

Southern Campaign American Revolution Pension Statements & Rosters

Pension Application of Joseph Davis S15399

VA

Transcribed and annotated by C. Leon Harris

[Because the penmanship is so poor, this transcript should be used with more than usual caution.]

State of Kentucky }
County of Lawrence } SS.

On this 8th day of February one thousand eight hundred and thirty four personally appeared before me the undersigned One of the Commonwealths Justice of the peace for s'd. County now sitting, Joseph Davis a resident of the United States of America, in the county of Lawrence and state of Kentucky aged seventy 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 act of Congress passed June 7th 1832. That he entered the service of the united states under the following named officers and served as herein stated. To wit under. On the 12th day of May 1779 in the County of Washington in the state Virginia as a volunteer for one year as a common soldier to spie against the indians. He left the service after this engagement just one year after his engagement to wit 12th May 1779 to the 12th May 1780 – he then resided in the County aforesaid. he was a volunteer. he was in no battles – the cuntry through which he marched was from Blackmores fort [at present Fort Blackmore, Scott County VA] down the Clinch river to Powells valley and to Cumberland Gap. At Cumberland mountain to Castles woods [Castlewood in present Russell County] and down clinch and to the fort. he serviced with no continental, or millitia regiments or companies nor with any continental or millitia officers but the officers who commanded the spies and he does not beleive he ever served under a regular officer for he allways lived on the frontier settlements where indians were allways troublesome and the especially on the Clinch settlements where they were every year invaded by the northern indians for many years. These are the particulars which he can now call to reccolection that transpired dureing the revolution and during the time he was in the service, but events so long ago are not so fresh as he could wish, and he may be mistaken about the dates & events occuring – in April 1779 the settlements were all invaded on Clinch and Powells river and in May he volunteered for one year as a spie or was called scouts. each settlement turned out as many as he they could. on the 12th May the company was put in motion under which he served – from this place he marched to Huntersford and from there to Cumberland Gap. a place was fixed if the indians were discovered aproching to retreat to. a place now in Scott county virginia called the rye cove. The companey scouted here in this section of virginia which was then a wilderness until late in december 1779. the winter was so very cold that the company had to breake up and go to the Cove. when he arrived here he was badly frost bite and was scarcely enabled to walk. he remained here till Feby. following and again returned to the frontiers and remained scouting and spieing untill his time expired in May 1780. he received pay for his services and a certificate and discharge for his years service.

The next year 1781 in the month of September he substituted for one George Denniston who was a drafted millitia man for three months in Abington [sic: Abingdon] washington county Virginia under Captain Keller. Major Arethur Camel [sic: Arthur Campbell] and Col [William] Preston who commanded the troops at fort chisel still in Montgomery [sic: Fort Chiswell in Wythe County, formed from Montgomery in 1789]. He was marched to the big lick [present City of Roanoke] in Botetourt County not far from Fincastle were he was commanded by Col. McClanahan, he staid here until after Cornwallias was taken [sic: Cornwallis, 19 Oct 1781] there was one hundred & forty started to go down to take Cornwallias, but he was taken about six days after he arrived at the big Lick, while he was here he saw Col. James Love [Philip Love?] who lived on Tincer Creek [sic: Tinker Creek] who was a regular officer in the Continenal service and Capt James Breckinridge, a Layer [Lawyer] who lived in Fincastle town he marched through Montgomery county to Ronoke and from there into Botetourt which laid joining

Mongomery at that day. he was in no battles – he has no documentay evidence as the discharge he got he gave to dennison who was entitled to it as he hired him to go in his place. he does not know of any person by whom he can prove his substituting for dennison that he now knows is a living witeess. Capt [John] Draper and Lieutenant McGavock is still a living Dennison is dead. (he died in Tennessee on the Nollychucky river [sic: Nolichucky rRiver] as he is informed.) he surved with no continental regiments that he now knows of and only seen but a few Continental Officers. – He hereby relinquishes every claim whatever to a pension or annuity except the present and declares his name is not on the the pension roll of the agency of any state. – (and further he declares that he is old and poor, and vury infirm and from his bodily infirmity he cannot attend the court at Lawrence.) Swon to and subscribed the day and year aforesaid. [signed] Joseph Davis

The deposition of Bazle Castle [pension application S15369] aged seventy three years, taken this day [26? Feb 1834] on oath before me. He states during the war of the Revolution he was acquainted with Joseph Davis, that he knew of his serving in the army against the indians in the State of Virginia in the year 17 [sic] that he has known him for a long time since, and that he is undoubtedly the same individual. he thinks that he served against the indians according to his recollection a year or upperwards. that he has heard (many years since) about his other services, but he knows personally nothing about it and further this deponant saith not.

The following is in the pension file of Bazle (Boswell) Castle S15369
Floyd county Prestonsburg Ky [13 June, year not stated but probably 1834 or 1835]
Sir [Secretary of War] it is thought thare is sume gross frauds practised on your department by granting pentions to severell people in this county and the county of lawrenc and margin [sic: Morgan] in this state under the late act of Congress granting pentions to revolutionarry Soldiers it would be desireable to know what ware the claimes presented of service by Baswell Castle, Edward Darton [sic: Edward Darten (Dorton), pension application S30983], Thomas [Thomas Howard S45796] and James Howard [S31139], Joseph, Davice [sic: Joseph Davis S15399] &c as sume of those men I have knew near thirty years and from thare age it is not posable they ware ever in the war of the revolution I have Been requested repeatedly to write for information on this subject By our citizans and believing it a duty that we all owe to our country to detect frauds on our government it is desireable you would forward a short list of the names of those Drawing pentions under the late act the date of thare servic, proven and the name of the agents employed[?] in obtaining thare pentions in the three countys named in doing so you will much gratify the wishes of maney respectable cetizans Yours/ D. K. Harris
or any other information that would be nesserry to detect fraud as thare is certinly gross error in [the rest missing]

[One or more pages are apparently missing from the following letter from the pension file of Thomas Howard S45796, probably the letter referred to as dated 18 Sep 1835 in the reply from the Pension Office.]
Under the late law in the countees of floyd Margin [sic: Morgan], Lawrence Pike and Perry and a Statement of the date of thare servises and if thare has been certificates forwarded to the department of thare being unable to go before the court of examenation as I believe the law requires and the names of the agents and the names of the magistrates that have signed the cirtificates and I will be able to show and can prove the age of a grate maney that ware scarly born at the time the servises is said to be rendered. I asure you sir thare is no man in the government would like the soldiers of the revolution more amply rewarded than myself But when I see others under the pretence committing the worst of frauds on our government I feel it my duty as a citisan to asert my Government in detecting improper conduct if you see proper to forward to me the athority I hope of I will if living attend strictly to the business and if my servises is found to be of advantage to the department I shall expect to be remunerated for them at the

discretion of the department and if not I assure you I shall ask nothing I Remain yours &c
[signed] DK Harris

[to] Geo M Crump

NB inclosed I send the statements of John Ausbourn and Rubin Marshall about the two Howards I say to you that Mr Ausbourn and Mr Marshall are highly Respectable men whose Statements are to be relied on as much as any men in Ky DKH
in addition to the five you gave me a statement of thare age and service to my own knolledge I am of opinion that the claimes of Stepelton Marshel Wells and Porter and probably that of Brown will all be found to be improper claimes DKH

[From the pension file of Joseph Davis]

War Dept./ Pension Office/ Aug. 6, 1835

Sir [D. K. Harris], Your letter of the 18th ult'o. accompanied by the statements of John Osborn and Reuben Marshall came duly to hand. These statements are herewith returned, in order that they may swear to them. The pensions of Joseph Davis, Bazle Castle, Edward Darton, Thomas Howard and James Howard have been stopped.

So soon as Lists of the Kentucky Pensioners shall have been permitted for circulation, a List embracing all the counties you mention, will be sent to you.

We will be obliged to you for any information respecting fraudulent cases which you may be able to furnish. This Dept. however, can make no compensation for such service. No appropriation by law has been made for such purposes.

[At the bottom of this page is the following anonymous note : "This man retracted his statements about Joseph Davis, see his letter dated Feb. 11, 1842 in claim of Edward Darton, S30983."]

[From the file of Thomas Howard S45796]

Prestonburg Ky/ october 1st 1835

Sir yours of august the 6th and 29th is all to hand enclosing the statements of Ausbourn and Marshall my reason for not answering them before this time I have been absent from home I will when opportunity admits send them back sworn to &c as you request the frauds on your department are numerous and glaring such as an honest community is not willing to put up with without exposure. I say to you there is no difficulty in detecting the wrong if a trial is made by legal authority

[to] The Secretary of War yours DK Harris

NB I inclose the statement of Ausbourn DKH

[The following is in the pension file of Edward Darton S30983.]

Prestonsburge Floyd County Ky February 11th 1842

Dear sir some six or eight years since I wrote to the head of your department on the subject of fraudulent pensions in this section of the government there was two cases that was glaring and certainly fraudulent I mean the cases of Thomas and James Howard. these two cases led to the suspicion of other to that of Edward Darton Boswell Castle & Joseph Daviss which were all stopped the 6th of august 1835 I suppose from the information the department received from me Sir the three latter cases that of Darton Castle and Davis the men live about twenty or twenty five miles from where I do about the last of november last I was in the neighbourhood on the hunt of some work cattle I stopped in at the house of Darton and found him sitting in his chair a cripple not able to get about without help and his wife stone blind I thought of the subject and raised a conversation with the old lady upon the subject of the revolutionary war she spoke sensibly of the services of her husband and of Castle & Davis shee thoroughly convinced me that the suspicion that was against them was wrong and sir I do much regret that it was in and through me they were cut out of their rights but sir I am content that I was guided by no

improper motive my father was a member of the revolution and his Blood mingled amongst the marters of that scane and I feel it a duty that I owe to my goverment to detect frauds against it and likewise I feel it a duty that I owe to my fellow man if I have by mistaken notion or otherwise done them a rong to rectify it. sir they do not know to this Day that I was the cause of thair pentions being stoped and sir it would gratefy my feelings verry much for them to be restored againe I mean the three latter casses as I do assure you that I would be the last to do an injury to a War warn patriot in his last days plesse let me hear from you Respectfully yours/

[Apparently Harris decided to try to get the pensions of Darton and Davis restored. From the file of Joseph Davis:]

Prestonsburg Floyd County Ky Nov 3^d 1843

Sir inclosed I send you the casses of Edward Darton and Joseph Davis as sent to me to forward to the department I also send you the claim of Presley Larkins [R6168]. I would like to hear from the claimes of Misses Wells and Sara Auster you well forward your answer to Prestonsburg Ky yours

Pen Off [Pension Office]/ Aug 16th 44

Sir [David K. Harris Esq'r/ Prestonsburg/ Floyd Co. Ky.] In the case of Presley Larkins it appears that his service was rendered subsequently to the rev'o'y. war and consequently affords no ground for a claim to a rev'o'y pension. Congress has made no provision for those engaged in the Indian War which succeeded the revolution.

The unauthenticated & informal declaration of Edward Darton and the depositions of the Franklins to establish his general character have been examined & filed – His present statement is entirely inconsistent with his original declaration & is too general & vague to admit of a satisfactory investigation. It merely assigns that term to each tour which he was informed the laws of Va. prescribed to the militia and asserts double the number of terms tours set forth in his original statement under oath in 1833 before “his mind” became as “feeble” as his witnesses now represent it.

The add'l. papers in the case of Joseph Davis (also informal) have been examined in connection with those heretofore filed – He now in general terms asserts that he served two tours of 3 mo each in the Va. militia but affords no deta[il] of each as the rules require. It is very clear from his own statement made when his memory was less frail that he now represents it that he served but one tour of 3 mo in the militia & performed for something like 12 mo. that service of vigilance which all the active & young of the Frontier settlers rendered under their own organization for their domestic security. That service is not provided for.

NOTES:

In the 1830 federal census Joseph Davis, Sr. of Lawrence County KY is listed as aged 50 to 60.

Although those who served as Indian Spies were provided for by the 1832 pension act, and Davis was initially credited for that service by the Pension Office, the service was not allowed in the 1844 decision. This reversal in policy occurred in 1834, as discussed in my appendix to the pension application of David W. Sleeth (S6111).