

## Southern Campaign American Revolution Pension Statements & Rosters

Pension application of James Winingham R11724

Sarah

fn75NC<sup>1</sup>

Transcribed by Will Graves

1/22/11

[Methodology: Spelling, punctuation and/or grammar have been corrected in some instances for ease of reading and to facilitate searches of the database. Also, the handwriting of the original scribes often lends itself to varying interpretations. Users of this database are urged to view the original and to make their own decision as to how to decipher what the original scribe actually wrote. Blanks appearing in the transcripts reflect blanks in the original. Folks are free to make non-commercial use this transcript in any manner they may see fit, but please extend the courtesy of acknowledging the transcriber—besides, if it turns out the transcript contains mistakes, the resulting embarrassment will fall on the transcriber. I use speech recognition software to make all my transcriptions. Such software misinterprets my southern accent with unfortunate regularity and my poor proofreading fails to catch all misinterpretations. I welcome and encourage folks to call those and any other errors to my attention.]

[fn p. 181]

State of North Carolina Randolph County: Court of Pleas and Quarter Sessions August Term 1834

On this 7th day of August 1834 personally appeared in open Court before John Long Junior, Thomas Fentress & William Leach Esquires, the Court of said County now sitting James Winingham, a resident of said County and State aged seventy-eight years who being first duly sworn according to law, doth on his oath make the following declaration, in order to attain the benefit of the provision made by the Act of Congress passed June 7th 1832. That he has a record of his age in his family Bible, according to which he was born on the 29th of February 1756 – that he was born in Virginia but lived during the Revolutionary War in the County of Granville, North Carolina and for the last forty years has resided in the County of Randolph – that he entered the Militia Service of the United States, as a Substitute for one Stovall or Stoball (he does not remember the name with certainty) in the County of Granville aforesaid for the Term of three months as a private, under Captain Potter, Colonel Gill and General Butler. He does not remember at what time he entered the Service but thinks it was about one year before the battle of Guilford – that he was mostly employed while in the Service, in the pursuit of the Tories in the Counties of Chatham, Randolph, Guilford and Rowan, but was not in any battle nor did he joined any Company of Regular troops. He does not know of any Surviving witness by whom he can prove his service: that he was Honorably discharged by his Captain Abram Potter at the end of his Term of Service, in the County of Granville aforesaid. –

He further maketh oath that he was drafted in the foot service, in the County of Granville aforesaid, about two months before the battle of Guilford, for the Term of three months, but was permitted, by finding his own horse to enter a Company of Cavalry under the command of Captain John Henderson; Major Pleasant Henderson, Colonel Malberdy [sic, Malmedy], (as well as he can recollect his name he thinks Colonel Malberdy was a Frenchman) and General Butler, but was seldom with General Butler during his service: that he was employed in pursuit of the Tories in the Counties of Granville, Wake, Chatham, Orange, Cumberland, and Randolph, but

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<sup>1</sup> At the time this file was viewed on Footnote.com, the page numbers assigned by Footnote.com to the digital images of each of the pages in the file were nonsensical. Footnote.com indicates that it is working on trying to resolve this issue with its software

was in no battle: that he was near Hillsboro under the immediate command of Captain Henderson, shortly before the battle of Guilford, at which time this Town was in the possession of the British. He distinctly recollects being present at the taking of three British dragoons near said town about this time. He states that he was not with his company at the time of the battle of Guilford and that the cause of his absence was as follows: He owned a very fleet and valuable mare which he wrote while in the Service and which his Colonel Malberdy had tried to get from him, promising to discharge him from the service, if this declarant would give him his mare, which this declarant most positively refused to do – on the same day of this occurrence the company marched to Colonel Tining's [probably Hugh Tinnen or Tinnian] in Orange County, and it being a very wet night, this affiant and many others of the soldiers, by permission of Captain Henderson slept in Colonel Tining's barn and in the morning this declarant's bridle was gone – and he could not procure another, but was compelled to go on parade with a halter only on his mare. He could not keep in order – and the Colonel on being informed that he had lost his bridle, ordered this declarant to go home and get one and ordered Major Henderson to write him a Furlough for that purpose and after the furlough was written & delivered to this declarant Colonel Malberdy gave him – this declarant – orders to wait where he then was until he, the Colonel, should return after being absent a short time that Colonel returned and delivered to this declarant a sealed letter directed to Colonel Litterell [sic, John Luttrell], in Chatham County, (who lived about 1 days ride out of his way home) with instructions to deliver it in person to Colonel Litterell: or if Litterell could not be found, to return it. This declarant states that he delivered the letter to Colonel Litterell and after some detention, received from him a sealed letter directed to Colonel Malberderry with instructions to deliver it in proper person: This declarant further states that on the second day after he left his company the battle of Guilford took place: that his Company were not in the battle: that having gone home and got a bridle & quickly as possible, he immediately went in search of his company, (they having gone in pursuit of the enemy) and overtook them near Fayetteville – where he delivered the letter from Colonel Litterell to Col. Malberderry: and that he marched from thence to the County of Granville with his company and at the end of his Term of three months was there honorably discharged by Captain Henderson.

This declarant further states that his discharges have long been since lost or destroyed; and that he has no documentary proof of his Services: nor does he know whether any of his fellow Soldiers are now living whose testimony he could procure.

This declarant further states that when he filed his declaration two years ago in this Court, he told his counsel who drew said declaration, all the circumstances relating to his absence from his company at the time of the battle of Guilford as herein before set forth, but his counsel, not deeming it necessary, did not therein set forth the particulars, but only stated that he was absent on furlough.

This declarant further states that he has been long known to General Alexander Grey, Colonel Benjamin Elliott, General George Hoover, the Reverend Jesse Larrence and most of the old citizens of the County, who he believes will testify as to his character for veracity and their belief that he served as a soldier of the Revolution.

He hereby relinquishes every claim whatever to a pension or annuity, except the present and he declares that his name is not on the pension Roll of any agency in any State.

Sworn to & subscribed the day & year aforesaid

S/ Hugh McCain, CCC

S/ James Winingham

*James Winingham*

[Jesse Larrence, a clergyman, and George Hoover and Benjamin Elliott gave the standards boarding affidavit.]

[fn p. 245]

Archibald Fuller made oath that during the Revolutionary War James Winingham, who has subscribed the foregoing declaration, came with a party of soldiers in the Service of the United States, to the house of this affiant's father, and showed a commission authorizing him to him rest guns. This affiant distinctly recollects that said Winingham took 2 guns from his father. This affiant lived at that time within 1 mile of the residence of the said Winingham and he distinctly recollects that said Winingham served 2 tours in the service of the United States, the 1st in the foot service under Captain Potter: in the 2nd in the horse under Captain Henderson. This affiant did not serve with said Winingham but he has always heard that said Winingham served out his time honorably, and this affiant has not the least doubt of the fact. This affiant has known said Winingham ever since the Revolutionary **War** and he has never heard any person doubt that said Winingham was an active and faithful soldier of the Revolution.

S/ A. Fuller

[fn p. 114: On September 28, 1839 in Randolph County North Carolina, Sarah Winingham, about 69, filed for a widow's pension under the 1838 act stating that she is the widow of James Winingham, a pensioner for his service in the revolution; that she married him June or King, 1792 or 1793 she does not recollect with certainty which and has no family record of the date; that her husband once had the record of the births of their children in a family Bible but it has been destroyed many years ago; that her oldest child Gains Winingham was born February 11, 1794; that her husband died August 25, 1836.]

[fn p. 447: certificate dated November 9, 1854 given by the clerk of Iredell County that he has made diligent search in his records for a license bond of James Winingham to married Sarah (alias) Sally Nichols and found no such record.]

[fn p. 872: On February 8, 1840, Gains Winingham testified to authenticate a record of his birth as having occurred on February 11th 1794.]

[Veteran was pensioned at the rate of \$22.50 commencing March 4th, 1831, for 6 months service as a private in the North Carolina militia as both an infantryman and cavalryman.]