

Southern Campaign American Revolution Pension Statements & Rosters

Pension application of Andrew Bay S2940

f43NC

Transcribed by Will Graves

8/17/10 rev'd 6/25/14

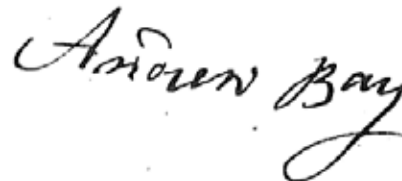
[Methodology: Spelling, punctuation and/or grammar have been corrected in some instances for ease of reading and to facilitate searches of the database. Where the meaning is not compromised by adhering to the spelling, punctuation or grammar, no change has been made. Corrections or additional notes have 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 'indcipherable' 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.]

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To the Hon. the Secretary of War

Your petitioner Andrew Bay show with that during the war of the Revolution he enlisted as a soldier in the service of the United States under Capt. Thomas McCrory which took place on or about the ___ day of January 1777. In the 9th North Carolina Regiment on the Continental Army commanded by Col. John Williams and continued in service of the United States until about the ___ day of ___ 1779 having served about two years and six months and was discharged by Col. Archibald Lytle and Major John Nelson. In South Carolina, the term of service having expired, he received a regular discharge, which has been one out & destroyed by the length of time: not believing it would be important to keep & preserve the [same] – he served and fought in the Battles of Brandywine [September 11, 1777] – Germantown [October 4, 1777] and at the Battle of Briar Creek [March 3, 1779] in Georgia – his Capt. Thomas McCrory is since dead. He does not know of any officer within convenient distance except Capt. James Tatum who knew him in service he returned here with his account made off in the year 1783 by said Tatum & certified by him and a time when his discharge was in existence – he never received any pay or compensation for the account hereto annexed or for any of his services and hereby releases the same he now lives in the County of Wilson & State of Tennessee where he has resided about fifteen years or upwards: he removed from North Carolina soon after the war & have resided West of the mountain ever since he is aged about sixty-three and in a situation not to be able to procure a support or living except by labor and is not able to labor without much fatigue or difficulty, and that he desires to receive such support from the United States by being placed on the Pension list as the laws me entitle him to receive.

S/ Andrew Bay



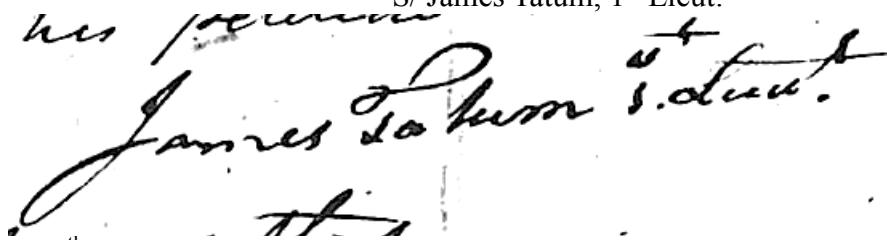
State of Tennessee Wilson County: This day appeared the above named Andrew day before the subscriber Judge of the Circuit Courts for the State of Tennessee holding court in the County of Wilson & being duly sworn saith that the facts set forth in the foregoing petition are true. I therefore certify that from the petition & the facts proved to me I believe the same to be true and recommend the same accordingly

S/ Alfred M Harris, Judge of the 6th judicial Circuit, State of Tennessee

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State of Tennessee Wilson County: This is to certify that I James Tatum¹ personally knew the within petitioner Andrew Bay during the Revolutionary War I served as an officer in the same Regiment with said Bay and knew that he served as a Sgt. Major and was regularly & honorably discharged. I have seen his discharge and do believe the facts set forth in his petition are true.

S/ James Tatum, 1st Lieut.

A handwritten signature in cursive script that reads "James Tatum 1st Lieut." The signature is written in dark ink on a light-colored background.

Sworn to before me this 27th April 1818

S/ Alfred M Harris, Judge of the 6th Judicial Circuit, State of Tennessee

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State of Tennessee Wilson County

For the purpose of obtaining the benefits of an act entitled "An act for the relief of certain Surviving Officers and Soldiers of the Army of the Revolution" approved on the 15th day of 28 I Andrew Bay of the age of 74 in the County of Wilson in the State of Tennessee do hereby declare that I enlisted in the Continental line of the Army of the Revolution for and during the War and continued in its service until its termination – at which period I was a Sergeant Major in Captain Thomas McCrory's Company of the 9th Regiment of the North Carolina line – all of which was heretofore satisfactorily proven by the testimony of Major Tatum and Kenedy Bay – to the Secretary of the Treasury on an application under a former law for a pension in which will now appear by reference to the papers filed in the office at said Department – these witnesses are since dead and it is out of the power of this Declarant to prove the same facts so satisfactorily by any other living witnesses my discharge has been long since lost or destroyed – And I also declare that I afterwards received a certificate for the reward of Eighty Dollars to which I was entitled under a Resolve of Congress passed the 15th day of May A.D. 1778 and I further declare that I was not on the 15th day of May 1828 on the pension list of the United States.

Witness my hand this 28th of October 1828

S/ Andrew Bay

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State of Tennessee Sumner County Court August Term 1829

Declaration of Andrew Bay County of Sumner SS State of Tennessee on this the 10th day of August 1829 personally appeared in open Court being a court of record for the County of Sumner Andrew Bay resident in said County aged seventy-four years who being first duly sworn according to law doth on his oath make the following declaration in order to obtain the provisions made by the act of Congress of the 18th March 1818 and the first of May 1820 that he the said Andrew Bay enlisted for the term of 3 years on the 25th day of December in the year 1776 in the State of North Carolina in the company commanded by Captain Thomas McRory

¹ [James Tatum S39102](#)

[sic] in the Regiment commanded by Colonel Williams [John Williams] in the time [sic, line] of the State of North Carolina on the Continental establishment, that he continued to serve in the said Corps until ___ when he was discharged from the service in the state of North Carolina, that he hereby relinquishes every claim whatever to a pension except the present, that his name is not on the pension roll of any State except the State of Tennessee and the following are the reasons for not making earlier application for a pension, he has been in firmed for about seven years and did not know he was entitled to a pension 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 that since the 18th day of March 1818 note changes have been made in my property the following is a schedule of my property I own at present one Roane mare worth \$35, one Bay horse \$15, 2 steers \$8, 2 cows at \$14, 8 head of hogs \$12, 6 head of sheep \$3, 216 acres of land \$648 my family consist of myself, my wife about 74 years old & very infirm a daughter of about 25 years of age My occupation is that of farming but I have been so infirm for the last six years that I have been in capable of doing my labor.

S/ Andrew Bay

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State of North Carolina, Secretary of State's Office.

I William Hill Secretary of State in and for the State aforesaid do certify, that it appears from the musterrolls of the Continental line of this State in the revolutionary war, that Andrew Bay a Sgt. Major of the 9th Regiment was enlisted on the 1st day of May 1777 for the War, and that he was omitted on ___ of January 1778. Nothing more is said of him on said Rolls, but it appears from the Warrant book that on the eighth of May 1774, a warrant was issued to him for 2 1/2 years service, and drawn by Major Nelson, from which it is believed he the said Andrew Bay serve the term of 2 1/2 years.

Given under my hand at Office in Raleigh this 14th day of March 1829.

S/ Wm Hill

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State of Tennessee Wilson County: Court of Pleas & Quarter Sessions September Term A.D.

1832: 13,543

Declaration of Andrew Bay to obtain the benefit of an Act of Congress passed the 7th of June 1832

This day personally appeared in open Court before the undersigned Justices of the Peace for the County of Wilson holding the County Court of said County now in session Andrew Bay who made oath according to law that in the year 1818 he was placed on the pension roll of the agency of the State of Tennessee as it appears from the annexed certificate of Stephen Cantrell the then Pension agent for West Tennessee he continued to draw for two years and upwards as well as he now remembers and was stricken from the Pension Roll in consequence of his owning more than \$200 worth of property. Applicant enlisted in Guilford County in the State of North

Carolina in 1776 under Captain McCrory [perhaps Thomas McCrory of the 9th NC Regt.] for three years and served two and one half and was discharged in consequence of infirmity. Soon after he enlisted he was promoted to the Rank of Sergeant-Major in which office he continued until he was discharged. Said Bay was attached to the 9th Regiment of North Carolina Troops commanded by Col. Williams [John Williams], William Polk now Col. Polk of Raleigh North Carolina acted as Major to the Regiment – the evidence of the services of applicant were forwarded to Washington City at the time he was placed on the pension Roll and still remains there his service was clearly proven by Col. Polk² who was at that time on a visit to Tennessee and by Kenez [?] Bay who was likewise in service with him and under the proof made at that time he was allowed to draw the pay of Sgt. Major of nine dollars a month for the time mentioned as aforesaid – applicant during his service was in the Battles of Brandywine [September 11, 1777], Germantown [October 4, 1777] and Brier Creek [Briar Creek, March 3, 1779]. At the time he was placed on the pension roll he was a resident of Wilson County and still is a resident of said County of Wilson – his name has not been on the pension agency of any State except the State of Tennessee from which it was stricken – on account of his little property. Applicant is now 77 years of age is very poor and infirm and will be greatly aided by any bounty from his Country. He hereby relinquishes every claim to a pension or annuity except the present.

Sworn to and subscribed in open Court this 25th of September A.D. 1832 before me.
S/ J. J. McClain, Clerk

S/ Andrew Bay

[Robert M Burton and Robert Campbell gave the standard supporting affidavit.]

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This may certify to all whom it may concern that Andrew Bay a Sergeant Major is enrolled on the pension List Roll of the West Tennessee Agency to Commence on the 27th day of April 1818 and that I made sundry payments to said Bay as a Pensioner which appear by reference to the Rolls in the War Department and that I was instructed by the War Department to discontinue the payment to said Pensioner the said Bay resided in Wilson County of this State at the time I paid him.

S/ Stephen Cantrell
late Pension Agent
7th September 1832

[Veteran was initially pensioned at the rate of \$8 per month commencing April 27, 1818 for his service as a Sergeant Major in the North Carolina Continental line. He was subsequently stricken from the list because he owned property valued in excess of that permitted under the 1818 and 1820 Acts. Under the 1832 act, veteran was pensioned at the rate of \$120 per annum commencing March 4th, 1831, for 2 years' service as a Sergeant Major in the North Carolina line.]

² I did not find either the statement said to have been made by William Polk or that of Kenez [Kenedy Bay] in this file. [William Polk S3706](#). I found no federal pension application filed by anyone named Kenez Bay or any similar name.