

Southern Campaigns American Revolution Pension Statements & Rosters

Petition relating to Robert Cowne VAS1927

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Transcribed by Will Graves




4/27/15

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

[From [Digital Library of Virginia](#)] Culpeper County Legislative Petitions

To the General Assembly of the Commonwealth of Virginia

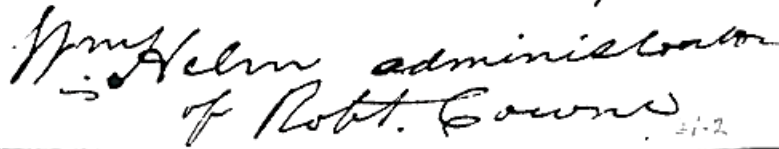
Your petitioner William Helm of the County of Culpeper represents: That he is administrator of Robert Cowne deceased who was an officer in the State Regiment of artillery in the War of the Revolution, That by virtue of the act of Assembly of May 1779 the said Robert Cowne became entitled to half pay for life from the period of his being out of service or reduced to the end of his life: That the man was duly made of the Auditor & in his refusal to pay the same the case was carried before the Superior Court of Henrico in conformity with the provisions of the act of Assembly of __ 1778, from which Court it passed to the Supreme Court of Appeals where judgment was finally obtained against the Commonwealth: That the amount of said Judgment so rendered was finally paid your Petitioner, out of the money paid the State of Virginia by the United States agreeably with an act of Congress approved the 5th day of July 1832: But it did so happen in the inception [?] of the demand upon the State, the half pay was made to begin, one year & a few days later than was [indecipherable word or abbreviation]¹ by which your petitioner & the other distributees of Robert Cowne (for he is one of them as well as administrator), loose one year of half pay. The said half pay beginning to run from February 1782 instead of 5th day of February 1781. At the time of the demand from the State, evidence was not had to fix the time of reduction & the Session of the board of Officers of February 1782 recognizing the right to the half pay, was [indecipherable word]² as they proper period for its commencement. And now by other evidence it appears that the period before mentioned (to wit February 5th 1781) was the true time. The Government of the United States having [same indecipherable word as the previous one] on [indecipherable word]³ the payment of these claims, application was made to the Treasury department for the amount of this additional year of half pay, which was rejected on the ground that the State of Virginia and one department of her government had already by judgment fixed the month of February 1782 as the proper time & that so long as this Act of the State remained as it was; that the claim though known to be just could

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not be paid. If the Legislature would pass a resolution recognizing the justice of the demand, it would enable your petitioner to receive the amount from the treasury of the United States and that the said year of half pay is justly due you, is clearly demonstrated by the evidence on file in the Auditor's Office.

Your petitioner respectfully asks the passage of such resolution & he as in duty bound will ever pray.

S/ Wm Helm, administrator of Robert Cowne



[Reverse]

Cowne's Administrator Petition
January 12th 1835
Referred to Claims
1835 January 24 Rejected
January 26 Reported

Auditors Office November 4, 1830

The claim of William Helm administrator of Robert Cowne deceased for half pay alleged to be due to the said Cowne as a Supernumerary Captain Lieutenant in the State Regiment of Artillery commanded by Col. Thomas Marshall during the Revolutionary war –

The Auditor admits that it is proved to his satisfaction that Robert Cowne was a Captain Lieutenant in the said State Regiment of Artillery commanded by Col. Marshall in the Revolutionary war, and that the said Cowne was reported to the Board of Officers held in February and April 1781, as a supernumerary officer and was recognized as such by the said Board of officers but whether the said Robert Cowne was the claimant's intestate is not satisfactorily proved. It is moreover not proved to the Auditor's satisfaction that Robert Cowne continued as a supernumerary officer to the end of the war or that he was not required to reenter the service after April 1782, and if required did not refuse so to do. The Auditor is moreover not satisfied that the claimant is entitled under the law to the half pay claimed for the Robert Cowne.

For the foregoing and other reasons, and because of the lapse of time, the claim is rejected.

James E Heath Auditor of public accounts

In addition to the Auditor's objections within stated, this claim is rejected because the half pay alleged to be due to Robert Cowne is also claimed by William Slaughter, as administrator of said Robert Cowne.

S/ Jas. E. Heath, A. P A

A Copy
Test

S/ J Robertson, Clerk. In Rico Circuit Court

[Note: the file also contains what appears to be a summary of the findings of the Superior Court of law held for in Rico County in Richmond on November 9th 1830 but the text of it is illegibly faint in a substantial degree.]