Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of Elihu Ayers (Ayres) R335 Lydia Ayers f49NC
Transcribed and annotated by Will Graves 12/25/07 rev'd 8/4/14 & 2/13/25

[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' or 'undeciphered' 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. Researchers should not rely solely on the transcripts but should review the originals for themselves. These transcripts are intended as an aid to research, not to be used in lieu thereof.]

[p 3]
State of Virginia, County of Patrick

On the 16th day of November 1832 personally appeared in open Court before the Justices of the County Court now sitting Elihu Ayres a resident of Patrick County aforesaid aged seventy two years as the 6th of January last pasted 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 the 7th 1832—that he entered the service of the United States the 28th day of January 1778 as a volunteer private soldier as minet (sic, minute) man (as they were then called) under Colonel Benjamin Cleavland (Benjamin Cleveland) of the County of Wilkes in the State of North Carolina; was placed in a company of militia commanded by Captain Micajah Lewis; that he served in this company and under this captain twelve months and thirteen days; during this time, he was not in any engagement with the forin (sic, foreign) enemy it being in that section of country entirely a war of Whig and Tory; he was kept constantly in service such as [indecipherable word][1] up the Tories out lyres [outliers] and disaffected; defending the Whigs and their property from the ravages of the Tories; he traveled the surrounding country from Allen's Iron Works on the Yadkin River to Mitchell's River, Fisher's River, Codie's Creek, Roaring River, Lewis' Fork, Riddie's River to the head of the Yadkin thence around by the Table Mountain crossing the three creeks of the Catawba River thence to the main River down the same to Greenlee's Ford thence to Burke Court House from there crossing the South Yadkin to the Shallow Ford of the main Yadkin River from thence through the Tory country to the Iron Works above mentioned; during this term of service this applicant was present and assisted in half hanging William Combs whom they let off on promise of better behavior; hanging William Koyle [William Coyle, William Coil] and Lemuel Jones who were condemned by a court Martial consisting of the following officers Colonel Benjamin Cleveland, Captain Benjamin Hearndon, Captain Gorden [probably Nathaniel Gordon] and Lieutenant Baker Ayres; nothing of importance more occurred during this tour of duty within the recollection of this applicant. The applicant obtained from Colonel Cleveland a discharge from this term of service which discharge was some years afterwards burnt in his Father's House. At the time this applicant performed this tour of service his father lived in the county of Pittsylvania and State of Virginia from whence he had sent this applicant to Surry County North Carolina to buy land which he did but did not

1

return to remove his father until he served the above tour of duty believing his father would not move on account of the Tory war surging in that country so violently. At length he received a letter from his father and returned home in the year 1780 and his father immediately moved to the above mentioned land. The next tour of duty this applicant performed was under Captain Sallathial Martin [Salathiel Martin] of Surry County North Carolina who gave him the appointment of orderly sergeant. He entered into this tour of duty on the 5th day of April 1780 in a regiment commanded by Col. Cleveland. He was for some time employed in the surrounding country to keep down the Tories and bringing in out lyres, retaking and restoring property to the Whigs taken by the Tories. During this tour this applicant states he was under various officers sometimes under one and then another. He served a short time under Capt. Underwood, Capts Harding, Hearndon, Lewis and others and various short tours of duty until August following when he marched towards King's [?][2] Mountain; was stationed a while at Creder's old fort during which time there was a false alarm; was a show fight brought on by our officers in order to try who of our men would fight—from thence he was marched to King's Mountain; there a battle ensued [October 7, 1780] between the Americans commanded by Colonels Cleveland, Williams [James Williams] and Campbell [William Campbell] —and Faggerson [Patrick Ferguson] which terminated in the defeat of Ferguson; many killed and taken prisoners; this applicant saw Ferguson lying wounded when Colonel Campbell ordered him to surrender; to which he replied that he was on King's Hill and he meant to die in the King's cause. Campbell immediately hued him to pieces with his sword and left Ferguson dead on the Hill. This applicant was ordered to assist in guarding the prisoners to Beththatra [Bethabara] known by the name of the Old Moravian town in Surry County North Carolina now Stokes County. They were there delivered to Colonel Lock [Francis Locke] from Rowan or Mecklenburg. This applicant here got a furlough to go home after clothing but was not permitted to be idle long. He was shortly afterwards ordered out under Major Hearndon and company commanded by Capt. Richard Allen from Wilkes County under whom he served until he was marched to the battle of Guilford. They joined General Green [Nathanael Greene] about fourteen days before this battle at Sumner's Tavern he believes in Caswell County, with who they remained until the battle of Guilford on the 15th of March 1781 and for some days afterwards. At the battle of Guilford, this applicant was of the North Carolina Militia who got panic struck and ran from the scene of action. On the 7th day of April he together with the rest of the North Carolina Militia was discharged by General Greene not far from Hillsborough North Carolina. The N. Carolina militia discharged by Greene was discharged by word of command. This applicant states that he acted as orderly sergeant six months and two days which was from the commencement of the last mentioned term of service until the battle of King's Mountain. This applicant states that he forgot to mention that he was also in the battle of the Shallow ford of the Yadkin—he further states that he was in a Whig and Tory fight called the battle at Comb's. He resided in Surry County North Carolina until 1780 or 1781 since which he has resided in the County of Patrick where he now resides.

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 of the United States.

Sworn to and subscribed the day and year aforesaid.

S/ Elihu Ayres, X his mark

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[2]

[Martin Cloud and Arch Stuart gave the standard supporting affidavit.]

[p 7]
State of Virginia, Patrick County

This day Elihu Ayres in order to amend his declaration made in open Court on the 16th day of November 1832 and hereunto annexed personally appeared before the undersigned a Justice of the peace for the County and State aforesaid who being duly sworn Deposeth and saith that in my first Engagement mentioned in my declaration I served as a private soldier one year and thirteen days and in my second engagement I served six months and two days as orderly Sergeant and six months as a private Soldier making in the whole two years and fifteen days for which I claim a pension.

In answer to the first interrogatory prescribed by the war depart. he states that he was born in the County of Pittsylvania State of Virginia on the 26th day of January 1761 according to his father's Register which was burnt in his house some years ago and that he has no other record of his age.

In answer the seventh interrogatory he states that in addition to the two citizens who have certified for him that if it be necessary he can procure the testimony of many others as to his veracity and their belief of his Services as a Soldier of the revolution – to wit Major William Carter,[3] William Cloud,[4] Esq., Samuel Amburn, Esq. to whom I am well known and who are soldiers of the Revolution according to report.

In answer to query the 13th he states that he has no documentary evidence of service and knows of no living witness by whom he can prove services he also states that he is unable to attend the court and I concur in that opinion. Sworn to and subscribed before me the 19th day of April 1833. S/ Elihu Ayers [sic]
S/ Martin Cloud, JP

[p 19]
State of Virginia, County of Patrick

On this 29th day of October 1833 personally appeared before the subscriber a Justice of the peace of the County of Patrick and State of Virginia Elihu Ayres a resident of Patrick County Aged Seventy-three years on the 26th of January last past 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 the 7th 1832.

He says he was born in the County of Pittsylvania in the State of Virginia on the 26th day of January 1761 according to a transcript of his age in his possession taken from his father's Register at which place he resided at the commencement of [the] Revolutionary War, he says that in the winter of 1777 he went to the County of Surry North Carolina to buy land for his father where he entered the Service of the United States under the following named officers and served as herein stated. He says he entered the service of the United States on the 29th day of January 1778 as a volunteer private soldier under Captain Micajah Lewis of the County of Wilkes State of North Carolina in a Regiment commanded by Colonel Benjamin Cleveland, that he was stationed at David Allen's Iron Works in the County of Surry North Carolina to guard them, and protect the surrounding neighborhood from the depredations of the Tories who much abounded in that section of country and was frequently sent off in search of Tories [and]

[3] **William Carter S9133**
[4] **William Cloud W5247**

outlayers and robbers and would again return to the Iron Works that place being the headquarters of the company called the Iron Works Company. We were shortly after being stationed at this place sent off under Captain William Underwood in search of Richard Murphey a Tory Captain who had raised a Tory company and was doing mischief in the Country, pursued him on Mitchell's River, Fisher's River and Codies [sic, probably Cody] Creek in North Carolina was on this expedition about 26 days – then returned to the Iron works again. A short time after this he was sent under Lieutenant James Lewis in Search of William Koil [William Coyle or Koyle] and Lemuel Janis [Jones?][5] Tories whom they succeeded in taking near the swan [?] ponds in Surry County North Carolina who was condemned by a court martial and hanged, they also took one Combs who was half hanged and let off on the promise of better behavior. He was engaged in this expedition about ten days and then marched back to the Iron works again, where he was again stationed under Captain Lewis for a few months – when news reached them that Captain Daniel Carlon at the foot of Flower Gap (or gap of the mountain in the County of Henry State of Virginia was robbed by the Tories) this declarant with others under the command of Captain Harden was immediately sent in pursuit of them, we pursued them over the mountains in Virginia to Little River from there to the three forks of New River from there to the Three Top mountain and then to the Bull [or Ball?] mountain could not overtake them – was marched back again to our Garrison at the Iron Works after a march of about 20 days – he was again stationed there a while and was marched under Captain Lewis to Burke Court House N. C. against Col. Bryant of the Tories, was stationed at this place about two weeks waiting for recruits not coming in contact with Bryant at this place he was marched to Salisbury in Rowan County North Carolina where he was stationed about three weeks expecting an attack by Col. Bryant no attack having been made here he was marched to the Shallow Ford of the Yadkin River where he remained a few days was then marched to the Iron Works again visiting in their route the Tory neighborhoods convenient on the way – he says he remained here until the 10th day of February 1779 when he was discharged by Colonel Benjamin Cleveland which discharge was long since lost he says it is impossible for him to recollect precisely how long he was on the various expeditions mentioned above or how long to a day between them but that he is certain he entered the service on the 28th day of January 1778 and was discharged on the 10th day of February 1779 during which time he was either in the field or in Garrison. He says he should not then have quit the service had he not received a letter from his father that he wished to remove to the land this declarant had bought for him in Surry County North Carolina whose aid he wanted in removing for he had in the first place joined this company called the Iron works company for the term of twelve months with a promise to remain with them as long as he was needed if circumstances would permit him to do so, but having received the above mentioned letter from his father he asked to be discharged which was accordingly done. He then returned to his father's in Pittsylvania County Virginia and in the first of the year 1780 he moved his father to the land he had purchased in Surry County North Carolina he further states that on the fifth day of April 1780 he again entered the service of the United States as a volunteer under Captain Salathiel Martin in the County of Surry North Carolina where he then resided – who gave him the appointment of orderly Sergeant he was again stationed at the Iron works above mentioned where he remained guarding the Iron works some length of time he does not recollect how long when he was marched to the Shallow Ford of the Yadkin River under Captain Martin at which

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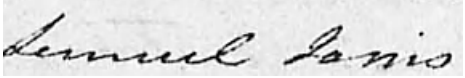
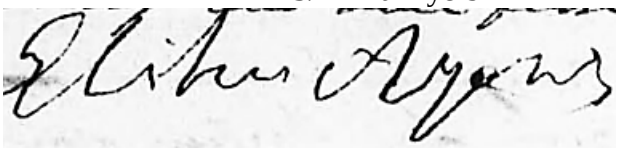
5 

place they had an engagement with the Tories his Captain at this action was taken prisoner by the Tories but on the next day was retaken he was again marched back to the Iron works remained there a short time, was again marched against a party of Tories, who had collected together at one Combs' whom they succeeded in dislodging after a short but dangerous conflict – he was then marched back to the Iron works where he remained until August following when he marched under Captain Martin to Wilkes Court House where they joined several other companies under the command of Colonel Cleveland was stationed here about three weeks waiting for a sufficient number of recruits to go on to King's Mountain – during our stay at this place the commanding officers Colonel Cleveland and he believes Colonel Williams caused a sham fight (one of the parties affecting to be the enemy) in order to try the Valor of their officers and men, from this place Cleveland moved his Army to Criders old fort-- having first sent this declarant with 20 or 30 of others to act as spies on the route who shaped their course up the Yadkin River – and joined Colonel Cleveland at Crider's fort – remained here waiting for more aid was at this place were joined by Colonel Campbell from Virginia and some other companies the names of the commanders not recollected he was then with the Army which at time consisted of several hundred marched to King's Mountain to attack Ferguson who was at that time stationed with his Army on King's Mountain after reaching the foot of the mountain a plan of attack was agreed on they ascended the mountain and attacked the enemy the whole or nearly so of whom was either killed or taken prisoners. This declarant says he saw Ferguson lying wounded when Colonel Campbell ordered him to surrender – to whom he replied he was on King's Hill and he meant to die in the King's cause. Campbell immediately hued him to pieces and left him dead on the mountain. This declarant states that he was ordered to assist in guarding the prisoners which he did. He aided in bringing them on to the old Moravian town in Surry County North Carolina now Stokes County where they were delivered to Colonel Locke from Rowan or Mecklenburg [County]. This applicant says he here got a furlough to go home after clothing and to return to his company again when called on. He remained idle 11 days when he was again called on to guard the Iron works under Major Hearndon in a company commanded by Captain Richard Allen from Wilkes County with whom he remained guarding the Iron works until Lord Cornwallis made his appearance in North Carolina. He says about the first of February 1781 he marched under Captain Richard Allen against Cornwallis. Joined Colonel Locke from Rowan or Mecklenburg at Dobson [?] Crossroads in Stokes County (then Surry) from there he was marched to the High Rock Ford on Haw River remained there a short time expecting Cornwallis to attack them they continued in that neighborhood until General Greene from Virginia to made his appearance on the borders of North Carolina he was then marched on to meet with him whom they were joined at Sumner's Tavern he believes in Caswell County North Carolina between Dan and Haw Rivers remained with General Greene until the battle of Guilford. This declarant says, the first or second round the North Carolina militia got panic stroke himself among the rest and ran from the scene of action. That he never stopped until he reached Troublesome old Iron works a distance of 9 or 10 miles he here halted at which place he the next day joined General Greene again, marched with him in pursuit of Cornwallis near Hillsboro in North Carolina where on the 7th of April 1781 himself and rest of the North Carolina militia from his quarter were discharged by General Greene by word of command from which place he returned home and was not afterwards called into service, the Iron works Company having nothing more to do. He says during the year and 13 days under Captain Lewis and others he was at one time on furlough 11 days and at another time four days which includes the time in actual service to one year and two days in his second engagement under Captain Salathiel Martin

he served six months and two days as orderly Sergeant and 20 days as a guard in guarding the prisoners to the Moravian Town from Kings Mountain – then on furlough 11 days as stated above then four months and 27 days under Captain Allen, as a private soldier, which makes his services as a private soldier – 17 months nineteen days as orderly Sergeant six months and two days – the whole – 23 months 21 days. He says he has no documentary evidence of his services and that he knows of no living witness by whom he can prove his services, he says he is known to Major John Carter the presiding member of the County Court, to Archibald Stuart attorney at law who was a member of the late convention of Virginia, to Colonel Abram Staples Clerk of the County Court and Supreme Court of Law and Chancery to Colonel Greenville Penn to Major Clark Penn all of the County of Patrick, and to Colonel Martin Dickenson Clerk of the County Court of Grayson and also to Col. Samuel Hughes of the County of Patrick – that he remained a citizen of Surry County until the year 1791 when he moved to the County of Patrick State of Virginia where he has resided ever since and where he now resides. 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 – he further states that since he made his declaration in court on the 16th day of November 1832 which was considered defective he has by reason of bodily infirmity become unable to attend the Court.

Sworn to and subscribed before me the day and date first above written.

S/ Martin Cloud, JP S/ Elihu Ayers



[Archibald Stuart, James W Wauhop and Major William Carter gave the standard supporting affidavit.]

[p 43]

Patrick County Virginia February the 17th 1834

Dear Sir

I received your polite note of the 16th of January requiring me to return to the pension office of the United States my original declaration before a final decision can be had on my case. I hasten to comply with the requisition. When I made my last declaration I was not able to attend court and was advised that it was unnecessary to return the original, it was also thought best to make a new one as the first was objectionable and having been amended was still objectionable, my service is not sufficiently specified. The sham fight mentioned in my first declaration to have taken place at Criders Fort was a mistake in the writer and not detected by me until I made my new one – in which it is corrected stated to have taken place at Wilkes Court House. I am in hopes upon the receipt of the original declaration my Claim may not be longer suspended, but some favorable decision made thereon as I am very old, infirm and indigent, and if not aided by the general government must shortly become a charge to the County.

Yours respectfully

S/ Elihu Ayers

[p 10: On April 19, 1845, in Patrick County Virginia, Lydia Ayres filed for a widow's pension under the 1844 act stating that she is the widow of Elihu Ayres; that she believes she married him in the spring of 1786 in Halifax County, Va.; that her husband died on March 19, 1844. She signed her application with her mark.]

[p 13: William Holt, clerk of Halifax County, Virginia, certifies on February 9 1846, that he is the clerk of Halifax Co, that he has searched the records of that county and found no record of the marriage of Elihu and Lydia Ayres.]

[p 15: Carroll County Virginia, July Term 1846, affidavit that the children of Elihu and Lydia Ayres were: Elkanah Ayres, Nancy Dean wife of Hiram H. Dean, Ketty Dean, wife of Henry H. Dean, Affory Scott, wife of John Scott, Cassamara Ayres, Martha Richardson, widow of Samuel Richardson, Elekum Ayres, Lucy Allen, wife of William Allen, Lydia Burnet [sic], wife of Archibald Burnett. Elkanah Ayres is the oldest child and is at least 58 years old.]

[Veteran was pensioned at the rate of $89.03 per annum commencing March 4th, 1831, for service as a private for 17 months in 19 days and as a Sergeant for 6 months and 2 days in the North Carolina militia.]