

## Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of Benjamin Maberry [Mabry, Mayberry, Mabary] S38926 f13NC

Transcribed by Will Graves

rev'd 5/24/16

[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.]

State of Tennessee, County of Sumner

On this 9<sup>th</sup> day of February 1829 personally appeared in open Court being a Court of record for the County of Sumner Benjamin Mabary a resident in said County aged Seventy four years he being first duly sworn according to law doth on his oath make the following declaration in order to obtain the provision made by the acts of Congress on the 18<sup>th</sup> of March 1818 & the 1<sup>st</sup> of May 1820. That he the said Mabary enlisted for the term of 12 months on the \_\_ day of \_\_ in the year 1781 in the State of North Carolina in the company commanded by Captain Litle [sic, William Lytle] in the Regiment commanded by Colonel Murphey [Lt. Col. Hardy Murfree]<sup>1</sup> in the time [sic, line?] of the State of North Carolina on the Continental establishment that he continued to serve in the said corps until 1782 when he was discharged from the service in the State of South Carolina that he hereby relinquishes every claim whatever to a pension except the present that his name is not on the pension roll of any State and that the following are the reasons for not making earlier application for a pension the reason why he has not applied for a pension before is that till about five years ago he was able to support himself – he is now nearly blind and unable to work and has not property to support himself and in pursuance of the act of 1<sup>st</sup> May 1820 I do solemnly swear that I was a resident Citizen of the United States on the 18<sup>th</sup> day of March 1818 and that I have not since that time by gift, sale or any manner disposed of my property or any part thereof with intent thereby so to diminish it as to bring myself within the provisions of an act of Congress entitled an act to provide for certain persons engaged in the land and naval service of United States of revolutionary war past [sic, passed] on the 18<sup>th</sup> day of March 1818 and that I have not nor has any person in trust for me any property or securities contracts or debts due y to me nor have I any income other than what is Contained in the Schedule hereunto annexed and by me subscribed.

Schedule of Benjamin Mabary's property he has 50 Acres of poor Land lying in the County of Sumner State of Tennessee no dwelling House on it not worth more than \$50 and supposes that he could not sell it for that sum he lives part of his time with Doctor Solomon Mitchell and part of his time with James Mabary he has no family and the above land is all the property he has.

Sworn to in open Court 9<sup>th</sup> of February 1829.

S/ Benj. Maberry, X his mark

That since the 18<sup>th</sup> of March 1818 the following changes have been made in my property he never had much property and as he has advanced in age he being unable to support himself and it has gradually been exhausted in the support of himself & family. In open Court sworn to and

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<sup>1</sup> Lt. Col. John Baptiste Ashe was in command of the 1<sup>st</sup> NC Regiment for most of 1781. He was succeeded by Lt. Col. Hardy Murfree in 1782.

declared on the 9<sup>th</sup> day of February 1829.

S/ Benjamin Maberry, X his mark

[Alfred H. Douglass, Clerk of the Court of pleas and quarter sessions certifies the application.]

[p 8]

State of Tennessee, Sumner County Court November Term 1828

Schedule Benjamin Mabery makes oath that he will be 74 years of age 21<sup>st</sup> day of next February that he has no family that he is very infirm & nearly blind he has 50 acres of poor barron Land no dwelling house on it worth not one dollar per acre or more he was broken up about five years ago and he has no other property and is entirely helpless and dependent entirely on private or public charity for a subsistence he lives in Sumner County State of Tennessee. November term 1828

Sworn to in open court November 20<sup>th</sup>, 1828

S/ Benjamin Mabry, X his mark

S/ A. H. Douglass, Clerk

[p 10]

State of Tennessee, Rutherford Circuit Court: October Term 1828

In open Court this day personally appeared Captain William Lytle, and made oath, that he formerly in the revolutionary war, commanded a company of foot in the North Carolina Brigade commanded by Lieutenant Colonel Hardy Murfree (in the absence of General Sumner [Jethro Sumner) on the 1<sup>st</sup> day of April 1782, and that he now finds from an examination of his return and muster roll of that day, that Benjamin Mayberry was a Soldier in the said Company, mustered as a private and artificer, and that he had on said day (the 1<sup>st</sup> of April 1782) twelve days to serve, having enlisted and served in said company for twelve months then to expire. That said Mayberry is now present at the taking of this declaration, and that he knows him to be the same man, and that he is satisfied he served continuously and faithfully and was regularly discharged as a soldier up to the said date, from about the 1<sup>st</sup> April 1871, in the revolutionary war, Colonel H. Murfree commanded the Regiment to which his company, at the date of said muster roll, belonged.

Sworn to & subscribed in open court 6<sup>th</sup> October, 1828.

S/ William Lytle

S/ Wm Ledbetter, Clerk

[The above certificate given by William Lytle is certified by the clerk of court to be a true copy of the records in his office.]

[Veteran was pensioned at the rate of \$8 per month commencing February 11, 1829, for service as a private for one year in the North Carolina Continental line.]