

[Southern Campaigns American Revolution Pension Statements and Rosters](#)

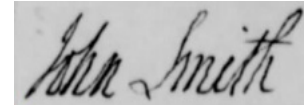
Pension Application of John Smith S6114

Transcribed and annotated by C. Leon Harris. Revised 28 May 2015.

To the Hon^l. The Secretary at War

The supplementary declaration of John Smith to obtain the benefit of the Act of Congress passed [blank] sheweth, that he was commissioned by “the council of Safety” for the Colony of Virginia to be Colonel of the Militia of the County of Frederick – which said commission is dated Jan^y. 8th 1776 and accompanies this paper. That he received several other commissions, according to the charges made by Government in the organization of the Militia of this Commonwealth – that he is still on Commission as Maj Gen^l. of the 3^d Division Virg. Militia, and that since his first appointment, has never been out. That as Commandant of the militia of the county of Fred^k. he took charge of the 200 listed prisoners pursuant to the orders of the Counsel of Safety, requiring him so to do.

That upon the removal of the prisoners taken at Saratoga [Burgoyne’s army, 17 Oct 1777] from Charlottesville [Feb 1781], by order of the Governor, he received orders by the hands of Count Custine [Col. Adam Philippe, Comte de Custine] & The Marquis Laval [Col. Marquis de Laval], who stated they received them from Gen^l. [Edward] Stevens – to raise as many men as could be immediately collected, and march them to cover the retreat of the aforesaid prisoners, and ultimately to take charge of them until further orders were received – which service he performed, and these prisoners together with many others which were sent on, remained more than two years in his custody at Winchester – that his orders, vouchers and accounts with the State concerning this transaction, were given up to a Mr. Eskridge who was appointed to collect such papers as were required to settle the a/c of the State of Virg. with the United States – that he knows not what has become of them believes, as he has been informed that they were destroyed. In further explanation the said John Smith states that the prisoners were under the general superintendance of Col. [James] Wood – and that he was the commander of the Guard – and also attending to the various other duties that devolved upon him, in consequence of his office, as heretofore related. In witness whereof the said John Smith hath signed this paper this 10th day of September 1832



Extract from a letter to Gen^l Washington, written by Thomas Jefferson

“Since the forty prisoners sent to Winchester, as mentioned in my letter of the 9th ultimo, about one hundred and fifty more have been sent thither, some of them taken by us at sea, others sent on by Genl Gates” [Horatio Gates, to whom Burgoyne surrendered].

Jefferson’s Correspondence Vol 1st 195

State of Virginia } Sct
County of Frederick }

On this 4th day of March 1833, personally appeared before me, J. S. Davison, one of the justices of the County Court of Frederick in the State of Virginia, General John Smith, a resident of the County of Frederick aforesaid aged 82 years, being unable to attend personally at the Court of the said County, from bodily infirmity – 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 7th 1832.

That at the Court held for the County of Frederick on the [blank] day of August last past, he, the said John Smith, made his declaration, in open Court, for the purpose of obtaining the benefit of the Act of Congress aforesaid – in substance according with the following. That he then and there, produced for the inspection of the said Court the several Commissions, orders & other vouchers herein mentioned as having been exhibited – and also that the declaration so made with the accompanying papers were

regularly forwarded to the proper Dept. according to the directions of the “Circular” containing the forms to be observed – he is informed that they have been lost or mislaid, and now offers the following declaration as a substitute. to wit:

That he entered the service of the United States in 1776, and served as herein stated: he was appointed to the command of the Militia of the County of Frederick, by the “Council of Safety for the Colony of Virginia” and received his Commission, signed by the different members of said Council and dated in February 1776, by virtue of which he assumed the command of the Militia aforesaid, and executed the duties of his office, until he was reappointed, under the new government, and was recommissioned by Patrick Henry esqr Governor of the Commonwealth [Jul 1776 - Jun 1779], for the time being – and received several commissions as Colonel, and as County Lieut’t. [County Lieutenant] of Militia according with the different modifications of the Militia of this State, during the War of the Revolution all which have been heretofore exhibited to the Court as aforesaid. That he has continued in office until the present day, and is now Maj. Gen’l. of the 3^d Div. Virg. Militia.

That as Colonel of Militia he was employed in guarding and superintending sundry prisoners, who were sent to Winchester during the War, for safe keeping; that for this purpose, he made regular drafts from the Militia of the County of Frederick, organising and commanding the guard thus formed, recruiting, receiving, and providing for the prisoners, according to orders received by him to that effect, which together with various accounts & receipts showing performance of the service described herein – have been lost or destroyed. in the first place, early in the year 1776 the Council of Safety, ordered the removal of sundry Scotch prisoners, to Winchester – amounting to about 200 – that he has forgotten the name of the officer who conducted them, but by virtue of his office aforesaid, they were taken into custody, and safely kept until further orders were received afterwards from the Governor P. Henry – from time to time – until the said prisoners were finally exchanged. That he was informed by the said prisoners, that they were originally captured by Captain Manly, then commanding a small vessel belonging to Congress [see endnote] – that Capt Manly took away the officers, and put a few men on board the transport with directions to navigate the vessel into port in the Chesapeake – as soon as Manly left them, the prisoners rose and retook the vessel, and were endeavouring to find their way to Lord Dunmore at Gwynn’s Island [Lord Dunmore, Royal Governor of Virginia, at Gwynn Island summer 1776] when Capt Burrow [probably James Barron, pension application W12264] commanding an armed sloop belonging to this state – came upon & recaptured them & sent them into port safely. This is as much as he can recollect at this distant period in relation to those prisoners.

That in the year 1777 three or four hundred Hessians, who had been taken at Trenton [26 Dec 1776], were removed from the North to Winchester as a place of greater security – that he received them and guarded them until Col [Joseph] Holmes was appointed Commissary late in the war and even then the controul of the guard was allotted to this declarant. His orders concerning this service were generally received from the Executive of Virginia and have been lost or destroyed.

That on the same day, on which the Hessians arrived at Winchester a number of Quakers, who had been taken up at Philadelphia, were delivered into his care, by a Sheriff from Pennsylvania, whose name is forgotten, they were sent on under an order from Congress & another from the Executive of Penn’a. The Quakers protested against their detention, and presented written documents containing their reasons against the procedure all which were at the time sent on to the Governor of Virginia for his directions – accordingly the prisoners, (the Quakers) were kept until the orders arrived – requiring this declarant to keep them as suspected persons & Tories – the names of some of them are well remembered. viz. Myers Fisher & two others named Fisher one named Jones – another Hunt – and Israel – John and James Pemberton. That he continued in this service upwards of three years – until he was finally superseded by Col. Wood. He gave his papers relative to these transactions to the person appointed by the state to collect and arrange the claims of Virginia on the Genl Government – and has been informed that when that matter was settled – those papers were destroyed with many others —

That in May 1777 he joined the volunteer Cavalry Corps under Gen’l. [Thomas] Nelson of this State, and joined the Corps at Baltimore, according to orders from Genl Nelson, which orders have been

accidentally preserved and were produced to the Court in August last. he was elected Serjeant Major to the Corps, and served as such until they were disbanded at Philadelphia in August of the same year, having served three months and some few days over. When they were dismissed they received the thanks of Congress for their prompt attendance, when the emergency of the country required their services. The officers were Gen'l. Nelson – Capt. [i.e. Capt. Nelson, later Gen. Nelson] – Gen'l. Lawson Lieut't. [see endnote] and Hugh Nelson Cornet.

That when it became necessary to remove the Convention or Saratoga prisoners from Charlottesville in Albemarle, Gen'l. Stevens who was a member of the Virg. Assembly – forwarded by the Marquis Laval and Count Custine – verbal orders from Mr. Jefferson then the Governor [Jun 1779 - Jun 1781], which were issued in the hurry of the moment – to this declarant to assemble as many men as he conveniently could, and to proceed with all dispatch to cover the march of the prisoners toward Winchester – in obedience to which about 200 men were collected & on the next day they were on their march. They received accessions of volunteers on the road – when they arrived at the base of the Blue ridge the prisoners were met safe in the [Shenandoah] Valley – and at the same time information was received that the enemy threatened the destruction of Hunters works near Falmouth – then of vast importance to the cause in the making of camp equipage & arms – that he by advice of the troops – turned their destination towards Falmouth where they arrived and placed themselves under the command of General Muhlenburg [sic: Peter Muhlenberg] who was then stationed in the neighborhood They remained 6 or 8 weeks employed in this service – this occurrence took place at the time of Arnolds invasion [Gen. Benedict Arnold, April 1781] —

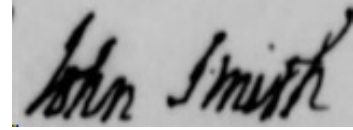
That in the year 1780 [sic: 1781] he was called upon by the Colonel of Hampshire County in this state, for assistance in suppressing a collection of Tories, who had collected under the command of Claypole [John Claypoole or John Claypool] – on Lost River in Hampshire [now Hardy County WV] in such numbers as rendered it impossible for the authorities in that county to put them down without assistance. The Tories were being organized in order to co-operate with the expected invasion of Virginia – that he beat up for volunteers immediately and succeeded in assembling about 400 men who proceeded on their march – he was soon joined by Gen'l. [Daniel] Morgan who accompanyd the party – they had a skirmish with a small party of the Tories and killed one man – upon arriving at the place of rendezvous they found that the Tories had fled from their encampment supposing the numbers of troops led against them to be much greater than it really was – after remaining some time in the neighborhood flags were sent in by different parties of the Tories & terms having been made – the troops returned to Winchester. They were in service about six weeks —

That he served from May 1781 to the 5th or 6th of October afterwards, as full Colonel of Militia – regularly called into service and was prevented from participating in the seige of York [28 Sep - 19 Oct 1781] by indisposition, on which account he left the Army at the time – his certificate of this service, signed by Gen'l. Dan'l. Morgan was presented to the Court in August last & was forwarded to Washington with his former declaration —

That he hath neglected to preserve many of his orders certificates & other vouchers – that would have substantiated his statement of services completely – never expecting that they would be of service again.

That in answer to the questions directed to be asked he states that he was born in the County of Middlesex Virg. on the 7th May 1750 – that his age was recorded in the family Bible – but he knows not where it is to be found. That he lived in the County of Frederick when called into service, where he has resided since the year 1773 – except when attending to his duties as a Member of Congress for 15 sessions – that he served under the following General officers in the Regular service - viz Gen'l. Morgan & Gen'l. Muhlenburg – That Maj. Isaac Hite [pension application S8714], Capt George Blackamore of the Revolutionary Army (Continental) now living in this County – the Hon'l. Judge Tucker of the Court of Appeals of Virg'a. also of this County & Joseph Norriss esq'r late Reg. of the U. S. Treasury – can testify as to the character of this declarant for veracity & their belief of the statement of service rendered as hereinbefore mentioned. He hereby relinquishes every claim whatever to a Pension or

Annuity, except the present – and declares that his name is not on the Pension list roll of any state

A rectangular box containing a handwritten signature in cursive script that reads "John Smith".

[From [Library of Virginia Legislative Petitions Digital Collection](#)/ Frederick County]

To the Honorable the General Assembly of Virginia
John Smith of the County of Frederick humbly sheweth.

That your Petitioner served as a Colonel of the Militia under the command of General Morgan from the 23^d day of May 1781 until the 5th day of October following. That he obtained a Certificate from General Morgan for his said services which he accidentally lost, and that he has not received any compensation for the same.

He therefore humbly prays that the Auditor of public Accounts may be directed he issue him a Certificate for the services performed by him

And your Petitioner shall pray &c

The Auditor has no authority to settle Claims for Militia service performed during War – See XLI Chap. of Acts of 1787

Aud'rs. Office/ 27 Oct'r. 1791

J. Pendleton

28 Oct. 1791/ Ref'd to Claims

NOTES:

By "Captain Manly" Smith may have meant Capt. James Cocke, who commanded the galley *Manley* in Chesapeake waters at the time Lord Dunmore was raiding.

Smith appears to have confused First Lieutenant Robert Lawson with Lt. Col. Robert Lawson, who later became a militia general.

On 28 Jul 1837 John B. D. Smith of Winchester informed the Commissioner of Pensions that his father, Col. John Smith, died in Frederick County on 4 Mar 1836 and that "As I am about to leave this country I wish, if possible, to procure the money due to my father & to erect a tombstone over his remains." Another letter states that John Smith "left no widow, and that he left the following children – Eliza Mills, the wife of Robert Mills of Washington City; Augustine C. Smith of Columbia S.C; Jaquelina Daniel the wife of James M. Daniel of Columbia S.C. and John B. D. Smith of Hannibal Missouri; and the following grandchildren: John Smith Davison, Edward J. Davison, William A. Davison, Alexander McD. Davison and Maria L. Hite, wife of Isaac F. Hite, formerly Maria L. Davison, children of Maria M. Davison dec'd, late wife of William Davison dec'd." On 4 Mar 1833 J. S. Davison referred to his "two little girls – Anna Maria and Sarah Jaquelina – and a goodly prospect for another, of some sort – I have lost one." A great grandson, E. J. Davison, was living in Hot Springs AR on 9 Feb 1893.