

Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of John Merrell (Merrill) S7223

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.]

The State of Mississippi Monroe County

On this 15th day of May in the year of our Lord 1828, personally appeared John Merrill before the undersigned presiding Judge of the Circuit Court of said County & being a court of record and being made so by the laws of this State, a resident citizen of said County of Monroe, aged about seventy-eight 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 acts of Congress of the 18th of Marched 1818 and the 1st of May 1820 -- That he the said John Merrill volunteered his services on behalf of the United States, the precise time not recollected, but the affiant states that it was about the commencement of the revolutionary war, in the North Carolina Continental establishment, and was a Drummer in the company commanded by Capt. David Coldwell [David Caldwell] in the Regiment commanded by Col. Francis Lock [sic, Francis Locke] in the line of the State of North Carolina Continental establishment¹ --, That he continued to serve in said corps for about nine months at Camden, where the troops were ordered to return, under the order of the Gov. of North Carolina & were disbanded --, That some short time after which he entered the service under a commission of Lieut. by the board of war -- sitting at Salisbury -- in an expedition against the Cherokee Indians in the company commanded by Capt. Lopp [John Lopp] in the Regiment commanded by Col. Francis Locke, which expedition² lasted about four months -- that some time after which he entered the service as Lieut. under a commission under Gov. Martin, in the company commanded by Capt. Paul Patrick, in the Regiment commanded by Col. Martin Armstrong, under General Rutherford [Griffith Rutherford], in the corps of the artificers - - that under General Rutherford he joined the Army, commanded by General Gates [Horatio Gates] -- and was at the battle of Gates defeat [Battle of Camden, August 15-16, 1780] -- after Gates defeat he rendezvoused at Salisbury, and was greeted by General Davidson [William Lee Davidson] Captain of a ranging Company, in which he served about thirteen months -- that he went another expedition against the Cherokee Indians, as Lieut. under Capt. Moses Gess [Moses Guest], in the Regiment commanded by Col. Joseph McDowell, which last[ed] about three months, after which he went the expedition to Wilmington as Lieut. in the company commanded by Capt. John Cleveland, in the Regiment commanded by Col. Smith [Robert Smith], the affiant thinks his name was Minor Smith -- shortly after the Army drove the British from Wilmington, news was received that Cornwallis was taken, and peace being made, the Army was disbanded & he regularly discharged in the State of North Carolina -- This affiant states that he was at the

¹ The officers named by veteran were militia officers, not Continental officers.

² http://www.carolana.com/NC/Revolution/revolution_cherokee_expedition_1776.html

battle of Gates defeat, at the battle against the Tories at Pedee [River], was at two battles at Wilmington, was at the battle of Alamance at the race paths,³ where they defeated Col. Piles [sic, Doc. Col. John Pyle] and at several skirmishes -- This affiant states that the following are his reasons for not making earlier application for a pension to wit -- That he never knew the manner in which to make application -- that he has been healthy, stout old man, and fought he would get his living by his own industry. But now by old age, he has become infirm, & having understood that Stephen Cocks, would perhaps have the goodness to do him the favor to make out his application for him, he now makes this application. That he does not know of any evidence of his said services now in his power, except his own oath, and that he expects, that his name may be found in roll on the North Carolina Continental establishment or pay rolls -- and that he has understood that old Mr. Isaac Morgan of this County, and knows of his being in the service -- But is advised it will be sufficient if his name is to be found on the North Carolina rolls -- 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 to wit --

I have no property, except wearing apparel and one bed -- & that a man by the name of Christopher Baker owes me about \$20, but has runaway, and he expects never to realize anything from him. And this affiant further states, that he is not now able to state the changes that have taken place in his property -- but that he is situation has been pretty much as herein described, for a number of years -- That he hereby relinquishes every claim whatsoever to a pension -- except the present; and that his name is not on the roll of any State, except North Carolina, that he knows of. And this affiant states that he is by occupation a blacksmith, and that his ability to pursue his said occupation, is his own personal exertions, which is now very feeble, and he has now pretty much been compelled by an inability to pursue it, to re-sign it -- That he has no family residing with him -- That himself resides with his son James Merrill, who is a poor man, and has a wife & 5 small children to provide a support for, & which he is illy able to do.

S/ John Merrell, X his mark

Sworn to before the undersigned Judge of the Circuit Court of Monroe County State of Mississippi --

Given under my hand and seal this 15th day of May 1828

S/ I. R. Nicholson
Judge 5th Jud. Cirt.

The State of Mississippi Monroe County: I Isaac R. Nicholson presiding Judge of the Circuit Court of the County aforesaid, where the declarant resides, do certify that the above named John Merrill is from having received a wound by falling from a pair of stairs, on yesterday evening, unable to come into court, of which I am judge, to make his declaration -- that he has attended this term of the court now in session, as I am credibly informed for the purpose of making his declaration. But having received by the fall, so severe and injury, as to disable him from coming into Court --, I have in pursuance of the Act of Congress of the first of March 1823 attended at

³ February 25, 1781 http://www.carolana.com/NC/Revolution/revolution_battle_of_haw_river.html

the Tavern, wherein he now [is] confined, and administered the foregoing oath --\

S/ J. R. Nicholson
Judge 5th Jud. Cirt.

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The State of Mississippi Monroe County: On this 10th day of November 1832 personally appeared John Merrill in open court, before the Circuit Court of said County now sitting aged eighty-two years the 11th of December next, and a resident citizen of said County, 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 7th 1832. That he entered the service of the United States under the following named officers and served as herein stated.

The said John Merrill states that he entered the service of the United States as a volunteer in the County of Rowan State of North Carolina where he then resided in the winter of the year 1776 or 1777 the precise date his memory does not furnish him as a drummer in the company commanded by Capt. James Smith in the Regiment commanded by Col. Griffin Rutherford [sic, Griffith Rutherford] afterwards Brig. General Rutherford, on an expedition against the Scotch down on Cape Fear River in NC that he continued in the service about 2 months, started [?] back home on or about the first of March. This declarant states that about the month of July of that year, he volunteered to go again [on] an expedition against the Cherokee Indians and was commissioned a Lieut. by the board of War sitting in Salisbury in NC in the company commanded by Capt. John Lopp in the Regiment commanded by Col. Francis Locke, Col. Rutherford having been made Brig. General this expedition lasted near four months. He marched through Burke County NC, through the Pleasant Garden, by the head of Catawba River up the French Broad River and into the Cherokee territory. His next expedition was to the State of South Carolina when Sir Peter Parker made his appearance over the bar at Charles Town SC the Governor of South Carolina made a requisition on the Governor of North Carolina for troops this declarant volunteered as a drummer in the company commanded by Capt. David Caldwell in the Regiment commanded by Col. Francis Locke, before we got to Charlestown Sir Peter had started back to New York after the troops arrived at Camden they were continued in the service at Camden from the fall to the spring of the year a period of about four months. This declarant don't think there were during the time of the above expeditions any regular troops in those sections of the country and he cannot think of his recollection of the names of any of the regular officers. The troops went back to North Carolina.

Afterwards Lord Cornwallis came into South Carolina and troops were sent from North Carolina to join General Gates. That his company joined the Army of General Gates on their march of the Army to Rugly [Rugeley's] mill, the Army of General Gates went to the mill and stationed about a week. He was then one of the artificers in the North Carolina Militia commanded by Brig. General Rutherford. From Rugeley's Mill General Gates Army started in the evening to attack the British at Camden in the morning and the British started from Camden the same time to attack us and we met in the night and had an engagement, the fighting after some time ended until morning and in the morning the militia from Virginia and North Carolina ran and General Gates was defeated. He was in the Battle of Gates defeat where General Rutherford was taken prisoner the affiant cannot state the precise time of the Battle but it was warm weather and he thinks in the latter part of the summer. At this Battle the Army was principally the regular troops but this declarant was not able to talk with any of the regular officers and knows very little about them. He saw Gen. Gates & General Smallwood [William

Smallwood of Maryland] Baron DeKalb got killed, this tour lasted about three months. After General Rutherford was taken prisoner his command was supplied by the appointment of Brig. General William Davidson who was afterwards killed by the British at Catawba. General Davidson gave me the command of captain of a ranging company and sent me over the Yadkin [River] on a scouting party in which the affiant served as such about one month before he returned home and was at the battle of the race paths on the Alamance Creek in Orange County when the Tories that were here were nearly all killed & wounded. He was at the battle of Pedee [River] and at that Battle commanded his ranging company at Masks Ferry where about 300 Tories were killed & wounded -- the prisoners that was taken was took to Salesberry [Salisbury] and delivered them up to General ~~Sumpter~~ Sumner. He recollects that afterwards he went as Lieutenant in a company commanded by Capt. John Cleveland, Col. Minor Smith in the expedition to Wilmington against a part of Cornwallis's Army who had been sent there. In the approach of the American Army the British left Wilmington & this was the last expedition in North Carolina -- lasted the rise of three months. This declarant is not able to state the precise time he was engaged in the service of the United States but can now state with perfect confidence that he served as a true [? Brave?]⁴ Soldier from first to last about three years. He states that his memory in his old age has greatly failed him and he is not now able to be particular in dates. This affiant states that he has now no documentary evidence of his service that he kept his commissions as above stated for many years but not anticipating that they would be of any service to him they had become worn out and destroyed. That he knows of no person whose testimony he can procure who can testify to his service as aforesaid.

He hereby relinquishes every claim whatsoever 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 and subscribed in open Court the day and year aforesaid

S/ John Merrill



S/ S. H. Buckingham, Clerk

[William Brown,⁵ a revolutionary soldier, states that he did not have a personal acquaintance with John Merrill during the revolution but knew of him by reputation. That reputation was one of a "true Whig."]

[Robert Bell, a clergyman, and James Gannaway gave the standard supporting affidavit.]

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The State of Mississippi Monroe County: Probate Court 26 August 1833

The amended declaration of John Merrill

And now on this day personally appeared the above named John Merrill in open court and being duly sworn states by way of amendment to his original declaration that the period of the war when he served as stated in his original declaration was from 1776 to 1781 or 2 to the best of his recollection and he further deposeth and saith that by reason of old age and the consequent loss



⁵ This MAY be the same man as [William Brown S6697](#).

of memory he cannot swear positively to the precise length of his service but to the best of his recollection he served not less than the periods mentioned below --

That in the first expedition as stated in his original declaration he served under Capt. James Smith Col. Griffith Rutherford not less than three months --

That in the second expedition as stated in his original declaration he served under Capt. John Ross Col. Francis Locke as a Lieut. not less than three months and two weeks --

That in the third expedition as stated in his original declaration he served as a drummer under Capt. David Caldwell Col. Francis Locke not less than four months --

That in the fourth expedition as stated in his original declaration he served under Capt. James Gess [James Guest], Col. Benjamin Cleveland not less than three months --

That in the fourth expedition as stated in his original declaration he served as a [words completely obliterated] company not less than one month --

That in the sixth expedition as stated in his original declaration he served as a Lieut. in a horse company commanded by Capt. John Cleveland Col. Minor Smith not less than six months and for such service he claims a pension he further states that when making his original declaration he limited the period of his service so that the same should not exceed beyond the periods actually served in the field in an embodied true in which time he was not employed in any civil pursuit. That he supposes his services were called for by competent authority that they was called by officers on behalf of the United States, that his services were needed by his country and he volunteered them and in obedience to which his services were performed. In answer to the questions propounded by the court in conformity to the interrogatories prescribed by the War department the declarant states that he was born on the 11th day of December 1750 in Hunterdon County State of New Jersey that he has now no record evidence of his age, that when he was called into service of the United States he resided in Rowan County State of North Carolina that he has lived since the revolutionary war in the States of Georgia and Mississippi and now resides in Monroe County State of Mississippi and has resided there for the space of 14 years last past that he received regular discharges from his superior officers that they were signed respectively by Capt. James Smith, Capt. John Lopp, Capt. David Caldwell, Capt. James Guess and Capt. John Cleveland as well is he now recollects but that by length of time and accident they had become worn out and destroyed. The said John Merrill states that to the best of his knowledge and belief that his first commission as Lieut. as stated in his original declaration was signed by Alexander Martin Governor of North Carolina, that his commission of Capt. of his ranging company was signed by Brig. General William Davidson as a Brevet Capt. as to whose authority to signed the same he does not now know nor is he of opinion he then had any knowledge that his commission as Lieut. as stated in his original declaration was signed by Alexander Martin Gov. of North Carolina to the best of his knowledge and belief.

And the said John Merrill states in reference to the persons in his present neighborhood to whom he is known and who can testify to his character for veracity and their belief of his services as a soldier and officer (as stated) of the revolution he will name the Rev. Robert Bell, Major James Gannaway, Jacob Laughridge Esquire Capt. Isaac [illegible], Col. Augustine Willis, Honorable David W. Wright Judge of the High Court of errors and appeals for the State of Mississippi, Capt. John Bell surveyor general of the Chickasaw nation and he could name more than 100 of the respectable citizens of his neighborhood who he is confident would willingly bear testimony thereto.

Sworn to in open court 24th of August 1833

S/ D. C. Morgan, Clerk

S/ John Merrill

[Richard Dilworth presiding judge attested the amended declaration.]

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Athens Monroe County Mississippi
12th November 1833

Sir

The regulation of the department requiring that all claimants under the act of the 7 June 1832 as commissioned officers produce their original commissions, or satisfactory proof that they were duly commissioned and served in that capacity for the time alleged and the fact being that my commissions as stated in said declaration having become by length of time and accident worn out and destroyed it is out of my power at this time to produce them – not having any proof but that stated in my said declaration of my services as such I hereby waive my claim to a pension as a commissioned officer and at your suggestion officially inform you I am willing to receive my pension as a private which you inform me on my notifying the department thereof my claim for a pension as a private will be admitted. You will therefore accept this as my waiver of my claim as an officer, the acceptance of the allowance of a pension as a private and official information to you thereof.

Respectfully your very obedient servant

S/ John Merrill

To. J. L. Edwards

Commissioner of Pensions, Washington City

[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.]