

Southern Campaign American Revolution Pension Statements & Rosters

Pension Application of Isham Browder W1133

Transcribed and annotated by C. Leon Harris

[The following copy of Browder's discharge is among [bounty-land claims](#) in the Library of Virginia:]
Isham Browder soldier of the 2^d. Virginia Regiment having served the full time for which he was enlisted is hereby discharged from the service. Given under my hand at Camp 30 aug't. 79
Authenticated by the Commissioner Wm. Woodford Br. Gen'l. [William Woodford, Brigadier General]

State of Kentucky }
County of Hopkins } Sct

On this Fourteenth day of September A.D. One Thousand and Eight Hundred and Fifty Three personally appeared before the County Court of Hopkins County in the State of Kentucky Elizabeth Browder a resident of the County of Hopkins and State of Kentucky aged Seventy Seven years who being first duly Sworn according to law, doth on her oath make the following declaration in order to obtain the benefits of the provision made by the act of Congress passed on the 3^d day of February 1853, granting Pensions to widow of persons who served during the revolutionary War:

That she is the widow of Isham Browder who was a private in the company commanded by Captain William Taylor in the Second Regiment of Virginia Continental line commanded (as she has been informed and believes) by Colonel [Alexander] Spotswood in the American Revolutionary War She does not know where he volunteered or enlisted but she believes that he volunteered or enlisted in Virginia in the year One Thousand Seven Hundred and Seventy Six (she does not know for what length of time) and continued in actual Service in said War for the term of Three years and was honorably discharged, in the year 1779, That the said Isham Browder while in said Service received a wound in the arm by a gun shot. She declares that Isham Browder never received a pension on account of his said Service, That the only written evidence which she has of his said service is contained in the certificate of Wm Taylor the Captain of the company in which he served dated Nov 5 1824 and hereto attached, The affidavit of Moses Johnson [sic: Moses Johnson] taken before Abraham Herring a Justice of the Peace for Hickman County Kentucky on the 3^d day of February 1830 and here to attached, the letter from James L Edwards late Commissioner of Pensions to Hon R M Johnson dated December 31st 1828. She further declares that she was married to the said Isham Browder in the County of Woodford in the state of Kentucky on the 20th day of December AD 1810, as will appear from an authentic copy of the record of her said marriage hereto attached and from the accompanying affidavits of Witnesses, That her said husband died in the county of Hickman in the state of Kentucky on the 19th day of February AD 1830, That she was not married to him the 2nd day of January A.D. One Thousand Eight Hundred, She further declares that she has not married since the death of said Isham Browder and that she is now a widow. She declares that she knows of no person now living who was in the Service with her husband She does not know where said Moses Johnson & Capt Wm Taylor are, nor does she know whether they are alive.

Elizabeth herXmark Browder

William Taylor [pension application W6233] formerly a Major in the Virginia Continental line of service during the revolutionary war deposes and saith that Isham Browder according to the best of my knowledge and belief was a private in my company whilst a captain in the second Regiment of the Virginia Continental line, in the Revolutionary War as aforesaid; that he entered the service in the year 1776 and continued therein until the year 1779—
Wm. Taylor Sen'r late Capt of the 2^d Virg'a Re't
Nov'r. the 5th 1824

State of Kentucky }
County of Hopkins } Sct

On this fourteenth day of September AD 1853 personally appeared before the county court in and for the county of Hopkins and State aforesaid John Browder of said county who is well known to the court to be a man of good character, who being duly sworn according to law, doth upon his oath declare that he is acquainted with Elizabeth Browder who made the fore going declaration, that he became acquainted with her in said county about the Month of January A.D. 1811. That he has been acquainted with her ever since and that ever afterward, until the death of Isham Browder, she and the said Isham Browder cohabited as husband and wife, were reputed to be such and to have been lawfully married, that they were received into society and appeared at public places as husband and wife, Affiant states that he is a son of said Isham Browder by a former marriage. That he is Sixty Three years of age, That in the year A.D. 1810 he lived with said Isham Browder in Hopkins County, and that during that year the said Isham was married to the said Elizabeth, whose name before said marriage was Scarce as he has been informed by them both That he continued to live with said Isham a short time after his last marriage aforesaid, He States that a few years before his death the said Isham Browder moved from Hopkins County to Hickman County and died in Hickman County Kentucky on or about the 19th day of February 1830 That said Elizabeth afterwards returned to Hopkins County where she continues to reside, and that she is still a widow, He states that he has frequently heard said Isham say he was a Soldier in the Virginia Continental line in the Revolutionary War and that he served Three years in that war, that he was wounded in the arm – according to affiants best recollection & belief he was wounded in the battle Monmouth [28 Jun 1778], that he has heard said Isham frequently relate the incidents of his service but is getting too old to enable him to repeat them accurately, That he has heard him speak of having officers whose names were Spotswood, Taylor and Harbert Claiborne and he also states that said Isham named a son after Harbert Claiborne who was an officer of the company or Regiment in which he served, That he heard said Isham say that he received land in the North West Territory (now the State of Ohio) for his services and that he lost that in a suit with McArthur, That he carried the suit to the Supreme court of the United States where it was decided against him, That he afterwards petitioned congress for an indemnity for his loss in that suit and that his petition was refused as will appear from a letter from Ben Harain to Colonel Alorej McLean, and a letter form Robt P Henry to said Isham dated 18th Feb 1825 and hereto attached

[signed] John Browder

House of Representatives Feb. 18th 1825

Dear Sir,/ I now enclose a copy from the journals of what was done by the Committee on the Judiciary, on your petition. The report was verbally made by the chairman of the Committee, who stated, that Congress had no power to review the final decision of the Supreme Court: That it was the principle of the Government, to presume that a final decision of that Court is right; and that it could not be the policy of the Government to indemnify the losing party in contests for land. They, therefore, moved to have leave to be discharged from the further consideration of the petition and that the petitioner have leave to withdraw his papers; which leave was granted by the House. I have taken much pains, since the report was handed in, to feel the sense of the House upon the subject; and I am convinced that the House will not consent to reverse the report of the Committee. I am sorry, indeed, that there is no remedy in our power that can be applied to your case. It is a pity, that your lawyer had not filed his petition for a hearing at the same term at which the opinion of the Court was given. That was the fatal blunder. Many of those, with whom I have talked say, that the negligence of the party, or of his Counsel can never be a ground of Legislative relief.

Be assured, my Dear Sir, of my sincere regret on account of your heavy and unexpected losses. Such calamities have been but too common in our Country; and when they fall upon a man who, like you, fought for liberty by the side of Washington, the heart must be hard, indeed, whose sympathy is not

excited.

May Heaven enable you to bear the blow; and assist you in extricating yourself from its consequences! Believe me Gratefully, / Your friend/ Robt. P. Henry [Congressman from Kentucky]

State of Kentucky
County of Hopkins

On this twenty fifth day of June A.D. One Thousand Eight Hundred and fifty five personally appeared before me a Justice of the Peace in and for said county Elizabeth Browder aged about seventy eight years a resident of the County of Hopkins and State of Kentucky who being duly sworn according to law declares that she is the widow of Isham Browder who was a private soldier in the Virginia Service in the Revolutionary war, under the Command (to the best of her recollection and belief) of General Woodford. Her said husband continued in said Service about the term of three years and was in several battles in one of which he received a wound. To the best of her recollection and belief he was in the battle of the Cowpens [17 Jan 1781], and at Guildford Court house [sic: Guilford Courthouse NC, 15 Mar 1781], and was honorably discharged from the service. She declares that she was married to the said Isham Browder in the County of Woodford in the State of Kentucky on or about the 20th day of December A.D. 1810, by the Reverend Thomas Waller a Baptist Clergyman and that her name before her said marriage was Elizabeth Scarce. That her said husband died in the county of Hickman and State of Kentucky on or about the 19th day of February, AD 1830 and that she is now a widow. She declares that she applied for a pension under the 2^d Section of the Act of Congress passed February 3^d 1853, for the said services of her husband, and received a certificate now in her possession which is in the words and figures following to wit "Department of the Interior, Widow's Pension, I certify that in conformity with the Second section of the Act of February 3 1853 Elizabeth Browder widow of Isham Browder who was a Private in the Revolutionary War is inscribed on the Pension list at the rate of Eighty dollars and — cents per annum commencing on the 3^d of February 1853, and continuing for life unless she should again marry; in which case the pension is not payable after the time of such marriage Given at the Department of the Interior this Twenty eighth day of October one thousand Eight Hundred and fifty three

R. M. McClelland Secretary of the Interior

Examined and Counter signed L. P. Waldo/ Commissioner of Pension.

She refers to the correspondence, Affidavits records and certificates accompanying her application for said certificate for evidence of her husbands service and death and of her marriage and identity

She makes this declaration for the purpose of obtaining the Bounty Land to which she may be entitled under the Act of Congress passed March 3^d 1855. She declares that she has not applied for nor received under this or any other Act of Congress any bounty land warrant whatever.

Elizabeth herXmark Browder