

## Southern Campaign American Revolution Pension Statements & Rosters

Pension application of Samuel K. Nicely (Neicely) S15946

f13VA

Transcribed by Will Graves

1/16/13

[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. 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 fails 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 errors or omissions to my attention.]

State of Virginia Amherst County Sc

On this 19<sup>th</sup> day of November 1833 personally appeared in open Court before the Justices of Amherst County now sitting Samuel K Nicely a resident of the said County aged Eighty-one 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 act of Congress passed June 7<sup>th</sup> 1832.

That he entered the service of the United States under the following named officers and served as herein stated. That early in the War of the Revolution he was living in the County of Shenandoah Virginia (the year he does not recollect) and was drafted from the Militia of the said County to perform a Tour of duty of three months. That he was placed under the command of Captain Jacob Pennyweight and was marched on to the State of Pennsylvania and as he was informed when he set out that Philadelphia was his destination but before he reached that place, his destination was changed and we were ordered back to Virginia and after returning Thence was discharged having served not less than one month but the precise time he cannot recollect from great lapse of time and a waning memory. That after returning home to the [indecipherable word] of the Militia of the said County of Shenandoah he was not permitted to remain long but was again drafted into the service to perform another Tour of three months. That he marched from the said County under the same Captain Pennyweight and was marched to the lower part of the State of Virginia, and he recollects being in Richmond Fredericksburg and many other parts where it was expected the enemy could be found. That this his second tour lasted the full term for which he was drafted, and he served out the period of three months when he was discharged at a place called the Wilderness – When he again returned home to Shenandoah the place of his residence – That he did not remain long at home before he was again drafted into service to perform another Tour of three months from the same County and marched under the command of Captain Snapp to the lower part of Virginia and was alternately at different places Richmond Fredericksburg and other parts and served out his said Third Tour of three months, when he was discharged and returned home, and shortly after reaching home was again drafted for another Tour of three months from the militia of the same County and was placed under the command of Captain Rouse and marched again to the lower part of Virginia where he was marched various directions and continued to serve until the expiration of the said three months when he was discharged and returned home to the County of Shenandoah. That shortly after this there was a draft from the militia of his County for a Tour of six months service to go upon an expedition in the neighborhood of Detroit against a Tribe of Indians, he believes the Shawnees. That his brother Michael Neicely [sic, Michael Nicely] was amongst the drafted for this service and that he agreed to take his place and perform the tour. That he accordingly marched from his County under the command of Captain thence to Fort Pitt from thence to Fort Lawrence [Fort Laurens],

and the weather became so inclement that General McIntosh who commanded the whole concluded to prosecute the enterprise no further and we were ordered back to Fort McIntosh where we were discharged having served in this Indian Tour four months. That he served altogether fourteen months and that all his said services were performed in the character of a Private of Riflemen.

That he has no documentary evidence to sustain his claim for his said services, nor does he know a single living witness by whom he can prove any part of them except his sister Catharine Fulwiler whose examination is taken and is in definite but will be here with fortified. That from his advanced age and failing memory as before stated he is altogether unable to fix dates to the periods of his service.

I hereby relinquish every claim whatever to a pension or annuity except the present and declare that my name is not on the Pension Roll of the agency of any State.

Interrogatories propounded by the Court

1<sup>st</sup> Where and in what year were you born?

Answer – I do not know where or in what year except from what my Parents have told me. They informed me that I was born in Shenandoah County Virginia and that when I left there I was of such an age by which account being and on a letter man have computed my age –

2<sup>nd</sup> Have you any record of your age and if so where is it?

Answer – I have none

3<sup>rd</sup> Where were you living when called into service: where have you lived since the Revolutionary War and where do you now live?

Answer. I lived in the County of Shenandoah Virginia when called into service where I lived until the War was over. I then removed to the County of Rockbridge Virginia and resided there nearly 20 years when I removed to the County of Amherst where I have continued to live ever since.

4<sup>th</sup> How were you called into service; were you drafted; did you volunteer or were you a substitute, and if in substitute, for whom?

Answer. I was drafted the first 4 Tours of my service and a substitute the 5<sup>th</sup> and last one for my brother Michael Neicely.

5<sup>th</sup> State the names of some of the regular officers who were with the troops when you served, such Continental and militia regiments as you can recollect and the general circumstances of your service.

Answer. I do not recollect as great is the lapse of time and the names of many of the Regular Officers or regiments or of the militia regiments who served with us, nor do I recollect more of the general circumstances of our service than is detailed in the body of my declaration.

6<sup>th</sup> Did you ever receive a discharge from the service, and if so, by whom was it given and what has become of it?

Answer. I have no recollection of ever to have received any discharge from the service.

7<sup>th</sup> State the names of persons to whom you are known in your present neighborhood and who can testify as to your character for veracity and their belief in your services as a soldier in the revolution.

Answer. There is no clergyman residing in my immediate neighborhood but I refer to Thomas N. Eubank and Josiah Ellis who I expect will so testify.

S/ Samuel K Neicely, X his mark

[Thomas N Eubank and Josiah Ellis gave the standard supporting affidavit.]

Virginia Botetourt County (to wit)

This day Catharine Fullwiler personally appeared before me James Cartmill a Justice of the peace for the County aforesaid, and after being duly sworn Affieth and Saith that she is about seventy-seven years of age – that she lived with [her] father in the County of Shenandoah do in the War of the Revolution and she recollects perfectly that her brother Samuel Nicely was called into service in the Militia of the State aforesaid from said County of Shenandoah as many as 4 times and that she believes that he served four tours of duty on his own account and that he served one tour against the Indians as a Substitute for his brother.

Given under my hand and seal this 24<sup>th</sup> day of July 1833.

S/ William Shewmaker  
Minister of the gospel

S/ Jas. Cartmill, JP

[Veteran was pensioned at the rate of \$46.66 per annum commencing March 4<sup>th</sup>, 1831, for service as a private for 14 months in the Virginia service.]