

Southern Campaign American Revolution Pension Statements

Pension Application of Benjamin Fitzgerald S35931

Transcribed and annotated by C. Leon Harris

State of Kentucky

First Judicial District, Sct.

Personally appeared before the undersigned Judge of the first Judicial District, on the 12th of June 1818, Benjamin Fitzgerald, who being first duly sworn, upon his solemn oath made the following declaration, in order to obtain a pension, agreeably to the provisions of the act of Congress, passed at the last session; providing for certain officers and soldiers, who served in the revolutionary war. The said Fitzgerald declares, that he is a citizen of Marion county, in Kentucky, and is now sixty five years old; that he enlisted, on the 11th of february 1777, as a corporal in a company, commanded by Capt. John Coats Jones [sic: John Courts Jones], in Montgomery county, (at that time a part of Frederick) Maryland, for the term of three years. That said company was attached to the 7th Maryland Regiment commanded by Colo. John Gunby, upon continental establishment. That about the expiration of his term of service he enlisted a second time, for the war, in a company commanded either by Capt. [William] Beatty or by Capt. Lloyd Bell [sic: Lloyd Beall, commissioned Captain on 10 Feb 1781] perhaps the latter was only Lieutenant who was attached to the same Regiment. That he served in the capacity of corporal, then as sergeant and lastly as quarter master sergeant till the end of the war, when he received an honorable discharge from Maj'r Henry Gaither. That he put his discharge in the hands of Charles Ridgely of Anappolis [sic: Annapolis], for the purpose of getting his pay, and never received it again. That he knows of no person, in this county, by whom he can prove he was in the public service; that he has never received from the United States any pension, and that in consequence of his reduced circumstances he needs the assistance of his country for a support.

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At a Court held for Mason County at the Court house thereof in the town of Washington on the 11th day of September 1820, "Benjamin Fitzgerald produced in open Court a declaration in conformity with the act of Congress in that case made and provided, which having been duly sworn to in open court is ordered to be filed among the records of this Court. It is further ordered that it be certified to the Secretary of War that this Court is of opinion from the evidence produced by said Benjamin Fitzgerald that the property set forth in this schedule is of the value of twenty five dollars."

The said declaration is as follows to wit

"Commonwealth of Kentucky

Mason County Sct

On the eleventh day of September in the year 1820, personally appeared in open Court, being a Court of record in and for the County aforesaid, Benjamin Fitzgerald aged sixty seven years resident in the said County of Mason, who being first duly sworn according to law, doth upon his oath declare that he served in the Revolutionary War as follows, to wit: that he was enlisted and made a sergeant in the service of the said United States on the eleventh day of February 1777, under Capt John C. Jones of the seventh Regiment in the Maryland line for the term of three years, at the expiration of which term he reenlisted in the service under Capt. Lloyd Bell of the same Regiment as above then commanded by Colo. John Gunby for the farther term of three years, during both of which enlistments he was engaged in the service of the United States against the common enemy thereof, until the termination of the war when he was discharged in Frederick town Maryland. That he is now a pensioner of the United States the date of his original declaration for that purpose he does not recollect, nor does he recollect the number of his pension certificate not having it before him. And he doth solemnly swear that he was a resident of the United States on the 18th day of March 1818, and that he has not since that time by gift, sale or in any manner disposed of his property or any part thereof, with intent thereby so to diminish it as to bring himself within the provisions of an act of the Congress of the United States passed on the 18th day of March 1818, entitled, "An act to provide for certain persons

engaged in the land and naval service of the United States in the Revolutionary War," and that he has not nor has any person in trust for him any property or securities, contracts or debts due to him, nor has he any income other than what is contained in the schedule hereto annexed and by him subscribed, that is to say,

One three gallon iron pot, One oven, One skillet, One teakettle (iron) three water bucketts, One washing tub, One dozen plates, One teapot, two sets cups and saucers, One coffee mill, One table, five chairs, half a dozen knives and forks, three dishes, one cream mug, one salt cellar, one pepper box, half a dozen pewter table spoons, half a dozen tea spoons, and one small looking glass, and has no real estate nor other personal estate.

Benj. Fitzgerald

He farthermore states upon his oath that he is by occupation a carpenter, but from personal infirmity is unable to pursue the same only in a very limited degree, his family consists of himself, and an aged and helpless wife who is unable to go about without the aid of a crutch.

NOTE: Fitzgerald's deposition in support of the application of Aquilla Smith (pension application W8740) includes the following additional information: "Benjamin Fitzgerald of the County of Mason in the state of Kentucky; States on Oath, that he was a Soldier, in the Seventh Maryland Regiment during the Revolutionary War, which regiment was commanded by Colonel John Gunby, that he was in Capt. John Coats Jones's Company, That while in the service of the United States as aforesaid he was personally well acquainted with Aquilla Smith, who was also at that time a Soldier in the same Regiment, but in another Company, That the said Aquilla Smith is now here personally present. And he states on Oath that he knows him to be the same Aquilla Smith that he served with in the revolutionary War, And the same man that was wounded through the right thigh while fighting as a soldier in the Battle of Guilford Courthouse [sic: Guilford Courthouse NC], which battle from the recollection he has, he thinks was in March [15th] 1781... altho this deponent belonging to another company could not have been eye witness of the said Smith at the very instant he received the Ball. The depo[nent]. further states on oath that he fought as a soldier in several battles with the said Aquilla Smith, and from the intimacy which existed between them while together in the service which was more than Two years they became much attached"