

Southern Campaign American Revolution Pension Statements & Rosters

Pension Application of John Fishback R3563                      Patty Fishback                      VA  
Transcribed and annotated by C. Leon Harris. 6 Feb 2014.

State of Kentucky    Sct.

On this the 18<sup>th</sup> day of September 1839 personally before the undersigned, appeared Patty Fishback a resident of Bracken County and State aforesaid aged seventy nine years, who being first duly sworn according to law, doth on her oath make the following declaration in order to obtain the benefit of the provision made by the act of Congress passed July 7<sup>th</sup> 1838 entitled "An act granting half pay and pensions to certain widows." That she is the widow of John Fishback who was a private in the militia of Virginia having been drafted as she was then informed and believes (not being present) in the year 1780, for six months, which time she always understood he served out. He was under the command of Captain James Winn and Col. William Washington [see endnote], that as she has always been informed her said husband was at the battle of the Cowpens in January [17] 1781. She has frequently heard him speak of his military services and of his having been in that engagement. She states that her father William S. Pickett resided about three miles for Philip Fishback's, the father of said John Fishback, and during his absence in the army, she was at his fathers house, being well acquainted with the family. that she was married to the said John Fishback in the County of Fauquier [sic: Fauquier], State of Virginia where her father resided, on the 24<sup>th</sup> day of November 1785 and that said John Fishback died in Bracken County and State of Kentucky on the 22 day of January 1810, and that she has not again married. That the service of the said Fishback ended after that engagement some time in 1781, but at what particular time she does not know. That she was not married to him prior to his leaving the service. But the marriage took place previous to the 1<sup>st</sup> of January 1794 at the time above stated                      Patty herXmark Fishback

State of Ohio, Athens County.

On the 28<sup>th</sup> day of January 1839 Before me J. Haskenson a Justice of the peace in said County came the undersigned Anna Reade of said County and after being duly sworn according to law deposed and saith that she was born on the nineteenth of January 1760 in Fauquiere County state of virginia on litle river where her father philip fishback then resided and where she resided until she was married which was on the eighteenth day of february 1785 and resided and remained in the same County until the year 1791 then removed to loudon [sic: Loudoun County] virginia from thence she removed to the state of ohio ross County from thence to Athens County in the state of ohio where she now Resides. That about the year 1780 my brother John fishback then resided with his father drafted as a militia man in state of virginia and entered the service under eighteen [sic] James wim in the regiment Commanded by Col william Washington and I under stood it he served in said regiment in the state of south Carolina he was drafted for six months as I under stood then and ever since and served the same further that I know that Capt Wim resided in the neighbourhood of my father and I know him well Further this deponent saith in the year 1785 that the above named John fishback married to Patey Pickett of the of virginia Fauquiere County and that I was present at the time of marriage and that the said Patey is now the widow of said John fishback deceased. further this deponent saith not                      Anna herXmark Reade

State of Kentucky    }  
Fleming County    }

On the 7<sup>th</sup> day of August 1839 before me John P. Metcalfe a Justice of the peace in said County Came the undersigned Eli Metcalfe of said County and after being duly sworn according to law Depoeth and saith. That he was born on the 13<sup>th</sup> day of November 1768 in Fauquier County in the State of Virginia on Litle River where my Father John Metcalfe resided, and where I resided untill I was married which was on the sixth day of January 1788 and resided and remained in the same county untill the year 1794. Then I removed to the State of Kentucky Mason County. Thence to the county of Fleming where I now

reside. That I Resided with about three miles of Philip Fishback the Father of John Fishback and was well acquainted with the family previous to the time that the said John Fishback was drafted as a Militia man in the year 1780 in the said State of Virginia, and entered the service under Capt James Winn and as I understood in the regiment Commanded by Col William Washington also that he served in said regiment in the state of South Carolina he was drafted and served six months before he Returned as I understood then and ever since without contradiction, and Further I knew that Capt Winn resided in the immediate neighbourhood of Philip Fishback's and I knew him well

This deponent further saith, That I have frequently heard the said John Fishback and some of his messmates immediately after their Return home from the army speaking of being in the battle of the Cowpens in the State of South Carolina, and afterwards at different periods of their lives and further this deponent saith not  
[signed] Eli Metcalfe

State of Virginia  
Fauquier County Sc

The deposition of Mary Strother aged 83 years who being first duly sworn, deposed and saith, that her brother, John Fishback was drafted in the militia in Revolutionary service in the year 1780 for six months service in the Fauquier County Virginia Militia, and marched about the first of October under the command of a Captain James Winn, and returned home in the month of March 1781; having as she understood, served his full tour of duty  
Mary X [her mark] Strother

I James Pickett Justice of the peace as aforesaid in and for the county of Fauquier aforesaid do hereby Certify, that the forgoing deposition of Mary Strother was this 17<sup>th</sup> day of June, in the year 1841, duly sworn to, and subscribed by the said Mary Strother before me – witness my hand and seal.

James Pickett

I James Pickett Justice of the peace as aforesaid aged 66 years, do further certify, that I was intimately acquainted with the above named John Fishback in 1783, and a number of years after; also a Dempcy Jackson, and have heard them narrate together; the scenes of their Militia Service – particularly – the part they acted in the battle at the Cowpens (Capture of Tarleton's foot soldiers [sic: capture of 600 of Lt. Col. Banastre Tarleton's Legion]) – Jacksons consolation in battle – that Fishback stood in front rank before him as some shield against British bullets.

Witness my hand and seal 17<sup>th</sup> day of June 1841 James Pickett

#### NOTES:

Although Lt. Col. William Washington's 3<sup>rd</sup> Regiment of Continental Light Dragoons was at the Battle of Cowpens, the company of Fauquier County Militia under Capt. James Winn was not under Washington's immediate command. Major Francis Triplett commanded the Virginia Militia at the battle, and Gen. Daniel Morgan had overall command.

An unsigned and undated synopsis of Patty Fishback's claim states that she was born in Prince William County VA and moved with her father to Little River in Fauquier County when she was about seven years old. It also states that after the Battle of Cowpens John Fishback "was detached to guard a ferry on the Cautabe [Catawba] river in said State of South Carolina for the further term of three months."

In 1780 militia drafts were limited to three months, although tours were often extended. Patty Fishback's claim was denied for lack of proof that her husband served the minimum of six months required by the pension act.

On 18 Nov 1839 Alexander Fishback, age 50 in the previous July, one of the children of John and Patsey Fishback, stated that his father died on 24 Jan 1810. On 2 Feb 1839 Letitia Pileher, born 12 Oct 1770 and married on 27 April 1797, made a statement similar to that of her sister, Anna Reade.

The file contains a letter by Willis M. Kemper of Cincinnati dated 26 July 1877 that quotes the following "extracts of old letters:"

"Extract from a letter from John Kemper of Lititz Pa to Rev James Kemper of Walnut Hills Ohio. Date

Jan. 28 1814. 'He (my grandfather) lived in a village called Missa, three leagues from the City or town of Siegen, in the Circle or Principality of Wassaw-Siegen, about 20 leagues, or 60 English miles from Coelln or Cologne (in German Cölln} on the River Rhine.'

"Extract from answer to above; James Kemper to John Kemper, June 24 1814. 'Twelve families settled in Licking Run (in Virginia) each on their own farm, about the year 1719, when my father was two years old, their names were Kemper, Holtzclaw, Two Fishbacks, Hoffman, Utterback, Weaner, Martin, perhaps Coons, Wayman, Handback and Hitt. They settled first at Germania about 20 miles South of Licking Run, where their place was called Germantown and is to this day. My grandfather (by my mother) came in after them and was their minister, for several years, and until is death, he was of the reformed Calvinistic Presbyterian Church, and is said to have been a man of great learning. His name was Hagar.'

"The following is the line of descent, and the connection between the two families.

John George Kemper – Never left Germany.

John Kemper – Settled in Virginia in 1719.

John Peter Kemper – (his eldest son) Born Dec. 25 1717 O.S. [Julian Calendar]

{Elizabeth Fishback – his wife the daughter of John Fishback – was born Feb 13 1723 O.S.

{They were married Dec 7 1738 O.S. They had Nine children.

The said John Fishback's wife's maiden name was Agnes Hagar.

John Hathaway – was born May 17 1733 O.S.

Sarah Fishback his wife born April 21 – 1739. Married Dec 25 '54

Their eldest child was Judith Hathaway.

Rev. James Kemper – 6<sup>th</sup> child of J. P. K & E. F./ Born Nov 23 1753. N.S. [Gregorian Calendar]

Judith Hathaway – his wife – born April 26 1756. Married July 16 1772.

David Rice Kemper their 11<sup>th</sup> child born May 28 1793.

Hugh F. Kemper – his eldest child – born Feb 18 1824"