

[Southern Campaign American Revolution Pension Statements](#)

Pension application of John Franklin R3756

fn86NC

Transcribed by Will Graves

rev'd 1/6/09

[Methodology: Spelling, punctuation and grammar have been corrected in some instances for ease of reading and to facilitate searches of the database. Also, the handwriting of the original scribes often lends itself to varying interpretations. Users of this database are urged to view the original and to make their own decision as to how to decipher what the original scribe actually wrote. Blanks appearing in the transcripts reflect blanks in the original.]

State of North Carolina, Burke County: Court of Pleas and Quarter Sessions for October 1834

On this 31<sup>st</sup> day of October 1834 personally appeared John Franklin in open Court before the Justices now in session the said John Franklin being a resident citizen of the County of Burke and State of North Carolina aged Seventy four 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 act of Congress passed June 7<sup>th</sup>, 1832.

That he entered the Service of the United States under the following named officers and served as herein after stated.

In the year 1777, I was drafted and served a three months Tour at Cathey's Fort (now Burke County) against the Cherokee Indians; was taken out of Captain Thomas Whitson's Company of militia Burke County and placed under the command of Captain Charles McDowell who was then a militia Captain. I do not know by whom said Captain McDowell was commanded. I know not but this I know that I served out the tour of my engagement of three months and was discharged by said McDowell without receiving any written discharge.

In the spring of the year in the year 1778 I was again drafted as a private and served a three months tour as a militia private under Captain James McFarland (who was commanded by Colonel Charles McDowell was by this time promoted) at what was called John Davidson's Fort. This was also against the Cherokees.

In the winter of 1778 & 1779 I was again called on and served as a drafted militia private my third tour under the command of Captain James McFarland, who was commanded by Colonel Charles McDowell. In both these tours I was drafted out of Captain Leroy Taylor's company of Burke militia. This third tour I served at a place called Samuel Davidson's Fort in Burke County.

In 1779 & the commencement of 1780 I served as a drafted militia private a tour of six months against the Cherokees in what is now Greene County State of Tennessee at a place called Crawford's Fort under the command of Captain Samuel Williams who was then under the command of Colonel John Sevier and discharged me at the expiration of six months verbally for I neither now or at any time before received a written discharge.

In the month of September 1780 I returned to what is now North Carolina and joined the Country in a fearful and desperate situation. The Tories and Whigs were fiercely contending together and scarcely any man could be found at home. I did not know what to do or what party to join. The British and Tories appeared measurably to have subdued the Country. One Patrick Furgason [sic, Ferguson], a British Colonel, was

then stationed with a large British force near the head of Silver Creek in Burke County North Carolina not far from my former place of residence and I amongst many others of the people took protection under him as a British Subject and was immediately marched by him with the rest of his forces to King's Mountain and was there under him when the Battle was fought between the Whigs on the one side and the British and Tories on the other. On this day I was as aforesaid on the side of the British for which be assured I now claim no credit for I saw my error before the Battle was over. On the side of the British was Colonel Ferguson of the British regulars and Colonel Ambrose Mills & Husbands of the Tories – on the American side was Colonel Campbell [William Campbell], Colonel Cleveland [Benjamin Cleveland], Colonel John Sevier and Colonel Shelby [Isaac Shelby], who commanded the American Whigs. The British and Tories were defeated with the loss of their commander, Ferguson. I returned to what is now called East Tennessee having been only Eleven days with and in the service of the British. So begun and so ended my allegiance to the British King. I now for the purpose of atonement for my last weakness in engaging in the service of the British King enlisted for the term of 18 months on the American side under Captain Samuel Williams. This was in early in the summer of 1781 in the Continental Service in the North Carolina line. [Several illegible words]... We were commanded by Colonel John Sevier. I was marched by said Captain Williams under the command of Colonel John Sevier and Colonel Charles Roberson with their Troops to the State of South Carolina to oppose the British under Lord Rawdon at the High Hills of Santee we joined General Green [sic, Nathanael Greene] who commanded the N. C., Virginia & Maryland Troops. I was now transferred to General Marion [Francis Marion] who commanded the South Carolina Troops and put under the immediate command of Colonel Maham [Hezekiah Maham] who was commander of the South Carolina Troops of Light horse. I now served 18 months in the American service. In various instances I assisted in taking many British Prisoners. That at the time at Moncks Corner about one month before Christmas in 1781 we captured the British hospital. We being about 400 strong, we all under the command of Captain Donelson and Col. Maham. The Troops with whom I then served captured & took upwards of 80 British Prisoners.

I continued to serve until the last of the year 1782 when my time expired. At the expiration of this 18 months term of enlistment I was dismissed by Colonel Maham but never received a written discharge. When I served against the Indians or British or Tories, I know of no person by whom I can prove my service or the preceding statements; that I have no documentary evidence of my services & that I know of no person whose testimony I can procure who can testify as to my service.

I hereby relinquish every claim to a pension or annuity except the present and declare that my name is not on the pension roll of the agency of any State.

I was born in the State of Virginia near a place then called Stump Fort and removed to North Carolina when about four years of age as I learned from my parents. I have no record of my age. I lived in Burke County North Carolina when called into service the first tours for three months each against the Cherokees. When called out to perform the 4 [sic, 4<sup>th</sup> ?] tour of service against the Cherokees I lived in what is Greene County East Tennessee. This tour was for the term of six months. I lived in Greene County as now called State of Tennessee but then North Carolina when I enlisted for the

term of 18 months as before described. Since the Revolutionary war I have lived and now live in Burke County N. C.

I never received a written or [illegible word, looks like "Provlet"] discharge from the service but on the expiration of my time of service I was invariably dismissed by my officers.

As to the persons to whom I am known of my present neighborhood there are but few of them here except John Suddath, Esq., & Colonel James Erwin. As to the general circumstances of the service I was in there was but little variation in the service of the three 3-months tours I was in for I was forted in and saw but few officers: the first in 1777, I saw all none above my Captain Charles McDowell; the second tour at John Davidson's Fort in 1778, I was under the command of Captain James McFarland who was commanded by Colonel Charles McDowell as before stated. The third tour in the winter of 1778 & 1779 at Samuel Davidson's Fort, the same Captain McFarland had command under same Colonel McDowell. The fourth tour of service of six months I was in 1779 & the first of the winter of 1780, there I was commanded by Captain Williams who was commanded by Colonel John Sevier in that part of the mountain Country of N. C. now Greene County Tennessee. In this service we were principally forted in & ranging the Country against the Cherokees round about. It was a dangerous duty for it was on the frontiers & against the Cherokees. The fifth & last tour of service I was in for 18 months as an enlisted Private, commenced early in the summer of 1781. I enlisted & marched under Captain Williams of the N. C. Continental Line and commanded by Colonel John Sevier. We marched to South Carolina at the High Hills of Santee. We joined General Greene of the Continental Army. I was placed as before stated under General Marion who commanded the South Carolina Troops and were variously engaged in the service of the United States in opposing the progress of the British under Lord Rawdon. We had various & many skirmishes with the Enemy mostly in cutting off his supplies of Provisions and attacking his out Posts in which attacks we were often successful & succeeded in capturing many of their Troops as before stated. I was attached to the Company of Captain Donelson of the South Carolina Troops of Horse under Colonel Markham [sic, Maham] as before stated.

S/ John Franklin

Sworn to in open court 1<sup>st</sup> November 1834.

S/ J. J. Erwin, Clerk

[fn p. 56][Thomas Craig, a clergyman, gave the standard supporting affidavit.]

[On August 23, 1852, in Watauga County, NC, Margaret Coleman (formerly Margaret Franklin) filed a claim stating she is the daughter and only surviving heir of John Franklin who she believes to have been a soldier of the Revolution and she proposes to offer additional evidence in support of his claim for a pension.]

[facts in file: Court findings in Burke County as of June 23, 1853: John Franklin died at his residence in Burke County, NC September 30, 1837 leaving a widow [not named] who died sometime prior to June 23, 1853, survived by the following children: Abraham, Pheba Erwin and Peggy Coleman, all of whom were living in Burke County in 1853, but that he had other children who had moved to the west, viz., David, Benjamin, Harman,

Anderson, John, Levi, Samuel, Cynthia (who married a Winkler) and Nancy (who married a Stone); - that it is not know if any of those children are still alive.]

[fn p. 28]

State of North Carolina Secretary of State's office

I William Hill Secretary of State in and for the State aforesaid, do certify that the name of John Franklin is not be found on the muster rolls of the Continental line of this State in the revolutionary [war], or any other document in this Office offering evidence of service in said line.

Given under my hand this 12th day of March 1835.

S/ W. Hill

Colonel John Sevier was a Militia Officer and when against the Indians in the Western part of this State, now a part of Tennessee but was not of the Continental line.

S/ W. Hill

[fn p. 61]

State of North Carolina Burke County

Personally appeared before me the Subscriber a Justice of the peace for the County aforesaid Major Jacob Forney<sup>1</sup> an aged and Venerable man and an officer and soldier of the Revolution and deposed, and saith: That for a long time some 55 years more or less this deponent has been intimately in well acquainted with John Franklin of the County and State aforesaid and who has uniformly maintained the reputation of a peaceful, industrious and honest Citizen, and who at the commencement of the American Revolution took the side of the King and fought with the Tories against the revolutionary cause at the battle of King's Mountain, and, at that event was taken prisoner among the rest of Tories taken at the same time and place fighting under Colonel Ferguson against the cause of liberty, and that afterwards the said John Franklin changed sides and attached himself to the cause of liberty and Revolution, and, as this deponent has uniformly understood, and, without being controverted verily believes was marched into South Carolina to the low country near the City of Charleston with a quota of Militia men in requisition from North Carolina to assist in protecting the country in South Carolina from the invasion of the British Army under the command of Lord Cornwallis then in possession having taken the City of Charleston South Carolina under the command of Colonel Sevier, and at the expiration of Term of service of the said Quota of Militia from North Carolina he marched by Colonel Sevier the said John Franklin was (as this deponent has been repeatedly informed without contradiction & verily believes to be true) retained in service through the influence of the said Colonel Sevier against him as punishment for his first opposition to the Revolutionary cause of his country, and was handed over to the Command of General Marion who commanded the Whigs in that part of South Carolina including Monks Corner [sic, Moncks Corner] & Orangeburg, And in that Service remained under General Marion until he served out near about 18 months as this deponent has good reason to believe to be True; And this deponent feels being Strongly Supported by a conviction of truth; in stating that the said John Franklin is equally entitled to be allowed a pension as a Revolutionary Soldier, and, more so, than

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<sup>1</sup> I could not find anyone by this name who received a federal pension for his services in the Revolution, but a Lieutenant Jacob Forney is named in the application of [S8023 Christian Arney](#).

some others that have come within my own knowledge that have been allowed, and, drawn pensions from the General Government and further this Deponent saith not.

S/ Jacob Forney

Sworn to before me the 15th  
February 1837 and Subscribed  
Test: W. C. Erwin, JP

[fn p. 79]

State of North Carolina Burke County

This day appeared before me John Sudderth a justice of the peace in and for the State and County aforesaid John Franklin, who maketh the following statement on oath, in addition to his declaration and Statement now on file in the Pension office, for the purpose of enabling him to draw a Pension under Act of Congress, for his Services during the Revolutionary War; That he did render the Services as set forth in his declaration, in South Carolina of 18 months, and that he is as he does verily believe the Identical man, as identified in the Certificate of the Comptroller General of South Carolina now on file, that although the statement Set forth in his declaration may vary from the manner in which the Service was rendered, yet he did serve the 18 months under General Marion, that a part of the time he served as a horseman and a part as a foot Militiaman, that although his declaration may not be correct in stating that he enlisted under Colonel John Sevier Yet it is correct in part, as Subsequently to his taking protection under the Enemy and being in the King's Mountain Battle, he was seeking for refuge in what is now Greene County Tennessee, then North Carolina. That Colonel Sevier did take him as a refugee, and informed him that, for his misconduct in taking protection under the Enemy, that he should served 18 months, that he was immediately put under the command of one Samuel Williams then a Militia Captain, and marched under Williams and in company with Colonel Sevier and his 3 months men, to South Carolina, among those that went to South Carolina in company with him, he now recognizes, as Colonel Charles Robison, Major Jesse Walton, and Major McNab,<sup>2</sup> all of whom he believes were then Militia Officers, and only Served a 3 month tour, -- that Colonel Sevier intimated to claimant that he intended to place him under General Greene, that on arriving at the High Hills of Santee, Greene were there with his men and about to dismiss them this was after the Battle at Gilford [sic, Guilford], Camden, Eutaw Springs and Ninety Six -- Claimant further States that Sevier, and the whole of his men marched from the High Hills to a place where Marion was stationed on the Santee below Nelson's ferry, that at that place he (Claimant) was put under the Command of General Marion, and that at the end of 3 months Sevier and the balance of the persons that went into service with him was dismissed and returned to North Carolina, that he deponent was detained and first served as a foot militia, at a Subsequent time he was placed in a company of horse under the command of Colonel Maham, in which company a McDonald officiated as Captain as he now believes; he McDonald then riding a fine horse called Seler which he had got from a Tory, or British Subject, -- Claimant states that he was frequently in company with McDonald and Marion at the taking of British subjects, as prisoners, and that in one instance at a place called Moncks Corner, that he assisted in taking upwards of 80 British

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<sup>2</sup> This MAY be a reference to David McNabb FPA W7438 whose widow states that her husband served under a Col. Robison and General Marion and well as Col. McDowell.

prisoners; that he during the whole of the 18 months was stationed at different forts in the Swamps between Camden and Charleston that in one instance they marched within 5 miles of Charleston to burn and take a Church called Wappataw or Wasmasaw where the British were Stationed, that when they arrived they found the Church Burnt and vacated by the British, Marion's whole force was then present and on this march, that when the 18 months had expired Colonel Maham told deponent that he might go home, as his time was expired, and that he never asked for or did he receive any written discharge -- The claimant again states on oath that he did perform the 4 Tours of 3 months each against the Indians, as set forth in his declaration, previous to taking protection under the enemy; and states that Stephen Ballew<sup>3</sup> who is now drawing a pension served with him the 2nd tour that he served in a place called Davidson's Fort in Burke County.

Sworn to and subscribed before me 13 July 1835

S/ Jno. Sudderth, JP

S/ John Franklin

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<sup>3</sup> [Stephen Ballew S16835](#)