

Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of John Justice W9092

Amy Justice

f16SC

Transcribed and annotated by Will Graves

11/12/08: rev'd 3/21/16 & 3/16/23

[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 'indcipherable' or 'undeciphered' 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. Researchers should not rely solely on the transcripts but should review the originals for themselves. These transcripts are intended as an aid to research, not to be used in lieu thereof.]

[p 3]

State of Kentucky, Floyd County} Sct.

On this the 23rd day of August 1839 Personally appeared before me John B. Burnett a Justice of the peace in and for the County of Floyd and State aforesaid Amy Justice a resident of Floyd County and State aforesaid aged Seventy years old in April last who being first duly sworn according to law doth on her oath make the following declaration in order to obtain the benefit of the provision made by the Act of Congress passed July 7, 1838 entitled an act granting half pay and pensions to certain widows: That she is the widow of John Justice who was a fifer in the regular service in the American Army during the Revolution. The said John Justice enlisted in Spartanburg County in the State of South Carolina in the regular service for the term of three years under Captain Tutt [Benjamin Tutt] and Colonel Hammons [sic, probably LeRoy Hammond's] Regiment which enlistment took place sometime in the year 1777 as the declarant always understood from her deceased Husband John Justice And the said John Justice faithfully served his three years as fifer to the said Captain Tutt's company and received an honorable discharge which discharge was carefully preserved by the said John Justice until his death, since that time the discharge and the balance of his papers were in the possession of his son Amos Justice and what has become of the discharge the declarant does not know. She further declares that she was lawfully married to the said John Justice on the 26th day of July 1781 in the County of Spartanburg in the State of South Carolina by a Magistrate by the name of Gague, she further declares she knows of no record of her marriage nor of his children's ages nor does she think any was ever kept. She further declares that her Husband the aforesaid John Justice died in the month of January 1831, That she was not married to him prior to his leaving the service but the marriage took place previous to the first of January 1794 Viz. at the time above stated.

S/ Amy Justice, X her mark

The deposition of Johnithan [sic] Justus [Jonathan Justice?] a resident of Floyd County Kentucky taken the 23rd day of August 1839 to be used as evidence in favor of the application of Mrs. Amy Justus for a pension under the Act of Congress passed July 7, 1838

Deponent being 53 years old deposeth and saith that he is the second child of John Justice deceased & Amy Justice is surviving widow, That he always understood from his Father during his lifetime that he had served three years in the Revolutionary war as a fifer from the State of South Carolina. That his Father the aforesaid John Justice died 30 January 1831 and his Mother the aforesaid Amy Justice has remained a widow ever since to the present. The said John & Amy

Justice had eight children the oldest Daughter Diadama was 55 last July the declarant is the next oldest, James if alive would be about 51 years old the declarant does not now recollect the age of the rest of the Children except the Youngest, Right Justice he will be thirty-seven years old next October and further saith not.

S/ Johnithan Justice, X his mark

[p 5: On August 23, 1839, Simeon Justice,¹ 74, of Perry County [Ky] gave an affidavit that he is the brother of John Justice deceased, the husband of Amy Justice
“... that they were raised together in Spartanburg County in the State of South Carolina and in said County, the said John Justice in the Deponent enlisted in June in the year 1777 they both enlisted for the term of three years under Captain Benjamin Tutt whose company belonged to Major Thomas Farrow’s Battalion and Colonel Leroy Hammond’s Regiment the deponent was then 12 years old and acted as drummer and his Brother who was much older enlisted as a fifer and faithfully served out the three years of his enlistment and acted as fifer for the said company during the whole term of three years and received a regular discharge. The deponent still has his own discharge which he received at the same time his Brother John’s was delivered to him The deponent Speaks positive that the said John Justice did faithfully as a fifer serve for the term of three years as an enlisted Soldier in the American Army, and Shortly after his return from the Army Say some time in the year 1781 the said John Justice got married in the County of Spartanburg in the State of South Carolina to Amy Neal he is now surviving widow and now a resident of Floyd County Kentucky the said John Justice was married by a Magistrate but the deponent does not now recollect the name of the Magistrate Deponent further Saith that his Brother John Justice and himself served in the same company and Regiment together during the whole three years of this service, the deponent is a pensioner on the roll of the Kentucky agency at present for the service he rendered The said John Justice died in the County of Floyd Kentucky about 10 years since. And further saith not.”

S/ Simeon Justice, X his mark]

[p 14]

Floyd County Kentucky (To wit)

Simeon Justice an old revolutionary Soldier personally appeared before me Alexander Lackey one of the Commonwealth’s Justices of the peace for the County aforesaid and made oath that John Justice now a citizen of Floyd County and State of Kentucky, Enlisted as a soldier in the Continental Army of the United States in the month of June 1777 for the term of three years Enlisted by Captain Benjamin Tutt who was a Captain under Major Bua [sic, ?, probably John Bowie] Commanded by Colonel Learoy Hamons [sic, LeRoy Hammond] under General ___ Williamson [Andrew Williamsons] who commanded the ___ Regiment in the State of South Carolina and this Deponent further States that the said John Justice continued in the service of the United States, until the first of July 1780 was taken prisoner of war at Fort Rutledge in South Carolina by Joseph Smith Captain of the King’s Rangers and was paroled by the said Captain Smith on the second day of July 1780 and on the same day Discharged by the said Captain Benjamin Tutt further states that the said John Justice served as a fifer in the Army and this Deponent positively states that he Enlisted at the same time himself and served as a drummer for the Army, continued in the service with the said John Justice during the term aforesaid was taken prisoner paroled and Discharged at the same time and this Deponent further saith not.

¹ [Simeon Justice W7946](#)

S/ Simeon Justice, X his mark
Sworn to and subscribed before me this 12th day of August 1819
S/ Alexander Lackey, JP FC

[p 15]

State of South Carolina, Pendleton Dist.

This Day personally came and appeared before me Bailey Barton one of the Justices assigned to keep the peace for said District Mary Justice & Nancy Wade and made oath that day was there when the said Justices Enlisted and continued with them in a Garrison until they was discharged and further saith that they enlisted under the same officers that he has heretofore made oath sworn to and subscribed this 25th Day October A.D. 1819

S/ Mary Justice, X her mark

S/ Nancy Wade, X her mark

S/ Bailey Barton, J. Q.

[The affidavits dated 1819 indicate that John Justice might have contemplated filing for a pension under the 1818 act granting pension to certain indigent Continental soldiers of the Revolution. There is no such application in this file. Perhaps he discovered he had too much property to qualify under the 1818 as a 'needy' veteran.]

[Veteran's widow was pensioned at the rate of \$88 per annum commencing March 4th, 1836, for her husband service as a Fifer in the South Carolina militia for 2 years.]

[Note: This man MAY be the same man as either John Justice, Jr. SC4481 or John Justice, Sr. SC4482, both of who were granted indents for service for 439 days in the Independent Company, a company commanded by Capt. Benjamin Tutt.]