

Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of Walter Leak S7136

f38NC

Transcribed by Will Graves

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[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.]

[p 36: Note: There are more thorough annotations in the declaration dated January 25, 1833 transcribed below.]

North Carolina Richmond County: Court of Pleas & Quarter Sessions

On this day the 19th of July 1832 Personally appeared in open Court before the Worshipful Justices of the Court of Pleas & Quarter Sessions now sitting Walter Leak a resident of the County and State aforesaid aged Seventy-one 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 7th 1832 – that he enlisted in the Service of the United States under the following named officers and served as herein stated Viz. – He resided at the Commencement of the War in Anson County N. C. In 1778 he was then drafted to proceed against the British forces in Georgia, but that he hired Alexander McDaniel as a Substitute who proceeded thither under General Ashe of N. C., that about three months after the defeat of the Americans at Briar Creek Georgia [March 3, 1779], he volunteered under Captain Dyjearnett (Thomas Wade Colonel) and continued under his command until sometime After the Capture of Cornwallis [Yorktown, October 19, 1781], that he was in the two battles of Betty's Bridge in the So. Eastern part of this County. That he was afterwards in two Battles at the Brick House near Wilmington N. C. under General Rutherford, he is certain that he served two years at least. I served as a [2 or more words indecipherable]¹

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.

Sworn to & subscribed the day & year above written.

S/ Walter Leak (71 years old)

Test

S/ M. D. Crawford, Clerk

[Mastin D Crawford, a clergyman, gave a standard supporting affidavit.]

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State of North Carolina, Richmond County: Court of Pleas and Quarter Sessions January Term 1833

On this 25th day of January 1833 personally appeared in open Court the worshipful Court of Pleas and Quarter Sessions now sitting Walter Leak, Sr., a Resident of the County of Richmond and State of North Carolina Aged Seventy-two years (or in his Seventy Second year) who being first duly sworn according to law doth on his oath make the following declaration in order to obtain the Benefit of the Provision made by the act of Congress passed June 7th, 1832. That he entered the Service of the

¹ *h. f. on high*

United States under Captain Dejarnet [sic, John DeJarnette²] who was under the immediate command of Colonel Wade [Thomas Wade] and Colonel Love [probably Lt. Col. David Love] who were the officers in Command for the County of Anson he thinks the commencement of his Service was in the fall of 1779, that when he first entered the Service under Captain Dejarnet he took an oath which was in Substance to hold himself always ready at a minutes warning to march against the Tories and suppress all disaffection which might break out in the circumJacent [circumjacent] Country which was literally a Hot Bed of Tories. Hence he became what was known in that day & time as a Minute Man – that he was in constant Service until they were forced off by the British & Tories embracing a period of service of six months, that this length of Service is impressed on his mind from the circumstance of his knowledge of serving from the fall of 1779 until after the defeat of Charleston which was in the spring of 1780 [May 12, 1780, Charleston fell to the British] which defeat cast a Gloom over the American Army: emboldened the disaffected & Tories, who immediately overran this Section of the State and forced the Whigs off that he went to Buckingham County in the State of Virginia at which place he was Born and to which he retreated that he went in company with his Captain Dejarnet, Colonel Davidson [William Lee Davidson?] and Bedford Broune that he remained in the State of Virginia but a short time he thinks not more than six or eight weeks probably three months when he returned into North Carolina under the protection of General Stevens [Edward Stevens] who had marched into North Carolina with six or 700 Virginia Militia, that he left General Stevens at Hillsborough North Carolina returned to his former residence on Pedee [River] and was immediately taken prisoner by the British Dragoons under Major Sutherland who was Stationed at Anson Court House North Carolina that he was charged with having been a Spy Personally examined by Sutherland, that he was told if he did not take the oath, that he would be sent on to Charleston and there placed on board of a Prison Ship that being quite young and much alarmed for his Personal Safety he was forced to take the oath alluded to and was by Major Sutherland discharged without losing no time he made his escape and joined the Montgomery Militia Commanded by Colonel Davidson the time he thinks was in September 1780, that they then went in pursuit of the Tories commanded by Colonel Fanning [David Fanning] in Moore [County] adjoining Montgomery County, they dispersed the Tories and took the Prisoners to General Rutherford [Griffith Rutherford] who had by that time got into Montgomery, that he was one of those who took the Prisoners to General Rutherford's Army who was then marching into South Carolina, that he was in some few days sent with an express from Colonel Davidson to General Gates [Horatio Gates], who was then marching on through North Carolina into South Carolina, that [he] came up with General Gates who was encamped at Mask's Ferry in the County of Anson that he delivered his express in Person to General Gates that he was immediately started by General Gates with a Package or dispatch after General Rutherford, that he overtook General Rutherford's Army at Lynches Creek, delivered his dispatch and received an answer back for General Gates, that he came to General Gates marching on to Camden delivered it to him & General Gates gave him a Request or Certificate, (or something he knows not what) that he returned to his Captain Dejarnet and Colonel Davidson who had been directed to follow General Gates, that we did follow but we met the Virginia Militia and some few of the Regulars, who had just been defeated at Camden [Battle of Camden, August 15-16, 1780],³ we then fell back into Montgomery where Colonel Childes [sic, Thomas Childs] made a Stand at his own House which stand they maintained and would Sally forth against the Tories under the command of Colonel Fanning and Colonel McNeill [Hector McNeill] that he was in two engagements against the Tories both at Bettys Bridge [sic, Beatti's Bridge]⁴ which Battles took place in September 1781 [sic August 1781] where the Americans met with a total defeat, we were commanded by Colonel Childes, Col. Wade

2 Several other veterans from Anson/Richmond area made reference to a Captain John DeJarnette in Col. Thomas Wade's Regiment. See, [R5485 Samuel Ingram](#) [S27556 William Martin](#) & [S3174 James Cole](#)

3 http://www.carolana.com/SC/Revolution/revolution_battle_of_camden.html

4 http://www.carolana.com/NC/Revolution/revolution_beattis_bridge.html

[Thomas Wade] & Colonel Love from the time we continued in service until we joined General Rutherford, I was commanded immediately I think by Col. Smith [Robert Smith], who was Colonel of the Cavalry, our Colonel marched us into South Carolina upon the Waccamaw between Waccamaw & Wilmington, we were stationed there for the Purpose of Stopping the Communication between the British at Georgetown and the British at Wilmington, we was afterwards marched to Wilmington where he was in two Battles with the British at the Brick House [November 15, 1781]⁵ but was repulsed in both engagements, that they had intended to make the third attack on the British at the Brick House had prepared themselves and was marching to the attack, they captured a Tory who informed them that they had received news of the Surrender of Cornwallis, when we arrived at the Brick House we found that the British had evacuated (this was in the latter part of October 1781). In our absence the Tories under Colonels Fanning & McNeill had again well neigh run over the Counties of Anson & Richmond, we who belonged to the Counties of Anson, Richmond & Montgomery returned from Wilmington into the aforesaid Counties after scouring the Country in pursuit of Colonel Fanning & McNeill for some time (cannot tell what time) he was discharged. He takes the occasion to say that when he was at the Engagement at the Brick House at Wilmington that General Rutherford was not there but was Stationed on the opposite Side at the distance of one or 2 miles. He states during the whole length of service he always volunteered (cannot tell what precise time he was in the service) but distinctly recollects that he was out from the Commencement until some few months after the defeat of Cornwallis – he does not Entertain an existing doubt but what he served two years and will therefore fix on that period as the time. He further states that there was a part of his Services, or rather something connected therewith, which he has not mentioned but which took place before the time he dates the commencement of his Services, the circumstance to which he alludes is the following, viz., that in 1778 he was drafted in the County of Anson North Carolina to proceed against the British in Georgia, that he did not go, but hired a Substitute one Alexander McDanold [sic, Alexander McDonald?] who did go under General Ashe [John Ashe], He states that he has no documentary evidence having lost all his papers and the discharge which he received. He states that there are now living (viz.) John McAlister,⁶ William Thomas,⁷ Thomas P. Williams⁸ and Moses Knight⁹ who can testify as to the fact of my services regularly in behalf of my Country for they know and were with me at least two of them in some of the Battles which I was in I have also the affidavit of Samuel Ingram¹⁰ of South Carolina who also speaks as to my Service.

He hereby relinquishes every claim whatever to a camp pension or annuity except the present and declares that his name is not on the Pension Roll of the Agency of any State.

Sworn to and Subscribed the day and year aforesaid.

S/ Walter Leak, Sr. 72 years



Test: S/ M. D. Crawford, Clk

[Martin T. Crawford, a clergyman, and Elias Sinclair gave the standard supporting affidavit.]

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Interrogatories put by the Court --

⁵ http://www.carolana.com/NC/Revolution/revolution_brick_house.html

⁶ [John McAlister W1887](#)

⁷ [William Thomas S7711](#)

⁸ [Thomas P. Williams S7940](#)

⁹ [Moses Knight R6028](#)

¹⁰ [Samuel Ingram R5485](#)

When and in what year were you born?

Answer I was Born the 31st of November 17[^{last two digits blotted out}]¹¹ in the County of Buckingham and State of Virginia

2nd Have you any record of your age and if so where is it?

Answer, I have it in my family Bible at home

3rd Where were you living when called into service: where have you lived since the Revolutionary War and where do you now live?

Answer, when called into the Revolutionary War I lived in the County of Anson I have since lived and do now live in the County of Richmond

4th How were you called into service; were you drafted; did you volunteer or were you a substitute, and if in substitute, for whom?

Answer, I volunteered under Captain Dejarnet in Anson and continued a volunteer throughout until Colonel Fanning left the Country

5th State the names of some of the regular officers who were with the troops when you served, such Continental and militia regiments as you can recollect and the general circumstances of your service.

Answer, My first Services were under Colonel Wade, Colonel Love & Captain Dejarnet also under Colonel Davidson of Montgomery. I came with General Stevens from Virginia to which place I took refuge in when compelled to leave this Section of Country. I was not or did not belong to the Virginia Militia commanded by General Stevens but returned to North Carolina under his protection. I was employed to carry an Express from General Gates to General Rutherford and was repeatedly in both of the Armies but was always commanded by the Colonels & Captains above described not properly belonging to either, but under the command and governed by their orders. I was also under Col. Smith who commanded a Troop of Cavalry was with him at Wilmington General Rutherford being at that time opposite. I know of nothing else more than what I have stated in my declaration.

6th Did you ever receive a discharge from the service, and if so, by whom was it given and what has become of it?

Answer, I did receive a discharge but have lost the same.

7th State the names of persons to whom you are known in your present neighborhood and who can testify as to your character for veracity and their belief in your services as a soldier in the revolution.

Answered John McAlister, William Thomas, Moses Knight, M. D. Crawford & others

This day Personally appeared in open Court John McAlister, William Thomas and Moses Knight who, being first duly sworn according to law deposeth and saith that they were acquainted with Walter Leak in the Revolutionary War, that they were with him at the Battle at Beatti's Bridge and saw him at divers times during the War and knew him to have been a true friend to his Country and that they are satisfied of the truth of his declaration. Sworn to & subscribed in open Court the 25th day of January 1832.

Test: S/ M. D. Crawford, Clk

S/ J. McAlister

S/ Moses Knight

S/ Wm Thomas, Sr.

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State of South Carolina, Richland District

Samuel Ingram comes before me & after being duly sworn makes oath that Walter Leak the applicant is about 70 years of age. That he now resides in Richmond County North Carolina, -- That the said Walter Leak served with the North Carolina Militia under the command of Colonel Wade &

others for more than six months, This deponent at various times served with said Walter Leak & knows him to have been a true patriot & Whig.

Sworn to before made this 1 September 1832 at Columbia.

S/ Saml. Ingram, X his mark

S/ Benj. Rawls, Q. U.

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