

Southern Campaign American Revolution Pension Statements & Rosters

Pension application of James Upshaw R18622

fn11VA

Transcribed by Will Graves

7/19/11

[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.]

[There is no claim or other affidavits in this file—just correspondence regarding the rejection of a bounty land claim by a James Upshaw, "a captain of the Virginia troops." I also searched the Virginia archives online and found no entries under "James Upshaw" under the bounty land claims, rejected pension claims or pension claims granted by that state. The only hints regarding the original substantive contents of this file are given by the following letters:

Department of the Interior March 2nd, 1850

Sir,

I have examined the papers in the case of James Upshaw, deceased, claiming Bounty Land, and consider the evidence insufficient to permit me to [indecipherable word, looks like ällam] the claim, although it is sufficiently strong to render me unwilling to reject it.

It is probable that there may be on file, among the Archives of Virginia, the petition of Upshaw, and the accompanying evidence, on which the report of the Committee was founded. The letter of General Wood, to which you allude in your letter of the 8th old tomorrow, relate to the returns of a particular Regiment only and not to those of the Virginia troops generally, and cannot therefore be supposed to affect the case. The case will be returned to the Pension Office, and will be suffered to remain open for the production of further evidence.

I am very respectfully

Your obedient Servant

S/ T. Ewing

Secretary

*To A. Dickins Esqr.
Washington City"*

"Pension office May 28, 1850

Sir:

I have the honor herewith to transmit the papers, numbered from 1 to 15 inclusive, relating to the case of James Upshaw and on which Francis A. Dickens appeals, and a Brief of the evidence.

Since the decision of March 2, 1850 rendered by you in this case, in which you declared the evidence insufficient to warrant the allowance of the claim, no additional testimony has been introduced except the Certificate of the Keeper of the Rolls of Virginia that the Memorial of James Upshaw deceased presented to the Legislature of that State in 1784 cannot be found in the records under his charge. As this certificate is a simple negation of the existence of certain testimony, not the production of anything positive, I do not conceive that it will affect the merits

of the case.

[this letter bears no signature, but presumably from J. L. Edwards the Commissioner of Pensions to his 'boss', the Secretary of the Interior.]

*Hon. Thomas Ewing
Secy of the Interior"*

There is a letter dated May 31, 1850 from Secretary Ewing purporting to return the papers relating to the Upshaw claim to J. L. Edwards, Commissioner of Pensions.]