

Southern Campaign American Revolution Pension Statements & Rosters

Pension application of William Lay R6213

fn36NC

Transcribed by Will Graves

4/8/10

[Methodology: Spelling, punctuation and/or grammar have been corrected in some instances for ease of reading and to facilitate searches of the database. Also, the handwriting of the original scribes often lends itself to varying interpretations. Users of this database are urged to view the original and to make their own decision as to how to decipher what the original scribe actually wrote. Blanks appearing in the transcripts reflect blanks in the original. Folks are free to make non-commercial use this transcript in any manner they may see fit, but please extend the courtesy of acknowledging the transcriber—besides, if it turns out the transcript contains mistakes, the resulting embarrassment will fall on the transcriber.]

State of Tennessee Wayne County

On this the 5th day of October 1840 personally appeared in open Court of Wayne County now sitting the declarant William Lay, a resident of the above mentioned County & State aged about 80 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 provision made by the act of Congress passed June 7th 1832.

That he enlisted in the Army of the United States sometime during the last of the Revolutionary war, and Colonel Joel Lewis Regiment of the North Carolina Infantry under the following named officers -- Colonel Lewis & Captain Childs Gordon. The names of the other officers on not recollected. Declarant states that he was a substitute in said Regiment & took the place of Benjamin Howard that the Regiment was raised for one year (twelve months men) -- that he resided at the time he entered the service in Wilkes County in North Carolina, -- that his Regiment remained some time after it was organized at Wilkes County Court House -- that the Regiment marched thence to Salisbury -- thence to Deep River & then to Haw River, where the Regiment remained for some time & until the term of twelve months had expired, & in the Regiment was ordered to proceed to Hillsboro NC to be discharged -- that declarant took sick on the road, & being unable to proceed with the Regiment, was excused from going to Hillsboro, & afterwards when declarant had got home, & was still suffering under the influence of his sickness, his father went to Colonel Lewis & got his discharge for him from the said Lewis. Declarant states that he served in the Army but one term -- that he served for the full term of 12 months as above stated -- that he does not recollect the date, or precise period at which he entered the Army, but recollects distinctly that it was after the taking of Charleston, & he thinks it was also, after the battle at Ramsour's Mill, but is not certain. He also states that his discharge has been lost or destroyed.

He hereby relinquishes every claim whatever to a pension or annuity, except the present & he declares that his name is not on the Pension roll of any Agency in any State.

He also states that he knows of no person (& does not believe) there is any now living by whom he can prove the above stated facts. He states that since his first application to the pension office at Washington City his brother, by whom he then stated he could prove them, has since died. He also states that he has no record of his age.

Sworn to & subscribed the day & year aforesaid.

S/ William Lay, X his mark

[John L. Cypert, a clergyman, and Abel Gowers gave the standard supporting affidavit.]

State of Tennessee Wayne County

On this the 7th day of December in the year 1740 personally appeared in open Court before the County Court of Wayne County, now sitting, it being a court of record, of the above mentioned State, William Lay, a resident of the above mentioned County & State, aged about 80 years, who being first duly sworn according to law, doth on his oath make the following amended Declaration in order to obtain the benefit of the provision of the Act of Congress of the 7th of June 1832.

Declarant states that he does not recollect the date or precise period at which he entered the Army, but recollects distinctly that it was after the taking of Charleston, by the British, after General Gates defeat near Camden in South Carolina & near the end of the Revolutionary War, & he thinks that no troops were raised in the part of the Country in which he lived after he was discharged from the Army.

He also states that he knows of no person (and he does not believe that there is any now living) by whom he can prove the facts stated in his original Declaration, nor those contained in this Amended declaration.

He states that since his first application for a pension, his brother, by whom he then stated he could prove the facts then set forth in his declaration, has departed this life.

Declarant states, that the facts set forth in his original Declaration, he knows to be true, & if anything be wanting, to establish the genuineness of his declaration, it was not the fault of this Declarant -- that the certifying Officer had no seal of office as this Declarant was informed & believes, & therefore the end of the tape or Reuben by which the different parts of the papers were fastened together could not pass under the seal of office of the certifying Officer, which declarant presumes is one of the objections to his former Declaration.

S/ William Lay, X his mark

Sworn to & subscribed the day & year aforesaid

S/ Jonathan Morris, Clerk

[John L. Cypert, a clergyman, and Abel Gower gave the standard supporting affidavit.]

State of Tennessee Wayne County: Circuit Court October Term 1842

This day being the 4th day of October A.D. 1842 personally appeared in open Court William Lay aged about eighty-three years who being first duly sworn according to law upon his oath made the following declaration, in order to obtain a pension under the provision of the Act of Congress of the United States passed June 7th 1842 to wit

Declarant entered the service of the United States sometime in the latter part of the year 1779 or the latter part of the year 1780, under the command of Captain Charles Gordon. When declarant entered this service he was residing in the County of Wilkes in the State of North Carolina where he had been brought up from his childhood. From Wilkes County he was marched under said command to Salisbury where the troops to which he was afterwards attached rendezvoused. Declarant was here placed in Major Joel Lewis' Battalion and was continued in his Battalion during the whole term of his declarant's service in the Revolutionary War.

Declarant, & the troops to which he was attached, were garrisoned at Salisbury from some time in the fall until the spring season, when they were marched towards Haw River in the pursuit of the enemy. On the route, they were attached to other troops, but by whom commanded declarant on account of age & consequent defill [sic, default?] of memory cannot now recollect. They also scoured the Country on Deep as well as Haw River in search of the enemy, particularly the Tories. And although they heard much of the depredations of the Tories in the tracts of Country

through which they passed, yet they were never fortunate enough to come in contact with any of them during this Campaign. On their route above described, declarant & a few other soldiers, who were detached as a foraging party, fell in near the house of Fanon [probably a reference to David Fanning] the celebrated Tory leader of that Country and lay all night at his father-in-laws, but being few in numbers, & hearing that Fanon, and his men were not then at home they hastened forward & joined their comrades in arms as soon as possible. They were then marched & countermarched through the Country in various directions for the purpose of guarding & protecting that section of Country. They continued in this service until towards the fall season of the year when declarant was taken with the fever & ague, of which was then prevalent and that Country and his debility became so great that upon the troops with which he was [one or more indecipherable words] ordered to march towards Hillsboro, he was unable to accompany them. He was therefore permitted to return upon furlough, home, & the troops under the command of Major Lewis, after marching directly to Hillsboro were discharged finally as he understood from the service. Declarant after having reached home continued sick, and his father went to see Major Lewis at the request of Declarant & obtained for him his final discharge from the service of the United States which upon its reception by him he handed back to his father and that [is] the last he has had any knowledge of it.

A considerable portion of the time that affiant was at Salisbury as above described, they (the troops to which he was attached) were engaged in guarding the British & Tory prisoners & among the prisoners was a Colonel Briant [Bryant], and officer who had held that rank in the British service. Declarant being very infirm & old and also illiterate cannot now recollect that they ever were attached to any other troops except as above stated nor can he recollect the names of other field officers who perhaps [indecipherable word or words] at times, have given orders to Major Lewis, who he also states was afterwards called Colonel Lewis. The whole time of service performed by Declarant lasted but twelve months, but he states he was for that space of time in the actual and active service of the United States as above set forth. Declarant states further, that he made an application for a pension for the above service some eighteen years ago & for some of the missions or clerical errors this papers were returned, for correction to the clerk of the Court of Wayne County or his attorney & that they by some means unknown to declarant, they have been lost or mislaid, as he is informed & believes and that he has never seen them since their return nor does he now know anything of them except as herein stated. Declarant performed all of the aforesaid service as a private militia man & held no office whatever in said service, but he was a substitute in said service & performed the same as such for one Benjamin Howard during the [indecipherable word] except when engaged in the above service. For many years thereafter declarant continued to live in Wilkes County North Carolina where he married shortly after the war, and then he removed to South Carolina where he resided two years and then he removed back into Wilkes County North Carolina, where he lived some years the time not now recollected. Afterwards he removed to Tennessee resided a few years on Holston [River] East Tennessee and then removed to West Tennessee Wayne County where he has resided for the last fourteen or fifteen years & where he still resides. He has no record of his age, but is confident from the best information he can obtain that he is not less than eighty-three years of age. He would have made a second application for a pension under the circumstances above set forth but he has been waiting from time to time with the expectation of being able to find the lost papers in his former application in which he has utterly failed as above stated. His discharge he has no doubt has long since been lost or destroyed as he never saw it again after he deposited it in the care of his father as stated above who has long since been dead. He declares his name is not on

the pension roll of the agency of any state & hereby relinquishes every other claim whatever to a pension except the above.

Sworn to & subscribed in open court the date above

S/ Tho. M. East, Clerk

S/ William Lay, X his mark

Declarant has no documentary evidence & knows of no living witness by whom he can prove any of the circumstances of the above services

S/ William Lay, X his mark

Sworn to & subscribed in Open Court the date above

S/ Tho. M. East. Clerk

Questions propounded by the Court

1st How old are?

Ans: I am about 83 years old

2nd Have you any record of your age and if so where is it?

Ans: I have no record of my age & [indecipherable word or words]

3rd -- When & where were you born?

Ans: I think I was born in the State of Virginia

4th Where did you reside when called into service where have you resided since & where do you now reside?

Ans: I lived in Wilkes County NC when I entered said service [several lines written over and difficult to decipher.]

5th -- Under what officers did you serve? State the names of the field & other officers under whom you served the regular & other troops to which you were, the names of such regular officers, as many have commissions & such regular troops & the general circumstances of your services?

Ans: (This question was answered in the same manner as stated in the declaration)

6 -- Did you perform said service as a private soldier or did you hold any office in said service and were you a regular or militia man?

Ans: I was a private & they called us State Troops

7th Were you drafted or did you volunteer, or were you a substitute and if a substitute for whom?

Ans: I was a substitute for one Benjamin Howard who had been drafted

Sworn to & subscribed in open Court the date above

S/ William Lay, X his mark

[Thomas Arnold, a clergyman, and Abel Gower gave the standard supporting affidavit.]

Raleigh North Carolina 21 July 1841

Dear Sir

Your favor of the 17th instant is received desiring information respecting the services of William Lay said to have been a 12 months soldier of the revolutionary war. His name is not found on the musterrolls in the Office of Secretary of State for the State of North Carolina. I find the name of Joel Lewis (under whom William Lay says he served) as a Lieutenant in Captain Gooden's Company mustered in 1779 in the 10th Regiment.

My fees amounting to 20 since which you can pay to the honorable R M Saunders, who resides here.

Very respectfully your obedient servant

S/ Wm. Hill

[North Carolina Secretary of State]