

Southern Campaigns American Revolution Pension Statements and Rosters

Pension Application of Edward Kearney S15495

DE

Transcribed and annotated by C. Leon Harris.

[Because of poor penmanship the following transcriptions should be used with more than usual caution.]

State of Virginia } Ss

Ohio County } }

On this eighteenth of February one thousand eight hundred and thirty three personally appeared before me [John Brady] a justice of the peace and member of Ohio County Court Edward Kearney a resident of said County aged seventy nine 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 June the 7th 1832

That he entered the service of the United states under the following named officers and served as he states according to the best of his recollection without being positive as to dates – That he entered as a volunteer in Kent County Delaware under Captain James Raymond on the first of August 1777 and immediately after marched to Middletown New Castle County where we lay until the 11th September when we were marched in company with Captain Manliff company of Militia Captain Currie's Company of Militia under Col West to Cooch's Bridge where we had a smart skirmish with the British [possibly Battle of Cooch's Bridge, 3 Sep 1777]. The enemy retreated and left three dead We left here the same day and marched to Aiken[?] town 3 or 4 miles or more off and staid there a month and then back to Middletown where we staid a few days when we marched to New Castle town after being here some days we were ordered to fort penn [probably should be Port Penn] where we remained some time we were ordered to Thoroughfare neck Staid here some time here when we were ordered to Rumblekook[?] Island where we remained fifty two days Then we returned to Whitehall Landing and there stationed for two months as a guard. (the Militia were not with us neither here nor on the Island some had run away and the rest had been discharge before we came to the Thorough fare) Our company was then ordered back to thoroughfare Neck Staid four days and then marched back to Whitehall Landing after staying 2 or three weeks we were ordered to Smyrna landing where we had a fight with the British and Tories took two Barges retook a vessel loaded with flour and killed 23 and took 14 who were wounded and nine not wound. This was some time in the winter for I mind it was very cold and the British were in Philadelphia [26 Sep 1777 - 19 Jun 1778] We lay sometimes at Ma[?]house ditch and fort Landing [?] – Little neck Landing Frederica and other places all in the vicinity of Dover until August 1778 when we were discharged the 3^d day of August by Captain Silas Snow who had been our first Lieutenant until march when he became the Captain in place of Raymond who had been made a Colonel of Militia and went home. this service continued at least one year the time we entered for at first we were a Uniform Company looked like Regulars – as we all had Blue Coats with buff facing leather Caps and white trousers when we went out but not white long we were paid for our years service in Congress money – In September of 1778 I think the 18th of the month our Company Volunteered again under Captain Snow for six months to guard the shore against British & tories in their excursions on the Delaware during this service we were going nearly all the time from one place to another never more than a few days at one place at a time – In one of our scouts in this tour we retook Charles Greens Vessle from Captain Jesse Turner and Turner's Barge with Eighteen men all Tories from Choptank River in Maryland This action took place below Nicholas Borrows[?] Landing in the Month of February 1779 under Captain Thomas Cumberford our first Lieutenant when we started but had succeeded to the command some time before in place of Snow who had been taken prisoner by the Tories commanded by George Mann. Crane was taken at a house in the neighborhood of where we lay at Whitehall Landing I think a months previous to the time I last stated. We were discharged by Captain Cumberford the 10th of March 1779 and served in this tour at least six months we were called the flying camp [see endnote].

Not long after this I engaged in the service of Doctor James Tilton of Dover Delaware as a waiter and continued in his service as such until the end of the war
I have no documentary evidence of my service nor do I know of any person now living who can certify to my service

I was born in Kent County Delaware May 10 1753 Moved to Ohio County Virginia twenty years ago where I have lived ever since

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 or Territory

Edward hisXmark Kearney

[Rev. George W. Robinson and John Hamlet certified Kearney's character for veracity and his reputation in the neighborhood as a soldier of the Revolution.]

[On 22 May 1833 Kearney was issued a certificate for a pension of \$60 per year for 18 months service.]

[The following report is by US District Attorney Washington G. Singleton who investigated hundreds of pension applications from present West Virginia. For details see my appendix to the pension application of David W. Sleeth S6111.]

Edward Kearney – Pensioner Ohio cty.

Fraud This is a bad case; the claimant alleges 18 mos continuous tour in the militia in Delaware.

Edward Kearney. Served 1 yr. & 6 mo.

I the undersigned Edward Kearney in pursuance of the requisition of the Secretary of War, give the following statement of my services as a soldier in the war of the Revolution and statement of my age &c to Wit.

I was born May 10th 1753. So said my fathers Bible. I am a native of Kent County Delaware, and lived in that county until within the last fifteen years – in that time I have lived in this region of country.

In July 1777 I volunteered for six months under Capt. James Rayman (the company about 100 men) Rendezvoused at Middletown New Castle County and march down to Lewis town [sic: Lewes] on the capes – thence to Pilot town – thence to Milton Sussex Cty – thence to Ceder creek [sic: Cedar Creek] thence to Milford creek – thence to Murdicle creek [sic: Murderkill River] – thence to Iron creek – and so on about and around until we came to Bomberhook Island. on getting there our time of service (6 mo.) expired – without leaveing the last mentioned place – about 80 of the same company includeing myself revolunteered under Capt. Snow (our Leeutenant in the tour first mentioned) for six months – our operations in this tour was on the same “ground” first above mentioned – and it was the same kind of service – whilst in this tour of service Capt. Snow was taken prissoner at his own home. Leiut. Cumberfoot succeeded to the command. I served out the tour of six months. (this was in 1778) went home and staid there for seven or eight days only then volunteered again (the third time) for 6 months longer; I served this tour under Capt Cumberfoot. (just above named) our operations in this tour were confined to the district or country first above mentioned. I served out this 6 months – all my servis (18 months) was continuous and without intermission with the exception of the seven or eight days before mentioned. – I know of no one living by whom I can prove my services. Doct. McKeehan wrote my Declaration to whom I made the same statement in substance now made. In witness of all which I here to subscribe my name July 1 1835

Witness/ Samuel Browning

Edward hisXmark Kearney

a Copy Test

W G Singleton

Memo. this old man is a recent settler in Ohio cty. no one there knows any thing of his services. – the opinion of his neighbours so far as I learnt it is highly unfavourable to him. I was unable to gether any thing from his manner of detailing his services – it seems to me however that he was rather too zealous in the cause. 18 months continuous service for a Militiaman, in three several tours, is in my opinion rather over doing the matter. [see endnote]

Respectfully Reported/ W G Singleton/ July 6 1835

War Depart't/ Pension Office/ July 14 1835

Sir [John McCulloch Esq., Ohio County Clerk] I have this day instructed the Agent at Richmond, to resume the payment of the pensions of Abisha Blodgett [pension application S15752], Jno Milligan [John Milligan S13939], Robert Pyatt [S8987] and James Holliday [S7025] of Ohio County; and I have also directed, that the names of Edward Kearney and Abraham McCulloch [S15534] be dropped from the rolls.

I am &c

[copy unsigned, but probably by James L. Edwards, Commissioner of Pensions]

War Dept./ P. O./ Ap'1 18 1836

Sir [W. S. Morgan, House of Representatives], I have the honor to return the letter which you transmitted to this Dept. in the case of Edward Kearney. The account given by him of his service in his original declaration is inconsistent with the history of the Revolution, and therefore he cannot be restored to the pension rolls unless he can give an accurate detail of his services supported by the oaths of 2 credible witnesses. Mr. Kearney must be held to strict proof in order to rebut the unfavorable impression which arises with regard to his character from the accounts given of him in the neighborhood of his residence.

West Liberty Va May 9th 1836

Hon Andrew Jackson

Sir you will pardon the boldness of an entire stranger who presumes to address you a line, to recite his greifs to your exellency I am an old man now in my 83^d year poor and on the verge of the grave, my early life was spent in the war of the revolution in defending our country and assisting to gain our independence three years ago I obtained a pension from Government of Sixty dollars a year during life this I hoped would render my old age comfortable but alas that has been taken from me when it was first stopt I was told that it would soon be restored that an agent was coming round to examine our claims & that when government was assured that I was no imposter my pension would be continued but nothing but disappointment appears to be my lot the agent a Mr Singleton called and found me sick he put a few questions to me which I answered as well as I was able and left me my pension not being restored I got a friend to write to Mr Morgan our member of congress on the subject Mr Morgan applied to the war department and sent me a letter containing one he received from J. L Edwards commissioner of pensions stating that I could not be restored without other proof of my services than I had given and that bad impressions arose with the department of my character growing out of reports concerning me in my neighborhood who could have given their reports to the agent I cannot tell some evil disposed person might have spoken unfavourbly of me to Mr Singleton but had he mentioned them to me I could have refered him to scores of respectable men in this section who I believe would have contradicted the reports whatever they may have been that have been so prejudicial to me and now General having given you a fair statement of my complaints I must make my last appeal to you I never saw you but I feell bold to apply to you because I have been told you were the friend of the old and worn out soldier, interpose then your authority nor suffer one who in his youth like yourself suffered hunger & cold and watchings & privations in defense of the country that gave him birth to have to subsist on charity in his old age or perhaps to end his days in a poor house Should you wish to make any enquiries concerning one so obscure and unknow as myself Mr Morgan our member of Congress can refer you to a number of gentlemen in the village where I reside and have been for the last fifteen years of whom you might enquire of direct inquiry to be made and now General I am done Should this appeal to you who I beleive knows how to appreciate the services of a soldier fail then farewell hope but should you listen to my request and have the commissioner restore me my pension then may some comfort yet await me in my old age I trust General you will do this because you like myself have fought for your native land in your yout but unlike me General and pray God you never may you have not known want in your later years, unable to write myself or even to read I have procured a friend to write this at my dictation and so subscribe myself your poor but honest fellow citizen Edward Kearney

Depart't of War/ Pension Office/ May 17 1836

Sir [Edward Kearney] Your letter addressed to the President of the United States, of the 9th inst, has been referred to this Office.

In reply, I can only refer you to my letter to the Hon W. S. Morgan of the 18th of Apl. That, upon the subject of your claim to a pension, which letter I find you have rec from Mr Morgan.

If such was the fact, that the Militia in Delaware rendered the tours alleged in your declaration during the war of the revolution, most certainly there may be found some evidence of it either at Dover or New Castle in that state among the archives of the Executive Offices. [see endnote] Without proof as was before stated to you, your name cannot be restored to the Pension roll I am [probably Edwards]

House of Rep Jany 28 1837

Dear Sir [Edwards] Edward Kearney of Virginia has applied to be placed again upon the pension roll. He states he was stricken off in 1834 or 1835. I will thank you to furnish me with the reasons upon which the Department acted, also the transcript of the application, & evidence in the case.

Sincerely/ B Stover

War Dept./ Pension Office/ Feb. 7 1837

Sir [Stover], In reply to your enquiry respecting Edward Kearney, I have to inform you that his name was dropped from the roll because the U.S. Attorney for the Western District of Virginia, who was directed to enquire into his case, reported that the claim was fraudulent. I am [probably Edwards]

War Dep/ Pen. Off/ Nov. 7, 39

Sir [Edward Kearney, present] The papers you have filed furnish satisfactory evidence that the distrust inspired against your claim from information rec'd. some time since was unjust – but the difficulty respecting the character of the service in which you were engaged and for which your claim was unadvisedly admitted in the pressure of business under the act of 7 June '32 is still to be removed. The length of the terms of service, is inconsistent with the militia tours as prescribed by the laws of Delaware at that time and if not rendered under your militia obligations, it must have been rendered in some corps raised by special act which the archives of Delaware would shew. [see endnote] But if no other evidence be afforded by the records of that state for raising officering & paying a corps of coast guards, the inference will be very strong that your alleged service was the ordinary vigilance of a local patrol which devolves on the citizen alike in peace & war and furnishes no claim to the bounty for military service

A letter has been addressed to the Sec'y of Delaware upon the subject

War Dept/ Pen. Off/ Nov. 7 39

Sir [Secretary of State, Dover DE] A claim has been asserted for 3 terms of service of 6 mo each in a kind of coast guard service between New Castle & Lewiston from the latter part of 77 under successive enlistments in a corps of 3 companies. The claimant asserts that his first term was rendered under Capt James Raymond – the 2nd under Capt Silas Snow & 3rd under Capt. Thos. Cumberfoot – and adds that the other two companies associated with that in which he served were commanded by Capt. Wm Clark & Capt Curry.

Please to inform me whether the archives of Delaware afford any evidence which either confirms or discredits the allegations of his statement.

Secretary of State's Office/ Dover, Delaware/ 14th November 1839

Sir [Edwards], Previously to the receipt of your communication, I had examined, carefully, all the Revolutionary records in this office, for evidence of the service of Edward Kearny – to whom you doubtless allude – but without success. There are no papers in the office containing even the names of Captns Raymond, Comerfoot and Clarke.

With very great respect/ Your obedient servant
Ch Marion/ Secretary of the State of Delaware

Pen Off/ June 4 46

Sir [Hon. W. G. Brown] I have the honor to return you Mr Thompsons letter respecting the case of Edward Kearney and to inform you that he was unadvisedly allowed a pension in 1833 when there was a great pressure of business & the examining Clerks were inexperienced & imperfectly acquainted with the revoly service but upon a reexamination in 1835 was dropped from the roll of Pensioners. Since that time a considerable correspondence has taken place with the claimant himself & with Messrs W. S. Morgan, Bellamy Storer & R. M. Johnson. It is believed that certified copies of his papers are in the files of the Ho. Rep. in 1837. the enclosed copy of my letter to the claimant dated 7 Nov. '39 will shew the difficulties of his case which have not been removed by any evidence from the State of Delaware.

State of Virginia Ss
Ohio County

On this twenty fifth day of January AD 1860 before me the undersigned a justice of the peace, and one of the judges of the County Court in and for the County and State above named personally appeared Mrs. Ann Biggs wife of Benj'n. Biggs and a resident of Ohio County who being duly sworn declares that she is a Daughter and the only Child of Edward Kearney who was a Revolutionary pension on the Virginia role under the act of June 7th 1832 and whose pension was suspended prior to his death She further states that her Father the said Edward Kearny died in Ohio County State of Virginia on the 2^d day of May in the year one thousand eight hundred and forty eight 1848 Leaving surviving him no widow and no Child or Children other than the affiant. That she has in her possession a private record containing an entry of the death of her said father of which the following is a copy. Edward Kearney departed this life May 2^d 1848 in the 96th year of his age

That said entry is in the hand writing of this affiant and was written by her a few days after the death of said father

She makes this declaration for the purpose of obtaining the arears of pension to which her father was entitled at his death, and hereby [illegible word] and appoint Tucker & Lloyd, of Washington D.C. her attorney to prosecute said claim
[signed] Ann Biggs

State of Virginia Ss
Ohio County

On the 25 day of January A.D. 1860 before the undersigned a justice of the peace in and for the County and state above named, personally appeared John Brady and William Irwin both residents of said County, and who are known to me as credible witnesses, who being duly sworn declare that they are personally acquainted with Mrs Ann Biggs, who has made the foregoing affidavit and were long and intimately acquainted with her father Edward Kearney who was a Revolutionary Soldier. The said John Brady from the year 1819 and the said William Irwin from about the year 1830 both had frequent intercourse with him up to his death which took place as we believe some time in may A.D. 1848

That they know that Edward Kearney was a pensioner and that his pension was suspended in consequence of his statement made to an agent of the Government. They state that for many years previous to his death they have frequently heard Mr. Kearney Complain of a disese in in head which frequently disqualified him from attending to business of any kind, and we frequently heard him say that he had just had one those attacks when he had the Interview with the agent of the Government and affiants believe that such was the case

They further state that the said Edward Kearney died at the residence of son in law Benj'n. Biggs in Ohio County state of Virginia some time in may in the year one thousand eight hundred and forty eight as they believe and left no widow and children other than Mrs Ann Biggs who has made the foregoing declaration, and they testafy that they have no intrest in any claim that may be due the said Mrs. Ann Biggs
[signed] Jno Brady William hisXmark Erwin

Pension Office, April 30 1860

Gentlemen, Agreeably to your request of the 18th instant I have carefully examined, together the following claims, viz:

Samuel Harbert [pension application S15447], deceased, late of Va. Act June 7/32

Edward Harbert [S15448], deceased “ ” “

Abraham McCulloch [S15534], deceased “ ” “

Edward Kearney , deceased “ ” “

Edward Goodwin , deceased “ ” “

Christopher McVane [Christopher McVane S15533] decd. “ ” “

These claims were filed by you at different times, but they belong to a class, depending upon the same preliminary general rule. All the above named parties were pensioned under act of June 7 1832; but (with a large number of others) were stricken from rolls in 1835 on the ground that they were improperly admitted, the proof adduced failing to shew a sufficiency of pensionable service. Some of this class of pensioners were subsequently restored to the rolls & upon the production of satisfactory additional evidence of service, and others on the ground that upon suits being instituted by the government for the recovery of the money already paid its own officer (the District Attorney) voluntarily submitted to a nonsuit[?], [illegible word] upon “an examination of the law and evidence.” None of the claims under consideration have been brought within the rule thus adopted in relation to this class of cases. You have neither additional evidence of the service of the parties whose names you ask to be restored to the rolls; nor have you shewn that the government has admitted in any form that the action of my predecessor in suspending the payment of their pensions was wrong. I am constrained, therefore, to [illegible word] the application [the rest of the letter missing]

NOTE:

The Flying Camp formally existed only from May through Nov 1776.

Because militia *drafts* were generally limited by law to only a few months per tour, Singleton and Edwards often assumed that *voluntary* militia duty was similarly limited in duration. Numerous pension applications attest to the fact that militiamen on the Delmarva Peninsula were often out for extended periods defending the coasts against British and Loyalists. For an example similar to the claim of Kearney, see the pension application of John Morris R7406. Edwards incorrectly stated that such extended tours would have to be authorized by legislation, when in fact the pension law of 1832, and Edwards’s own regulations for administering it, provide for the service of volunteers without requiring that the service be authorized by special legislation. Records of militia units seldom survived, which is why the act of 1832 provided that a plausible declaration of service and the certification by two neighbors would be sufficient proof. An analogous situation existed with the defense against Indians on the frontier, as discussed in my appendix to the pension application of David W. Sleeth S6111.