

Southern Campaign American Revolution Pension Statements & Rosters

Pension application of James Martin¹ R71

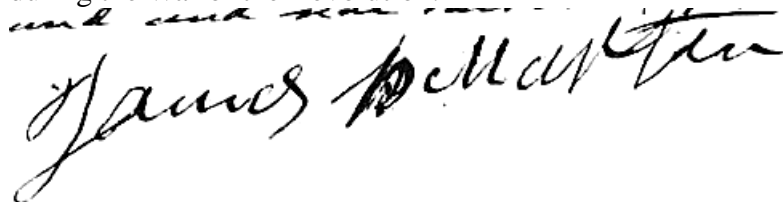
f55VA

Transcribed by Will Graves

3/8/13

[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.]

[p 3: power of attorney dated September 27, 1850 executed in Norfolk County Virginia by James P Martin, administrator of James Martin deceased who was a surgeon in the Virginia State Navy during the War of the Revolution.

and with seal


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[p 6: power of attorney executed March 18, 1851 in Norfolk County Virginia by Charles S Martin administrator *de bonis non* of James Martin deceased who was a surgeon in the Virginia State Navy during the revolution empowering his attorney to seek the funds do said James Martin surgeon under the act of July 5, 1832.



[p 13]

Tuesday May 27, 1777

Ordered that Doctor McClurg delivered to Doctor James Martin such Medicines as he thinks necessary for the use of the *Caswell* Galley, also such other articles as he thinks on necessary.

The above is truly copied from the Naval Journal (page) to 24.

Given under my hand at the Auditors Office Richmond this 13th day of September 1850

S/ A. W. Morton, 1st Clerk

Acting Auditor

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Pension Office of May 11, 1852

V. Ellis Esqr.

Sir

I have examined the claim of the administrator of Dr. James Martin for half pay as a

¹ Va. Sea Service Va. Half-Pay

Surgeon in the Virginia Navy during the revolutionary war under the act of 5th July 1832 and do not consider the evidence filed sufficient to justify its allowance.

The evidence is as follows, to wit:

1. An extract from the Journal of the Navy Board of date of 27th of May 1777 showing that certain medicines were ordered to be delivered to Dr. James Martin for the use of the *Caswell* Galley.
2. An extract from Moss' Day Book in the Auditors Office of Virginia showing that in the month of December 1779 certain articles were charged to Dr. Martin.
3. Two depositions of Sheldon Bailey taken in the year 1851 going to show that Dr. James Martin was in service as a surgeon in the Navy as late as December 1781.

The extract from the Navy Journal may be admitted as evidence to prove Dr. James Martin was acting as Surgeon of the *Caswell* Galley in July 1777 but this the only record evidence of his service. I have received from the Auditor of Virginia a Certificate which establishes beyond question that the extract from Moss' Day Book relates not to Dr. James Martin of the Navy but to Dr. Hugh Martin a Surgeon's Mate in the Continental line. This Certificate was shown to you a few days since & is now on file among the papers in the case.

In regard to the depositions of Selden Bailey the only remaining testimony I do not consider them sufficient to justify the allowance of the claim. They are not only vague and unsatisfactory, but were taken when the deponent was in his 83rd year, a period of life when the faculties of mind & memory must necessarily be much impaired. Moreover, from his own statement, he was not in a situation to learn with accuracy the nature & character of Dr. James Martin service. At the time the service of curd, he was a boy of 12 years of age staying at home & of course could not have been very familiar either with the events of the war or with the rank in service of those engaged in it. It is probable that according to his deposition, Dr. Martin rendered at the siege of York some service to his country, probably in the capacity of a Surgeon. At that era in our history there will be scarcely a man in a lower Virginia who was not for a short time in service. There is nothing however satisfactory to show that Dr. Martin was a Surgeon in the Navy after May 1777 & of course his representatives are not entitled to half pay.

Dr. Martin never settled his depreciation accounts nor received land from Virginia & which he would most probably have done if he had served as a Surgeon in the Navy as long as the claimant alleges.

Very respectfully
Your Obedient Servant
S/ J. E. Heath

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I do hereby these presents certify that I knew Dr. James Martin who was a surgeon in the Navy of Virginia during the war of the revolution, and I lived in the same neighborhood that he did when he died, and saw him while on his deathbed he died in the month of June or July in the year of 1802 he never was married but left a Brother Luther Martin living and he (Luther Martin) left 2 sons & a daughter – to wit Charles S Martin, James Martin & Nancy Martin who are the only heirs at law of the said Doctor James Martin. Given under my hand and seal this 31st day of July 1850

S/ Selden Bailey

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State of Virginia Norfolk County: SS

The affidavit of Selden Baley taken this 3rd day of September in the year 1851 before me Richard W Bough a Justice of the Peace in and for the County of Norfolk aforesaid. The affiant being duly sworn, deposeth and saith that he was born in the year of 1769 and was intimately acquainted with Doctor James Martin who was a surgeon in the Virginia State Navy during the War of the Revolution. That the said Doctor Martin was an intimate friend of the Father of this affiant, and that they were both engaged in the Service of the country in the war of the Revolution. And this affiant declares and says that the said Doctor James Martin was in the service of the said Navy in the month of December 1781, that he lived in the same neighborhood, with the said Doctor James Martin in the County of Accomack in the State aforesaid, and knew him intimately, and saw him while on his deathbed a day or 2 before he died. That the Father of this affiant and the said Doctor Martin served about the same time and he knows that they both were in service in the month of December in the year 1781 after the siege at York Town, that he remembers this fact distinctly, and knows that the said Doctor Martin did not resign will quit the service voluntarily, he further swears that he is a disinterested witness.

S/ Selden Baley

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Addendum to James Martin R71

Transcribed and annotated by C. Leon Harris. 25 Sep 2020.

[From [rejected claims in the Library of Virginia](#). This file also contains correspondence explaining that there was a different James Martin who served as a surgeon in the 3rd South Carolina Continental Regiment. See James Martin BLWt1524-400. Some records in the file may also be confused with those of Hugh Martin VAS3999, who was a Surgeon's Mate from Virginia, and Hugh Martin BLWt2309-400, who was a Surgeon from Pennsylvania.]

Monday May 26th 1777

Ordered that Doctor McClurg deliver to Doctor James Martin such Medicines as he thinks necessary for the use of the Caswell Galley also such other Articles, as he thinks are necessary.

Extract from the Naval Journal page 224. Jas E Heath aud/ Aud Off: 21 Mar 1834

Tuesday May 27th 1777.

Ordered, that Doctor McClurg deliver to Doctor James Martin such Medicines as he thinks necessary for the use of the Caswell Galley, also such other articles, as he thinks are necessary. From page 224.

The foregoing entry is truly copied from the Journal of the Navy Board.

[The above is followed by entries for miscellaneous items with dates from 15 through 28 Dec 1779.]

List of Debts against the Comm'd Staff Officers of the Virg'a Lines taken Decem'r 1782

Martin Doct'r £16.19.3½

This list of Debts is due on any Books kept at the Publick Store in Philadelphia 1778 & 1779

John Moss.

Petition for bounty land

The Heirs of Dr. James Martin Surgeon.

The evidence, which is wholly documentary, shews that Dr. Martin was in service as Surgeon in the navy in may 1777 – (See extract from the Navy Journal.) He received articles from the public store in Dec'r 1779. (see extracts from Book No 10.) In 1782 December Dr. Martin appears, in John Moss' Book, in a list of Commission'd & Staff Officers of the virginia line who were debtors to the public store at Philadelphia in 1778 & 1779 debtor to the amt. of £16.19.3½. (see auditors certificate &c)

The above is the whole of the evidence. If your excellency should be of the opinion, that it proves a continual service for three years, the bounty in land should be allowed to the Heirs of Dr. Martin, for his service of 3 years as surgeon. If (as I think is the state of the case the evidence proves, at most, only a service from May 1777 to Dec'r 27th 1779 the bounty in land ought not to be allowd

Respectfully submitted/ John H. Smith Com'r &c

To his Excellency/ John Floyd

March 22nd 1834

1834 Aug 1 Rejected

Rejected March 24 1840 DC [Gov. David Campbell]

Extract from the list of final settlement certificates issued by John Pierce, Commissioner of the army accounts of the Revolution.

<u>No.</u>	<u>Date</u>	<u>To whom due</u>	<u>When due</u>	<u>Amount</u>	
92220	1 Feb 1785	James Martin	Mar 23 1783	\$600	
92221	“	D'o	“	600	
92222	“	D'o	“	793.01	\$1993.01

Treasury Department/ Register's Office Feb 11 1845
[undeciphered signature] Reg.

Dear Sir Portsmouth June 7th 1845

The claim of the heirs of Doct James Martin deceased presented in 1834 or 1835, (was rejected I presume from the hostility of the then Executive to such claims) for military Bounty land or for the want of sufficient evidence to authorise the allowance of the claim. The evidence furnished by the extracts contained on the other part of this sheet shew an actual service of Doct James Martin in the War of the Revolution from the 27th day of May 1777 to December 1782 making his term of service 5 years 7 mo. With this additional evidence, I would request the Executive for a reconsideration of this claim believing it to be one founded in justice, and that the heirs are entitled to the Bounty land. The presumption is that he was in service previous to the 27th May 1777. I can perceive no ground of objection to the allowance of this claim, and trust it will be reconsidered and allowed; after a decision on this claim I should be pleased to ascertain the result representing as I do the heirs Yours Very Respec'y/ James Murdaugh
His Excellency James McDowell/ Governor of Virginia

Portsmouth Sept 19th 1845

Dear Sir Sometime ago, I transmitted to the Executive some additional evidence as to the service of James Martin a Surgeon during the war of the Revolution. The evidence furnished already shews that his service commenced in 1776 or 1777, and I do not remember the evidence sufficiently to state the termination thereof. I have obtained some further evidence, which shews his service up to the 23rd day of March 1783, and at that period he received from the Commissioner of the Army Accounts, or at the period of the 1 Feb 1785, he received these several certificates, for the sum of \$1993.01 due for his services to the 23rd day of March 1783. This evidence in addition to that already furnished and filed with the papers must be sufficient to satisfy the Executive, of the justice of the claim of the heirs to Military bounty Land, for I think the evidence establishes beyond all question a service of Six years. I cannot therefore entertain a doubt, of the allowance of the claim. I therefore will ask an early consideration of this claim and the favour of you, to request the clerk to inform me of its allowance I am Dear Sir/ Your Obt Serv't
His Excellency Jas McDowell Esqr Governor of VA James Murdaugh

1845 Dec 19 Rejected

Sept 1 1847 Rejected/ N. G. Daniel L. Gov.