

Southern Campaign American Revolution Pension Statements & Rosters

Pension application of James Weir R11287

Margret

fn37VA

Transcribed by Will Graves

8/22/11

[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.]

[fn p. 4]

State of Tennessee Blount County: On this 7th day of March 1845 personally appeared before me Samuel Pride an acting Justice of the peace in and for the County aforesaid Margaret Weir aged about eighty-one years a resident of the County & State aforesaid, who being first duly sworn according to law doth, on her oath make the following declaration in order to obtain the benefit of the provision made by the act of Congress passed July 7th 1838. That she is the widow of James Weir who was a private in the Army of the Revolution and entered the service in Washington County Virginia, whether as a volunteer or drafted she does not know, nor can she state the time of his entering the service, but believes that it was in the year 1780 or 1781 under command of General Greene and Colonel Campbell his first Captain she believes was Robert Edmondson, though Lowry [probably William Lowry] may have been a Captain he enlisted under, she recollects to have heard her husband speak of Edmondson and Lowry, that she is unable to recollect the order in which they came, nor can she state how long said James Weir served but thinks he was in service at or before the Battle of Kings Mountain and continued in service until after the Battle of Guilford. That she has no documentary evidence in support of her claim, on account of her husband's Certificates of discharge having been burned up together with the dwelling house and almost every article of property they possessed, by the Indians, in the year 1782 –

That she does not know whether any other living witness can be found who could testify as to the services of said James Weir than the affidavits annexed –

She further declared that she was married to the said James Weir in Augusta County Virginia on the 19th day of February in the year 1783, and that will appear more fully from the proof hereto annexed. She further states that the family record hereto annexed & marked (A) is the original family record and only one ever kept by herself and husband, and contains the exact date of the marriage together with Births of Children etc. and asks that it be taken as a part of this declaration.

That her husband, the aforesaid James Weir died on the 11th day of March A.D. 1820.

That she was not married to him prior to his leaving the service, but the marriage took place previous to the first of January 1794, viz.: at the time above stated – that she is a Widow at this time and has remained a Widow ever since the death of her husband the aforesaid, as will more fully appear by reference to the proof hereto annexed.

Sworn to and subscribed on the day and year above written before me.

S/ Saml Pride, JP

S/ Margret Weir

Margret Weir

[fn pp. 2-3: family record:

Marriages

James and Margret Weir were married February 19th 1783

Anna was married September 6th 1803

Hugh and Peggy Weir were married the 18 of December the year of our lord 1810

Births

Margrat Weir was born December 22d 1763

Anny Weir was born January 22d 1784

Hugh Weir was born September 13th 178?

John S. Weir was born August 23d 178?

William Weir was born April 24th 17??

Margret Weir was born August 18th [could be 13th] 17??

Betsy Weir was born October 8th 1795

James Reston Weir was born August 29th 1797

Patsey Weir was born December 31st 1799

Lusina Porter Weir was born January 21st ????

[fn p. 22]

State of Tennessee Blount County: Personally appeared before me Samuel Pride an acting Justice of the peace for said County, on the 7th day of March 1845 James Cunningham¹ aged about eighty-five years, who being first duly sworn according to law, says that he was personally acquainted with James Weir Deceased, a Revolutionary Soldier, and with Margret Weir, Widow of the said James Weir Deceased, who has sworn to & the foregoing Declaration in order to obtain a pension, that he saw James Weir, whilst in service shortly before the Battle of Guilford: that he served under command of General Greene, his Captain he believes was William Lowry or perhaps Edmuston or Edmonson, though he is of opinion that Edmuston or Edmonson was a Major, and said James Weir belonged to a foot Company from Washington County Virginia or at least there was where he lived, he does not know the exact time of said Weir entering the Service, or how long he served, but knows that he was in service a short time before the Battle of Guilford, and perhaps served more than one Tour, as he learned that said Weir was at the Battle of Kings Mountain, that before the Battle of Guilford he James Cunningham was wounded, and that said James Weir was one of those who remained with him, until he got so he could travel, he then returned home and does not know how long James Weir served after that time.

S/ James Cunningham

James Cunningham

[fn p. 20]

This is to Certify, that it appears from a List in this Office of such Officers and Soldiers of the Virginia Continental Line, during the Revolutionary War, as settled their Accounts, and received

¹ FPA S1508

Certificates for the balance of their Full Pay, according to an Act of Assembly, passed the November Session 1781, that a Certificate issued on the 13th day of December 1781, in the name of James Wiers [sic] as a Soldier of Infantry for £34.1.6, which Certificate appears to have been delivered to Mr. Lockart and was given for service prior to the first January 1782.

Given under my hand at the Auditor's Office, Richmond, this 28th day of February 1849
S/ Jas. E. Heath, Auditor

[fn 19: Letter dated October 21, 1852 from S. M. Knight of Washington City offering to represent the claimant [not named but presumably the widow] in pursuing the claim for the pension due the widow. In this letter he states that he would undertake the representation for a fee far less than that charged by others. That he is aware others charge a fee of 50 percent of the pension obtained and his fee will be 20 percent payable only if he is successful in obtaining a pension. This appears to me to be a case of champerty (or, viewed more charitably, "advertisement" or "solicitation" by a lawyer—a practice which used to be frowned upon by practitioners of the legal profession).]