

Southern Campaign American Revolution Pension Statements & Rosters

Pension application of James Rutherford W9275 Elizabeth f86VA
Transcribed by Will Graves 8/19/12

[Methodology: Spelling, punctuation and/or grammar have been corrected in some instances for ease of reading and to facilitate searches of the database. Where the meaning is not compromised by adhering to the spelling, punctuation or grammar, no change has been made. Corrections or additional notes have been inserted within brackets or footnotes. Blanks appearing in the transcripts reflect blanks in the original. A bracketed question mark indicates that the word or words preceding it represent(s) a guess by me. Only materials pertinent to the military service of the veteran and to contemporary events have been transcribed. Affidavits that provide additional information on these events are included and genealogical information is abstracted, while standard, 'boilerplate' affidavits and attestations related solely to the application, and later nineteenth and twentieth century research requests for information have been omitted. I use speech recognition software to make all my transcriptions. Such software misinterprets my southern accent with unfortunate regularity and my poor proofreading fails to catch all misinterpretations. Also, dates or numbers which the software treats as numerals rather than words are not corrected: for example, the software transcribes "the eighth of June one thousand eighty six" as "the 8th of June 1786." Please call errors or omissions to my attention.]

State of Tennessee Sumner County: Declaration

In order to obtain the benefit of the Act of Congress of the 7th June 1832

On this the 12th day of November 1833 personally appeared before the Justices of the Court of pleas and Quarter Sessions for the County of Sumner in the State of Tennessee James Rutherford a resident of the State of Tennessee in the County of Sumner page seventy-seven years, who being first duly sworn according to law, doth on his oath make the following declaration in order to obtain the benefit of the provision made by the Act of Congress passed June 7th 1832 – That he entered the service of the United States in the Revolutionary War as near as he can now recollect in the month of September in the year 1777 as volunteer for the term of three months under Captain William [indecipherable last name]¹. He entered the service in the County of Frederick in the State of Virginia and marched to Philadelphia or near it and joined the American Army. He remained with the Army near Philadelphia until the time of his duty of three months expired. The Colonel of the Regiment was Marcus Calimes [Marques Calmes]. The Captain and the Colonel are the only officers whose names he can at present recollect.

He returned to Virginia and was employed by Messrs Mitchell & Steel for the purpose of buying horses and teams for the service – to take courses that had become unfit for service and employee hands to winter them. He was engaged in this service under the government for the term of 12 months.

In the month of November 1781 he was employed by the government at the rate of \$40 per month to collect wagons and teams for the service. He entered upon this duty and discharged it with fidelity until June the 9th 1782. This service was performed under the command of Colonel Johnston Smith in the State of Virginia. The point to which the new wagons and teams & were delivered was Williamsburg and York – He states that he [has] no documentary evidence in his possession to establish this part of his service except a letter which is herewith enclosed as a part of this petition. It may be necessary to remark in explanation of this letter that it was directed to applicant – and the information that he would take the direction of a Brigade of Wagons was given to Colonel Smith by Mr. Thomas Rutherford a relative of applicant and immediately upon receiving this letter he entered upon the discharge of the duties to which the letter relates – Applicant was born in the County of Frederick in the State of Virginia on the 28th of April 1757 – 2nd his age is recorded in the office of the County of Frederick in the State of Virginia – 3 He was living in the County of Frederick in the State of Virginia when he entered the service. After the close of the war he remained but a short time in the State of Virginia and then removed to the County of Sumner in the State of Tennessee where he has resided for 35

¹ The War Department interpreted this name as "Hellums" but I could find no such officer in the Virginia service.

years, and where he now resides.

He has stated in his petive [petition?] been [sic, when?] he entered the service and the general circumstances attending it so far as he is able.

4. He entered the service as a volunteer –

5 – he has stated the names of all the officers that he can recollect –

6 – He received a discharge for his tour of 3 months which has been lost – it was signed he thinks by Colonel Calemes –

7th. He states the names of Captain William Bruce and the Reverend Cornelius Evans residing in his neighborhood who can testify as to his character for veracity and their belief of his services as a soldier of the Revolution –

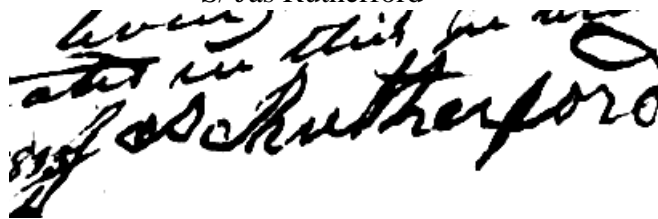
He hereby relinquishes every claim ~~to whatever~~ to a pension or an annuity except the present, and declares that his name is not on the pension roll of the Agency of any State.

He knows of no person living by whom he can prove the facts stated in this petition.

Sworn to in open Court November 12, 1833

S/ A. H. Douglass, Clerk

S/ Jas Rutherford

A handwritten signature in cursive script, appearing to read "James Rutherford". The signature is written in dark ink and is somewhat slanted to the right. It is positioned below the typed name "S/ Jas Rutherford".

[Cornelius Evans, a clergyman, and William Bruce gave the standard supporting affidavit.]

[f p. 18: On June 7th, 1847 in Sumner County Tennessee, Elizabeth Rutherford, aged about 71, filed for a widow's pension under the 1838 and 1843 acts stating that she is the widow of James Rutherford; that he "enlisted in Frederick County Virginia in the early part of the war she believes that he 1st went out under Captain Rice as a Lieutenant and served under him for about 12 months – he then returned shortly after his return he again enlisted but his Officers in this 2nd term of service are not none except that he was with General Wayne at the storming of stony Point she has heard her husband say further that James marched through Lancaster and Philadelphia in the State of Pennsylvania and that James Rutherford was at the siege of Yorktown in Virginia." She also states that she has no doubt that her husband served as a pay master of the wagon Department as is made clear by a pamphlet found among her husband's papers after his death; which pamphlet she includes with her application; that throughout the revolution her husband was a near neighbor of General Morgan; that her husband moved from Virginia to Davidson County Tennessee from there he moved to Kentucky from Kentucky he moved to Sumner County Tennessee where he resided some 35 or 40 years to the time of his death; that she married him February 12, 1790; that her husband died April 9, 1838. She signed her application with her mark.]

[f p. 16: copy of a marriage bond issued in Davidson County in the "territory of the United States South of the Ohio River" [Tennessee] to James Rutherford and Robert Ewing conditioned upon the marriage of James Rutherford to it Elizabeth Cartwright. The bond is dated January 31, 1791.]

[f p. 69: On June 4, 1849, in Sumner County Tennessee, James Cartwright, aged about 80, gave testimony that James Rutherford married his sister Elizabeth Cartwright; that James Rutherford

and was a Lieutenant in the revolutionary war to his recollection; that James Rutherford also acted as wagon master during the war. He saw him this affidavit with his mark.

[f p. 13: On March 12, 1852 [?], Benjamin S Rutherford, aged about 52, and Thomas W Rutherford, aged about 34, filed an affidavit in Sumner County Tennessee stating that they are the children of James Rutherford, deceased who was a wagon conductor, wagon Master or Quarter Master in the Army of the revolution; that their father served for most of the War of the revolution; that their father was not allowed a pension they thought because as a wagon master he was not entitled to one; that their father had three wounds on his person two shot wounds in his leg and a bayonet wound in his breast; that they have often heard him say that he was wounded in the Army of the revolution; that their father died April 9th, 1838 and that their mother is still his widow. Him

The image shows two handwritten signatures in cursive. The top signature is "B. S. Rutherford" and the bottom signature is "T. W. Rutherford". Both signatures are written in black ink on a white background.

[f p. 10: On March 27, 1855 in Sumner County Tennessee, Elizabeth Rutherford, aged about 79 years, made application for bounty land entitlement as the widow of James Rutherford deceased a conductor in the war of the Revolution; that she is a pensioner of the United States under the act of 1848 and refers to her application for the date of her marriage to her husband and the date of his death. She signed her application with her mark.]

[f p. 38]

Wmsburg [Williamsburg] April the 30th – 82
Rec'd of James Rutherford Cond. the Som [sum] of 24 Pounds in full for the hiar [hire] of my
Waggon one Team serving in his Brigade In full paid up to the 1st of May
S/ William Cowan

Wmburg April 30th 178 [last digit illegible]
Rec'd of Jas. Rutherford Condr. the som of 25 Pounds for the Hiar of my father's Wagon in the
French service in full paid up to the 1st of May
S/ Wm Byrd

[f p. 39]

May the 14 1782
Rec'd James Rutherford Condr. the som of Twelve Pounds in full for my part of the
[indecipherable word] of wagon & Team in [indecipherable word or words] between myself and
Henry Steen in the French Service in full paid up to the 1st Day of May.
S/ James Abernathy

[f p. 52]

State of North Carolina Office of Secretary of State

I William Hill, Secretary of State, in and for the State of North Carolina do hereby certify that it appears from a Book of settlements of the accounts of the Officers and Soldiers of the Continental line of this State in the revolutionary war, that J. Rutherford, A. D. Q. M., was allowed by a Board of Commissioners which sat at Halifax in the year 1783 & 1784, the sum of £382.6.9 which sum was drawn by Colonel Nicholas Long, who was assistant Commissary in said Continental line.

Given under my hand this 15th day of July 1851.

S/ W. Hill, Secretary of State

[Veteran was allowed a pension after his death at the rate of \$120 per annum commencing March 4th, 1831 and ending April 9th, 1838 for service as a "Conductor" in the Virginia service. His widow was pensioned in a like amount.]