

## American Revolution Pension Statements

Pension application of James Ownbey (Owenby) W3712 Joanna (Joanah) fn83NC  
Transcribed by Will Graves rev'd 10/28/10

[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.]

[fn p. 13]

State of North Carolina, Buncombe County: Superior Court of Law, April Term AD 1833

On this \_\_\_ day of April personally appeared in open court before the honorable Judge of the Superior Court of Law for the County of Buncombe now sitting, James Ownby, a resident in said County of Buncombe North Carolina 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 benefit of the Act of Congress passed June 7th, 1832.

That he entered the service of the United States under the following named officers and served as herein stated.

That he entered the service of the United States in the County of Tryon, as then called, now Rutherford, in this State of North Carolina as a substitute for Henry Kelly in the company commanded by George Taylor in the Regiment commanded by Colonel Hugh Brevard in the Brigade commanded by Genl Rutherford [Griffith Rutherford] in the first of November 1778. That he marched from there to South Carolina and joined the Army under the command of Genl Lincoln [Benjamin Lincoln] at Purrysburg. From there he was marched up the [Savannah] River to a place called the Two Sisters ferry where he remained for some time and then marched eight miles further up the River to a place called the Black Swamp where he remained until discharged on the 10th of April 1779 having served five months. That he entered the service again in the aforesaid County of Tryon, as then called, in the month of October 1779 as a drafted militia man in the company commanded by Captain Robert Gilkie [sic, Gilkey?] in the Regiment commanded by Col Andrew Hampton. That he marched from their to Charlotte in Mecklenburg County North Carolina; from there to South Carolina crossing the Congaree River at McCord's ferry; from there to Charleston South Carolina where he remained until discharged on the 24th of March 1780. That he entered the service again in the month of July 1780 in the same company and place under Genl Lillington [John Alexander Lillington] in the Regiment commanded by Col Charles McDowell. That they were marched from place to place in the same County for some time and remained in that situation for the space of three months when he was discharged having served this to

were as a volunteer. That he entered the service again as a substitute for Micajah Mayfield in the last of September or first of October 1780 in the company commanded by Capt Samuel Williams in the County of Washington, now in the State of Tennessee, where they had retired for fear of the Tories, in the Regiment commanded by Col John Sevier. That he marched from there across the mountains into the State of South Carolina and was in the Battle at King's Mountain on the 10th of October 1780<sup>1</sup>. That he marched back after the Battle into N. C., now Rutherford County, where he was discharged having served one month. That he entered the service again as a volunteer in the company commanded by Capt John McClain for the purpose of ranging the line between the Whites and Cherokee Indians in the early part of the month of June 1781. That he continued in said service for space of fourteen months when he was discharged. That he entered the service again as a substitute for Thomas Haslip [sic, Hazlitt?] in the County of Rutherford in the spring of 1782 in the company commanded by Capt Hugh Beaty and was placed at a station at known by the name of Russell's station at the mouth of Cool Creek in said County where he remained for the space of three months and was discharged. That he has no documentary evidence and that he knows of no person by whom he can now prove his services except Anthony Dickey who was a lieutenant in the Company in which [he] served the 14 month tour under Captain McClain and Charles Lewis who was a Sergeant in the Company in which he served under Captain Gilkey. 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.

Witness to and subscribed.

The following interrogatories were put by the court:

1<sup>st</sup>: When and in what year were you born?

Answer: in the state of Virginia, Amherst County on the 6<sup>th</sup> day of January 1761

2<sup>nd</sup> Have you any record of you age and if so, where is it?

Answer: I age is recorded in my father's old Bible which is at my brother Porter Ownby in this County.

3<sup>rd</sup> Where were you living when called into service? Where have you lived since the Revolutionary War and where do you now live?

Answer: In what was then called Tryon, now Rutherford County on Green River where I continued to live till 1824 when I removed to this County, where I have lived since & now live.

4<sup>th</sup> How were you called into service; were you drafted; did you volunteer, or were you a substitute and if so for whom did you substitute?

Answer: I served as a drafted soldier, as a substitute & as a volunteer as stated in the foregoing declaration.

5<sup>th</sup> State the names of some of the Regular Officers who were with the troops where you served, such Continental and Militia Regiments as you can recollect and the general circumstances of your service.

Answer: General Lincoln; Col, afterwards Genl, Moultrie; General Marion; Colonel Pulaski; Col Thompson; & Col Armstrong. That he marched through various parts of North & South Carolina as stated in the above declaration & was in the Battle at King's Mountain.

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<sup>1</sup> Sic, October 7, 1780.

6<sup>th</sup> Did you ever receive a discharge from the service; and if so by whom was it given; and what has become of it?

Answer: I did. The first [was] signed by Col Hugh Brevard, by Lt Col Frederick Hamright, Capt Samuel Williams, John McClain, Capt Hugh Beaty. I'd never expected any benefit from them. I carried them from place to place until they were not legible & then threw them away or took no further care of them.

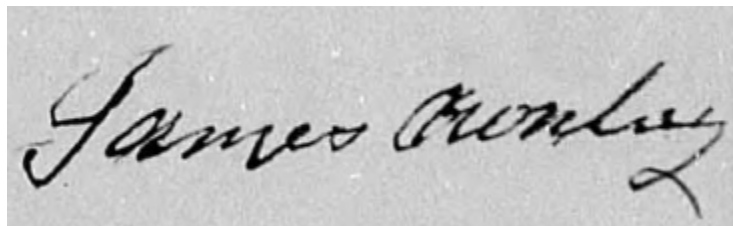
7<sup>th</sup> State the names of persons to whom you are known in your present neighborhood, and who can testify to your character for veracity and good behavior and your services as a Soldier of the Revolution.

[no response given]

Sworn to in open Court the 17<sup>th</sup> of April 1833.

S/ James Ownbey

S/ J. Roberts, Clk.

A handwritten signature in cursive script that reads "James Ownbey". The signature is written in dark ink on a light-colored background.

[Benjamin King, a clergyman, and Joseph King gave the standard supporting affidavit.]

[fn p. 82]

State of North Carolina Buncombe County

This day came James Ownbey a resident of said County before me Drake H Jarrett one of the acting Justices of the Peace in and for the County aforesaid and made the following Declaration upon oath explanatory of his original Declaration made in order to obtain the benefit of the Act of Congress passed the 7<sup>th</sup> of June 1832. That he served in the Revolutionary war as follows, five months as a private substitute for Henry Kelly in the company commanded by Captain George Taylor in the Regiment commanded by Colonel Hugh Brevard in the Brigade commanded by General Rutherford. That he served three months under Captain Robert Gilkie in the Regiment commanded by Colonel Andrew Hampton as a private drafted militia man. That he served three months under Captain William Whiteside in the Regiment commanded by Colonel Charles McDowell as a volunteer private. He served one month under Captain Samuel Williams in the Regiment commanded by Colonel John Sevier as a private, substitute for Micajah Mayfield. That he served 14 months under Captain John McLean in the Regiment commanded by Andrew Hampton at the commencement of the tour but Robert Porter was Colonel at the expiration thereof as a private enlisted soldier for the term of 12 months to serve against the Indians, but the Indians continuing troublesome they served two months over their time. He served three months under Captain Hugh Beaty as a private volunteer in the Regiment commanded by Colonel Robert Porter during the whole of the above specified terms he was entirely under the command of the officers commanding the Stations or parties where he was and pursued no other business whatever.

That he has no documentary evidence whatever of his said service nor does he know of any person now living by whom he can prove his said services or any part of

them. Anthony Dickey one of the persons mentioned in his original Declaration having died shortly afterwards and Charles Lewis the other person mentioned in said Declaration having died some time last fall or the early part of this winter.

S/ James Ownbey

[fn p. 18]

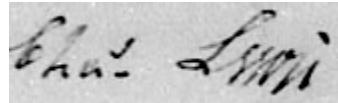
State of North Carolina Rutherford County: SS

Personally came Charles Lewis before me Robert G Twitty an acting Justice of the Peace of said County, who, after being by me duly sworn states that he is acquainted with James Ownby now a resident in Buncombe County & has been since the days of the Revolutionary War & before. – He further states that James Ownby was drafted in the fall of the year 1779 & served a tour of Militia duty of three months or more in a company commanded by Captain Robert Gilkey of which this affiant was orderly Sergeant – that in the course of this service they were stationed in the City of Charleston South Carolina under the command in chief of General Lincoln – Lillington was General of Brigades, Andrew Hampton, Colonel Commandant and Frederick Hamright was Lieutenant Colonel – they were discharged in March 1780 but affiant does not remember whether they were in print or written, or verbal only, and then they returned home to North Carolina. –

Sworn to and subscribed before me the ninth day of April A.D. 1833

S/ Robert G Twitty, JP

S/ Chas. Lewis

A rectangular stamp containing a handwritten signature in cursive script that reads "Chas. Lewis".

[fn p. 28]

State of North Carolina Rutherford County

On this 10th day of September 1846 personally appeared before me John Gilkey one of the acting Magistrates in and for said County James Ownsby, one of the surviving soldiers & pensioners of the Revolution, a resident of Rutherford County, a person of intelligence and respectability, who being first duly sworn according to law, doth, on his oath, make the following statements relative to his revolutionary services in 1782, on the Frontiers of the State, under Captain John McClain for which he claims an increase of his present pension. That he deponent enlisted into the service under Captain John McClain of the North Carolina Militia in the spring of 1782, for the term of twelve months to serve in the frontiers of the State against the Indians and did serve as he has stated on a former application in a supplemental declaration for the term of fourteen months. That at the time of his Enlistment he was informed by his Captain John McClain that Colonel Andrew Hampton, who had the command of the Militia on the frontiers, had been instructed by the Executive to raise if possible a sufficient force to guard the frontier settlements against the Indians. That in compliance with those instructions he the said Colonel had several stations erected on the lines which were supplied with men drafted & volunteers in the three months service and Captain McClain was ordered to raise by enlistment a company of men to serve on the frontiers for the term of twelve months which he did, and it was with the above understanding that deponent enlisted and said Captain John McClain for the term of 12 months and after raising a sufficient number, Captain McClain with his company visited weekly the different stations in the line of

which he had the command and it was his business to see that they were With a sufficient force & to report the same to the Colonel. That it was in the above service that the deponent served 14 months under Captain John McClain & Colonel Hampton, who on the organization of this troop had the command but afterwards resigned and William Porter was made Colonel in his stayed and continued their Colonel till their campaign ended.

This deponent further makes oath that for the above service under Captain McClain he received his pay in indents issued by a board of auditors appointed by the State sitting at Morganton in and for his District of which he thinks Erwin, Cathey, Miller were among the members that constituted that board. That after the expiration of six months of his service Captain McClain made out the returns of his Company and went before the board of Commissioners sitting as aforesaid and received their indents which he paid over to his men, and at the end of 12 months said Captain McClain made a second returned and received the balance of their pay which he also paid over to his men being in full for their 12 months service, that for the last two months making in all 14 months he deponent never received any indent and whether Captain McClain made any claim & received his and that he cannot say.

This deponent also makes oath that from the best of his recollection he received for the above service, the higher of a horse [?] a part of the time, together with some supplies, indents at the different times, amounting in all, to some 60 pounds, which with the exception of one small indent is all, and that only indents that deponent now recollects to ever having received. That for his services prior to his enlistment he was in part paid in Continental money & the balance was never paid.

Sworn to and subscribed the day & year aforesaid before me

S/ J. Gilkey, JP

S/ James Ownbey

[fn p. 6: On March 13, 1851 in Rutherford County North Carolina, Joannah Ownby, 90, filed for a widow's pension as the widow of James Ownby; that she married him March 4th, 1785; that he died September 26, 1850 and that she remains his widow. Widow was born March 24, 1761 and her maiden name was Joannah Sims.]

[fn p. 11: in Rutherford County North Carolina, on November 30, 1853, William Adair and Devault Coon [could be spelled Koon] gave testimony that James Owenby, a pensioner of the United States died in Rutherford County September 26, 1850; that Joannah, widow of James, died in Rutherford County on April 1, 1852; that William Owenby residing in Sevier County Tennessee; John Owenby residing in Sevier County Tennessee; Ambrose Owenby resident of Anderson County North Carolina; Madison Owenby, resident of McDowell County, North Carolina; Sims Owenby resident of Buncombe County North Carolina; Anna Coon and Susanna Coon of Rutherford County are the only surviving children and heirs at law of James and Joannah Owenby.]

[family data:

Anester Ownbey born November 14, 1785

William Ownbey born October 16, 1787

John Ownbey born April4, 1791

Susanna Ownbey born December 12, 1793

Sims Ownbey born March 19th 1796  
Ambrose Ownbey born December 28, 1798  
Madison Ownbey born October 25, 1801

[fn p. 38: George Koon executed a document dated February 28, 1853, in Rutherford County North Carolina, in which he identified himself as a "party interested in the claim" of James and Joanna Owenby and appointing a power of attorney to prosecute the claim.]

[fn p. 65]

"In House of Commons Wednesday the 31st January 1781  
Resolved that Robert Porter be appointed Colonel, William Porter Lieutenant Colonel, Richard Singleton first Major and Patrick Watson second Major of Rutherford County. That he is Excellency the Governor the requested to commission them accordingly."  
The foregoing statute was certified as being a true copy thereof by William Hill, the Secretary of State of North Carolina by his certificate dated October nine, 1846.]

[Veteran was pensioned at the rate of \$80 per annum commencing March 4th, 1831, for two years service as a private in the North Carolina militia.]