

Southern Campaign American Revolution Pension Statements & Rosters

Pension Application of John Scott W3046

Transcribed and annotated by C. Leon Harris

[13 May 1829] For the purpose of obtaining the benefit of an act for the relief of certain surviving officers and soldiers of the Army of the Revolution approved on the 15th May 1828 I, John Scott of the County of Cumberland and State of Kentucky, do hereby declare that I enlisted in the Continental line of the Army of the Revolution for and during the War, and continued in service until its termination at which period I was a private in Capt. Williams Company in the 5th Regiment of the Virginia line, and I also declare that I afterwards received a Certificate for the reward of eighty dollars to which I was entitled under a resolve of Congress passed the 15th of May 1778 [sic], and I further declare that I was not on the 15th March 1828 on the pension list of the United States. John hisXmark Scott

State of Kentucky }
Cumberland County } Sct.

Before me Harald P. Saufley a Justice of the peace in the County and State aforesaid personally appeared this day Peter Simmerman and John Emerson of the said County who did severally, make oath that John Scott by whom the foregoing declaration was subscribed is generally reputed and believed to have been a Soldier in the Army of the Revolution in manner as herein stated. Witness my hand this 13th day of May 1829. Harold P. Saufley J.P.C.C.

State of Kentucky }
Cumberland County } Sct.

Solomon Prewitt [Solomon Prewitt (Prewett, Pruitt), pension application W1315] of the County and State aforesaid late a private in the Army of the Revolution states on oath that John Scott now of the County of Cumberland and State of Kentucky who subscribed the foregoing declaration made by him for the purpose of obtaining the benefit of an act of Congress entitled an Act for the relief of Certain Surviving officers and soldiers of the Army of the Revolution, approved 15th May 1828, is the same John Scott with whom he became acquainted in the Revolution and that he knew him well in the Army of the Revolution and this affiant would state to the best of his knowledge that he believes he served in the Revolutionary Army in the 5th Regiment Virginia Continental line, in Capt Williams Company and this Affiant further states that said Scott enlisted according to the best of his knowledge and belief in the year 1777 for and during the War, and continued in the service in said Regiment according to his enlistment from the year aforesaid untill the close of the war. this affiant was well acquainted with said Scott saw him frequently and were at different places whilst they were in the service of the Revolution and at the memorable Seige of York [Yorktown, 28 Sep - 19 Oct 1781] saw each other. this affiant has no hesitation in believing the aforesaid John Scott to be the identical person. Solomon hisXmark Prewett

State of Kentucky Cumberland County Sct;

Jno Scott now of the County and State aforesaid an applicant for the benefit of an act entitled an act for the relief of certain Officers and soldiers of the army of the revolution approved 15th May 1828 States on oath that he enlisted in the army of the Revolution in the continental line for and during the war: This affiant would state that in his declaration heretofore for the purpose of obtaining his claim as a revolutionary soldier he stated therein that he obtained his discharge in February 1782 and in that perhaps was mistaken as to the year or month – This affiant would though positively state that he received his discharge at the time when Gen'l. Washington resigned his command of the Army [23 Dec 1783] and when he gave orders for disbanding the Troops composing the whole continental line who

enlisted for and during the war [disbanded by Congress, 3 Nov 1783], and this affiant would further state that it is now upwards of forty years since he got his discharge and from so great a distance of time cannot now positively state the very year or month when he obtained his discharge but would most positively state that he received it when the whole continental army was disbanded and at the time when our great Gen'l. Washington was leaving the army and going home (signed) John hisXmark Scott
Subscribed & sworn to before me an acting J. Emerson J.P.C.C.
Justice of the Peace for s'd. County Dec'r. 5th 1829

Kentucky
Cumberland County Sct.

John Scott a resident citizen of the County aforesaid, aged seventy one years, this day appeared before me in person and made the following oath

That he enlisted into the Service of the United States as a private in the Revolutionary War against Great Britain, in the year 1779 for and during the war, and continued in Service till its termination in 1783. That he served in the Company commanded by Captain James Williams in the Regiment commanded by Colo. Josiah Parker, that he received his discharge after the close or end of the War in Loudon [sic: Loudoun] County Virginia and that he has not received for his said Services any compensation whatever, that he is not now nor has he been on any pension roll in the United States

This application even at this late period of his life would not have been made, but for the reason of his inability on account of age and infirmity to labour for his support and that of his aged wife

The foregoing was sworn to before me the undersigned as a Justice of the peace in and for said County by the said John Scott, in Burkesville, this 17th day of January in the year of our Lord 1832.
A King J.P.C.C.

This day came before me the undersigned a Justice of the peace in and for the County of Cumberland State of Kentucky Solomon Prewitt and Charles Thurman [pension application S31414] who made oath that John Scott the person whose affidavit is above taken, enlisted as a private in the army of the Revolution in the year 1779 for and during the War; that he continued in the said Service till the end of the War and received his discharge in the Summer of 1783. that the said Scott served in the Company commanded by Captain James Williams in the Regiment commanded by Colo Josiah Parker, that they have known said Scott ever since his service, and are entirely satisfied he is the same person, who rendered the service above spoken of, and I certify that the above affiants are worthy and Credible men residents of my said County. Given under my hand as a Justice of the peace aforesaid this 17th day of January in the year 1832.
A. King J.P.C.C.

Kentucky Cumberland County Sct

I Milton King Clerk of the County Court for said County do certify that Alfred King whose signature is subscribed to the foregoing certificate of the Affidavit of John Scott and Charles Thurman and Solomon Prewett is and was at the date thereof an Acting Justice of the peace in and for said County duly commissioned and qualified that his attestation is in due form of law and all his official acts are entitled to full credit Given under my hand and seal of office in Burkesville this 7th day of February 1832.
M. King

Kentucky Cumberland County Sct.

John Scott of this County, this day came before me the undersigned a Justice of the Peace in and for said County, and made oath; that he enlisted in the army of the Revolution on continental establishment in the State of Virginia in the year 1779 for and during the war, and served therein till its termination, that he served under Captain James Williams & Colo. Josiah Parker and was discharged after the close of the War.

From a copy of letter from the Treasury Department dated 16 Nov'r. 1829 it appears that from my letter to the Department of date 25th Oct. 1829 I stated I was discharged in February 1782.

Mr. Emerson the gentleman who drew my writings, was furnished with a memo. of facts in relation to my services &c. & the mistake must have originated with him. I did serve until the termination of the war, and then was discharged.

Sworn to by said Scott & subscribed before me this 26th day of April 1832
Teste/ A. King J.P.C.C. (Signed) John Scott

Kentucky Cumberland County Sct.

This day Solomon Prewitt and Charles Thurman, Citizens of said County, came before the undersigned, a Justice of the Peace in & for said County: and made oath that they have for many years been well acquainted with the above affiant John Scott, that said Scott did enlist in the revolutionary army on continental establishment in the year 1779 for and during the war, and continued to serve therein till its termination. Said Prewitt & Thurman are men of respectability and entitled to full credit.

Given under my hand as Justice of the Peace aforesaid this 26th day of April 1832.

(signed) A. King J.P.C.C.

[Milton King, Clerk of the County Court, certified that Alfred King, who signed the above, was a Justice of the Peace.]

Kentucky Cumberland County Sct.

This day John Scott of this County aged seventy two years came in person before me the undersigned a Justice of the Peace in & for said County, and made oath that on the 9th of October 1830 and 26th of April 1832 he made declarations and proof service as a private in the war of the Revolution on continental establishment, to be placed on the pension roll under the act of Congress of the 15th of May 1828 and his claim was rejected.

That he enlisted in the State of Virginia in the year 1779 for and during the war, and continued to serve therein until its termination, and then received his discharge, that he served in the company commanded by Capt. James Williams & in the Regiment commanded by Col. Josiah Parker.

That he now resides in Cumberland County and did reside here at the dates of his application or declarations aforesaid for a pension under the said act of 15th of May 1828. – Given under my hand this 23^d. day of July 1832

Subscribed and sworn to this day before me a Justice of the Peace for Cumberland County July 23^d. 1832
(signed) John hisXmark Scott

Harold J. Saufley J.P.C.C.

[Milton King, Clerk of the court, certified that Saufley was an acting Justice of the Peace.]

Burksville Ky./ July 28, 1832

Sir, [Hon. L. Cass, Secretary of War] Inclosed the statements of John Scott & Solomon Prewitt under the Act of June 7, 1832

Be so good as to attend to them as soon as practicable and forward the pension certificate and drafts for back pay to me.

I have the honor to be your/ Obe't. Serv't
(signed) Milton King

[The following notes on John Scott's pension certificate indicate that his pension was suspended during an investigation by P. S. Loughborough of an attempt to file a fraudulent application in Scott's name. See the endnotes for details of the attempted fraud and investigation. The pension was restored by 29 Dec 1841, with the aid of the certificate by Solomon Prewitt following the notes.]

Susp'd see let to Agt Nov. 16. 1833

Let to P. S Loughborough, Aug 29, 1834 d[itt]o to P. Ag't. [Pension Agent] Sept. 17, 1834 – & Aug. 28, 1834 – do to Hon. S. Williams May 5, 1836.

let 26 July 1841 Hon B. Y. Ousley

Pension Restored see let 29 Dec. 1841 to Pens Agent and Hon. B. Y. Ousley

let: 8 Feb '42 Hon B. Y. Ousley

Duplicate Certificate issued 25 March 1842, and sent to Hon B. Y. Owsley, House of Reps

State of Kentucky Cumberland County Towit [2 Dec 1841]

Solomon Pruit a resident of Cumberland County and State aforesaid made the following statement that in the year 1779 he was acquainted with John Scott then of Virginia Pittsylvania County that Scott enlisted in the service for and during the war in that year. He was present and saw him enlist. He afterwards saw him in service in a company commanded by Captain James Williams, and the Regiment was commanded by Colo. Parker whose given name is not now recollected, that after the close of the war, He saw said Scott often, and saw his discharge from Service, for and during the war. That said Scotts Service, was in the Virginia Continental line. That He now lives in the County of Cumberland Kentucky, and that said Scott, lives in the said County and has for many years. That He is yet well acquainted with him and knows him to be the same John Scott that rendered the service as aforementioned. If this affiants recollection seve him He is of opinion that the discharge was signed by a Major Duvall, In this however he may be mistaken. this affiant is now of the age of ninety one years. Solomon hisXmark Prewitt

State of Kentucky Cumberland County Sct

On this 1st day of march 1842 personally appeared before me the undersigned a Justice of the peace in and for the county & State aforesaid Solomon Prewet who made oath that he well knows him the said John Scott to be the same person described in the foregoing affidavit. I further certify that the deponent is a man of varacity

Sworn to and subscribed before me the day and year aforesaid W. Watson J.P.C.C.

Solomon hisXmark Pruettt

[M. King, Clerk of Court, certified that Watson was a Justice of the Peace.]

State of Kentucky }

Cumberland Cty } Ss

on this the 16th day of August 1843 Personly appeard before us Washington Watson & Vincent Taylor acting Justice of the peace in & for the County and State aforesaid Mrs. Sophia Scott a resident of said County aged Seventy five years and who after first being duly sworn according to Law doth on her Oath make the following decleration in order to obtain the benefit of the provission maid by the act of Congress past the 7th July 1838 entitle an act granting half pay and pentions to certain widdows" to wit, that she is the widd of John Scott who was a soldier in the ware of the Revolution and she thinks belonged to the Virginia Troops and who on account of his servises as said soldier in said ware and in said line rec'd. a pension of \$80 pr annum and to the evidence composing the matter the application of her said Husband for said Pension she refers from such particulars as are nessesary in the investigation of her Claim She further declares that she has no Documentary evidence in support of her claim. She further declares that she was Married to the said John Scott some time in the spring of the year seventeen hundred & eighty four, and that her said Husband John Scott Died on the 24th day of March eighteen hundred & forty three that she was not married to the said John Scott previous to his leaving the service but the mariage took place prior to the first day of Jany 1794 which was at the time above stated & that she has never since the Death of her said Husband intermarried but still remains his widdow

Sophia herXmark Scott

[Certified by James Watson. M. King, Clerk of the County Court, certified that Washington Watson and Vincent Taylor were acting Justices of the Peace.]

State of Kentucky }
Cumberland County }

personally appear'd. before me Washington Watson an acting Justice of the peace in & for the County & State afor said William Scott and after being first duly sworn doth on his oath state that he is the son of John Scott a revolutionary soldier who served in the army of the Revolution & for his said service as said soldier in said war rec'd. a pention of \$80.00 per annum & that his said Father John Scott died on the 24th Day of March 1843 & that his mother Sophia Scott is still the unmarried widel of his said Father John Scott pentioner he farther states that he was Born in the year seventeen hundred & Eighty three & that his said Father & mother lived together as man & wife up to his Death & he never hear'd there mariage called in question but all there Children is recognised as thare Lawful heires.

This the 23 Day of September 1843.

Sworn to & subscribed the day & year } William Scott
above written before me W. Watson Jp. }

State of Kentucky } Sct.
County of Cumberland }

At a County Court began & held for the County aforesaid at the Courthouse in Burskville on Monday, May the 13th 1844.

It is Ordered to be certified & recorded that the proceedings in the matter of the application of Mrs. Sophia Scott for a pension before Washington Watson and Vincent Taylor Justices of the peace for said County on the 16th day of August 1843, be and the same are now submitted to the Court, and sanctioned by the Court. It is further ordered to be certified that the said proceedings are entitled to as full faith and credit as though they had been made in open Court.

Cumberland County Sct.

I Milton King Clerk of the County Court for the County aforesaid do certify that the foregoing order is verily transcribed from the records of said Court in my office.

In testimony whereof I have set my hand and affixed the seal of said Court this 13th day of May 1844. M. King

[Sophia King at age 92 also made a declaration on 11 Oct 1848 before Washington Watson. M. King certified that Watson was an acting Justice of the Peace.]

NOTES:

The file includes a copy of the following marriage record from Pittsylvania County: "28 Febry 1782 marryd John Scott & Saphera Murry." The record is certified as having been transcribed from the marriage returns of "Saml Harris." Samuel Harris of Pittsylvania County was a noted Baptist preacher who during the 1750s had been a Captain in commanded of Fort Mayo, also called Harris's Fort, in present Henry or Patrick County.

The file of John Scott includes copies of the documents relating to an attempt to file a fraudulent application made in Scott's name but apparently without his knowledge. A note in the file states that the original papers were sent to the investigator, P. S. Loughborough of the Post-Office Dept. on 29 Aug 1834. Another note reads: "This claim for half pay was fraudulently based on the services of Capt John Scott who died in Prince Edward Co. Va. in June 1790 and left a widow Susanna Elizabeth see R. File 2020 [R2020] and in which claim the half pay was allowed. For the prosecution in regard to this fraud see

papers in claim of Thomas Triplett S46571.”

No fraudulent application was found in the file, but the following is a copy of the power of attorney authorizing Thomas Green to make such an application.

Know all men by these presents that in order to obtain the amount of Half pay due me under the act of Congress of the 5th July 1832, for my services as a Captain in the Artillery Regiment of the Virginia State line from the time I became Supernumerary until this date and have ordained, constituted and appointed and do hereby ordain constitute and appoint Thomas Green of the City of Richmond and State of Virginia my true and lawful Attorney in fact for me and in my name to apply to the Treasury Department at Washington and ask demand & receive the amount of Half pay due me as aforesaid from February 1782, and I hereby authorize my said Attorney to appoint one or more attorneys under him and their power to revoke at pleasure. I hereby ratify & confirm whatever my said attorney may lawfully do in the premises.

In testimony whereof I have hereto set my hand & seal this 17th day of Aug't 1833.

(Signed) John Scott {Seal}

Kentucky Cumberland County to wit

I certify that John Scott came before me in person, and acknowledged the foregoing power of Attorney to Thomas Green, to be his act and deed for the purposes, therein mentioned, and that said Scott signed the same in my presence. Given under my hand, as a Justice of the peace in & for said County; this 17th of Aug't. 1833

(Signed) Harold P. Saufley JPCC

Kentucky Cumberland County/ To wit

I Milton King Clk of the County Court for said county, do certify that Harold P Saufley Esq'r., whose signature is subscribed to the foregoing Certificate of acknowledgment is a justice of the peace and commissioned and qualified that his attestation is in due form of law and his signature is his genuine signature/ Given under my hand & seal of my office in Burksville, this 17th day of August 1833.

(Signed) M King

Kentucky Cumberland County to wit

This day came before me the undersigned a Justice of the Peace in and for said county – James Cloyd aged seventy two years, Daniel Marley aged fifty four years and James Radford aged seventy three years, all citizens of my said County, and neighbours to Capt John Scott of said county, who severally made oath, that said Scott is reputed and believed to be the Capt he represents himself to be and that has always been so considered, that he served as such in the war of the Revolution in the Virginia State line – and I further certify that each of the affiants are respectable persons, and their statements are entitled to full credit

August 17, 1833. James Radford/ James Cloyd/ Daniel Marley

Sworn and subscribed in my presence/ Harold P Saufley, JP.CC.

[Certification by Milton King as above.]

The investigation of this claim as apparently triggered by Thomas Green's suspicion regarding the authenticity of John Scott's signature, as well as by an unknown informant, as shown in the following three letters to the Secretary of the Treasury from Green:

Richmond 24th Oct 1833

Sir I enclose the power of Attorney from John Scott a Captain Lieut of the Virginia State Artillery Regiment in the revolution to me to receive his half pay under the Act of 5 July 1832 Also the affidavits of James Redford, James Cloyd and Daniel Marley stating that "he served as such in the war of the Revolution in the Va. State line" Has always been considered the Officer he represents himself to be.

The Signature "John Scott: appears to me to be in the hand writing of the Justice of the Peace. I

assume he must have directed the pen in the hand of the old gentleman, as he certifies that the said Scott signed the same in his presence

I state this because I know some of the parties personally. If the proof be sufficient please enclose a check for the amount to me at this place, and oblige/ Your Obt Servt
(Sign'd) Thomas Green

Richmond 6 Nov 1833

Sir/ I have this day seen a letter which induces me to doubt the indentity of the Capt John Scott whose power of Atto. to me to receive his half pay under the Act of 5 July 1832 I enclosed you some days ago. I beg leave therefore to suspend my application for the present, in order that I may hear further from Milton King, the Clerk of Cumberland County Ky, who sent me the papers – my doubts may be unjust, but until removed, I had rather not receive the money. I am your Obt Servt
(Signed) Thomas Green

Richmond 29th Nov 1833

Sir/ Yours of the 27th Inst. requiring a statement from Capt. John Scott of his services in the Revolution has just been received. I have written to Milton King Esq of Burksville Ky for such a statement as you require, which shall be sent you as soon as rec'd. from Mr King.

On the 6th. of Nov I wrote you that I withdrew for the present my application on behalf of Capt. Scott, not being satisfied in my own mind from the letter alluded to that he was the identical officer entitled to the benefits of the act of 5th July 1832. On the same day I wrote to Milton King, expressing my doubts of the indentity of the Jno Scott who claims he had employed me to prosecute and that I had requested you to suspend the consideration of the application till he procured more positive evidence of identity. Since then I have not herd from Mr King until further evidence is adduced I must again request a suspension of your action on it. I am very respectfully/Yr Obt Serv't
(Signed) Thomas Green

[P. S. Loughborough of the Post-Office Department was assigned to investigate the case, along with two others from Kentucky. Loughborough's handwriting is very poor, and the following transcriptions of his letters should therefore be used with more than usual caution.]

Frankfort Ky/ Aug 5, 1834

Sir: ["Mr. Taney, Secretary of Treasury]/ After some time spent in the investigation of the case of John Scott of Cumberland County Kentucky & a journey to that County, I returned to this place fully satisfied of the fraud contemplated upon the Treasury and of my ability to prove it upon trial. Yesterday morning I made application to the Judge for warrants – was sworn and made my statements. Probable cause was not only shewn, but the Judge expressed himself fully satisfied of the offence, yet to my utter astonishment he declined issuing the warrants. His alledged reason was a technical defect in the testimony, which he regarded as being partly hearsay We discussed the matter for some hours – he all the time admitting his firm belief that the parties were guilty. I [illegible word] the probable cause to suspect guilt was of itself sufficient & shewed authorities which [illegible word]. In addition to my own Documents I had the official certificate of Vincent Taylor a justice of the Peace of Cumberland that he had been well acquainted with Scott since 1810 – lived 4 miles from him only – yet had never heard of his having been an officer and that there was no reputation of that sort respecting him in the neighborhood – All would not do. The Judge seemed to have become inflexible. I consulted the attorney of the US. He agreed with me in [illegible word] that I should withdraw [illegible word] papers & let the case rest till the term of the court He was as much supriised as myself at the pentancy[?] of the Judge. I will not say what I think – except that as a Lawyer I am astonished and I think every other one would be so who

should have the case state to him

I expect to be with you in a few days after you get this – when I shall make full Report to the Dept – and all needful verbal explanations.

I have had much trouble with your Aides – more than I had expected.

Do not regard this hasty [illegible word] as official.

Yo Ob Ser/ P. S. Loughborough

Loughborough's complete report is with the pension application of Thomas Triplett, Sr. (S46571) transcribed by Will Graves. The following transcript is of the part of the report relating to Scott.

Washington City/ Aug 28, 1834

Sir [Levi Woodbury, Secretary of the Treasury]: Having returned from Kentucky I now have the honor to submit a Report of my proceedings under the authority conferred upon me by the Hon R B. Taney late Secretary of the Treasury.

The papers entrusted to me were those in the cases – 1st of Thomas Triplet [Sr] alleged to have been a Captain from Virginia in the Continental Line for whose services a sum of money had been drawn from the Treasury under a general law of Congress, and an additional sum in virtue of a special act of Congress for the benefit of his representatives – 2 of John Bailey [see John Baily, pension application R19354] of Bath County Ky to whose representatives the half pay of a Captain in the Regiment commanded by Col G R. Clarke [sic: George Rogers Clark], had been paid at the Treasury – and 3^d of John Scott of Cumberland County Ky. in whose behalf an application had been made to obtain the half pay of a Captain Lieutenant in the Regiment of Virginia State Artillery. Thomas Triplett [Jr] an Attorney at Law of Frankfort Ky. was the Agent in the two first cases. The papers in the last case were presented at the Treasury by Thomas Green of Richmond Va. to whom, it appears they had been transmitted by Milton King of Burksville Ky....

I stated at the Treasury previous to my departure westward that I might not have time to attend to the case of John Scott, in which event it was understood I should leave that case with District Attorney. Upon reflection in Kentucky I deemed it best to investigate the case of Scott myself, and proceeded to Cumberland County accordingly, taking with me from Glasgow, a town on the road, R. D. Maupin Esq to assist me; as I had never been in the country before.

The affidavit presented at the Treasury in the case of Scott was made by three men of Cumberland. It was accompanied by a power of Attorney signed "John Scott" These were all the papers. My investigation in Cumberland satisfied me fully of the falsehood of the affidavit, and that the whole case was a fabrication to procure for John Scott money properly due to another of the same name. Several respectable citizens who had known him for years disclaimed any knowledge of his being reputed a Captain in the Revolution. He was not called Captain Scott, nor had he been known when speaking of his services in the war to have named himself as an officer. I procured from V Taylor Esq a Justice of the Peace, and a neighbor of John Scott, a certificate, officially signed, setting forth the above facts, as also that he understood and believed said Scott was a private pensioner. Information was also given to me by an Agent for pensioners residing in the County, that Scott was in fact a pensioner. Having as I supposed, sufficient evidence to procure process I returned to Frankfort, and on the first monday of the present month applied to the Judge. To my surprise he was unwilling to issue process without additional proof. Upon consulting with the attorney we deemed it best to let the business rest until court, when bills of indictment could be preferred, and process taken upon them. Four persons will, I think, in this case be found to have incurred the penalties of the Law – John Scott and the three affidavit makers.

As I had already been detained much longer in Kentucky than I had expected, I gave to the attorney all the papers received from the Dept. and started for this city. At Louisville Ky. I met with Judge Bibb of the Senate, and understanding that he was acquainted with the real Capt. John Scott

[pension application R2020], I procured his affidavit accordingly, and enclosed it to Mr Sanders the Attorney, desiring him to lay it before the Judge, and take out warrants for the arrest of the parties

Since my return to the city I have at the Pension office found that John Scott is a pensioner as a private and that some of his papers seem to have been prepared by the same persons whose hand writing appears in the application for half pay as a Captain. If this be so, a fifth person may be found implicated in the fraud attempted in behalf of Scott.... I have the honor to be Yo Ob Ser/ P. S. Loughborough

Post Office Dept/ Aug 29 1834

Sir: [J. L. Edwards, Pension Commissioner] Having acted as an agent of the Treasury Dept. in investigating a fraudulent attempt to obtain for John Scott of Cumberland Co Ky half pay as an officer of the Revolution I deem it proper to ask of you the original papers in the case of the said Scott's application for a pension as a private soldier. They will be highly useful in the further investigation of the case, and will be held by myself or the Dist. Attorney for Kentucky subject to your orders. Yo Ob Ser
P. S. Loughborough

Frankfort Ky Dec 2, 1834

Sir: [Hon Levi Woodbury, Sec of Treasury] I have the honor to report that in the case of John Scott presented at the Treasury for half pay under the Law of July 5 1832 the Grand Jury found a bill for forgery against James Radford James Cloyd and Daniel Marley – and four against Milton King one for forgery [?]ounment of forgery – and three for [illegible word] the persons above named. King will array many friends and the first abilities of the state in his defence. Permit me to suggest to you the great importance of opening at once a correspondence from the Treasury with Thomas Green of Richmond to whom the papers were sent by King for the purpose of securing[?] in behalf of the prosecution his testimony. It is of the utmost consequence. Green should be admonished to preserve every Letter he has received from King, and especially to take care of the post mark, and note the date of the receipt of that lately received by him from King in which King says he has ascertained that Scott was not an officer. It is not now necessary to explain the reason of this. Green must appear here as a witness in May next. And I think it would be well to signify at once to him the wish of the Dept. upon this subject. The sooner Mr Green is addressed by the Dept. the better. In addition to preserving Kings Letters & holding himself as a witness might it not be well to ask of Green a written statement of what he knows in this case. I think under the circumstances Mr Green would give it promptly.

King may have already addressed a Letter to Mr Green for the purpose of getting back his Letters, or otherwise influencing the state of the case.

The Attorney here some days ago informed Mr Green by Letter that King had been Indicted and asked him to preserve the Letters.

I was told King intended to ask a trial even though the Case[?] is virtually closed and the Circuit Judge gone. I write this in the Court room, waiting to see if the application will be made. I suppose it made for effect as King cannot [one or two illegible words] to proceed.

In haste/ Your Ob Ser/ P S Loughborough

P.S. I should mention that true Indictments have also been found against King upon papers presented at the Pension Office in behalf of a tory. The tory is also indicted. PSL

Note that although King is said to have been indicted, the pension applications of John Scott's widow show that he was still Clerk of the County Court in the 1840s. If Scott was indicted, he must have been acquitted. There is no evidence in the file of fraud on his part.