

SERVICE

NUMBER

Ga.
S.b.

★
Whittington, Cornelius

S. 7892

Born in Va.

CONTENTS

carded

Mr A. G. Brown, Apr 19/52.

Mississippi 22611.

Cornelius Wilmington.

White Co. in the State of Mississippi
who was a Private in the Co. commanded
by Captain Thompson of the Regiment commanded
by M. R. R. in the South Carolina
line for 18 months.

Ex. Co. S. C.

Aug. 1, 1901.
Records corrected.

Inscribed on the Roll of Mississippi
at the rate of 60. Dollars, 00. Cents per annum,
to commence on the 1st day of March, 1831.

Certificate of Pension issued the 20 day of Nov.
1833 and sent to R. W.
Nelson. Liberty. White Co. Miss.

Arrears to the 1st of Sept. 1833. 150.

Semi-ant. allowance ending 4. Mar 34. 30.

\$180.00

{ Revolutionary Claim, }
{ Act June 7, 1832. }

Recorded by *Wm. J. Calmes* Clerk,
Book *E* Vol. *8* Page *77*

1934-Mch-28-Ref. Gen. Hon. M. M. White, Sec. War
Cor. Rec. Corres. in Richard Whittington

Richard Whittington

7892
INVALID.

File No. 7892

Cornelius Whittington

Priv. Sec. War

Act: June 7th 1838

Index: Vol. 123, Page 403

[Arrangement of 1870.]

The State of Mississippi
Amite County

Probate Court of Amite County

- On this 17 day of June 1855 Personally appeared before said Court, Cornelius Whittington Son of Greenhill Pierce, in the County of Amite, and State of Mississippi of record, aged 33 years, who being first duly sworn according to law, doth on his oath make the following Declaration in order to obtain the provision made by the act of Congress, passed June 30th 1832 - That he entered the service of the Army of the United States in the Year 1836 and served in a Company of a Militia Regiment of the Louisiana Militia and served a period of two months or thereabouts, in the following named Affairs - Entered service as a private soldier, in a Company commanded by a Captain James Thompson of a Regiment Commanded by Col. Pike - was not engaged in any Battles during this Period - was most of the time in Georgia at Fort Milledgeville, near Fort Royal Ferry, Beaver Island - That shortly after his release from said tour, he returned to the State of Georgia, was drafted for a three months tour assigned as an expedition against the Creek Indians to serve in a Regiment Commanded by Col. Lamar for this tour the Declarant knew a Substitute, a James Bennett.
- (3) After this the British having taken Georgia, the Declarant moved to South Carolina, and was embodied in a Regiment Commanded by Col. Warrum moved opposite the town of Augusta under Genl. William - for a term of three months.
- (4) The next term of engagement was the Declarant being drafted a tour to the Cherokee nation, which he served under Col. Perkins and Genl. Williams for six weeks or 42 days - penetrated as far as the Coosa River, passed some Indian settlements known by the name of the "Big Summits".
- (5) After the close of this expedition, the time not now recollecting, the Declarant returned to Georgia, and was again drafted into service, and served two months, under Col. Jackson, (afterwards Gov. James Jackson of Georgia) Commanded by Genl. Twiggs - stationed on Okefenokee as a Guard for that part of the State - this was the last engagement recollecting by the applicant, but he cannot state the time of or date with

certainly, but believes it was near the close of the war. (The whole
time contained in these periods making one year nine months &
fourteen days) - The applicant appeared further declaring that he has
no Documentary evidence of this Service - nor can he procure the testimony
of any living witness (to his knowledge) who can certify the truth of
the foregoing facts -

He hereby relinquishes every claim whatever to a Pension or annuity
except the present, and declares that his name is not on the Pension
Roll of any agency in any State.

Sworn to & Subscribed the 17th day of June 1864

Cornelius Whittington

And the Court aforesaid does hereby declare its opinion that the
above named applicant was a Revolutionary Soldier and served
as he states.

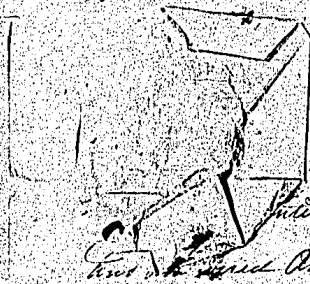
Wm. L. Young a Clerk of said Court & John Jenkins
~~Notary Public for said County~~ residing in the County of Franklin
(attendants of the Court aforesaid) and State of
Mississippi do hereby certify that we are well acquainted
with Cornelius Whittington who has subscribed and sworn to
the above Declaration, that we believe him to be 83 years of
age, that he is respected and believed in the neighborhood where he
resides to have been a soldier of the Revolution, and that we
concur in that opinion.

Sworn to & Subscribed the 17th day of June 1864

Wm. L. Young
John Jenkins.

And the said Court do hereby declare its opinion that after the
investigation of the matter and after putting the interrogating ques-
-tioned by the War Department, that the above applicant was a
Revolutionary Soldier and served as he states. And the Court
further certifies that it appears to him, that James Cairn who
has signed the foregoing certificate is a clergyman, resides in
the County of Franklin, and that John Jenkins
who has also signed the same, resides in a remote country (the) and
is a credible person, & that their statement is entitled to credit.
- T. A. Ford Judge Prob.

I Richard M. Nicolson Clerk of the Probate Court of said County
do hereby certify that the foregoing contains the original proceedings of
the said Court in the matter of the application of Cornelia Washington
for a Pension.



In Testimony whereof I have hereunto set my hand
and Seal of Office this 17 day of June
1833 — R. M. Nicolson Clerk of Probate

Interrogatory was propounded by the Court to said applicant
and she made an oath as follows —

1. Where and in what Year were you born?

Ans. I was born in Upper County Virginia, in the Year 1750.

2. Have you any recollection of your age, and if so, when was it?

Ans. I have no recollection of my age.

3. When were you living when called into service, when have you borne arms the
Revolutionary war, and where do you now live?

Ans. When first called into service I lived in South Carolina. I have since
lived in different localities in Georgia, first in Richmond & afterwards in
Harris County. I now live in the place first named.

4. How were you called into service, were you drafted, did you volunteer, or
were you a substitute?

Ans. I was drafted to the different terms a long before 1861.

5. State the names of some of the regular & irregular, who were with the troops
when you served, such Continental & Militia Regiments as you can
recall, and the general circumstances of your service?

Ans. I saw General Lee executing Fort Lyttleton — also Col
Lee of Dragons marching to Augusta — In the the different
campaigns in which I served we had no connection with any of
the Continental Regiments — My recollections of military troops
I have named in my declaration.

6. Did you ever receive a discharge from the service, and if so, by whom was
it given and what has become of it?

Ans. I never received any written discharge.

7. State the names of persons to whom you are known in your present neighbourhood
— now and who can testify as to your character for veracity and good behaviour
and as to your service believed as a soldier of the Revolution.

Ans. I name, James Lear &

and could name many

Amendment to the Declaration of C. Whittington Esq.
for a Pension

State of Mississippi
Smith County

Personally appeared before me the undersigned, Justice
of the Peace in and for the County of Smith, Cornelius
Whittington, who being duly sworn deposes and says that by reason of the age
and the consequent loss of memory he cannot swear positively as to the precise
length of his service but according to the best of his recollection he did not
less than the period mentioned below and in the grades following
For one Year I served as a private in S. Lewis's Co. in Mass. paid at \$1.00 per month

- " 3 Months detached on tour to St. Augustine (here a substitute)
 - " 3 Months stationed in S. Lewis's Co. opposite Augusta
 - " 1 Month & 14 days on an expedition into the Cherokee nation
 - " 2 Months stationed on Clinch's Co. Ga.
- and for such service I claim a Pension

Subscribed & sworn to before me this 17th day of June 1833
Cornelius Whittington

I Richard M. Nelson Clerk of the Probate Court of Smith
County do hereby certify that Wm. Stewart Smith
before whom the foregoing affidavit was sworn is an acting
Justice of the Peace in & for a Smith County, and is duly
empowered to administer oaths.

Given under my hand and seal of said
Office this 17th day of June 1833
R. M. Nelson Clerk Probate

22.611

2/5 513

Cornelius Whittington
Mississippi

Adm. 1. yr J. C. Moulton
\$ 10.00

R. M. Wilson
Liberty
Ankita County
Miss 44

WAR DEPARTMENT,

Pension Office.

Sir,

The evidence in support of your claim, under the act of June 7, 1832, has been examined, and the papers are herewith returned. The following is a statement of your case in a tabular form. On comparing these papers with the following rules and the subjoined notes you will readily perceive that objections exist, which must be removed, before a pension can be allowed. The notes and the regulations will shew what is necessary to be done. Those points to which your attention is more particularly directed, you will find marked in the margin with a brace, (thus: {). You will, when you return your papers to this Department, send this printed letter with them; and you will, by complying with this request, greatly facilitate the investigation of your claim.

A Statement, shewing the Service of Cornelius Whittington.

Period when the service was rendered.	Duration of the claimant's service.			Rank of the claimant.	Names and rank of the Field officers under whom he served.	Age at present, and place of abode when he entered the service.	Proof by which the declaration is supported.
	Years.	Months.	Days.				
1776.	1.			private	Capt. Thompson	80. years.	by Traditionary.
		3			Capt. Bule		
		3			" Laman		
		1	12		" Hammond		
		2.			" Pickens		
					" Jackson		

I am, respectfully,

Your obedient servant,

J. L. EDWARDS,

Commissioner of Pensions.

REGULATIONS UNDER THE ACT OF JUNE 7, 1832.

The following regulations have been adopted:

This law has been construed to extend, as well to the line, as to every branch of the Staff of the Army, and to include under the terms "Continental Line," "State troops," "militia," and "volunteers," all persons enlisted, drafted, or who volunteered and who were bound to military service, but not those who were occasionally employed with the army upon civil contracts, such as Clerks to Commissaries and to Store Keepers, &c.; Teamsters, Boatmen, &c. Persons who served on board of private armed vessels are also excluded from the benefits of the law, as well as persons who turned out as patrols, or were engaged in guarding particular places at night, and were not recognized as being in actual military service.

Four general classes of cases are embraced in this law:

1. The Regular Troops.
2. The State Troops, Militia, and Volunteers.
3. Persons employed in the Naval Service.
4. Indian Spies.

As rolls of the regular troops in the Revolutionary War exist in this Department, all persons claiming the benefit of this law as officers, non-commissioned officers, musicians or privates, will, in the first instance, make application by transmitting the following declaration, which will be made before a Court of Record of the County where such applicant resides. And every Court having by law a seal and Clerk is considered a Court of Record.

DECLARATION,

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

State, Territory, or District of } ss.
County of }

On this day of personally appeared (a) before
A. B. a resident (b) of in the county of and State, Territory or District
aged (c) 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 enlisted in the Army of the United States in the year (d), with and
served in the (e) regiment of the line, under the following named officers:

(Here set forth the names and rank of the Field and Company Officers; the time he left the service; (and if he served under more than one term of enlistment, he must specify the particular period, and rank and names of his officers); the town or county and State in which he resided when he entered the service; the battles, if any, in which he was engaged, and the country through which he marched. This form is to be varied so as to apply to the cases of officers and persons who belonged to the militia, volunteers, navy, &c.)

He hereby relinquishes every claim (f) whatever to a pension or an annuity, except the present, and he declares that his name is not on the Pension Roll of any Agency in any State, or (if any) only on that of the Agency in the State of

Sworn to and subscribed the day and year aforesaid.

A. B.

[And then will follow the certificate of the Court.]

And the said Court do hereby declare their opinion (g) that the above named applicant was a revolutionary soldier, and served as he states.

I, of the Court of
do hereby certify (h) that the foregoing contains the original proceedings of the said Court in the matter of the application of
for a pension.

In testimony whereof, I have hereunto set my hand and seal of office (i) this
day of &c.

If, on examination of the proper record, the names of applicants, making such declaration, cannot be found, they will produce such proof as the rule given in note (j) points out.

Every applicant who claims a pension by virtue of service in the State Troops, Volunteers or Militia, except those who belonged to the New Hampshire Militia and State Troops of Virginia, will make and subscribe a declaration similar to the foregoing, with the following additions, viz:

(k) We, A. B., a Clergyman, residing in and C. D. residing in (the same) hereby certify, that we are well acquainted with who has subscribed and sworn to the above declaration; that we believe him to be years of age; that he is reputed and believed, in the neighborhood where he resides, to have been a soldier of the Revolution, and that we concur in that opinion.

Sworn and subscribed the days and year aforesaid.

[And then will follow the certificate of the Court.]

And the said Court do hereby declare their opinion, after the investigation of the matter, and after putting the interrogatories prescribed by the War Department, that the above named applicant was a Revolutionary Soldier, and served as he states. And the Court further certifies, that it appears to them that A. B. who has signed the preceding certificate is a clergyman, resident in the and that C. D., who has also signed the same is a resident in the and is a credible person, and that their statement is entitled to credit.

I, Clerk of the Court of do hereby certify that the foregoing contains the original proceedings of the said Court, in the matter of the application of for a pension.

In testimony whereof, I have hereunto set my hand and seal of office, this day of &c.

Every applicant will produce the best proof in his power. This is the original discharge or commission; but if neither of these can be obtained, the party will so state under oath, and will then procure, if possible, the testimony of at least one credible witness, stating in detail his personal knowledge of the services of the applicant, and such circumstances connected therewith, as may have a tendency to throw light upon the transaction.

If such surviving witness cannot be found, the applicant will so state in his declaration, (l) and he will also, whether he produce such evidence or not, proceed to relate all the material facts, which can be useful in the investigation of his claim, and in the comparison of his narrative with the events of the period of his

alleged service, as they are known at the Department. A very full account of the services of each person will be indispensable to a favorable action upon his case. The facts stated will afford one of the principal means of corroborating the declaration of the applicant, if true, or of detecting the imposition, if one be attempted; and unless, therefore, these are amply and clearly set forth, no favorable decision can be expected. All applicants will appear before some Court of Record in the County in which they reside, and there subscribe and be sworn to, one of the declarations above provided, according to the nature of his case.

The Court will propound the following (m) interrogatories to all applicants for a pension, on account of service in the Militia, State troops, or Volunteers, except the Militia of New Hampshire and the State troops of Virginia.

1. Where and in what year were you born?
2. Have you any record of your age, and if so, where is it?
3. Where were you living when called into service; where have you lived since the Revolutionary war, and where do you now live?
4. How were you called into service; were you drafted, did you volunteer, or were you a substitute? And if a substitute, for whom?
5. State the names of some of the Regular Officers, who were with the troops, where you served; such Continental and Militia Regiments as you can recollect, and the general circumstances of your services.
6.

{	To a Soldier.	Did you ever receive a discharge from the service, and if so, by whom was it given, and what has become of it?
{	To an Officer.	Did you ever receive a commission, and if so, by whom was it signed, and what has become of it?
7. State the names of persons to whom you are known in your present neighborhood, and who can testify as to your character for veracity, and their belief of your services as a soldier of the Revolution.

The Court will see that the answers to these questions are embodied in the declaration, and they are requested to annex their opinions of the truth of the statement of the applicant.

The applicant will further produce in Court, if the same can be done, in the opinion of the Court, without too much expense and inconvenience to him, two respectable persons—one of whom should be the nearest clergyman, if one lives in the immediate vicinity of such applicant, who can testify, from their acquaintance with him, that they believe he is of the age he represents, and that he is reputed and believed in the neighborhood to have been a Revolutionary soldier, and that they concur in that opinion. If one of these persons is a Clergyman, the Court will so certify, and they will also certify to the character and standing of other persons giving such certificates.

The traditional evidence of service is deemed very important, in the absence of any direct proof, except the declaration of the party. And the Courts are requested to be very particular in the inquiry whether the belief is general, and whether any doubts have ever existed upon the subject.

Applicants unable to appear in Court, by reason of bodily infirmity, may make the declaration before required, and submit to the examination, before a Judge or Justice of a Court of Record of the proper county, and the Judge or Justice will execute the duties, which the Court is herein requested to perform, and will also certify that the applicant cannot, from bodily infirmity, attend the Court.

Whenever any official act is required to be done by a Judge or Justice of a Court of Record, or by a Justice of the Peace, the certificate of the Secretary of State or Territory, or of the proper Clerk of the Court or County, under his seal of office, will be annexed, stating that such person is a Judge or Justice of a Court of Record, or a Justice of the Peace, and that the signature annexed is his genuine signature.

No payments can be made on account of the services of any person, who may have died before the taking effect of the act of June 7, 1832; and in case of death subsequent thereto, and before the declaration herein required is made, the parties interested will transmit such evidence as they can procure, taken and authenticated before a Court of Record, showing the services of the deceased, the period of his death, the opinion of the neighborhood respecting such services, the title of the claimant, and the opinion of the Court upon the whole matter.

(b) The declarant must appear in open Court, unless prevented from doing so by reason of bodily infirmity; in which case the declarant will follow the rules laid down for his guidance.

(c) The declarant must make his declaration in the county where he resides. If he should fail to do so, he must assign a sufficient reason for not conforming to the rule.

(d) The age of the claimant must invariably be mentioned.

(e) The declarant must mention the period or periods of the war when he served.

(f) Every continental officer or soldier must give the name of the Colonel under whom he served; otherwise a satisfactory examination of the claim cannot be had. Every claimant must state, with precision, the length of his service, and the different grades in which he served, in language so definite as to enable the Department to determine to what amount of pension he is entitled. In a case where the applicant cannot, by reason of the loss of memory, state precisely how long he served, he should amend his declaration by making an affidavit in the following words:

"Personally appeared before me, the undersigned, a Justice of the Peace, &c. A. B. who, being duly sworn, deposed and said, that, by reason of old age, and the consequent loss of memory, he cannot swear positively as to the precise length of his service; but, according to the best of his recollection, he served not less than the periods mentioned below, and in the following grades:—For _____ year _____ month, and _____ days, I served as a _____; for _____ months and _____ days, I served as a _____; and for such service I claim a pension."

It is important, in all cases, to determine with precision the period for which each applicant served, and the particular rank he held, as the law directs the pension to be paid according to the grade of the pensioner and the length of his service. The use of the phrase *about three or four months*, is too indefinite, and all such qualifying expressions are objectionable. Some persons who apply for pensions merely state that they served two years in the militia, &c. without specifying the years, the names of the officers, and other particulars respecting their service. This form of declaration is highly objectionable. It must, in every case, be clearly shown under what officers the applicant served; the duration of each term of engagement; the particular place or places where the service was performed; that the applicant served with an embodied corps called into service by competent authority; that he was either in the field or in garrison; and for the time during which the service was performed, he was not employed in any civil pursuit.

(g) The law makes the relinquishment indispensable.

(h) The opinion of the Court is always required.

(i) The Clerk must give his certificate in every case.

(j) The Clerk must affix his seal, and if it has no device or inscription by which it can be distinguished from any other seal, or if he has no public seal of office, the certificate of a Member of Congress, proving the official character and signature of the certifying officer, should accompany the papers.

Mode of authenticating papers.

In every instance where the certificate of the certifying officer who authenticates the papers is not written on the same sheet of paper which contains the affidavit, or other papers authenticated, the certificate must be attached thereto by a piece of tape or narrow ribbon, the ends of which must pass under the seal of office of the certifying officer, so as to prevent any paper from being improperly attached to the certificate.

Proof of Service.

(k) In a case where the name of the applicant is not found on the records of the Department, he must prove his service by two credible witnesses who are required to set forth in their affidavits the time of the claimant's entering the service, and the time and manner of his leaving the same, as well as the regiment, company, and line to which he belonged. The magistrate who may administer the oaths must certify to the credibility of the witnesses, and the official character and signature of the magistrate must be certified by the proper officer, under his seal of office.

(l) The notes from (a) to (j) are all equally applicable to the cases of Militia men, Volunteers and State Troops. The proof required by rule is not (j) applies to continental troops only.

(m) This traditional evidence is indispensable in militia cases.

(n) If a witness cannot be found, the declarant must state the fact.

(o) The answers to the interrogatories must all be written, and sent to the War Department, with the declaration.