

[Southern Campaigns American Revolution Pension Statements & Rosters](#)

Pension application of William Maxwell R7046 Elizabeth Maxwell f42NC
Transcribed by Will Graves rev'd 4/19/09 & rev'd 7/20/16

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

[p 4]

State of Tennessee, Rutherford County: Circuit Court October Term 1832

On this 2nd day of October 1832 personally appeared in open Court before the Hon. James C. Mitchell Judge, William Maxwell, a Citizen of said County and State aforesaid aged Seventy Six years who being first duly sworn, according to law, doth on his oath make the following declaration in order to obtain the benefit of the provisions made by the Act of Congress passed June 7th, 1832. He states that he was born in the State of Pennsylvania and removed when a youth to the State of North Carolina Mecklenburg County and he entered the service of the United States in the County of Mecklenburg as a volunteer under Captain Charles Polk, and he thinks that the corps rendezvoused near the mouth of Rocky River, Col Alexander Martin and Lt Col Thomas Polk commanded the Regiment to which declarant was attached. He cannot recollect the year that he entered the service under Captain Polk. From the mouth of Rocky River the corps marched to Cross Creek on the waters of Cape Fear [River]. From this point the corps returned back to Mecklenburg and was discharged. At the period here spoken of James Maxwell the Father of declarant was with the command in the capacity of Quarter Master of the Regiment commanded by Martin. Afterwards declarant again volunteered his services in the County of Mecklenburg, and joined the Company commanded by Thomas Shelby – and the company was marched by a Fort or place which was occupied by Col Rugeley, a Tory, after Gates' [Horatio Gates'] defeat [Battle of Camden, August 15-16, 1780]¹ or near as he can recollect, and was then marched to near Camden, and there joined Gates' Army. Declarant was in the battle when Gates was defeated. He recollects that General Rutherford [Griffith Rutherford] was taken prisoner at the battle of Camden. After the battle declarant with the militia generally went home. In the last tour above spoken of declarant thinks he was in service more than four and not above six months. Before the capture of Charleston by the British [Charleston South Carolina fell to the British on May 12, 1780]² – but he cannot recollect the precise time, in the County of Mecklenburg he again volunteered his services, under the command of Captain William Alexander, and rendezvoused at Charlotte and was marched to South Carolina, passing the Catawba River – thence to Wateree and joined Col. Wade Hampton's command between the Wateree and Congaree [Rivers]. During this service there was a skirmish between Hampton's command and the British and Tories at the Quarter house [July 15, 1781]³ – and also at a place called the Blackstocks [November 20, 1780],⁴ with the British and Tories

¹ http://www.carolana.com/SC/Revolution/revolution_battle_of_camden.html

² <http://www.myrevolutionarywar.com/battles/800401-charleston/>

³ http://www.carolana.com/SC/Revolution/revolution_quarter_house.html

⁴ http://www.carolana.com/SC/Revolution/revolution_battle_of_blackstocks.html

where General Sumpter [sic, Thomas Sumter] commanded; and who was wounded in that skirmish – after which declarant returned home and was discharged. In this tour declarant served ten months. Declarant again volunteered his services, though he cannot recollect the date of the service, from the County of Mecklenburg and joined the Company commanded by Captain James Houston and rendezvoused near Charlotte and crossed the Catawba and marched towards Kings Mountain. Declarant was one of the advance guard under the command of Captain Thomas Shelby – and joined the corps under the command of Col Campbell [William Campbell] and under him Cols Shelby [Isaac Shelby] and Sevier [John Sevier]. Declarant was in the battle that was fought at that place [Battle of Kings Mountain, October 7, 1780],⁵ and he recollects that his Captain Houston received a wound in the knee, which disabled him. After the battle of Kings Mountain declarant returned with his company home, and was discharged. Shortly after his return home, he again volunteered his services under Captain Richard Simmons and rendezvoused near the mouth of Little River under the command of Genl Rutherford, Col Robert Smith and Major Graham [Joseph Graham] – and then marched to Wilmington – and after remaining here sometime he Troop returned home. In the last listed company declarant was in service four months or upwards. During the last tour declarant was with a detachment under the command of Col Smith, while the Army lay at Wilmington, ordered to destroy or break up a party of Tories and British, which marched, or was expected to march to the Brick house [November 15, 1781].⁶ The Brick house being then in the possession of the British – should the British and Tories march from the Mills where Major Graham had been sent to dislodge them. Declarant again volunteered under his Father Capt James Maxwell in the County of Mecklenburg and was marched to near Cowan's Ford, where the British crossed the Catawba under the command of Lord Cornwallis. He was in the skirmish at Cowan's Ford [February 1, 1781]⁷ where General Davidson [William Lee Davidson] fell. The command moved to the widow Torrence's [also spelled Tarrant]⁸ and from this place the corps retreated to Charlotte, before the British cavalry under the command of Tarlton [sic, Banastre Tarleton]-- and from thence the Army retreated to the Cross roads four miles from Charlotte and at this place Major White commanded – and the corps fell back to the right and left, and the British cavalry passed on the road between the American corps – and as they passed they received the fire of our corps – and the corps then dispersed and returned home.⁹ At the cross roads George Locke [? looks like “Lacken” or “Lachin”]¹⁰ was killed by Tarleton. Declarant continued in service until after the battle of Guilford [March 15, 1781],¹¹ and was then discharged. He cannot say what was the length of his service in this last Tour, but he thinks four months. And applicant would here state that he was in the battle at Rafts Swamp [October 15, 1781]¹² and also at the battle fought at Ramsour's Mills [June 20, 1780].¹³ Declarant has no document or record in his possession by which he can prove his services, or to fix the dates of his different Tours of service – nor does he know of any one now living by whom he can prove his service. He has lost his discharges. He has no record of his age and declarant lived in Mecklenburg County after the war, and has since

⁵ http://www.carolana.com/SC/Revolution/revolution_battle_of_kings_mountain.html


⁶ http://www.carolana.com/NC/Revolution/revolution_brick_house.html

⁷ http://www.carolana.com/NC/Revolution/revolution_cowans_ford.html

⁸ http://www.carolana.com/NC/Revolution/revolution_tarrants_tavern.html

⁹ This MAY be a reference to the engagement at the Shallow Ford of the Yadkin River, February 7, 1781.

http://www.carolana.com/NC/Revolution/revolution_shallow_fords_of_the_yadkin.html

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¹¹ http://www.carolana.com/NC/Revolution/revolution_battle_of_guilford_courthouse.html

¹² http://www.carolana.com/NC/Revolution/revolution_raft_swamp.html

¹³ http://www.carolana.com/NC/Revolution/revolution_battle_of_ramseurs_mill.html

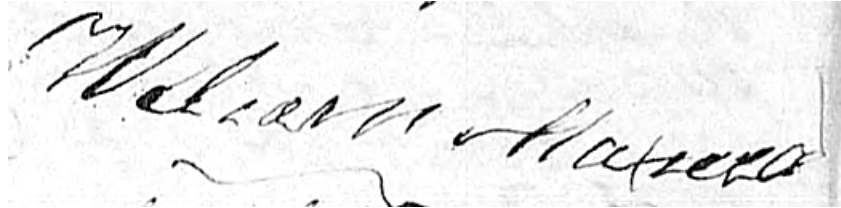
resided in the State of Tennessee. Declarant does not recollect the names of the Regular Officers, who were attached to the Regular Troops with whom he served – though he saw many of them on his different Tours, but he has forgotten their names.

Sworn to and subscribed the day and year aforesaid.

Subscribed & sworn to 2nd October 1832

S/ Wm Ledbetter

S/ William Maxwell

A handwritten signature in cursive script, appearing to read "William Maxwell". The ink is dark and the paper is aged and slightly yellowed.

[p 6]

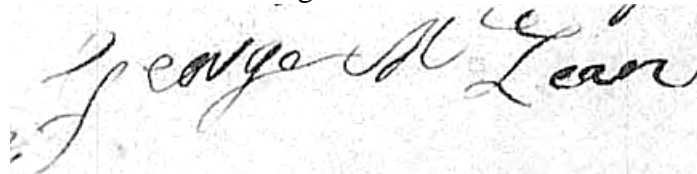
George McLain [sic]¹⁴ a soldier of the revolution makes oath that he was at the battle fought at Rafts Swamp, and Ramsour's Mills, and he has conversed with William Maxwell about the occurrences which took place on those occasions, and from the many incidents which there occurred, and which the said William Maxwell hath related in conversation to this affiant, he is satisfied that said Maxwell was in those engagements.

Sworn to and subscribed the day and year aforesaid.

Sworn to in open Court 2 October 1832

S/ Wm Ledbetter

S/ George McLean

A handwritten signature in cursive script, appearing to read "George McLean". The ink is dark and the paper is aged and slightly yellowed.

[p 6]

Thomas Callen [?] knew the Father of William Maxwell in Mecklenburg County North Carolina and he also was acquainted with the said William at the same time, and during and since the revolutionary war; and he always understood in North Carolina and in Tennessee that said William Maxwell was a soldier of the revolution; and that said William has seen much service and from his acquaintance with the said William he believes him to be seventy six years of age.

Sworn to and subscribed the day and year aforesaid.

Sworn to in Open Court to October 1832

S/ Wm Ledbetter, Clerk

S/ Thomas Callen

[p 31—Will Graves thinks this document is misfiled and relates to [William Maxwell W5329](#).]
State of North Carolina Guilford County:

This day personally appeared before me William Adams a justice of the peace for the County and State aforesaid William Maxwell who being duly sworn, deposeth and saith that by reason of old age and the consequent loss of memory he cannot swear positively as to the precise length of his service but according to the best of his recollection he served not less than the periods mentioned below and in the following grades:

¹⁴ [George McLain \(McLean\) W21793](#)

For 3 months I served as a private, as set forth in my declaration, and in the company and under the offices they are mentioned.

For 3 months I served again as a private in the year 1781

For one week I served as a volunteer and private of Randolph

For one week and 5 days I served on another occasion near the time of the battle of Guilford.

For 6 months 2 weeks and 5 days I served my country in the revolutionary war and for these services I claim a pension.

Sworn to & subscribed

S/ William Adams, JP

S/ William Maxwell



[p 40]

State of Tennessee Rutherford County

Personally appeared before me the undersigned a Justice of the peace for the State and County aforesaid William Maxwell, who, being duly sworn, deposed and saith, that, by reason of old age and the consequent loss of memory, he cannot swear positively as to the precise length of his service, but according to the best of his recollection, he served not less than the periods mentioned below and in the following grades: for 3 months under Capt. Charles Polk, and 3 months under Capt. Thomas Shelby -- The declarant states that he volunteered for 3 months, at a time -- and for 10 months under Capt. William Alexander in the campaign in South Carolina -- for 5 months under the command of Capt. James Houston -- for 3 months as Ensign under the command of Capt. Simmons -- 4 months as Ensign in the company of Capt. James Maxwell -- making 21 months, he served as a private, and 7 months as Ensign in the service of his country -- and for such service I claim a pension.

S/ William Maxwell

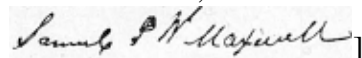
Sworn to and subscribed before made this 30th November 1833

Given under my hand the date above

S/ Jesse Stovall, JP

[p 8: on September 5, 1839 in Smith County Tennessee, Elizabeth Maxwell, 71, filed for a widow's pension stating that she is the widow of William Maxwell, a pensioner of the United States for his services in the revolution; that she married him June 11, 1785; that he died December 7, 1838 and that she remains his widow. She signed her application with her mark.]

[p 10: On October 7th, 1844, and Smith County Tennessee, Samuel P. W. Maxwell, 26, grandson of William Maxwell and wife Elizabeth Maxwell filed a claim seeking the pension due his grandmother; he states that Elizabeth Maxwell, his grandmother died February 8, 1841 leaving the following children and grandchildren as her legal heirs and representatives to wit: William Maxwell, Robert Maxwell, Nancy Love, the heirs of John Maxwell deceased and the heirs of Jesse Maxwell, the heirs of Elizabeth Maxwell and the heirs of James Maxwell.



[p 12: on October 11, 1851 in Smith County Tennessee, Robert Maxwell, 46, a resident of Smith County filed seeking the amount due Elizabeth Maxwell as the widow of William Maxwell; Robert Maxwell states that he is the administrator of the estate of Elizabeth Maxwell; that William and Elizabeth were married in Mecklenburg County North Carolina on June 11 1785 as

appears in the family record; that Elizabeth Maxwell left surviving her 2 children Robert Maxwell and Nancy Love.

Robert Maxwell]

[p 15] family record

William and Elizabeth Maxwell married June 11th 1785

Elizabeth Maxwell born April 29th 1768

Charlotte Maxwell born April 26 1789

James Maxwell born February 27th A.D. 1791

John Maxwell born February 14th A.D. 1793

Lydea Maxwell born February the 3rd A.D. 1795

William Maxwell born January 3rd A.D. 1797

Elizabeth Maxwell born December 18th A.D. 1798

Robert Maxwell born May 6th A.D. 1805

Jesse Maxwell born April 18th A.D. 1807

Nancy Maxwell born August 5th A.D. 1810

William and Elizabeth Maxwell Married June 11th 1785
Elizabeth Maxwell born April 29th 1768
Charlotte Maxwell born April 26th 1789
James Maxwell born February 27th A.D. 1791
John Maxwell born February 14th A.D. 1793
Lydea Maxwell born February 3rd A.D. 1795
William Maxwell born January 3rd A.D. 1797
Elizabeth Maxwell born December 18th A.D. 1798
Robert Maxwell born May 6th A.D. 1805
Jesse Maxwell born April 18th A.D. 1807
Nancy Maxwell born August 5th A.D. 1810

[Veteran was pensioned at the rate of \$88.33 per annum commencing March 4th, 1831, for service as a private for 10 months in the cavalry and 14 months in the infantry, all in the North Carolina militia.]