

Southern Campaign American Revolution Pension Statements

Transcribed by Holt Felmet

posted 12/29/08
fn105NC

PENSION NUMBER W-6127
SERVICE: NORTH CAROLINA

SMITH, DAINIEL
MARY

North Carolina
Mary Smith, dec'd

Widow of Daniel who was a Captain in the
Revolution

Husband died 17th May 1824

Inscribed on the Roll at the rate of 300 Dollars 00 Cents
Per annum to commence on the 4th day of March, 1843
And ending 20th May 1843

Certificate of Pension issued the 29th day of May 1845 and
Sent to

Col J. S. Hawkins of North Carolina
Now pursuant to Act of March 3, 1843

DECLARATION

In order to obtain the benefits of the 3d section of the Act of July 4, 1836

STATE OF NORTH CAROLINA
BUNCOMBE COUNTY

COURT OF PLEAS AND QUARTER
SESSIONS, JULY TERM, 1844

On the 4th day of July One thousand eight hundred and forty four personally appeared before the Court of Common Pleas and Quarter Sessions for the aforesaid County of Buncombe James M. Smith, son of the late Daniel Smith, deceased, a resident of the County and State aforesaid aged fifty seven years, who being first duly sworn according to the said doth, on his oath, made the following declaration in order to obtain the benefit of the provisions by the Act of Congress passed July 4th 1836.

That this declarant the aforesaid James M. Smith on behalf of himself and the other heirs of said Daniel Smith, deceased, states that the said Daniel Smith was a Captain of Militia, the heirs understand and as such he served the United States at different times during the War of the Revolution against the common enemy for the period of two years or more under the commands of General Rutherford, Colonel McDowell and others at witch time he the aforesaid Daniel Smith lived in Rowan and Burke Counties, North Carolina, the latter of which was taken off of Rowan County in or about the year 1778 and in which County the said Daniel Smith resided.

The declarant further states that to give furtherance of the above claimed service of his father he can say further that he has often heard his father state, and others known to the fact, that the said Daniel Smith served as a Captain and that he was frequently out on the frontiers of the State against the Indians, during the War and that he was also stationed, a part of the time, at a Fort with a company of men at the head of the Catawba River in Burke County.

This Declarant also states that the aforesaid Daniel Smith was married in the fall of the year Seventeen hundred and eighty one, 1781, to Mary Davidson as husband and wife they lived together till the death of said Daniel Smith who died on the seventeenth day of May Eighteen hundred and twenty four, 1824, leaving his wife Mary a widow who departed this life on the twentieth day of May Eighteen hundred and forty three, 1843.

And this declarant further sets forth on his said oath that the aforesaid Mary did not marry after the death of her husband the aforesaid Daniel Smith but remained a widow till her death.

Sworn to and subscribed on the day and year full above written before the Court.

Jas M. Smith

Test

N Harrison CCC

STATE OF NORTH CAROLINA
BUNCOMBE COUNTY

J. N. Harrison, Clerk of the Court of Pleas and Quarter Sessions for the said County of Buncombe do hereby certify that satisfactory evidence was this day furnished the said Court (now in session) that the parties above named, Captain Daniel Smith and Mary Davidson were lawfully married in the fall of the year Seventeen hundred and eighty one, 1781, that the said Daniel Smith died in the year Eighteen hundred and twenty four, 1824, and that his widow the aforesaid Mary died on the twentieth day of May in the year of Eighteen hundred forty three, 1843, leaving surviving the following eight children all of lawful age, to wit, James M. Smith, John L. Smith, Daniel Smith, Moses Smith Betsy Patton, Polly Hawkins, Nancy Burnett and Jane Fortune who are the only surviving children of Mary Smith, deceased..

I do further certify that it was shown in evidence to the satisfaction of the Court that the aforesaid Daniel Smith was a Captain in the War of the Revolution and as such he served the United States.

And I do certify that James M. Smith who was sworn to and subscribed the foregoing declaration is well known to the Court to be a person of and to whose statement is due full faith and credit.

I further certify that the foregoing contains the original proceedings of the Court in the matter of the application of the heirs of Mary Smith deceased for a pension whereupon the Court orders the Clerk to Certify the same to the War Department.

In testimony whereof I have hereunto subscribed my name and affixed my seal of office at Office in Asheville this the 4th day of July 1844.

J. N. Harrison, Clerk of Buncombe County Court

STATE OF NORTH CAROLINA
BUNCOMBE COUNTY

I, John Thrash, presiding Justice of the Court of Pleas and Quarter Sessions for the County aforesaid do hereby certify that Nathan Harrison whose certificate signature and official seal appears above is Clerk of our said Court duly appointed and qualified according to law, that his signature is genuine and is entitled to full faith and credit.

In testimony whereof I have hereunto subscribed my name and affixed my seal this the 4th day of July, 1844

John Thrash (Seal)

STATE OF NORTH CAROLINA
BUNCOMBE COUNTY

On this the 25th day of January 1845 personally appeared before me J. Dunlap one of the acting Justices of the Peace in and for the said County, James M. Smith a resident of the County & State aforesaid

and made oath in due form of law that he is a son of Daniel & Mary Smith deceased of said County, whose heirs are now applying for a Pension due to said Mary Smith dec'd on the account of the revolutionary services of her said husband the aforesaid Daniel Smith deceased and that he Deponent has now in his possession the Old Family Bible of the aforesaid Daniel and Mary Smith in which is recorded that age of Wm D. Smith the oldest child of the aforesaid parties of which the following is a true copy :

Wm D. Smith born October 1st 1784

That the said Record is in the handwriting of the said Wm D. Smith and that he believes it is correct and true and the same is hereto appended as will more fully appear.

Sworn to and subscribed on the day and year first above written before me.
J. Dunlap JP

James M. Smith

[fn pp. 8-10]

An additional item of proof included in the Pension File was the following letter from David Lowry Swaim who served as Governor of North Carolina 1832-1835 and as President of the University of North Carolina 1835-1868

Chapel Hill 7 January 1845

Dear Sir:

I avail myself of the first moment of leisure to reply to your letter of the 27th asking for information in relation to the late Col. Daniel Smith of Buncombe.

I was born on the 4th of December 1801 – in the winter of 1806-07 my father settled in Asheville within two miles and a half miles of Col. Smith's residence. I went to school with his children from 1807 until 1820. I knew him familiarly, wrote his Will, wrote the epitaph for his tomb-stone, & was even one of a company which about the last of May 1824 buried him with military honors. He was extremely proud of his revolutionary services, frequently referred to them in conversation, and was universally esteemed by his neighbors as an old soldier of much more than common intrepidity. His second son James M. Smith, Esq, of Asheville was the first white child born in that portion of the State west of the Allegheny now constituting the Counties of Buncombe, Yancey, Henderson, Haywood and Cherokee. I have no recollections of many other individual of that section of the State of the same name, who was at any time [?] reputed to have been a revolutionary officer.

I have now in my possession "a talk" to the Cherokee Indians from Gen. John Steele commissioner appointed by the U S in 1789 (was subsequently Comptroller of the Treasury of the United States) which was sent to the nation "by _____ Captain Daniel Smith" The War Ford on the French Broad at which place the Indians met the Commissioners was immediately up river not more than two miles distant from Col. Smith's residence.

I wrote an obituary ____ of Col. Smith containing references to his military service which was published soon after his death in 1824 either in the Salisbury Western or Raleigh Register or perhaps both and have no copy and little recollection of it.

I recollect no ____ at present which seems to fall within the scope of your inquiries. He was an illiterate man, could not write, & I suspect was unable to read [?]. His circumstances were good and his reputation that of a brave and honorable revolutionary officer.

Yours very respectfully,

David L. Swaim

George Little, Esq.