

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

Virginia documents pertaining to Nicholas Currell VAS2046
Transcribed and annotated by C. Leon Harris.

[From [Library of Virginia Legislative Petitions Digital Collection](#)/ Lancaster County – Currell, James]

To the Hon'ble the Gen'l. Assembly of Virginia

The petition of James Currell [possibly pension applicant R31] humbly sets forth That Nicholas Currell served as a Lieutenant in the Virginia Continental line during the late war & in consequence thereof became entitled to 2666 $\frac{2}{3}$ acres of land. That a Certificate to this effect was issued by the Executive (which by some accident was lost or mislaid during the life time of s'd Nich's Currell. Your petitioner further states that the s'd Nicholas died about the year 17 [sic] without Issue. That your Petitioner made the necessary proof in Court of his being the next heir to his brother the s'd Nich's. Currell & being advised that the Decedent was entitled to land & had not obtained it he applied at the Registers office for a Warrant. That the Register withheld it altho' well satisfied that none had Issued & required that y'r. petitioner shoud previously enter into bond in his office with sufficient security in the penalty of 5000 Doll's. That your petitioner is unable to procure the necessary security being unsupported by wealthy friends or connections & must lose this land to which he has a right as before mentioned unless it shall please the Legislature to interpose. He therefore prays that your hon'ble body will pass a law directing the Register of the Land office to Issue a Warrant to him as the legal Representative of Nich's. Currell deced & shall pray &c

Resolved that the petition is reasonable and that a law ought to pass directing the register upon receiving a duplicate certificate which the [undeciphered word] ought to be empowered to [undeciphered word] to issue the warrant prayed for to the heir or heirs of the said Nicholas Currell, saving the right of any person who may be entitled to the original certificate. ag'd.

Dec'r. 7 97 to C[ommit]te Justice

Decem. 13 1797 Reasonable & Reg'r. to issue the warr't. prayed for saving right of any person hav'g orig'l. cert'e.

[The following is from [bounty-land records in the Library of Virginia.](#)]

This is to Certify that Lieutenant Nicholas Currell Entered into the 5th Virginia Regiment in January 1776 and Continued in that Commission till the last [several illegible words] was app't to Captain in Easton's Reg't of [illegible] he never the less did not give up his Commission in the Continental Army which he has to this day. Given under my hand this 15th day June one thousand Seven hundred & Eighty three
Burgess Ball [BLWt252-500] Lt. Col. 5th Reg't

[The following are from [rejected claims in the Library of Virginia.](#) Some online images are illegible.]

Nicholas Currill entered the army according to the evidence on which land bounty was originally granted heirs, as a Lt of the Va. Continental line. He became a supernumerary Lt. in the fall of [blank] & immediately accepted a commission of Capt in a state regiment, & served to the end of the war. I applied at the land bounty office in Washington, for his land bounty promised by congress as a continental Lt. The application was refused on the ground that, his taking a Commission in the state line, vacated his commission in the continental line. If this decision be correct, as I think it is, he is certainly entitled to land from Va as a captain, of the state line for the war, of the State Garrison regiment. It appears to me, that the only question to be decided is, whether the bounty received as a supernumery Lt of the

continental line shall be deducted from the quantity due him as a captain of the state line. All of which is respectfully submitted.

Ro. Hord, ag't for the heirs

Case of Nicholas Currell

The application is for the land bounty allowed to a Captain of the State line, the [undeciphered word] relying on the certificate of Colo. Burgess Ball of the 15th of June 1783 to show that Nicholas Currell held the commission of Captain in the State Service. That certificate shews that Mr. Currell retained the commission of a Lieutenant in the Virginia Continental line, and does not show that he accepted or rec'd the new Commission. The claim of Ms. Currell was before the Executive in 1784, and upon the before mentioned certificate of Colo. Ball, he was allowed as a lieutenant, and not as a Captain. At this late day, it is impermissible to disturb the decision of 1784, fixing the rank of Mr. Currell. And even were the question new, I should [undeciphered word] in fixing the rank of this officer equably to the former executive decision. That is to say, that Mr. Currell was a Lieut. in the Virginia Continental line, and so remains.

Rejected

To his Excellency, the Gov. of Virginia

Sir I respectfully ask a reconsideration of the Claim of the heirs of Nicholas Currell for land for his services as Captain in the Revolutionary war.

Nicholas Currell was first a Lieutenant for which he has rec'd the land to which his rank entitled him being $2666\frac{2}{3}$ acres. But he then was commissioned as Captain in the State line during the war and was attached to the State Garrison regiment at Williamsburg and in this connection I beg leave to call your attention to the deposition of Thomas Sorrel which proves this beyond doubt, and which deposition seems not to have been considered by the then Lieutenant Governor

Application has been made at the proper department in Washington for Currell's land bounty, promised by Congress, as a Continental Lieutenant and refused upon the ground that he had accepted a Commission in the State Line and thereby vacating his Commiss'n in the Continental line. Now if he be refused additional land as Captain in the State line, it will cause his patriotic services in behalf of the state to operate to his prejudice and injury in a pecuniary view, for had he not accepted com's'n as Captain he would have been entitled to a claim from the Federal Government. That he did accept s'd comsion, there can be no doubt from Sorrell's affidavit.

Here then we have the case of a man who [one or more pages apparently missing] periods; first as a Lieutenant for which he has rec'd land; second as Captain for which he has rec'd nothing. I therefore submit to your Excellency that Nicholas Currell was entitled to receive land as captain under his last commission; but having rec'd land as Lieutenant, he is now entitled to the difference between the pay of Lt. and Captain. All of which is respectfully recommended to the favorable consideration of your Excellency by Your obt. Svt.

Sam'l L Straughan one of the heirs in right of his wife and agent for the other heirs
Mch 27th 1851

Dec'r 27th [1851] Rejected J B Floyd [Gov. John Floyd]