

[Southern Campaign American Revolution Pension Statements & Rosters](#)

Pension Application of James Harris R4666

Transcribed and annotated by C. Leon Harris. Revised 6 March 2012.

State of Alabama } On this the 13th day of Feby 1854, personally appeared before me Thomas
Coosa County } Williams a notary public for said County, James C. Harris administrator on the
estate of Mary Harris dec'd late of Hamilton County Tenn, who being duly sworn according to law,
declares on oath, that he has good reasons for believing that her husband, James Harris of Albemarle
County Virginia, substituted sometime in the year 1781 instead of his brother Joel Harris, who enlisted as
a private soldier in the Army of the revolution for 5 years, or during the war, & that he either served out
said enlistment, or was previously discharged by order of Congress, as will more fully appear by
reference to the rolls on file in Washington, or those in the office of the Sect'y of State of the
Commonwealth of Virginia. — He also further states that he makes the above declaration for the purpose
of obtaining the pension, together with the legal interest thereon accruing, of the said James Harris, under
the act of Congress of the 5th July 1832, and acts of the general assembly of Virginia granting & regulating
half pay & commutation of half pay for life, to the soldiers of the Virginia Continental line, together with
his pension owing under the act of Congress of the 15th of May 1828. also to whatever pension under the
laws of Congress the said Mary Harris as the widow of the said James Harris may be entitled to. He also
further declares that the said James Harris died in Albemarle County Virginia on the 22nd day of March
1830 & the said Mary Harris in Hamilton County Tenn. on the 27th of April 1846, & that neither of them
within his knowledge ever applied for or received a pension.

James C Harris

administrator of the estate of Mary Harris de'd.

[The file includes copies of several documents referring to soldiers named James Harris of Virginia, but with insufficient evidence to indicate whether the soldier was the one referred to in the present claim. The Pension Office found no record of service by Joel Harris. Many of the 160 pages in the file are letters by James C. Harris, Esq. of Wetumpka AL to the Pension Commissioner contesting the rejection of the claim on the following grounds: that James Harris would have been too young to serve, that there was no evidence to show how long he served, and no evidence that any soldier of that name in the records was his father. The Pension Office also rejected the argument that James Harris should be credited with service performed by his brother, Joel Harris, for whom he was a substitute for a short period. The following are excerpts from James C. Harris's letters:]

[Undated] "Sir. You will please submit the following points to the Commiss'r. of Pensions for his decision:

"1st. the heirs of Mary Harris deced. widow of James Harris a revolutionary soldier of Albemarle County Virginia, insist that the rolls of the Virginia Continental line on file in your office shew that Joel Harris of the aforesaid County & State enlisted as a private of Inftry in the year 1778 {perhaps December} into the Continental line, for 5 years, or during the war & that after having served some two years & eight or nine months was discharged by substituting his brother James Harris to fullfill & execute the remainder of his contract, shortly after the battle at Yorktown & some 3 or 4 months after the said substitution, at a reduction of the Continental line, under a resolution of Congress. the said James Harris was either honorably discharged, or furloughed & sent home. It is also alledged that Thomas Craig a private of Inftry in 1783 in Capt Springers Compy of the Continental line belonged on the 18 & 19th of Oct 1781, to the same compy that the said James Harris did, & that as a matter of course the comp'y of the said James Harris at the time of his substitution was that of the said Joel.

“It is also further alledged that at the time of the discharge in June 1783 of Capt Springers Compy that the said Thomas Craig was a member thereof, & that if he did not belong at the reduction of the battalions after the surrender at York Town to this Compy, the old rosters of said Compy as a matter of course will shew from whence he came {or was transferred}. The above statement believed to be in strict accordance with the rolls on file in your office, together with the information therein contained it is continded, is amply sufficient to enable you to examine said rolls in verification of the foregoing statement. It is also further alledged that the state of Virginia did allow the 3 years joint service performed prior to the 1st of Jany 1782 by the said Joel & James Harris, & that the papers filed by the administrator of Mary Harris, from the Secty of States Office at Richmond are those of the said James Harris & the same sent up on the Auditor of the State of Virginia’s list, & on file in your Office & by which list the Secty of the Treasury on the 28th of July 1832 decided, that the commission of pensioners should be governed in the payment of said claims.”

[20 Aug 1854] “I claim briefly that Joel Harris of Albemarle Co Va. enlisted as a Soldier of Inftry into the Continental line in the year 1778 for 5 years, or the War & that in the year 1781 my father James Harris of the same Co. & State took the place as his substitute & that after serving as well as now recollected some 3 or 4 months was honorably discharged – these facts it is believed, the rolls of the Continental show. To enable you to examine said rolls in confirmation of the truth of the above statement, I alledge that Thomas Craig entered the Service at the same time & in the same Company with the said Joel Harris, & that at the time of the substitution of the said James Harris for the said Joel, & afterwards, on the 17th, 18th & 19th of Oct 1781 James Harris & Thomas Craig belonged to the same company mess. Craig at the time of his discharge in June 1783 belonged to Capt Springers compy of the Continental line. It is also further alledged that the heirs of Thomas Craig, Bazaleel Brown, & William Via {the two latter having entered the service with Craig & Joel Harris} in their declaration for pensions on file in your Office, in setting forth the company and Regt in which they entered the service, have set forth those of the said Joel Harris.”

[I could find no pension application by the Thomas Craig, Bazaleel Brown, and William Via named above.]

[19 Sep 1855:] “The facts of the case are briefly as follows. My father James Harris substituted for his brother Joel in the month of August 1781, and when the Army was near Williamsburgh Va. at the date of this occurrence & for some time previous Joel Harris was & had been a non-commissioned officer of Infantry. Joel Harris & Thomas Craig at the time of this substitution belonged to the same Company. Thomas Craig was discharged in Apl. 1783 belonging to the Company of Capt Springer of the Con line.”

[19 Nov 1855:] “As regards the service I have always endeavoured to state, ‘that my uncle Joel Harris enlisted perhaps in the month of Nov. or Dec’r. 1788 [sic] as a Soldier of Inftry into the Continental line for 5 years, or during the war; & that after serving 2 years 8 months & 20 day’s or thereabouts; was discharged either in the months of Augst or Sepr 1781 as a non Commissioned Officer in bad health; with the understanding that his brother James, then just entered his 16th year; should enter the Service & become the beneficiary of his discharge. After the battle at Yorktown & between that time & the 1st of Jany 1782 James was discharged by the breaking up of his Company & sent home, having served about 3 months & 10 days.

“Subsequently the state of Va. in the settlement of the case transferred & allowed the time of Joel to James; & which was 3 years service performed jointly by them prior to the 1st of Jany 1782 with an allowance to James of service to the end of the War. She also placed him on her depreciation lists, & issued to him the land bounty of a Sergeant.”

[14 Apr 1856:] "My uncle Joel Harris after having been engaged in the recruiting service as a Staff Officer of the Baron Steuben, returned to his Company as orderly Sergeant thereof, in which Capacity he was acting, when well enough at the time the arrangement took place that I claim transferred his service to; and kept alive his enlistment in the name of my father. In support of this statement, together with the process official by which he retired, or papers out of service; are cited the old muster rolls of the Continental Line, and order book of the aforesaid General."

NOTES:

On 18 May 1854 George Washington Kingsolving, aged about 70, certified: "... that in 1825 at the time of the visit of Genl Layafayette [sic: Marquis de Lafayette] to Charlottesville, that the aforesaid James Harris & his brother Joel Harris were introduced to & recognized by him as soldiers of the Revolutionary Army." On 25 May 1854 James C. Harris wrote: "Major Kingsolving was present in the saloon of the Central Hotel at Charlottesville, where the Old Marquis was in waiting to receive the soldiers of the Revolution, & has frequently told me that he was most forcibly struck by the remarkable & instant recognition of my uncle Joel by that illustrious personage. my father he appeared to recognize more by family resemblance than any thing else – he having grown up to mans estate since he had last looked upon the hero of the 2nd redoubt, as he was by a portion of the army at one time familiarly called."

The file contains a copy of a bond signed in Albemarle County on 11 Jan 1790 by James Harris and Robert McCulloch for the marriage of Harris to "Mary McCulloch Spinster."

On 16 May 1854 in Bradley County TN Dr. Nathan Harris made the following statement from the family record of his father, James Harris: "James Harris was born July the 7th 1766. My wife Mary McCulloch was born October 28th 1771. he then goes on to register the ages of their seven children in his own hand writing Viz Robert McCulloch Harris Martha W. Nathan. Lucy. Adaline. Mary Ann, & James Crawford & on the right hand page of the same Bible & find the following record under the head of marriage but not in the had [sic] writing of the said James – James Harris & Mary McCulloch was married the 13th day of January 1790. He also further swears that the whole register in said Bible he has good cause to believe is strictly correct & that the bible containing the foregoing record has been in his keeping ever since the death of his Father the said James Harris."

On 14 April 1854 William Lowry, about 61, and Polly Lowry, about 60, of McMinn County TN, stated that they had been well acquainted with Mary Harris, who died near Chattanooga, and with her children: Nathan Harris, James C. Harris, Robert Harris, Martha W. Turk, Lucy Cobbs, Adeline Brown, and Mary Ann Sandlin.

On 18 April 1856 James C. Harris wrote to the Pension Commissioner as follows: "my father not long before his death failed broke and that myself as his youngest, and only child that had not to some extent been provided for, very naturally desired that I should jointly with my mother enjoy any little benefit that might be derived from his revolutionary claim. Not long before the death of my mother, I am informed that she repeated this wish, and expressed on her own part a similar desire; Both of my brothers, and one of my sisters are dead, of my 3 remaining sisters those residing in Missouri and Tennessee are in easy circumstances, the other is a member of my family where she will probably remain as long as I have the means of offering her a home. None of these know any thing, and care less, of the merits of the claim now pending a settlement before your office."

On 9 Sep 1854 Ira Harris of Albemarle County wrote to James C. Harris as follows: "I rec'd. your letter inquiring to know the length of my Father Joel Harris's enlistment in the army of the Revolution whether it was for 3 or 5 years or during the War or otherwise, also the time of his enlistment, the name of his Cap'n. the No. of his Regiment & the name of his Col. together with the the length of time that he served, & the circumstances of his discharge; In answer to the above I can only say that I have herd my Father say that he was in the Revolution. How he got there who were his officers, how long he served I donot recollect ever to have herd, I have been acquainted with his papers for many years late his ex'or & I

have never seen any paper giving me any information on the subject, I further state that I donot recollect ever to of herd of my Father haveing a substitute or to of seen any thing giveing me any Information on the subject; Uncle Nathan Harris & his Wife both dead some time since, his son Doc'r. Clement K Harris in Augusta a member of our state senate, Jno. Harris Commonwealth's atty for Rockingham Cty Va, my Bro. Clifton Harris removed to St. Louis Mo. several years ago & died last Winter.