

Southern Campaign American Revolution Pension Statements & Rosters

Pension Application of James Davis R13595 VA Half Pay
Transcribed and annotated by C. Leon Harris.

[The following documents apparently relate to two different Lieutenants named James Davis, one from Hampton in the naval service of Virginia, the other from Kentucky in Gen. George Rogers Clark's Illinois Regiment.]

The Deposition of Ann Payne aged eighty years who first being duly sworn according to law deposeth and sayeth that she was well and intimately acquainted with James Davis deceased, of Elizabeth City County who was Lieutenant in the Virginia State Line in the time of the Revolutionary War. that the said James davis was drowned from on board of a Pilot boat belonging to Mr. Roe Cowper sometime in the year of our Lord Seventeen Hundred and ninety five that he left at the time of his death one brother and two sisters named John and Polly and Elizabeth Davis. That Polly is since dead without issue and intestate. That John is also dead leaving six children, named Eliza, James, John, Samuel, Ann E. and Hannah Davis. That Eliza is since dead without issue and intestate. That James is also dead leaving one son William Davis. That Ann E. Davis intermarried with Joseph N. Brough. That Hannah Davis intermarried with Thomas Hansford. That Elizabeth Davis intermarried with William Brough both of which are dead leaving two children named Joseph N. and Eliza Brough. That Eliza Brough intermarried Joseph Repeton both of which are dead leaving two children named Robert and Helen Repeton. That John Davis aged forty three years residing in Norfolk City. Samuel Davis aged forty nine years residing in Norfolk County. Ann E. Brough who was Ann E. Davis aged forty six years residing in Norfolk City. Hannah Hansford who was Hannah Davis aged forty four years residing in Elizabeth City County. William Davis aged twenty one years residing in Williamsburg. Joseph N. Brough aged forty years residing in Norfolk City. Robert Repeton aged twenty one years. Helen Repeton aged eighteen years residence not known are the only heirs at law of the said James Davis who never resigned his Commission during the said War and that the deponant is not interested.

Sworn to and subscribed this 27 day of Sept'r. 1849 (before me Fayette Jones J.P.)

Ann herXmark Payne

Mathews County Cort Hous Febuary the 13th 1850

Honored Sir I take the priveledge of addressing you with a few lines consering the caracter of Capt. John Borums of mathews County he has Takeing the aminestration of Capt Th L Morris Dec'd. for moneys due him for his services in the Revolutionary war it appears that some person Have been writing to washington stateing that He has rec'd. moneys for James Davis a marster Carpender in the revolutionary war in the Navy line but it is not so. I have seeing a letter From richmond stateing that nothing was due Him for his services, that it had been already rec'd. by His order Capt Thomas Morris and Mr. James Davis both of them was my grand fathers I, am The olds heir of Capt Thomas and had a rite under The law to have takeing the adminestration but not Being able to give secourey, I, give it up to Capt. John Borum as he was first urtherised by my pearrents to Do this said buiseness Capt John Borum has gaveing Secourey here satisfactory to the Court, for his proceedance And as to my part, I, want nothing more than what is Coming to me when it may please the house of Congress order or grant payment whatever it may be and Then I demand my part, and that only, prevous to this Capt Borum have had claims for other people in this County and they say that he never defroded them out, of ther money. and they have no folt to find of him

I remain your humble sv't. with due resp't/ James Davis

Pension Office 18 Sept'r 1851

Sir The papers have been examined in the case of James Davis whose representatives claim half pay

under the act of Congress of July 1832 for his services as Lieutenant in the Virginia State line of the Revolutionary war. There is no evidence to establish the claim not even in the Deposition of the venerable Mrs Payne of Hampton who was well acquainted with many officers belonging to Virginia particularly of the Navy in the Revolutionary war. She states that James Davis was an officer but of this there is no satisfactory proof His name is not found on any of the Rolls except those of the Western Department where he appears as an officer of Militia called out to defend that frontier For this service he appears to have received his due portion of land sometimes called the Illinois Grant, a tract of [?]0000 acres reserved in the Deed of Cession by Virginia of the N. W. Territory as a gratuity to the various military Corps Regulars Militia & Volunteers who served under General Clarke. But that gratuity establishes no claim to the benefits of the act of Congress of 5 July 1832.

[On 6 Feb 1852 Thomas Moore assigned power of attorney to Isaac N. Coffin to obtain benefits for the service of "Lieutenant James Davis of Hampton Elizabeth City County of the State of Virginia."]

Auditor's Office/ Richmond 14th Sept /52

Dear Sir [Isaac N. Coffin Esq, Washington D.C.] Your letter of the 6th instant is at hand. You desire the names of the Lieutenants attached to the Companies of Captains Montgomery, Bowman, Helm, Harrod, Charlaville, & McCarty [John Montgomery, Joseph Bowman, Leonard Helm, William Harrod, Francois Charleville, Richard McCarty], who were attached to the Illinois Regiment commanded by Col Clarke.

Upon examination I find in Capt Bowman's company. Ab'm Kellar [Abraham Kellar] was Lieutenant in Capt Charlaville' Comp'y. Joneast Antyer [Joneast Antyear] was Lieut. in Capt Harrod's Comp'y. James Patten [James Patton] was Lieutenant in Capt Richard McCarty's Comp'y of Volunteers. J B Sancraint was Lieut. and Capt Richard McCarty's Company of Regulars. John Girault was Lieut. I do not find a comp'y commanded by Capt Montgomery but find Ensign Thos Montgomery was in command of a Comp'y. I do not find a comp'y under the command of Capt Helm.

Yours Respectfully/ G. W. Clutter, 1st Clerk & Acting Auditor

Washington June 15th 1853

Sir [L. P. Waldo Esq/ Commissioner of Pensions/ Washington D.C.]: In the Virginia Half Pay case of Lieut. James Davis I show that he was in service after the passage of the Virginia Half Pay Act of May Session 1779 and therefore included within the provisions of that Act (and thus within the obligations assumed by the Act [of Congress] of July 5, 1832) as follows, and this letter I request be filed with the papers in the case.

In Collins History of Kentucky a Work in the Library of Congress at page 239 it is recorded that the First Expedition of all of Col. George R Clark to conquer the Illinois Country that the force of the Expedition consisted "of only four companies." In Monett's Mississippi a Work also in the Library of Congress page 416 it is recorded that the only four Companies "of that Expedition were commanded as follows viz The Companies were commanded by Captains Montgomery, Bowman, Helm and Harrod; and each man after the Indian custom, was armed with a rifle tomahawk and scalping knife. About the 24th of June {1778} he commenced his voyage down the river, after communicating to his officers the object and design of the expedition." In same Work at page 426 is it described his 2^d Expedition and records that in "AD 1779" Late in January following, Colonel Clark received intelligence that Colonel Hamilton was at Vincennes, with only eighty soldiers under his command, and was unsupported by savage allies, yet contemplating the reduction of the fort at Kaskaskia in the Spring. To avoid this disagreeable alternative of being captured and led a prisoner to Detroit he determined to make an energetic movement with such forces as he could raise and anticipate his rivals designs by capturing Fort Sackville and sending Col. Hamilton a prisoner to the Capitol of Virginia. For this purpose, with great expedition, he prepared to meet a sudden and unexpected march to Vincennes with his whole disposable force. This force increased by two companies raised in Kaskaskia and Cahokia, and such recruits as he could muster within ten days,

amounted to only one hundred and seventy one men. Preparations for the expedition were made without delay; two companies were immediately raised and organized to re-inforce his command, one from Kaskaskia commanded by Captain Charleville, and one from Cahokia commanded by Captain McCarty. His force was thus increased to one hundred and seventy men.” And page 429 as follows “signed the article in the evening of the 24th February, and on the following day Colonel Clark at the head of two companies entered the Fort victoriously.”

Thus it is proved that the captains of Col. Clarke’s troops up to 24th of Feb’y 1779 were the Six Captains mentioned above viz Captains Montgomery Bowman Helm Harrod Charleville & McCarty.

Now who were the Lieutenants of these Companies. Answer, this is shown by the Letter to me of the Acting Auditor of Virginia dated 14th Sept 1852 herewith enclosed, who states that “Upon examination I find in Captain Bowman’s Company Ab’m Keller was Lieutenant: – in Capt Charleville’s Comp’y Joneast Antyer was Lieut: – in Capt. Harrod’s James Patten was Lieutenant: – in Capt Richard McCarty’s Company of Regulars John Girault was Lieutenant. I do not find a company commanded by Capt. Montgomery, but find Ensign Thos Montgomery was in command of a Company. I do not find a company under the command of Capt. Helm.”

Thus it is shown that Lieut. James Davis was not of either of those Companies which were all the Companies there were up to 24th February 1779, without he was Lieutenant under Capt. Helm (Ensign Montgomery being in command of a Company would not command a Lieutenant as James Davis was and so of court he was not an Officer of his Company,) – and we deny that it can be shown that he was in Capt. Helm’s Company. He therefore went into service after the abovementioned 24th of February 1779.

As the Honorable Board of Commissioners which sat in 1784 at Louisville Ky referred to in my former letter to you in this case Decided as Officially stated in their Report “that all who engaged and enlisted in the Illinois Regiment afterwards and **served during the War or three years** are entitled to a share of the grant” and did Decide that Lieut James Davis was one of those entitled, as I have thus proved as above that he was not a Lieutenant in the Six only Companies of the First and Second Expeditions – it follows that their admitting him to the grant was a Decision that he did serve during the War or three years.”

As he is thus demonstrated above to have served three years, this three years must have been after at least the abovenamed 24th of February 1779. the termination of the 2^d Expedition abovementioned and thus he could not have been a Supernumerary before the Act of Virginia of May Session 1779 and he is thus proved to be entitled under the Act of July 5, 1832. No power of sophistry can overturn this position and for the Government to attempt it would be Oppressive and Despotic in the Veriest Extreme.

I am/ With the Highest Respect/ Your Obed’t Serv’t/ Isaac N. Coffin