

Bounty Land Warrants for Revolutionary War Service

by
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Introduction

This article is the second in a series of follow-up articles to the *Russell's Fort* article in The Genealogical Society of Old Tryon County's 2022 Fall *Bulletin*. The GSOTC Russell's Fort article¹ required extensive research and produced evidence that confirmed Fort/Station Russell was at the mouth of Cove Creek. The articles in the Fall *Bulletin* also provided facts about the Russell, Underwood, and Whiteside families.² The Whiteside family is a tale of three families in Rutherford County, the Whiteside family of Golden Valley (Whiteside Settlement), the Whiteside family of upper Broad River, and the earlier Whiteside family of Green River.

These additional articles are written to reveal facts learned during the research of Fort Russel.³ Like the idiom frequently used in the show *Dragnet*, "just the facts ma'am," we strive to know exactly what happened without embellishment or exaggeration. For example, there are unsupported claims that John Whiteside of the upper Broad River Whiteside family was a leader in the Battle of Kings Mountain and received land in the upper Broad River basin for his service. This article examines bounty land warrants to fully understand where they were actually located.

Federal Bounty Land Warrants

Bounty land warrants were orders to surveyors to survey land upon which land grants might be issued for service in the Continental Line during the Revolutionary War. The prospect of receiving bounty land warrants incentivized men to join as Continental Line soldiers and serve for the duration of the war. Congress authorized bounty land warrants for military service in the Revolutionary War under acts of 1788, 1803, and 1806.

On September 16, 1776, the Continental Congress passed a resolution granting land to officers and soldiers who engaged in military service and continued to serve until the war's end. The amount of land was to be based on rank: to a colonel, 500 acres; to a lieutenant colonel, 450 acres; to a major, 400 acres; to a captain, 300 acres; to a lieutenant, 200 acres; to an ensign, 150 acres; and to non-commissioned officers and soldiers, 100 acres.⁴ The resolution was the basis for the Congressional Act of 1788 which authorized bounty-land warrants for military service in the Revolutionary War. These initial land warrants were only for those veterans who served in the Continental Line during the Revolutionary War, not those who served in militias.

In the act of 1788, Congress ordained "That the **secretary at war issue warrants for bounties of land to the several officers and soldiers of the late continental army who may be entitled to such bounties....**"⁵ This act specifies that to qualify for bounties for land, the officers or soldiers must have served in the continental army. It does not apply to those who served in state militias.

¹ T. M. McClellan and M. S. Philbeck. Russell's Fort. *Bulletin* of The Genealogical Society of Old Tryon County, North Carolina – Fall 2022. Pages 114-127

² M. S. Philbeck. Whiteside Families. *Bulletin* of The Genealogical Society of Old Tryon County, North Carolina – Fall 2022. Pages 127-143

³ T. M. McClellan, Fort/Station Russell at the North Fork of Broad River, Also Known as Cove Creek, as Related by Soldiers.

⁴ United States. National Archives and Records Service. Pamphlet Describing M804: Revolutionary War Pension and Bounty-Land-Warrant Application Files. Washington, D.C., National Archives and Record Service, 1974

⁵ United States Congress. *A SUPPLEMENT to an ORDINANCE entitled "and ORDINANCE for ascertaining the MODE of disposing of LANDS in the WESTERN TERRITORY.* July 9, 1788. Library of Congress

Be it further ordained, That the secretary at war issue warrants for bounties of land to the several officers and soldiers of the late continental army who may be entitled to such bounties, or to their respective assigns or legal representatives, certifying therein the rank or station of each officer, and the line, regiment, corps and company in which the officer or soldier served.

The Congressional Act of 1855 changed eligibility under the bounty land warrant program. Section 3 of the act required no less than fourteen days of service unless actually engaged in battle. Section 8 expanded eligibility to widows and minor children. Section 9 authorized eligibility for volunteers at the Battle of Kings Mountain. Evidence of service remained a requirement.⁶

Fourteen days services required, except where claimant was in a battle.

SEC. 3. *And be it further enacted,* That in no case shall any such certificate or warrant be issued for any service less than fourteen days, except where the person shall actually have been engaged in battle, and unless the party claiming such certificate or warrant shall establish his or her right thereto by record evidence of said service.

Revolutionary soldiers included.

SEC. 8. *And be it further enacted,* That the officers and soldiers of the revolutionary war, or their widows or minor children, shall be entitled to the benefits of this act.

Also volunteers at Plattsburg, King's Mountain, and Nickojoek.

SEC. 9. *And be it further enacted,* That the benefits of this act shall be applied to and embrace those who served as volunteers at the invasion of Plattsburg, in September, eighteen hundred and fourteen; also at the battle of King's Mountain, in the revolutionary war, and the battle of Nickojoek, against the confederated savages of the South.

North Carolina Bounty Land Warrants

The United States Congress had enacted laws regarding bounty land warrants; however, under its authority, North Carolina defined the land boundaries of land to be set aside for those soldiers who served in the North Carolina Continental Line. In 1780 the North Carolina General Assembly reserved and defined the boundaries of the western lands used to compensate its Continental Line soldiers, the land being in today's state of Tennessee.

V. Be it enacted, by the authority aforesaid, that all that tract or territory of land situate between the Virginia line and the rivers Tenasee and Holston, as far up as the mouth of French Broad river; thence a direct course to the mouth of Powell's river; thence a direct course to a great gap in Cumberland mountain, about twenty miles south west of the Kentucky road, where it strikes Cumberland mountain; thence a north course to the Virginia line; shall

⁶ Ibid., Volume 10 -1853, 32nd and 33rd Congress

*be kept and reserved to and for the use of the said State, and that it shall not be lawful for any person or persons to make entry of, or settle on any of the said lands, until they shall have permission so to do by the Legislature of the said State; and it is hereby declared that the whole of the said lands above recited are held and reserved for the express purpose of laying out therefrom such lands as this State have engaged and promised to the officers and soldiers of their several continental battalions already raised, or which may hereafter be raised.*⁷

In North Carolina Acts of 1782, Chapter III, “an act for the relief of the officers and soldiers in the Continental Line, and for other purposes therein mentioned,” the General Assembly defined by rank how much land each officer and soldier of the Continental Line would receive for their services to the state.⁸ The land granted by the state of North Carolina was much more generous than that granted by the Continental Congress of 1776.

VI. And whereas it is proper that some effectual and permanent reward should be rendered for the signal bravery, and persevering zeal, of the Continental officers and soldiers in the service of the State; Be it enacted, That each Continental soldier of the line of this State, who is now in service, and continues to the end of the war, or such as from wounds or bodily infirmities, have been, or shall be rendered unfit for service, which shall be ascertained by a certificate from the commanding officer, shall have six hundred and forty acres of land, and every officer who is now in service, and shall continue in service during the war, as well as those officers who from wounds or bodily infirmities, have left, or may be obliged to leave the service, shall have a greater quantity, in proportion to his pay, as followeth: A private six hundred and forty acres of land, and each non-commissioned officer one thousand acres, a subaltern two thousand five hundred and sixty acres, a captain three thousand eight hundred and forty acres, a major four thousand eight hundred acres, a lieutenant colonel five thousand seven hundred and sixty acres, a lieutenant colonel commandant seven thousand two hundred acres, a colonel seven thousand two hundred acres, a brigadier twelve thousand acres, a chaplain seven thousand two hundred acres, each surgeon four thousand eight hundred acres, each surgeons mate two thousand five hundred and sixty acres; and where any officer or soldier has fallen, or shall fall in the defence of his country, his heirs or assigns shall have the same quantity of land that such officer or soldier would have been entitled to, had they served during the war; and the aforesaid grants of land to each officer and soldier, shall be free from taxation during the term they respectively shall continue in actual service, unless by them sooner disposed of.

In December 1789, the North Carolina General Assembly ceded certain western lands to the United States. The act reconfirmed that the ceded lands would remain for the use of soldiers who served in the Continental Line and their heirs and that the ceded lands would be formed into a state that eventually became Tennessee.⁹ In April 1790, Congress approved an act accepting the cessation of lands from North Carolina.

I. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Senators of this State in the Congress of the United States, or one of the Senators and any two of the Representatives of this State in the

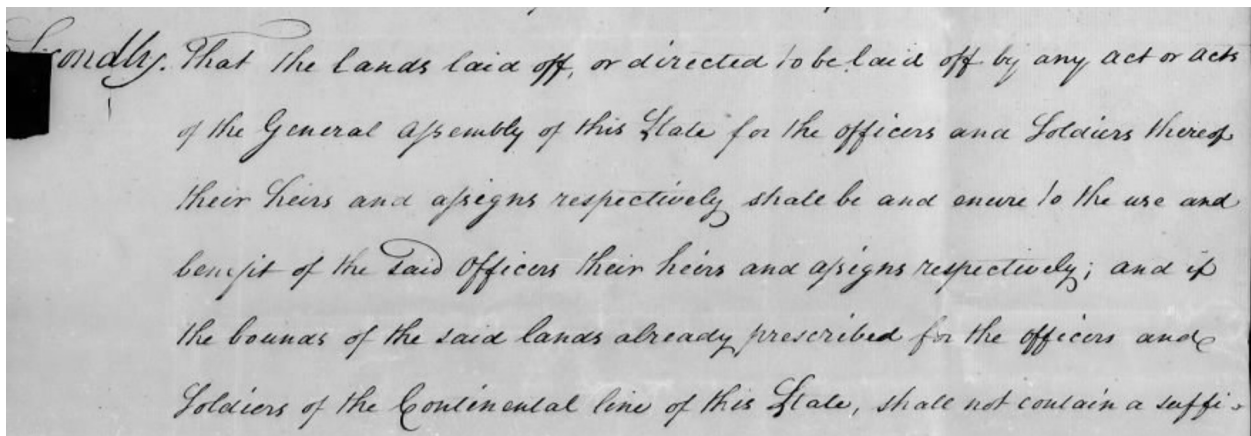
⁷ North Carolina General Assembly. April 17, 1780 - May 10, 1780. Volume 24, Pages 314-343

⁸ Acts of the North Carolina General Assembly 1782. Volume 24 Pages 420-421

⁹ North Carolina General Assembly. November 2, 1789 – December 22, 1789. Volume 25 Pages 4-6

Congress of the United States, are hereby authorised, empowered, and required to execute a deed or deeds on the part and behalf of this State, conveying to the United States of America, all right, title, and claim which this State has to the sovereignty and territory of the lands situate within the chartered limits of this State, west of a line beginning on the extreme height of the Stone Mountain, at the place where the Virginia line intersects it, running thence along the extreme height of the said mountain, to the place where Wataugo River breaks through it, thence a direct course to the top of the Yellow Mountain, where Bright's road crosses the same, thence along the ridge of said mountain between the waters of Doe River and the waters of Rock Creek, to the place where the road crosses the Iron Mountain, from thence along the extreme height of said mountain, to where Nolichucky River runs through the same, **thence to the top of the Bald Mountain**¹⁰, thence along the extreme height of the said mountain, to the Painted Rock on French Broad River, thence along the highest ridge of the said mountain, to the place where it is called the Great Iron or Smoaky Mountain, thence along the extreme height of the said mountain, to the place where it is called Unicoy, or Unaka Mountain, between the Indian towns of Cowee and Old Chota, thence along the main ridge of the said mountain, to the southern boundary of this State, upon the following express conditions, and subject thereto: That is to say,

That the lands laid off, or directed to be laid off, by any Act or Acts of the General Assembly of this State, for the officers and soldiers thereof, their heirs and assigns respectively, shall be and enure to the use and benefits of the said officers, their heirs and assigns respectively; and if the bounds of the said lands already prescribed for the officers and soldiers of the continental line of this State, shall not contain a sufficient quantity of lands fit for cultivation, to make good the several provisions intended by law, that such officer or soldier, or his assignee, who shall fall short of his allotment or proportion after all the lands fit for cultivation within the said bounds are appropriated, be permitted to take his quota, or such part thereof as may be deficient, in any other part of the said territory intended to be ceded by virtue of this Act, not already appropriated.



Secondly. That the lands laid off, or directed to be laid off by any act or acts of the General Assembly of this State for the officers and Soldiers thereof, their heirs and assigns respectively, shall be and enure to the use and benefit of the said Officers their heirs and assigns respectively; and if the bounds of the said lands already prescribed for the officers and Soldiers of the Continental line of this State, shall not contain a suffi-

Conclusion

¹⁰ The Bald Mountain in this act refers to Bald Mountain in Tennessee, not Bald Mountain in Rutherford County. No land in Rutherford County was part of the bounty land program.

The facts, as documented, are that land set aside for Revolutionary War veterans who served in the North Carolina Continental Line is in present-day Tennessee, never in present-day North Carolina. Eligibility required service in the Continental Line, and serving in the militia did not meet the eligibility requirements. Obtaining military land warrants required an application supported by validated service in the Continental Line. North Carolina did not issue bounty land warrants until 1783. Those officers and soldiers who were volunteers at the Battle of Kings Mountain, including their widows and minor children, were not eligible to obtain military land warrants until 1855. No valid argument can be made that any person, particularly John Whiteside of the upper Broad River basin, received land within Rutherford County for military service in the Revolutionary War.