
the defeat of ^{Genl} Piles ~~and~~ that
he well remembers, that said Rutledge
was at that engagement. He has
known the said Rutledge ever since
since the Revolution both in N. C.
& in Tennessee, in Williamson County
& also in Wayne County. And that he
has no doubt that the said Rutledge
performed the service in said war as
stated in his declaration. & that he
has always been true and faithful
in the brightest hours in which he
has lived, as well as in the neighbourhood
where he now lives, to be a soldier of
the Revolution. And that this said Rut-
ledge is a man of property.

John W. Thompson

Sworn to and Subscribed in
open Court the date first
herein written

Test: William Barnett Clerk

And the said Court do hereby declare this a session, after the investigation of the matter & after putting the questions prescribed by the war department, that the above named applicant was a Revolutionary Soldier, and served as stated And the said Court further states & certifies that it appears to them that William Baker, who has signed the preceding certificate, is a clergyman in said county & state and that Henry Rayburn, Esq., who has signed the same is a resident in the said state & county, & is a creditable persons, and that their statement is entitled to credit.

Isaac G. Grimes (seal)
Holloway Prater (seal
William B. Pong, JP

13.447

I William Barnett Clerk of the Court of pleas and quarter Session of Wayne County in the state of Tennessee do hereby certify that the foregoing continues the original proceedings in the matter of the Application of William Rutledge for the pension. In testimony whereof, I have hereunto set my hand and private seal (having no seal of office) at office this 28th day of September 1832

William Barnett Clerk

And the said Court do hereby declare their opinion, after the investigation of the matter & after putting the questions presented by the near department, that the above named applicant is now a Revolutionary Soldier, and served as instructed.
And the Court further States & certifies, that it appears to them that William Baxter, who has signed the preceding certificate, is a Clergyman residing in said County, & that said Henry Rayburn Esq. he has signed the same is a resident in the said State County, & is a creditable person, & that their statement is entitled to credit.

Isaac J. Grimes D.D.
William B. Pong D.D.

13. 447

William B. Pong Jr

I William Bennett Clerk of the Court of Pleas and quarter Sessions of Wayne County in the State of Tennessee do hereby certify that the foregoing contains the original proceedings in the matter of the application of Miller and Rutledge for a pension. In testimony whereof I have hereunto set my hand and private seal (having my seal of office) at office this 28th day of September 1832.

William Bennett Clerk

NATIONAL ARCHIVES MICROFILM PUBLICATIONS
NONSELECTED RECORDS
NATIONAL ARCHIVES MICROFILM PUBLICATIONS

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

NONSELECTED RECORDS

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

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4171

INVALID

[handwritten to left] Rev War

File No. 4171

William Rutledge

Priv Rev War

Act: June 7, 1832

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(Arrangement of 1870.)

Rev May

4141
INVALID.

File No. *4171*

William Rutledge
Orin Per War.

Act: *June 7. 1832.*

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[Arrangement of 1870.]

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Honr Lewis Cox

(pension office)

War Department

W.C.

R.C.

[left side] War Feb 26

[right side] Hon E. J. Shields H.R.

Mail }

Feb 26.

Wm

Mail }

Paul Lewis Cox
(mission office)
W.C.C.

Wm E. Lewis
JR

Washington City Feb 25, 1836

Dear sir,

In your communication to us of the 10th June state "that the highest rate of pension that can be allowed William Rutledge of Tennessee is \$20.00 per annum which is for six months service," the War Department thinks proper to grant him a certificate for that total of pension, I will on behalf of Wm Rutledge accept the said.

I am sincerely
Respectfully,
E. J. Shields

Wilmington City Feb. 25th 1836

Sir,

In your communication come
of the 10th You state "that the highest rate
of pension, that can be allowed William
Buttidge of Tennessee, is \$20.00 per annum
which is for six months service &c.
If the department think proper to
grant him a certificate for that
amount rate of pension, I will
in behalf of Mr Buttidge accept
the same.

I am Sir very

Respectfully
E. B. Nichols

Source citation for U.S., Revolutionary War Pension and Bounty-Land Warrant Application Files

 Ancestry record

 Citation details

 Associated facts

 Media

U.S., Revolutionary War Pension and Bounty-Land Warrant Application Files, 1800-1900



View image

View record

Name	William Rutledge
Pension Year	1836
Application State	Tennessee
Applicant Designation	Survivor's Pension Application File
Archive Publication Number	M804
Archive Roll Number	2106
Total Pages in Packet	23