

SERVICE

NUMBER

Va.

Austin, John  
Elizabeth

R. 318.

CONTENTS

Two columns of horizontal lines for recording contents.

1538  
Kentucky

Wm J. F. Kenley  
May 27 1836.

John Austin ---  
Oldham in the State of Kentucky  
who was a Private in the Company commanded  
by Captain Morgan of the Regt. commanded  
by Col. Butler in the Virginia  
for 2 years from 1775.



Recorded on the Roll of Kentucky  
at the rate of \$0 - Dollars - Cents per annum  
commence on the 1st day of March, 1831.

Certificate of Pension issued the 6<sup>th</sup> day of Nov.  
1832 and sent to Albert M.  
Bull, La Grange, Ky.

Amount to 1st of Sept. 1832 120  
incl. allowance ending 4<sup>th</sup> 40  
mch 1833. \$160

{ Conclusive Claim  
{ Oct June 7, 1832

Recorded by Nathan Rice Clerk  
Book D Vol. 9. Page 29.

Declaration in order to obtain the benefit of the act of Congress of the 7<sup>th</sup> of June 1832.

On this 2 day of August

State of Kentucky, Oldham County p.

On this 20<sup>th</sup> day of August 1832 personally appeared before ~~Edward Atwater~~ <sup>the County Court of Oldham</sup> a justice of the peace in the County and State aforesaid, John Austin p. a resident of Oldham County and State of Kentucky aforesaid, aged ninety 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 provision made by the act of Congress passed June 6<sup>th</sup> 1832 - That he enlisted in the army of the United States in the year 1785 with Captain Daniel Morgan <sup>as a private</sup> and served in the 11<sup>th</sup> Regiment of the Virginia Line, under the following named officers:

Buller being the Colonel, Benjamin Morris Major, he does not recollect the names of the other company and field Officers, he enlisted under Captain Daniel Morgan as aforesaid for the term of three years in the year 1785 he then resided in the County of Fauquier in the State of Virginia and continued in service until the expiration of his term of enlistment, when he enlisted with Charles Porterville as Capt<sup>t</sup> for during the war in Col. Daniel Morgan's Regiment of Rifle men in the Virginian Line and continued in the service until the end of the war - he was in the battle of Mill water, Monmouth Court-house, White Plains and the Cowpens - he marched from Winchester Virginia to Quebec, from thence to New Jersey, from thence to Connecticut, and from thence to Pennsylvania, from thence through Virginia <sup>through Georgia</sup> to South Carolina thence to Georgia and on his return was at the Siege of York and was discharged in 1782, receiving his certificate of discharge from General Morgan in Frederick County, State of Virginia - he farther states that Charles Porterville was promoted to the Rank of Major when Gabriel Long became his Captain - and continued so until he was

discharged - He hereby relinquishes every claim what-  
-ever to a pension or an annuity, except the present, and  
he declares that his name is not on the pension roll of  
any agency in any State -

Sworn to, and subscribed, the day and year aforesaid  
John Austin  
his  
Mark

And the said Board do hereby declare their opinion  
that the above named Applicant was a revolutionary  
Soldier and served as he states

Andrew Steer  
Wm. Gatewood  
William Green  
Washington C. White

I, Albert J. Ball and Deputy for Isaac R. Quathman  
Clerk of the Court of Adm. and County in the State of  
Kentucky, do hereby certify that the foregoing constitutes  
the original proceedings of the said Court in the matter  
of the application of John Austin for a pension  
In testimony whereof, I have hereunto  
set my hand and Seal of Office this  
20<sup>th</sup> day of August, 1889 and in the  
47<sup>th</sup> year of the Commonwealth,

A. J. Ball and J. R. Quathman Secy

8042

**BRIEF** in the case of *John Austin*  
County of *Oldham* in the State of *Kentucky*  
(Act 7th June, 1832.)

1. Was the declaration made before a Court or a Judge? *Court*

2. If before a Judge, does it appear that the applicant is disabled by bodily infirmity?

3. How old is he? *46*

4. State his service, as directed in the form annexed.

Period.	Duration of Service.			Rank.	Names of General and field Officers under whom he served.
	Years,	Months,	Days.	As a.	Gen.
<i>He entered in 1785</i>	<i>3</i>	<i>-</i>	<i>-</i>	<i>private</i>	<i>Capt. Danl. Morgan</i>
<i>1775 entered &amp; served at the end of his tour he again entered for the War of Sec till 1782.</i>					<i>Col. Butler 11<sup>th</sup> year report of the line</i>
				<i>"</i>	<i>Col. Morgan's regt of Riflemen Capt. Fortoville</i>

5. In what battles was he engaged? *Steele Water. Monmouth White Plains Cowpens & Yorks*

6. Where did he reside when he entered the service? *Fauquier County Va.*

7. Is his statement supported by living witnesses, by documentary proof, by traditionary evidence, by incidental evidence, or by the rolls? *Neither*

8. Are the papers defective as to form or authentication? and if so, in what respect? *Court*

**certify** that the foregoing statement and the answers agree with the evidence in the case above mentioned.

*It is presumed that is a mistake*  
*J. Murray*  
examining clerk.

State of Kentucky

Henry County 5th

On this 18 day of Nov. 1846  
Came before (in the Town of New Castle and  
County aforesaid) me a Justice of the Peace for  
said County of Henry, Henry Browning a  
Citizen of said County and a person of undoubt-  
ed character for truth and moral & Christian  
behaviour and whom I know to be Sincere  
and said Browning made Oaths that in  
the fall of year 1784, John Austin late  
a Pensioner of the United States and Elizabeth  
Lindsey (said Elizabeth being his half Sister)  
left the house of the Mother of said Henry  
Browning, with their marriage Company  
in order to be married at a neighbouring  
Church: that the said John Austin and Elizabeth  
Lindsey returned with their Company to his  
mother's house the same evening as Man  
& Wife - and that he is confident that  
they had a licence to be married and  
were lawfully joined in lawful wedlock  
- the mother of Elizabeth Lindsey and  
this affiant were the same person -  
that they lived together as Man & Wife  
until the year 1845 when in Oct. Mr.  
John Austin died - that his mother recog-  
nized Mr. John Austin as her Son in Law  
and he and all friends & Connections did  
likewise - Indeed that they were Man  
& Wife legally married for many years  
and always so considered -

Sworn to & Subscribed  
before me date above

Henry Browning

The B. Posey J.P.

State of Kentucky  
Oldham County } S. C.

In this the 25<sup>th</sup> of February 1850.

Personally appeared before me G. Rightley a Justice of the Peace in and for the County and State aforesaid, Daniel Austin, who being duly sworn according to law, swears as follows, That he is the son of John, and Elizabeth Austin, that he will be fifty two years old, the 24<sup>th</sup> of next May, that he has three brothers, and one sister, older than himself, viz, William, Lucy, James, and John, that his brother John is better than two years older than himself, that his brother James is about four years and a half older than himself, & that his sister Lucy is about seven years older, & that his brother William, the oldest one of his father's and mother's children, was about nine years older than himself, that he has often heard his father and mother speak of their marriages and gadding from what he has heard them say and the ages of his brothers, and sister, he thinks they were married about the twentieth hundred and eighty seven, and that his father & mother lived together as man and wife, until the death of his father, which took place on the 14<sup>th</sup> of October eighteen hundred and forty five. And further Deposition

Saith me  
Attest  
J. W. Cozaine  
J. Hightley J.P.

Daniel Austin

State of Kentucky Oldham County,  
J. Hightley I'm just subscribed Magistrate,  
do hereby, that the above Deposition was sworn  
to and subscribed before me, on this the 25<sup>th</sup>  
day of February 1850, I do hereby certify that the above  
Deponent is personally known to me, and  
known to be a man of truth and respectability  
in whose statements the fullest faith and credit  
should be given, In testimony whereof I have  
hereunto subscribed my name on the day and  
year aforesaid,

J. Hightley J.P.

State of Kentucky Oldham County, J.P.  
I William D. Mitchell Clerk of the County Court  
of the County and State aforesaid do certify that J. Hight  
-ley is a Justice of the Peace in and for the County  
aforesaid commissioned and sworn, that his commission  
was dated on the - day of - 1834, and continues during  
life of good behaviour, and that his signature above  
written is genuine, In testimony whereof I have here  
unto signed my name and affixed my seal of office  
on this 25<sup>th</sup> day of February 1850.  
Wm. D. Mitchell, Clerk  
by John D. Randall, D.C.



81  
Pension Office  
Nov 5 1853

Sir

At the request of Capt F. F. C. Triplett, I have re-examined the case of Elizabeth Austin widow of John of Kentucky - Act July 7 1838 - and have to inform you that no claim can be successfully asserted in her right, unless she lived after the 3<sup>d</sup> of March 1851. She was not a widow at the passage of the Act July 7 1838, and Mr. Ewing, late Secretary of the Interior, decides that unless the husband died before the passage of said Act, the widow could not ~~claim~~ receive its benefits. - On the 3<sup>d</sup> day of March 1851 Congress passed an Act for the benefit of those widows, who were not such July 7 1838, but under the construction of the Act, she must have been <sup>alive</sup> ~~and~~ at the passage of the Act of March 1851, to entitle her to its benefits.

John W. Clayton Esq  
La Grange, Adams Co Ky

September 21, 1939

BA-J/AWF  
John Austin  
R. 318

Mrs. Francis O. Hester  
401 North Main  
Salem, Indiana

Dear Madam:

Reference is made to your letter in which you request information in regard to John Austin, who was born in England, served in the Revolutionary War from Virginia, and later lived in Oldham County, Kentucky.

The data furnished herein were obtained from papers on file in pension claim, R. 318, based upon service of John Austin, in the War of the Revolution.

The date and place of birth of John Austin, and names of his parents are not given.

While a resident of Fauquier County, Virginia, John Austin enlisted sometime in 1775, served as private in Captain Daniel Morgan's Virginia company, and in Captains Charles Porterfield's and Gabriel Long's companies in Colonel Daniel Morgan's 11th Virginia Regiment, also in Colonels Butler's and Slaughter's Virginia Regiments; he was in the expedition to Quebec, battles of White Plains, Stillwater, General Sullivan's Indian Expedition, battle of Cowpens, and in the Siege of Yorktown, and was discharged in 1783.

John Austin was living in 1838, in LaGrange, Oldham County, Kentucky. He was allowed pension

on his application executed August 20, 1838, at which time he was ninety-six years old, and a resident of LaGrange, Kentucky.

John Austin died October 14 or 19, 1845.

John Austin married November 3, 1784, in Fauquier County, Virginia, Elizabeth Lindsey or Linsey. The date and place of her birth are not shown, nor are the names of her parents given. Her mother was living in Fauquier County, Virginia at the time of the marriage of John Austin and Elizabeth Lindsey.

The widow, Elizabeth Austin, was living in Kentucky, in 1846.

Their son, Daniel Austin, was born May 24, 1798, and was living in Oldham County, Kentucky, in 1850, and then had three brothers and one sister older than himself- William the eldest, Lucy, James, and John.

Henry Browning of Henry County, Kentucky, in 1846, stated that the widow, Elizabeth Austin, was his half sister and that their mother was the same.

The papers on file in this claim contain no further discernible family data.

Very truly yours

A. D. HILLER  
Executive Assistant  
to the Administrator