

## Southern Campaign American Revolution Pension Statements & Rosters

Pension application of James Kelley (Kelly) R5841

Elizabeth Kelley

f35VA

Transcribed by Will Graves

11/8/13

[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 8<sup>th</sup> of June 1786." Please call material errors or omissions to my attention.]

State of Virginia Caroline County: SS

Be it known that on the 23<sup>rd</sup> day of September 1840 personally appeared before the subscriber a Justice of the Peace in and for the County aforesaid Mrs. Elizabeth Kelley a resident of the County and State aforesaid aged 74 years who being first duly sworn according to law doth on her Oath make the following declaration in order to obtain the benefit of the provision made by the act of Congress passed 27<sup>th</sup> July 1838 entitled an act granting half pay & pensions to certain widows.

That she is the widow of James Kelley who was a Soldier in the Army of the Revolution, that the said James Kelley served in the Continental Army about 3 years or more and that he was in the Battle at the Siege of York Town Virginia and at the surrender of the British Army to General Washington at York Town [October 19, 1781].

She further declares on oath that she was married to the said James Kelley the 24<sup>th</sup> day of June 1786, – and that he her said husband, the aforesaid James Kelley, died on the 24<sup>th</sup> day of June 1811 and that she has remained a widow ever since that period as will more fully appear by reference to the proof exhibited here with.

Sworn and subscribed on the day and year above written

S/ William R B Wyatt, JP

S/ Elizabeth Kelley, X her mark

[p 5: On June 14, 1847 in King William County Virginia, Sally D. Lewis wife of Captain Robert Lewis of King William County, gave testimony that she is 70 years old; that she was well acquainted with Elizabeth Kelley whose maiden name was Elizabeth Crutchfield who is now a resident of Hanover County and the widow of James Kelley late of Caroline County Virginia; that she knew them before they married; that James Kelley's father lived on the deponent's father's land 14 years; that the deponent's father, William Sutton, told the deponent that James Kelley enlisted in the regular Army of the United States during the revolutionary war as a drummer and afterwards a fifer and served for 6 or 7 years; that the number of his Regiment was on his drum but she does not remember that number; she remembers James Kelley telling her how painful and disagreeable it was to him to see the disobedient or disorderly soldiers whipped and that at one time he had to beat his drum when 5 men were shot. She signed her affidavit with her mark.]

[p 8]

This is to Certify, That it appears from a List in this Office of such Officers and Soldiers

of the Virginia Continental Line, during the Revolutionary War, as settled their Accounts, and received Certificates for the balance of their Full Pay, according to an Act of Assembly, passed the November Session 1781, that a Certificate issued on the 26<sup>th</sup> day of May 1784, in the name of James Kelley, as a Soldier of Infantry for £16.0.0, which Certificate appears to have been delivered to himself and was given for services prior to the 1<sup>st</sup> January 1782.

Given under my hand, at the Auditor's Office, Richmond, this  
27<sup>th</sup> day of September 1841.

S/ Jas E. Heath, AUDITOR

[p 10]

This is to Certify, That it appears from a List in this Office of such Officers and Soldiers of the Virginia Continental Line, during the Revolutionary War, as settled their Accounts, and received Certificates for the balance of their Full Pay, according to an Act of Assembly, passed the November Session 1781, that a Certificate issued on the 15<sup>th</sup> day of October 1783, in the name of James Kelley, as a Soldier of Infantry for £13.12.0, which Certificate appears to have been delivered to himself and was given for services prior to the 1<sup>st</sup> January 1782.

Given under my hand, at the Auditor's Office, Richmond, this  
27<sup>th</sup> day of September 1841.

S/ Jas E. Heath, AUDITOR

[p 11]

This is to Certify, That it appears from a List in this Office of such Officers and Soldiers of the Virginia Continental Line, during the Revolutionary War, as settled their Accounts, and received Certificates for the balance of their Full Pay, according to an Act of Assembly, passed the November Session 1781, that a Certificate issued on the 8<sup>th</sup> day of April 1783, in the name of James Kelley, as a Soldier of Infantry for £59.0.10, which Certificate appears to have been delivered to General Morgan and was given for services prior to the 1<sup>st</sup> January 1782.

Given under my hand, at the Auditor's Office, Richmond, this  
29<sup>th</sup> day of August 1840.

S/ Jas E. Heath, AUDITOR

Note – there are five of this above named in the Register

[p 12]

This is to Certify, That it appears from a List in this Office of such Officers and Soldiers of the Virginia Continental Line, during the Revolutionary War, as settled their Accounts, and received Certificates for the balance of their Full Pay, according to an Act of Assembly, passed the November Session 1781, that a Certificate issued on the 14<sup>th</sup> day of July 1783, in the name of James Kelley, as a Soldier of infantry for £16.7.11, which Certificate appears to have been delivered to himself and was given for services prior to the 1<sup>st</sup> January 1782.

Given under my hand, at the Auditor's Office, Richmond, this  
27<sup>th</sup> day of September 1841.

S/ Jas E. Heath, AUDITOR

[p 13]

This is to Certify, That it appears from a List in this Office of such Officers and Soldiers of the Virginia State Line, during the Revolutionary War, as settled their Accounts, and received

Certificates for the balance of their Full Pay, according to an Act of Assembly, passed the November Session 1781, that a Certificate issued on the 24<sup>th</sup> day of January 1786, in the name of James Kelley, as a Soldier of Artillery for £81.13.8, which Certificate appears to have been delivered to Frs. Graves and was given for services prior to the 1<sup>st</sup> January 1782.

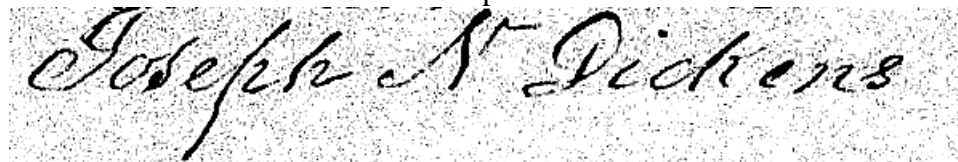
Given under my hand, at the Auditor's Office, Richmond, this  
27<sup>th</sup> day of September 1841.

S/ Jas E. Heath, AUDITOR

[p 19]

I hereby certify that I am now in my eighty seventh year of age, that I was born and raised in this County, Caroline, on the plantation on which I now reside in that I was well acquainted with James Kelly deceased of said County, the husband of Mrs. Elizabeth Kelly now of Hanover County, which said Elizabeth was Elizabeth Crutchfield, when she married Kelly. I cannot say what year the said Elizabeth and the said James Kelly were married, but I have now been married myself 59 years and I think we were married near about the same time. I further certify that the said James Kelly was a drummer in the Revolutionary War for some time, but what Regiment or Company he served in I cannot say. I know however that he and Normant Harvey,<sup>1</sup> Real Eubank<sup>2</sup> and several others were in service together and after they returned out of service Kelly was called drummer – James Kelly and went by the name of Drum Major always afterwards. They belonging to what was called the Virginia line I think were gone some 3 years or more.

S/ Joseph N Dickens<sup>3</sup>

A handwritten signature in cursive script that reads "Joseph N. Dickens". The signature is written in dark ink on a light-colored, slightly textured paper.

[the acknowledgment is very faint but it appears to be dated September 12, 1847 in Caroline County Virginia.]

The affidavit of Smith Mason<sup>4</sup> a revolutionary Pensioner of the US aged 76 years who being first duly sworn according to law saith that he was well acquainted with the late James Kelly of Caroline County the husband of Elizabeth Kelly that the said James Kelly served a tour of duty in the Army of the Revolution on Continental establishment in the Southern Department of the United States. That this affiant's brother-in-law (David Mason) was in the same mess with the said James Kelly and that said James Kelly was in the Battle of Guilford Court House [March 15, 1781] (commonly called Gates defeat) [sic]<sup>5</sup>. This affiant also heard and from general report believes that said James Kelly was at the siege of York Town, but as this affiant was on the Gloucester side, he cannot say that he saw the said James Kelly at said time, but he firmly believes he was in said Battle – and further this affiant saith not – this 22<sup>nd</sup> November 1840

S/ Smith Mason

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<sup>1</sup> FPA S38005

<sup>2</sup> Sic, [Royal Eubank S39500](#)

<sup>3</sup> Sic, [Joseph N. Dickin R2948](#)

<sup>4</sup> [Smith Mason S7180](#)

<sup>5</sup> the battle known as "Gates defeat" was entirely a separate engagement from that known as the battle of Guilford County Court House. Gates defeat occurred on August 15-16, 1780 near Camden South Carolina.



[p 34]

The affidavit of William Madison<sup>6</sup> a revolutionary pensioner of the United States, aged 75 years, who being first duly sworn according to law saith that he was well acquainted with James Kelly the husband of Elizabeth Kelly late of Caroline County Virginia, that they were near neighbors and raised in the same vicinity – that he served two tours of duty in the Army of the Revolution with said James Kelly, one tour, in what was then called the flying tour, this affiant was in a company commanded by Captain Fitzhugh which was under the command of General Lafayette and retreated to a place called the Raccoon Ford (then in Culpeper County Virginia) where they were joined by General Wayne [Anthony Wayne] after which the British Army retreated – and we pursued them towards Richmond &c. The other tour this affiant was in a company commanded by Captain Howard – under the command of General Weedon [George Weedon] at Gloucester point opposite to York Town during the Siege of York in both of which tours of duty he saw the said James Kelly in service – he was on terms of the greatest intimacy with the said James Kelly – and from his own knowledge knows he enlisted in the Army of the revolution, but he never met with him at any other time than above stated & further the affiant saith not.

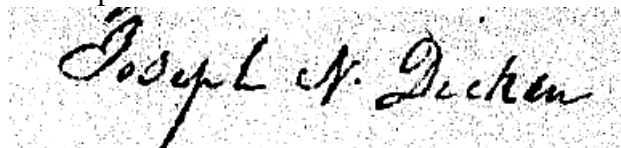
S/ Wm Madison, X his mark

[attested in Caroline County October 20, 1840]

[p 35]

The affidavit of Joseph N Dicken aged 80 years who being first duly sworn according to law saith that he was well acquainted with James Kelley late of Caroline County the husband of Mrs. Elizabeth Kelly that he saw the said James Kelly in the Army of the revolution just before (or about) the siege of York Town Virginia that he verily believes said James Kelly was at the Siege of York Town – and further this affiant saith not.

S/ Joseph N Dicken



[attested in Caroline County Virginia September 29<sup>th</sup>, 1840]

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<sup>6</sup> [William Madison S5724](#)