

Southern Campaign American Revolution Pension Statements & Rosters

Bounty Land Warrant information relating to Charles Lee VAS864

vsl 25VA

Transcribed by Will Graves

9/16/13

[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. 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 [bounty land records in the Library of Virginia](#)]

[p 1]

Petition &c

of Lee's Heirs –

Cft Is'd JBR [Certificate Issued]

Reg'd 23 October 1833

February 20, 1834 Allowed as Major General for 3 years service

J. F.

The claim of the Heirs of General Charles Lee, for bounty land has been examined by me. I have no additional proof to offer in support of it; nor anything against it. The Proof offered by the Petitioners seems to me to be full & perfectly satisfactory. The claim ought to be allowed, for service of 3 years.

Respectfully submitted

S/ John H Smith

October 4th

Submitted to the Council of state & passed as required

S/ John Floyd

[pp 7-9: The opinion of the US Attorney General: the images of it are so faint as to be illegible]

[p 10]

The Petition of Townsend Mainwaring & Frances Ann Townsend, Hester Lee Massie, Sydney Townsend and Harriet Frances Townsend Respectfully represents to the Executive of Virginia that they are the heirs and legal representatives of Charles Lee who was a Major General in the Army of the Revolution. That the said Lee was in actual service more than three years and having died in 1782 could never have received the Land Bounty due for his services, and his heirs never heard of their claim except within a year or two past. They respectfully ask that the bounty land may be allowed them. They think it [indecipherable word] to the memory of their relative to state that previous to his appointment, in the revolutionary Army he had been a distinguished officer of the British Army in Europe. Some years previous to the revolution he settled in Virginia and took an active part in favor of the Colonies & when the War broke out was appointed a Major General as will be seen by the Journal of Congress of the 17th of June 1775

the day after General Washington's appointment which made him second in Command. He was an active and zealous officer, until the 28th of June 1778 when the battle of Monmouth was fought, on that day his pious spirit resented too far, the severe rebuke of his Commander in Chief which caused his arrest and terminated in his suspension from Command – (see Life of Washington Marshall 2nd edition volume 1 page 257). It is a matter of history that General Lee was upwards of three years in active service before his suspension and therefore entitled to Land bounty unless he had been cashiered or superseded – mild as a suspension is when compared with being cashiered or superseded, your petitioners hope that the time will arrive, if it has not already, when the impartial opinion of [3 words escape my ability to decipher] this sentence upon an Ardent & chivalrous officer not only [at this point, the image of this document as posted became so illegible to me that I gave up trying to transcribe it.]

[p 17]

Journal of Congress
Saturday July 20th, 1776

Resolved, That the thanks of the United States of America be given to Major General Lee, Colonel William Moultrie, Colonel William Thompson [sic, William Thomson] and the officers and soldiers under their command, who on the 28th of June last repulsed, with so much valor, the attack which was made that day on the State of South Carolina, by the fleet and army of his Britannic Majesty.

That Mr. President transmit the foregoing resolution to General Lee, Colonel Moultrie, & Colonel William Thompson.

Monday January 10th, 1780

Resolved, that Major General Charles Lee be informed, that Congress have no further occasion for his services in the Army of the United States.

[p 19]

Superseded officers

Proceedings of a Board of field officers (in the particular service of the State) which sat at Richmond by direction of his Excellency the Governor signified by the Commissioner of the War office.

A list of such officers as are discriminated by the Board of field officers.

Elliott Rucker 1s State Regiment Lieutenant

Reason for discrimination – refused to join Colonel Dabney's Regiment when ordered. He said he rather would wish to resign than joined the Regiment because he had the command of a Militia Battalion, and hoped to distinguish himself. Witness Colonel Dabney.

Churchill Gibbs 1st State Regiment Lieutenant – Had his command of a guard at Richmond which he quitted without leave and went to Petersburg where he was taken by the enemy. – Witness Captain Hamilton

John Baytop 2nd State Regiment Lieutenant – arranged to Colonel Dabney's Regiment & received orders to join which he failed to do. Witness Captain Machen Boswell

John Mazaret Ensign state Artillery – [indecipherable word] officer & ungentlemenlike behavior in several instances, while he served as officer in the State Artillery. Witness Colonel Meter – Captain Young & several [indecipherable word]

The foregoing were extracted from the report of the Board of discrimination – Colonel Marshall President

[Note: Most of the documents in this file appear to be primarily focused on the distinction between the words superseded, dismissed, or suspended as used with reference to military officers. It appears that arguments were made that Virginia did not owe land bounty to Major General Charles Lee because he had been suspended from office by order of General Washington. The heirs of General Lee were making the argument that their ancestor was not cashiered, superseded or dismissed but rather had his command suspended and therefore was entitled to land bounty at the time of his death in 1782.]

[Note: If anyone has full transcripts of the contents of this file, we would appreciate being allowed to post them in this database.]

[From [rejected pension records in the Library of Virginia](#)]

To the Governor of Virginia

The petition of Townsend Mainwaring, Frances Ann Townsend, Hester Lee Massie, Sydney Townsend and Harriet Frances Townsend, respectfully state, that they are the heirs and legal representatives of General Charles Lee who was a Major General in the Army of the Revolution. That the said Lee was in actual service more than 3 years and having died in 1782 would never have received the land bounty due for his services and his heirs never heard of the claim until within a year or 2 passed.

They respectfully ask that the said bounty land may now be allowed them.

The said Charles Lee having been a distinguished officer of the British Army in Europe, some years before the Revolution came to America and settled in Virginia. He took an active part at the very commencement of the Revolution and was appointed a Major General on the 17th of June 1775 – (See Life of Washington, volume 2, page 237 note) and was a most efficient and zealous officer in active service, until the 28th of June 1778 the date of the battle of Monmouth when his proud spirit presented too far, the severe rebuke of the Commander in Chief which caused [image cuts off at the bottom thereof at this point]

[next page]

After the expiration of which, there being no occasion for his services without removing from active employment some other officer of his grade, he was not again called into the field before his death. But your petitioners are advised that the Act of Assembly gave the Bounty to all who had served three years in service without being cashiered or superseded, and it is here apparent General Lee was three years in service and was neither cashiered or superseded, but suspended for one year for his supposed violation of military etiquette in his reply to the harsh and angry rebuke of the Commander in Chief.

Mild as a suspension is, when compared with being cashiered or superseded, Your petitioners hope the time will arrive, if it has not already, when the impartial opinion of posterity

will pronounce this sentence upon an ardent and chivalrous officer as not only undeserved but as entered by the Court itself more in obedience to the popular clamor of the times, than its sense of his misconduct and that if his lofty spirit could have admitted without complaint to the indignity offered nothing would have been said of his reply and no arrest ever have been made – much less the sentence of suspension.

This is not stated as a matter of complaint against the Commander in Chief but in extenuation of [image cut off at the bottom thereof at this point]

[next page]

the history of General Lee being notorious no other evidence is deemed necessary to be produced.

Your petitioners are foreigners and [indecipherable word]¹ the delay in their application – they are informed the Act of Assembly of Virginia has expressly authorized them to receive such bounty in the same manner as if they were citizens, and accordingly pray that Warrants may be directed to be issued on account of General Lee's services in the revolution for 3 years.

S/ Wm Lambert, Atty.

¹ *honor*