

Southern Campaign American Revolution Pension Statements & Rosters

Pension application of James Overton (Overnton) S41927

fn21NC

Transcribed by Will Graves

10/27/10

[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.]

District of Edenton NC: SS Camden County Circuit

On the 28th day of April 1819. Me the subscriber one of the Judges of the Superior Courts of North Carolina for the said district personally appeared James Overnton aged 66 years resident in the County of Camden in the said district who being by me first duly sworn according to law doth on his oath make the following declaration in order to obtain the provision made by the late act of Congress entitled "an act to provide for certain persons engaged in the land and naval service of the United States in the Revolutionary War."

That he the said James Overnton enlisted for the Term of three years on the __day of October or thereabout in the year of 1779 in the State of North Carolina the company commanded by Captain __ of the Regiment commanded by Colonel Gideon Lamb in the line of the State of North Carolina in the Continental Establishment. That he continued to serve in the said Corps or in the service of the United States until the 25th day of October in the year 1782 when he was discharged from service in Charlestown in the State of South Carolina. That he was in the Battles of Stono near Charleston SC and Siege of Charleston South Carolina and in several skirmishes beside – and that he is in reduced circumstances and stands in need of the assistance of his Country for support and that he has no other evidence now in his power of his said Services except the annexed affidavit & discharge.¹

Sworn to and declared before me the day and year aforesaid

S/ Ja. Iredell [James Iredell], JSCL&E

S/ James Overton, X his mark

North Carolina Camden County: Sct.

On this seventh day of August in the year 1827 personally appeared in open Court, being a Court of record of Pleas and Quarter Sessions, and having common law jurisdiction for said County, having a Clerk and Seal, and power of fine and imprisonment, James Overton resident in said County, aged seventy-two years, who 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 of the 18th of March 1818 and the 1st of May 1820: that the said James Overton having since the obtaining of his pension Certificate lost his discharge, and having no distinct recollection of the

¹ I did not find the supporting affidavit or discharge among the papers in this file.

facts, cannot with certainty particularize the day, month and year in which he enlisted, neither the Captain's name who commanded his company, but from a comparison of circumstances has no hesitation in believing that he enlisted in the month of May in the year 1776 in the company commanded by Captain __ and Lieutenant Graves [Francis Graves], but he positively declares that it was in the Regiment commanded by Colonel Gideon Lamb in the line of the State of North Carolina on the Continental establishment; and that he continued to serve in the said Corps until the proclaiming of peace in the year 1783, when he was discharged from the service in Charleston in the State of South Carolina; that he hereby relinquishes every claim whatever to a pension except the present, that his name has been placed on the pension List, that the number of his Pension Certificate is 14270, and that he never before exhibited a Schedule of his property, because some time subsequent to the year 1818 he had in his possession, though subject to some debts then existing against him the little property hereinafter described upon the credit of which and by a Lytle produce from it he was enabled to procure a scanty subsistence until its final exhaustion, and further because before and subsequently to the sale of that property he was wholly ignorant how to proceed to obtain the object of this application, and being unable to reward intelligence and unwilling to request it gratuitously, he continued to defer any application till the feelings of extreme necessity extinguished those of delicacy, and then he applied to the Gentleman whose charitable exertions have already elicited the attention and instructions of the Were Department in his behalf. And in pursuance of the act of the first of May 1820, I do solemnly swear that I was a resident Citizen of the United States on the 18th day of March 1818 and that I have not since that time by gift, sale or in any manner whatever disposed of my property or any part thereof with intent thereby so to diminish it as to bring myself within the provision of an act of Congress entitled "an act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war" passed on the 18th 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 to me nor have I any income other than what is contained in the schedule hereto annexed and by me subscribed that since the 18th day of March 1818 the following changes have been made in my property

| Description of property | Names of persons to whom disposed of | Time of Sale | Amount of money or description of property received in return |
|--|--------------------------------------|--------------|---|
| 1 Negro Woman Hagar aged 50 years 1 Negro Girl Milly aged 6 years | Mason Culpepper | Febry 1824 | 1 mare val'd at 100.00 1 Cart 20.00 10 Barrels Corn 25.00 |
| 1 Colt 2 years old sold by Execution | Abner Sawyer | June 1826 | Some Store goods 14.25 Balance due 90.75 |
| 1 Cow and yearling Calf by Execution | Timothy McCoy | | 15.00 10.00 |
| 13 Acres of Land by Execution | Leonard Martin | Augt. 1826 | <u>70.00</u> \$345.00 |

That I never had any part of the balance appearing in my power in the amount with the said Mason Culpepper stated above, nor any acknowledgment thereof in writing nor in the presence of any witness that I have any recollection of, but that I relied wholly such entries as he should think proper to make on his own books as a sufficient establishment of my claim to said balances, that the said Culpepper died in the month of February in the year 1826 and as I am

informed and believe left his estate insolvent, and [indecipherable word] that he could find no entry of the transaction wherefore believing the whole to be lost, and confirmed in that belief upon inquiry of George Ferebee Administrator of said Culpepper and being informed by him that the said estate is insolvent, and moreover that he could find no entry of the transaction above stated in the books or papers of the said Culpepper, I have never attempted any legal proceedings for the recovery thereof. That I sold the said mare received from said Culpepper to Lazarus Overton for a mare and colt and \$10, and the said cart to said Lazarus for \$20 and that in payment of said \$30 I have received three barrels of corn value six dollars and further that the said Lazarus' other charges against me the amount of which I have not hitherto been able to ascertain, that the last mentioned mare I traded with the aforesaid Mason Culpepper for a cow & yearling calf and five dollars which were paid, and that the said cow and yearling and the colt before mentioned are the same which were sold by Execution as stated above.

Sworn to and declared on the 10th day of August, in the year of our Lord 1827

Test: S/ M. S. Lewis, Clk

Schedule

Of the real or personal property of James Overton the declarant in the preceding Declaration and to which this is annexed

| | |
|------------------------|-------------|
| 1 Sow and 9 pigs | \$5.25 |
| 1 Cow and Calf | 15.00 |
| 1 Gun | 4.00 |
| 3 Old Chairs | 1.00 |
| 1 Old Chest | 1.00 |
| A few cooking utensils | <u>2.00</u> |
| | \$28.25 |

This declarant respectfully states that he has been brought up to farming labor, that by reason of his age and very laborious exertions in his early days, and of a fracture received in his head in the Service at the Siege of Charleston, which though not sufficient to prostrate useful energy in the season of youth, yet connected with the natural debility of age wholly incapacitates him from procuring any means of subsistence by [his] own exertions, that he has no family residing with him but a wife and a little daughter four years old, and that he has hitherto from the time of losing his land been prevented from claiming assistance from the public funds of his County only by the private Acts of Friendship and forbearance of his good neighbors, and a hope of ultimately obtaining the pensionary relief sought by this application.

S/ James Overton, X his mark

[fn p. 19: Bill of Sale dated November 1, 1823, from James Overton to James Overton to Mason Culpepper for "Two Negroes (to wit) Negro woman Hagar & motato Girl Milla..."]

[Veteran was pensioned at the rate of eight dollars per month commencing April 28, 1819, for three years service as a private in the North Carolina Continental line.]