

Southern Campaign American Revolution Pension Statements

Pension Application of David Hays: S6949

Transcribed and annotated by C. Leon Harris

State of North Carolina} Court of Pleas and quarter Sessions
Burke County} January Sessions 1833.

On this 28th day of January 1833 personally appeared in open Court, before the Justices of Burke now sitting David Hays resident of the County of Burke and State of North Carolina aged 73 years who being first duly sworn according to Law, doth on his oath make the following statement & declaration in order to obtain the benefit of the act of Congress passed 7th June 1832.

That he entered the service of the United States under the following named officers and served as herein stated.

That in the month of July 1777. he entered the Service of the United States under Captain John Brandon of the Rowan [North Carolina] Militia Commanded by Francis Locke Col. Mader[?] General [Griffith] Rutherford and marched over to the Cherokee nation and was in that service over 3 months this was a tour of 3 months & returned with General Rutherford to Rowan & was regularly discharged. the next Term of Service was for 3 months as a malitia man under Captain James Huggins to reinforce General Gates in the month of August in the year 1780. just before his defeat near Cambden [sic: Camden SC; see note below]. that the day before Gates was defeated he was sent off in a detachment against some British under one Colonel Isaack's [possibly Elijah Isaacs] & by that means mist being in the battle. - that he served the tour out and was regularly discharged by his captain James Huggins. the next was a tour of 2 months as a light horseman finding his own [appears to be "horse & accoutre"]ments under Captain Brandon of [appears to be "Rowan Militia"] this was in the fall of 1780 whilst Lord Cornwallis Rodney [probably Lord Francis Rawdon] was in Charlotte Mecklenburgh [sic: Mecklenburg County] N.C. he served the said 2 months out & was again regularly discharged. His last regular term of service was for 3 months under Captain James Cathey Commanded by General Rutherford where he drove the British from Wilmington N.C. in the year 1781 [on 18 Nov]. after which his 3 months having expired he was regularly discharged by his Capt General Gates commanded in chief General Decalb was under him General Smallwood of the Merland Line also. Decalb was killed - after Gates Defeat we retreated & joined General Sumpter in South carolina and also after the retreat of Lord ~~Rawdon~~ Rodney. Colonel [William] Washington joined them with his troops: He as in the Life Guard of Rutherford in the Wilmington Campaigne when the British were driven off. That he has no documental evidence of his services except the affidavit of Joseph Hays marked (A) hereunto annexed. In answer to the questions propounded by the court as required by the war Department I first say I was born in Rowan County NC on the Last day of September 1760 there was a record of my age in an old bible of my fathers now belonging to Joseph Hays or at his home. I lived in Rowan when called into service & lived there untill about 1807 when I moved to Burke N Carolina where I now live. I was classed & the class was called on the first time. I was always a volunteer after that, as to the regular officers & the forces I served with I have stated them above as well as I can recollect for my memory fails me much. I rec'd discharges every time I served but have lost them all. I think my discharge was always signed by the captain of the company I served in as it was generally given me by the captains I cannot state the names of Persons in my neighborhood who can be got here at this time to certify for me for I have [illegible word] about & cannot find one but must try & send someone up to court If I cannot get here myself
Sworn to in open Court & subscribed [signed] David Hays

NOTE: The paragraph beginning with "General Gates commanded in chief" elaborates on the previously mentioned battle in which Horatio Gates was defeated, which was the Battle of Camden SC on 16 Aug 1780. General "Baron" DeKalb was mortally wounded in that battle, where Gen. William Smallwood commanded the Maryland Line.