

Southern Campaigns American Revolution Pension Statements and Rosters

Pension Application of James Dillard W7019

Jane Dillard VA

Transcribed and annotated by C. Leon Harris. Revised 10 Sep 2019.

For the purpose of obtaining the benefits of an act entitled "An act for the relief of certain surviving officers & soldiers of the Army of the Revolution – approved on the 15<sup>th</sup> day of May 1828.

I, James Dillard of the County of Amherst, in the State of Virginia, do hereby declare that I was an officer in the continental line of the army of the Revolution and served as such to the time when the arrangement of the army provided by the Resolves of Congress of the 3<sup>d</sup> & 21<sup>st</sup> of October 1780 was carried into effect, and was reduced under that arrangement, and also until the surrender of the British Army at York Town [19 Oct 1781] – at which period I was a Captain in the 10<sup>th</sup> Virginia Regiment of the continental line.

And I also declare that I did not receive a certificate (commonly called a commutation certificate) for a sum equal to the amount of five years' full pay, nor have I ever received the full pay to which I was entitled under the resolve of the 21<sup>st</sup> of October 1780.

And I do further declare that I have received of the United States, as a pensioner, since the 3<sup>d</sup> of March 1826, no money.

My Commission as Captain aforesaid has been lost.  
[4 Jul 1828]

A handwritten signature in cursive script that reads "James Dillard". The signature is written in dark ink on a light-colored, slightly textured paper.

Before me Justice of the peace in the Count of Amherst, in the State of Virginia personally appeared this day [4 July 1828] Major Henry Turner [R10759] and Allen Blair [W5833] of the said county who did severally make oath that James Dillard by whom the foregoing declaration was subscribed is generally reputed and believed to have been an officer of the army of the Revolution in manner as therein stated.

Revolutionary Clames

Under the Act intituled an Act for the Relief of Certain surviving Officers and Soldiers of the Army of the Revolution approved the 18<sup>th</sup> of May 1828

Amherst Court House state of Virginia 15 of Dec  
br 1829

Sir I received your favour under date of the 27 of November 1828 and marked its Contents as to its long delay – and was much surprised when you inform me the Books of the War department does not Coroborate with my declaration and Clame Under the above Act – it might be expected they would not be perfect, but did not suppose they would have been so much lacking as through your information I believe they are

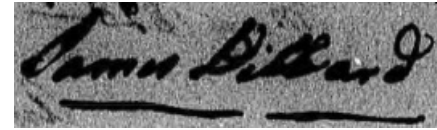
I now say that I know of the cause why they should not Correspond with my declaration and Claim under the above Act.

I should regret very much to think of the serving My Country through the war of the Revolution that I should dishonour my Self by sending forward declaration & Clame Under the above Act, that I was not only legally but honorably intitled to under the above Act. I did not know when I sent forward my clame that any further proof would be Necessary as I fully expected the Books of the War department kept in time of that War would have Justified My declaration & clame under the above Act – Agreeable to your advise I now send you the Deposition of Moses Wright [S39923] one of my old and respectable Soldiers who enlisted with me when I was a lieutenant and also a certificate from the Virginia land office shewing that I had drawn my Bounty land as a Capt in Continantal line which I hope will prove satisfactorally My

service and rank in that Army. You will please to write onto Amherst Court Court House Virginia as heartofoe, the Branch of the United States Bank in the City off Richmond Virgina is the most convenient to me. – hope you will write on as soon as convenient if I am to receive anything for My youthful service now at the age of seventy four can expect to enjoy it but a short time.

My hand has got very uestedy for you will hardly read it.

I am Sir Respectfully your Obedient Servt  
Hon. Richard Rush  
Secretary of the Treasury  
Washington

A handwritten signature in cursive script, appearing to read "James Dillard", with a horizontal line underneath.

Buckingham County and State of Virginia towit

This day [18 Dec 1828] personally appeared before me Richard Clarke a justice of the peace for said County Moses Wright [S39923] of Buckingham County and State of Virginia and made oath, that he enlisted himself under Capt. James Dillard of Amherst County and State of Virginia as a soldier for the term of three years and served the said time out faithfully, his company when we joined the Army was put in the tenth Virginia Regiment in the Continental line, at that time the regiment was commanded by Colo Edward Stevens [VAS1922], the said Dilard when he enlisted me was a Lieutenant, in a short time the Capt of the Company left the Army and the said Dillard became the Captain of said Company, and continued so to be untill the Company was so reduced as to be put into the light Infantry under Captain Clough Shelton [BLWt740-300], where I served several months after the time I enlisted for as privat, at which time the said Capt James Dillard was sent to Virginia for the purpose of recruiting men, and I understood that he went on to the Southern Army about the time of the Battle at Guildford Court House in Carolina and further this affiant sayeth not

Moses hisXmark Wright

State of Virginia

Amherst County S.S.

On this 7<sup>th</sup> day of April 1840, before me Charles Mundy a Justice of the peace in and for said County, personally appeared Mrs. Jane Dillard aged 80 years old, a respectable resident of said County who being first duly sworn according to law, doth on her Oath, make the following declaration, in order to obtain the benefit of the provision made by the Act of Congress, passed July 7, 1838, entitled “An act granting half pay and pensions to certain widows.” That she is the widow of James Dillard dec’d. of said County who was a Captain of Infantry in the Revolutionary War in the Virginia Continental line of service. That he entered into the service of the United States as a Cadet or Volunteer – that at the Battle of Brandywine [11 Sep 1777] he was a commissioned officer – that he was also at the Storming of Stony point [16 Jul 1779] and at the Battle of Red-bank fort [Ft. Mercer at Red Bank NJ, 22 Oct 1777], and many other battles and skirmishes in the Northern Army in the early part of the war – that during some period of the war, he obtained the appointment of Captain, which rank he continued to hold to the end of the war – that in the latter part of the war, his services were confined to and rendered in the South – that he was at the Battle of Gilford in N. Carolina in March 1781 [sic: Guilford Courthouse NC, 15 Mar 1781] and pursued the enemy to deep River &c. and that her husband was a recruiting officer about the year 1778 or 79, he having been sent back from the Army to recruit men to replenish or fill up the ranks – that for further evidence of his, her husbands services she will have to depend on documentary and record evidence in the offices at Richmond and Washington where it can be obtained as her husband the said Capt James Dillard dec’d in his lifetime obtained his Land Warrant for 4,000 Acres of Land in consideration of his services as Captain in the Revolutionary War and that at this time a claim is before Congress for his Commutation pay —

And she the said Jane Dillard further declares, that she was married to the said James Dillard on the 3<sup>rd</sup> day of April 1782. that her husband the aforesaid James Dillard died on the 4<sup>th</sup> day of April 1832; that she was not married to him prior to his leaving the service (as she can prove) but the marriage took

place previous to the first day of January 1790 – viz: at the time above stated as will more fully appear by the proof annexed.

[signed] Jane Dillard [

An accompanying court document states that James Dillard and Jane Starke were married in Hanover County and were subsequently residents of Amherst County “of the highest standing and respectability,” and it refers to a William Dillard as a Justice of the Peace.]

Treasury Department/ 3<sup>d</sup> Auditors Office/ 13<sup>th</sup> April 1840

Sir. [Robert H. Gray Esq'r/ Lynchburg/ Virginia]

I have to state in reply to your letter of the 8<sup>th</sup> ultimo (postmarked 9<sup>th</sup> instant) that it appears from the Revolutionary records, on file in this Office, that James Dillard was a Lieutenant in the 10<sup>th</sup> Virginia Regiment, and that he resigned on the 20<sup>th</sup> of May 1778. The records do not show the commencement of Lt Dillard's services.

I have referred your letter to the Bounty Land Office, in order that our inquiry in relation to Bounty land may be answered from that Office.

I am very Respectfully/ Your most Ob. S't./ Peter Hagner Aud

[Department of War/ Bounty Land Office/ April 15<sup>th</sup> 1840

Sir [Robert H. Graves Esq'r/ Lynchburg/ Va.]

Yours of the 8<sup>th</sup> ins't addressed to the Third Auditor, was referred to this Office on the 13<sup>th</sup> ins't, and in reply have to inform you that, the name of James Dillard, is not returned on the list of Officers of the Virginia Continental line on file in this Department, among those entitled to bounty lands from the U. States. The Muster Rolls in the Offices of the 3<sup>d</sup> Auditor, & Commissioner of Pensions, shew that James Dillard, was a Lieutenant in the 10<sup>th</sup> Regiment of the Virginia Continental line, and that, he resigned his Commission on the 20<sup>th</sup> May 1778. No evidence appears on the records of that line on file in this Office, to shew that Lieut. Dillard was promoted to a Captaincy, or that, he was ever reappointed in said line, after his resignation in May 1778. Hence, it is considered very certain that, if he was in service after the year 1778, it must have been as an Officer in the State line, or Militia of Virginia [see endnote]

It appears from a printed document in this Office, that on the 5<sup>th</sup> Feb'y 1810, a Warrant for 4000 Acres of land was granted by the State of Virginia to, or in right of, James Dillard, for three years services as a Captain in the Continental line of said State.

Respect'y Y'r Ob St/ Wm. Gordon

This is to Certify, That it appears from a List in this Office of such Officers and Soldiers of the Virginia Continental Line, during the Revolutionary War, as settled their Accounts, and received Certificates for the balance of their Full Pay, according to an Act of Assembly, passed the November Session, 1781, that a Certificate issued on the 29th day of December 1785, in the name of James Dillard as a Lieutenant for £101.1.4, which Certificate appears to have been delivered to himself and was given for services prior to the 1st January, 1782. To Wit. Pay as Lieut. from 1st January 1777 to 30th May 1778

Given under my hand at the Auditor's Office, Richmond, this 5th day of May 1840.

Jas E. Heath AUDITOR.

Lynch's. July 29<sup>th</sup> 1840

Sir, Since the receipt of your last letter in regard to Capt. Dillard's services I have conversed with his son on the subject, and he is of the opinion that his Father in 1781 was elected captain by the company (Rifles) itself after they had arrived at the place of rendezvous and that there is in all probability no record proof in the County clerk's office of his holding a captain's commission or appointment and therefore cannot prove his services as a capt. (after he had left the regular [i.e. Continental] service) in any other way than by parole evidence, which if you reject we will have to give up all further effort on the subject, and permit you to issue the pension certificate of the widow on the record proof of service which you

will please do without delay.

And in bringing the thing to a close I will merely observe, that for the time that Dillard held his appointment, or position as a Cadet he certainly ranked higher than a private – he being as I understand it a supernumerary officer as it were, ready to receive the first appointment that was made or fill the first vacancy in line that occurred. and in confirmation of my opinion on this subject I will refer you to the services of Col. Otway Byrd [Francis Otway Byrd W6219], (papers filed in Mrs. Anna Byrds Case for a pension) where it will be seen that Byrd, while holding his appointment as Cadet, received 10/- per day as pay until a vacancy occurred, &ca If this position is correct the pension will be based on 16 mo. service as Lieut at \$320 pr ann. and 8 mo as Cadet at \$32 pr month &ca. Yours respectfully

Ro. H Gray

[undeciphered] do the best you can a'd issue the cert. without delay.

[The following are from [bounty-land records in the Library of Virginia](#). More legible copies are in the federal pension file.]

I do hereby certify that Capt. James Dillard join'd my Company of Riflemen as a Cadet in the month of Feb'y 1776 after which he was appointed a Lieut. in Capt. James Franklin's Company of Infantry belonging to the 10<sup>th</sup> Virg'a. Reg't. on Continental establishment and commanded by Colo. Edward Stevens – and I do further certify that the s'd. Capt. Dillard acted as Commandant of a Company for several months whilst I was Brigade Inspector to the Brigade to which the 10<sup>th</sup> Virg'a. Reg't. was attached; and from circumstances, I am confident the said Capt. J. Dillard was entitled to a Captain's Commission, which he says, he was entitled to and did not receive owing to the delay from filling up the vacancies occasion'd by various causes. That such delays did frequently happen during our Revolutionary War, I do hereby certify. Given under my hand this 4<sup>th</sup> day of November 1809.

Sam. J. Cabell [Samuel Jordan Cabell VAS753]  
late Lt. Col. & Sub. Inspector Virg'a. Line on  
Continental establishment

1809  
Sam. J. Cabell  
Sub. Inspector Virg'a.

I James Dillard of Amherst County do say, that I joined Capt. Samuel J. Cabell's company of Riflemen some time in the month of Feby 1776; in the same year I was appointed lieutenant in Capt. James Franklyn's [sic: James Franklin's] Company in tenth Virginia Regiment on Continental establishment – & that some time in the year 1777 Capt. James Franklyn resind & the command of Company revolved on me [see endnote], and that I did the duty & served on Court Marshals as Capt. for at least six months, & do further say that I was entitled from settlement of rank in tenth Virginia Regiment to Captain's Commission when the vacancy was filled up, & that we had not received any Commissions from Congress for a considerable length of time, and do further say that was in the service nearly four years  
Nov'r. 28<sup>th</sup> 1809

James Dillard

I do hereby certify that the above was subscribed & sworn to before me one of the justices of thepeace for Nelson County by James Dillard the date above.

1809  
Sam. J. Cabell

I do hereby certify that I have examined the above statement, and that, from my knowledge of Capt. Dillard's services, am fully sensible it is perfectly correct. Given under my hand this 28th day of November 1809.

Sam. J. Cabell late Lt. Col.  
Virg'a. Line on Con'l. Establishment

NOTES:

In supporting statements in the pension applications of Samuel Bell VAS2472, James Evans S39501, and possibly others, James Dillard stated that he had been a Captain a few days after the battle of Guilford Courthouse, and he signed his statements as a former captain in the 10<sup>th</sup> Virginia Continental Regiment. The pension applications of John Campbell W18869, William Hartless S5498, Benjamin Higginbotham S5542, Henry Payton S8943, and others, however, make it clear that at that time James Dillard was Captain of a militia company from Amherst County in Col. Charles Lynch's rifle regiment.

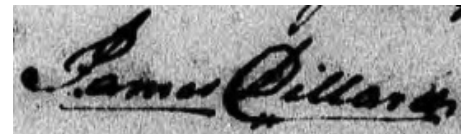
William Aaron W10287 stated that Capt. James Franklin was, in fact, cashiered, and was at some later time replaced in command of the company by Clough Shelton. It may be that in the interim Dillard acted as captain

The file contains the following, apparently in the handwriting of James Dillard and certified by his son, William Dillard. It is difficult to read. On the reverse side is writing that has been x-ed out.]

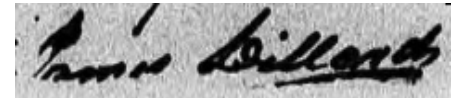
“(Register of James Dillard)

James Dillard was Born the 29<sup>th</sup> of October 1755 and was married to Jane Starke the 3 day of April 1782 The said Jane Starke was Born the 12 day of December 1759 – James & Jane Dillard had a son Born the 19<sup>th</sup> of March 1783 named Joseph Starke also a daughter Born the 13 of Sept 1784 Maryann Hunt also a daughter Born the 2 of April 1787 named Nancy Wiatt – Also a daughter Born 11<sup>th</sup> of April 1789 named Jane Chane – Also a son Born the 29 of November 1791 named James Spotswood – Also a daughter Born the 10<sup>th</sup> of April 1793 named Fanney Horsley – Also a son Born the 11<sup>th</sup> of Jany 1795 named John – Also a son Born the 4 of March 1797 named William – Also a daughter Born the 10<sup>th</sup> of Jany 1799 named Elisabeth – Also a son the 15 of March 1801 named Washington – Also a daughter Born the 20 of June 1804 named Salley

My Father James Dillard was Born the 15<sup>th</sup> of October 1727 and was married to my mother Maryann Hunt the 8 of July 1748 – the said Maryann Hunt was Born 28 of April 1734 Old Stile [Julian Calendar] My mother Maryann Dillard Departed this life the 26 of August 1787 was 53 – My Father James Dillard Departed this life the 24 of August 1794 age 67

A handwritten signature in cursive script that reads "James Dillard". The signature is written in dark ink on a light-colored background.

My youngest son, Washington Dillard, Departed this life the 4 day of April 1814 at 25 minuts after 8 Oclock afternoon his disorder the pluresy in the head his phisian Doc Hector Horsley

A handwritten signature in cursive script that reads "James Dillard". The signature is written in dark ink on a light-colored background.

Micajah Pendleton (pension application S8951) stated that he arrived at the home of Maj. John Starke shortly after the marriage of his daughter to James Dillard, that the couple moved in the same year to Buckingham County VA and later to Amherst County. This deposition was taken by William Dillard, Justice of the Peace. A typed summary adds that Major John Starke was born 12 Dec 1759.

On 19 June 1843 Jane Dillard applied for a pension under a later act.