

## Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of Thomas Hays (Hayes)<sup>1</sup> W20375 Judith Langdon<sup>2</sup> f60VA

Transcribed and annotated by Will Graves

3/7/14: rev'd 12/26/23

[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 8<sup>th</sup> 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.]

### Declaration

In order to obtain the benefits of the 3<sup>rd</sup> Section of the Act of 4<sup>th</sup> of July 1836 and of the first section of the act of the 3<sup>rd</sup> of March 1837

State of North Carolina Cumberland County

On this 20<sup>th</sup> day of May 1841 personally appeared before me one of the Justices of the Court of Pleas and Quarter Sessions for Cumberland County – Mrs. Judith Langdon aged eighty-four years who being first duly sworn according to law doth on her oath make the following declaration in order to obtain the benefit of the provision made by the act of Congress passed July 4<sup>th</sup> 1836, and the act explanatory of said act, passed March 3<sup>rd</sup> 1837. That she was married to Thomas Hayes on the eighteenth of March 1774 at the house of Parson Alexander in the County of Hertford North Carolina; she and the said Thomas Hayes being citizens of Virginia & residing in Nansemond County at the time at the commencement of the War of the Revolution her husband the said Thomas Hayes joined the Army near Norfolk and was appointed a Lieutenant and served as such with few intervals when he returned home, all the war; the evidence of his service and its length she has reason to believe will appear by the records of the state of Virginia. She declares that after the close of the war viz. in the year 1787 or 1788, her husband removed to Cumberland County North Carolina where she has continued to reside up to the present time. When she left Virginia her husband had a record of their marriage and the ages of their children which has been destroyed by the burning of the house he lived in. At the time she left Virginia she had three children the first born in 1776, the second in 1777, and the third in 1779 – the two first are dead, the third she now lives with and is the wife of Edward Green, being in the sixty second year of her age, as stated she has now no record of the ages of her children or of her marriage but feels well convinced it was placed on the Register kept by Parson Alexander; the bans being published for three Sundays before the marriage. The fact that she was married to Thomas Hayes and his serving in the revolution she is convinced can be proved by persons in Hertford and Gates County where all her friends and relations now alive live. Her residence being immediately on the North Carolina line nearly all her friends & relations are in this State. She further declares as before stated that she was married to Thomas Hayes on the Eighteenth day of March 1744 and that her husband the said Thomas Hayes died on the 10<sup>th</sup> day of January 1810 in the County of Cumberland North Carolina. That she was afterwards married to James

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<sup>1</sup> Va. Half Pay. N. A. Acc. No 874 See 050 084 Half Pay Thomas Hayes or Hays

<sup>2</sup> former widow

Langdon on the 12<sup>th</sup> day of June 1813 who died on the 2<sup>nd</sup> day of March 1833 – and that she was a widow on the 4<sup>th</sup> of July 1836 and still remains a widow as will more fully appear by the proof hereunto annexed.

Her second marriage she has always considered would prevent her from claiming anything for the services of her first husband and it is but lately that she has come to the knowledge of the fact that it will not deprive her of her rights.

S/ Judith Langdon



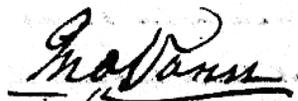
[p 47]

State of North Carolina Hertford County

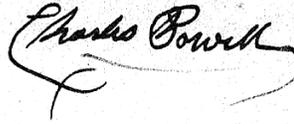
The affidavit of John Vann Esquire now in the 79<sup>th</sup> year of his age taken to prove the marriage of Thomas Hayes with Judith Friar. Being first duly sworn according to law testifies and says, He was born and raised in the same neighborhood with Thomas Hayes and Judith Friar. He was too young to be present at the marriage of Thomas Hayes and his wife; but has every reason to believe it took place at the time mentioned by Mrs. Hayes now Mrs. Langdon. This affiant knows and well recollects that they were married at the commencement of the revolution in 1776; and that Mrs. Hayes had at that time a child. The departure of Mr. Hayes to join the Army at that time and his wife being a cousin of this affiant all operated to fix the fact on his memory. Thomas Hayes was first as I have understood at Norfolk; and I well recollect that he returned after being absent for a considerable time and at a muster a short time before the defeat of General Gates [battle of Camden, August 15-16, 1780] he was an active man in favor of the war; and during the day he quarreled with a man by the name of Smith whose attachment to the American cause was doubted. The fact of his being a conspicuous man on the occasion, his wearing a uniform of an officer, and quarreling with Smith, who by the by was killed at Gates defeat – all these circumstances made a lasting impression on the mind of this affiant. This affiant cannot speak with the same accuracy that the other witnesses in this matter have as to dates: but he is as well convinced of the accuracy of their statements in relation to the period of the marriage of Mrs. Hayes; the service and rank of Thomas Hayes; and that he was in the service of Virginia as he can be of anything whatever. His own recollection and tradition confirming his opinions. That Thomas Hayes was married to Judith Friar at the time he left home and joined the Army in 1776 is a fact as well known and recollected by this affiant as any other thing whatsoever. This affiant well knew Parson Alexander and at the period of referred to us the date of the marriage of Thomas Hayes and his wife, he was the only person authorized to solemnize the rites of matrimony until the war was declared and a constitution made – and this affiant has no doubt he did marry them. Thomas Hayes and his wife removed from Virginia to Cumberland County in this State and there lived and died. His widow now applying for a pension is unquestionably the same person known to me as his wife as far back as 1776.

Given under my hand this 5<sup>th</sup> day of June 1841

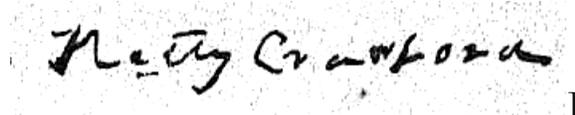
S/ Jno. Vann



[p 49: On June 4<sup>th</sup>, 1841 in Hertford County North Carolina, Charles Powell<sup>3</sup> gave testimony that he attended the church at Notty Pine [Knotty Pine?] on the Virginia line where Thomas Hayes and Judith Friar were married in the month of March 1774. "I was in service with him at Suffolk in 1776 and on our return he was made a Lieutenant and went to the North where he remained nearly all the war, on his return home he moved over the line into North Carolina; and in a short time he removed to Cumberland County in this state where he had lived & died."



[p 51: On June 5, 1841 in Hertford County North Carolina Mrs. Hatty Crawford, 82, gave testimony that she was born and raised in the same neighborhood with Thomas Hayes and Judith Fryer his wife; that Judith is her cousin; that she, affiant, was married in 1776 at which time Thomas and Judith had one child and had been married 2 years



[p 29]

Pension Office May 20, 1842

It is hereby certified that I have examined the claim of the administrator of Thomas Hayes, deceased, and find that he was a Lieutenant in the 2<sup>nd</sup> Regiment of Virginia State Troops, and served during the revolutionary war until he became a supernumerary officer; that he died in North Carolina on the 10<sup>th</sup> of January 1810: that the claim is embraced by the provisions of the act of Congress of the 5<sup>th</sup> July 1832 entitled "an act to provide for liquidating and paying certain claims of the State of Virginia;" and that the claim should be paid to George Little of North Carolina, attorney of Edward Green of said State, administrator of Thomas Hayes, at the rate of 160 Dollars per annum from the 22<sup>nd</sup> of April 1783 to the 10<sup>th</sup> of January 1810.

Commissioner of Pensions

Approved  
Secretary of War

[19]

Pension office, August 11, 1842

I hereby certify that I have examined the claim of the Administrator of Thomas Hays, deceased, to half pay under the Act of 5<sup>th</sup> July 1832, entitled "an act to provide for liquidating and paying certain claims of the State of Virginia," and I find from an examination of evidence exhibited since the allowance was made to the administrator on the 20<sup>th</sup> of May last, that the said Hays, deceased left the service so early as the 2<sup>nd</sup> of February 1782. The half pay therefore be allowed from the last mentioned date at the rate of one hundred sixty dollars per annum to the 22<sup>nd</sup> of April 1783, from which last date the claim has already been paid under the certificate of 20<sup>th</sup> May 1842. The amount is payable to the Honorable R. M. Saunders, attorney by substitute of Edward Green of North Carolina, Administrator of said Hays.

S/ Commissioner of Pensions

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<sup>3</sup> [Charles Powel \(Powell\) S7323](#)

Approved  
Secretary of War

[Facts in file: The widow died January 20, 1854, place not shown.]

[Veteran's former widow was pensioned at the rate of \$320 per annum commencing March 4<sup>th</sup>, 1831, for her former husband's service as a Lieutenant in the Virginia State service.]

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[From [Virginia Half-Pay record on Fold3.com](https://www.fold3.com)  
<https://www.fold3.com/image/616518529>

[p 3: As part of the summary of the contents of this file, it is noted that Mary Green, wife of Edward Green and Willis Hayes, the veteran's son, were the only heirs of the veteran in 1842.]

[Note: This file contains many of the same documents as appear in the federal pension file for this veteran.]

[p 20]

Names Rank and Promotion &c of the Officers of the 2<sup>nd</sup> Virginia State Regiment from their first entering in the service to the reduction of the Regiment.

Names	First Rank	Year	Different Promotions	Present Rank	Present date of Commission	Present State
Brent, William	Ensign	1776	Aid De camp 1776 with the appointment of Major by the State of Virginia 1776 – Lt. Col. 14 June 1777	Colonel	1 January 1779	Supernumerary
Dabney, Charles	Capt. in minute Service	1775	Appointed major in the State Service 1776, Promoted to Lt. Col. 23 June 1777	Lt. Col. Commd.t		Service
Lee, John	Ensign	Do	Capt. of Marines, appointed Capt. 1 <sup>st</sup> State Regiment January 1 <sup>st</sup> 1777	Major	1 <sup>st</sup> February 1778	Supernumerary
Dudley, Henry	Lieut.	1777		Captain	1 <sup>st</sup> September 1777	In service
Hays, Thomas				2 <sup>nd</sup> Lieut.	22 October 1778	Supernumerary
Quarles, Wharton				Do	2 January 1779	Do.

As I had not the command of the Regiment until May 1779, Therefore cannot possibly be acquainted with the strength of the Regiment when 1<sup>st</sup> raised. Discharged in April and May 1780

about 280 remaining about 31 for the War  
W/ Brent Colo.

The above is truly extracted from the papers now on file in  
this Office

Given under my hand at the Auditor's Office  
Richmond this 20<sup>th</sup> day of May 1842  
Jas. E. Heath, Aud. &c

[p 33: Power of attorney given by Edward Green Administrator of the estate of Lieutenant  
Thomas Hays

A handwritten signature in cursive script that reads "Edward Green". The signature is written in dark ink and is enclosed in a small rectangular box on the right side.

[Facts in file: p. 62 summary of evidence: Rev'd Amos Rayner, 82, gave testimony that he  
knew Lt. James Hayes of the SC Line, brother of Thomas Hayes.]