

Southern Campaign American Revolution Pension Statements

Pension application of Andrew Neill R7580

Mary

fn21NC

Transcribed by Will Graves

State of Tennessee, Marshall County

On this 2<sup>nd</sup> day of March 1840 personally appeared in open court before the County Court of said Marshall County, now sitting, Andrew Neill, a resident of said Marshall County and State of Tennessee, aged 85 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, 1832.

Declarant states that he entered the Service of the United States in the Army of the Revolution while a citizen of the said United States residing in the County of Burke and State of North Carolina as hereinafter stated:

Declarant Serve one tour of three months duration under Captain Thomas Kennedy, and marched from Burke County North Carolina to South Pacolet [River], South Carolina, and was in an engagement against the British and Tories at that place, who were commanded by Dunlap, that the British and Tories were there beaten. Declarant further states that Captains McFadden and Kemp and Colonel Charles McDowell & Major Joseph McDowell were in company this term, but Declarant does not know whether any officers of the Regular Army were along or not. Declarant does not now recollect of any other remarkable event that took place during this tour. Declarant does not recollect the month or year in which he started but believes it was in the spring or early part of Summer.<sup>1</sup>

Declarant also served one tour of three months under Captain Jonathan Kemp and thinks he started in the month of September, against Colonel Ferguson of the British Army and that Captain Kemp's Company retreated over the Yellow mountain, and remained for about two weeks and when the company commenced their return, they received news that the Indians had come in and done mischief on the frontier and Declarant with others were detached to stop them, and went accordingly but the Indians were gone; Captain Kemp with part of his own Company and others went on and fought Ferguson at King's Mountain, where the Americans were Victorious. Colonels Campbell, Shelby and Sevier were at the battle of King's Mountain. Declarant did not join Captain Kemp anymore until the three months expired. He then went home to Burke County, North Carolina, where he met with Captain Kemp (he and Declarant being neighbors) where he gave Declarant a discharge. Declarant has no recollection of being attached to any Regiment this tour or whether he saw done any officers of the Regular Army or not.

Declarant also served three months under Captain James Davidson, starting from Burke County North Carolina in the month of August as he believes, and guarded Forts Wofford and Davidson on the North Carolina Frontier, and was employed at different times in scouting after the Indians along the Frontier. The Indians crept up to Fort Wofford and fired in at the Port holes and killed one man named Lee and wounded another, but Declarant at that time was out with a scouting party. Declarant was not in any Battle this tour. Fort Wofford was on the North Fords of the Catawba River and Fort Davidson was high up on the main Catawba River.

Declarant also served three months under Captain Joseph McDowell (Cousin of Major Joseph McDowell) commencing about the month of November in the same kind of service as under Captain Davidson only we were mounted on horses, two men named Gardner and Justice who came into Fort Davidson from the settlements were killed by the Indians in hearing of the Fort as they started home and we pursued the Indians but could not find them. This three months were spent in guarding the Forts Wofford & Davidson and scouting after the Indians on the North Carolina Frontier.

Declarant also served one other of three months under the same Captain Joseph McDowell

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<sup>1</sup> From applicant's description of this engagement, it is possible he is referring to the skirmish at Earle's Ford on the North Pacolet River. This engagement between forces commanded by Charles McDowell (the Whig commander) and James Dunlap (the Tory commander) occurred on July 15, 1870. <http://gaz.jrshelby.com/earlesford.htm>

commencing he believes in the fall soon after the frost had killed the potato vines, he was marched from Burke County to Wilmington North Carolina against the British. When Declarant got to Wilmington the British were gone, and after remaining there some time Declarant was marched home in Burke County and discharged. General Rutherford was our head commander and he does not know whether Rutherford was a regular officer or not. The British had just got out by sea when Declarant got to Wilmington.

Declarant also served three months under his father Captain William Neill of Burke County North Carolina, commencing shortly after he returned from Wilmington. In this three months was taken up in guarding Forts Wofford & Davidson and scouting after the Indians and protecting the settlements against Indian outrage. The Indians were very troublesome on the North Carolina Frontier; coming in small parcels and doing mischief and disappearing. A small party came out and killed John Davidson his wife and child high up on the Catawba River and carried off his Negroes.

Declarant served all the above named terms as volunteer and had regular discharges from all the captains under whom he served as named, but had his house burned with all his papers in Burke County North Carolina, and knows of no person now living by whom he can prove his services or any part thereof except – Violet Cathey and Easter Read of Marshall County Tennessee. Declarant is now very old and frail and cannot recollect the precise days, month or year on which any of his Service commenced or terminated, but feels certain that he served all the times above named.

Declarant would have applied for Pension sooner but he has lived ever since the year 1818 in Marengo County State of Alabama and was never apprised that the law extended to militia and volunteers until about three years ago, and then he employed an attorney to attend to his Pension, who died before anything was accomplished and being quite frail, Declarant then gave the matter over until his stepson Joseph McDowell brought him back to Tennessee where he had formerly live this present Winter.

In answer to the Interrogatories of the War Department, Declarant answers first: that he was born in Rowan County State of North Carolina in the month of April 1755;

Second; that there was a record of his birth and age in his father's Books but the Cherokee Indians robbed his father's house in Rowan County North Carolina and destroyed his Books among other things and if any record has ever been made since Declarant does not know it, but has been informed and believes that he was born in the month of April 1775 but if he has ever heard of what day of the month he has forgotten it.

Third: that Declarant lived in Burke County State of North Carolina when he was called or went into Service each and all the times and continued to live there for about four years or perhaps more after peace was made and then moved to Davidson County Tennessee within about 10 miles of where the City of Nashville now stands; and about the year 1806 moved South of Duck River about 7 miles near a place called the Big Spring; where the town of Farmington now Stands, in that part of Territory which was shortly after included in Bedford County Tennessee, and resided there until about the year 1818, and then removed to Marengo County State of Alabama and had resided there until the fall of 1839 and then removed back to the same neighborhood near the Big Spring formerly in Bedford County, but now in Marshall County, State of Tennessee where declarant now lives.

Fourth: Declarant was a volunteer in every instance, was never drafted nor enlisted, nor did he ever serve as a Substitute.

Fifth: Declarant has no recollection of ever being under the command of any Regular officer nor does he know that he was not he was in service when General Rutherford, Colonel Charles McDowell and Major Joseph McDowell were in company but if they or either of them were Regular officers Declarant does not now recollect it. Declarant's brother William Neill was a Lieutenant in the Regular Army somewhere in the North and came home into Burke County North Carolina to recruit men and went down on Broad River and heard of some Tories, and joined the Whigs against them and was killed at Ramsour's battle. Declarant was in the battle at South Pacolet, South Carolina where the

Americans repulsed the British and Tories, and started to King's Mountain after Colonel Ferguson but was sent off with a scouting party after the Indians.

Sixth: Declarant received discharges from all the captains under whom he served as set out in his declaration and they were all burnt in his house in Burke County North Carolina.

Seventh: Violet Cathey and Esther Read are the only persons that I know of now living who can testify anything as to my Service and they can as will testify as to my character for veracity as any other person.

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 any State.

Sworn to and subscribed the day and year aforesaid.

S/ Andrew Neill

State of Tennessee, Marshall County

I Vilet Cathey aged about 74 years being duly sworn do say that I was well acquainted with Andrew Neill a citizen of said Marshall County who is an applicant to the United States for a pension for his services in the war of the Revolution, all the time of said War, and that I know that he was in the Service under Captain Thomas Kennedy, one tour, and under Captain Jonathan Kemp, one tour and under Captain Joseph McDowell, two tours and under his father Captain William Neill one tour. I cannot now recollect his having served under Captain Davidson. I do not know any thing of the time or duration a tour more than I recollect hearing persons say when their friends would go into the Service that they would be gone three months – I am very certain that Andrew Neill always served out the time that he engaged for as he always bore the name of a true Whig and brave soldier in his neighborhood, and those who returned before their time had expired were generally subject to some censure or ridicule.

Sworn to and subscribed before made this 21<sup>st</sup> day of July in the year 1840.

S/ Benj. C. Brantley, JP

S/ Vilet Cathey, X her mark

[Undated letter in the file contains the statement that one William Devers<sup>2</sup> may have served with the applicant; that the affidavit of Vilet Cathey has been obtained but that Esther Read is too old and almost totally deaf. The letter is signed by B. Williams [I assume he was the attorney hired by the applicant to pursue the pension.]]

[I could not find in the file any reference to Mary Neill or to any widow of this applicant filing for a widow's pension—but the name Mary does appear on the cover sheet.]

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2 No applicant for a pension by someone of this name could be found.