

had any other belief than he served as he states we further state that the said John Cape is so old and so much afflicted that we do not believe he can attend Court without great Hazard and the assistance of his friends that his affliction is old age and bodily infirmity we further state that the said John Cape is and ever has been esteemed a man of strict honor and integrity Subscribed and sworn to before me the day and yer a' d John his X mark Blankenship/ Jessee his X mark Blankenship/ John X Blankenship
John Vaughan JP.

State of Kentucky } SS
Russel County }

Be it remembered that on this 14th day of August 1833 before the undersigned a Justice of the peace in and for the County a' d personally came John Cape a resident of the County of Russel State of Kentucky aged 88 years who being first duly sworn according to law doth on his Oath state That on the 4th day of January 1833 he made his declaration before John Vaughan Esq'r. a Justice of the peace in and for the County a' s' d for a pension under the act of Congress of June 7th 1832 to which declaration he offers this as an amendment he states that By reason of old age and the consequent loss of memory he cannot swear positively to all the particular incidents which Transpired during the time he was in service But according to the Best of his recollection he served not less than the periods mentioned below and in the following grades

1st he served one year as a private volunteer malitiaman in Capt. Param Bookers Company – as stated in his original declaration and in Col. Lynchs Regiment. he further states That in the year 1778 he entered the Service of the united States a lieutenant in Capt James Martins Company that he Continued in Service from the aforesd period untill after the surrender of Cornwallis in the year 1781 making a period of upwards of three years as he has stated in his former declaration he further states that Each and all the aforesaid Services was performed 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 services was performed he was not employed in an Civil pursuit

And for which Service he Claims a pension as an officer he states that most of the time he served as Leut he was under the Command of Colo Crockett sometimes he was under the Command of Colo. McDowell being often detached out from his regiment he further states that there is no Clergyman residing near him nor does he know of any one who can Testify as to their belief of his services he having mostly lived in a remote part of this & Cumberland Counties for many years and for the last several years has been so much afflicted that he has been but little from home he states that since filing his original Declaration he has discovered that he can prove by Charles Thurman [pension application S31414] of Cumberland County Kentucky his services both as a private and officer whose deposition he designs procureing and when done will cause the same to be attached hereto

where and in what year were you born

answer I was born in Amelia County State of Virginia in the month of march one thousand seven hundred and forty five agreeable to the information of my Parents which I believe to be true

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

Answer I have none nor did I ever have any

3^d Where were you living when called into Service, where have you lived since the Revolutionary war and where do you now live

Answer I lived in amelia County State of virginia when I was called into service and was a Citizen of that County during the whole time of my Service after the final close of the war I moved to the County of Bedford State of virginia where I remained untill the year one thousand seven hundred and ninety six, when I moved to the County of Lincoln State of Kentucky where I lived a few years then I moved to Cumberland County state of Kentucky where I remained untill the year one thousand and thirty when I moved to Russel County Kentucky where In 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 and did you ever receive a commission when you served as an officer if so by whom was it signed and what has become of it

Answer the first tour I served was as a private volunteer militiaman for one year I never was drafted nor was I ever a substitute the residue of my services was as lieutenant and I was regularly Commissioned by Competent authority but I cannot at this time state by whom It was signed but I know it was signed by the proper person my memory is now frail and cannot Recollect so particular as to state by whom it was signed but at the time I received it I knew what was a good commission & know mine was a genuine one I have lost it but how when or where I know not for my tour as a private I received a written discharge signed by my Captain which I also lost

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 service answer I have in the body of this declaration stated the names of some of my Colonels. I was frequently with Generals Green [see endnote] Lafayette [sic: Lafayette] Washington & others and the General Circumstances of my services I have stated as well as I can Recollect

State the names of persons to whom you are known in your present neighbourhood who can testify to your character for veracity and their belief of yours services as a soldier and officer of the revolution I have named the Mr. Blankenships who has certified for me in my original declaration there are others of my neighbours who I could refer to but owing to my decrepid situation my acquaintance in my present neighbourhood is limited But where I formerly lived I could refer to all my acquaintance and all of whom would testify as to my character for veracity and their belief of my services as an officer and soldier in the revolution Subscribed and sworn to the Day and year a'd.

John hisXmark Cape

State of Kentucky } SS.

Cumberland County }

This day 31st of August 1833 personally appeared before the undersigned Justice of the peace in and for the County aforesaid Charles Thurmon Sr a resident of the County & State a'd aged 72 years who being Duly Sworn deposed and saith, That he now is and has been well acquainted with John Cape now a Citizen of Russel County State of Kentucky he knew said Cape while he lived in Cumberland County which was many years, I knew him when he said Cape lived in Amelia County State of Virginia before the Revolutionary war and I know that he served in the war of the Revolution as a private volunteer Soldier in the Virginia militia I think about one year in Capt Bookers Company he does not recollect the Christian name of said Booker this he thinks was in the year 1776 he further states that some time thereafter said Cape received a Commission as lieutenant and entered the service as lieutenant in Captain Martin's Company of Virginia militia in Colo Crocketts Regiment this he thinks was in the year 1778 and he knows that said Cape was in service as lieutenant from the time he so entered until after the surrender of Cornwallis in the fall of 1781 he saw said Cape repeatedly while in service commanding as lieutenant and knows he was regularly commissioned he saw s'd. Capt at Prince Edward Courthouse & many other places he was always recognised as Lieutenant, this affiant is as confident that said Cape served as lieutenant from the year 1778 until the year 1781 as he could be of any fact unless he had been personally present during the whole time he was well acquainted with said Cape before he entered the service and was often with him during the war and knows he was at the surrender of Cornwallis Commanding as lieutenant his station was never doubted he further states that after the surrender of Cornwallis said Cape with other Militia officers, was disbanded there being no further use for them he states further that he thinks said Cape is nearly 90 years of age and that said Cape has always been esteemed an honorable upright Correct man Subscribed and Sworn to before me the day & year a'd.

J M Emerson JPCC

Charles hisXmark Thurman

State of Kentucky } SS
Russell County }

Be it remembered that on this 12th day of December 1833 personally appeared before me the undersigned a Justice of the peace in and for the County aforesaid John Cape a resident of the County a' d. who Being duly sworn deposeth and saith that he heretofore made his declaration for a pension under the act of Congress of June 7th 1832 to which he offers this as an amendment he states 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 Viz he entered the service of the united states in the Early part of the year 1776 in Amelia County State of virginia as a private volenteer malitiaman in a Company Commanded by Capt Param Booker he was immediately marched of and was attached to Colo. Lynches Regiment or part of his rigiment and he furthur states that he was kept in actual service as a volenteer he believes the whole of that year but as is suggested the malitia Served in tours this declarant was a volenteer and whether he volenteered for any definate length of time he is not certain but so it is if he did not when the times of the drafted malitia expired he again volenteered and continued in actual service and in this way he states that he served two tours of three months Each and six of Twenty Days Each as a private volenteer as above stated in the year 1776 which service was done and performed in the State of Virginia as stated in his former declarations, that is in Amelia and the neighbouring Counties and he declares that the service was performed 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 and for which service I claim a pension. he furthur states that it is probable part of said service was performed in the year 1777 so it is he knows he entered in 1776 and he was Commissioned as Leutenant he thinks in 1778 and he now states most positively that in the year 1778 he served as Leuet in Capt James Martins Company and in the regements stated in his former declarations two tours of three months Each and five of Twenty days Each he furthur states that in the year 1779 he served one tour of three months and six tours of twenty days Each he furthur states that in the year 1780 he served one tour of three months one of forty days and two of Twenty Days Each. that in the year 1781 he served one tour of three months and four of Twenty days Each, he states that he has made as full a statement in his former declaration as to the places and Battles &c as he can recollect he furthur states that the different tours charged by him from 1778 to 1781 was performed by this declarant as Leuet in the army of the revolution and that he served in Each and every tour was done and performed with an embodied Corps Called into service by Competant 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 and for which service I claim a pension as well for the time I serged as a private as a Leuetenant Subscribed and Sworn to before me the date above John hisXmark Cape

Horseshoe Bottome Russell Co. Ky. 1st July 1836

Sir. There is one John Cape living in this County who is drawing a pension as a Leut in the revolutionary war & the object of this communication is to infourm you that he is not entitled to it – that it can be proven by ~~two~~ different persons in this County that his onley connection with the Army was to dress Deer skins and make them up & sell them to the British

Very Res. your O'bt. S./ Henry L Green

To the Secretary of War/ Washington/ DC

P.S. there are several other Torys drawing pentions in this County, whose pentions ought to be stopt

Horseshoe Bottome 5th Sept. 1836

Sir Yours of the 16th of July came to hand a few days since after having been detained more than a mounth with the seal broken open – and in answer I have to infourm you that I am not authorised to call

a a justice of the peace to take the deposition of persons to prove that John Cape was not in the Rev'y. war; and have to request that you would authorised me to call on John Vaugh esqr or some other J.P. of this county to take the Deposition of Mary Blankinship, Jesse Blankinship, John McFall, Green Kane, Harvy Kane & Mrs Brankinship. And have the deposition of Patty Stone of Green Co. who lived in the house with said Cape during the war – you will direct your letter via Danvill & Monticello which will provable prevent it from being intercepted your &co. H L Green
J. L. Edwards [Commissioner of Pensions]

NOTE: None of the officers mentioned in Cape's declarations could be identified as being in the Amelia County Militia. There was a Col. Joseph Crockett and a Col. Walter Crockett who served in the western part of Virginia. Charles Lynch was colonel of the Bedford County Militia beginning in 1778. Samuel McDowell was colonel in the Rockbridge County Militia. "General Green" evidently refers to Nathanael Greene, who passed through Virginia late in 1780 but did not command forces there except for a few days in Pittsylvania County in mid-February 1781. Charles Thurman's declaration is in the handwriting of John Vaughan. Thurman's pension application states that he was serving in the North until at least late 1778, so it is unlikely he could have seen Cape in service before that time. Notes on the pension application indicate that Cape's pension was suspended in response to the allegations of H. L. Green.