

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

Virginia documents pertaining to Benjamin Day VAS3328  
Transcribed and annotated by C. Leon Harris.

[The following are from [rejected claims in the Library of Virginia](#) in two files. Only affidavits by eyewitnesses of Day's service are transcribed here.]

To his Excellency the Governor and the honorable privy Council of the Commonwealth of Virginia.

Your memorialist Wilson C. Nelson, Benj D. Nelson, Mary B. Anderson the wife of Benj. B. Anderson who was Mary B. Nelson, Sally C. Dabney the wife of Benj. F. Dabney who was Sally C. Nelson, Lucy Ann Page wife of Chas L. C. Page who was Lucy Ann Nelson, Catharine M. Page who was the wife of John F. Page dec. who was Catharine M. Nelson, who are sons and daughters of Thomas C. Nelson who intermarried with Sally Day the daughter of Benj Day who was an officer in the revolutionary army – C. Y. Benson the widow of John B. Benson who was Christianna Y Day a daughter of s'd Benj'n Day, Maria R. Gregg the wife Dan H. Gregg who was Maria R. Day also a daughter of Benj'n Day. The two latter daughters of the above Benj Day & the descendants of the first mentioned daughter beg leave respectfully to represent that their ancestor Benjamin Day formerly of Fredricksburg [sic: Fredericksburg] some time in the year 1775 or 1776 entered into the Revolutionary Army of the United States as an officer in the Continental Line and that the said Benjamin Day remained in the Revolutionary service as an officer of different grades by promotion and commission until the end of the war, actively engaged as his Diary written in his own hand together with other testimony will show, as they flatter themselves they will be able to prove to your satisfaction. Under the foregoing circumstances your Memorialists are advised that said Benjamin Day at the time of his death was entitled by the Laws of the Land to military Land bounty for his services as officer in the Virginia Continental line during the Revolutionary war and to which they are now entitled as his only heirs and distributees. They therefore respectfully pray that your honourable body will allow them so much land as they by law are entitled to, under the above mentioned circumstances and will direct the Register of the Land Office of Virginia to issue a warrant or warrants for the same. They beg leave to offer the accompanying documents marked A. B. C. [illegible] as evidence in support of their claims and as in duty bound we will ever pray &c &c. as witness this our hands and seals [blank] day of [blank] 1836 Charles L. C. Page/ Lucy A. Page/  
B. F. Dabney/ Sally C. Dabney/ Catharine M. Page/ Benj B Anderson/  
Mary Bardetti Anderson[?]/ Wilson Cary Nelson/ Benjn Day Nelson/ C. Y. Benson/ [illegible]/  
Maria R. Gregg/ [illegible]

[Certified in King William County 18 April 1837]

The affidavit of Mason Collins [S39355] of King William County, and state of Virginia, aged seventy eight years. This affiant being duly sworn according to law doth say, that he was a revolutionary soldier in January in the year 1777 and that he at that time had enlisted in the state service for three years in the revolutionary army of the United States, which enlistment of three years he faithfully performed, and for which service he is now receiving an annual pension of ninety six dollars, from the the Government of the United States, and this affiant farther says, that he was well acquainted with Major Benjamin Day in the army in January 1777 whilst he the said Collins was a soldier in the service, and that he well recollects that the said Major Day was when he first saw him brigade Major in the service, but how long he was a brigade Major, he does not now exactly recollect, but he well knows that after being or serving as a brigade Major for some time, he the said Major Day became the aid de camp to General [William] Woodford, in which capacity he served some considerable time, and then became, and acted as deputy commissary general to the fifteenth regiment of the revolutionary army, and that the last time he the said M. Collins saw the said Major Day in the service as Deputy commissary General, was in the fall of the

year 1780 – further this affiant sayeth not  
Given under my hand this 26 day of May 1836.

Mason hisXmark Collins

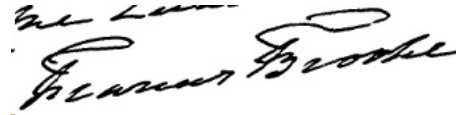
The affidavit of James Jones [S5624] resident of King William County and State of Virginia, aged eighty six years on the first day of July last.

This affiant being duly sworn according to law, doth say, that he enlisted into the revolutionary service of the United States on the twenty fourth day of January in the year 1776 for two[?] years, and served the full time of enlistment say two years, and well knew and recollects Benjamin Day was an adjutant in the revolutionary army of the United States the Second Virginia State regiment commanded by Col Spotswood [Alexander Spotswood R18089] in the fall of the year 1776, and some time in the month of April 1777 this affiant perfectly recollects, that the said Benjamin Day received the appointment of Brigade Major under the command of General Woodford, and remained in the army under General Woodford as brigade Major as long (and perhaps longer) as this affiant remained in the service as Soldier. This affiant farther says that the said Benjamin Day was in in the revolutionary army of the United States at Williamsburg but does not now recollect in what station [two interlined words undeciphered] the said Day then acted, but recollects well that it was in the month of January 1781 that he saw him the said Benjamin Day in the service at Williamsburg. Farther this affiant sayeth not – witness my hand and seal this 28<sup>th</sup> day of May 1836 James hisXmark Jones

Richmond Decem 10 1836

I knew Maj'r Benj'n Day personally before and after the war of the revolution I always supposed he was a Lieutenant in one of the Virginia regiments on continental establishment until he was appointed an aid to gen Woodford, I believe he was afterwards in the Quartermasters department

Francis Brooke [Francis T. Brooke S8093]



The affidavit of Leonard Shackelford [S6085], Resident of King and Queen County aged seventy seven years

This affiant being duly sworn according to law doth say, that he enlisted in the service of the United States, during the revolutionary war, in the year 1776 for three years, or during the war, for which he is now receiving an annual pension, and that whilst in the service he knows that Major Benjamin Day late of Fredericksburg, was the aid to General Woodford about two years whilst at the north, and that he again saw the said Major Benjamin Day at the Seige of Yorktown, in october 1781, a commanding officer, and that the said Major Benjamin Day, remained in the service to the end of the revolutionary war. Farther this deponent sayeth not. Given under my hand and seal this 22 day of april 1837.



It appears from the settlement of Adjutant Days accounts that he was not three years in the service. claim rejected. D. Campbell [Gov. David Campbell]

State of Virginia, King william County S.S.

The affidavit of Doct. Charles Webb, resident of the County aforesaid, Aged upwards of fifty five years; who after being first duly sworn according to Law, doth on his Oath say: that he has carefully and attentively Read and examin'd the diary of Major Benjamin Day decd. Compos'd of volumes 2 3 4 5 6 7 and 8 which the said Major Benjamin Day dec'd frequently stated "is his faithful diary"; And it fully appears therefrom that he, the said Major Benjamin Day dec'd Serv'd in the Revolutionary War of the

United States, in a Military Capacity, beginning on or before the 7<sup>th</sup> day of October 1776, the full term of 22 months and 17 days; And that, from the said diary, it also fully appears that he the said Major Benjamin Day dec'd. serv'd in the same revolutionary war, as Deputy Commissary general of purchases for the Continent, and as Assistant Agent for the State of Virginia in buying and shipping Tobacco, and attending to [undeciphered word] transactions for the same state, the full term of 28 months and 4 days; And that it also fully Appears from said diary, that he, the said Major Benjamin Day dec'd, serv'd in the same Revolutionary War, as Deputy Quarter Master general, the full time of 9 months and 10 days, making in all the entire service of five years and one day – further this Affiant saith not. Given under my hand and seal this 16<sup>th</sup> day of November 1837. Charles Webb

State of Virginia, City of Richmond SS.

Anthony Robinson of the said City of Richmond, this day appeared before me the subscriber, a Justice of the Peace in and for the said City, and made oath that he was well acquainted with the late Major Benjamin Day, an Officer in the army of the American Revolution; that he has examined seven Books produced to him, numbered "2 3 4 5 6 7 8" purporting to be the Diary of the said Benjamin Day commencing on the 20 day of January 1777, and ending on the 4 day of May 1784 & that he believes the said Books to be in the proper hand writing of the said Benjamin Day.

Given under my hand, at Richmond, on the 5 day of January 1838.

State of Virginia Richmond City S.S.

Personally appeared before me a justice of the peace for the City of Richmond, M B Poitiaux, aged about 60 years, who after being first duly sworn according to law, doth on his oath say, that he has been well acquainted with Major Benjamin Day, and also with his hand writing for many years, and that after examining particularly the diary of Major Benjamin Day, composed of volumes 2 3 4 5 6 7 and 8 I unhesitatingly say that they are wholly and altogether written in the said Days hand writing, and this affiant further says, that the said Major Benjamin Day was an extremely particular man, and that he was also considered a man of great respectability – further this affiant saith not; Given under my hand and seal this fifth day of January 1838. Royal Parris

NB The diary of Major Benjamin Day is in [two or three illegible words] hands of Herbert A. Calibourne Esqr & may be seen if requested by the Governor & Council. Robert B. Gaines  
Agent & Attorney for the heirs  
of Major Benjamin Day decd

Rejected. March 23 1840. DC [David Campbell]