

Southern Campaign American Revolution Pension Statements & Rosters

Pension Application of James Brooks R1258

Transcribed and annotated by C. Leon Harris

[Capitalization and punctuation partly corrected.]

State of North Carolina }

Wilkes County }

On this third day of February 1829 Personally appeared in open Court it being a Court of Record known and allowed as such for the County of Wilkes and State of North Carolina as aforesaid James Brooks Resident in said County aged about sixty three years, who being first duly sworn according to Law, doth on is oath make the following Declaration, in order to obtain the provision made by the Acts of Congress of the 18th March 1818, and the 1st May 1820. that he the said James Brooks first hired as a Substitute in Captain Walkers Company of Cavalry of Amelia County Virginia, and while belonging to said Company was taken Prisoner by the British near old Scotch Town [Scotchtown in Hanover County] and exchanged for at old Jamestown, as a Prisoner of War, then returned home and remained about ten days, then served a few days in the Militia of Virginia Prince Edward County. when he got to Head Quarters at old Williamsburgh he enlisted as a pivate in the State Ligion of virginia during the War under the command of General Mead [sic: Lt. Col. Everard Meade, Second Virginia State Legion] and remained in the service untill peace was declared and was discharged at Goods Bridge [sic: Goode's Bridge] in the State of Virginia. (he enlisted in the fall of the year that Corn Wallace was taken [sic: Cornwallis, taken 19 Oct 1781] under the command of General Mead.) in the State Legion of Virginia he does not recollect the precise year and month and does not recollect the name of his Captain being so short a time in the service.) that he hereby relinquishes every claim whatever to a pension except the present, that his name is not on the Roll of any State except the State legion of Virginia, and that the following are the reasons for not making application for a pension [earlier]. (To wit.) While I was able to support myself or had wherewith to do it, I did not intend to be a charge to the United States, but having been from disability rendered incapable of supporting myself and am thereby compelled to claim my pension as a Revolutionary Soldier.

And in pursuance of the Act of the 1st may 1820 I do solemnly swear that I was a resident Citizen of the United States on the 18th day of March 1818 and that I have not since that time by gift sale or in any manner disposed of my property or any part thereof with intent thereby so to diminish it as to bring myself within the provisions of an act of Congress entitled "an act to provide for certain person engaged in the land and naval service of the United States in the Revolutionary War" passed on the 18th day of March 1818 and that I have not nor has any person in trust for me any property or securities contracts or debts due to me nor have I any income other than what is contained in the Schedule hereto annexed and by me subscribed. (that is to say)

To three Cows, two yearlings and a Calf.	\$35.00
One Mare \$65. One Colt \$25.	90.00
Fourteen Sheep at \$1.25 each.	17.50
Four head of Hogs \$6. Seven wild Hogs \$7.. . . .	13.00
One Mill saw and Irons.	25.00
Three pots \$4. One Dresser & furniture \$5.. . . .	9.00
7 Chairs \$2,62½. Two tables \$1.50.	4.12½
One flax wheel \$1. One Wheel & Reel \$2.. . . .	3.00
One Musket 75 cents. One smothing Iron 75 Cents. . . .	1.50
Farming tools \$14. One Loom \$2.. . . .	16.00
Pair Sheep Shears 75 Cents. three Bells \$3.. . . .	3.75
	\$218.17½

Property sold since 1818 to wit.
 One Cow to Benjamin Parker at..... \$12.00
 One Heifer to Meridith Thurmond. 2.50
 One Cow to William Billings. 10.00
 \$24.50

(Debts Owing at this time.)

William Mason one Rifle Gun. \$15.00
 Zachariah Brooks. 25.00
 \$40.00

That he is a farmer, that he is not able to support himself by his Labour, on account of old age and wounds received in the service of the United States, his family consists of the following persons his wife about sixty-seven years of age and much afflicted with the rheumatic pains and not able to support herself. On bound boy about fourteen years of age of common ability. Sworn to and declared on the third day of February in open court one thousand eight hundred and twenty nine. James hisXmark Brooks

State of North Carolina } SS. June 7th 1832 –
 County of Wilkes }

On this 30th day of October 1832 personally appeared in open court, before the Justices of the Court of Wilkes now sitting James Brooks a resident of the County of Wilkes and State of North Carolina aged sixty eight 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 act of Congress passed June 7th 1832.

That he entered the service of the United States in the militia under the following named officers, and served as herein stated, (To wit)

He entered the service in May 1781 in County of Prince Edward State of Virginia, in the Company commanded by Captain Walker, and James Bot[?] Lieutenant, and was marched to old Scotchtown and joined head quarters near said town the first day of June, the next morning he was taken prison while on duty as one of the patroll guard, and got wounded on the head and arm, he was taken by the Brittish under the command of Cornwallis up James River as far as Elk Island [in Goochland County] from there they retreated to Richmond, from there to Williamsburg, and from there to Jamestown he remained there untill he was exchanged for by the American officers after the Battle that was fought between Cornwallis and General Wayne [Anthony Wayne, Battle of Green Springs Plantation near Jamestown, 6 Jul 1781] – he was attacked with the small Pox and remained in the hospittle till he got well, he then returned home in Prince Edward County having performed a too months tour as a substitute for Obediah Jackson.

He entered the service again in August or first of September 1781 in Captain Paul Mishew Cunningham company, in Prince Edward County Virginia, and was marched to Williamsburg. General Robert Lawson commanded there, Major [William] Boyce was shot and killed by one of the french sentinals while he was there for refusing to answer when he was hailed by the sentinal, – while he lay at Williamsburg there was a call to enlist (as they called it,) men in to the Virginia State Legion for during the War, and that he enlisted and was under the command of General Everett Meade and was ordered to meet at Goodes Bridge on Appomatix [sic: Appomattox] River in Chesterfield County, when he arrived his hight, age, and complexion was taken and his name recorded, – that he remained there and done duty under General Mead in the Virginia State Legion peace was declared, he was then dismist without a discharge, by order of Genl. Mead – that he has no Documentary evidence, and that he knows of no person whose testimony he can procure, who can testify to his services. He hereby relinquishes every claim whatever to a pension or annuity except the present, and declares that his name is not on the pension Roll of the agency of any State –

He further states that a few years past he made application for a pension and claimed as having served in the Continental establishment of the United States, which declaration is now filed in the War Department of the United States, – He at that time thought the Virginia State Legion belonged to the Continental establishment, but since he has been better informed, he finds he was mistaken, and that the Virginia Legion was only the state troops of Virginia, in which he rendered the above service.

Sworn to and subscribed the day and year aforesaid James hisXmark Brooks
[Certified by John Brooks and Benjamin Parks.]

North Carolina } SS.

Wilkes County }

Personally appeared before me, the undersigned, a Justice of the peace, James Brooks, who being duly sworn, deposeth 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.

That the service he rendered in May 1781 as a substitute for Obediah Jackson under Captain Walker and Lieutenant James Bott he was a private in the infantry, and served at that term as above stated not less than two months. The service he rendered when he entered the service again in August or the first of September in 1781 in captain Paul Mishew Cunningham's company he was a private in the infantry, and served as he has heretofore stated in the Virginia State Legion, and for a term of not less at that time than twelve months, making in all the service he rendered in both tours, not less than fourteen months. And for such service I claim a pension,.

Interrogatories to be put to the applicant which has not been heretofore answered satisfactorily.

1st Where and in what year was you born.

Answer. I was born in Amelia County State of Virginia on March 30th 1765

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

Answer. I have no record, but have kept my age from the account my parents gave me.

5. State the names of some of the Regular officers, who were with the troops, where you served, such Continental and Militia Regements as you can recollect, and the general circumstances of your service.

Answer. General Robert Lawson, and Major Boyce was was in command when I first joined head quarters but do not know that they were Regular officers or not. General Everett Mead who commanded in the Virginia State Legion, I think was not a Regular officer he had been a Regular Captain under General Washington General Wayne was in a few miles when I was taken prisoner and served as a substitute. I do not recollect as to be positive as to the names of any other officers. the general circumstances of my services is already answered

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

Answer. The Rev. Jesse Adams and Sterling Rose.

Sworn to and subscribed the 22nd day of April 1833. James hisXmark Brooks

N. Carolina } SS.

Wilkes County }

Personally appeared before me the undersigned a Justice of the peace, James Brooks (the within applicant) who being duly sworn, deposeth and saith that according to the best of his recollection the services he rendered as a soldier of the Revolution for which he claims a pension, was as he has heretofore stated in what they called the Virginia State Legion (except when he served as a substitute for Obediah Jackson,) and under the officers he has named in his declaration, and at the same time his hight age &c was taken at Goodes Bridge in Chesterfield County Virginia there was also an account taken of the

following soldiers, who belonged to the same corps, – John Wood [pension application R11791], David Wammush, Phillip Burch, George Hudson, John Butler, James Ginnett, Thomas [Thomas Belcher] and Edward Belcher. this list was taken by Major Jones and Captain Peter Randolph who were recruiting officers. and further he is credibly inform that there was such a corps as Lee's Legion in the State of Virginia, and he has thought that it may be possible that the Muster Rolls might be returned as belonging to Lee's Legion, instead of the Virginia State Legion, but feels confident if the Department has the list when the soldiers description was taken they will find his name and also the names of the above mention soldiers, – and further that it is out of his power to make any further proof as to the duration of his service under his enlistment, there being no person living that he know of by whom he could prove the duration of his service.

Sworn to and subscribed before me the 6th day of August 1833. James hisXmark Brooks

NOTE: James Brooks was dropped from the pension roll in Jan 1835 because his name could not be found on the rolls of the company to which he claimed to have belonged. The file contains an additional document that is now too faded to read, but according to a typed summary it contains the following information: James Brooks married Nancy Wood about 1790. He died on 20 April 1838, and she died on 25 Dec 1846. They had seven children, the following four of whom survived their mother: Zachariah Brooks of Wilkes County; Sarah Byrd of Wilkes County; Nancy Childers; and Lucy Rice.