

Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of James Shelby¹ R17781

f89VA

Transcribed by Will Graves

2/4/12 supp'd 5/5/15

[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.]

State of Indiana Clark County: Sc.

Be it remembered that on the 25th day of November 1834, being the second day of the November Term of the Probate Court, in and for the County and State aforesaid, at the Courthouse and Charlestown, it being a Court of record, personally appeared in open Court Mrs. Anna Huckleberry a credible witness of the County of Clark and State of Indiana aforesaid, and made oath that she was personally acquainted with John Shelby deceased, late of the State of Kentucky – that he removed to the State of Virginia where he died leaving Sarah Young the wife of George Young now of Marion County Kentucky, Evan Shelby since deceased, late of Clark County and State aforesaid, and Isaac Shelby of said County and State, all of whom she is and was personally acquainted with, and that she has frequently understood from the said John Shelby, deceased, that he had one other son of the name of William Shelby of the County of Washington which by a division is now Marion County Kentucky, that those are the only children and heirs of the said John Shelby, deceased, who was the elder brother and heir at law of James Shelby deceased, who was said to have served as a Captain in the Illinois Regiment commanded by George Rogers Clark, that he was killed by the Indians, dying intestate without leaving issue. This deponent further makes oath that she is personally acquainted with William Shelby, John Shelby, Uriah Shelby and Margaret Laughrey formally Margaret Shelby who intermarried with Newton Laughrey now deceased, all of the County of Clark and State of Indiana 1st mentioned and that they are the only children and heirs at law of Evan Shelby deceased, son of the said John Shelby deceased, all of which which is ordered to be certified. In testimony whereof I Henry Harrod Clerk of the said Court have hereunto subscribed my name and affixed the seal of our said court at Charlestown aforesaid this 22nd day of December 1834
S/ Henry Harrod, Clk

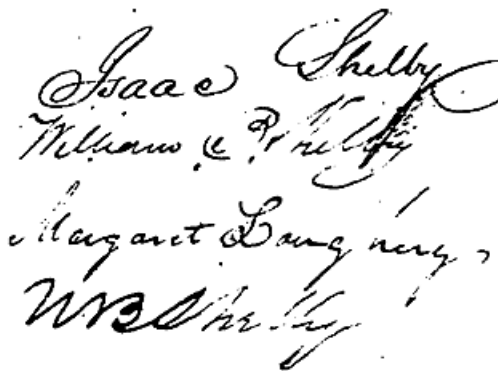
Memorial of the Heirs of Captain James Shelby of the Illinois Regiment to the Executive of Virginia

Your memorialists respectfully represent to the Executive of Virginia, that they all the heirs of Captain James Shelby of the Illinois Regiment, that George Young and Sarah his wife formally Shelby and William Shelby two of the children and heirs of John Shelby, who was the elder brother and heir at law of the said Captain James Shelby, reside in the County of Marion lately formed from part of Washington County &c in the State of Kentucky and that Isaac Shelby

¹ Va. Half-Pay

a son of the said John Shelby, William B Shelby, John Shelby, Uriah B Shelby, and Margaret Laughrey formally Shelby and widow of Newton Laughrey deceased the only children and heirs of Evan Shelby deceased who was the other son of the before named John Shelby deceased heir at law of the said Captain James Shelby resides in the County of Clark in the State of Indiana. That your memorialists do not know at what period of the war Captain James Shelby entered into the Army, but that he served as a Captain in the Illinois Regiment under the command of Colonel George R Clarke [George Rogers Clark] to the end of the war – Your memorialists therefore request the Executive of Virginia to direct the Register of the Land Office of Virginia to issue a warrant for the Bounty land due us as the only heirs of the said Captain James Shelby for his services to the end of the war – to our attorney in fact John P Duval Signed your Memorialists

Isaac Shelby
William B Shelby
Margaret Laughrey
W. B. Shelby



Isaac Shelby
William B. Shelby
Margaret Laughrey
W. B. Shelby

2

[attested February 5, 1835 in Clark County Indiana]

[f p. 15]

The deposition of Mrs. Chinoe Hart Smith aged about 74 years taken at her residence in the City of Memphis, Tennessee, on the 24th day of February 1854 –

I have always understood from Governor Shelby and his wife that his brother James lived with them and am strongly impressed with that belief by circumstances of which I now have a distinct recollection.

At the time I was taken from the Fort³ with my brothers and sisters to Governor Shelby's house, I have a perfect recollection of occupying with them a room known and called by all, Uncle James' room.

The [one or more indecipherable words] my sister Mrs. Shelby being in feeble health, it devolved on me to save and air his clothing, which was most carefully and respectfully done, then pushed [?] in the storeroom with his hair and papers; his hair being red or rather sandy. At the time he was murdered, his brother Moses [?] discovering it, was able to protect his person, preventing the Indians from scalping him and thus secured his entire suit [?] of hair.

My mother Mrs. Hart and my sister Keziah Simpson were on a visit to Governor Shelby, at which time Miss Simpson became engaged to be married to Captain James Shelby, who was then a member of the family. This is a circumstance my sister has often related to me.

² Signatures taken from the original posted in the online collection of the [Virginia State Library](#).

³ This may be a reference to an attack in 1782 in which the deponent's father, Nathaniel Hart, was killed by Indians

I have also heard my brother time and again relate the particulars of his murder by the Indians near Crab Orchard[?], but at what time I am unable to say.


Frequently in conversation with my husband, Jno. Smith⁴, I have heard his brothers, Isaac and Thomas speak of his having been a Captain in Clarke's expedition to Kaskaskia and in the same capacity commanded a company against the Indians on Long Islands of Holston [River].

John Shelby being the eldest brother, and of Corse heir at law of his estate came to Governor Shelby's for the purpose of getting his papers in order to bring suit for his property, I distinctly recollect the excitement on the occasion. The Governor produced an instrument of writing in which he Isaac and James Shelby had obligated themselves at the time they enlisted in the War, if one was killed, the other should inherit his property. This paper I saw presented to John Shelby.

Governor Shelby was married as I have always heard and believed, shortly after the close of war and settled in Lincon [Lincoln] County where I know he lived until his death.

The above facts I am willing to depose on oath.

S/ Chinoe Hart Smith



[attested February 24, 1854 in Shelby County Tennessee]

[f p. 68]

Executive Department Richmond June 13th, 1854

Extract from the Journal of the Executive of Virginia on Saturday December 12th 1778

The Board taking under their consideration an act of General Assembly for establishing the County of Illinois and for the more effectual protection and defense thereof, advised that John Todd Esquire be appointed County Lieutenant or Commandant in chief of the said County and that proper Instructions be given him accordingly.

That five companies, to consist of fifty men each the forthwith raised to serve for one year after their arrival at the Illinois, and that they together with the forces already there be employed for the protection and defense of that Country & its inhabitants, and that Lieutenant John Montgomery the instructed to superintend the recruiting of the said five companies; that Captain Isaac Shelby be appointed and directed to prepare and get in order the necessary vessels for transporting the aforesaid troops down the Cherokee River; and that James Buchanan be appointed Commissary to procure provisions for the said five Companies.

His Excellency in conformity to the above advice issued the following Instructions to Mr. Todd Colonel Clarke & Colonel Montgomery

Extracts from the Instructions to Lieutenant Colonel Montgomery

"You all forthwith to put in the foot the recruiting of men to reinforce Colonel Clarke at the Illinois, and to push it on with all possible expedition.

"Blank commissions for the officers of five companies are delivered you, to be filled up as the numbers of men they recruit shall enable them as to date and rank.

"You are to take special care to appoint man proper to be officers; and as the matter from the necessity of the case is entrusted to you, and improper appointment will reflect great

⁴ Col. John Smith

Dishonor upon you.

"Captain Isaac Shelby it is desired may prepare the boats. But if he can't do it, you must get some other person.

You received 10,000 pounds cash for Colonel Clarke's Corps which you are to deliver him except 200 pounds for Captain Shelby to build the boats and what other incidental Expenses happen necessary on your way which are to come out of that sum."

The foregoing are true extract from Journal of the Executive of Virginia

S/ George W Munford, Secretary of the Commonwealth

[f p. 88]

State of Kentucky Marion County: John Ferguson a Justice of the Peace in the County aforesaid in the State of Kentucky do hereby certify that James Whitecotton⁵ is a credible witness and that he personally appeared before me in my County aforesaid and made oath that he was well acquainted with James Shelby of the State of Kentucky that he was a Captain in the Illinois Regiment under the command of Colonel George R Clarke that this deponent served as a private in the same Regiment and that the said James Shelby never resigned but held his commission as Captain & afterwards returned to the state of Kentucky and was killed in the neighborhood of the Crab Orchard by the Indians.

Given under my hand and seal this 9th day of April 1834

S/ John Ferguson, J and Peace

From the [Virginia State Library](#)'s online collection:

[p. 4]

State of Kentucky County of Nelson: Personally appeared before me Joseph Saunders⁶ of Bullitt County Kentucky who is a credible witness made oath that he was well acquainted with Captain James Shelby of the Illinois Regiment and with Evan Shelby a Lieutenant in Captain James Shelby's Company of the same Regiment. That he the said Saunders served with them under the command of Colonel George R Clark in 1779 and that he the said Saunders was at the time a volunteer in Captain Robert Todd's Company of Clarke's Regiment.

May 3rd 1834

S/ J. S. Harwell, JP

[From [Digital Library of Virginia](#)] Kentucky Counties Legislative Petitions

To the Honorable the Speaker and Members of the General Assembly of Virginia

The Petition of John Shelby

Humbly Sheweth

That James Shelby his brother was on the __ day of __ 177__ commissioned as a Capt. in the Illinois Regiment and served in that capacity until the 1st day of May 1780. That the said James Shelby was duly entitled to the pay and emoluments of a Capt. for the aforesaid time, but was killed by the Indians some short time after he was discharged without having obtained a

⁵ [James Whitecotten \(Whitecotton\) S30780](#)

⁶ [Joseph Saunders S11347](#)

certificate or certificates for his pay and emoluments for his Service aforesaid.

Your petitioner further sheweth that he is an elder brother and Heir at law to the said James Shelby and in consequence thereof applied to the Commissioners for the Illinois Grant who have made Deeds to your Petitioner for the Lands which the said James Shelby was Justly entitled to –

Your petitioner therefore prays this Honorable House to direct the Auditor of Public Accounts to issue to your Petitioner a Certificate for Certificates for the pay & depreciation due the said James Shelby for his said Services or to grant your Petitioner such other or further relief as you may think meet and your Petitioner shall ever Pray

S/ John Shelby



The Act of Assembly admitting settlements for pay & depreciation of Officers & soldiers is expired – the petitioners claim has not been settled.

Auditors Office to November 91

S/ J. Pendleton

[Reverse]

Shelby's Petition

7 November 1791

Referred to Claims

Reasonable

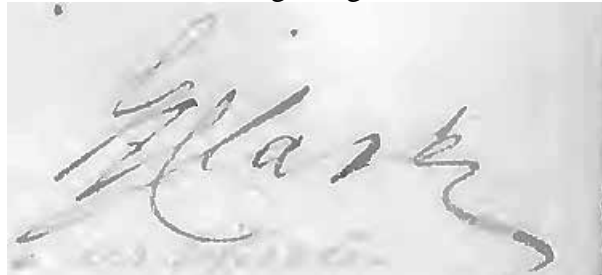
Reported 14th [indecipherable abbreviation of a month] 91

Mr. Todd (of Lincoln)

I do hereby Certify that Capt. James Shelby (Deceased) enlisted a Company, and served as a Capt. in the Illinois Regiment under my Command from the 18th day of December 1778, until the 1st day of May 1780, that he was Legally Commissioned for that purpose, that he is Entitled to the pay and Emoluments of a Capt. during the aforesaid time, and that certificate of his Service hath heretofore been given by me.

Given under my hand this 2nd day of May in the year 1791

S/ G. R. Clark [George Rogers Clark]



[Acknowledged by Abraham Buford a magistrate in the County of Mercer Kentucky]