

Southern Campaign American Revolution Pension Statements & Rosters

Pension Application of Benjamin Shenault W6867

Transcribed and annotated by C. Leon Harris. Revised 5 Nov 2011.

State of Virginia, Grayson County, Towit:

On this seventeenth day of May 1824 personally appeared in open court being a court of record for the county aforesaid expressly made such by the laws of Virginia, and proceeding according to the course of the common law, with a jurisdiction unlimited in point of amount, & keeping a record of its proceedings, Benjamin Shenault, aged sixty four years resident in the said county, and being first duly sworn, according to law, doth, on his oath, declare that he served in the revolutionary war as follows: that he enlisted in the spring of the year 1777 with Samuel Terrill, a recruiting officer whose rank he does not now remember, in the County of Bedford & State of Virginia, that he joined the army at Valley Forge in the State of Pennsylvania without loss of time, and belonged to the company commanded by Captain Samuel Cobb [Samuel Cobbs] of the second Virginia regiment a continental establishment commanded by Colonel Alexander Spotswood: That he regularly served for two years, the term of his enlistment, after which he again immediately enlisted with Lieutenant Jacob Moon at Middle Brook [Middlebrook] in New Jersey, from where he marched to Petersburg [sic: Petersburg] in Virginia where he joined the regiment commanded by Colonel Abraham Beauford [sic: Abraham Buford], and belonged to the company of Captain Claiborne Lawson [Claiborne W. Lawson]: That he was in the battles fought at Brandywine [11 Sep 1777], at German Town [Germantown, 4 Oct 1777], at Monmouth Court-house [28 Jun 1778], and near the Hanging Rock, when Colo. Beauford's regiment was cut to pieces [Battle of Waxhaws SC, 29 May 1780]. That he was taken prisoner on the last occasion, and was permitted by Colonel Tarlton [sic: Banastre Tarleton], who commanded the British troops that defeated Beauford, to remain with the wounded Americans for the purpose of attending on them untill their recovery: This duty he performed with five other soldiers, all of whom as well as himself were left on parole by the British officer above named, and he never was informed whether he was exchanged or not, and, as he could not, under such circumstances, return into the military service of the United States, he never obtained a discharge.

and 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 disposed of my property or any part thereof with intent thereby so to diminish it as to bring myself within the provisions of the 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. To Wit.

A Schedule of the property of Benjamin Shenault

no property Real or personal except clothing & Bedding

Benjamin hisXmark Shenault

The declarant further states that his occupation is a stone mason, that he is at this time unable to procure a support for his family by labour: That his family consists of a wife 65 years old four children one daughter aged 24 years, 2 grand children 11 & 5 years old, another Daughter 28 years old

Benjamin hisXmark Shenault

John Hughs senior [pension application W18082], a man of fair character, and undoubted veracity, also made oath, in open court, that he knew the above named Benjamin Shenault in the military service of the United States, on Continental establishment, at Valley Forge, in the State of Pennsylvania, in the year seventeen hundred and seventy seven, and afterwards at Middle Brook, in the State of New Jersey, and at Petersburg in Virginia, in the year seventeen hundred and eighty when he belonged to the

regiment commanded by Colonel Abraham Beauford.

Virginia To Wit

At a Court begun and held for Grayson County on Tuesday the 28th day of July 1824, Being a Court of Record,

Personally appeared in Court Benjamin Shenault a Revolutionary Soldier aged 64 years and being sworn on the Holy Evangelist of All Mighty God deposed and saith

The reason why he did not apply to the War Department sooner for a Pension was That being illiterate and ignorant as to the manner of transacting business of that kind he has been entirely dependent on others for instruction; As soon as he was informed that an Act was passed allowing Pensions to Revolutionary soldiers he Employed Gen'l Solomon S. Graves of Surry County N.C. to draw up a Declaration which was sworn to before the County Court of Surry in the State of North Carolina and left with s'd Graves who promised to transmit it to the War Department and procure a Pension Warrant, which he has failed to procure and deliver to him. As soon as this Deponent was informed by Graves that he had not received nor was likely to receive a Pension Warrant in that application he then applied to Samuel Hanby Esq in Patrick County Virginia to assist him in a second application and went before the County Court of Patrick and made another Declaration and procured the affidavit of James Miller (who served with him and has procured a Pension [application S38230]) which was transmitted to the War Department by sd Hanby as this Deponent is informed having received no further intelligence from Hanby this Deponent was induced a third time to make a Declaration before the Superior Court for Grayson County Virginia; Whether the two first Declarations have been received at the War Department this Deponent cannot say; That this Deponent has always been anxious and has used his best exertions to procure a pension since he was informed that the Law was passed.

This Deponent further states that as well as he recollects about the 18th March 1818 he was possessed of the following property to wit.

One hundred acres of Land lying on Tom's Creek in Surry County N.C. which he has since sold for the sum of seventy Dollars to pay his Debts. One horse which was exchanged for another which last one died, the first being worth about \$40. One Cow & calf which also died. That the sale of his said Land was not sufficient to discharge his Debts some of which remain unpaid at this time. That for the last 13 months of his service in the service in the army (including 5 months of his time he was payroled [sic] to attend to the wounded officers and soldiers taken at Beauforts defeat) he has received no pay and that the Government is justly indebted to him for that service

Benjamin hisXmark Shenault

NOTES:

The following appears in the pension application of James Miller: "Benjamin Shenault being also sworn saith that he served three years in the Continental service with James Miller, first in Pennsylvania at the Valley Forge and afterward at Middlebrook and finally in Petersburg Virginia and at Campden [sic: Camden] South Carolina that he was at the battle of Monmouth, Brandywine, and Germantown with the said James Miller and that he was a good and faithful soldier, and that he has abundant reason to believe he is the same James Miller with whom he as aforesaid served."

Benjamin Shenault made a declaration in the court of Patrick County VA on 11 May 1820, supported by the above James Miller. This declaration is abstracted by Barbara C. Baughan and Betty A. Pilson in *Miscellaneous Records of Patrick County, Virginia* (Westminster MD: Willow Bend Books, 1999). It stated that he enlisted under Captain David Terrell, was transferred to Captain Samuel Cobbs of Amelia County, then served a few months under Captain Willis Wilson. Shenault did not mention attending to wounded soldiers, but stated that he remained on the payroll until discharged by "Col. Feebecher" (Christian Febiger).

On 9 Sep 1830 Benjamin Shenault applied to have his pension transferred to North Carolina,

having recently moved to Surry County because he "believed he could better his situation [and] take up land."

On 12 Nov 1855 Nancy Phillips, 50, of Surry County NC, applied for a pension under the act of 1853 stating that she married Benjamin Shenalt on 11 May 1839, and he died in Surry County on 4 May 1847. The file includes a copy of a bond signed on 11 May 1839 in Surry County NC by "Benjamin Shinall" & "Richard Shinall" for the marriage of Benjamin Shinall to Nancy Rachels. On an application for bounty land dated 29 Sep 1855 Nancy Phillips stated she was married to "Benja. Shenall or Shenalt" by Joel Jackson, a Justice of the Peace. She afterward married Joseph Phillips, who died in Surry County on 20 July 1855, but the following letter states that this marriage was not legal: "Salisbury NoC May 3rd 1856 Sir, The widow of Benjamin Shenault dec'd. who was a Revolutionary pensioner of the U.S. is now, and has been for some three or four years a pauper in the County of Surry N.C. Soon after she was taken to the Poore House the superintendent in order to make Comfortable room for her, he persuaided her and an old man one of the inmates of the poorhouse to marry. They were illegally married by the issuing of lisencc by a gentleman who was not authorized. The old lady is very ignorant and did not know until after the passage of the act of 1853 that she was illegally married.

"It does seem to me that in as the object mainly, in getting the old lady married was to give more room in the house of the poor, & her marriage took place through the influence of the superintendant, that it would not bar her from obtaining the amt. of Pension her husband drew. These facts can be proven.

"Will you please give me your opinion, whether she has the right now, after having been illegally married to make application as the widow of Benjamin Shenault for Pension.

Very respectfully/ H. H. Helper"

On 5 Mar 1866 Daniel Shenault, guardian of Nancy Phillips, applied for restoration of her pension, which had been suspended during the Civil War, when she lived "a portion of the time in the poor house, or a house provided by the County of Surry for the benefit of paupers, the ballance of the time with some distant relations and others of the neighbours – all the time in said County of Surry [and] that during this period her means of subsistence have been very precarious she being unable to labour much and haveing to depend upon public charity and the munificence of the neighbours. Often suffering for the common necessarys of life." A letter dated 20 Aug 1866 states that Nancy Phillips was "partially Idiotic," and that Daniel Shenault had been removed from her guardianship "for malfeasance." On 10 Sep 1867 the court of Surry County appointed Robert S. Gilmer as guardian for "Nancy Philips (alias) Nancy Shenault, a Lunatic." A letter dated 13 May 1868 states that Nancy Shenault had only two children: James Rachels, who was born before her first marriage, and Benjamin Shenault, Jr., who was born after the first marriage. It further stated that the younger "Benjamin Shenault entered the Rebel Army in 1861 voluntarily and served to the end of the Rebellion except some short intervals; That the said James Rachels did not engage in the Rebellion, nor aid or abet the Rebels, nor sympathize with their cause." Another letter states that "her father was opposed to the Rebellion – done all she could to keep her son out of the Rebel Army... beged for him and fed him in the woods. & In her Parralysis is unable to Labour. is in the most extreme poverty suffering for the most common necessarys of life actually barefooted." A document in the file states that Nancy Shenault (Phillips) died on 11 July 1867.