

## Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of Jesse Toliver W4086

Franky (Frankey) Toliver f70NC

Transcribed by Will Graves

rev'd 2/8/17

[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 12]

State of North Carolina, Ashe County

On the 1st day of March 1834 personally appeared before us the undersigned two of the acting justices of the peace for said county and state aforesaid aged seventy-eight years as he believes has no record of his age, who first being 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 1832.

That he was born in the State of Virginia Fauquier County; that when young his father removed to James River about 30 miles above Richmond in Virginia; lived there about 3 years and removed to Wilkes County North Carolina four or five years before the Revolution; was in this part of the country and that he entered the service of his Country when about 18 or 19 years of age as a volunteer and as a Ranger under the following named officers: William Lenoir was Captain & Barnett Owens was Lieut.; that he with the Company was ranging the County on Reedy River & New River two months against the Cherokee Indians at our station then were marched to the Cherokee Nation on Tennessee River; we were marched by the Catawba River and on Swannanoa [River] & then by Pigeon River and by Tuckasegee and into the Indian Town on Tennessee [River]; we burnt and destroyed the Indian Towns and huts that we found; stayed in that part of the country three months; had no fighting as the Indians fled when we came in the Nation.<sup>1</sup> Captain Cleveland [Benjamin Cleveland] and his company were there. Martin Armstrong was Colonel & Genl Rutherford [Griffith Rutherford] was commander in chief. The troops were then marched back and discharged.

The second term of my service again a volunteer under Captain Lenoir and Colonel Herndon; we was marched from Wilkes County through Iredell [County] up Hunting Creek and through the settlement on the waters of the Catawba [River] against the Tories; the Battle was fought when we were about ten or fifteen miles of the place and when we arrived saw the dead lying on the field; the Tories were defeated and we were marched home after being out in service two months.

The third term of my service again a volunteer under Captain Lenoir against the Tories that were commanded by one Sale Coffee or one Roberts as he understood; we were marched from Wilkes County to the Catawba we pursued the Tories as they retreated until they joined the

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<sup>1</sup> [http://www.carolana.com/NC/Revolution/revolution\\_cherokee\\_expedition\\_1776.html](http://www.carolana.com/NC/Revolution/revolution_cherokee_expedition_1776.html)

British army near Kings mountain under one Ferguson [Patrick Ferguson]. The time that I served in this trip was one month and a half. We were then marched back home.

The fourth term of my service again a volunteer under Captain Lenoir and Colonel Campbell [William Campbell] for the purpose of Joining the Army at Kings Mountain [October 7, 1780]; we marched from Wilkes County up the Yadkin River to Johns River to Morganton by the Cowpens and [at] that place, all that had horses went on and left the foot men and got to the Battle that was fought at Kings Mountain; the battle was fought before the foot men arrived as I was one of them; we met part of the Army with the prisoners and I was put as one of the guard over them and went with the prisoners to Salem and to the old town stayed until my three months was out and returned home.

The fifth term of my service again a volunteer under Captain Lenoir against the British that was plundering and doing other depredations near Salisbury in Rowan County and Stokes County; when we got there [we] found that our force was not able to come to battle; we retreated and came home and stayed about two weeks collecting some reinforcements and then we were marched by Guilford Court House to the High Rock ford on the Haw River in Orange County there we joined General Green's [Nathanael Greene's] Army; we lay there some time and while there Colonel Micajah Lewis was the colonel of the Regiment that I belonged to; he then said Colonel went with some others to spy out the force of Cornwallis' Army and got shot. I well remember to have seen him after he died; I saw General Greene and I believe that General Sumpter [sic, Thomas Sumter; sic, Sumter was not at Guilford but Andrew Pickens was] was there; I was in service during the two last above mentioned terms five months and then we marched home. I was with Captain Lenoir some other small trips in collecting horses and cattle for to hire substitutes in place of drafted men that lay out and would not fight for their Country and some short trips in pursuing small parties of Tories. I never obtained my discharge as my Captain went and came home with me.

I have no documentary evidence of my serving and the survivors that is now living that was with me is living at a considerable distance from me. Captain now Genl Lenoir is still living in Wilkes County and some others are there as I understand. But I have been for some years unable and still am so that I cannot travel to see them. Soon after the war I removed to Ashe New River now Ashe County North Carolina and have lived here ever since.

He hereby relinquishes any 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 before us this day and year above written.

S/ Jesse Toliver, X his mark

[Drury Senter, a clergyman, and James McMillan gave the standard supporting affidavit.]

[p 30]

State of North Carolina Ashe County

Be it known that before me the subscriber a Justice of the peace for said County personally appeared Joseph Pruit<sup>2</sup> and made oath in due form of law that he was well acquainted with Jesse Tolliver who is now a resident of said County North Carolina but in the War he lived near Wilkes Borough [Wilkesboro] and that the said Jesse belonged to a company commanded by Captain William Lenoir and that he the said Jesse went with him to the Indian nation on the Tuckysiza [Tuckaseegee] Tennessee and High Wasee [Hiwassee] and stayed in that part of the Country three months as well as he recollects and also that he saw him and was with

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<sup>2</sup> [Joseph Pruit \(Pruett, Prewitt\) R8506](#)

him about fifteen days as he went to Kings Mountain and believes that he saw him in the Army some other time but don't recollect where but understood that he was a good deal in the service. Sworn to before me and subscribed this 16<sup>th</sup> day of March 1834

S/ Joseph Prewitt, X his mark

[not signed by any JP]

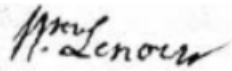
[p 31]

State of North Carolina Wilkes County: SS

Be it known that before me the subscriber a Justice of the Peace in & for said County personally appeared General William Lenoir, and made oath in due form of law, that he was well acquainted with one John Tolliver now of Ashe County North Carolina during the Revolutionary War, that the said Jesse belonged to a company of militia commanded by himself, during a part of the time of that arduous and difficult period – and that the said Jesse performed several tours of militia duty under him, both against the Indians, British and Tories, but the particular length of each tour, or the particular circumstances under which they were performed, this deponent cannot from the lapse of time and loss of memory pretend to recollect. – He is however satisfied that the said Jesse Tolliver performed as much service under him, as any other individual ever under his command, during the period aforesaid.

This deponent further states that the militia commanded by Hamm, and to which the said Jesse Tolliver belonged were called out in the way most usual at that time, there being nothing like complete organization or arrangement existing, owing to the disturbed state of the Country.

S/ Wm Lenoir<sup>3</sup>



Sworn to & subscribed for me this 12<sup>th</sup> day of March 1834

S/ John Martin, JP

[p 17: On December 27, 1842 in Ashe County North Carolina, Franky Toliver, aged 76, filed for a widow's pension under the 1838 act as the widow of Jesse Toliver; that she married him April 1<sup>st</sup> or 2<sup>nd</sup>, 1782; that her husband died March 4, 1838 and that she remains his widow. She signed her application with her mark.]

[p 46: On August 29, 1845 in Ashe County North Carolina, John Toliver gave testimony that he was present at the marriage of Jesse Toliver and Franky his wife about the 8<sup>th</sup> day of October 1782; that they were married by William Hammons, a regular Baptist minister. He signed his affidavit with his mark. His relationship, if any, to the veteran is not stated.]

[p 36: On January 15, 1849 in Ashe County North Carolina, Ann Austin gave testimony in support of the widow's claim. The affiant states that Franky and Jesse Toliver were living together as man and wife before the year 1792; that affiant was married in February 1791; that affiant's oldest son William Austin was born in 1792, her 2<sup>nd</sup> son Isaiah Alston was born October 1793 and during all that time Jesse and Franky lived together as husband and wife; affiant was born January 12, 1774. She signed her affidavit with her mark.]

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<sup>3</sup> [William Lenoir S7137](#)

[p 37: On January 1, 1849 in Ashe County North Carolina, Nancy Gambill, a very old 80, gave testimony in support of the widow's application for a pension. The affiant states that she was married September 23, 1777; that her first child was born June 12, 1779 and that her 2<sup>nd</sup> child was born in June 1785. She signed her affidavit with her mark.]

[p 4]

North Carolina Ashe County

On this 31<sup>st</sup> day of May 1847 personally appeared before John S Taffan [?] one of the Justices of said County Solomon Toliver after being duly sworn according to law doth on his oath make the following Declaration with regard to the family Record of the ages of the children of Jesse Toliver Sr & Franky Toliver his wife deposeseth and say as follows he has the Bible in his possession [which] Contains the family Record which was made more than 25 years ago by the Request of Jesse Toliver Dec'd

Jane Toliver was born 6<sup>th</sup> July 1783

Susanah Toliver was Born 14 February 1785

Sarah Toliver was Born 8 May 1786

John Toliver was Born 20 June 1788

Martha Toliver was Born 13 March 1797

Jacob Toliver was Born 26 July 1799

Allen Toliver was Born the 18 July 1802

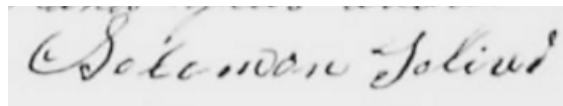
Solomon Toliver was Born 13 May 1804

Stailing [sic, Starling?] Toliver was Born 13 March 1806

Hiram Toliver was Born 10 March 1808

Sworn to and subscribed Day and year above written.

S/ Solomon Toliver

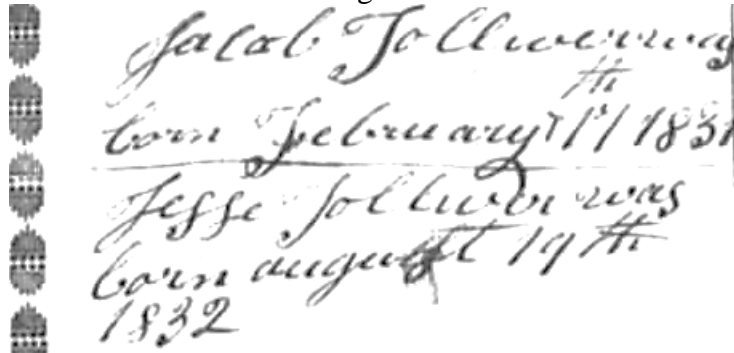
A handwritten signature in cursive script that reads "Solomon Toliver". The signature is written in dark ink on a light-colored background.

[pp8-11 Family Record]

[p 8]

Jacob Tolliver was born February 11<sup>th</sup>, 1831

Jesse Tolliver was born August 19<sup>th</sup> 1832

A photograph of a handwritten family record page. The page is lined and has a decorative border on the left side. The text is written in cursive and reads: "Jacob Tolliver was born February 11<sup>th</sup> 1831" and "Jesse Tolliver was born August 19<sup>th</sup> 1832".

[p 9]

Frankey Stamper was born'd the 11 day of february the 1767

Hiram Toliver was born'd March the 10 day 1808

Charity Fender [?] was Born'd December 4<sup>th</sup> 1813

Allen Fender was Born'd April the 8 1815  
 Franky Fender was Born'd March the 6 1817  
 Sary Fender was born'd December the 25 1818  
 Nimrod fender was Born October the 27 1820  
 Jess Fender was [born] October the 2 1822  
 Jane Fender was born February the 20 1824  
 John Fender was born March the 13 1794  
 Nancy fender was born'd february 10<sup>th</sup> 1826  
 Franky Toliver was born November 22<sup>nd</sup> 1829  
 Susan Fender was born august the 7 1830  
 Jacob Toliver was borned Febuary the 17<sup>th</sup> 1831  
 Allen Toliver Born July 7<sup>th</sup> 183?

FAMILY RECORD.

BIRTHS.	BIRTHS.
Franky Stamper was born the 16 day of February the 1767 hirum Toliver was born March the 10 day 1808	Nancy fender was born february 10 1826 Franky Toliver was born Novemb <sup>r</sup> 22 <sup>nd</sup> 1829.
Charity fender was Born'd December 4 <sup>th</sup> 1713 Quen. fender was Born April the 4 1715 Franky fender was Born March the 6 1713 Sary fender was born December the 25 1818 Nimrod fender was Born October the 27 1721 Jess fender was October the 2 1822 Jane fender was born February the 20 1824 John fender was born March the 13 1794	Susan fender was born august the 1830 Jacob Toliver was borned February the 17 <sup>th</sup> 1831 Allen Toliver Born July 7 183?

[p 10]

Jene Toliver was born'd July the 6 1783

Susan Toliver was born'd February 11 1785  
John Toliver was born'd June the 02 1788  
Sary Toliver was born'd May the 9 786 [sic]  
Jacob Toliver was born'd July the 26 1799  
Allen Toliver was bourn'd July 18 1802  
Marthy Toliver was bourn'd March 13 1797  
Solomon Toliver was born'd May the 13 1804  
Starling Toliver was born'd March 13 1806  
Frankey Toliver was Born December the 6<sup>th</sup> A. D. 1827  
Margaret Toliver was Born June the 20<sup>th</sup> A. D. 1829  
Phebe Toliver was Born September the 24<sup>th</sup> A.D. 1830  
Calvin Toliver was Born July the 9<sup>th</sup> AD 1832  
Callaway Toliver was Born July 8<sup>th</sup> A.D. 1834  
Nelvin Toliver was Born October 23 A.D. 1835  
Melinda Toliver was Born June the 18<sup>th</sup> A.D. 1837  
Alexander H Toliver was Born July the 12<sup>th</sup> A.D. 1839  
Granvill Toliver was Born April the 12<sup>th</sup> A.D. 1841  
Clark Toliver was Born August the 4 A.D. 1846  
Creed Toliver was born August the 4 A.D. 1846

BIRTHS.	DEATHS.
Gene Toliver was born July the 6 <sup>th</sup> 1783	Franky Toliver was Born December the 6 <sup>th</sup> A.D. 1827.
Lu San Toliver was born February the 1785	Margaret Toliver was Born June the 26 <sup>th</sup> A.D. 1829
John Toliver was born June the 2 <sup>nd</sup> 1788	Phebe Toliver was Born September the 24 <sup>th</sup> A.D. 1830
Sary Toliver was born May the 9 <sup>th</sup> 1786	Cabrin Toliver was Born July the 9 <sup>th</sup> A.D. 1832
Jacob Toliver was born July the 26 <sup>th</sup> 1799	Callaway Toliver was Born July 5 <sup>th</sup> A.D. 1834
Allen Toliver was born July 18 1802	Arvin Toliver was Born October 23 <sup>rd</sup> A.D. 1835
Maxthy Toliver was born March 13 1797	Malinda Toliver was Born June the 15 <sup>th</sup> A.D. 1837
Solomon Toliver was born May the 13 1804	Alexander H. Toliver was Born July the 12 <sup>th</sup> A.D. 1839
Sharding Toliver was born March 13 1806	Granvill Toliver was Born April the 12 <sup>th</sup> A.D. 1841
	Clark Toliver was Born August the 4 <sup>th</sup> A.D. 1846
	Creed Toliver was Born August the 4 <sup>th</sup> A.D. 1846

[p 11: repeat of the information in the second column above except the name for Frankey is given as Francis and the name of Phebe is given as Pheby and the following new entry: Sarah Ann Toliver was Born the 6<sup>th</sup> Day of November A. D. 1843

Sarah Ann Toliver  
was Born the 6<sup>th</sup> Day  
of November A.D. 1843 ]

[Veteran was pensioned at the rate of \$55 per annum commencing March 4<sup>th</sup>, 1831, for service as a private for 16 ½ months in the North Carolina militia. His widow was pensioned in a like amount.]