

Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of John Avery W4119
Transcribed by Will Graves

Sarah Avery

f51NC
8/3/14

[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 'indcipherable' 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 8th of June 1786." Please call material errors or omissions to my attention.]

[p 3]

State of North Carolina Chowan County: Court of Pleas and Quarter Sessions – Decr. Term 1832

On the 19 day of December A.D. 1832 personally appeared in open Court before us, N. C. Bissells, S. Skinner, J. Manning, R. T. Brownriggs, B. Haskins Justices of the said Court now holding the said Court, John Avery a resident of the County and State aforesaid aged nearly eighty-one, 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 having been drafted to serve in the revolutionary war, he entered into the same under Captain William Barber of the County of Perquimans North Carolina – under Captain Barber he was marched from the County last aforesaid to the State of Virginia, and that at the Great Bridge in the State last aforesaid he was engaged for a short time in the battle [December 9, 1775] that was fought at that place. The militia being ordered to fall back, the riflemen were marched forward and the remainder of the battle was fought by them – that after the said battle he was marched back under the command of the said William – that it was three months from the time he was drafted to the time of his return as aforesaid. This affiant has forgotten the names of the commanding officers of the Regiment in which he was placed, though he knows the names of many and perhaps most of the commanding officers – General Gregory [Isaac Gregory] was the commanding officer, and ___ Dozier [perhaps Colo. Peter Dauge, a/k/a Peter Dozier] was Colonel.

That he was some short time after his return from the Great Bridge he was drafted for five months to serve three months in South Carolina over the line of this affiant did not serve in South Carolina, he having hired a substitute by the name of Thomas Penrice [?]¹, who served in the place of this affiant. That the said Thomas was marched out to South Carolina under the command of Captain John Harvey. Before the five months last aforesaid had expired this affiant was again drafted for three months. That very soon after having been drafted as last mentioned this affiant was marched from the County of Perquimans North Carolina under the command of Captain Isaac Moore, Frederick Nixon Lieutenant to the North West bridge in the State of Virginia. That when arriving at the North West Bridge he was placed in the Regiment under the command of General Gregory and Colonel Dozier. That in this last campaign he was engaged in no battle, but employed in defending the Country against the British who were in that part of the

Thomas Penrice,
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Country. That after having served about two of the last three months for which affiant was drafted, information was received that the British had quit that part of the Country, whereupon this affiant was discharged. At this distant time this affiant is unable to state with certainty the month or the year he entered the Army. This affiant has no documents whatever by which he can establish his services as herein stated – he recollects of having had some papers in relation to his services, but what particular kind, or what has become of them this affiant cannot state; and that he knows of no person whose testimony he can procure to prove the services as herein stated.

The said John Avery 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.

Sworn to and subscribed the day and year aforesaid

S/ Edm. Haskins, Clk

S/ John Avery, A his mark

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The further declaration of John Avery made this 23rd day of June 1833 in order to obtain the benefit of the Act of Congress of the 7th of June 1832, Personally appeared before me Nathaniel Brewer one of the Justices of the Peace for the County of Chowan in the State of North Carolina John Avery of the County and State aforesaid, who deposeth and saith that he was born on the 5th of March A.D. 1752 as appears from a record in a Bible that belonged to his father. That in 1781 he was drafted as a soldier to serve in the revolutionary war – that he did perform the services required of him as such for the space of three months in the State of Virginia as is stated in his declaration of the 19th day of December 1832 – that it was in this battle the British Captain Fordice [Charles Fordyce] was killed – that the company officers were Captain William Barber and Lieutenant Larkan [?]² who was a Frenchman – the commanding officers were as stated in the said declaration.

That shortly after his return home, he having served the three months aforesaid, he was again drafted as a soldier for five months to serve three months over the line in South Carolina – that after having been engaged for one month of the five months aforesaid under the command of Captain John Harvey and Lieutenant Nathaniel Williams this affiant hired a substitute as before stated to serve the balance of the time – that the month he was under Captain Harvey was spent principally in mustering and making preparations for the campaign. That before the expiration of the five months last aforesaid, he was drafted as a common soldier for three months – That the three months with the exception of fifteen days as well as he can recollect was employed as heretofore stated in this affiant's declaration. That after his service was rendered he was informed that a written discharge was given by General Gregory to one Wooten [?] to be delivered to this affiant, but he never received it; nor did he received his pay which was ordered for him. That in this last campaign his officers were those heretofore stated. That he thinks it was the last of October or early in November 1781 he was discharged by General Gregory – that all the services he rendered were rendered in the year 1781 – this affiant never held any higher grade than that of common soldier – that for the time this affiant was engaged in the war, he was in no civil engagement. This affiant states that he was discharged by General Gregory, but did not as before stated received his written discharge.

Ques. 1st Where and in what year were you born?

Answer. I was born in the County of Perquimans North Carolina in the year 1752

Question 2nd Have you any record of your age and where is it?

²  Larken? Sarken? Sarkan?

Answer. That is a record of my age in the possession of my nephew Alexander Parker.

Question 3. Where were you living when called into the service, where have you lived since the Revolutionary war, and where do you now live.

Answer. When called into the service I was living in the County of Perquimans, where I continued to live until about two years after the Revolutionary War since which time I have constantly lived in Chowan County.

Question 4. How were you called into service, were you drafted, did you volunteer or were you a substitute.

Answer. I was drafted and served as a drafted soldier.

Question 5. 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. Several of the names of the regular officers have already been furnished in the declaration made by me of the 19th of December 1832 and this amended declaration to which I refer; I knew a number of other officers but am unable to give their names with any degree of certainty. I knew other regiments and the names of the commanding officers but from the lapse of time am unable to recite them particularly. At the North West bridge there was a troop from Virginia under the command of one Butt, and also one I think under the command of one Corpren [?] The general circumstances of my services have already been given, and to the declaration and this amended declaration furnishing them I take leave to refer.

Question 7. State the names of person to whom you are known in your present neighborhood, and who can testify as to your character for veracity, and their belief of your services as a soldier of the Revolution.

Answer. I will refer to Malachi³ & Henry Halsey⁴ by whom it can be proved that Penrice served as my substitute, and that it has been constantly reported that I served in the Revolutionary [war]. These are individuals who served in the war though not in the company with [me] Mr. William Ford⁵ will prove the same. My neighbors are the Reverend Zachariah Evans, Cullen Bunch, Exum Simpson Esquire, Henry Skinner, Stephen Skinner, William Walton, Esquire, General Richard T Brownrigg, Benjamin White and others all of whom know me well – they are men of respectability and to them reference can be had for the purposes of the question.

Sworn to and subscribed in my presence

S/ N. Brewer, JP

S/ John Avery, A his mark

[p 14: On February 6, 1854 in Chowan County North Carolina, Sarah Avery aged between 65 and 70 made application for a widow's pension under the 1853 act stating that she is the widow of John Avery, a revolutionary war pensioner; that she married him August 17, 1817; that her husband died October 13, 1836 and that she remains his widow. She signed her application with her mark.]

[p 19: On May 17, 1856 in Chowan County North Carolina the widow, aged 70, filed for her bounty land entitlement as the widow of a revolutionary war soldier; in this application she states that her name prior to her marriage was Sarah Evans; that her husband died October 13, 1835 and that she remains his widow. No explanation was made in the discrepancy of the date of

³ [Malachi Halsey S2598](#)

⁴ [Henry Halsey S2597](#)

⁵ [William Ford S2558](#)

death of her husband. She signed this document with her mark.]

[Veteran was pensioned at the rate of \$21.66 per annum commencing March 4th, 1831, for service as a private for 6 ½ months in the North Carolina militia. His widow was pensioned in a like amount.]