

Southern Campaign American Revolution Pension Statements & Rosters

Pension Application of William Cox S30960 VA  
Transcribed and annotated by C. Leon Harris.

State of Kentucky } Sct  
Lawrence County }

On this 8<sup>th</sup> day of November 1833 personally appeared in open Court in the Lawrence Circuit Court in the town of Louisa, William Cox a resident of the said County & State, aged 72 years and for the purpose of obtaining the benefit of the Act of Congress passed on the 7<sup>th</sup> of June 1832 makes the following declaration on oath, according to law

That he was born on the [blank] day of [blank] 1761 as he was informed by his parents, but he has no record of his age and believes it was never recorded; in the County of Halifax and State of Virginia that when a boy his father moved with his family to Walkers Creek a brach of New River in Montgomery County in Virg'a. That he enlisted or volunteered just before he was 18 years of age, under Capt John Preston, Robert Crockett Lieutenant & James Taylor was Ensign – that \_\_\_ Preston [William Preston] was Col. of the regiment. He enlisted or volunteered for nine months and went out early in the spring of the year – he thinks in 1779 but not certain – that he served out his full time of nine months and was discharged at the head of Clinch river, just before Christmas – the Company assembled at Montgomery Courthouse – service was moving about against the Indians in the western part of Virginia. That his discharge was given to him, but by whom signed he does not remember, but he lost it many years ago. – He further states that in march of the subsequent year he again volunteered under Capt Robert Crocket, James Taylor was Lieutenant he thinks. Old Col. Preston still commanded the Regiment – that he volunteered to serve nine months and served out his full term and was discharged in the early part of the winter at the head of Clinch. He was appointed one of Spies in the first campaign that he was out and continued one of them during the Second Campaign. He volunteered or enlisted the next year and went out under Capt. Robert Robertson, James Taylor was Lieutenant & Preston Colonel – he went out for a nine months tour and served out his full time and was discharged early in the winter. He acted as a Spy. – He cannot from old age recollect dates and may be mistaken as to the time he went out. His service was rendered against the Indians in the western parts of Virginia. All of his discharges are lost or destroyed & he states that he rec'd. one at the expiration of each term of service of nine months. He moved from the County of Montgomery to Sandy which is now Lawrence County, where he has resided ever since. He has no documentary evidence and knows of no person by whom he can prove the rendition of his said services, though he presumes there are many yet alive, – who know well of his service. He hereby relinquishes every claim to a pension or annuity except the present and declares that his name is not on the pension roll of any state or its agency.

Sworn to & subscribed the day & year afs'd. William hisXmark Cox

[29 Apr 1834] William Cox files the following additional statement to his original Declaration for the purpose of obtaining a Pension under the Act of Congress of 7<sup>th</sup> June 1832  
He states that after he volunteered on Walker's creek he was marched directly out to the frontier of Virginia and was stationed when not otherwise engaged at a fort or station at or near the head of Clinch river a part of his time, at other times at Elk garden fort [in present Russell County] and at other times near the head of Blue Stone river [Bluestone River] at a fort there. He never returned home or was engaged in any civil employment during the 3 different periods that he was out in service of nine months each but was constantly engaged in guarding the frontiers. He and five others of the regiment were selected as spies and as such were generally kept out of the station or forts reconnoitring, and usually returned once each week to get provisions and clean clothes. He can say positively that he was engaged in actual service during the whole time he volunteered to go – to wit 3 tours of 9 months each. As a spy he

was kept constantly out & knows not how it happens that the Officer of the War Department should decide that spies are not in actual service. He was constantly himself as a spy and his service was actual and not construction for the whole time was devoted to the service of his Country.

William hisXmark Cox

War Department/ Pension Office/ May 21<sup>st</sup> 1834

Sir [Hon Amos Davis/ House of Representatives] I herewith again return to you the papers in the case of William Cox. This claim for services as set forth cannot be allowed. The Militia were not called upon to serve at one engagement for a longer period than six months. [See endnote] If he did not belong to the Militia, prof of his having been in service for the length of time stated in each tour should be produced. It is well known that the Indians retired from the frontiers during the winter season, and consequently the service of the Militia or regular troops was not required, during said time.

I have the honor to be/ Very Respectfully/ Your Ob't. Serv't. J. L. Edwards [Commissioner of Pensions]

Mount Sterling June 18 1834

Hon R M Johnson [see endnote]

Sir, The enclosed papers you will perceive have been in the War Department and the claim of Wm. Cox rejected the last time because he stated he served 9 months at each tour of duty instead of Six months. From the showing of the Com'r. of Pensions the Indians only retired during the winter months and at all other times the Militia on the frontiers were engaged. There was surely no intermission of Six months at a time, but if the facts be admitted as stated, Cox should at least be allowed for 3 Tours of 6 months each, although I am constrained to believe that he was in service the length of time named in his declaration.

You will perceive that the papers have been in the possession of the Hon. A. Davis, but he being a young member and unacquainted to a considerable extent with the pension law might not be able to do justice to a case. Mr. Cox wants nothing more than justice and if he is not entitled to a pension, I hope he may never get one. He is a cripple in both legs and uses two crutches and as poor as poverty can be. If you, on reading the papers are satisfied yourself that the petitioner ought to have one be pleased to urge his claim. Your superior knowledge and acquaintance with this business, enable you to be of much use to the old war worn patriot in enabling him to get that bounty which his Country intends for him. I may here remark, as I did on a former occasion, that your relative, the Hon. J. Eve[?] told me, (what reputation had already proclaimed) that you would promptly attend to all such business which might be confided to you. Be pleased to excuse a citizen of Kentucky, although not an immediate constituent.

Hon. R. M Johnson/ Washington D.C.

Your Mo Obt. St/ Richard Apperson

[Cox was pensioned at \$60 per year for 18 months service by a certificate issued 26 June 1834 in the name of R. M. Johnson, House of Representatives. As explained below, the pension was revoked following allegations of fraud.]

War Dep/ Pension Office/ Sep 10 1835

Sir [William W. Rice, Eq'r/ Little Sandy Saline/ Kentucky], A letter from you to P. Loughborough, Esq'r. in the cases of James Ward [pension application W1105], Adam Crum [S8260], William Cox, and George Hardwick [S8674], has lately been left at this Office. You say that these persons are not entitled to pensions, and refer me to Col. Daniel P. Mosely for further information. If you will be so obliging as to inform me to what post office a letter should be sent, in order to reach Col. Mosely, I will be obliged to you, as it is proper that this Dept. should immediately be put in possession of all the information within its reach touching the military servic of these Pensioners. Be so good as to favor me with an early answer. You mention another person in your letter who is not entitled to a Pension; but I cannot find a person on

our rolls whose name resembles in the least the one mentioned in your letter. The name is either John Leton, or Laton, or Seton.

[The following letter is in the file of James Ward, pension application W1105.]

Greenup County Ky/ Catlett Burgh/ Octr 30<sup>th</sup> 1835

Sir [J. L. Edwards] Your communication of the 10<sup>th</sup> Sept<sup>r</sup> is at hand. You say you want to know where Col D. B. Moseley Lives in order that you may wite to him on the subject of Pensioners.

He Lives in Lawrence County, Ky. about 20 M's. W. of Louisa Forks Big Sandy, which is the County seat of Lawrence & the place to which you should write if you want him to be sure to receive yr Letters. When I wrot to Mr Loughborough I conceived him to be the proper person and thought indeed he was personally acquainted with Col Moseley which he no doubt was if his recollection could have been Brought to bar and that he would be abel to infer the cause of my witing and the correctnessness of the information. But finding I have been to some extent mistaken I suppose and explanation necessary. it happened one Day Last winter that myself and Col Moseley ware in conversation and it ran back to the revolution and forward to its defenders. the justness of the Law allowing them pay &c which elicited from him (the Col) an expression that there ware Many Drawing who ware not Entitled. I joined him in opinion, and expressed wish that the Dept. knew all about it and could obtain sufficient evidence of the fact so that those improperly Drawing might be stopped & punished Col Moseley rejoined should the matter be investigated he had no doubt of the sufficiency of proof. I asked from what source. he said that he thought he had the Declaration of several persons that had employed him as ther agent to procure pensons for them. that he had sent on ther declaration on at Least some of them. and they ware not foud to be entitled to Draw. Others ware made out before him in like manner. on which he declined accting. We then looked at some one two of the Declarations and found By estimate of ther age &c they ware not eligible. But yet they are Drawing. Col Moseley promised to take care of those Declaration which no Doubt he has done. among the List of names given by me you seem to have mistaken one viz Sexton John Sexton [W26432]. You express a wish to receive all the information you can get on this subject – I will say to you sir, that if a universal investigation could but take place, in the counties Greenup Lawrence Morgan Floyd & Pike the names previously given by will not scercely form a specimen. I have shewed yr communication to some 3 or 4 men in whom I could confide and they have given accounts quite astonshing. Walter Osburn Esqr of Blain (in Lawrence) Col Thos. Johns Esqr. of (Lawrence) Andrew Rule of Floyd, these men Could give you considerable information on the subject. But they are more modest than myself perhaps they would not say unless they should be called on. However I think it probably that Esqr Osburn may write you. I have encouraged him so to do any information he may favor you with may be relied on as correct. Should you proceed to the investigation precaution will very necessary as som of the most prominet men in this country are engaged in this nefarious & fraudulent business Viz Lawyers ministers & magistrates. in conclusion I can only say that I am in hopes an investigation may take place for if it can I am persuaded the general goverment will realize great advantage in a pecuniary point of view and a far more real advantage By arresting & punishing the improper conduct of those who are drawing as well as those through whose instrumentality they obtain the Benefits. I am sir/ verry respectfully yr Obt Ser/ William W Rice

War Dep/ Pension Office/ Nov. 16, 1835

Sir [William W. Rice, Esq'r./ Catlettsburgh/ Greenup County/ Ken], Your letter of the 30<sup>th</sup> ult' o. has been received. I am much obliged to you for the information you have given respecting John Sexton and others. I have written to the gentlemen you have mentioned; and I will be greatly obliged to you for any further hits you can give.

I will thank you if you will inform me to what post-offices letters addressed to Mess'rs. Osburn, Johns and Rule should be sent.

War Dept./ Pension Office/ Nov. 16 1835

Sir [D. B. Moseley/ Louisa/ Lawrence County Ken.], I understand that you are in possession of information in relation to certain persons who are now drawing pensions for alleged revolutionary services, which would be highly useful to this Dept. It is supposed that the cases to which I allude are fraudulent; that the persons never performed such service as they have set forth under oath in their declaration, and that you can shew to the satisfaction of this Dept. that their statements are false. If you can furnish this Office with such information you will confer a favor on the Dept. and render an essential service to the country. As early answer is requested. You may communicate freely with this office, and in confidence. Your name will in no case be given to the parties concerned, unless you desire that such a communication should be made.

[There is no response to this letter in the file.]

[Correspondence in the file indicates that Cox's attorney had mailed his pension certificate to the agent for paying pensions prior to the payment date of 4 March 1835, but that neither it nor the payment had been received. Believing the certificate had been lost in the mail, the attorney wrote repeatedly for a new pension certificate. On 2 July 1836 the Pension Office sent instructions for applying for a new pension certificate, which Cox did on 3 Sep 1836. The following note is in the file:]

William Cox for a new Certificate

The application appears to be in due form – but from the correspondence in the case there appears to be some difficulty that ought, possibly, to prevent granting the request.

Respectfully referred to the Com'r of Pensions/ Oct. 6<sup>th</sup> '36/ R. B.

[A note in the file reads: "Said to be a fraudulent case No certificate to be issued at present. Oct. 7, 1836."]

NOTE:

Edwards was incorrect in stating that voluntary militia tours on the frontier were limited to six months each. Numerous other pension applications indicate that Indian spies generally served from early March into at least November. For additional details regarding Edwards's treatment of soldiers claiming pensions for service as Indian spies in another investigation of fraud, see my appendix to the pension application of David W. Sleeth (S6111).

Cox does not appear to have been informed of the true reason his pension was revoked, so he had no opportunity to rebut the charges. The only apparent common thread linking the pension applications of William Cox, Adam Crum (S8260), George Hardwick (S8674), John Sexton (W26432), and James Ward (W1105) is that all list R. M. Johnson of the House of Representatives as the person to whom the certificate was issued. Richard Mentor Johnson became famous after it was said that he killed the Shawnee Chief Tecumseh at the Battle of the Thames on 5 Oct 1813. Johnson had a successful political career in spite of his many enemies who objected to his having a common-law wife of mixed race. He was elected to the House of Representatives in 1806, to the US Senate in 1819, again to the House of Representatives in 1827, and was selected to be Vice President of the United States during Martin Van Buren's second term (1837-1841).

Except for the 30 Oct 1835 letter by Rice, there is nothing in the files of the other four accused to indicate that they were investigated. The only substantive charge in that letter appears to be that Cox and the others were too young to have served during the Revolutionary War. The only independent evidence I could find regarding Cox's age is the 1830 federal census for Lawrence County, which lists a "William Cock" (possibly "Cook") aged between 60 and 70. If this is William Cox, then the age in the census is consistent with his declaration stating that he was born in 1761.

For the other soldiers accused of fraud the claimed ages and census ages are as follows:  
Adam Crum: claimed to be born in 1756; 60-70 in 1830 (Lawrence County); 85 in 1840 (Cabell County VA)

George Hardwick: claimed to be born in 1759; 82 in 1840 (Lawrence)

John Sexton: claimed to be born in 1758; 60-70 in 1830 (Pike County KY)

James Ward: claimed to be born in 1758; 60-70 in 1830 (Lawrence); 80 in 1840 (Lawrence)

Within the expected range of error for such census records, there is no support for the assertion in Rice's letter that any of the five soldiers was too young to have served in the Revolutionary War.

A letter dated 6 April 1854 states that William Cox died in 1837, and his heirs wished to claim the pension owed him up to that time. On 20 April 1854 the Pension Office replied as follows:

"Sir In reply to that part of your letter of the 6<sup>th</sup> inst which relates to the case of Wm Cox, I have to inform you that his pension was paid to the 4 march 1835 when it was suspended for the reason that the claim was believed to be fraudulent."