

Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of Christopher Kerby (or Kirby) S32356

f16NC

Transcribed by Will Graves

rev'd 10/30/09 & 5/28/15

[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' 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.]

Arkansas Territory, Washington County

On this 19th of December 1835 personally appeared in open court before Archibald Yell said sole judge of the third circuit court in and for the County of Washington aforesaid at the courthouse in the town of Fayetteville in said territory now in court sitting, Christopher Kerby, a resident of the County of Washington aforesaid, aged Seventy-five years since the 10th day of September last, who being first duly sworn according to law, doth on his oath make the following declaration in order to obtain the benefit of the provisions made by the act of Congress passed June 7, 1832.

That he enlisted in the Army of the United States in the County of Surry in the State of North Carolina a place called the Old Store near the Yadkin River in July 1779 in the company of light horse volunteer dragoons commanded by Captain William Underwood and in the regiment under command of Colonels Martin Armstrong and Joseph Williams. That upon his enlistment or entering into service as aforesaid he was selected the company Ensign then held the commission and commanded the said company as Ensign. Applicant cannot state with precision the time he entered into Captain Underwood's company, but states that to the best of his recollection that it was in the latter part of July 1779.

He states that from the Old Store mentioned above said company under command of officers aforesaid proceeded across the line into the state of Virginia and through that section of country bordering on the line traversing the now counties of Henry, Patrick, Wyeth, and Washington in the state of Virginia. The object of their expedition being to take, dispose or kill a party of Tories who had passed into Virginia from North Carolina and were devastating the country and otherwise annoying the Whigs. In this service applicant continued to act and served as Ensign in Captain Underwood Company until sometime in December next after his having entered the service as aforesaid when the troops were discharged at Captain Garland's near the Flower Gap in the State of Virginia applicant having acted and served as Ensign of Horse in said company not less than four months and five days as to the best recollection and belief.

This applicant further states that on or about the first of July 1780, he again volunteered as private in the Army of the United States at Surry Courthouse North Carolina and served as a volunteer private of Horse or dragoons in the Horse or dragoon company commanded by Captain James Shepherd. From Surry Courthouse Captain Shepherd proceeded with his company to Freeman's on the Yankee River, where his company was joined by companies commanded by Captains Joseph Phillips and Minor Smith, that the three companies were then and there placed under command of Major Joseph Winston and from thence proceeded to Wilkes Courthouse North Carolina where they were joined by other

troops which with the three companies aforesaid composed the regiment under command of Colonel Benjamin Cleveland of North Carolina militia or volunteers. That at Wilkes Courthouse Ensign William Hewitt of Captain Shepherd's company exited from the service and this applicant was then and there appointed to fill the vacancy thereby accruing. That in the early part of August 1780 said Regiment under officers aforesaid proceeded up the Catawba River where it joined the regiment of troops under command of Colonel's Isaac Shelby, John Sevier and William Campbell; that said troops commanded by officers aforesaid advanced to the Cowpens, South Carolina where they were joined by Colonel James Williams with a small force of South Carolina volunteers. From the Cowpens, the combined force under command of officers aforesaid proceeded to Kings Mountain where they engaged [October 7, 1780] and defeated the British and Tories under command of Major Ferguson [Patrick Ferguson], in which battle this applicant acted as an Ensign in Captain Shepherd's company aforesaid. From Kings Mountain after the battle the American troops proceeded on their return as far as the head of King's Creek in Wilkes County at which place this applicant was detached with a small party of man under him to disperse, take or kill a party of Tories near Fisher's Gap in Surry County commanded by one Goins. In pursuance of the aforesaid arrangement he marched with his party to the place designated, but the Tories were then understood having received intelligence of the inevitable attack secreted themselves or retired from that section of the country, and applicant returned with his party to Surry about the last of October 1780 as is his best recollection and discharged his little party, the body of the troops having been previously discharged at the aforesaid town. Applicant states that he served as a volunteer private of Horse or dragoon one month and as Ensign two months and 15 days in the Horse or dragoon company under command of Captain Shepherd as stated above and to the best of his recollection and belief.

In the last of January or February as is his recollection in the year 1781 this applicant entered into the Army of the United States at Hamlin's old store [sic Hamblin's old store] in Wilkes County and under command of Captain Joel Lewis as a private of Horse or dragoons. Captain Lewis marched the company this applicant being one from thence and proceeded to reconnoitered the British between Salisbury and Moravian towns, arrived at last mentioned place, and pushed on to Guilford to General Greene's [Nathanael Greene's] Army. By orders of General Greene, as applicant understood, Captain Lewis returned with his company to protect the country from the Tories and was not afterwards called into service to the best of his recollection.

This applicant upon his oath deposeth and saith that by reason of old age and the consequent loss of memory he cannot swear positively as to the precise length of his service as a revolutionary officer and soldier but according to the best of his recollection he served not less than the periods and in the grades mentioned above which he recapitulates as follows (to wit):

For four months and five days, he served in Captain Underwood company has an ensign of horse or drug guns (4 months, five days). For one month he served as a volunteer private of Horse or dragoons in Captain Shepherd's company (one month). For two months and 15 days he served as Ensign in said last mentioned company (two months 15 days). For two months he served as a volunteer private of Horse or dragoons under Captain Lewis (two months): making a total of nine months and 20 days service, six months and 20 days of which he acted as Ensign as aforesaid and for such service he claims a pension.

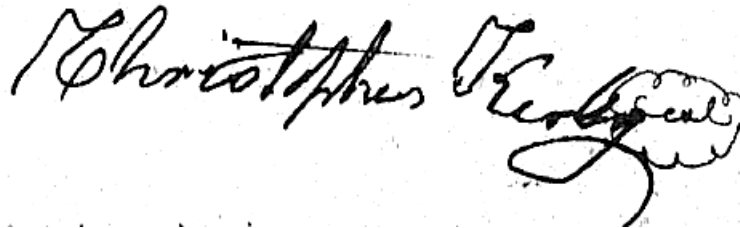
The judge aforesaid in open court then and there propounded to said applicant the following interrogatories in to which said the applicant made the following answers (to wit):

1. Where and in what year were you born? Answer: I was born in Halifax County state of Virginia on the 10th day of September 1760 as I have been informed and believe. 2. Have you any record of your age, and if so where is it? Answer. I have no record of my age. 3. Where were you living when called into service: where have you live since the revolutionary war and where do you now live? Answer I lived in Surry County, North Carolina, when called into service. Since the revolutionary war, I removed from thence to Greene County, State of Tennessee, from thence to Washington County, Arkansas Territory where I now live. 4. How were you called into service, were you drafted, did you volunteer, or were you a substitute, and if a substitute, for whom? Answer: I volunteered. 5. State the names of some of the regular officers who were with the troops where you served, such Continental and militia regiments as you can recollect and the general circumstances of your services. Answer: I have no recollection of any regular officers being with the troops where I served; only at Guilford for a short time General Greene was there and other officers of his division, they were strangers and their names I do not remember. The Virginia, North Carolina and South Carolina regiments under command of Colonels Campbell, Shelby, Sevier, Williams and Cleveland and almost all were in service at the times and places respectively mentioned in the foregoing narrative and to which I also refer for an account of the general circumstances of my service. 6. Did you ever received a discharge from the service as a soldier, if so, by whom was it given and what has become of it? Did you ever received a commission, if given and what has become of it? Did you ever receive a commission and if so by whom was it signed and what has become of it? Answer: It is my best recollection that I received a discharge given me by Captain Lewis from the service as a private and I have a perfect recollection of having had a commission as Ensign in Captain Underwood's company and also in Captain Shepherd's company. Applicant cannot be positive, but unless he is much mistaken, the first mentioned commission was signed by Colonel Joseph Williams, the second by Colonel Cleveland. These commissions and he thinks the discharge also, this applicant retained in his possession until sometime in the year 1826 or 27 when in the County of Greene and state of Tennessee his house was burned and all his papers, the commissions and discharge also, as he thinks, destroyed in the conflagration. 7. State the names of persons to become you are known in your present neighborhood and who can certify as your character for veracity and their belief of your services as a soldier of the revolution. Answer: James Coulter, Senior; John Dodson; Jonathan Newman; Robert Parks; Mark Bean; and James Crawford can testify as to my character for truth and I am confident in their belief of my having served as a soldier of the revolution.

Applicant states that he has no documentary evidence to support his claim to a pension nor does he know of any person now alive by whom he can prove his services as a soldier of the revolution as set forth herein. He states that shortly after the intelligence of the passage of the act of Congress of the 7 June 1832 reached him, your applicant made his declaration under said act and placed it in the hands of a certain Bennett H. Martin Esquire for the purpose of being transmitted to the War Department at Washington City. That said Martin has left the section of the country and applicant has not received a commission certificate, and is also ignorant of the fate of his declaration. He hereby relinquishes every claim whatever to a pension or annuity but the present and declares that so far as he knows or believes his name is not on the pension roll of any agency of any State or territory. Confident of his right to a pension, and confiding in Mr. Martin to present his claims to the appropriate department, he has delayed this long without further effort to obtain a pension, which he hopes will be satisfactory explanation for this seeming neglect to present his demands and claims to the proper tribunal.

Sworn to and subscribed the same day in year first aforesaid in open court.

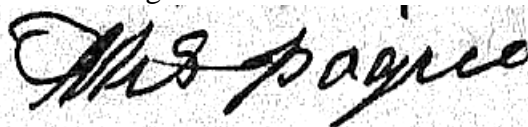
S/ Christopher Kirby

A handwritten signature in cursive script that reads "Christopher Kirby". The signature is written in dark ink on a light-colored background.

And afterwards (to wit) on the same day and year aforesaid in the Territory and County aforesaid, in the same Courthouse in before the same Judge in Open Court sitting as aforesaid personally appeared Thomas Pogue a resident of the County of Washington aforesaid who being first duly sworn according to law doth on his oath depose and say that he has heard the foregoing declaration of Christopher Kerby read and that the statement of services therein, according with statements uniformly and often made by the said Kerby in the presence and hearing of this deponent many years ago. This deponent expressly states that he lived within 1/2 mile of said Kerby for 20 years in Sevier County State of Tennessee and then and there saw a commission or commissions in the possession of said Kerby constituting him an Ensign in the service of the United States during some of the Revolutionary War. He states that they were then viewed by him as of little importance, and he did not examine them minutely and his memory does not now enable him to state the date, company, or name of the person by whom the same were signed. This deponent, well recollects the burning of the said Kerby's dwelling house as stated by him and that it was talked of and believed by the family and neighbors as this deponent has reason to know and believe, that the papers of said Kerby were destroyed in the house at that time it was burnt. This deponent have known applicant Kerby many years and lived in his immediate neighborhood, that he has been always considered a man of truth and as a soldier of the Revolution, and this deponent concurs in that opinion.

Sworn to and subscribed the same day and year aforesaid.

S/ Thos. Pogue

A handwritten signature in cursive script that reads "Thos Pogue". The signature is written in dark ink on a light-colored background.

[William Larrimoma [?], a clergyman, B H Smithson, John Campbell, L. Evans, L. C. Pleasants, J. M. Hoge, L. B. Tully and James Crawford gave the standard supporting affidavit.]

[Veteran was pensioned at the rate of \$25 per annum commencing March 4, 1831, for service as a private for 6 months in the North Carolina cavalry of militia.]