

Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of James Hays R4787

f16SC

Transcribed by Will Graves

12/31/10: rev'd 5/14/22

[Methodology: Spelling, punctuation and/or grammar have been corrected in some instances for ease of reading and to facilitate searches of the database. Where the meaning is not compromised by adhering to the spelling, punctuation or grammar, no change has been made. Corrections or additional notes have been inserted within brackets or footnotes. Blanks appearing in the transcripts reflect blanks in the original. A bracketed question mark indicates that the word or words preceding it represent(s) a guess by me. The word 'illegible' or 'indecipherable' or 'undeciphered' appearing in brackets indicates that at the time I made the transcription, I was unable to decipher the word or phrase in question. Only materials pertinent to the military service of the veteran and to contemporary events have been transcribed. Affidavits that provide additional information on these events are included and genealogical information is abstracted, while standard, 'boilerplate' affidavits and attestations related solely to the application, and later nineteenth and twentieth century research requests for information have been omitted. I use speech recognition software to make all my transcriptions. Such software misinterprets my southern accent with unfortunate regularity and my poor proofreading skills fail to catch all misinterpretations. Also, dates or numbers which the software treats as numerals rather than words are not corrected: for example, the software transcribes "the eighth of June one thousand eighty six" as "the 8th of June 1786." Please call material errors or omissions to my attention. Researchers should not rely solely on the transcripts but should review the originals for themselves. These transcripts are intended as an aid to research, not to be used in lieu thereof.]

The Commonwealth of Kentucky Adair Circuit Court SCT

Be it remembered that on this Seventh day of October 1818 James Hays a Citizen of Adair County ^{aged about 70 years} came personally before me Christopher Tompkins one of the Circuit Judges for the Commonwealth of Kentucky and for the Circuit aforesaid and made oath that in the year 1776 he was commissioned an Ensign in the Continental establishment against the Common Enemy in the company of Captain John Moore General Williamson's [Andrew Williamson's]¹ Brigade there being at that time no Major nor Colonel attached to said Brigade he further states that he served in the character of Ensign in or about one year & was then promoted & commissioned first Lieutenant in the same Company & Brigade in which character he served upwards of one year & was then promoted & commissioned Captain & continued in Service as Captain until the month of March 1780 at which time he quit Service, he further states that during the time of service he was in thirteen engagements against the common enemy and among which the Battle at Kettle Creek² & the siege of Savannah.³ He further states that he is now aged and infirm & unable to labor and in indigent Circumstances and stands in need of his Countries aid for support and claims the same agreeably to an act of the Congress of the United States making provision for the indigent officers & soldiers of the Continental & naval Establishment &c &c. Given under my hand this date above written.

S/ Christopher Tompkins

I do further certify that it was this day proved before me by the oath of Doctor Charles Hays, that the within named James Hays owns at this time no property which was, as the said Charles believes: that the said James heretofore lived upon & owned a tract of 400 acres of land in Adair County, which he conveyed to his daughter upon her arrival from Virginia, the said daughter having been in the habit of sending him money for his support. Whether his said daughter, on the conveyance aforesaid came under obligations to support her father or not, the said Charles is ignorant. Given under my hand this 13 October 1818

S/ Christopher Tompkins

¹ Andrew Williamson was a militia officer. He never served in the SC Continental Line. Under the 1818 Act, only officers and soldiers who served in the Continental Line and were indigent were entitled to pensions from the federal government.

² Kettle Creek February 14, 1779 <https://www.myrevolutionarywar.com/battles/790214-kettle-creek/>

³ Siege of Savannah September 16-October 9, 1779 <http://www.myrevolutionarywar.com/battles/790916-savannah/>

State of Kentucky Adair Circuit Sct

This day the within named James Hays personally appeared before me Christopher Tompkins Judge in and for the Circuit aforesaid & made oath that when he entered the service as stated in the within affidavit that the within named Williamson commanded a Regiment of the Regular troops to which the said Hays along and continued so to do until this affiant quit the service he further states that he was upon the Continental Establishment and that they were kept upon the back parts of South Carolina & Georgia during the term aforesaid & was attached to any other troop or line but regularly belonged to the South Carolina Continental Line. Given under my hand this 7th October 1819.

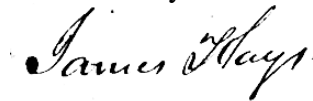
S/ Christopher Tompkins

State of Kentucky Adair County Court November Term 1820

On this 7th day of November 1820 personally appeared in open Court being a Court of Record, by Statute and proceeding according to the course of the common law in and for the County of Adair aforesaid, James Hays aged about 72 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 act of Congress of the 18th of March 1818 and the 1st of May 1820. That he entered the service as stated in his application hereto annexed bearing date the seventh of October 1819 that he served and quit the Army as therein to which application with the amendment &c he refers to and makes the same a part of this declaration & Statement.

And in pursuance of the act of the first of May 1820, I do solemnly swear that I was a resident Citizen of the United States on the 18th day of March 1818 and that I have not since that time by gift, sale or in any manner whatever disposed of my property or any part thereof with intent thereby so to diminish it as to bring myself within the provision of an act of Congress entitled "an act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war" passed on the 18th day of March 1818, and that I have not nor has any person in trust for me any property, or securities, contracts or debts due to me nor have I any income other than what is contained in the schedule hereto annexed and by me subscribed viz. One silver watch present me by my grandson worth \$35 and no more, four head of hogs worth seven dollars and no more, amounting in the whole two \$42. He further states that the land spoken of in his original certificate as certified by Doctor Charles Hays, was conveyed to his daughter previous to the 18th of March 1818, and the conveyance was absolute and unconditional, that his said daughter had advanced money for his support for a considerable time and that he owed for the most of said land which he undertook to pay for, that by said contract and conveyance there is not one cent reserved for him either directly or indirectly.

S/ James Hays



The declarant further solemnly swears that he is now about 72 years of age, that his occupation is a tiller of the ground, that in consequence of his age and extreme inability he is unable to pursue his occupation he being infirm and has been for a long time and among other things afflicted with the palsy, his wife is about 60 years of age her name is Margaret as infirm if not more so than most women of that age.

S/ James Hays