

## Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of Benjamin Kitchen<sup>1</sup> S31797 Lavica Nicholson<sup>2</sup> f120NC

Transcribed by Will Graves

12/7/08: rev'd 4/23/16

[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. The word 'illegible' or 'indecipherable' appearing in brackets indicates that at the time I made the transcription, I was unable to decipher the word or phrase in question. 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 skills fail 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 material errors or omissions to my attention.]

[p 9]

State of Louisiana, Parish of Rapides: Sct.

On this nineteenth day of April A.D. 1833 personally appeared in open court before the sixth District Court now sitting in and for said Parish in State Benjamin Kitchin [sic, so spelled through this document despite the veteran having signed his surname as "Kitchen"] a resident of the Parish of Catahoula State of Louisiana aged seventy 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<sup>th</sup> 1832. (He offers as a reason why he has made this declaration, in this parish instead of the parish of his present residence, are that he was a resident of this parish seven years previous to his removal to Catahoula, that all of his family and most intimate acquaintances are residents of this Parish; and that he has now nor never has had much intercourse with the citizens of his own parish, and is too far removed from the courthouse of his own parish to travel to it with ease, besides all or most of his interest is here --)

That he was born in South Hampton [Southampton] County Virginia, and removed to Nash County in the State of North Carolina, where he resided when he entered in the service of the United States under the following officers and served as herein stated.

That he entered in the service as a volunteer at the age of Thirteen years (as well as his memory serves him) in the militia of North Carolina, in the latter part of January or first part of February 1776 at Nash County [sic, Nash County was not form from Edgecombe County until 1777] in North Carolina in a volunteer company under the command of Captain William Brinkley in a Regiment commanded by Colonel William Alston, in the first volunteered Corps that was raised in that part of the country, in five or six days before the action of Moore's Creek against the Tories, he with his Regiment joined the Regiment of Colonel Richard Caswell and he was in that engagement under said Caswell's command [Battle of Moore's Creek Bridge, February 27, 1776]<sup>3</sup> -- and after taking the Tories, the Regiment to which he was attached guarded them to the town of Halifax in North Carolina, where he was appointed and did the duty of 1<sup>st</sup> Sergeant, during the imprisonment of the Tories at that place, in a few weeks he was discharged.

In the month of May 1776 I joined in a volunteer company under the command of Captain William Brinkley my former Captain the Regiment commanded by Colonel William

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<sup>1</sup> BLWt47613-160-55

<sup>2</sup> Former Widow

<sup>3</sup> [http://www.carolana.com/NC/Revolution/revolution\\_battle\\_of\\_moores\\_creek.html](http://www.carolana.com/NC/Revolution/revolution_battle_of_moores_creek.html)

Alston, and marched directly to Charleston in South Carolina and there Joined the Army commanded by General Charles Lee and was with him at the bridge of Boats opposite to Sullivan's Island on the Charleston side, at the time of the battle with the five British ships, on the 28th day of June 1776<sup>4</sup> and saw one of the British ships explode, directly after the engagement the Regiment to which he belonged marched directly to Savannah, after their arrival there, say about ten days which were allowed them to dress Deer skins to make leggings to march through the palmetto swamp to the Hosoboy [sic, Ossabow] Island, three companies were detached from the Regiment to which he belonged and he among them, to break up the British Hospitals there, when we arrived there the British had abandoned the Hospitals and he returned immediately to Savannah where he was discharged in the summer the month he cannot recollect. We then returned home.

According to the best of his recollection early in the month of November 1776 he became a substitute for a man, who was drafted from a remote part of the County Nash North Carolina, and a stranger to this applicant, he thinks by the name of Josiah Sessions, to serve for the period of nine months being the time for which he was drafted, in a company commanded by Captain William Lewis in a Regiment commanded by Colonel Hogan [sic, James Hogun] and discharged the duty of Sergeant a few months, and Captain Lewis left the Regiment and his company was consolidated with the company of Captain John Baker of the same Regiment, he remained in Halifax North Carolina about eight or ten days being the place of rendezvous when we were ordered on to the North, in his passage he marched to Baltimore, where they remained two or three days, from thence directly to Philadelphia, and thence to Trenton in New Jersey, at which place, Lieutenant Barnes having left the company, this applicant was appointed by his commanding officer to fill the place of Lieutenant "pro tempore" having acted previously as Sergeant, he arrived at Trenton shortly after the defeat of the Hessians at that place which occurred on the 25<sup>th</sup> of December 1776. The Regiment proceeded directly to West Point in New York and as a subaltern officer he was left behind at Trenton in charge of some sick of his Regiment -- with orders to march them on to head quarters as soon as the Physicians should pronounce them fit for duty, Doctor Tilton having pronounce them fit for duty about six weeks after, he marched them accordingly to West Point to join his Regiment after remaining at West Point a few days they were ordered back to Philadelphia, to the barracks to spend the remainder of the winter it being ascertained that that situation did not agree with the Southern troops, when the soldiers were inoculated with the smallpox and a large number of them died. In the latter part of April or May, they were marched to the head of Elk by land and there took water to Norfolk in Virginia and from thence to Halifax in North Carolina and there discharged the nine months having expired. In the month of November following there was an effort made to raise soldiers for eighteen months service, and they were drafted one man out of every fifteen, the quota of Nash County was raised either by volunteers or draft and marched to head quarters in Dobbs County said State under the command of this applicant to which place was under the command of Colonel Gideon Lamb to whom he delivered his roll of his quota according to the orders of Colonel Thomas Hunter of Nash County (having taken the place of Captain William Bridges pro tempore by the order of Colonel Thomas Hunter) from thence they marched directly to Charleston and joined General under the command of General Winn, who overtook Colonel Lamb on the way to Charleston and assumed the command, they marched to Charleston and Joined General Lincoln [Benjamin Lincoln], after they had been at Charleston a month or two the siege of Charleston commenced by water and afterwards by land he was confined several

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<sup>4</sup> [http://www.carolana.com/SC/Revolution/revolution\\_breach\\_inlet\\_naval\\_battle.html](http://www.carolana.com/SC/Revolution/revolution_breach_inlet_naval_battle.html)

months by the siege and experienced a great want of provisions, Just before the surrender of Charleston<sup>5</sup> he thinks three days, General Lincoln gave orders for all the officers to appear at headquarters, when they met, the General told them that from extreme sufferings of his soldiers, and the murmurings of the citizens he would be obliged to surrender in a few days and observed that all of the militia or state troops that chose to risk their escape by the night had permission to do so, and this affiant with his company together with three or four hundred others crossed the River in the night and effected their escape and with difficulty escaped the vigilance of the Tories and returned home after having served seven or eight months.

About the first of July 1780 Colonel Thomas Hunter of Nash County North Carolina issued a written request to raise a troop of horse to reconnoiter and patrol the Country, as he was informed the Tories were doing a great deal of mischief after the fall of Charleston, about two hundred and fifty man in conjunction with this applicant equipped themselves and rallied around him, this applicant having seen considerable service was given the command as Captain of a troop of horse, it was a price [?]<sup>6</sup> volunteer service and all acted without written commissions, they marched directly to a place called the truce land in the lower part of North Carolina, and kept down the Tories in that part of the country, they then turned their course westwardly between North and South Carolina, and was arrested in their pursuit by hearing of General Gates [Horatio Gates] approach to the South, and determined to Join him if their services should be required and on their route they heard that General Richard Caswell was on his way with a large body of militia too and they bent their course to him, and Joined him near the Fish dam Ford on Broad River in North Carolina, and about four or five days before the battle of near Cambden [Battle of Camden, August 15-16, 1780]<sup>7</sup> they effected a Junction with the troops of General Gates, and on the 16<sup>th</sup> day of August 1780 they fought the unfortunate battle of Camden, and he was slightly wounded by a splinter caused by a cannon ball.

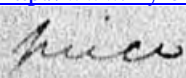
After the defeat near Camden they were ordered to rally at the hanging rock, several weeks after this the volunteer troop of horse to which he was attached, together with the troops commanded by Captain Joseph Scott Cray was ordered out by General Caswell to reconnoiter the country and try and fall in with one Colonel Bryan who was said commanded a large body of seven or 800 Tories, they took only some seven or eight of them who were stragglers returned home and were disbanded (for we only formed a company to serve at will) after having been on duty about three months.

When Cornwallis was passing through the lower part of North Carolina the whole country was again roused to arms. Not knowing what route he might take nor his intentions -- Cornwallis stopped at Halifax in North Carolina issued a proclamation and remained ten or fifteen days or thereabouts raised his camp and this applicant together with eight hundred other organized themselves by the name of refugees and followed on after him, and remained at little York until the surrender of Cornwallis on the 19th October 1781 -- He served about nine months as a Captain and the balance of the time as a subaltern officer and soldier --

He removed from North Carolina to Georgia Washington County about four or five years after the revolution with his family, in the year 1798 he removed to Natchez in Mississippi where he resided until 1816 Jany-- when he removed the Parish of Rapides, which he has considered his principal place of Residence ever since, although for a few years past he has

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<sup>5</sup> <http://www.myrevolutionarywar.com/battles/800401-charleston/>

<sup>6</sup> 

<sup>7</sup> [http://www.carolana.com/SC/Revolution/revolution\\_battle\\_of\\_camden.html](http://www.carolana.com/SC/Revolution/revolution_battle_of_camden.html)

removed Just across the line in the Parish of Catahoula.

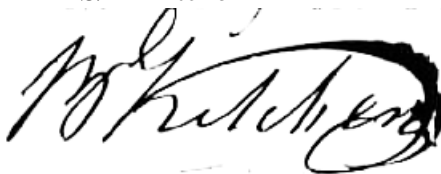
This applicant further states that at the time of the siege of Charleston he lost his commission of Captain in making his escape or mislaid it about that period, he presumes he must have left it with his baggage, for he had to divest himself of everything with the exception of one thin suit of clothes and his rifle gun, the commission was given to him by Governor Rutlage [sic, John Rutledge] of South Carolina after his arrival at Charleston, in consequence of raising a company of new recruits to serve during the siege the command he had worn previously, was only "pro tempore"—

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 and subscribed the day and year aforesaid in open [court]

S/ Wm R. Leckie, Clerk

S/ B Kitchen

A handwritten signature in black ink, appearing to read "B Kitchen", written in a cursive style.

[Orsamus L. Nash, a Methodist clergyman, and Isaac Thomas gave the standard supporting affidavit.]

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State of Louisiana, Parish of Rapides

Benjamin Kitchen came in open Court and made answer to the Interrogatories submitted to him as follows -- to wit

Two first Interrogatory he answers & says, he thinks he was born in the year 1763 in South hampton [sic, Southampton] County Virginia

2<sup>nd</sup> Interrogatory: he says he has none, they were left in the possession of his eldest Brother Joseph Kitchen in Nash County North Carolina

3<sup>rd</sup> Intgy: he says he lived in North Carolina Nash County, lived in North Carolina for a few years after the Revolution, a few years and Georgia -- moved to Natchez in Mississippi and 1798 & lived there till 1816 when he moved to the Parish of Rapides where he remained until a few years past -- when he moved to the parish of Catahoula where he now resides -- adjoining Parish to Rapides

To the 4<sup>th</sup> Intgy says he was first a volunteer for three months in the militia of North Carolina second he was a volunteer in said militia for six months third he was a substitute in said State Troops for nine months for one Josiah Sessions fourth he served about three months as Captain in the State Troops of North Carolina -- though he had no commission under the Government -- and the balance of a nine months tour as a Captain under Captain Governor Rutledge of South Carolina until the fall of Charleston some times as Captain and sometimes as adjutant above three months, in the Independent Corps above mentioned.

To the 5<sup>th</sup> Intgy he says he has answered fully in his above statement

To the 6<sup>th</sup> Intgy he says he never had but one regular Commission and that was from Governor Rutledge of South Carolina during the Siege of Charleston, which he lost he believes in his escape from Charlestown -- the remainder of the time that he acted as an officer was at the request of his superior Officers.

To the 7<sup>th</sup> Intgy he says -- that he is known by General Joseph Walker, to General WH Overton, JS Johnston, George Poindexter --Genl. Herids [?] of Miss. -- and nearly all over

persons in this part of the Country.  
Sworn to & subscribed in Open Court April 19, 1833  
S/ Wm R. Leckie, Clk

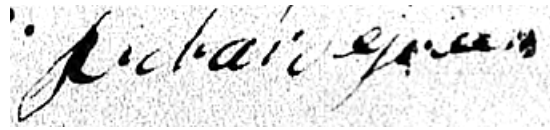
S/ B. Kitchen

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State of Louisiana Parish of Rapides

Doctor Richard Green<sup>8</sup> of the Parish aforesaid came before me Thomas C. Scott who on oath declares that a few days after the action fought at the Cowpens in South Carolina, he then being in the American Army saw Major Benjamin Kitchen, now of the Parish aforesaid, officiating as adjutant to a Regiment of Cavalry then in the service of the United States -- that he was not been personally acquainted with Major Kitchen but recognized him to be the same man in this Country a few years ago.

S/ Richard Green



Sworn to & subscribed before me this 28th day of January 1830  
S/ Thos. C. Scott, Parish Judge

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State of North Carolina Secretary of State's Office

I William Hill Secretary of State in and for the State aforesaid do certify that it appears from the musterrolls of the Continental line of this State in the revolutionary war, that Benjamin Kitchen a Sergeant in Captain Baker's Company of the 10<sup>th</sup> Regiment entered the service on the 20<sup>th</sup> day of July 1778 for the term of 9 months, and that nothing more is said of him on said rolls.

Given under my hand and seal (having no seal of Office) this 23<sup>rd</sup>  
September 1834

S/ Wm Hill {Seal}

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Amended Declaration of Benjamin Kitchen for a pension under the Act of Congress of 1832  
Parish of Rapides State of Louisiana

Benjamin Kitchen personally known to me John H. Johnston Judge in and for the Parish aforesaid came and on oath declares that any apparent inconsistencies (if any there be) in his former declaration made before Judge Overton was and it is attributable to the lapses of memory consequent upon old age: That he is informed by his friends and admits the fact that his memory has perceptibly failed for the last ten or fifteen years: -- That in the main his former declaration is substantially true & that he now verily believes that it does not represent or set off all the service he performed during the revolutionary Struggle -- and for further explanation & elucidation begs leave to refer to a letter<sup>9</sup> of Gilbert C. Russell on file in the department of War on this subject.

Signed & sworn to this 30th day of May 1838

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<sup>8</sup> I did not find a man by this name among the applicants for a federal pension for service during the Revolutionary War claiming to have served in any of the Southern Campaigns.

<sup>9</sup> This file contains a number of letters from Mr. Russell. It is impossible to determine to which of the letters the veteran is referring but people interested in this veteran may find reading those letters instructive.

Before me.  
S/ John H. Johnson  
Par Judge

S/ B. Kitchen

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For a second and further amended declaration of Benjamin Kitchen he deposeseth and saith: That all the facts set forth in his first and principal declaration which was authenticated he thinks by the Judge Overton, are literally and substantially correct -- that he may have located some of them in years or months to which they did not belong but that all the service therein stated to have been performed, was actually performed: That his services as a Sergeant in Hogan's Regiment for nine months may have been placed in the wrong year -- but nevertheless it was performed as well as all the terms stated in his first Declaration: -- and that he further declares that from the beginning of the war in 1776 until the capture of the British forces under Lord Cornwallis at Yorktown in 1781, he was constantly and actively engaged with a few months exceptions at different times which altogether would not amount to more than nine or ten months.

As stated in his first declaration he was a Captain at the Siege of Charleston and by the permission of General Lincoln, he with about three hundred others made their escape about three days before the surrender when he left, as he believes, his commission in his trunk -- for he made his escape with nothing but his arms & money and the clothes he had on.

He further states that to produce "documentary or Record evidence" of his being a commissioned officer, or any other evidence than he has exhibited is impossible -- and regrets that the rigid regulation of the War department should defeat the intentions of Congress in the provisions that body have been pleased to make for the Officers & soldiers of the revolution.  
Signed and sworn to before me J. H. Johnston

S/ B. Kitchen

Judge of the Parish of Rapides Louisiana  
July 14<sup>th</sup> 1838  
S/ John H. Johnson, Parish Judge

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State of Louisiana & Parish of Rapides to wit

Know all men by these presence that I William Martin<sup>10</sup> of the above named State & Parish having been called upon by Major Benjamin Kitchen to State for the Information of Congress what I know of his services as an officer of Revolution.

Without the benefit of any education to refer to dates I was a soldier in that War of South Carolina & distinctly recollect to have met with Major Benjamin Kitchen in that State -- he was acting at that time as the Captain of a company of horse -- & I also recollect to have heard him spoken of as an extremely vigilant & active officer -- I was born in the County of Spartanburg in the State of South Carolina on the 4th day of March 1759 and was engaged in the war of that State in 1778 & 1779 -- I also remember to have heard that Captain Kitchen was wounded at Gates Defeat -- verily am confidently believed this Benjamin Kitchen to be the same as the one who is now applying to the United States Congress for a pension.

Sworn to & Subscribed before me in open Court 13th day of May A.D. 1844 -- the deponent not

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<sup>10</sup> No one by the name of William Martin claimed a federal pension for revolutionary services rendered in SC.

being able to sign his name made his ordinary Mark  
S/ M. R. Arial [?], Clk

S/ William Martin, X his mark

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State of Louisiana, Parish of Catahoula

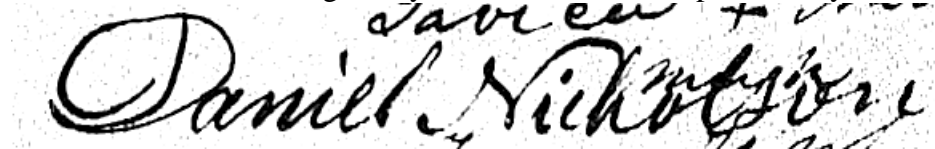
Before me James G. Taliaferro Parish Judge of the Parish of Catahoula in the State aforesaid on the 29th day of September A.D.1835 personally appeared Samuel Durosset [sic, Samuel Durosett<sup>11</sup>] a citizen of the Parish of Catahoula pensioner of the government of the United States who being duly sworn deposed as follows to wit: I Samuel Durosset do distinctly recollect that I heard of an officer called Benjamin Kitchen at Gates defeat in the year 1780. The said Kitchen I verily believe to be the same Benjamin Kitchen now living in the Parish in making application to go home for a pension. I the said Samuel Durosset enlisted at Hillsboro in North Carolina in 1780 in the month of June and served in the fourth troop of dragoons in the first Regiment commanded by Anthony Walton White which Captain John Hughes's muster Book will show.

S/ Samuel Durosset, H his mark

[attested by]

S/ James G. Taliaferro, Parish Judge

[p 4: On May 2<sup>nd</sup>, 1855 in Catahoula Parish, Louisiana, Lavica Kitchen, aged 47, "now wife of Daniel Nicholson" gave testimony that her son Benjamin Franklin Kitchin about 16 years old is the only minor child of Benjamin Kitchin; that said Benjamin Kitchin was a pensioner of the United States for his service in the revolutionary War; that affiant was married to Benjamin Kitchin in Catahoula Parish about the year 1822; that her maiden name was Lavica Wilson; that she is giving this testimony in order to claim whatever bounty land the veteran's minor child might be entitled to under the 1855 act of Congress. She signed the document with her mark. The affidavit was also signed by a Daniel Nicholson, presumably the affiants Husband.

A handwritten signature in cursive script that reads "Daniel Nicholson". Above the main signature, there is a smaller, less legible signature that appears to say "Lavica Kitchen". The signature is written in dark ink on a light-colored background.

[Facts in the file: The veteran's son, Benjamin, served in the Creek War and died of disability incurred during the siege of New Orleans; another son, William H Kitchen, was living in 1832 and at that time stated that his father had 4 or 5 young children by his second marriage; the veteran married Lavica Wilson in 1822 in Catahoula Parish. Louisiana; veteran died in 1849 in Rapides Parish, Louisiana; in 1856.]

[Veteran was pensioned at the rate of \$48.50 per annum commencing March 4<sup>th</sup>, 1831 for service as a Sergeant for 9 months in 21 days in the North Carolina Minutemen. His former widow was pensioned in a like amount.]

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<sup>11</sup> [Samuel Durosett S34778](#)