

Southern Campaigns American Revolution Pension Statements and Rosters

Pension Application of Dudley Callaway S39282

VA

Transcribed and annotated by C. Leon Harris. Revised 6 Nov 2014.

William Daniel one of the Judges of the General Court of the Commonwealth of Virginia do certify that Dudley Callaway of the town of Lynchburg came this day [11 Feb 1819] personally before me in the town of Lynchburg and Commonwealth aforesaid and being by me first duly sworn made the following declaration, that is to say, that he the said Dudley Callaway enlisted with Captain Gross Scruggs of the 5th Virginia Regiment on continental establishment on the 10th day of February 1776 for the term of two years; that he served the time for which he enlisted, and was regularly discharged in 1778 at Valley Forge in Pennsylvania – that during the service he was detached under the command of Captain Wm Henderson [William Henderson] who commanded a company in Colo Morgans [Daniel Morgan's] rifle Regiment and was in the battles which preceeded and attended the Capture of Burgoyne at Saratoga [Battle of Freeman's Farm, 19 Sep 1777; Battle of Bemis Heights, 7 Oct 1777; surrender to Gen. Horatio Gates, 17 Oct 1777]; That he is now in reduced circumstances and needs the assistance of his country for support, having heretofore depended for that upon his own personal labour, from which he has not been able to accumulate but a very small portion of personal property including one negro Woman who from her advanced age is now of very little value, & will probably in a short time be an expence, rather than a source of profit. that he is now in the sixty sixth year of his age, and having no home except such as he can rent, and his ability for bodily labour being now much diminished, and with it his means of subsistence he considers himself in need of assistance as he hath above declared.

And on this same day came also before me Edward Casey [pension application S39291] who being first duly sworn deposeth and saith, that he knew the above named Dudley Callaway in the army of the United States in the Revolutionary War in the same company in which he served to wit Captain Wm Hendersons of Colo. Morgan's Rifle Regiment that he has known him ever since, & is now well acquainted with his circumstances. that he is poor – having no home except such as he rents – is dependent on his own labour for his support, except the aid of an old negro woman, who is now of little value, and will as he thinks not long be of any value, so that he thinks the said Dudley Callaway from his advanced age & diminished ability for labour, needs assistance for his support.

And on this same day came also before me Thomas Wyatt esq'r of Lynchburg, and being duly sworn by affirmation deposeth and saith that he is well acquainted with the above named Dudley Callaway, that he is a poor man, having no home except what he rents & is entirely dependent as he thinks upon his own personal labour for subsistence & that being now old This ability to labour much diminished & he still declining in strength & bodily power from increasing age, he considers him the said Dudley Callaway in need of assistance for support.

Virginia At a Court of Hustings held for the corporation of Lynchburg
at the Court House on Tuesday the 5th June 1821.

On this fifth day of June in the year of our Lord one thousand eight hundred and twenty one, Dudley Callaway aged about Seventy years and a resident of the corporation of Lynchburg in the State of Virginia, personally appeared in open Court, expressly constituted by law, a Court of record, and being first solemnly sworn doth on his oath declare that he served in the revolutionary war as follows – he said Callaway enlisted for the term of two years in Bedford county, Virginia, about the 10 day of February one thousand seven hundred and seventy six under Capt. Gross Scruggs of the Fifth Virginia Regiment on continental establishment, and continued to serve untill the expiration of two years from the time of enlistment when he was honorably discharged at Valley Forge in the State of Pennsylvania, and was in the following actions & skirmishes, towit; at the several battles with, & capture of Burgoyne. he was about eight months with Colonel, afterwards Gen'l. Morgan, and in several sharp skirmishes under him towit, at Brunswick [22 Jun 1777], at Amboy [possibly 8 Mar 1777], at Somerset Court House [17 Jun

1777] and many others. said Callaway hath heretofore made a declaration of his services &c. before the Hon'ble Wm. Daniel one of the Judges of the Said Court in Virginia about the 11th February 1819 and obtained a Certificate of a pension of Eight dollars per month from the 11th Feb'y 1819, which certificate bearing date the 15 day of May 1819. and is numbered 10612. – And said Dudley Callaway doth solemnly swear that he was a resident citizen of the United States on the 18th day of March 1818. and hath not since that time by gift, sale, or in any other way disposed of his property or any part thereof with intent thereby so to diminish it as to bring himself within the provisions of an act of Congress entitled “an act to provide for certain persons 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 he hath not, nor hath any person in Trust for him, any property or securities, contracts, or debts nor any income other than what is contained and named in the Schedule hereto annexed and by him subscribed – that his family consists of three persons, himself, his wife aged about Sixty five years, and a grand son, William Callaway aged about eight years, that his own constitution is very much impaired by age, by rheumatic pains, and former hardships, so as to place it out of his power to procure a comfortable support by his vocation: which is that of a House carpenter, or otherwise, – and that the services of his wife and Grandson are not materially beneficial in procuring a maintenance – that he hath nothing of property or interest except the following – one hand saw, foot adze, drawing knife, hammer, foreplain, two Jacks, one smooth plain, two pole axes, rule and compass, two chissels, guage & square, two augers one whet stone, one old desk, pine table, one oven, two pots, one skillet, two water vessels, two dishes, five plates, a case of knives and forks, ten cups, one funnell one pewter pot, one cotton wheel, three split bottom chairs, one looking glass three spoons, two flat irons, one grid iron, one candle mould, two old chairs, one coulter, one broad hoe, one grind stone, one bible purchased near valley forge of the property of a messmate killed in action, two hymn books, and the following claims, one chancery suit which has been depending about twenty one years the fate of which is very uncertain which was instituted to recover the proportion of his wife's interest in her deceased father's estate, which was inconsiderable, and there were six distributees – one suit to recover thirteen dollars, one Judgment for Ten dollars and the officer has returned no effects on the execution, an open account for Eight dollars, a claim of six dollars for attending Court as a witness, an open account for Five dollars, another of Two dollars, and said Dudley also owes several small debts himself.

(signed) Dudley Callaway

Sworn to and declared before the Justices of the Hustings Court for the corporation of Lynchburg on the 5th day of June 1821.

Teste. W. W. Nowell Sen

I William W. Nowell Clerk of the Hustings Court for the corporation of Lynchburg in the State of Virginia do hereby certify that the foregoing oath, and the schedule thereto annexed are truly copied from the record of said Court – And I do further certify that it is the opinion of said Court that the total amount in value of the property exhibited in the Schedule aforesaid, is forty one dollars & 81¼ cents – And further that the attorney who prosecutes the suit above alluded to says (in open Court) he thinks it not worth the costs of prosecution – In testimony whereof I herewith set my hand and affix the seal of said Court on this 13th day of June in the year of our Lord 1821. of our Independence 45.

[signed] W. W. Nowell Sen.

[Note in a different hand]

☞ a Chancery suit in Virginia depending about 21 years! – This cannot be worth much.