

[Southern Campaign American Revolution Pension Statements and Rosters](#)

Bounty Land Warrant of Charles Porterfield BLWt1145-450 VA
Transcribed and annotated by C. Leon Harris. Revised 18 July 2015.

State of Virginia, to wit

At a Court of Hustings held for the Corporation of Staunton, monday November the 21st 1825,
(being a court of Record)

Satisfactory evidence was adduced to prove that Gen'l Robert Porterfield [pension application S8965] of Augusta County is the only Brother and heir at law in fee to Charles Porterfield dec'd late a Lieutenant Colonel in the regular Army of the United States during the Revolution – That the said Colonel Porterfield while in the Actual service of the United States, at the Battle of Camden in the year 1780 [16 Aug 1780] received a mortal wound, of which wound he died shortly afterwards.

[The following are from [bounty-land records in the Library of Virginia.](#)]

[Parts of some pages missing from the online images are inferred here in brackets or indicated by *.]

To the Honorable the Senate and House of Representatives of the United States in Congress assembled

The Petition of Robert Porterfield of the County of Augusta and State of Virginia respectfully represents. That he is the only Brother and heir at Law of Colonel Charles Porterfield deceased, an officer of the revolution, who engaged in his country's service, at a very early period of that war, and continued therein until he fell in the unfortunate field of Camden, in August 1780. In June 1775 Col. Porterfield enrolled himself with some of the first young men in Frederick County, Virginia, the place of his residence, as a volunteer in Captain Daniel Morgan's company of Riflemen (1. [footnote below]) and having equipped himself, marched to join the American Army encamped before Boston. Shortly after, he marched under the command of Colo. [Benedict] Arnold on the expedition against Quebec, and was the first man in the assault on that place, who mounted the wall [sic: 1 Jan 1776]. (2) He was then taken a prisoner in December [31] 1775, and [two or three illegible words] and painful captivity was [undeciphered word] in 1776. On his return home from his long imprisonment, he found the hand of death had robbed him of his father and left your petitioner, and their orphan sisters, in a great measure dependent on his bounty and kindness, he being the eldest son, and inheriting, as the law then was, his father's whole estate. Fired by his love of the Country in whose cause he had embarked, he resolved that no personal or private consideration should induce him to abandon her defence, until he should see her free and independent. He accordingly made immediate arrangements, so far as he could, for the comfort of his sisters, and obtained a Captain's Commission, in the 11th Virg'a. Reg't. on Continental Establishment. (Your Petitioner having obtained a Lieut's. Commission.) He recruited a Company of seventy men and marched in April 1777 from Winchester to join the American Army then in New Jersey. He continued with that Army during the Campaign of that year, and was after the [two or three illegible words], in all of which he [undeciphered word] with [two or three illegible words] bravery. (3) He brought on the action of Brandywine [11 Sep 1777] (4) was engaged in the battles of Germantown [4 Oct 1777] and Monmouth [28 Jun 1778], and continued in actual [several illegible words] of 1778. He then returned to Virginia, and sold out his whole property, real and personal, determining to devote all to the service of his suffering Country, and in the Spring or Summer of 1779, was appointed to the command of one of the State Reg'ts (5) About the same time he received the appointment of Quarter Master General of the State of Virginia, and continued in the State of Virginia in the faithful discharge of his duties till April 1780, when intelligence was received of the Siege of Charleston. He sought the opportunity of going to her relief, but most of the men under his command by the terms of their enlistment, were not bound to march beyond the limits of Virginia, such was the attachment of his men to him, and relying upon his promises that he would see their wants supplied, they determined to united their destinies with his, and [undeciphered word] in the service of the United States; with the [illegible word] and alacrity

which always distinguished him, he pressed on with forced marches, and was within a few days march of Charleston, when he received the news of its surrender. He then sought to join the forces under Colo [Abraham] Buford and was within one days march of him, when that officer was surprised, and his Regiment cut to peices by Tarlton's Legion [sic: Lt. Col. Banastre Tarleton's Legion, Battle of Waxhaws SC, 29 May 1780] (6). After Buford's defeat, he continued under many trying circumstances on the [undeciphered word] of South Carolina, and at his own expense, in a great measure, subsisted his men, till in August, when he joined the Army under Gen'l. [Horatio] Gates. At the battle of Camden, Colo. Porterfield was selected as one of the Officers to lead the advance and bring on the engagement [see endnote]' after checking the enemy by his [illegible word], he fell, disabled by a wound, which afterwards proved mortal (7). He was left on the field; and after undergoing great suffering, was taken prisoner, and conveyed to a negro hut, where he remained sometime before his wound was dressed. All his papers, money, baggage &c fell into the hands of the Enemy [several undeciphered words, the sense of which is probably that Charles Porterfield was ordered to surrender to the British to be] imprisoned at Charleston, [several undeciphered words], entirely dependent on the generosity of the Enemy being permitted to go to Charleston on parole, he was compelled in his necessity to apply to Lord Rawdon for a loan of thirty guineas to pay the expenses of his [undeciphered word]– the rough draft of the letter to Lord Rawdon accompanies this petition [not found]. On his way to Charleston he died on the banks of the Santee River, in the arms of your petitioner in January 1781 [see endnote], without leaving [undeciphered word], an independent fortune, the means of an honorable burial. Thus terminated the brief but bright career of this brave young soldier and devoted patriot. The evidence of his expenditures in the service of his country, which are known to your petitioner to have been great, both in his character of Quarter Master General, and in support of his brave followers in Carolina, having [several undeciphered lines]

Your petitioner would further respectfully represent, that at a very early period of the revolution the State of Virginia solemnly contracted to give those who should engage in her service upon Continental and State establishment a liberal bounty in Land. In every session of the Legislature during the War, their assurances were renewed, and the public faith pledged for their fulfilment: various acts were passed setting apart certain tracts of Country for the purpose of redeeming her faith those plighted, and among others an [Act at the November Session 1781](#) (8) appropriating “all the tract of Land included within the Rivers Mississippi, Ohio and Tennessee and the Carolina Boundary line” – which tract of Land, by a subsequent arrangement between the Continental [undeciphered word] state Lines, were set apart for the satisfaction of the claims of the latter. In pursuance of this act and arrangement and under the authority of Laws subsequently passed (9) a surveyor and Superintending officers were appointed, to make entries and Surveys of [several undeciphered words] in favour of your petitioner for 1200 acres each, on a warrant issued to him as the heir at law of Colo. Charles Porterfield.

Your Petitioner with other Military claimants, were proceeding at great hazard and expense, to perfect the incipient titles they supposed they had thus acquired by having these entries surveyed and carried into grant, when by authority of an act of the Legislature (10) they were arrested by Proclamation of the Governor of Virginia, founded on an apprehension that a perseverance in the surveying of these Lands, would expose that frontier and the United States to an Indian War. Before this prohibition was removed, the treaty of Hopewell [1785 and 1786] was made between the United States and the Chickasaw and Cherokee Indians, guaranteeing to those Indians the possession of the tract of Country [several illegible words] Citizen by having [illegible word] others from encroaching upon or taking possession of it. This was a state of things certainly never contemplated by the Virginia Legislature or the Officers and soldiers when this tract of Country was set apart for them, nor can your Petitioner believe the Government of the United States was aware of the injustice and injury inflicted on this meritorious class of Citizens by the provisions of the treaty, or provision would doubtless have been made for their indemnity. Your Petitioner from year to year indulged the hope of relief from those difficulties, and trusted that the United States would not suffer a loss to fall on individuals, which ought to be divided[?] with the whole nation. At length, to wit, in the year 1818, The Indian title to this tract of Country was

extinguished, and your Petitioner doubted not that he would then be permitted to enter upon the enjoyment of that which the policy and interest of the Country had [several illegible words] disappointed. Kentucky, having in the [illegible word] become a State, by various acts of her Legislature [*] harrassed and threatened the rights of your Petitioner [*] other Military claimants, nor was it [two or three illegible and missing words] trouble and delay, that he succeeded in finally [over]coming these difficulties and identifying his entries [surv]eying, and carrying them into grants. This having [been] effected, he by his agent took possession of the [land] and leased it to sundry tenants. These tenants [*] since, were permitted to enjoy the possession but a [*]t time, as your Petitioner has lately been informed [*] writs of forcible Entry and Detainer were served against them, by the heirs of Gen'l. George Rogers Clarke [sic: George Rogers Clark] [*] set up a claim as your Petitioner has been informed [*] more than 3000 acres of your Petitioner's 3600 Acres [*] succeeded in obtaining a verdict and Judgment, and [*]ing the tenants out of Possession, and the adversary [clai]mants now hold the Land. The claim of the heirs [of] said Gen'l. Clarke, as your Petitioner has been informed [dep]ended upon Virginia Land Office Treasury Warrants [several illegible words] are presented herewith, from which it will [ap]ear that the entries were made previous to the passage [of the] Act setting apart all this tract of Country to the satis[fac]tion of Military claims. The phraseology of the act of [*] shews that the Legislature were entirely ignorant [that] any part of this land had been located by Treasury [war]rants. The Board of Superintending Officers were [who]lly ignorant of the fact, as were your Petitioner for [*] years after. Upon the Land recovered from your [Petit]ioner the heirs of General Clarke, have laid off a [town] at the mouth of Tennessee River, called Paducah and from its very favourable situation very much [*] their value; and upon the Lots sold our many [*]ntile improvements have been erected.

More than half a century has elapsed since [the] State of Virginia, by her act of Nov'r. 1781 for a [*]able consideration conveyed this land to your [Petit]ioner, who on his part has been guilty of [undeciphered and missing words] has expended much time labour and money [ende]avouring to obtain it; Age [several illegible words] has disabled him from further effort and [several illegible words] he should be required to devote the [several illegible words] of time allotted to him on earth, in the [several illegible words] and expense of [several illegible words] a distant Court.

Virginia, in a most liberal spirit has given to the United States, an immense extent of territory, and the United States having on various occasions recognized their liability to pay the debts incurred by the several States in the War of the Revolution; your Petitioner, with Confidence addresses himself to Congress, respectfully asking, that his case may be taken into consideration and that the bounty Land of a brave soldier, the principal reward of a competent fortune, and most valuable life devoted to the cause of Freedom, may not be wrested entirely from his heir, who has already expended considerable of his own means, in his efforts to obtain that, which he humbly conceives Virginia was bound to give, clear of any incumbrance. He prays that an act may pass, authorizing him to locate upon any unappropriated land belonging to the United States, an amount of Land at least equal in quantity [several illegible words] of the Surveyor of Virginia State Line resident in Kentucky to be interfered with, by the Treasury Warrant claim of the heirs of Gen'l. George Rogers Clarke.

Your Petitioner moreover respectfully submits to Congress whether the unfortunate circumstances related above, which placed it out of the power of the representatives of Col. Porterfield to render any account of his expenditures in behalf of his Country, should entirely deprive him of all remuneration therefor, and whether your honorable body will not accept some mode whereby at least partial reparation may be made to the representatives of one who fell in the front of battle and whose papers & evidences [undeciphered word] by the same calamity which deprived his Country of his services were thrown into the hands of a foreign [undeciphered word] and destroyed.

Your Petitioner would respectfully suggest [one or two illegible words] it could ever have been the intention of [illegible word] to deprive the heirs of an officer falling in [illegible words] Colo. Porterfield did, unmarried & childless, [several illegible words] the close of the war, & having served faith [part missing at bottom of page, *]ther pay – while those who served to [illegible and missing words] supernumerary, and rendered no [several illegible and missing words]itively speaking, receive

five years full pay, [illegible and missing words]est. Surely no man could estimate such [undeciphered and missing words] as highly as life yielded up in battle. It was a [*]ious provision, intended and calculated [several undeciphered words] and peril all in the service, and to prove [*]ious gratitude for meritorious services, a dif[feren]t construction from this, operates with peculiar [har]dship in the case of Colo. Porterfield, who at the time [of] his early death, left two unprotected and unprovided sisters to survive him (one of whom a few years [sin]ce only, followed him to the tomb, the other yet [sur]vives, and resides with your Petitioner) their age [*] circumstances at his death made them most [pecu]liarly the objects of his care and bounty. He stood [*] in the place of a father, and faithfully would have performed that sacred duty, had not the cause [of] his country, called him from his charge. It has [been] your Petitioners pleasure, as well as duty to [*]ly as far as he could, the loss to them, and this [*] duty he will continue to perform while life [*]s.

Your Petitioner submits his case to the [Con]gress of the United States, in the perfect con[fid]ence that, that will be done by them, which under all the circumstances they [con]sider just and proper.

(1) [missing word] Vol. Lees Memoirs, p. 338 [apparently Henry Lee's *Memoirs of the War in the Southern Department of the United States*] — (2) [one or two undeciphered words] 389 [several undeciphered and missing words] (3) [two illegible words] Wash. pa. 145 – (4) f. note Lee's Memoirs pa. 15 – (10 Vol. Stat. at Lar. p. 32 [Hening's Statutes at Large]. (6) [two undeciphered words] Life of Wash [possibly M. L. Weems's *Life of Washington*] pa. 170. (7) [mostly undeciphered] (8) [undeciphered abbreviation] Code Chap. 20 pa. 390. (9) Ib. Chap. 30 pa. 465. (10) [several illegible words] Code of Va. Chap. 40 page 418. (11) [illegible] 1835, Dec'r 21 referred to the Committee of Revolutionary Claims [undeciphered abbreviation] May 6 1837 by order of the Governor

To his Excellency the Governor of Virginia and the Privy Council

Your memorialist Robert Porterfield, a Citizen of the State of Virginia, and resident of the County of Augusta, most respectfully represents, that he is the sole Heir at Law of Charles Porterfield, who was a Lieutenant Colonel in the Virginia State Line in the war of the Revolution, and after a service commencing very early in said war and continuing to the term of six years he died in said service of a wound received at the Battle of Campden – He died in Jan'y 1781 – Your memorialist deems it unnecessary to enter into particulars, or to furnish evidence of the above facts, as he believes the records and History of those transactions, will present a full view of all the facts (see report of Congr. on Revolutionary claims Doc. No 6 made Dec'r 10th 1835). Your memorialist now asks that the Register of the Land Office may be authorized and required to issue warrants for such additional land bounty as may be due from the Commonwealth on account of said services of said Officer

He believes it has been repeatedly decided, and will not at this time be questioned, that an Officer slain in Battle, or dying in service is as well entitled as if he had served to the end of the war. And therefore prays moreover for the additional Land bounty. Most respectfully/ Ro. Porterfield

In one of the advices of council it is admitted that bounty land might be allowed according to the terms of the engagement. That is strictly correct – now what are the terms of an officers engagement? Most clearly for the war – unless he belonged to some corps in which it was stipulated otherwise.

Entering the service without such stipulation he was bound to serve during the war and could not resign without leave.

D. Campbell [David Campbell, Governor 1837-1840]

The whole scope of reasoning in the advices above mentioned seems to be founded on the assumption that service to the country was the only inducement for granting bounty land. I do not think so. It was one inducement. Another was to reward fatherless children for the loss of their parent. Now the loss to them was greater where he fell in 1776 than in 1781 or 1782 D. Campbell

Claim of the heir of Lieut. Colo. Charles Porterfield to additional bounty land, for services as an officer during the revolutionary war.

Lieut. Colo Porterfield entered the service as a volunteer under Capt. afterwards Gen'l Morgan in June 1775 and died in January 1781 of a wound received at the battle of Camden August 16, 1780.

The second section of the Act of October 1779 provides "That the officers who shall have served in the Virginia line on Continental establishment or in the army or navy upon State establishment to the end of the present war &c. shall respectively be entitled to and receive the proportion and quantities of land following. Every Lieut. Col 4500 acres – And then there is this clause And where any officer &c shall have fallen or died in the service his heirs or legal representatives shall be entitled to and receive the same quantity of land as would have been due to such officer &c had he been living." See [10 vol Statutes at large pages 160-161](#). The act of Octo 1780 has this provision "And there shall be moreover allowed to all the officers of this state on continental or state establishments or to the legal representatives of such officers, according to their respective ranks, an additional bounty in lands in the proportion of one third of any former bounty heretofore granted them" [10 vol p375](#)

In May 1782 There is in the Act then passed this clause – "and for every year which every officer or soldier may have continued or shall hereafter continue in service beyond the term of six years he shall be entitled to one sixth part in addition to the quantity of land appropriated to his rank respectively." See [11th vol p84](#)

The above are the clauses of the different acts which contain provisions relating to this claim.

I have read with attention and considered the objections to allowing claims of this character and do not think that the reasoning is sound. It was the policy of our government, as it has always been of that one from which we descended, to place, upon all occasions, the heirs of the deceased officer of soldier on more favorable ground than the officer or soldier himself. No officer would serve in the armies of a country which did not do this. And I think our laws granting bounty lands justifies this opinion

Whatever may have been the motive for increasing the bounty in 1780 I do not believe that the increase in May 1782 was with the view alone of keeping officers from resigning. At all events I feels that I am only carrying out the wishes of the country at that time – Giving a construction which sound policy justifies; as also a liberal construction of the various provisions above quoted in deciding that the heir of Lieut Col Porterfield is entitled to bounty land for eight years and four months service and having received heretofore a warrant for six years service only that he is now entitled to a warrant for two years and four months additional service

[signed] David Campbell

NOTES:

The action that led to the mortal wounding of Charles Porterfield was not planned as implied in the statement by his brother. The army of Gates happened to march from Rugeley's Mill at the same time the army of Cornwallis marched toward them from Camden, and they encountered each other at about 2 AM on 16 Aug 1780.

In a letter to Thomas Jefferson on 1 Feb 1781 requesting assistance in repaying the 30 Guineas, Robert Porterfield stated that Charles Porterfield died on 10 Jan 1781.