

Southern Campaigns American Revolution Pension Statements & Rosters

Pension Application of Samuel Burkes (Burks) S16670 NC  
Transcribed and annotated by C. Leon Harris. Revised 24 Aug 2014.

State of Tennessee}  
Rutherford County} August Sessions 1832.

On this 23<sup>rd</sup> day of August 1833 personally appeared in open court before the worshipful, Henry Trott, Varner D. Cowen & James C Mitchell Esq's quorum justices of the court of pleas & quarter sessions of said County of Rutherford now sitting, Samuel Burke's resident of said count of Rutherford and State of Tennessee, aged sixty eight 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 the 7<sup>th</sup> 1832.

That he entered the service of the United States under th following named officers, and served as herein stated– That in the year 1779 to the best of his recollection, the day & the month he does not remember, in the County of Surry State of North Carolina where he then lived, at the court house of Surry, he entered the service in the Militia of North Carolina, as a substitute for one Daniel Weaver, for three months in the company commanded by Capt. Salathiel Martin, Leonard Keeling Bradley was first Lieutenant in the first North Carolina Regiment, he does not remember the name of the Col who commanded. His Militia general was named [John Alexander] Lillington. We marched into Wilkes county– Then marched to Charlotte he thinks in Mecklenburg County– Then marched the main road to Charlestown South Carolina where he joined the continental troops commanded by Gen [Benjamin] Lincoln. The other regular officers there whose names he recollects, were Col [Archibald] Lytle Majors Dixon [sic: probably Lt.-Col. Henry Dixon] & [John] Nelson & Captains Lytle & Campbell. He was detached with the others & put under the command of Col Hayne as he now recollects the name, to go on an expedition to Ashley ferry on Ashley river where the British were expected to attempt to cross, he was put under the command of Capt Sloane a militia officer. The enemy attempted to cross, but were repulsed after an engagement with fire arms across the river. After which this Declarant went on to Charlestown & was returned to his company, where he was discharged by Capt Martin on the 24<sup>th</sup> day of March 1780, having served three months in the State of South Carolina. [See note below.] In removing some years afterwards from North to South Carolina he lost that discharge as also two others hereafter to be named, together with fifteen hundred Dollars of depreciated Continental money— Some short time after his discharge Charlestown was besieged & surrendered to the British [12 May 1780], when there was again a call from North Carolina for three months militia or volunteers, This declarant then (he does not recollect the date) in Surry county volunteered for three months, in the company commanded by Capt Absalom Bostwick [sic: Absalom Bostick], (he does not remember the regiment or who commanded it) They rendezvoused at Surry court house, then marched to Salsbury [sic: Salisbury] & joined General [Griffith] Rutherford a militia officer who had 1500 or 1600 troops under him at that place– Then marched near Ramsours mill [in Lincoln County NC], where it was understood a number of tories had collected, who were defeated by the mounted men that preceded us [20 Jun 1780], marched back to Salsbury, thence to the mouth of Rocky river [at Deep River in Chatham County NC], where Col [William Lee] Davidson with a detachment of horse defeated the tories before we reached there– Then crossed Pedee [sic: Pee Dee River] & went down on the East side opposite to the Cheraw hills [in South Carolina] where there was a British garrison on drawing near they evacuated the place & fled. We then recrossed the river & pursued them until we came to Lynchs Creek, where a skirmish ensued & they fled again; we marched then towards Camden & fell in with the army commanded by General [Horatio] Gates in the piny woods, marched to Rugeleys mill [12 mi N of Camden], the enemy then fled towards Camden, marched on until we came to a place called the Gum Swamp, there met with the enemy who attacked the front of the army after they crossed the swamp & defeated us [16 Aug 1780]. We lay at the edge of the swamp that night & in the morning by light the British passed it & attacked our army & defeated us – After the militia had

fled Major Joel Lewis rallied about thirteen of them (declarant among the numbers) who stood about one hundred yards in the rear, until [Gen. Baron] DeKalb's regulars grounded their arms, when they fled, the army was totally dispersed & every man took care of himself. This declarant having served near three months returned home— There being no place of rendezvous appointed he did not get any discharge. Afterwards there was another call for men, he does not remember the date, he entered for three months in the county of Surry the militia company commanded by Capt Samuel Hampton, as a substitute for John McAnally, marched towards the south & joined Major Joseph McDowel [sic: Joseph McDowell] & Col Davidson, went to the Grindle shoals [sic: Grindal Shoals] on Pacolet river & joined there Gen'l [Daniel] Morgan & Col [William] Washington, continental officers Major McDowel commanded the North Carolina militia. The British moved upon us & we retreated up the river for about two days & nights until we reached the Cowpens, in which battle this declarant was [17 Jan 1781]— We retreated with near seven hundred prisoners, when this affiant returned home & afterwards got his discharge from Capt Hampton which he has lost. The British pursued on after Morgan— The Tories were rising in every direction and this declarant was scouting after them under a volunteer capt. named Lovells mounted men he commanded. We then joined General Greens [sic: Nathanael Greene's] army in Guilford County. the battalion to which he belonged was commanded by Major Micajah Lewis. This Declarant was not in the battle of Guilford [sic: Battle of Guilford Courthouse, 15 Mar 1781]— his battalion was ordered to dismount & he was detached to take charge of the horses. After the battle he was discharged by his Capt for a six weeks tour. When he went home he again entered the service (he does not remember the time) for three months as substitute for Williamson Maho in the company commanded by Capt Minor Smith in the first regiment of General Rutherfords Brigade, commanded by Col [Robert] Smith, marched near to Wilmington & was in a skirmish with the British at the brick house, from which we were driven off [on 15 Nov 1781], remained in the neighbourhood several days when this declarant was in another skirmish under Capt Smith near the same brick house The enemy removed from Wilmington [on 18 Nov] when declarant was sent home. Shortly after the surrender of Cornwallis [19 Oct 1781], there being many Tories prowling about and skulking on the borders & in the swamps of North Carolina this Declarant volunteered in Surry as a state ranger under Capt Alison Smith for twelve months to scour the country & defeat the designs of the Tories, in which service he was many months engaged, he does not recollect the length of time precisely in which he was actually engaged in that service – but was a minute man & always held himself in readiness whenever called on. He never got a discharge from this, his captain very shortly after the tour was out moved off to South Carolina He has no documentary evidence & knows of no person whose testimony he can procure to testify to his services – According to the family account he was born in Prince Edward County in the State of Virginia on the 24<sup>th</sup> of July 1764 He has no record of his age that he can refer to & he knows of no register of his birth in existence. After the revolutionary war this declarant moved to Pendleton County South Carolina, lived there about eighteen years – Went to Scott County Missouri, remained there about ten months Thence to the State of Illinois where he lived about eighteen months, Thence back to Rutherford Tennessee where he has last resided for about ten months, That he is known in the neighbourhood where he resides by George Jones, John Newman Stephen White & Robert Miller who can testify as to his character for veracity & their belief of his revolutionary services. He hereby relinquishes every claim whatever to a pension or annuity except the present and declares that his name is not on the pension roll of the agency of any state—

Samuel hisXmark Burks

State of Tennessee }  
 Rutherford County } [7 Jan 1833]

Personally appeared before me the undersigned a justice of the peace for the County of Rutherford & State aforesaid, Samuel Burkes who being duly sworn deposed & sayeth, that by reason of old age & the consequent loss of memory, he cannot swear positively as to the precise length of his service; but according to the best of his recollection, he served not less than the periods mentioned below, and in the following grades. In the company commanded by Capt Martin & Sloan, he served as a

militia man for three months. He served three months under Capt Bostick as a militia man. He served three months under Capt Samuel Hampton as a militia man. He served under Capt Lovell forty two days as a volunteer militia man. under Capt Minor Smith he served for three months as a militia man. under Capt Minor Smith he served twelve months as a state ranger In all he served to the best of his recollection & belief two years two months & fourteen days & for such service I claim a pension.

Samuel hisXmark Burkes

Amended declaration of Samuel Burks in order to obtain the benefit of the act of Congress passed June the 7<sup>th</sup> 1832

State of Tennessee }

Rutherford County } May sessions 183[3]

On this 25<sup>th</sup> day of May 1833 personally appeared in open court before the worshipful Henry D Jamison Varner D Cowan & George A Sublett Esq's justices of the court of pleas & quarter sessions of said county of Rutherford now sitting, Samuel Burkes & who being first being sworn according to law, doth on his oath state & declare, that he is the same person who made a declaration in the County court of Rutherford on the 23<sup>rd</sup> day of August 1832 & to which original declaration this amended one is attached. He states by reason of old age & the consequent loss of memory he cannot state positively as to the precise length of his service, but according to the best of his recollection, He served not less than the periods mentioned below & in the grades herein mentioned. That in the drafted militia company commanded by Capt Salathiel Martin, Leonard Keeling Bradley first Lieutenant & Joseph Gibson ensign, declarant entered the service in the year 1779 as a substitute for one Daniel Weaver, the month & day of the month he does not recollect. He was discharged the 25<sup>th</sup> day of March 1780. his grade was that of a private militia man. He served three months The company belonged to the first regiment of North Carolina militia, he does not recollect the names of the field officers. The militia General was named Lillington, The Continenal Gen'l Lincoln in this tour he was engaged in the battle at Ashley ferry & marched as stated in his original declaration

Afterwards in the year 1780 about the last of May or first of June as near as he can recollect he entered the service in Surry County North Carolina in the Volunteer militia company commanded by Capt Absolom Bostick David Humphreys first Lieutenant, Henry Hardin Ensign, in the first regiment of North Carolina militia, commanded by Col Smith. He thinks Grimes was Lieutenant Col he thinks Micajah Lewis & Joel Lewis were first & second Majors – Rutherford the Militia & Gates the continental general. He was in this tour as well as in the first above stated, actually engaged three months each tour & was in no civil employment during that time, he served as a Sergeant of the second grade in the company during this tour The other particulars of his service in this tour are stated in the first declaration. Afterwards he cannot certainly recollect the time, he entered the service again in the drafted militia company commanded by Capt Samuel Hampton, (he does not recollect the names of the other company officers) as a substitute for John McAnally he entered & served as a private soldier, for the term of three months actual service, in the field & in garrison, having no civil employment during any part of said time. The other particulars of his service are stated in his original declaration.

After the Battle of the Cowpens declarant assisted in escorting the prisoners into the State of Virginia, which was part of his service under Capt Hampton. After this service was performed the time he cannot recollect he again entered the service as a private volunteer militia man in Surry County State of North Carolina for a six weeks tour, in the Volunteer militia company commanded by Capt Lovel, does not remember the names of the other company officers, in the battalion commanded by Major Micajah Lewis He does not know the names of the field officers & the other regimental officers – in this tour he was actually engaged in the service for one month & fifteen days, he was no part of the time engaged in any civil pursuit, nor lying at home, but either march[ing] or in camps allways under arms – during that service our Major Lewis was killed [mortally wounded at Dickey's Farm in NC, 26 Feb 1781]. The other particulars are in his original declaration. Again in Surry County the time he does not recollect, but thinks it was in 1781 near the close of the year, it may have been in 1782 he again entered the service as a

private – substitute for one Williamson Maho, for three months in the company commanded by Capt Minor Smith North Carolina drafted militia men, Lieutenants name Samuel Hampton in the first regiment of General Rutherfords Brigade of mounted militia men, commanded by Col Smith – Locke Lieutenant Col, Grimes one of the Majors. In this tour to the best of his recollection he served three months of actual service as a private soldier, always being in the field or in Camps & not being engaged in any civil pursuit during the time. He refers to his original declaration for the other particulars of his service. This declarant cannot state with any sort of certainty the length of time he was actually engaged in service as a state ranger. He does not know that he can with certainty state any thing more on that subject than what is contained in his first declaration. Samuel hisXmark Burks

NOTES:

According to Patrick O’Kelley (*Nothing but Blood and Slaughter*, Vol. 2, 2004; pp. 28, 66) about 1250 North Carolina militiamen under Gen. John Alexander Lillington were on the outskirts of Charleston for some time, but fearing small pox, they defied orders to enter the city until 10 Feb 1780. The enlistments of Lillington’s North Carolinians expired on 17 March, and only 150 of them could be induced to re-enlist. The British crossed the Ashley River on 29 March, and the city surrendered on 12 May.

On 16 Feb 1840 Samuel Burkes applied to have his pension transferred to Missouri.