State of Kentucky, Floyd County

On the 12th day of December 1833, personally appears before the undersigned Justice of the Peace for the county aforesaid now sitting, Edward Dorton a resident of Kentucky in the county of Floyd, aged eighty two years who being first duly sworn according to the 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 in the service of the United States under the following named officers and served as herein stated:

That in the spring of 1776 the Indians became troublesome in the western part of Virginia so much so that it prevented and deterred immigrants from proceeding to Kentucky. This applicant was then residing in Washington County, Va and on the waters of Powell's River in Powell's Valley. Col. William Campbell the Col. of the county ordered that a volunteer company should be raised to suppress the Indians, which company this applicant states he entered in as a volunteer for "six months" in the month of March 1776 (the day of the month not recollected) under Capt. Bickley and Lieutenant Cowan, Ensign Robinson—the company immediately commenced their march down Powell's Valley to "Cumberland Gap" and there we were fired upon by the Indians. The firing was continued warmly by both sides for some time; and the Indians gave way & fled. From their painted appearance we apprehended a more formidable band against us. We accordingly retreated in all possible speed to the Settlements. We ascertained that the Indians we fought were the Cherokees. We remained but a short time and being joined by more volunteers we again marched to the frontiers. We got back on the last of July 1776, having been back but a short time we were attacked near Cumberland Mountain by about 40 Indians. We outnumbered them a few. The fighting commenced first by the Indians who laid concealed behind old logs and rocks. The skirmish lasted for three hours in which a few Indians were killed. Our company lost several, to wit: Dickinson [? Dickerson], Humphreys, and Solomon Kendrick. We remained here till August (the last of it) and went back to the Settlements all broke up and forted as they had done for six years before. We guarded the fort till late in November. We all received discharges certifying our services—on the first day of April next year 1777 the Indians again returned to Clinch [River] and Powell's Valley and commenced murdering and plundering the Settlements in that region. A volunteer company was raised by Capt. John Snody and Lieutenant Robinson (my ensign the year before) this pursuant to Col. Campbell's orders, who was our Col. I volunteered for "six months" again. The fort was useless. A force was kept in the field against the Indians, the Settlements had no security. Col. Campbell did not accompany us but gave us our orders. About this time the Tories in North Carolina continued their operations and they were aided by a few from the South Fork of the Holston [River] who frequently stole the horses belonging to the Whigs and carried them to the Tories in Carolina. Our company marched down to the mouth of the North Fork of the Holston and took a western direction for Powell's Valley on the frontiers. Here we remained scouting till August 1777, when we were attacked by a band of hostile Indians at day break. After an severe skirmish and running fight we was forced to retreat. The brother of this applicant was killed and
scalped by the Indians, also a man by the name Michael Auxar and another by the name of Liton [sic, Litton?] and one William Priest [or Pruitt] were killed and several wounded. The Cherokee Indians were embodying in large numbers down Holston to commence war. They had painted themselves and had the war dance and for fear of being cut off we retreated to the Settlements. Cooke of Carolina and Christy [sic, William Christian] of Virginia marched to beat down the Cherokees. The Indians formed a plan to kill on the Settlements on the Clinch and Gen. Christian sent one Martin to inform the fort of it. We all broke up and went to Abingdon. Not long after this Christian made peace with the Indians at the “Long Islands” which was according to the applicant's recollection in Novr. 1777. He wishes to be understood that he cannot be positive as to dates but knows it was sometime before Col. Campbell went to Carolina when the applicant and his brother went with him. He then received his discharge from Snody for his "six months".

In the spring of 1778 the Shawnee Indians from over the Ohio [River] broke out in the Clinch [River] Settlements, in March 1778. This applicant enlisted for one year to scout and spy under Capt. Lewis and Lieutenant Hawkins. This was the manner in which the Company was engaged. Col. Campbell stated he was authorized to raise the Company for the purpose aforesaid and that each man should receive pay. The Company divided in two's and four's and we ranged and spied all that summer and winter and until April 1779. We traversed frequently behind Cumberland Mountain down on the Kentucky and Big Sandy Rivers. We would generally leave the country for Kentucky or the Nation in November to hunt and return early in the spring. This applicant served out his time and applied for his pay and Governor Patrick Henry stated that the state was not bound to pay. This applicant never got his pay.

In July 1780, the day of the month not recollected, this applicant and one of his brothers was prevailed on by Col. Campbell to accompany him against the Tories and British in the Carolinas. They did so and entered as [?] volunteers for no certain time. Something prevented us from starting immediately. Col. Campbell got word from Col. Cleveland that the Tories had fled from the Haw River and many from PeeDee [Pedee River] and had joined Foggerson [sic, Patrick Ferguson] a Major or Col. We started from Abingdon all on horses and our Capt. was by the name of Leincy [?], he thinks. Col. Campbell’s brother was a captain also. We crossed the Catawba [River] high up in Burke County, N.C. and came up with the British at a place called King’s Mountain. Campbell was joined by Col. Cleveland [Benjamin Cleveland] and Major Shelby [sic, Col. Isaac Shelby] and Col. Sevier [John Sevier]. There was a Frenchman there also by the name of Malmady [sic, Francois Lellorquis Marquis de Malmady (also Malmedy, Malmèdy)], this applicant thinks he was a Major and Gen. McDowell [Charles McDowell]² were all on horses. When we got within one mile of the mountain we all hitched our horses and left them in care of some militia companies. Behind the whole of us was divided; part of Campbell’s men fell under Cleveland and one Sevier and Wilson.² This applicant was one of them. We marched up. They were on the side of the mountain. The firing commenced on the right wing (commanded by Campbell) and Shelby on the left, Cleveland in the center. The British with bayonets charged upon Cleveland's men and forced us to give back, but we all took turns. The battle lasted for some time and we made them all prisoners. The troops, or part, went over to Charlotte³ and we took

¹ Pensioner is mistaken in stating that Malmady and McDowell were present at the Battle of King's Mountain. There is no record of either being present at the battle.
² There is no record of a commander by the name of Wilson being at the Battle of King's Mountain. Perhaps this is a reference to Col. James Williams of the South Carolina militia who is known to have commanded one of the units which participated in the battle. Latter in his declaration, pensioner makes reference to knowing a "Col. Williams."
³ Again, this recollection must be incorrect because Lord Cornwallis and the main body of the British Army occupied Charlotte at the time the Battle of King's Mountain was fought. It is extremely doubtful that the Whigs departing from King’s Mountain would have marched toward Charlotte for fear of encountering Cornwallis.
some of the prisoners along. Gates' army was at Charlotte.\textsuperscript{4} From there we went to Hillsboro, N.C. and remained there but a few days and again went back to Charlotte where we all staid till Gen. Greene [Nathanael Greene]\textsuperscript{5} took command, this was in December 1780 or 1781. In January I hired my horse to the Government of N.C. and belonged then to the light infantry. Our whole army went to Cheraw Hills, after the battle of the Cowpens we all retreated to Virginia. In February or March we gave the enemy battle at Guilford where we were defeated. A few days after this I left the service and returned home. I knew many officers during the service, to wit: Cols. Lee [Henry "Light Horse Harry" Lee], Washington [William Washington], Capt. Charles Y. Wilson, Gen. Gates, Gen. Huger [Isaac Huger], Gen. Davie [William Richardson Davie] and Col. Davidson [William Lee Davidson], Maj. Mahnady, Col. Sevier, Maj. Shelby, Col. Williams [James Williams or Ortho Williams], Capt. Thomas H. Davis, and Lieutenant Hinner, Col. Hogun [James Hogun], Gen. Rutherford [Griffith Rutherford] and many others. I have no documentary evidence in my favor. I received three discharges, the last time I did not receive a discharge but a recommendation. I do not know what has become of them. The fact was I cared nothing about them for it has been more than fifty years since. He hereby relinquishes his every claim whatever to a pension or annuity except the present one and he declares his name is not on the pension roll of the Agency of any state.

Sworn and subscribed the day and date aforesaid. 

S/ Edward Darten

We, Samuel Hanna, a clergyman residing in the County of Floyd and State of Kentucky and Joshua Stapleton residing in the same hereby certify that we are well acquainted with Edward Darten who has subscribed and sworn to the above declaration, that we believe him to be 82 years of age, that he is reputed and believed in the neighborhood where he resides to have been a soldier of the Revolution and that we concur in that opinion.

Sworn and subscribed the day and year aforesaid

S/Samuel Hanna, Seal
S/Joshua Stapleton, Seal

Questions and answers:

Where and in what year were you born?
Answer: I was born in the year 1751 on the 19th day of March in Powhatan County Virginia

Have you any record of your age, and if so, where is it?
Answer: I have in my Bible written by myself from my father's account of my age.

Where were you living when called into service, where have you lived since the Revolutionary War and where do you now live?
Answer: In Washington County Virginia. I have lived there and in Floyd County Kentucky where I now live ever since the Revolution.

\textsuperscript{4} Horatio Gates did retreat to Charlotte immediately after his ignominious defeat at the Battle of Camden in mid August 1780, but by the time of the Battle of King's Mountain occurred on October 7, 1780, Gates had gathered the remnants of Southern Department's Continental army at Hillsborough in north-central North Carolina. As noted above, on October 7, 1780, Charlotte was occupied by Cornwallis and his army. Cornwallis retreated from Charlotte to Winnsboro in South Carolina shortly after receiving news of Patrick Ferguson's defeat at King's Mountain.

\textsuperscript{5} Nathanael Greene assumed command of the Southern Department of the Continental army from Horatio Gates in Charlotte on December 2, 1780.
How were you called into service, were you drafted, did you volunteer, or were you a substitute and, if a substitute, for whom?
Answer: The first time and second, I volunteered each time for six months, the next time I enlisted for a year, the next time I volunteered to go to Carolina with Campbell against the Tories for no definite time.

State the names of some of the Regular Officers who were with the Troops where you served, such Continental and Militia Regiments as you can recollect, and the general circumstances of your service.

Answer: I knew many officers in Carolina. I have seen General McDowell, Colonel Sevier, Major Shelby, Colonel Buford, Colonel Preston, Colonel Anderson, Col. Steward, Colonel Hogun, all were regular Officers under General Greene. Colonel Lee commanded the horse, General Morgan the Rifle men. I volunteered twice for six months, once for one year, once I volunteered for no specific time. In the year '76, I served six months – in the year '77 served six months – in 1778, I served one year ending in April 1779, all of against the Indians. I was in three different fights with the Indians. My brother was killed who went out from the same place I did. I was in the battle of “King’s Mountain”. I was in the battle of Guilford and was at Cheraw Hills. I left the Army a few days after the battle of Guilford and came home. I should have remained in the Army if I had not been sick and caught in crossing Dan & Haw Rivers which has produced a dropsical disease in me that has very near taken my life several times. I served in all about thirty three months constant service during the Revolutionary.

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 received a kind of certificate of recommendation certifying my services and that I was a good Whig. The first time it was given me by Captain Bickley; the next was given by Captain Snoddy; the next by Captain Lewis. The time I left the Army, Captain Lewis wrote a pass stating I belonged and had served in the American army.

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 service as a soldier of the revolution.

S/ S. Preston, JPFC

The deposition of Joshua Stapleton age 78 years being first duly sworn according to law states "that he knew Edward Dorton during the American Revolution indeed ever since he can remember and that in the year 17__Edward Dorton enlisted in Virginia to go against the Indians; that during that year he served all the year according to his recollection in the year 1778, he knows of his again going out as a Soldier against the Indians on Clinch River, that he does not know how long he served for he was about 20 miles higher up the River, but knew & saw him often during that year in service. This affiant only served himself during that time 3 months during which time he was in the same company he was in service when he went & left him when he went away. That he knows of his going off with Col. Campbell to North Carolina against the Tories only from seeing start and from the length of time he was gone; he has known Edward Dorton about 60 years, lived by him in Virginia many years after the war, and then moved to this state a close neighbor to him and further this deponent saith not.

December 14 1833 S/ Joshua Stapleton
The declaration of Edward Darton of Johnson County Kentucky but formerly Floyd County but still living near where he lived when he first was an applicant for a pension Johnson being a new County taken part of Floyd County he states that the service as represented in his former declaration under Colonels Preston & Campbell were then called towers [tours] of three months each, and as he supposes as is called terms in the Department of war that he served two terms of three months and for terms of three months each as set forth in his former declaration in the aggregate making six months, and twelve months, he states that he is old and infirm both in body and in mind, as his acquaintance tells him that his mind is failing and so deaf that it is hard to make him understand and so helpless that he cannot do any labor and my wife blind and very old and we are wholly destitute of means to support and that we live with our daughter who is a widow and very poor and she is a weakly and afflicted woman. I therefore having done my Country service in time of war do ask restoration of my attention to aid me and my old blind companion in the evening of our days.

S/ Edward Darton, X his mark

[attested October 30, 1843]

Edward Darton
Act 7th June 1832
In 1834 was allowed a pension for two-year service at $80 per annum
In 1835 D. K. Harris a "vile Slanderer" falsely represented to the Department a fraud perpetrated by Darton. This Slanderer he retracts and himself bears testimony to the honesty and correctness of character of Darton, And begs the pardon of the Department for his erroneous conduct. See his letter of the 11th of February 1842 filed in the papers marked A.
B. Is the depositions of John and James Franklin (taken subsequent to the Suspension) who testify to their long acquaintance (40 or 50 years) with Darton and his high character for honesty and integrity.
C. In the deposition of Joshua Stapleton (attached to Darten's application) in which he refers to the Service of Darten in the year 1777 and says, "that during that year he Darted served all the year according to his deponent's recollection." He also states that in the year 1778 he knows of Darten's going against the Indians on Clinch River, as deponent often saw him in the service during that year. Deponent served 3 months with him in 1778 – found Darten in the Service when he went and left him in the Service. He knows also of Darten's going against the Tories as stated in the application. This claim I regard as well made out, full and complete, history given of the course of the service performed, names of officers, Battles or engagements, killed and wounded etc.. All of which is most of

Respectfully Submitted
Isaac H Trabue by
his Brother ? J. Trabue

[fp. 9]
State of Kentucky Johnson County: Sct.
On the 21st day of August 1851 personally appeared before me George Selsor, an acting Justice of the Peace in and for the County, and State aforesaid, duly authorized by law to administer oaths Sarah Daniel who being duly sworn according to law doth on her oath make the following Declaration in order to obtain the benefit of the Act of Congress passed June 7th 1832, aged fifty-three years, she is the daughter and heir at law of Edward Darten, Deceased, who was as she verily believes a private in the war of the Revolution for a considerable time for which service he did not draw his yearly [word written over and illegible] from the year 1835 – That in the aforesaid year (1835) – he was suspended. – And believes that he was entitled – And She as a Daughter and heir at law from the time of his suspension – up to the time of his death – which took place on 25th November 1849. She most respectfully asked the Hon. Commissioner of Pensions to cause it to be allowed to her and that the Certificate evidencing the same may be forwarded to her Attorney ___ of Frankfort Kentucky and with him only and such others as he may direct, Does she wish correspondence holden in reference to her aforesaid claim or claims to a Pension or Pensions, that may be due her for the services of her Father in the Army of the Revolution under the above Act of Congress of 7th June 1832 or any other act of Congress heretofore passed.

That she (the Deponent) and one brother were the only children mother and Father ever had. That her brother died sixteen or seventeen years [indecipherable word, probably intended to be 'prior'] to her Father's death. She hereby revokes all authority heretofore given to prosecute the claims or claims to a pension or pensions or any other interest that she may be entitled to for the services of her aforesaid Father in the Army of the Revolution.

S/ Sarah Daniel, X her Mark

[fp. 34: correspondence dated January 29th, 1852 in which it is stated that William Penix intermarried with Sarah Dorton, and that said Penix, Joel Dorton, Joshua P. Dean who intermarried with Elizabeth Dorton are all the legal heirs and representatives of William Dorton deceased son of Edward Dorton. That the only other heir of Edward Dorton is his daughter Sarah Daniel.]

[Veteran was pensioned at the rate of $80 per annum commencing March 4th 1831, for service as a private for 2 years in the Virginia service.]
Under the late law in the counties of Floyd Margin [sic: Morgan], Lawrence Pike and Perry and a Statement of the date of their services and if there has been certificates forwarded to the department of their being unable to go before the court of examination as I believe the law requires and the names of the agents and the names of the magistrates that have signed the certificates and I will be able to show and can prove the age of a great many that were scarcely born at the time the services is said to be rendered. I assure you sir there is no man in the government would like the soldiers of the revolution more amply rewarded than myself But when I see others under the pretence committing the worst of frauds on our government I feel it my duty as a citizen to assert my government in detecting improper conduct if you see proper to forward to me the authority I hope of I will if living attend strictly to the business and if my services is found to be of advantage to the department I shall expect to be remunerated for them at the discretion of the department and if not I assure you I shall ask nothing I remain yours &c [signed] D K Harris

[to] Geo M Crump

NB inclosed I send the statements of John Ausbourn and Rubin Marshall about the two Howards I say to you that Mr Ausbourn and Mr Marshall are highly respectable men whose Statements are to be relied on as much as any men in Ky DKH

in addition to the five you gave me a statement of their age and service to my own knowledge I am of opinion that the claims of Stepelton Marshel Wells and Porter and probably that of Brown will all be found to be improper claims DKH

[From the pension file of Joseph Davis S15399]

War Dept/ Pension Office/ Aug. 6, 1835

Sir [D. K. Harris], Your letter of the 18th ult'o. accompanied by the statements of John Osborn and Reuben Marshall came duly to hand. These statements are herewith returned, in order that they may swear to them. The pensions of Joseph Davis, Bazle Castle, Edward Darten, Thomas Howard and James Howard have been stopped. So soon as Lists of the Kentucky Pensioners shall have been permitted for circulation, a List embracing all the counties you mention, will be sent to you. We will be obliged to you for any information respecting fraudulent cases which you may be able to furnish. This Dept. however, can make no compensation for such service. No appropriation by law has been made for such purposes.

[At the bottom of this page is the following anonymous note: “This man retracted his statements about Joseph Davis, see his letter dated Feb. 11, 1842 in claim of Edward Darten, S30983.”]

[From the file of Thomas Howard S45796]

Prestonburg Ky/ October 1st 1835

Sir yours of August the 6th and 29th is all to hand enclosing the statements of Ausbourn and Marshall my reason for not answering them before this time I have been absent from home. I will when opportunity admits send them back sworn to &c as you request the frauds on your department are numerous and glaring such as an honest community is not willing to put up with without exposure. I say to you there is no difficulty in detecting the wrong if a trial is made by legal authority

[to] The Secretary of War yours DK Harris

NB I inclose the statement of Ausbourn DKH

[The following is in the pension file of Edward Darten (Dorton) S30983.]

Prestonburge Floyd County Ky/ February 11th 1842

Dear sir some six or eight years since I wrote to the head of your department on the subject of fraudulent petitions in this section of the government there was two cases that was glaring and certainly fraudulent. I mean the cases of Thomas and James Howard. these two cases led to the suspicion of other...
that of Edward Darton Boswell Castle & Joseph Daviss witch were all stoped the 6th of august 1835. I suppose from the information the department receved from me Sir the three latter casses that of Dorton Boswell Castle and Davis the men live about twenty or twenty five miles from where I do about the last of november last I was in the nabourhood on the hunt of some work cattle I stoped in at the house of Darton and found him sitting in his chair a cripple not able to get about without help and his wife stone bline I thought of the subject and raised a conversation with the old lady upon the subject of the revolutionarry war she spoke sensibly of the servises of hir husband and of Castle & Davis shee thoughroly convinced me that the suspetion that was against them was rong and sir I do much regrett that it was in and thrugh me they were cut out of thare rights but sir I am contious that I was guided by no improper motive my father was a member of the revolution and his Blood mingled amongst the marthers of that scane and I feel it a duty that I owe to my goverment to detect frauds against it and likewise I feel it a duty that I owe to my fellow man if I have by mistaken notion or otherwise done them a rong to rectify it. sir they do not know to this Day that I was the cause of their petitions being stoped and sir it would gratefy my feelings verry much for them to be restored againe I mean the three latter casses as I do asure you that I would be the last to do an injury to a War warn patriot in his last days plesse let me hear from you Respectfully yours/

[Apparently Harris tried to get the pensions of Darten and Davis restored. From the file of Joseph Davis:]
Prestonsburg Floyd County Ky Nov 3rd 1843
Sir inclosed I send you the casses of Edward Darton and Joseph Davis as sent to me to forward to the department I also send you the claim of Presley Larkins [R6168]. I would like to hear from the claimes of Misses Wells and Sara Auster you well forward your answer to Prestonsburg Ky yours

Pen Off [Pension Office]/ Aug 16th 44
Sir [David K. Harris Esq'r/ Prestonsburg/ Floyd Co. Ky.] In the case of Presley Larkins it appears that his service was rendered subsequently to the revov'y. war and consequently affords no ground for a claim to a revov'y pension. Congress has made no provision for those engaged in the Indian War which succeeded the revolution. The unauthenticated & informal declaration of Edward Darten and the depositions of the Franklins to establish his general character have been examined & filed – His present statement is entirely inconsistent with his original declaration & is too general & vague to admit of a satisfactory investigation. It merely assigns that term to each tour which he was informed the laws of Va. prescribed to the militia and asserts double the number of terms tours set forth in his original statement under oath in 1833 before “his mind” became as “feeble” as his witnesses now represent it.
The add'l. papers in the case of Joseph Davis (also informal) have been examined in connection with those heretofore filed – He now in general terms asserts that he served two tours of 3 mo each in the Va. militia but affords no detail of each as the rules require. It is very clear from his own statement made when his memory was less frail that he now represents it that he served but one tour of 3 mo in the militia & performed for something like 12 mo. that service of vigilance which all the active & young of the Frontier settlers rendered under their own organization for their domestic security. That service is not provided for.

NOTE: In the 1830 federal census Edward Dorton of Paintsville, Floyd County KY was listed as age 60-70. In the 1840 federal census Edward Dorton of Floyd County KY was listed as 70-80.