

Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of Thomas Downs S8337

f35NC

Transcribed by Will Graves

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[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.]

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

On this 31st day of August 1832 personally appeared in open Court before the Court of Pleas and Quarter Sessions for the County and State aforesaid opened and held for the County aforesaid on the 4th Monday of August aforesaid and now sitting Thomas Downs a resident of the County aforesaid aged seventy-six years of age who being first duly sworn according to law doth on his oath make the following declaration in order to obtain the benefits of the act of Congress passed June 7th 1832 – that he was born in the year 1756 August 22nd – that he has a record of his fathers in his possession in which his age is stated – that he was born in the County of Augusta in the State of Virginia and came to the State of North Carolina Mecklenburg County when he was about six years of age in the year 1762 – where he has resided ever since – That being as aforesaid a resident of the said County of Mecklenburg during the revolutionary war he first entered the service of the United States in the States Troop of North Carolina – under Captain Morrison [Neal Morrison] as a volunteer for three weeks that he was detached under the command of Lieutenant Samuel Flannagan of said company by order of General Rutherford [Griffith Rutherford] to the head of the Catawba [River] on the Indian frontier to protect the frontier from the incursions of the Cherokee Indians – this tour was in the year 1776 that when Rutherford came on with the Main Army against the Cherokee Indians he was discharged and sent home. That he again volunteered under Captain Springs [John Springs] for two weeks against the Tories under Colonel Moore on the South fork of the Catawba in the County of Lincoln – that from this he was verbally discharged – that this was in 1779 – That he again entered the service aforesaid under the Command of Richard Simmons as Captain and that Nathaniel Martin was Lieutenant of the Cavalry– that they were marched from Charlotte into the State of South Carolina – and joined Colonel Washington [William Washington] at Stono River – in said State of the Continental line – that he was in a skirmish on said River – and was discharged by a written discharge in 1780 in the month of March – by Captain [illegible last name]¹ in the City of Charleston after the expiration of the time for which he had volunteered which was for three months – which said discharge he has lost – Lincoln [Benjamin Lincoln] at the time he was discharged was the commander in chief of the Southern Army. That in the summer of 1780 he again volunteered under the command of David Reed [sic, George Reed?] under Colonel Hagens [Lt. Col. John William Hagen] and Robert Irwin that he was during this tour at the battle of the Hanging Rock [August 6, 1780] and was out for two weeks – that at the Battle of the Hanging Rock the chief officer in command was General Thomas Sumpter [Thomas Sumter] that he was verbally discharged by Colonel Hagens – That as soon as he returned home or some short time thereafter he volunteered in the Cavalry under Captain John Harris and under Major Davy [William Richardson Davie] that he volunteered for three months and served for three months and was regularly

¹ 

[Paper margin damaged—probably intended to refer to Capt. Richard Simmons]

discharged by Captain John Harris which discharge is lost – this was in the same year of 1780. That he again volunteered in the service in the year 1781, and acted as a lieutenant without a commission under Major James White and Colonel Williams of South Carolina and was stationed at the Tuckaseegee Ford for two weeks at the time Cornwallis passed the Catawba at Cowans Ford [February 1, 1781] on said River and that after Cornwallis passed said River they came home. That he again volunteered under the command of Captain James Osborne [James Osborn] for a tour of three months under the command of Colonel Robert Irwin until they joined General Rutherford and went as a Lieutenant and received a commission for the same from General Rutherford that they marched from Charlotte to Wilmington at the time Major Craig lay in the town aforesaid and the said Thomas Downs further declares that he was out many other times for short periods which he cannot recollect – that 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 – that he has no documentary evidence whatever to prove his services aforesaid – But he refers to the certificates herein after set forth of Charles Alexander and Allen Haron [sic, Allan Herron] as to his character for truth and as to some of his services during the Revolutionary war off for said – that he was always a volunteer and ever regularly discharged either verbally or by a written discharge – that the whole time he served was about 11 months and about one week.

Sworn to and subscribed to the day and year aforesaid.

S/ Thos Downs



[Allen Haron [sic, Allan Herron]² and Charles Alexander³ gave the stander supporting affidavit. “Charles Alexander further swears that he served with Captain Downs in the expedition to Wilmington that Downs belonged to the Infantry and that he belonged to the Horse – Allen Haron certifies that he was under the said Thomas Downs in the same expedition all him in service in the Cavalry while he was under the command of Captain John Harris.”

S/ Allan Herron

S/ Charles Alexander



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State of North Carolina Mecklenburg County: Court of Pleas and Quarter Sessions May Term 1833

On the 28th day of May in the year of our Lord 1833 personally appeared in open Court before the justices of the Court of pleas and quarter sessions opened and held on the 4th Monday of May aforesaid and now sitting Thomas [Downs] a resident of said County of Mecklenburg who being first duly sworn according to law doth make this his amended declaration for the purpose of obtaining the benefit of the act of Congress passed June 7th 1832 – who declares that he was [born] in the State of Virginia in Augusta County on the 22nd of August A.D. 1756 – that this declarant has a record of his age at home in

² [Allan Herron S7001](#)

³ [Charles Alexander S6488](#)

his possession – that the said record was in his possession at the time of making his original declaration – that the record is in the hand writing of his father who is dead – that in the year 1762 this declarant removed to the County of Mecklenburg aforesaid – lived in said County until the Revolutionary [war] – and that he has resided in said County ever since – declarant avers that he went into the service of the United States during the Revolutionary War as a volunteer – never was drafted – nor never served as a substitute in all the various services mentioned in his Original declaration – this declarant further alleges that he has no direct evidence of the fact that he ever did receive from General Rutherford a commission as first Lieut. in the trip mentioned therein to Wilmington under Capt. James Osborn as those who have seen the commission to wit his father and all his family except declarant are dead nor does he now know of any person that can prove the existence of said commission – this declarant alleges the fact that he was commissioned as stated in his original declaration and as evidence of the fact relies upon the Evidence of General Joseph Graham⁴ of the County of Lincoln and State of North Carolina – whose certificate this declarant will endeavor to obtain before he sends on the Pension Office this his amended declaration together with his original papers in this behalf – the said Graham acted as Major of Cavalry in the same expedition to Wilmington while I this declarant belonged to the infantry. This deponent at the time he filed his original declaration was unable to obtain the certificate of a clergyman as he was from a remote part of the County and none was present when he made the same – he now is able to obtain said certificate which is set forth below – this declarant is certain that he served three months as first Lieut. and during that time was commissioned although he had acted as Lieut. before without a commission and that he served as Lieut. regularly commissioned and as set forth in his original declaration in all of which he is certain eleven months.

S/ Thos. Downs

[John Williamson, a clergyman, gave a standard supporting affidavit.]

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State of North Carolina Mecklenburg County: Superior Court of Law Fall Term 1833

The affidavit of Allen Herron relative to the services of Thomas Downes [sic] during the Revolutionary War.

Personally appeared in open Court November 11th 1833 Allen Herron swears that he served with the said Thomas Downes during the Revolutionary War and that in addition to his affidavit and certificate contained in the original declaration of said Thomas sworn to on the 31st of August 1832 he says after being duly sworn before his honor the judge of said Court that at the time he served with the said Thomas Downes who was a Lieut. in Capt. Osborn['s] company of which company said Herron was one – that he went with him to Cross Creek and then on to Wilmington as stated in declarant['s] declaration under General Rutherford. That he never as he recollects saw the commission of said Downes but served under him as such and frequently saw him sitting in court Martial as an officer during the three months that he served with him on his trip or tour to Wilmington and down the Cape Fear River – this affidavit to be appended to the amended declaration of the said Downes and sworn to in the Court of pleas and quarter sessions of said County.

Sworn to and subscribed in open Court November 11th, 1833

S/ Allan Herron

[Frankey Downs Griffith, daughter of the veteran, filed a petition to increase the pension.

⁴ [Joseph Graham S6937](#) evidently the veteran was unable to obtain the testimony of Gen. Graham as no such affidavit is included among the papers in this file

Franky Griffith]

[Facts in file: Veteran died November 27, 1839. Except for the documents referring to Franky Griffith, the file documents contain no additional family data.]

[Veteran was pensioned at the rate of \$66.66 per annum commencing March 4th, 1831, for service as a private & Lieut. in the North Carolina service for 11 months.]