

## Southern Campaign American Revolution Pension Statements & Rosters

Pension application of Benjamin Whaley S31472

fn92VA

Transcribed by Will Graves

9/4/11

[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. 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 fails 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 8<sup>th</sup> of June 1786." Please call errors or omissions to my attention.]

State of Kentucky Bourbon County Sgt.

On the 12th day of August in the year 1832; Personally appeared in open Court, before the Bourbon Circuit Court now sitting Benjamin Whaley a resident of the County of Bourbon in the State of Kentucky, aged about seventy-two 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 7th 1832. That he entered the service of the United States under the following officers and served as herein stated to Whitt

In the year 1776, He enlisted in Loudon [Loudoun] County Virginia and marched in Captain James Coleman's Company to Alexandria, was there under the command of Captain or Major Simon Triplett (who he understood was acting as a Major). He continued there in service about six months; In the year 1777, He joined Captain Edward Lucas's Company in Berkeley County Virginia, and marched under his command to Fort Pitt, where they were under the command of General Edward Hand and Colonel John Gibson, and were marched from there under General Hand to Wheeling Virginia; he was then transferred to Captain John Baldwin's Company of the Virginia line; In February 1778 he was attached to Captain John Stevenson's Company, and marched on an expedition against the Indians on "Guyahauga" under the Command of General Hand and Colonel William Crawford, they had a battle with the Indians, took several prisoners, destroyed Pipe's town, and another, near the salt works on the waters of big beaver Creek, He was then about May 1778 transferred to Captain William Little's Company and marched to Fort Pitt still under the Command of General Hand & Colonel Gibson; from there they marched to Halliday's Cove about 70 miles below Fort Pitt, (and on their march to Wheeling in 1777 had a fight with the Indians) at the last mentioned place they were under the command of Major William Morgan of Berkeley County Virginia. In the fall of the year 1778 he was transferred to Captain John Minter's Company and was appointed first Sergeant of said Company, they were then under the command of Colonel John Stevenson. From there they marched to Fort Pitt and joined the troops under the Command of General McIntosh, and the Army after was marched down the Ohio on the Indian side, and built Fort McIntosh below the mouth of Beaver Creek; From there the Army marched on an Expedition designed for Sandusky & Detroit, but owing to the inclemency of the weather and want of supplies, they stopped and built a fort, called Fort Lawrence [sic, Fort Laurens], on the head waters of Muskingum, where they remained until sometime in the winter of 1778 when they returned to Fort McIntosh & part of the Army went to Fort Pitt; Colonel Gibson having been left at Fort Lawrence. In the spring 1779, Fort Lawrence was besieged by the Indians, and General McIntosh's troops went to its relief; He this affiant was attached to Captain Thomas Baise's [?] Company, and was appointed Sergeant Major on the march. From that time until the latter end of the year 1780 he was

engaged in Ranging & Scouting, but there was not much active service in that quarter of the Country.

In the winter of the year 1781 a Campaign was contemplated against Detroit under the Command of General George Rogers Clarke [George Rogers Clark]. This affiant received a Commission from Thomas Jefferson then Governor of the State of Virginia dated the 29th of April 1781 as a Captain of volunteers, which Commission he now has, & will send with this declaration. In the spring 1781 he raised a volunteer Company in the service of the United States, joined the troops under the command of General George Rogers Clark at Fort Pitt, and under his command descended the Ohio to the falls of Ohio; on the way down Major Craycraft [Charles Crecraft] & his party were defeated at the mouth of big Sandy, and Colonel Loughry [Archibald Lochry] & his detachment were defeated<sup>1</sup> by the Indians at the mouth of Laughry's Creek [Lochry's Creek] on the Ohio: They remained at the Falls of Ohio until late in the Fall of the year 1781 during their stay there the troops had several skirmishes with the Indians & Colonel John Floyd's party was defeated at Floyd' fork.

Owing to the advance state of the season, and the difficulty of getting supplies, a Council of War was called by General Clark of which this affiant was a member, and they decided it would not be practicable to carry on the proposed expedition that season; and the expedition was abandoned; then part of the troops were disbanded, and the term of service of many of the men having expired; He this affiant, with several other officers, were discharged and retired as supernumerary Officers.

In 1782 he went on an expedition against the Indians in the vicinity of Pittsburgh, and held himself in readiness to perform any service that might be required of him from that time until the close of the War. In addition to the officers heretofore named he recollects Colonel John Todd, Colonel John Montgomery, Colonel George Slaughter, Major Williams, Major Wayles, Captain John Carney, Captain Thomas Young, Captain Robert Todd Colonel Joseph Crockett, Major John Crittenden being present at the Council of War called by General Clark at the Falls of Ohio and in the course of the War he was acquainted with the following Field officers Colonel Daniel Broadhead, Lieutenant Colonel Bayard, Major Varnum & Major Finley.

In answer to the interrogatories propounded to him by the Court He states that he was born in Loudon [Loudoun] County Virginia in the year 1760. He resided in said County at the time of his first enlistment; He has no record of his age; Since the Revolutionary war he resided in Fayette County Pennsylvania about 40 miles above Pittsburgh for about 35 years; and since that time has resided principally in Fayette & Bourbon Counties Kentucky, and now lives in Bourbon County on the Lexington road about 7 1/2 miles from Paris; In every instance where he was in service during the Revolutionary War he was a volunteer & enlisted by voluntary engagements. He received several discharges as a private and noncommissioned officer but they have all been mislaid or are not now within his control; He got a discharge from General Clark as a Supernumerary Captain which is also lost Lord mislaid; He received the Commission of Captain of volunteers, which is now produce, from Thomas Jefferson then Governor of Virginia as before stated, He has no other proof now in his power that the depositions of Doctor John Knight, Joseph Winlock, Major John Finley and Captain Thomas Young which have been heretofore taken to be laid before Congress, and will accompany this declaration. He states that Doctor Richard Pindell, John Fowler and Thomas Bodley of Lexington have been acquainted with him for the last 20 years; Also William Garrard, Hugh Brint, James Garrard,

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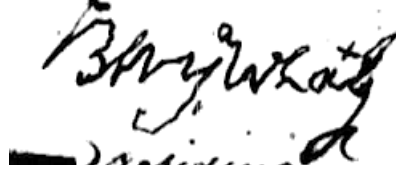
<sup>1</sup> An excellent account of the engagement known as Lochry's Defeat is posted at <http://boards.ancestry.com/topics.Military.amerrev.general/803/mb.ashx>

Tho: Matson & Robert Matson of Bourbon County either of whom can give his character for veracity &c.

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.

Sworn to & subscribed the day & year aforesaid.

S/ Benj Whaly

A handwritten signature in cursive script, appearing to read "Benj Whaley". The signature is written in dark ink on a light background.

[James Garrard and William Garrard gave the standard supporting affidavit.]

State of Kentucky Bourbon County Sct.

On this the 7th day of May in the year 1833 before the Honorable Richard H French sole Judge of the Circuit Court for the County & State aforesaid personally appeared Benjamin Whaley in open Court, and being duly sworn made the following additional statements as explanatory of & as amendatory to his, the foregoing declaration for a pension under the act of June 7th, 1832. That he entered the service of the United States in the month of July 1776 he believes between the 4th & 10th day of the month. In 1777, early in January of that year he volunteered in Captain Lucas's Company as stated in his declaration; between these two services there was no interval, at least not more than a day or two. He states that from the time he entered the service in 1776 until December 1781 his service was a continual [?] service, with the exception of a few days, which he considers [?] as making no interval and his service, which necessarily elapsed when he was transferred from one service to another, as stated in his declaration; He states that it was in the latter part of February 1779 that he was attached to Captain Thomas Basyes [?] Company & was appointed Sergeant major on the March, that he was after that engaged in scouting & ranging till the latter part of September 1780, that there was an interval in his service of some 2 or 3 months occurred in his service, but during that interval he was engaged in making preparations for the service which he afterwards performed. He states that from the time, to wit July 1776 when he first entered the service, till September 1780, he was in service of the United States in the manner stated above & in his declaration in all 4 years & about 2 months. That from the time he received his commission as Captain which was in April 1781, he was in the service as Captain until the last of December of that year a term of 8 months, when he was discharged as a supernumerary officer. From that time to wit December 1781 He was a supernumerary officer until August 1782, in which month as a volunteer holding his commission, but not commanding, he went on the expedition he has mentioned against the Indians in the vicinity of Pittsburgh & was on that expedition & in defending the frontiers for a period of 4 months. From that time until December 1782 he held himself in readiness as a supernumerary Captain to perform any duty required till the close of the war. He states that the reason he has not cured the attestation & certificate of a clergyman is because there is none residing in his immediate neighborhood, he believes however that the testimony which accompanies his declaration is better evidence than any traditionary evidence whatever. Sworn to & subscribed the day & date aforesaid.

S/ Beny Whaley

*Colny Whaley*

**The Commonwealth of VIRGINIA**

To *Benjamin Whaley* Gentleman, greeting:

**K**NOW YOU that our GOVERNOUR, with the advice of the Council of State, doth constitute and appoint you *Captain* in a company of ~~\_\_\_\_\_~~ in Testimony whereof, these our Letters are sealed, with the Seal of the Commonwealth, and made Patent.

Witness **THOMAS JEFFERSON**, Esquire, our said Governour, at *Richmond*, the *23rd* Day of *April* in the Year of our Lord *One Thousand Seven Hundred and Eighty One*

[fn p. 87]

The Deposition of Captain Thomas Young<sup>2</sup> taken at the Tavern of John F Langhorne in the town of Maysville Mason County Kentucky on the 23rd day of November 1830 to be used as Evidence to prove the services of Colonel Benjamin Whaley during the Revolutionary War

This deponent aged about 80 years who being duly sworn deposes and saith that sometime in the spring of the year 1782 he became acquainted with Colonel Benjamin Whaley at Pittsburgh where he was then recruiting as an officer in the Virginia line and under the command of General George Rogers Clark, who was raising Troops for and Expedition against Detroit, that he then understood & believes that Colonel Benjamin Whaley was at that time, a Captain and had command of a Company Commissioned by the Governor of Virginia in the state line, that he was with General Clarke's troops at Louisville in Kentucky and did duty with Colonel Whaley until the fall of the year 1781, when the time of the enlistment of the men expired and this deponent retired as a Supernumerary Officer. He does not recollect seeing Colonel Whaley again until about the year 1783 in Lexington & has been acquainted with him ever since. And further this deponent saith not.

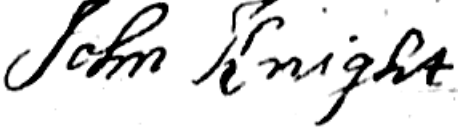
*Thos. Young*

<sup>2</sup> [Thomas Young S11921](#)

[fn p. 90]

The Affidavit of John Knight<sup>3</sup> to a petition of Benjamin Whaley of Lexington (Kentucky) to the Senate & House of Representatives of the Congress of the United States, states that he knew said Wade late in the service of the United States on General McIntosh's expedition in the year 1778, & until 1781 when he received a Captain's commission to raise a company of volunteers for General Clark's expedition; which company he raised & marched for the Western country; & further this affiant knows not, of his own knowledge, but from information of others he believes the remainder of said Whaley's Statement is correct


S/ John Knight  
Late Surgeon's Mate 7th Virginia Regiment



John Knight  
Late Surgeons Mate 7<sup>th</sup> Virga  
Regiment

Also the affidavit of Joseph Winlock<sup>4</sup> on the service above alluded to; States that he knew said Whaley in the service of the United States on General McIntosh Expedition in the year 1778 & until 1781 when he received a Captain's commission to raise a company of volunteers for General Clark's expedition; which company he raised & marched for the Western country, & further this affiant knows not of his own knowledge; but from information of others he believes the remainder of said Whaley's statement is correct

S/ Joseph Winlock  
Late Lt. 7 Virga Regt



Joseph Winlock  
Late Lt. 7 Virga Regt

[fn p. 91]

State of Kentucky Bourbon County: Sct.: This day personally appeared before me a Justice of the peace in & for the County aforesaid Enoch Wingfield<sup>5</sup> and made oath that he is personally acquainted with Benjamin Whaley & has known him since the summer of the year 1777. That in the summer of 1777 said Whaley & [affiant?] volunteered as privates in the Company of Captain Edward Lucas to serve in the Army of the United States for the term of six months; that they both served out the said term of six months together; they volunteered at Martinsburg in Berkeley County Virginia & marched under Captain Lucas from Martinsburg to Pittsburgh; That in the year 1778 he knew that said Whaley was in the service of the United States & saw him in the service of the United States at Fort McIntosh & at Fort Lawrence [Fort Laurens], that said

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<sup>3</sup> FPA W12051

<sup>4</sup> FPA W3060

<sup>5</sup> FPA S16581

Whaley was in the service until the year 1779. That he does not know the length of time said Whaley was in the service altogether, though it was he knows for a much longer time than the six months for which he & said Whaley volunteered together –

Given under my hand & seal this 22nd of August 1832

S/ A. Timberlake

[Facts in file Veteran died September 7, 1833 in Kentucky at which time he was living with his son-in-law, William Moreland; a son of the veteran, Washington Whaley, in 1840 and 1845 was living in Connellsville, Fayette County, Pennsylvania.]

[Veteran was pensioned at the rate of \$240 per annum commencing March 4th, 1831, for two-year service as a Sergeant and Captain in the Virginia militia.]

Southern Campaign American Revolution Pension Statements and Rosters

Addendum to Benjamin Whaley S31472

Transcribed and annotated by C. Leon Harris. 10 February 2023.

[From [rejected claims in the Library of Virginia](#) in two files.]

The deposition of Thomas Young, taken in the town of Maysville in the State of Kentucky, on the 23<sup>rd</sup> day of July 1832 to be laid before the Governor and Executive Council of the State of Virginia, in behalf of Benjamin Whaley, to obtain a warrant for the bounty land promised him by said State, for services rendered during the Revolutionary War. This deponent being of lawful age and first duly sworn, deposeth as follows.

Question. How old are you?

Answer. I am eighty one years old past.

Question. Did or did you not command a company, in Col. Crockett's Regiment, in the Virginia State line, in 1780 & 1781?

Answer. I did.

Question. Did or did you not descend the Ohio River in the Spring, or early in the summer of 1781?

Answer. I did. And was stationed at the Falls of the Ohio, now Louisville, untill December 1781, when I retired as a supernumary officer.

Question. Were or were you not acquainted with Benjamin Whaley in 1780, and if so, state what you know of his service?

Answer. I was well acquainted with him. In the spring of 1781, he received a captains commission in the Virginia State line. He recruited his company, and came down the Ohio River to the falls with us in 1781.

Question. Do or do you not know, that he actually commanded a company in 1780, at the falls of the Ohio, under Gen'l. Clark, in the Virginia State line?

Answer. I do. He certainly did command a company in the said line – in this I cannot be mistaken.

Question. How long did he continue in the service in said line?

Answer. He continued to my knowledge untill late in December 1781 when I left there as a supernumary Officer.

Question. Do or do you not believe that he continued in the service in the said line until the close of the war, either in actual service, or as a supernumary officer?

Answer. I do believe so. He continued in actual service untill the time I retired as a supernumary officer in December 1781 when I believe, he also retired as a supernumary.

Question. Do or do you not know that he was cashiered, superceeded, or resigned?

Answer. I know that he was not cashiered, was not superceeded, and did not resign. On the contrary, he discharged his duty faithfully.

Question by Benjamin Whaley.

Do or do you not know that I am the same identical Benjamin Whaley, of whose service you mention in the foregoing deposition?

Answer. I know that you are the same.

And further the deponent saith not.

A handwritten signature in black ink, appearing to read "Thos Young". The signature is written in a cursive style with a long, sweeping underline.

The deposition of Benjamin Field [W3009], taken at the house of Rich'd Elliott in the County of Ohio and State of Kentucky, on the 8<sup>th</sup> day of August 1832. To be laid before the Governor and Executive Council of the State of Virginia, as evidence in behalf of Benjamin Whaley, to procure a warrant for the bounty land promised him by the said state, for services rendered during the Revolutionary war. This deponent being of lawful age, and first duly sworn, deposeth as follows.

Question. How old are you?

Answer. I am seventy five years old past.

Question. Did or did you not command a troop of horse in 1781 in the virginia State Line – and where were you stationed?

Answer. I did and was stationed at the falls of the Ohio.

Question. Were or were you not acquainted with Benjamin Whaley, and if so, state what you know of his services?

Answer. I was. He received a captain's commission in the Virginia State line in the Spring of 1781 about the same time that I was promoted to a Captaincy in a troop of Horse. He enlisted his company, and descended the River with Gen'l Clark to the falls, in the spring, or early in the summer of 1781, where he was stationed with his company – and when I left him in the service the fall of 1781, when I was ordered to Pittsburgh by Gen'l Clark.

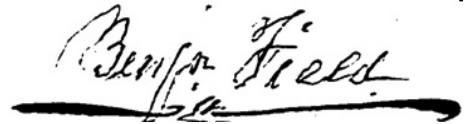
Question. Do or do you not know, that he was cashiered, was superceded, or resigned

Answer. Neither.

Question. Do or do you not believe that after the western troops were disbanded in December 1781, he remained as a supernumerary officer.

Answer. I d. In 1782 [illegible] many supernumary officers in the Virginia State line, and I believe he retired as such.

And further this deponent saith not. Benj'n Field

A handwritten signature in cursive script that reads "Benjamin Fields". The signature is written in dark ink and is underlined with a thick, dark horizontal stroke.

May 6 1833 Rejected J. F. [Gov. John Floyd]

[The file includes a long letter by D Briggs dated 24 March 1834 requesting a reconsideration of the rejection.]

Petition for bounty land.

Benjamin Whaley – Captain State line.

This claim has been once rejected, & a reconsideration has been ask'd.

Two witnesses – Captain Young, & Capt Benjamin Fields, say – that Benjamin Whaley was a Captain in the State Line, & in service under Gen'l. G. R. Clarke from the Spring of 1781 for some time, and then supernumerary to the end of the war. These witness are respectable. This is the whole of the evidence in support of the Claim.

On the other hand – it is to be observd that this kind of evidence of a Commission to an officer is of doubtful character, and very unsatisfactory, to say the least of it; and this evidence is opposed by the following facts. viz – The Returns of the Illinois Regiment & of Col. Crocketts Regiment shew, that Benjamin Whaley was not an officer of either of these Regiments. His name does not appear on them, on either of them. These Regiments were the only regular Regiments in service under Gen'l. Clark. The other force under his command was militia, call'd out as occasion requir'd, & discharg'd when no longer wanted. Further, Benjamin Whaleys name is not on any of the payrolls of the Illinois Reg't, or of Crocketts Reg't. – nor on any document, which I have seen, relating to either of those Regiments – also, his name has not been found on the army Register.

I report this claim to your Excellency as not allowable  
To his Excellency Gov'r. Tazewell

Respectfully submitted  
John H Smith Com'r &c  
March 18<sup>th</sup> 1834

To His Excellency, The Governor of the State of Virginia, And the Executive Council thereof:

The Undersigned, Attorney for the Heirs of Benjamin Whaley, deceased, a Captain in the Virginia



State Line Regiment, during the war of the Revolution respectfully sheweth.

That Benjamin Whaley was commissioned as a Captain on the 29th of April 1781 by Governor Jefferson in the Virginia State Line Regiment commanded by General George Rogers Clarke; that the said Whaley, without delay, raised a Company of volunteers and with his men joined his Regiment at Fort Pitt; that the Expedition, originally intended to operate against the town of Detroit descended the Ohio River to the Falls thereof; that in its descent Major Craycraft and his party were defeated by the Indians at the mouth of Big Sandy River, and Captain Loughery and his company shared the same fate at the mouth of Loughery's Creek; that the Expedition tarried at the Falls of Ohio till late in the year 1781; that during its stay at that point the troops had several skirmishes with the Indians, in one of which Colonel John Floyd's party were routed on Floyd's Fork; that, owing to the advanced state of the season, and the difficulties of getting supplies, a council of war was called by Genrl Clarke, of which, the said Whaley was a member, and that it was decided, that it would not be practicable to carry on the campaign against Detroit at that period; that, in consequence of this decision the Expedition was abandoned; that part of the troops was disbanded and part discharged, their time of service having expired; that the said Whaley was discharged and that he retired as a supernumerary officer; that in August 1782 he went as a volunteer, still holding his commission as Captain, but not commanding, on an expedition against the Indians in the vicinity of Pittsburg; that he always held himself as a super[part missing at bottom of page] to perform any service that might be required of him, from the time the Expedition against Detroit was abandoned to the close of the War.

The Undersigned respectfully submits to the consideration of your Excellency and the Council authenticated copies of the evidence necessary to establish the truth of the statement just set forth. They are marked A and are herewith transmitted.

And in virtue of these things, the Undersigned respectfully prays, that a warrant for Four thousand Acres of Land may be awarded to the said Benjamin Whaley or his Legal Representatives, in accordance with the Statutes of the State of Virginia made and provided.

Worthington G. Snelten  
Attorney for the Heirs of/ Benj. Whaley  
Washington City D.C./ July 15<sup>th</sup> 1845

Connellsville Fayette County Pennsylvania/ January 16th 1846

Dear Sir This letter Is written to you By a stranger which I hope you will Receive It with Respect I wish to adress you upon a subject concernig my fathers services in the Revolutionary War I am One of his heirs Mr. Worthington C Snealten Attorney at Law in Washington City has presented my petition to you & the Legislature of Virginia for a claim of Bounty Land pay and for Commutation or half Pay as you will perceive if he is entitled to Land pay he is entitled to half pay the evidence I think will be sufficient to sustain the Claim The Hon. A. Stewart our Member in congress will write to you concerning the Mater as he Informed Me he is personally acquainted with you I hope as much Depend upon your Influence you will do everything to grant It for us. he served and was Born in Virginia & I hope Virginia will Do her Duty By the heirs I have written to John Clayton a Member in your Lower house of Representatives to attend to It I am married to a Cousin of his I Received a leter from the Secratary of the State of Virginia through Mr Snealten my attorney at Washington City this morning which Informed me the case was before your honor. I now leave It to you and hope & trust in you that you will do what is right &c I wish you would be so kind as to write to me upon right upon this case. While I Remain yours &c  
Mr. [William] Smith Governor of Virginia [signed] Washington Whaley

Sept. 1 1847 Rejected R. L. Daniel L. Gov.

NOTE: James Paull stated in his own pension application S3631 that "he entered the service about the last of May, or first of June A.D. 1781 as a first lieutenant, and as a volunteer, his Captain was Benjamin Whaley, and commanding General, George Rogers Clarke." Robert McIntire S5743 stated, "On the 16<sup>th</sup> day of July 1781, declarant entered as a volunteer to serve on an expidition against the Shawnese towns,

under the command of General George Roger Clark... the company he belonged to was commanded by Captain Stewart, the Major of the Regiment was Creacraft, the Lieut. Colonel, John Harden, and the Colonel, Sackwell Morgan (proprietor of Morgantown). The other Officers of the Regiment that declarant recollects, were, Captains Robert Ferril, George Jackson, Benjamin Whaley," and others.