

Southern Campaign American Revolution Pension Statements

Pension Application of Charles Fierer (Fuerer) R22811

Transcribed and annotated by C. Leon Harris

In Council      Friday July 20<sup>th</sup> 1781

Complaint being made that Captain Fearer has long absented himself from the Corps of Cavalry to which he belongs, notwithstanding repeated orders for his return and that he has now with him three or more horses the property of the state and a Trooper as his Servant.

The Board advise that the Commissioner of war be directed to inform Major [John] Nelson, or the Commanding Officer of the said Corps of Cavalry, that it is their desire that he order a Court of Enquiry, consisting of five members to sit, and after examining such evidences as appear, to report their opinion respecting his conduct the propriety or impropriety of superseding him; and to transmit the report to the war office for the further order of Government.

In Council      Friday August 10<sup>th</sup> 1781

Lieutenant Armisted [probably William Armistead] of Major Nelson's Corps is promoted to a Captaincy to take rank from the day on which it shall be determined by a board of officers that Capt Fear ought to have been superceded

Executive Department    Richmond Va. Feby 25 1850

I hereby certify the foregoing to be true copies from the Council Journal of date above.

Wm H Richardson [illegible title]

Captain Charles Fierer came over to this country in 1776 as a Hessian Officer and was captured the same year (Decbr 26.) at Trenton. The following proof is on file in the Third Auditors Office.

Translation.    "Electoral Ministry of War

It is hereby certified that, according to the records of this Department, ensign Charles Fierer, of the Hessian Infant. Reg. von Knyphausen, marched with that Regiment to North-America, and that at Trenton he was taken prisoner of war, and has not come back from there

Cassel August 1, 1838 (sign) by the Minister of War von Lossberg"

He entered our army in 1777. A captain of cavalry he was certainly before 1782, as he received pay as such previous to that time:

Proof (also on file):

(Copy) This is to certify That it appears from a list in this office of such officers and soldiers of the Virginia State line, during the Rev. War, as settled their accounts, and received certificates for the balance of their full pay, according to Act of Assembly, passed the November Session 1781, that a certificate issued on the 27<sup>th</sup> day of April 1785, in the name of Charles Fierer, as Captain of Cavalry for £286.15.4., which certificate appears to have been delivered to George Pickett, and was given for services prior to the 1<sup>st</sup> of January 1782.

Given under my hand at the Auditor's Office, Richmond the 5<sup>th</sup> day of August 1836.

Jas. H. Heath Aud.

That he served till the end of the War appears from the following land warrants:

(Also on file) (Copy)

No 4632}      Charles Fierer is entitled to the proportion of land allowed a captain of the State  
& 4633 }      line for the war

Council Chamber Decbr 7, 1793

Samuel Coleman

Henry Lee [Governor]

(Copy) A warrant No 4632 for 2000 acres issued to Charles Fierer, Capt. of the State line for the War the 15<sup>th</sup> day of Decbr. 1793.

A true copy

Four days later, after the above two warrants were issued, to wit on the 11<sup>th</sup> day of Decbr 1793. an act passed the Virginia Legislature for the relief of Capt. Fierer, which cites that "the latter resigned a commission in the Hessian Army and accepted a command in the troops of the

Commonwealth, sustained a personal injury by a fall from his horse in the exercise of his military duty, and has moreover incurred a denunciation of treason, and a confiscation of his estates in his native country. And whereas it is just and reasonable to retribute such foreign officers, who by active exertions in the cause of America have been injured:

Be it therefore enacted that the Auditor issue certificates for the balance of pay and depreciation due him.

Still suffering from his injury, he died about a year afterwards, Decbr 9, 1794, at Dumfries.

Dudley Diggs [Dudley S. Digges, pension application S8328], a revolutionary officer and pensioner swears July 2, 1836 "That he was a lieutenant of the Virginia State line of the army of the Revolution and that Chas Fierer was a captain of that corps, and faithfully served as such to the close of the War, or throughout the whole war.

Vincent King says (Aug 1, 1849) that he knows that Fierer was a captain in the Virg. State line, and did not return home (Dumfries) until after the war in 1783. He lived within 1½ mile of him after the War. Fierer was always considered and respected as an officer.

Mrs Jane Haney (June 9, 1836) swears: "I do know that Fierer was a officer in the Rev. Army. He entered the army at the commencement of the War, but in what grade I do not know. My cousin John Cornwell went under his command from Dumfries. I saw him, when he returned to Dumfries after the Rev. War as an officer, and believe he served through the war.

Fierer made a last will and testament before he died, appointing his sister Caroline Maria Fierer his sole legatee.

Novbr 26, 1836. a warrant for \$3466.3 was issued and paid to Dan Ratliff and W. T. Purcell for Fierers half pay. This was done without the knowledge of the heirs (Caroline Maria Fierer being dead since 1803); nor have they ever received a cent of this money, as will be seen from affidavits on file.

Washington, D.C. January 1, 1867

Hon O. H. Browning Secretary of the Interior Sir

I most respectfully ask you to transmit this statement for a decision on certain points hereafter given to the Hon. Attorney General.

Among the Hessian troops that were sold to the English to be used against this country was also an ensign Charles Fierer, who arrived with his Regiment in 1776. On the 26<sup>th</sup> of December of the same year he was captured at Trenton and in the following year (1777), he entered our army, in which he served as captain of Cavalry in the Virginia State Legion till the end of the War. In 1793 he received two land warrants (each of 2000 acres) "as allowed a Captain of the state line for the war." He died at Dumfries, Va., Decbr 9, 1794, appointing by will his sister Caroline Marie Fierer in Hanover his sole heiress. By special legislation of Congress he was entitled to half pay for life or commutation of five years full pay. Caroline Maria Fierer died Novbr 3, 1803, without ever receiving anything of the inheritance.

On the 26<sup>th</sup> of November 1836 our Government paid to Dan. Ratliff and Wm. F. Purcell, administrators, the sum of \$3466 3/100 as half pay from April 22, 1783 till the death of Fierer, Decbr 9, 1794. Of this the heirs of Fierer had no knowledge, nor have they ever received a cent of that money, though more than thirty years have since passed.

Application having been made for commutation of five years full pay, Hon. Secretary Thompson decided March 30<sup>th</sup>, 1859 against the claim, on the ground that the case had been concluded by having accepted in 1836 half pay.

On the 22<sup>d</sup> of November 1861, Hon C. B. Smith, Secretary of the Interior, overruled the decision of Secretary Thompson, and decided in favor of the claim. Under this decision a certificate was issued by the Pension Office for commutation and interest, March 27, 1862.

On the 7<sup>th</sup> of April, 1862, a report was made on this case by Mr Atkinson, then 3<sup>d</sup> Auditor, to the 2<sup>d</sup> Comptroller.

On the 14<sup>th</sup> of October 1862, 2<sup>d</sup> Comptroller, Mr. Cutts, suggested to the Secretary that payment be not made till satisfied of the heirship, and

On the 28<sup>th</sup> August 1863, Dr. Broadhead, 2<sup>d</sup> Comptroller, rejected the claim, chiefly on

the ground that the claim having once been rejected by Secretary Thompson could not be passed, two years later, by Secretary Smith.

The question on which I ask a decision of the Attorney General is simply, whether the Secretary of the Interior has a right to overrule a decision of his predecessors, as done in this case by Mr Secretary Smith?

I represent the heirs of Captain Fierer, who as shown by their affidavits on file in the 3<sup>d</sup> Auditors Office, have never received a cent of the inheritance. [The letter continues for another page regarding legal issues. The file also contains other legal correspondence.]

Your very obedient servant Louis Isham Attorney for the heirs of Capt. Charles Fierer

Norwood, Minn. Aug 24, 1887

Gen. Pension Agent Dear Sir!

Having been recommended to your Ordre in regard to an old Pension case of our family, I hereby wish to beg you for a certain information on the following matter.

Our Grandfather Charles Fr. Fierer - as his name is spelled in his last papers and proceedings instead of Fuerer, which has the same pronunciation in German - served as Captain in the Revolutionary Army under General Washington till to its end, in some battle, as we hear he was wounded, but lived in a sickly state of health 11 years after it. The Government then presented to him in want of money a tract of 3000 acres land in Dumphrey Co [sic], Va. but withdrew it, because he did not cultivate it

He died, 11 years after the war, without any family, but in his will he did leave his money & all his claims to his relatives in the old country, of which our family did not hear a word, and hence did not receive a penny

Our Congress in 1836, as you know, issued a decree, by which the Widows & Heirs of the Surviving Soldiers of Rev. War were granted a half pay pension which entitled them to the Sum of \$3300 as his full pension was \$600 [per year] As this grant was published then in the German papers, my father & other relatives received notice of it. But although they sent all the necessary papers & certifications and also empowered an Attorney of law for raising the money and sent to this Country in 1857 we did not get anything of our money. In 1865 Samer L. Schade, now Editor of Weekly Sentinel in Washington was authorized to work in this matter. His efforts were resulted thus that the Committee on Claims passed a favorable report on the case April 3<sup>d</sup> 1879. But Mr Schade filed the papers, because Mr Long (the first attorney we had) demanded half of this money too like him. So the heirs would not have got anything.

Now the whole matter is still on the same point. Mr Schade dont do anything, neither answers a word. My Cousin Charles Fuerer, a judge in the old Country enquired the German Ministerium of Exterior at Berlin about this matter, but all in vain. Our Representatives of Legislature did not do anything as they promised so I was directed by a famous person of Washington to your kind ordre to help us in this direction. Please, Sir, answer me promptly if possible

1, what is the reason that our pension is not respected as any other

2, what means & ways it takes to liquidate the money

3, whether one could get at it without the meditation of lawyers, whose support was quite in vain till now.

Trusting in your kindness and honesty, to support the right claims and the needy heirs I humbly & respectfully remain Yours truly

Rev. Ernst F. E. Fuerer

preacher of the German Reformed Congregation in Benton Town Carver Co. Minn  
Please send me explain & answer to notify my relatives in this & the old country soon as possible  
My address:

Rev. E. Fuerer, Norwood, Minnesota Carver Co.

NOTE: See also the biographical note in Patrick O'Kelley's *Nothing but Blood and Slaughter*, Vol. 3.