

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

Pension Application of John Jacob Nay S9438

Transcribed and annotated by C. Leon Harris

State of Virginia }  
Culpeper County } to wit:

On this 19<sup>th</sup> day of November in the year of Christ 1849, personally appeared in open court in the county court of Culpeper the same being a court of record, Vincent Nay of the state and county aforesaid, who declares on his corporal oath that he will be eighty years of age on the 15<sup>th</sup> day of January 1850, who doth on oath make the following declaration in order to obtain the benefit of the act of Congress of June 7<sup>th</sup> 1832, that he is the son & only living child of John Jacob Nay, who was usually called Jacob Nay (dec'd) that said John Jacob Nay was a soldier in the war of the Revolution, in the army of the U. States and in his last service marched from Culpeper as he believes in 1780 under Lieut James Barbour & he believes his father marched to the South. He was twice in the regular service. Before the year 1832 his said father removed to Harrison County. He was then weak of mind and too imbecile to do business. His memory was a waste. In consequence of which the said Vincent Nay went to Harrison County & lived there to his father death, which happened on the 14<sup>th</sup> September 1847. He was present at his death burial and funeral. And Zachariah Crim a credible witness also made and proved to the satisfaction of the court, the death of the said John Jacob Nay on the said 14<sup>th</sup> September 1847, said Crim is a credible witness near seventy nine years of age & he also proved that Vincent Nay is the son & only living child of John Jacob Nay dec'd. Old Nay was his Crim's uncle. He remembers said Jacob Nay; return from the Revolutionary war and that he was in service and he swears positively to his (Nay's) death the 14<sup>th</sup> September 1847. And it was further proved by the evidence of Christopher Courtney, that said John Jacob Nay was a soldier of the Revolution, the length of his service he does not know. He knows then he marched & went (though a boy) part of the way with the soldiers that marched with Jacob Nay, and said Courtney and said Vincent Nay also proved that there never was any other person in this county bearing the name of John Jacob Nay. Said Crim also proved the mental infirmity of old Nay, his removal to Harrison. Vincent going there and remaining till his father's death. old Nay was one hundred & one years old when he died. Vincent Nay further declares that he did not know that his father was entitled to a pension until march last, when James M. Grigsby told him he was entitled, & said Grigsby going to President Taylor's inauguration did at the request of Vincent Nay make enquiry (as he believes) at the pension office (Washington) through the assistance of Mr Pendleton, the then Congressman from this district and then was he informed of his right in his deceased father's behalf to a claim for a pension. And the court certify that full credence is given to this declaration & evidence. The declarant and witnesses shewed that their characters for veracity & integrity were fair & unimpeached, by persons of credit & respectability all which is ordered to be certified.

At a Circuit Superior Court of Law and Chancery held for Culpeper County at the Courthouse thereof on the 14<sup>th</sup> day of June 1850 Vincent Nay and Zachariah Crimm came into court and made oath to an affidavit in writing, which is in the following words and figures to wit.

State of Virginia, Circuit Superior Court of Law and Chancery for Culpeper County.

This day Vincent Nay aged seventy nine years the 15<sup>th</sup> of January last past, as he states came into open court and on his corporal oath declares, that his father now deceased, who was Christened John Jacob Nay, and usually called Jacob Nay, was he verily believes was a soldier of the regular army in the war of the revolution as he has heretofore declared in the County Court of Culpeper, and that he remembers when his father returned from the war, he had a good deal of paper money; that his father lost his mind many years before 1832, and never regained it to his death which happened the 14<sup>th</sup> of

September 1847. and that his said father was the only man named Nay, who was in the regular army from Culpeper County as he believes, and Zacheriah Crimm made oath that his grandmother was the sister of John Jacob Nay's Father (her maiden name was Caty Nay, which John Jacob Nay was the was the father of said Vincent Nay. His Grandfather and Vincent Nays Grand father came from Germany together and settled in Culpeper County. That he lived within two miles of Vincent Nay's Father and Grandfather, and that he well remembers when the said John Jacob Nay usually called Jacob Nay returned from the revolutionary war in which he was a soldier. Said Crimm stated that his relation with the family of Nay and his living near them made him acquainted with most of their affairs, and he knows that Vincent Nay's father was only person of that family and name in Culpeper County who was a soldier of the regular army in the war of the revolution. He further made oath that he does not know his age, but he knows that he is about the same age of Vincent Nay – they were boys together.

I have known the above named Vincent Nay for some years past from my own knowledge of him and the representations of his neighbours, I am satisfied that he is an upright honest and truthful man, and that his statements whether upon oath or otherwise are entitled to the fullest credit. Sam'l. Chilton 14 June 1850

[The following applies to a different John Nay (pension application S11128) who also moved from Culpeper to Harrison County. Some other letters in the file also confuse the two.]

I certify that many years ago Hankie Read resided in the County of Culpeper and removed to the west. I do not know that he ever held any commission as a militia officer during his residence in the County of Culpeper and never heard that he had R. B. Ward 14 June 1850

[The Commissioner of Pensions questioned whether John Jacob Nay was the Jacob Nay on military records, prompting a deposition and long letter from John S. Barbour, probably John Strode Barbour, Jr., Member of the Virginia House of Delegates. The deposition includes information about Vincent Nay's service in the War of 1812. The letter dated 28 May 1850 includes the following:]

The witnesses swear that the said Nay enlisted & marched with Lieut James Barbour from Culpeper County Your records show that there was but one James Barbour a Lieut. of the Continental line. That James Barbour was my fathers eldest brother who marched to the South – was under Gates at Camden [Gen. Horatio Gates at the Battle of Camden SC, 16 Aug 1780], under Greene at Guilford [Gen. Nathanael Greene at the Battle of Guilford Courthouse NC, 15 Mar 1781] and died of a wound in battle after the battle of Guilford.

NOTE: A size roll of noncommissioned officers and privates compiled at Chesterfield Courthouse lists the following: Jacob Nay, age 18, height 5' 5", dark hair, black eyes, dark complexion, planter residing in Culpeper County.