

Southern Campaign American Revolution Pension Statements & Rosters

Pension application of John Nevill BLWt1595-500

f4VA

Transcribed by Will Graves

1/10/13

[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. 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 fails 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 errors or omissions to my attention.]

[cover sheet]

VA.	Nevill, John	B.L.Wt.1595-500—Colonel Issued Jan. 13, 1800 No papers
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[Note: The file contains the standard response to an inquiry indicating that the records relating to this claim were destroyed when the War Office burned in November 1800.]

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

Richmond War Office November 7th 1783

I do certify that Colonel John Nevill is entitled to such a proportion of land as is allowed by the law of the state to an officer of his rank who has been in the Army as an officer from August '75 to this date – Agreeable to a certificate lodged in this office.

S/ William Davies

The above is a certificate on which a warrant for 7777 2/3 acres issued to John Nevill the 20th of June 1783 – for 7 years service.

S/ Wm Price, Regr.

Land Office

August 14, 1807

no other Warrant appears to have issued.

S/ W. P.

It appears that Colonel John Nevill is entitled to an additional proportion of land allowed a Colonel for one year & three months more than seven years.

S/ John Coleman

[From [rejected pension records in the Library of Virginia](#)] indexed under "John Neville"

To the Governor of Virginia

The Petition of Morgan Neville for himself & the other heirs of John Neville, Respectfully states – That he entered the service in the Revolution as a Captain 7 August 1775 or sooner, C printed Journals of Convention of that date, page 12.

On 14 June 1776 – he was appointed Major – see same Journals of that day.

On 13 November 1776, he was appointed Lieutenant Colonel – see Journals of [indecipherable word] Delegates of that day.

On 11 December 1777 he was promoted to Colonel – see Chesterfield arrangement of Field Officers tend February 81 and was such on 30 September 1783, when the Brevet Rank of Brigadier General was given him – see Journals of Congress of that date. He received the Bounty of a Colonel only. Your petitioner claims that he should have been allowed as Brigadier General.

The Virginia law (10 [indecipherable word or abbreviation] = Stat. Page 375] gave to a Brigadier General 10,000 – it does not state – a Brigadier General in the Civil [?], or by brevet. Same volume – page 160 – prescribes the quantities do other officers – thus – a Colonel 5000 acres – a Lieutenant Colonel 4500 – Captain 3000 – subaltern – 2000 – which respective bounties were afterwards increased one 3rd – page 375.

It has been uniformly decided by the Executive of Virginia that a Lieutenant Colonel Commandant should have the same bounty as a full Colonel. Alas, that Captain: lieutenants, should have the same bounty as captains. The propriety of these decisions has never been questioned – yet a Lieutenant Colonel Commandant was no more "a Colonel", then a Brevet Brigadier, was a Brigadier – nor was a Captain Lieutenancy anything more than a Brevet captaincy – the law of Virginia speaks of neither of these intermediate grades as terms – But in construing the law, a fair & a reasonable interpretation required that they should have some bounty – that although none specified with precision under law, they were nevertheless intended to be embraced [image of this document as posted is cut off at this point at the bottom of the page]

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have been – in the absence of superiors – and this contingent right could not belong to other than the brevet officers – Their grade is higher in every "sense" except the technical one, rank in the line. It was not supposed to law makers, were so skilled, in (or at least designed to act upon) these mere technicalities important only to the fastidious delicacy of military pride) as to intend distinctions between Colonels by brevet, and Colonels in the line – Captains by brevet & Captains in the line. If he was a Captain in any just sense, he was deemed such a Captain as the laws meant. If he was a Colonel in any proper sense, whether technically so in the line or not he was thought to be such a Colonel as the law meant. He was entitled by law to the Command of a Colonel – was in law competent to that command was in substance, a Colonel.

The same views apply with equal strength to a Brevet Brigadier – to the understanding of 99 in the 100, he is a Brigadier – there were not 10 men in the Legislature (if one) who could explain fully the difference between a Brigadier in the line & a Brigadier by Brevet – it is even now a subject of unsettled controversy among the most learned in the Military school. The Legislature in 1779, meant to act, liberally towards all, who joined in the conflict with the most powerful nation in the world and gave the bounty to all Brigadiers, without specifying whether they should be such in the line or otherwise – and it is reasonable to infer, if the question had been raised, it would have been settled at once in terms that Brigadiers by brevet, should not be reduced to be Grade of Colonels.

Rejected March 24 1840