

Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of Malachi Culpepper R2566

f32GA

Transcribed by Will Graves

rev'd 11/23/14

[Methodology: Spelling, punctuation and/or grammar have been corrected in some instances for ease of reading and to facilitate searches of the database. Where the meaning is not compromised by adhering to the spelling, punctuation or grammar, no change has been made. Corrections or additional notes have been inserted within brackets or footnotes. Blanks appearing in the transcripts reflect blanks in the original. A bracketed question mark indicates that the word or words preceding it represent(s) a guess by me. The word 'illegible' or 'indecipherable' appearing in brackets indicates that at the time I made the transcription, I was unable to decipher the word or phrase in question. Only materials pertinent to the military service of the veteran and to contemporary events have been transcribed. Affidavits that provide additional information on these events are included and genealogical information is abstracted, while standard, 'boilerplate' affidavits and attestations related solely to the application, and later nineteenth and twentieth century research requests for information have been omitted. I use speech recognition software to make all my transcriptions. Such software misinterprets my southern accent with unfortunate regularity and my poor proofreading skills fail to catch all misinterpretations. Also, dates or numbers which the software treats as numerals rather than words are not corrected: for example, the software transcribes "the eighth of June one thousand eighty six" as "the 8th of June 1786." Please call material errors or omissions to my attention.]

[p 7]

State of Georgia, Coweta County

On this 2nd day of May 1836 personally appeared in open court before us Samuel D. Echols, John D. Hinton, Turner Parsons Justices of the Inferior Court of said State & County now sitting Malachi Culpepper of the County & State aforesaid aged ninety (as well as he can now recollect having no record of his age) Years, who being 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 month of May 1777 under Captain Baldwin for the Term of Eighteen months (the number of the Regiment not recollected thinks it was the fifth) commanded by Colonel Leonard Marbry [Leonard Marbury], that he served out his tour of duty and was discharged that he was living in the County of Wilkes, Georgia when he enlisted, that the company rendezvoused at Stewart Fort Wilkes County Georgia, and shortly after they joined the Regiment they were all marched down to St. Augustine, where they remained about six months, when they were again marched back into Georgia, and was stationed at Clarks Fort, where the company remained as a guard to protect the frontiers of Georgia until his tour of service expired, he was called into service several times afterward, as a minute man, and served short tours he warned & two months, but cannot recollect dates of the entrants or discharge from service. He hereby relinquishes every claim 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.

Sworn to & subscribed the day & year aforesaid.

S/ Malachi Culpepper, X his mark

S/ Sam. D. Echols, JICC

S/ Turner Parsons, JICC

S/ Jno. D. Hinton, JICC

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Georgia, Coweta County.

Before me Andrew J. Berry one of the Justices of the Inferior Court in & for said County personally came James Meriwether who being duly sworn saith that Malachi Culpepper the deponent in the case in which the accompanying interrogatories were taken & read in Coweta Superior Court is the same person under whose application at the Pension Office this present preceding is had for the recovery of his pension. And this deponent further saith that upon the trial of the said cause in Coweta Superior Court he was one of the jury and that he gave his verdict for said Culpepper upon the testimony contained in said interrogatories.

Sworn to and subscribed before me this

S/ James Meriwether

S/ Andw. J. Berry, JIC

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Georgia, Coweta County: in Coweta Superior Court

Aaron Formby, informant

vs.

Malachi Culpepper

Drawer

Interrogatories to be exhibited to David Madden a material witness on the part of the drawer and who resides out of said County of Coweta.

Interrogatory 1st Do you know the parties in this case

Interrogatory 2nd If you answer the first Interrogatory in the affirmative please state if you do or do not know of the said Culpepper's having served a term or terms of duty as a Soldier in the Army of the United States in the Revolutionary war against Great Britain or the Indians.

Interrogatory 3rd Please state when you became acquainted with said Culpepper and where and all you know that will benefit the drawer as if particularly interrogated thereto this 3rd August 1829.

S/ Thomas & Daniel

Attorneys for drawer

I acknowledge due and legal service of a copy of the within interrogatories and consent that a commission issue instanter this third almost 1827[sic, 1829].

S/ Wm. B. Cobb

Inf. Atty.

Cross Interrogatories

1st If you were acquainted with the defendant during the Revolutionary war, when did you know him; what was his age – size & personal appearance.

2nd If the defendant ever served as a Soldier in the armies of the United States in the Revolutionary war, where did he serve – in what year or years & under whose Command, to whose Company was he attached.

3rd Did you know more than one man by the name of Culpepper in the Revolutionary war – are you certain that the defendant is the particular individual of whom you are testifying – are there no doubts in your mind relative to the identity of the defendant; what is your age at this time? What was your age when you knew Culpepper as a Soldier.

S/ Wm. B. Cobb

Inf. Atty

Filed in office this 4th of August 1829.

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Georgia, Coweta County

By his Honor Walker T. Colquitt, Judge of the Superior Court of the County & State aforesaid to Moses R. Matthews & William Harris Esquires Greeting

Whereas there is a certain matter of Controversy now depending in the Superior Court aforesaid County between the Governor on the Information of Aaron Formby vs. Malachi Culpepper; and whereas David Madden¹ is a material witness in said suit and cannot attend our said Court without manifest inconvenience

Now know ye that we reposing special trust and Confidence in your prudence and fidelity have appointed you and you and any two or more of you are hereby authorized and required to cause the said

1 [David Madden S31835](#)

David Madden personally to come before you and after being duly sworn to Examine him concerning the said Suit according to the interrogatories hereunto annexed and the answers to the same being plainly and distinctly written you are to send the same closed up under your hands and seals to our said Court to be held on the Wednesday after the first Monday in October next together with this writ. Witness the Honorable Walter T. Colquitt Judge of said Court this 15th of August 1829

S/ Wm. H. Hicks Clk.

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Georgia, Pike County:

By virtue of a commission from the Honorable the Superior Court of Coweta County to us direct did, we have caused David Madden the person in the said Commission named to come before us and being duly sworn true answers to make to certain interrogatories to the said commission annexed, deposeth and answers as follows:

To the first Interrogatory he answers: I do.

To the second, he answers: I do know that Malkiah [sic, Malachi] Culpepper did serve one tour of duty as a Soldier in the Revolutionary war against Great Britain and several tours against the Indians.

To the third, he answers: I became acquainted with Mr. Culpepper in Wilkes County in this State in the year 1778 at a Fort called Clark's Fort, I was a soldier under the command of Captain Duncan and David Gunnels [sic, probably Daniel Gunnells] was the Captain of the Fort before named at the time I became acquainted with Mr. Culpepper, and to the best of my knowledge Culpepper was then one of Gunnels Soldiers. In the year 1780, the British forces had overrun or taken possession of Georgia and there was a proclamation issued by his Britannic Majesty that all those called Rebels by the English should be spared provided they would go to the British Commander and receive what was then called a letter of protection and a great many good Whigs as I thought did so, but Colonel Elijah Clark [sic, Elijah Clarke] headed as well as I can recollect about two hundred and Eighty stout hearted fellows scorned any British protection and amongst which number Mr. Culpepper was one, and he Clark carried us into the Mountains of North Carolina and Tennessee.

To the first Cross Interrogatory, he answers, I became acquainted with him as I before stated in Wilkes County State of Georgia, Clark's Fort, and I suppose he was about 15 or 16 years old, he was a good stout boy and had the personal appearance of boys about that age.

To the Second Interrogatory, he answers, in the year 1781 Colonel Clarke besieged Augusta (in this State) and to the best of my recollection Mr. Culpepper was a soldier under the Command of Captain Gunnels at said siege or Battle, besides, I am of the opinion that Culpepper had been in many Indian Scrimmages under the Command of the said Gunnels then called scouting parties.

To the third interrogatory, he answers, I know no other Malachi Culpepper and but one other Culpepper who was Malachi's father in time of the Revolutionary war, the last time, I saw Mr. Malachi Culpepper was at Mr. Joneses in Morgan County about seven years ago and he then lived in said County, about which time I moved from Morgan County in which County I had lived 15 years, & during that time had frequently seen him and know him to be the same Malachi Culpepper before spoken of, I have every reason to believe he now lives in Coweta County and that he is the same Identical person before spoken of. I am 73 years old in October next, when I first became acquainted with Mr. Culpepper I was about 22 years old.

S/ David Madden

David Madden answered described and sworn to before us this ninth day of September 1829.

S/ Wm. Harris, Com. {Seal}

S/ Moses R. Matthews, Com {Seal}

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...[same preliminary formalities regarding interrogatories and cross interrogatories by put by

commissioners to David Thurmond² of Clarke County, Georgia.]

Georgia, Clarke County: By virtue of a commission from the Honorable Superior Court of Coweta County to us directed we have caused David Thurmond the person in the Commission named to come before us and being duly sworn true answers to make two Certain Interrogatories to the said Commission annexed deposes and answers as follows --

To the first Interrogatory, he answers: I know the parties.

To the second Interrogatory, he answers: I knew the Respondent M. Culpepper in the date 1776, and I saw him under arms in the date of 1779, as a Revolutionary Soldier and was informed by his Captain John Sturel [?Sturd?] & his Father that he was Enlisted, I do not know that he was at the Siege of Augusta only that I saw his name on Captain David Gunnels' list that was at the siege of Augusta. I know he did guard the Fort for several years.

To the third Interrogatory, he answers, I know no more that will make in favor of the Respondent. David Thurmond answered & subscribed and sworn to before us this 14th of February 1829.

S/ David Thurmond

S/ Edwin F. Cox, Com, {Seal}

S/ Etheldred Sorrell, Com, {Seal}

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[...same regarding Spencer Crane, a witness]

Georgia, Jasper County:

By virtue of a Commission from the Honorable Superior Court of Coweta County to us directed we have caused Spencer Crane the person in the said Commission named to come before us and being duly sworn true answers to make to certain Interrogatories to the said Commission annexed deposes and answers as follows:

To the first Interrogatory, he answers: I am acquainted with Malachi Culpepper but am not acquainted with Aaron Formby.

To the Second, he answers, in 1779, at Freeman's Fort in Wilkes County Georgia I first knew said Culpepper.

To the third, he answers, I was forted with said Culpeper from 1779 until the Close of the Revolutionary War.

To the fourth, he answers, That said Culpeper associated mostly with the men and not with the boys of my Companions.

To the fifth, he answers, it was the regulations of the different Forts where I knew said Culpeper for the man to go on scouting parties, and at such times to leave the old men and boys not capable of undergoing severe fatigue in the forts, and from the apparent age, size and other circumstances connected I am of opinion that said Culpeper stood sentry and went on scouting parties during the Revolutionary War.

To the sixth, he answers: That from the apparent age and size of said Culpepper I think he was old enough to have served a tour of three months or more during the latter end of the Revolutionary War.

To the seventh, he answers from the looks of said Culpepper I should suppose he was 19 or 20 years old at the Close of the Revolutionary War.

To the eighth he answers that David Thurmond & Thomas Glass belonged to the same Fort that the said Culpepper did during the war.

To the ninth he answers my opinion is all young men who were thought to be able to bear arms were compelled to do so during a part of said war.

To the 10th he answers my Mother was forted in at least three forts with said Culpepper.

To the 11th he answers Agreeable to the family record of my Father, I shall be Sixty years old the 15th of

2 [David H. Thurmond S32010](#)

October next, which is all I know that will make in favor of said Culpepper.
Sworn Taken Sworn to and prescribed before us this 19th of August 1829.

S/ Thomas Wilson, Com {Seal}

S/ Pleasant H. Whitaker, Com {Seal}

S/ Spencer Crane

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... [same regarding testimony of Nancy Hill]

Georgia, Clarke County

By virtue of a Commission from the Honorable the Superior Court of Coweta to us directed we have caused Nancy Hill the person in the said Commission named to come before us and being duly sworn true answers to make to certain interrogatories to said Commission annexed deposeseth and answers as follows:

To the first Interrogatory, she answers – I am acquainted with the said Malachi Culpepper.

To 2nd Interrogatory – I saw the said Culpepper at Fort Logan about the commencement of the Revolutionary war and frequently saw him after that during the said war I never saw him under arms but I have frequently been told by well respected soldiers that he did render services & that he was at the Siege of Augusta.

To the 3rd Interrogatory – I was acquainted with said Malachi Culpepper about the Close of the said Revolutionary war and believe him to be about 20 years of age at that time.

To the 4th Interrogatory she answers, I know more that will make in favor of the Respondant.

Nancy Hill answered subscribed and sworn to before us this 4th of February 1829.

S/ William Burney, Com {Seal}

S/ Nancy Hill, X her mark

S/ W. White, Com {Seal}

[Note: All of the above documents relating to the testimony of Madden, Thurmond, Crane and Hill are copies and bear no original signatures.]

[Facts in file: A letter dated 9/15/1846 contains the statement that Malachi Culpeper died in March 1837. Reference is made in that letter to the veteran having 2 children then living, Joel Culpeper and Mrs. of Martha Bellows. p 5: in a finding issued by the Justices of the Inferior court of co-widow County Georgia dated November 2nd, 1846, the court ruled that the veteran died in co-widow County Georgia on or about March 1, 1837 survived by Joel Culpeper and Martha Bellah.]