

North carolin

John Clayton

a Person in the Fido of North car
who was a pri: in the company commanded
by Captain W. C. Furland of the Regt. commanded
by Col. Moore in the North car:
and for 9 mos.

Inscribed on the Roll of North Carolina
at the rate of 30 Dollars — Pents per annum
to commence on the 1st day of March, 1834.

Certificate of Pension issued the 24th day of June '33
and sent Hon. D. S
Barringer Raleigh A.C.

Arrears to the 1st of March '33 - 60
Semi-ann. allowance ending 4 Sept. - 15
\$75

Recorded by Wm. Miller Clerk,
Book 5. Vol. 6. Page 36
{ Revolutionary Claim,
Act June 7, 1832. }

John Clayton
Budas a lura

In the war Department

State of North Carolina }
 Person County, } On this 17th day of Decr.
 personally appeared in open Court before the Justice
 of the County Court of Pleas & Quarter Sessions for
 Person County, now sitting John Blayton a resident
 of the County aforesaid aged about seventy four 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 act of Congress passed
 June 7th 1832: That in the year 1780 he was drafted
 for three months in the militia of North Carolina; that
 at the time of his being drafted he was a resident of
 Caswell County in the State of North Carolina; that
 he was placed under the Command of Captain
 McFarland and Lieutenant Parks and marched
 from Caswell Court House by Hillsborough to
 Salisbury and thence to Camden in South Carolina
 where he joined the American Troops under General
 Gates; that not long after his arrival at Camden
 the Battle of Camden was fought between the
 American & British forces which resulted in the
 defeat of the American Army under General
 Gates; that the regiment to which he belonged was com-
 manded by Col. William Alston and the brigade
 by General Butler; that after the battle of Cam-
 den, ~~the~~ ^{his} regiment to which he was attached retreat-
 ed to Hillsborough where he obtained a furlough
 until orders should be received for further service;
 that he came home and remains about three weeks

when he was again called out and the company to which he belongs convened at Col. Allen's in Caswell County and marched from thence under Capt. Oldham and crossed the Yadkin river at the Shallowford near which place he joined other Troops under Genl. Butler and remained there three or four weeks, when this declarant was sent together with several others who were drafted at the same time with him under Ensign Thomas, to the Catawba river and then joined General Davidson's Command; at this last named place he remained until his term of service expired and was discharged. In the year 1780 this declarant was again drafted in Caswell County for three months service, & was placed under the command of Capt. Frederick Dubois and marched from Caswell Court House to Hillsborough when he was stationed as a guard and remained there until he was regularly discharged. In the year 1781 this declarant was again drafted in Caswell County and put under the command of Capt. Harden & Lieutenant Thomas Barnet; he was marched from Caswell Court House to Ramsay's Mill on Dup River when Genl Butler commanded; he remained there three months to guard the public store of provisions then collected, at the expiration of which time he was discharged. Again in the year 1781 this declarant volunteered for a term of three months to collect provisions for the use of the American Army; that he served in that capacity for three months & performed all the duties required of him as a collector of ~~provisions~~ for the public use. That he was born in Warren County North Carolina in the year 1758; that he has no record of his age, the bible containing the record of his age having been burnt a short time since;

That when first called into service, he resided
in Caswell County North Carolina and continued
to reside in said County until its division into
Caswell & Person Counties since which time
he has resided in Person County; that he recei-
ved discharges but has not preserved them, belie-
ving that they would never be of any service to
him. He hereby relinquishes every claim what-
ever to a pension or annuity except the present,
and declares that his name is not on the pen-
sion roll of the agency of any state.

By
John D. Walker

John D. Walker (242)

State of North Carolina
Person County

Buckley Walker makes oath

that he is well acquainted with John Clayton and that he
is the same man who served under Captain Macfarland in
1780 according to his statement in this his declaration
and that this affiant served the whole term to the south
which resulted in States defeat with the loss of
9000 and returned with him.

Sworn & subscribed as aforesaid
this 17th Dec. 1832

John D. Walker
John D. Walker

State of North Carolina

Person County
Moses Springfield makes oath that the

same with John Clayton in the second and third times men-
tioned by him in this declaration & that said Clayton has perform-
ed the service therein set forth.

Sworn to in open Court
this 17th Dec 1832

Moses X Springfield
John D. Walker

70911208 21/1/07

I J. J. Dickinson Clerk of the County Court of Blount and
 quarter Sessions in and for the County of - Pickens
 and State of South Carolina do hereby certify that
 the foregoing that contain the original
 proceedings in the application of John
 Clayton for a pardon in Louisiana
 whereof I have herewith set my hand
 And Seat of office the 19th day of December
 1832
 J. J. Dickinson Clerk

I certify that the witnesses Buckley Lealder
 and Charles Springfield who have testified
 to the within declaration, are known to
 me - personally. and one of them Charles
 Springfield for twenty seven years - and
 that both are men of veracity and to
 be believed on their oath
 J. J. Barringer

John Clayton

July 16 - 1833

Admit as private
for 9 mo \$30

6. 8. 11. 12. 13. 14

P 249

Wm. L. Paringer
H.R.

BRIEF objections to the admission of Pension Claims, of which those answered in the negative, in red ink, will apply to the claim of John Clayton which require further proof or explanation.

- I. Does the declaration show where the applicant resides? *Yes*

- II. Did the declarant make the declaration in the county where he resides? *Yes*

- III. If the applicant did not make the declaration in the county where he resides, is there any reason assigned for his not doing so?

- IV. Has the declarant mentioned the period or periods of the war when he served? *Yes*

- V. * Has he mentioned 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? *Yes*

- VI. Has he given the names of the officers under whom he served, in conformity with the regulations?
Not in such form of Service

- VII. Has he made a relinquishment of every claim to any other pension than the one under the Act of June 7, 1832? *Yes*

- VIII. Has the Court given their opinion? *No*

- IX. Has the Clerk given his certificate? *Yes*

- X. Is the Clerk's seal affixed? And if so, has it a device or inscription by which it can be distinguished from any other seal? *Yes*

XI. Has the applicant obtained the evidence of a clergyman and another respectable citizen as to their belief respecting his age and the general belief in his neighborhood relative to his revolutionary service? *No*

XII. If the clergyman's affidavit has not been produced, is there any reason assigned for not obtaining it? *No*

XIII. If the applicant has no documentary evidence, and has not obtained the testimony of at least one living witness, has he stated in his declaration that such proof cannot be had? *No*

He has produced the evidence of two living witnesses

XIV. †If the applicant has produced a witness or witnesses as to his service, has the magistrate who administered the oath certified that he, she, or they are persons of credibility? *No*

Has the official character and signature of the magistrate been certified by the proper officer under his seal of office?

XV. Does it appear from any of the papers that the witness was in such a situation, or of such an age, as to have a personal knowledge of the applicant's service? *Yes*

XVI. ‡Are the papers authenticated as the regulations direct?

XVII. Are the seven interrogatories prescribed by the War Department answered satisfactorily? And, if not, which of them is not so answered?

EXPLANATORY NOTES.

* QUERE V. 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, deposeth and saith, 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 _____ months 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 the 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.

QUERE XIV. *Proof of Service.*

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 claimants 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.

QUERE XVI. *Modes of authenticating papers.*

In every instance where the certificate of the certifying officer who authenticated the papers is not written on the same sheet of paper which contains the affidavit, or other paper authenticated, the certificate must be attached thereto by a piece of tape or narrow ribbon, the end 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.

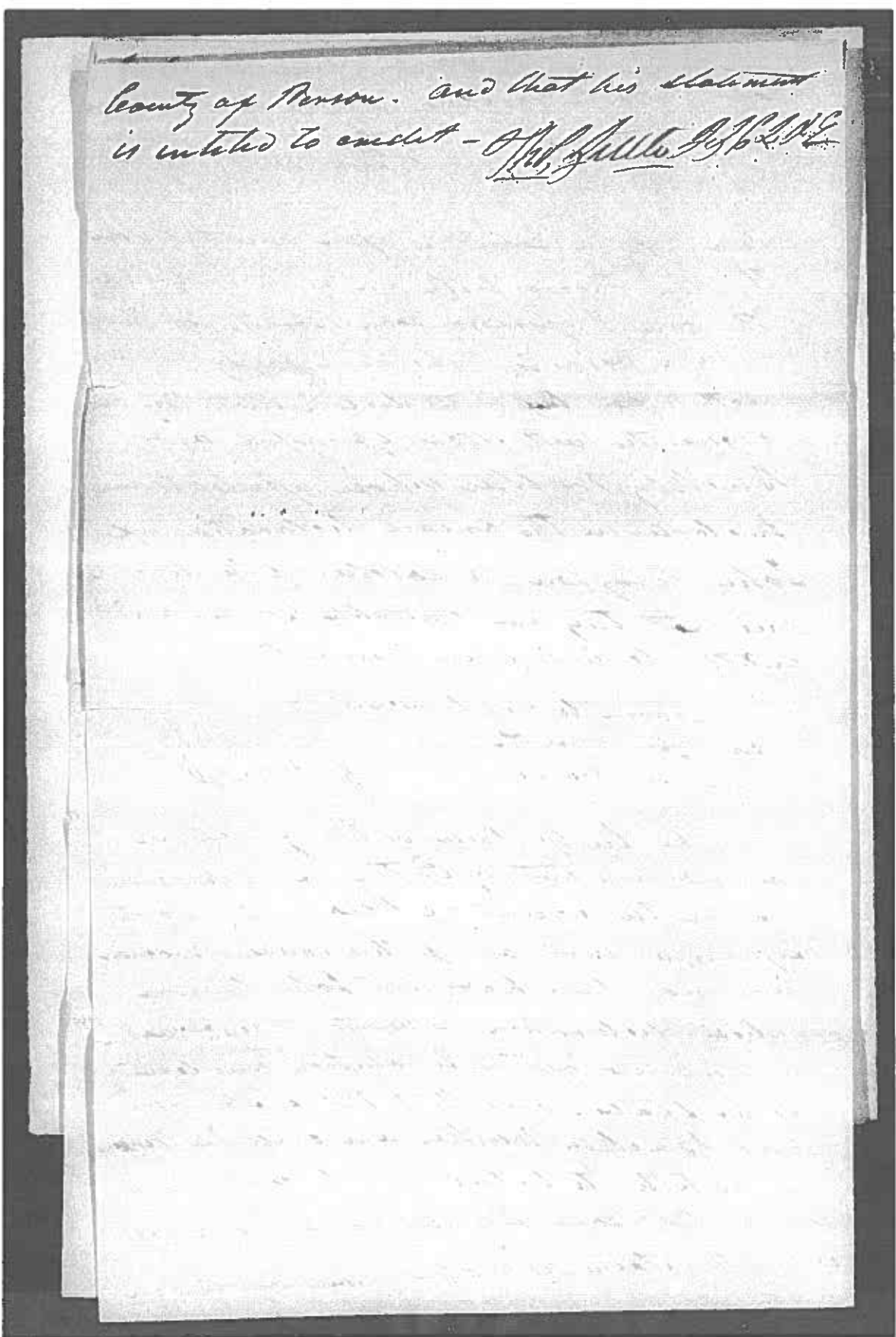
State of North Carolina } Superior Court of
Person County - } Law & Equity Spring
Term 1833.

Personally appeared in open court before
The Hon Thomas Little one of the Judges of
The court aforesaid John Barnette Esq. Sheriff
and Hugh Woods Esq. who being first duly sworn
doth upon their oaths declare that they are
acquainted with Moses Springfield and
Benebly Wadler whose affidavits are
included in the annexed declaration of
John Lelyley - a Soldier of the Revolution
and that they are credible persons, and
entitled to belief on their oaths.

Sworn to and subscribed
In open court
John Barnette
Hugh Woods
John W. P. O. C.

And the Judge Presiding hereby declares
his opinion, that by virtue of the proceedings
had in the court of Pleas and Quarter
Sessions, as well as of this annexed proceed-
ings now here had, that John Lelyley
whose declaration is hereto attached was
a Soldier of the Revolution, and served
as he states - and that Moses Springfield
and Benebly Wadler are credible persons
and entitled to belief, and the court further
certifies that John Hobbiey whose certificate
is hereto attached is a clergyman resident in
the

County of Person. and that his statement
is entitled to credit - Wm. H. Miller J.P. 1892



I John Dilliboy a Clergyman. Residing in
 The county of Person, do hereby certify that
 I am well acquainted with John Clayton
 The applicant for a pension in the annexed
 Declaration, and that I believe him to
 be now four years old. that he is
 reputed in the neighborhood where he resides
 to have been a Soldier of the Revolution
 and that I concur in that opinion.

Subscribed and sworn to
 in open court the 13th
 day 1833

John Dilliboy

Witness my hand &c.

I Thomas Rice Clerk of the Superior Court
 for the county of Person do hereby certify
 that the above contains the original pro-
 ceedings in the case of the annexed Declara-
 tion of John Clayton an applicant for
 a pension under the act of the 13th June 1832
 Given under my hand and seal of
 office this 13th day of May 1833.

Thomas Rice C. P. C.

Rever

✓ 9183
INVALID.

File No. 9183

Johns Bluff

Prin. Recd. Mar

Act: June 7th 1835

Index:—Vol. 1st, Page 69

[Arrangement of 1870.]