

Southern Campaign American Revolution Pension Statements & Rosters

Pension Application of Thomas Stout S7626

Transcribed and annotated by C. Leon Harris

[Punctuation and capitalization partly corrected.]

State of Virginia        }

County of Harrison } SS

On this 5 day of October 1833 personally appeared before me the Subscriber [Joseph J. Winter] one of the Commonwealth's Justices of the peace in and for the said County of Harrison and State of Virginia, Thomas Stout a resident of Simpsons [Simpson] Creek settlement in said County of Harrison and State of Virginia seven miles distant from the Court House of said County, aged 82 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 7<sup>th</sup> June 1832. That he entered the service of the United States under the following named Officers and served as herein stated. That in the month of April 1776 affiant volunteered as a private, under Capt. Louther [sic: William Lowther] then in Augusta County Virginia now in Harrison County Virginia, for a Term of six months to Spie from Nutters Fort on Elk Creek [in present Clarksburg] in said now Harrison County Virginia on the waters of Tenmile Creek a branch of the Monongahalia [sic: Monongahela] river on Middle Island Creek, on Bingamon Creek and on head waters of Monongahalia River, was accordingly stationed at sd Nutters Fort and entered upon his spying duties, a vigilant examination was constantly kept up during that summer, of the war paths of the Indians leading to Cooks Fort on Tenmile Creek to Nutters Fort on Elk, and to Wests Fort on Hackers Creek [near present Jane Lew in Lewis County] all (now) in Harrison and Lewis Counties Virginia. Occasionally (as the times of that day was from the thin Inhabited Country by the Whites) interchanging examinations by and with those at other forts, who were also engaged in Spying excursions through the same range of Country. The Indians occasionally approached the settlement, done some mischief, but not within the reach of Affiant, and he consequently was in no personal conflict during that servitude in the year 1776 for which he volunteered, and was discharged by his Capt Louther in November of that year — Then in the month of April 1777 Affiant again Volunteered as a private to Spie six months under Capt. Robison [probably William Robertson], who that year took command of and stationed his Company of Indian Spies at Powers Fort on Simpsons Creek now in Harrison County Virginia, then in Augusta County Virginia, and that Capt. Robison and Affiant laid the first Log to the erection of that Fort [see endnote]. the nature of the service of that year were as narrated in the preceding year Spying through the same section of country. On the same waters and giving the alarm on approach of the Indian Savage to the neighboring Forts, enabled the woman and children to flee from the dangers of their exposure in the cornfields where they would be at labor from the lurking savage who would be in ambush seeking an opportunity to commit their horrible work either of killing and scalping or making prisoners of them. that term of servitude passed of as before without any personal conflict with the enemy, and the dangers ceasing from the approach of Winter Capt. Robisons company of Spies was disbanded and discharged in November of that year. Then in February of 1778 Capt. Robison raised a Company of Indian Spies, and stationed them again at Powers Fort, on Simpsons, now Harrison County Virginia then in Augusta County Virginia. Affiant volunteered again for a servitude of six months as a private under Capt Robison this early, going into Fort in that year was in consequence of the death of "Cornstalk" an Indian Chief of celebrity who was at Point Pleasant, a station on the Ohio River at the junction of sd. river and the Great Kenhawa [sic: Kanawha], which happened in the Fall of 1777. this Chief was with the Whites at the Station under the goal of Friendship, looked to the Whites for protection, but was dispatched by some furious warriors of the Whites in great agitation [see endnote]: - the supposition was the Indians would avenge themselves upon the more thinly inhabited settlements for the outrage (as they supposed) so it would be called, and hence the early preperation and Forting by Capt. Robison - in March of that year a company of Indians came to Harberts Block House on Tenmile Creek a branch of the Monongahalia River now in Harrison County Virginia then in Augusta County Virginia. some children in the yard first discovered

some people approaching whom they called "Red Men." they alarmed the people within. a man by the name of Murphy [sic: John Murphey; see endnote] stepped to the door, was shot, fell back in the house, the doors were closed, the Indians thrust the door open. some entered; Harbert [sic: Murphey] was killed and the conflict closed by the loss of eight killed and made prisoners of. the alarm was quickly given to Capt. Robison at Powers Fort. Affiant was one who hastened to their relief. when they reached from Powers Fort from whence they started to Harberts Blockhouse a distance of about 8 miles such was the narrative of the distressed surviving people, and during the conflict an Indian of hideous appearance entered the house. he had on his head the front of an unshorn Buffaloes skin for a cap, with the Horns yet hanging to it, and affiant thinks the years [ears]. he was seized by the horns by a Female in the House in a scuffle his cap flew off and was left. they retreated to their Towns some of them wounded, and one left dead on the ground. - then in June of that year they again came into Booths Creek now in sd County of Harrison Virginia and killed Capt Boothe [sic: James Booth, 16 Jun 1778] Affiant was engaged spying on sd waters (as before enumeratted) of Tenmile Creek, Middle Island Creek and head waters of Monongahalia river, West fork &c) until October in that year. had no personal conflict, and was discharged by his Capt Robison having served the period for which he volunteered. Then in Apl 1779 Affiant again volunteered under Capt Robison as an Indian Spie and private to serve a period of six months in the County of Augusta Virginia now Harrison Virginia, was again stationed at Powers Fort on Simpsons Creek. Affiant took charge of and was placed upon the same water courses and Country as before enumerated, namely Ten Mile Creek, Bingamen Creek, Middle Island Creek, West fork &c. although the Indians frequently that season made attempts to commit their depredation upon the Whites, they were surprised and retreated without any damage of material notes being passed by the Whites. that season passed Affiant continued until his term of servitude had elapsed for which he volunteered and was discharged in November 1779 by his Capt Robison. - Then in April in the Spring of 1780 affiant again volunteered as a private and as an Indian Spie under Capt Robison in Augusta County Virginia now in Harrison County Virginia for a tour of six months, was again stationed at Powers Fort on Simpsons Creek now in Harrison County Virginia again was ordered upon the same waters and country before enumerated to Spied namely Bingamon Creek, Ten Mile Creek &c. That year was by Wests Fort (on headwaters of Monongahalia) was at Nutters Fort on Elk Creek. Seen Capt Louther there. the Indians again made attempts upon the Inhabitants, was intercepted by the spies, and put to flight. nothing of special occurrence happening that year affiant suffices it to say that he served his term out vigilantly for which he volunteered and was discharged by his Capt. Robison. Then in April 1781 Capt. Robison again rec'd. orders to fill or secure the station at Powers Fort and to procure spies during the summer of that year. affiant again volunteered as a private and Indian Spie for a Term of six months, was placed upon and again took charge of the same section of Country as before enumerated, on Ten Mile Creek, Bingamon Creek, Middle Island creek West fork &c all now in the Counties of Harrison & Lewis (then in Augusta County Virginia. his servitude was a continuous one as an Indian Spie during that summer and for the term for which he volunteered, but no occurrence happening under his particular notice he suffices it to say he was discharged by his Captain Robison, having served 6 months for he was discharged in November of that year. Then again in April 1782 Affiant volunteered as an Indian Spie and private to serve a period of six months was again place at Powers Fort on Simpsons Creek under Capt Robison in Augusta County Virginia now Harrison County Virginia, that he again entered upon his Spying Excursions over the same waters and ground as before enumerated, namely Bingamen Creek &c. his servitude was a continuous one until November 1782 at which period he was discharged by his Capt Robison. Affiant then was engaged from that period until the cesation of hostilities in the 1795 with the Indians under diferant Captains which service he does not enumerate because it is not material; that he knew between the years of 1776 and 1782 the following named officers - Capt Louther of Nutters Fort; Capt. Springer of Pricketts Fort [probably Zadock Springer, at present Pricketts Fort State Park near Fairmont], Capt. Stuffle Carpenter of Wests fort and his own Capt. Robison, and that he recolects Capt. Boothe that the Indians killed on Booths Creek, and that he recolects seeing Isaac Beesly [pension application R710] under Capt Springer at Pricketts Fort, and David W Sleath [sic: David W. Sleeth, S6111], John Cutright [W6626], Alexander West [W6450], and Joseph Parsons [S8942]

under Capt. Booth the year he was killed. - That he has no documentary evidence, and that he knows of no person whose testimony he can procure who can testify to his services. 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 and subscribed the day and year aforesaid  
Thomas Stout

The said Justice of the Peace proceeded to propound to affiant the seven several Interrogatories prescribed by the War Department which was answered as follows, Viz

As to the first Affiant saith that he was born Jersey State Monmouth County in the year 1757.

Second - Affiant saith he has not [a record of his age]

Third - Affiant saith he was living in Augusta County Virginia now Harrison County Virginia has lived since there, and now lives in said Harrison County Virginia

Fourth - Affiant saith he allways volunteered in each and every servitude

Fifth - Affiant saith he knew Capts Louther, Springer, Carpenter, and Robison did not serve in any Regt. and nature of his services were as narrated in his Declaration

Sixth - Affiant saith he rec'd a Discharge from Capt. Louther and also regular discharges from Capt. Robison in each servitude, but has lost or mislaid them as he did not know they ever would be of any service to him.

Seventh - Affiant saith that he is known to Lovel Corbin and Wm Wilkinson who can testify as to my character for veracity and their belief of my services as a Soldier of the Revolution.  
Thomas Stout

[The following report is by District Attorney Washington G. Singleton who investigated may pensioners from Harrison and other counties of present West Virginia. For details see pension application S6111 of David W. Sleeth and the endnote.]

Thomas Stout—

on the 18<sup>th</sup> of July 1834 Mr. Stout gave the following narative of his age & services to Wit - he is in his 83<sup>rd</sup> yr. of age. Born in New Jersey - removed to Frederick county Va. in his 18<sup>th</sup> year of age, and in his 21<sup>st</sup> year of age settled in Harrison County & has resided there ever since

during the war of the Revolution cant tell in what year was appointed by Capt. William Luther [sic] as a spy for two months. was all the time spying in Harrison County & received five shillings a day & rations found. dont know by whom the money was paid - after the performance of the forgoing tour Charles Harris was appointed main spy of Louther. - the men at the Fort includeing himself went out with Harriss by turns. he Stout was frequently out with Harriss - he Stout was at Powers Fort all through the revolutionary war - the settlement extended some seven or eight miles around the Fort. - the people of the settlement and the Fort worked in clearing ground & raising corn - and watched and guarded alternately - whilst some would be working others would be watching and guarding and so on. he himself done as others did. worked and watched by turns - Louther was the principal man in the settlement all through the war - the system of working and watching and guarding continued through the spring summer & fall months - in the Winter the settlers were not disturbed by the Indians - he cant pretend to say how many days, weeks, months or years he was in actual service, it was done by piece meals & he had to take his turn - Johnson F. Newlan & James H. Bennett came from Lewis to Harrison and engaged to get his Pension - he gave them the same statement he now gives -

In testimony that this statement is true I hereto subscribe my name Thomas Stout.

Witness Saml Corbin Nathan Goff [Pension Agent at Clarksburg] A Copy  
W. G Singleton Nov, 21, 1834

[Singleton sued Stout for recovery of \$240 already paid. The file includes a copy of the verdict in United States vs Thomas Stout heard at Clarksburg 12 Nov 1835, in which the jury found in favor of Stout.]

The undersigned were of counsel for Thomas Stout in a suit prosecuted against him by the United States to recover money drawn from the Treasury as a pensioner under the act of the 7<sup>th</sup> June 1832 in which a verdict for the Defendant was rendered at the last Term of the U. S. Court

for the Western district of Virginia at Clarksburg. Having understood that Mr. Stout intends to make application to be replaced on the Pension roll, and being requested to state the facts proven at the trial, state that according to our recollection of the Testimony on the trial, many of the services set out in the Declaration of the said Stout on which the pension certificate was granted were proven to have been performed, and none of the services set out in said Declaration as proven not to have been performed by the said Stout.

2<sup>d</sup>. Jan'y 1836

John J Allen G. D. Camden

The undersigned Clerk of the United States court for the Western District of Virginia who was present at the trial mentioned in the above certificate and paid attention to the same entirely concur as to the facts their stated

Rich'd. W. Moore

[On 29 Jan 1836 Col. Gideon D. Camden requested the resumption of Stout's pension, enclosing a copy of the original declaration.]

Department of War Pension Off May 9, 1836

Sir [Joseph Johnson, House of Representatives]

In reply to your enquiry relative to the claim of Thos Stout of Harison County, I have the honor to state, that his name was dropped from the pension roll on the 10 March 1835 on the ground that his alleged services were not military, & consequently not embraced under the Act of June 7th 32. The following extract from Mr Stouts statement to Mr Singleton will shew the propriety of this decision. [The letter then quotes Stout's service a given Singleton's report.]

You will perceiv from the forgoing [illegible word]. that the service here described by Mr Stout was merely that of domestic police among the settlers having no connexion whatever with the military operations of the State.

Thos M [last name illegible]

Depart't of War Pension Office Dec 26 1836

Sir [Jos Johnson H Rep]

In reply to the letter of the 24th of Nov of Mr Camden relative to the claim of Thomas Stout I have the honor to note, that the alleged services are not such as entitle him to a pension under the law. And although the Government failed to receive back from him the money obtaind upon a certificate improperly issued, it does not follow that his paymt shall be renewed The Court had no cognizance of the question whether Mr Stout was or was not entitled to a pension, nor had it any power to do any thing in that behalf. It was upon the simple question whether he having rec'd from the Depatmt a certain amt. of money, should be compelled to refund it, or not. I enclose a copy of my letter to you on the 9th of May last on this subject.

[name illegible]

NOTES:

Fort Powers is said to have been first erected by John Powers in 1771. John Goodwin (S8587) says he helped build the fort in 1780, but other pension applicants claimed to have served there before then. Possibly it was destroyed and rebuilt.

Chief Cornstalk, his son Ellinipsico, Red Hawk, and Petalla were in fact held at Point Pleasant as hostages for the good behavior of the Indians. They were murdered by soldiers angered by the killing of Lt. James Gilmer.

The killing of John Murphey at Fort Harbert is recounted in *Chronicles of Border Warfare* published in 1831 by A. S. Withers, who wrote that the attack occurred in Feb 1778. Stout's account of the struggle between an Indian wearing a buffalo head-dress and Mrs. Edward Cunningham appears to have been derived from Withers.

For a discussion of whether Congress intended for the services of Indian Spies to be covered by the pension act of 1832, see my appendix to the pension application of David W. Sleeth. Captain, later Major, William Lowther was a duly commissioned officer in the Augusta County Militia. Johnson F. Newlan and James H. Bennett who wrote Stout's pension application tricked many old men into making false declarations.