

## Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of Joseph Kerr S4469

f56NC (2 files)

Transcribed by Will Graves

4/3/06: rev'd 10/20/09 & 4/9/16

[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 8<sup>th</sup> of June 1786." Please call material errors or omissions to my attention.]

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State of Tennessee, White County: SS

On this 4<sup>th</sup> day of September 1832 personally appeared before me Nathaniel M Williams, Judge of the Circuit Court of Law and Equity for said State now sitting in the said County of White, Joseph Kerr a resident of White County and State of Tennessee aged about Seventy two years who first being 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 7, 1832.

That he entered the Service of the United States and served as herein stated. In the year of 1778 or 1779, he cannot remember which, he lived in Mecklenburg County North Carolina. The British and Tories were very troublesome in that part of the Country and at that time. This Declarant has been a cripple from his infancy, properly termed an invalid and not subject to military duty—at the pressing solicitation of his suffering neighbors who were exposed to the ravages of the enemy, this Declarant went to Genl. McDowell [Charles McDowell] in Rowan County (as he now thinks) and offered his services to him as a “Spy”—The offer was thankfully received and this Declarant entered the service in that character. He was sent by Genl. McDowell from Rowan North Carolina to Tiger River [Tyger River] in South Carolina, near Blackstocks ford, to watch the operations of the British and Tories. He found some British and Tories to the number of about fifteen hundred, as well as he now recollects, quartered on Tiger River, on the South side about half a mile below the above mentioned ford. He then returned to Rowan County, N.C. and apprised Genl. McDowell and Col. Steen [James Steen] of the discoveries he had made. From Tiger River to Genl. McDowell’s station in Rowan County, he believes was about ninety miles—he was well mounted, and traveled night and day until he reached Genl. McDowell—On receiving this information Genl. McDowell, Col. Steen and the troops with them, marched to Smith’s ford on Broad River, South Carolina. Here Genl. McDowell remained with a part of the troops, and detached Col. Steen, with about six hundred men, as well as Declarant now recollects to go against the British and Tories at Blackstocks ford on Tiger River, where their situation had been particularly spied out by this Declarant. Col. Steen with his troops came upon them rather by surprise, routed and defeated them. Col. Steen in this engagement lost four men Killed and had seven wounded. He took no prisoners, but Killed, as Declarant thinks, from fifty to a hundred of the British and Tories. Declarant then returned to North Carolina and Joined Col. Williams [James Williams] as a spy—he thinks it was Rowan County. By this time, the above named Col. Steen, who commanded the South Carolina “Refugees” had joined Col. Williams—from there, they marched near to the Cowpens, in order to Join what were called the

“Overmountain troops” under the command of Cols Sevier [John Sevier], Cleveland [Benjamin Cleveland] and Shelby [Isaac Shelby] —Col. Steen informed the other officers that this Declarant was known to him as a faithful and efficient spy, as a true friend to his Country, and one in whom the utmost confidence Could safely be reposed—Cols. Sevier, Cleveland, Shelby and Steen then held a counsel in presence of this Declarant. They knew that Ferguson [Patrick Ferguson] with his British and Tories was then stationed about twenty miles from them, at Peter Quin’s old place, about six or seven miles from Kings Mountain and between said mountain and where our troops then were. The result of this counsel held by the officers was that this Declarant should go, and reconnoiter Ferguson’s position which he did—He found the British and Tories encamped about one hundred yards a part and their arms stacked up, and no sentinels. This Declarant gained easy access to them by passing himself for a Tory—as Tories were then numerous in that part of the Country—He believes, but in this he may be mistaken, that Ferguson’s strength including British and Tories, was not exceeding fifteen hundred—He ascertained from the Tories that they intended, on the evening of that day to go from Quin’s old place to the top of Kings mountain and to remain there a few days, in order to give protection to all the “rebels” who would Join Ferguson’s standard—After obtaining this information and making these discoveries, this Declarant returned the next day to Cols Sevier, Shelby, Cleveland and Steen, having staid all night at the house of a Tory who lived about ten miles from Quin’s old field—He reached our encampment about sunset—The officers immediately collected round this Declarant in order to ascertain what his discoveries had been—He gave a brief, but circumstantial account of them to the said Sevier, Shelby, Cleveland, Steen and Williams, whose name has been unintentionally omitted, in his last references to the officers—Williams was present at each counsel that was held—The conclusion was that they would march that very night—in the direction of Kings mountain—a distance, he believes, of about twenty seven miles or perhaps only twenty six—Sevier, Cleveland, Shelby, Steen & Williams with their troops, reached Kings mountain the next day (having marched all night) about 10 o’clock—and completely surprised Ferguson and his troops by surrounding them—Sevier occupying one position, Cleveland another, Williams another, Shelby another, and Steen another. The engagement he thinks lasted about an hour, but in this he may be mistaken—the defeat of Ferguson was complete [Battle of Kings Mountain, October 7, 1780]<sup>1</sup> —about two hundred and fifty were killed on the ground, about Seven hundred and fifty taken prisoners—the balance escaped. They were principally Tories—We lost about twenty five killed on the ground—many wounded—of which number was Col. Williams, who was wounded in several places. A mortal wound in the groin as this Declarant believes, terminated his life on the next day after the battle before 12 o’clock—this Declarant well remembers conversing with him after the battle—He knew he must die, and did so, cheerfully resigned to his fate. From the time this Declarant first entered the Service as a spy, until the battle of Kings Mountain, was some thing like one year and some few months, but how many he does not know.

This Declarant then left the service by permission and returned to Mecklenburg County—where he remained some little time—how long he does not remember. He had before the war lived in South Carolina in the County or District of York—had been well known there, and his fame as a spy had reached the settlement where he had lived—his acquaintances, to the number of Eight or ten, in York County South Carolina wrote a letter to him describing their distress and exposed condition, and imploring aid—He showed this letter to the officer commanding the Refugees in North Carolina near the Yadkin River. Col. Steen was now dead, having been killed

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<sup>1</sup> [http://www.carolana.com/SC/Revolution/revolution\\_battle\\_of\\_kings\\_mountain.html](http://www.carolana.com/SC/Revolution/revolution_battle_of_kings_mountain.html)

by the Tories—and who commanded these refugees he cannot now tell—for the reason that he does not remember. Thirty one of the Refugees came with this Declarant back to Mecklenburg, where he made his home, at the house of his uncle Joseph Kerr. It was about fifty miles from here to York S.C. as he now thinks, from whence this cry of distress above spoken of proceeded. At the instance of Capt. Barnett who commanded the few refugees who returned with him to Mecklenburg, this Declarant proceeded to York, for the purpose of making discoveries—Barnett's object was to get accurate information, and then procure force sufficient from other Sources, to make a successful attack upon them. This Declarant went, and in the character of a Tory gained access to the camp of Genl. Floyd, and Captain Hook [sic, Christian Huck] British & Tory officers—Hook commanded the dragoons. But here, this Declarant was recognized by some of the Tories—they were there, in great numbers under Genl. Floyd—and on this occasion he came very near losing his life—He was personally known to some of the Tories who told Captain Hook that he was “a damned Rebel Spy.” Hook drew his sword over the head of this Declarant, and repeatedly menaced, and threatened his life—after continuing to menace and threaten for some time, Hook told him, as there was no positive proof against him, he would spare his life on condition that he would remain there until the Thursday (and take the oath of allegiance and come under his protection—he having as he said, appointed the next Thursday as a day on which he would administer the oath to rebels in general—stating at the same time, in these words, “young man I am damned suspicious of you, you can do us more damage than two hundred fighting men in the field.” Stating that if ever this Declarant returned to North Carolina and was brought before him again, he should not live two minutes—this Declarant was not retained in custody, but pledged himself to remain until the following Thursday and take the oath and come under protection of Capt. Hook—He however effects his escape, as there were no sentinels, and as Capt. Hook believed and so expressed himself that there was not “a rebel army” in five hundred miles—This Declarant made his way to his horse, where he was tied in the bushes some distance from the camp. He traveled all night—leaving the British and Tories in the afternoon he reached Capt. Barnett and his thirty one refugees a little before day—the next morning he described the condition of the enemy to Capt. Barnett—which was this—the British and Tories were encamped in an old field near a house—without sentinels as above stated—adjoining them was another old field, measurably grown with pines and was tolerably thick set with pine saplings—Capt. Barnett with his thirty one men, determined to set out for the British and Tory encampment—They did so, and traveled in day light, till they came in about fifteen miles of the encampment—The balance of the way they traveled in the night and reached the above mentioned old field, viz. the one which was grown up with pines, between midnight and day—this was on the second night after Declarant left the British and Tory encampment. Barnett and his men, having tied their horses behind the field, cautiously and silently advanced upon the British and Tories, and found them asleep—Capt Barnett's orders were that as the night was very dark, his little band should advance to where the men were asleep, and ascertain from their breathe or breathing, where their heads lay—at a concerted signal, every man was to fire and fire all at once—which signal was this—old Mr. Gipson, at the head of the line, was first to fire, and the balance to fire immediately. They did as they were ordered, and literally obeyed the directions given—the fire was fatal—Capt Barnett's men commenced reloading, and hollowing, and giving the word of Command, and calling upon Generals and Colonels to surround the enemy; this was done for the purpose of impressing the enemy with the belief that they were attacked by a large force—The artifice succeeded—there was killed of the enemy about Ninety

seven, principally British; amongst whom was Capt. Hook<sup>2</sup>—The enemy retreated in the utmost confusion, leaving their arms, ammunition, horses and saddles, and some of them leaving their hats—In short, the defeat and route of the enemy was decisive—this was the last of this Declarant's services to his country—He has no documentary evidence by which he can establish the foregoing facts—nor any living witnesses within his reach.

1. This Declarant was born in Chester County, Pennsylvania 3 November 1760.
2. He has a record of his age which can now be seen and inspected in the town of Sparta, White County, Tennessee.
3. When he entered the service, he lived in Mecklenburg County, North Carolina—after the close of the war he went to South Carolina York District. From there he removed to Wilson County, West Tennessee. From there he came to White County where he now lives; and has lived about Nineteen or 20 years.
4. He has already stated the manner in which he was called into service, and the General circumstances of his service, with such officers as he was acquainted with.
5. He never received any discharge, never in fact having been subject to military duty and only being engaged as a spy, he rode his own horse and being in easy circumstances measurably bore his own expenses.
6. He states the names of the following persons in his present neighborhood who can Testify as to his character for Veracity and their belief of his services as a soldier of the Revolution, to wit—Isaac Taylor, Jesse Lincoln, Anthony Dibrill and the Rev'd Memucan Wade.

He hereby relinquishes every claim to a pension or annuity except the present and declares that his name is not on the pension roll of any agency in any State.

S/ Joseph Kerr



The foregoing declaration was today signed in open Court the day & year aforesaid.

S/ A Dibrill, Clerk

[Memucan Wade, a clergyman, and Anthony Dibrill gave the standard supporting affidavit.]

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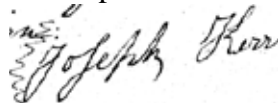
State of Tennessee

White County

April 18<sup>th</sup> A. D. 1833

Personally appeared before me the undersigned a Justice of the Peace in and for the County aforesaid who bring duly sworn deposeseth 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 but according to the best of his recollection he served not less than Two Years and for such service he claims a pension.

S/ Joseph Kerr



Sworn to and subscribed before me day and date above written

Joseph Kerr, Jr.

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<sup>2</sup> The veteran appears to be describing the engagement variously known as the Battle of Williamson's Plantation, Battle of Brattonsville and Huck's Defeat, July 12, 1780, but the details he give bear no relationship to the facts known about that engagement.

Justice of the Peace

*Joseph M Kerr Jr.*  
*Justice of the Peace*

State of Tennessee

White County

I Jacob Adams clerk of the Court of Pleas and Quarter Sessions in and for the County of White do hereby certify that Joseph Kerr, Junior whose name is subscribed to the above affidavit of Joseph Kerr, as Justice of the Peace, is now and was at the time of subscribing the same as such an acting Justice of the Peace in and for said County legally commissioned and Qualified and [balance too difficult to make out.]

[Veteran was pensioned at the rate of \$80 per annum commencing March 4<sup>th</sup>, 1831, for service as a private in the North Carolina militia for 2 years.]