

Southern Campaign American Revolution Pension Statements & Rosters

Pension application of Benjamin Oliver S11156

fn53NC

Transcribed by Will Graves

10/24/10

[Methodology: Spelling, punctuation and/or grammar have been corrected in some instances for ease of reading and to facilitate searches of the database. Also, the handwriting of the original scribes often lends itself to varying interpretations. Users of this database are urged to view the original and to make their own decision as to how to decipher what the original scribe actually wrote. Blanks appearing in the transcripts reflect blanks in the original. Folks are free to make non-commercial use this transcript in any manner they may see fit, but please extend the courtesy of acknowledging the transcriber—besides, if it turns out the transcript contains mistakes, the resulting embarrassment will fall on the transcriber. I use speech recognition software to make all my transcriptions. Such software misinterprets my southern accent with unfortunate regularity and my poor proofreading fails to catch all misinterpretations. I welcome and encourage folks to call those and any other errors to my attention.]

[fn p. 12]

State of Alabama Jackson County: SS

On this 23rd of October 1839 personally appeared in open Court, before the Judge of Orphans Court for said County now in session, Benjamin Oliver a resident of Marshall County in said State who being first sworn according to law, doth on his oath make the following declaration in order to obtain the benefit of the act of Congress passed the 7th day of June 1832 & saith that he was eighty-seven years old on the ___day of May last; that he was born in the County of Fairfax Virginia & was in his infancy removed & raised in the County of Granville North Carolina; that in March 1778, he volunteered from the County of Washington North Carolina, in the Company of Captain Valentine Sevier & attached to the Regiment of Colonel Charles Robinson & served a three months tour against the Cherokee Indians & marched as far as the Chickamauga Towns on the Tennessee River; this tour was performed by water from the Long Island; & when we reached the Indian Towns they had abandoned them there we stayed some time after burning the Town & what grain was on hand, we scoured the Country in search of the Indians found some few dispersed, of which several were killed – from the Chickamauga Towns we returned home on foot & were disbanded during which period of service he was engaged in no civil employment whatever. Again in June 1779 – he was drafted & went into the service of the United States for three months in the Company of Captain Valentine Sevier, & attached to the Regiment commanded by Colonel Charles Robinson & marched across the Yellow Mountain, where we met an express from Colonel McDowell to reinforce them on Broad River where he lay but shortly before been attacked by the British & Tories; we then marched hastily to his relief & remained for the term of our engagement; during which time we had a skirmish with a flying party of Ferguson's Army;¹ in which some four or five [of] his men were killed & two taken prisoners. We returned when our tour of service had expired & during which term of service he was engaged in no civil employment whatever. While he was in this service he knew Colonel Charles McDowell & Colonel Clark [sic, Elijah Clarke] of Georgia a refugee who joining McDowell after we had been some days with him. He further saith that he obtained a discharge for his first tour here mentioned; but which has long since been lost or destroyed, for

¹ Presumably this is a reference to the forces under Major Patrick Ferguson which, if true, would place the timing of this tour in the summer of 1780 as Ferguson was not in the Carolina backcountry in 1779.

the second he obtained nine, & that he does not now know of any person living by whom he can prove the services rendered –

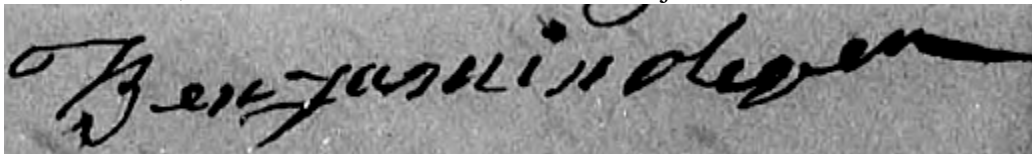
And he further saith that [he] would have made this application in the County of residence, but could not obtain their the necessary aid in forming his application.

He hereby relinquishes every claim whatever to a pension or annuity except the present & declares that his name is not on the pension Roll of the agency of any State in the United States.

Sworn to & subscribed to the day & year aforesaid in open Court

Test: S/ Moses James, Clerk CC

S/ Benjamin Oliver

A black and white photograph of a handwritten signature in cursive script, which appears to read "Benjamin Oliver". The signature is written in dark ink on a light-colored, slightly textured paper.

[Daniel Bohannon, Benjamin Pendergrass & Thomas Pate gave the standard supporting affidavit.]

[fn p. 32]

State of Alabama Jackson County: Sct: Personally appeared in open Court before me Thompson M. Rector Judge of the County Court in and for said County & State Benjamin Oliver who after being first duly sworn makes the following deposition amendatory to his application now on file in the Pension Office of the United States & saith as the reason why he did not apply earlier for a Pension, that in 1833 he had his application made out and Buncombe County North Carolina, was at the time in easy circumstances & could live well without such aid & neglected to forward that application: this was at the time that Ebenezer Fain² made his application & to which this deponent was a witness = Shortly after 1833 he removed from North Carolina & became unsettled in his habitation & views; until about 1837 when he removed to & settled in Marshall County Alabama, where he had not been long settled before he was cruelly imposed upon & stripped of the larger & best portion of his estate – that he is now too old to support himself by manual labor & asked of the Government that [indecipherable word], which would under other circumstances been rejected by him.

Sworn & subscribed to in open Court this [indecipherable word] day of April 1840

S/ Thompson M Rector, Judge

S/ Benjamin Oliver

[fn p. 53: by document dated August 23, 1840, Benjamin Oliver appointed John B Norris of the city of Mobile as his agent to receive his pension payments.]

[Veteran evidently died before any pension was paid to him as on May 4th, 1842, the Treasury Department issued a certificate authorizing the children of Benjamin Oliver to receive the pension due him at the rate of \$20 per annum from March 4th, 1831 to September 7th, 1840, presumably the date of his death. fn p. 7: there is a finding dated November 27, 1840, by a justice of the peace that Joseph Oliver, 53 and Betsy Oliver, wife of John Pendergrass, 62, William Oliver, Sarah Aikins & Rachael Oliver are the children of Benjamin Oliver. Fn. p. 10: another document dated July 30, 1842 under signature of Moses Jones, Clerk of the Court of Jackson County, Alabama recites that "] Nelson Robinson, who after being first duly sworn saith, that he is informed & believes that William Oliver & Sarah Pendergrass two of the children of

² [Ebenezer Fain R3421](#)

Benjamin Oliver deceased have departed this life cents the 27th of November 1840 – that Sarah Aiken & Nancy Lewis did about the latter date mentioned reside in Buncombe County North Carolina & that for the last 12 months he has sought information of & from them but without success, he has not been able to hear from them – Rachael Morton he is informed & believes removed in the fall or winter of 1842 Missouri or Arkansas, he has endeavored cents to obtain information from her but has not been able to do so – That Raleigh Pendergrass of Marshall County Alabama is the Administrator of the said Benjamin Oliver deceased duly commissioned & qualified."]

[fn p. 48: On October 24, 1840 in Jackson County Alabama, Raleigh Pendergrass & Joseph Pendergrass, both of lawful age, gave testimony that Benjamin Oliver of Marshall County Alabama died on September 7, 1840 leaving the following children as his heirs at law: Elizabeth Pendergrass, formerly Elizabeth Oliver, William Oliver, Sarah Aikins formerly Sarah Oliver, Joseph Oliver, Rachael Morton formerly Rachael Oliver, Nancy Lewis formally Nancy Oliver, all of whom are of legal age.]

[Veteran was pensioned at the rate of \$20 per annum commencing March 4th, 1831, for six months service as a private in the North Carolina militia.]