

Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of John Irby W5003

Anne Irby

f42SC [sic, VA]

Transcribed by Will Graves

4/28/08 rev'd 1/18/16

[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 8]

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

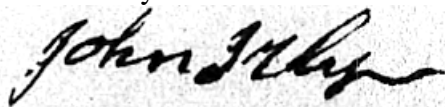
On this 22nd day of January A.D. 1833 personally appeared in open Court before the Justices of said Court of Pleas and Quarter Sessions of Lincoln County and State aforesaid opened and held on the 3rd Monday of January A. D 1833 and now sitting – John Irby – a resident of Lincoln County and of the State of North Carolina aged Seventy-one in August Last 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. To wit – that he was born in the State of Virginia in what is called the northern Neck near the Chesapeake Bay in the year 1761 in the month of August and as he is informed in Richmond County – that his first recollections tell him that he was living in Dinwiddie County and at the age of 13 or 14 he moved with his father into the County of Charlotte (Virginia) that he was living in said County at the commencement of the Revolutionary war as well as he can remember and at the time he was first called into Service of the United States, that he has a record of his age at home – that he was first drafted in the State troop of Virginia in the County of Charlotte in Captain J. Morton's [James Morton's] Company for three months, that he marched under him from Charlotte to Williamsburg to guard it and that he thinks that General Muhlenberg [Peter Muhlenberg] was the commanding Officer that he at that time belonged to Number 2, that he was drafted in the month of August A.D. Saturday after he was sixteen years of age – in the year 1777. -- that he served out his time being stationed at Williamsburg the whole of the time and was discharged by his Captain – which discharge is lost, that afterwards in the year 1778 or 1779 he was exchanged by his father from class No. 2 to Class No. 10 and was one of the three of that Class who in pursuance of an order of the Governor of Virginia was compelled to work three months as a Cooper in making canteens for the United States service and which was then considered as a tour of duty for that length of time – that he worked under a cooper by the name of John Gill – that he served the three months as a cooper accordingly – That in the month of September or October in the year 1780 his father sent him to the State of South Carolina on a visit to his uncle Joseph Irby a resident of that State and residing on the Little River of Saluda [River] – that when he came to the State of South Carolina he found that his Uncle Joseph Irby¹ had been killed by Captain

1 Joseph Irby, Sr. and Joseph Irby, Jr. were two of the sixteen Whigs killed at Hayes Station by William Cunningham and his men. The date of the engagement is not know for sure but is generally considered to have occurred sometime in November 1781. If that date is correct, then the applicant's arrival in SC must have occurred after that date. Thus, it is likely that the applicant arrived in SC sometime in late November after the engagement at Hayes Station. The other Whigs killed at Hayes Station were: Col. Joseph Hayes, Capt. Daniel Williams, Joseph Williams, brother of Daniel, Lieut. Christopher Hardy, Lieut. John Niel, Capt. Clement Hancock, John Melvin (Milvin), James Ferris, John Cook, Greaf Irby, Benjamin Goodman, Capt. Owens, Capt.

Cunningham [William Cunningham known as "Bloody Bill" Cunningham] a Tory Captain and his party, that he with others fled to the Army of Morgan's [Daniel Morgan's] Army for protection some time before the Battle of the Cowpens [January 17, 1781] – that there were many refugees then in a similar situation with himself – that they formed a volunteer Company to the amount of 60 or 70 and that he was elected Captain of said Company and was commissioned as such by General Pickens [Andrew Pickens] of South Carolina – that he served as Captain of said Company in the Battle of the Cowpens – at which Place Tarleton [Banastre Tarleton] was defeated – that Morgan immediately retreated after the Battle and was pursued by Cornwallis – until Morgan Joined General Green [sic, Nathanael Greene] – who continued the retreat until he crossed Dan River at Irvin's ferry – that he joined Morgan's Army in November 1780 and that he received his commission from Pickens a short time before the Battle of the Cowpens – which was fought on January 17, 1781 – that after crossing Dan River he was sent by Greene on an express to Colonel J. Wooden the Colonel of Halifax County for two companies of men – that the express was by him delivered and that two companies were raised of one of which McDaniel was Captain and the other John Thompson was Captain – that Thompson was afterwards killed at the Battle of Guilford, that he was attached to McDaniel's Company – being a supernumerary officers subject to McDaniel – but that Declarant still retained his commission as Captain William Irby was the Lieutenant of said Captain McDaniel. That they recrossed the Dan River and in turn pursued Cornwallis and gave him Battle some time in March 1781 at Guilford Court House [March 15, 1781] – and from thence retreated to Ramsey's Mills where he was discharged in April of the same year. McDaniel was a Continental officer but commanded the Virginia militia of Halifax – he has lost his discharge and also the commission given him by General Pickens – that he served in all about eleven or twelve months as laid in this declaration-- of which time he served as Captain as above stated – that he removed from Halifax Virginia to York South Carolina in 1789, that from there he removed to Lincoln County in the year 1807 where he has lived since. He further declares that he is not on the Pension Roll of any agency of any State whatever and hereby relinquishes his all claim whatever to a pension except the present he has no documentary evidence of his services-- except such as are filed in the war department at Washington that he has no parol evidence of his services except his own oath and the affidavit [of] Richard Griffin hereunto appended and the certificate below as stated.

Sworn to and subscribed in open Court the 22nd day of January 1833.

S/ John Irby



[Isaac Holland and Oliver W. Holland gave the standard supporting affidavit.]

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State of North Carolina, Mecklenburg County: Court of Pleas and Quarter Sessions November Term 1832

On this 28th day of November A.D. 1832 personally appeared in open Court before the Justices of the Court of Pleas and Quarter Sessions of Mecklenburg County and State of North Carolina opened and held on the fourth Monday of November A.D. 1832 and now sitting Richard Griffin and makes the following affidavit on oath that he served under Captain Irby at the Battle of the Cowpens in which engagement he was – that he was not very long under him –

Leonard, Yancy Saxon. That arrival date, however, makes no sense since the Battle of Cowpens in which the veteran claims to have participated occurred on January 17, 1781, some 10 or 11 months prior to the massacre at Hayes Station.

Captain Welsh his former Captain not being present at that time for some reason that affiant does not remember.

Sworn to and subscribed in open court the day and year above written. Given under my hand & seal of office.

S/ Richard Griffin, X his mark

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State of North Carolina Lincoln County: December 14th 1833

This day Personally appeared before me Jacob Plonk one of Subscribing Justices of the peace of said County, Richard Hanks and on his Oath saith that he the said Richard Hanks Saul John Irby on the morning of the Guilford Battle and on parade and from his appearance and dress he was a Captain in a Company. Sworn to and subscribed before me the date above mentioned.

S/ Jacob Plonk, JP

S/ Richard Hanks, X his mark

[Note: Beginning on page 4 of this file, there are partial pages from a document dated April 22, 1834 which appear to be another pension application filed by this veteran. The version of this file as posted by both Fold3.com and Ancestry.com contain the same partial pages the order of which is scrambled in both postings.]

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~~and then we recrossed Dan River and pursued Cornwallis back to Guilford Court house and after Battle of Guilford we marched on to Deep River at Ramsey's Mills and was dismissed on the 30th of April 1781 and he served as a private 6 months and as a Captain 6 months and he hereby Relinquishes every claim whatever to a pension or annuity Except the present and he declares that his name is not on the pension Roll of the agency of any State.~~

~~Sworn to and Subscribed before me this the day & year 1st written~~

S/ John Irby

Interrogatories

1st Where and in what year were you Born

I was Born in the State of Virginia in Richmond County on the 5th of August 1781 (have you any Record of your age and if so where is it). I have a Record of my Age at home –

Where were you living when called into Service where have you lived ever since the Revolutionary War and where do you now live.

I lived in Charlotte County in the State of Virginia when called into the Service and have lived in South Carolina York District and Lincoln County where I now live for the space of 30 years past.

[p 4]

as a soldier, did you ever receive a discharge from the Service and if so by whom was it given and what has become of it

I did Receive a discharge from the Service from Captain James Morton and my discharge is lost.

As a Captain did you ever receive a commission and if so by whom was it signed and what has become of it

I did Receive a commission from General Pickens and it was signed by said Pickens and I have lost or so mislaid it so as not to be able to produce it.

Sworn to before me the 22 day of April 1834

S/ John M. Ingram, JP

S/ John Irby

[4]

State of North Carolina, Mecklenburg County

Personally appeared before me John M. Ingram one of the Justices of the peace in and for

said County Richard Griffin² a resident in said County and made oath in due form of law that he is well acquainted with the applicant John Irby and was a soldier under him when he fought at the Battle of the Cowpens and for some time say three months before the Battle and some time afterwards and he knows he served as Captain in the Revolutionary War the term of six months as he states. Sworn to and subscribed Before me this the 22nd day of April 1834.

S/ John M. Ingram, JP

S/ Richard Griffin, X his mark

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Amended Declaration of John Irby

State of North Carolina, Lincoln County: July Session 1834

Personally appeared in open court, in a Session, this 23rd day of July 1834, John Irby of said County & State aged 73 in August next, who being first sworn according to law deposeth & saith – that on his arrival in South Carolina as set forth in his original declaration, finding his uncle had been killed by the Tories, he immediately went to the Army of General Pickens for protection and as set forth in, October, he was elected by those who like himself had also fled to the Army for protection, a Captain, and was immediately after elected, commissioned by General Pickens and was attached to the Regiment commanded by Colonel William Polk – remained & was with him & General Pickens until after the battle of Cowpens after which I joined the Army of General Greene in South Carolina, & marched with him as before stated into Virginia & with him entered to North Carolina in pursuit of Cornwallis, and on the 15th of March 1781, had the battle at Guilford, the last of April following, I was discharged, at Ramsey's Mill in North Carolina. From the length of time passed I am unable to give the day of the month, that I was commissioned my commission being lost or the day of the month I was discharged in April, But have a distinct recollection, of my election in October, about the last of the month, & it being the last of the month of April, when I was discharged. My discharge for this first tour of three months as a private is lost, and the only living witness known of now living is Richard Griffin of the County of Mecklenburg, whose deposition is herewith appended. My name is not on the pension roll or agency in any State. He hereby relinquishes every claim whatever to a pension except the present. Sworn to & subscribed the day and year aforesaid.

S/ Andrew Hoyl, Chairman of Said Court

S/ John Irby

Sworn to in Open Court

S/ M. W. Abernathy, Clk.

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State of North Carolina, Lincoln County

This may certify that Richard Hanks³ aged about 73 years a revolutionary Soldier who has also petitioned for a pension made oath on the holy Gospel and on oath saith that he saw John Irby who has sworn to the annexed amended declaration on the morning of the Battle of Guilford and conversed with him respecting their families that the said John Irby after forming an acquaintance informed him that this deponent's father & said Irby were cousins and that said Irby had the appearance of a Captain or at least of an officer but that he is not certain that he was an officer and that he knows this to be the same man. Sworn to and subscribed before me this 28th day of July 1834.

S/ Andrew Hoyl, JP

2 [Richard Griffin S6919](#)

3 [Richard Hanks R4570](#)

S/ Richard Hanks, X his mark

[p 15: On June 4, 1845 in Lincoln County, NC, Anne Irby, 78, filed for a widow's pension under the 1838 act stating that she is the widow of John Irby, a revolutionary war pensioner; that she married John Irby on March 12, 1788, and that her husband died May 9, 1843. She signed her application with her mark.]

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Bible records in the file:

Children born to John Irby and Anna his wife, Viz.

Joshua Mason Irby was born November 9th, 1790

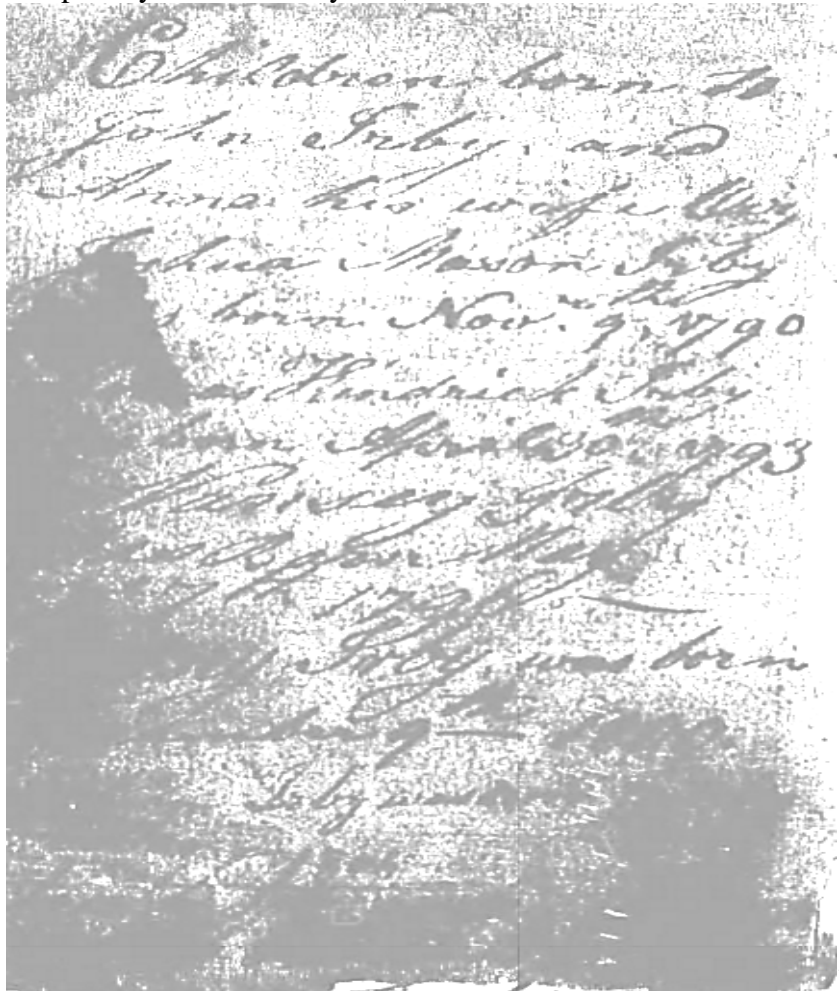
Thomas Kendrick Irby was born April 30th, 1795

Nansey Irby was born May 7th, 1796

Betsey Irby was born December 9th, 1800

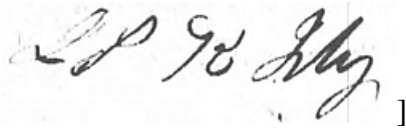
William Irby was born January 26th, 1804

Joseph Irby was born May 10th, 1806

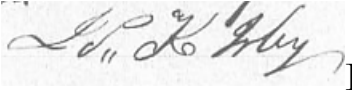


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born Nov. 9th 1790
Thomas Kendrick Irby
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Nansey Irby
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Betsey Irby was born
December 9th 1800
William Irby was born
January 26th 1804
Joseph Irby was born
May 10th 1806

[p 16: On June 5, 1845 in Lincoln County North Carolina, Joseph K Irby authenticated the family record of John Irby and his wife Anne; he states that he believes the record to be in the handwriting of John Irby and is the original and genuine record. The relationship, if any, of the affiant to the veteran and/or his widow is not stated.]

Handwritten signature of Joseph K. Irby in cursive script, followed by a closing bracket.]

[p 18: On October 5, 1852 in Cleveland County North Carolina, Joseph K Irby gave testimony that he is the son of John and Ann Irby, revolutionary war pensioners; this document is a power of attorney in which the affiant authorizes his attorney to pursue such increase in the pensions due his parents as may be provided under the applicable law.

Handwritten signature of Joseph K. Irby in cursive script, followed by a closing bracket.]

[Veteran was pensioned at the rate of \$70 per annum commencing March 4th, 1831, for service as a private in the Virginia militia and as a Captain in the South Carolina militia. His widow was pensioned in a like amount.]