

[Southern Campaign American Revolution Pension Statements & Rosters](#)

Pension Application of James Bates S30850

Transcribed and annotated by C. Leon Harris

State of Kentucky } Sct

County of Grant }

On this the 14 day of october 1833 personally appeared in open court before the Justices of said County of Grant now sitting James Bates Senior a resident of said county and state aforesaid aged 73 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 7<sup>th</sup> 1832

That he entered the service of the united states under the following named officers and served as herein stated. To wit. that he volunteered under Capt James Buford in the month of July 1776 that Jack Early [possibly Jacobus Early] was his Lieutenant and Simon Miller his Ensign. That Colonel William Cristey [William Christian] was the commander of the Regiment. That he resided in the Town of New London Bedford County [now in Campbell County] State of Virginia when he entered the Service. That from thence he crossed New River at English's ferry [sic: Ingle's Ferry at present Radford] thence to long Island on Holston River in the State of Tennessee [at present Kingsport] Thence to the Indian Towns on the Tennessee River There the Army remained till Col Cristey effected a treaty with the Indians [Treaty of Long Island, ratified 20 Jun 1777] – from thence the same Rout to London the starting point including a period of six months

And this declarant further states that he rendered other and the following service in the united States under the following officers and served as here in after stated Towit That he volunteered under Captain Thomas Cook who was raising Volunteers to for a body Guard for Governor Martin Richard Varner was his Lieutenant and James Cavinder his ensign That he entered the said service in the month of October 1779 left the Service in the year 1781. [See endnote.] That he lived in the County of Guilford State of North Carolina That he marched from said County of Guilford where said Governor lived to Hillsborough where the Legislature of said State then sat for two sessions. Thence as a Guard with said Governor to the Morvin Towns [sic: Moravian towns of Salem, Bethabara, and Bethania] in the County of Surry in said State. Thence to Wilmington in said state where he received a discharge for four years service from the hands of said Governor of North Carolina with the state seal of mirtle wax annexed thereto –

And this declarant further states he rendered other and further the following service in the United States, under the following officers and served as herein after stated Towit That he again Volunteered under the aforesaid named Captain Thomas Cook for the Term of six months. That the aforesaid Varner and Cavinder were his Lieutenant and Ensign. that General [Jethro] Sumner and Colonel Davy [sic: William Richardson Davie] commanded the Horse Troop and the whole under the command of General Green [sic: Nathanael Greene] then in the South That he entered the last said service in the month of May 1782 and left the same in the month of November thereafter. That he was in a skirmish with the Troops of Colonel Tarlton [see endnote]. Sometime in and about the first of October in the year last aforesaid which lasted on [illegible word]. Said skirmish took place about four miles East of Charlotts Ville. This declarant further states that there were about 23 twenty three killed and wounded amongst whom was killed James Rutherford, Son of General Rutherford whom this Declarant with one James MaGarin at the solicitation of Captain Cook (the Troop being under a retreat) took to the said James' Father General Rutherford a Distance of 40 miles) for which this Declarant got a Furlough of the said Captain Cook for 20 days and he let this declarant return to the Army again but sent a man to Captain Cook in his place to whom Captain Cook afterward told this Declarant he had received with full satisfaction. This was, as this declarant supposes, done by General Rutherford for thus carrying his dead son home; whom this Declarant saw decently interred.

And this Declarant would further state, that before the last mentioned skirmish, he was at the surrender (he thinks in September of the year 1782) of a band of Tories collected at Rooglies milles [sic: Rugeley's Mills, 12 mi N of Camden] in South Carolina, at which place 16 Sixteen were found with paroles [promises not to fight again] in their pockets (by the American officers) and immediately hanged on a white Oak Tree (projecting over said mill pond 4 four at a time, till all were executed. this Declarant further states when he entered the last mentioned services he resided in the County of Rowan State of North Carolina.

And this Declarant further states that he rendered other and further service in the untied States under the following officers and served as herein after stated Towit That he was further called on (he believes by the laws of North Carolina for the purpose of suppressing plundering) and entered said service under Captain George Pierce Robert More his Lieutenant and James Pierce his ensign Robert Rollston adjutant All under the command of General Green or the Governor of said last mentioned state this Declarant knows not which. That he thinks it was in November 1782 he entered the last mention service and left the same in the month of February 1783. That he started from the said County of Guilford Thence to the forks of the Yadkin thence to Wilkes County on the waters of said River. Thence to Burk [sic: Burke] County – from thence homeward through Salisberry [sic: Salisbury] and General Rutherfords by whom he was finally discharged

This declarant further states that he has no Documentary evidence; and that he knows of no person whose testimony he can procure who can testify to his service.

I hereby relinquish every claim whatever to a pension or annuity except the present and declare that my name is not on the pension Roll of the agency of any state

1st Where and in what year were you born?

Answer in Essex County Virginia in the year 1760

2 Have your any record of your age and if so where is it? Answer I have no record of my age it was burned in my House with my other property in the County of Switzerland State of Indiana in 1812

3 Where were you living when called into service where have you lived since the Revolutionary War and where do you now live?

Answer I lived when first called into service in Bedford County State of Virginia – after the Revolutionary War in October the 7<sup>th</sup> I removed & arrived in Madison County Kentucky – and now live in the County of Grant and State last aforesaid

4<sup>th</sup> How were you called into service, were you drafted – did you volunteer, or were you a substitute? And if a substitute for whom

Answer I volunteered willingly and freely every one of my above mentioned tours – some of which I could have avoided if so disposed and shewed my discharges as proof without blame of any one.

5<sup>th</sup> 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 – Generals Green Sumner and [Daniel] Morgan, Colonel [William] Washington of the Regulars (I believe) and Davy of the Militia, also well recollect General Rutherford Col Washington was a large & likely officer

6<sup>th</sup> 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 discharge from Governor Martin as aforesaid stated; which was burned in my House in 1812 as aforesaid stated

7<sup>th</sup> State the names of persons to whom you are known in your present neighbour hood wand who can testify as to your character for Veracity, and good behaviour, your services as a soldier of the Revolution.

Answer Doctor S. T. Singleton Esq – John W Finley Esq Jessee Cook – Charles Scierah[?] John Webster Silas Bramback the Reverend William Smith Sr [?] Elder Alvin Kyes Absolom Skinner Esq William Peak – Zane Polly

The Commonwealth of Kentucky/ Grant County Sct

Personally appeared before me, the undersigned a Justice of the Peace in and for the County and State aforesaid, James Bates Sr. who being duly sworn deposeth and saith, that by reason of old age and the consequent loss of memory, he cannot swear positively as to the precise length of his service – But according to the best of his recollection he served not less than the periods mentioned below and in the following grades: – For Four years I served as a private. For six months I served as a private for six months more I served as a private and also I served another tour of three months making in all Five years and three months and for such service I claim a pension. And I further certify that said James Bates Sen'r made oath and saith that from a ruption in the Rein of his belly that he is wholly unable with any kind of ease of facility to travel about for the purpose of obtaining proof – If, he knew where it were? – to establish his claim to the above service – and I further certify from my own personal examination of said rupture, that the said James Bates Sr is wholly unable to go about to procure testimony; as he has above stated. Given under my hand as Justice aforesaid this the 26<sup>th</sup> day of November 1833

Jesse Woodyard J.P.G.C.

NOTE:

Bates's declaration contains the following discrepancies:

- 1) Alexander Martin did not begin acting as Governor until after Gov. Thomas Burke was captured by Tories on 12 Sep 1781.
- 2) "Colonel Tarlton," evidently Lt. Col. Banastre Tarleton, was captured at Yorktown on 19 Oct 1781 and therefore could not have been in a skirmish in 1782. "Charlotts Ville" may refer to Charlottesville VA, where Tarleton skirmished in June 1781. Alternatively it might refer to Charlotte NC, but no skirmish is known to have occurred 4 mi E of there in Oct 1782.
- 3) Maj. James Rutherford, often called John Rutherford, was actually killed at the Battle of Eutaw Springs SC on 8 Sep 1781. His father, Gen. Griffith Rutherford, lived in Rowan County NC, about 150 mi from that battle.