

Southern Campaign American Revolution Pension Statements & Rosters

Pension Application of Lewis Cake (Clark) S39324
Transcribed and annotated by C. Leon Harris

VA

Virginia to wit.

On this fourth day of July in the year 1818 before me James Semple one of the Judges of the General Court of the State aforesaid personally appears Lewis Cake aged Sixty Four years resident of the County of Gloucester in the s'd State who being by me first duly sworn according to Law doth on his oath make the following declaration in order to obtain the provision made by the late 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

That he the said Lewis Cake was on the 16th February 1777 in the County and State aforesaid drafted for twelve months into the United States service and was marched under the command of Colo. Smith to Valley Forge where he joined the United States Army, was enrolled into the Company commanded by Henry Young and composed part of the Seventh Virginia Regiment on Continental Establishment commanded as he believes by Colo. Heath [sic: William Heth] that he continued to serve in the said Corps or in the service of the United States untill the 16th February 1778 at Bronn Brooke in Jersey [sic: Bound Brook NJ]; that he was under inoculation for the small pox when the Battle of Monmouth was fought [28 Jun 1778] and so was in no field engagement – that he is in reduced circumstances and stands in need of the assistance of his Country for his support – and that he has no other evidence of his said services now in his power –

[The claim was initially ruled to be inadmissible, because it was thought not to be for Continental service and therefore not covered by the act of 1818.]

Williamsburg March 30th 19.

Sir [James L. Edwards, Commissioner of Pensions] A reconsideration of the inclosed case is requested on the grounds that the 7th regement tho raised on state establishment was transfered to the continental line at an early period of the war [29 Feb 1776]. It is my recollection and the nature of the sevice would prove it that all the drafts were for the continental service. It is also established by the department that James Batop [sic: James Baytop, pension application S37701] an officer in the 7th regt. was on continental establishment as to him they were given a pension. A reference is theref[illegible]ked to the same evidence in favor of this case Permit me to observe that in case of drafts that the states furnished the men to the continent and the mode of obtaining them was nothing to the continent and that the law only requires nine months service and makes no distinction as to the mode in which that service was commenced. That the distinction was known to many members of congress and yet does not appear in the act, which makes no difference between enlistment and drafts provided nine months service were performed. most respectfully your obt. ser

[signed] Burwell Bassett. L. M. Gen. [Late(?) Major General]

[The following are among the [rejected claims in the Library of Virginia](#):]

I Certify that I was well acquainted with Lewis Cake who entered the army of the Revolution in the Continental Line in the year 1779 and that he served out the balance of the war in the capacity of a private and was honourably discharged, but I do not Recollect under whom he mustered – as witness my hand and seal this 26th day of June 1832 Henry Buchanan [pension application S37807]

NOTE: The pension certificate for one year of service was made out to "Lewis Clark." The name "Lewis Cake" is the only one that appears in the original documents in the files. Lewis Cake, age 45 or over, is listed in the 1810 federal census for Gloucester County.