

Southern Campaigns American Revolution Pension Statements & Rosters

Pension application of James Baytop S37701

f25VA

Transcribed by Will Graves

3/2/10: rev'd 6/23/17

[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.]

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I James Baytop of the County of Gloster [abbreviation of Gloucester] do swear and declare that he was appointed a first Lieutenant in the 7th Virginia Continental Regiment on the 1st day of February 1776 and continued in the service of the United States until December 1777 when he was promoted to a captaincy. And I the said Baytop do further swear and declare that he continued to serve in the United States Army in the capacity of Captain in the said Regiment until the last of May or first of June in the year 1779, and then left the Army by resignation. All these several Circumstances can be verified by having reference to the muster rolls lodged in the Archives of the Government & I therefore ask relief of my Country.

Gloster County

S/ Jas. Baytop

March 1818

At a Court hailed for Gloucester County at the Courthouse on Monday the fourth day of April 1818. The above declaration was sworn to in open Court by James Baytop.

Teste Arthur S. Davies, CC

[The above was certified by the clerk as a true copy of documents in the files in his office.]

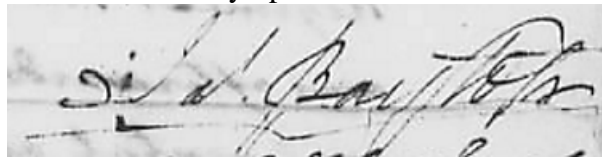
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United States of America, District of Virginia, to wit;

This day personally appeared before me George Tucker District Judge of the United States for the district of Virginia, James Baytop of the County of Gloucester and the District aforesaid, who being by me first duly sworn, solemnly declareth & saith; that he was appointed a first Lieutenant in the seventh Virginia Regiment the seventh day of March 1776 which Regiment was afterwards by authority of Congress placed upon the Continental establishment; and that he continued in the Service of the United States until December 1777 when he was promoted to a captaincy in the said Regiment; and that he continued to serve in that capacity until the last of May or first of June 1779, when he resigned his said Commission: all which Circumstances, as he presumes, may be verified by having recourse to the muster Rolls, lodged in the Archives of the Government, if not lost, mislaid or destroyed. He further saith that he is now of the age of 65 years, & upwards, that his present circumstances are very much reduced, possessing only twenty-seven acres of uncultivated land, of the value of three dollars & a quarter an acre, at which rate he purchased it, and a life estate in five hundred acres, of other land, in King & Queen County, with two Negroes only to cultivate the same, who are both above the age

of sixty years; with two horses & some cattle, all which he hath been compelled to mortgage for the pavement of his just debts, which mortgage he is unable to satisfy & discharge in any other manner; he further saith that he hath a life estate in twelve or thirteen young Negroes, who were about ten years ago settled on his two daughters, all but six of which have been born since that settlement was made by him, for a valuable consideration; that the said last mentioned Negroes are very unprofitable, from their youth, with the exception of three women, & two men, one of which men is now very sick, and as he conceives at the point of death. That the remainder of the said Negroes are an actual expense to him, and that the whole of the before mentioned property is very far short of what he possessed twenty years ago. He further saith that he made the Declaration hereunto annexed, under the seal of the Court of Gloucester County, on the 6th day of April 1818, and begs leave to refer to the same, as a part of his present Declaration; wherefore he ask relief from his Country etc.

S/ Jas. Baytop

A handwritten signature in cursive script, appearing to read "Jas. Baytop", written in dark ink on a light-colored document.

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Virginia, Gloster County, to wit

This day personally appeared before us, Mat. W. Kemp & John Stevens Justices of the peace for the said County, James Baytop, who being first sworn, solemnly declareth and saith that he is in needy circumstances at this time and that if all his just debts were paid, it would more than consume the whole of his interest in the property, given in, in [sic] his declaration, to the Honorable Judge Tucker, in Williamsburg, hearing date the 24th of February 1819 and that, when this event takes place, he will be altogether dependent on his country for support, and shall be needy indeed: and that he has every reason to believe, that this event will shortly take place, for every creditor that he has is pursuing, and coercing the means to get what is due him and further this deponent saith not -- & also, appeared, at the same time, Mord: Cooke D. Sheriff for the aforesaid County, who being duly sworn, verifies the several facts stated in the foregoing part of the said James Baytop's deposition. Given under my hand this 11th day September 1819

S/ Mat. W. Kemp

S/ John Stevens

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United States of America, District of Virginia, to which;

This day personally appeared before me the undersigned Judge of the United States for the lower District of Virginia, Colonel James Baytop of the County of Gloster, who being first by me duly sworn, according to law, deposes, declareth and saith, That the affidavit hereunto annexed made by him before Matthew W. Kemp & John Stevens, Justices of the peace for the County of Gloster, is in every respect just, and true; and thereupon he repeated this same again on oath before me the said Judge. -- He further saith that the Declaration upon oath made before the same Justices by Mordecai Cooke Deputy Sheriff for the said County on the same day was made in his presence and hearing. -- He further saith that the Declaration on oath of W A Rogers Deputy Sheriff, hereunto likewise annexed, was also made upon oath in his presence & hearing before John R. Cary a Justice of the peace for the County aforesaid, by whom the same is

certified. He further saith that he deems this additional Evidence now offered by him, in addition to the evidence heretofore offered by him, before me the said Judge on the 24th day of February, and on the 29th day of March, in this present year, and transmitted by post to the War Office of the United States at Washington, immediately after the same was taken, will satisfy the provisions of the Act of Congress, entitled an act to provide for certain persons engaged in the Lay in the & naval service of the United States during the revolutionary war. Given under my hand & seal at Williamsburg in the State of Virginia this 29th day of October 1819 and the 44th year of the Independence of the United States.

S/ S. G. Tucker

Gloucester County Virginia to wit:

This day W. A. Rogers a Deputy Sheriff personally appeared before me a Justice of the peace for said County who made oath that from his knowledge of the situation of Major James Baytop: that he believes that if his just debts were paid that he would be dependent on his country for support and further believes that his situation has not occurred from want of exertion, but having a very large and extensive family to support, and that no person is more deserving of the aid of his country than he is, having witnessed his readiness at all times to serve his country in private as well as public life.

Given under my hand & seal this 27th day of October 1819

S/ J. R. Cary, JP

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Gloucester County Court November Term 1820

On this Seventh day of November 1820 personally appeared in open court being a Court of record for the said County James Baytop aged sixty-six years resident in the said County of Gloucester who being first duly sworn according to law doth on his oath declare that I served in the revolutionary war as follows to wit in the seventh Virginia Regiment on Continental Establishment commanded by Colonel William Dangerfield and in the company of Captain Charles Tompkins and that I the said James Baytop was appointed a first Lieutenant in the said Regiment and company on the first day of February in the year 1776 and I the said Baytop after being promoted to a captaincy resigned on the last of May or the first of June 1779, while the Army lay at the encampment at Middle Brooke for the second time and I the said James Baytop made a declaration of the sixth day of April in the year 1818 before the County Court of Gloster County and a second declaration before the Honorable St. George Tucker on the 24th of February and a third Supplemental Declaration before the said Judge Tucker on the 29th day of march in the year 1819, and I do solemnly swear that I was a resident Citizen of the United States on the 18th day of March 1818 and that I have not since that time by gift, sale or in any manner whatever disposed of my property or any part thereof with intent thereby so to diminish it as to bring myself within the provision of an act of Congress entitled “an act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war” passed on the 18th day of March 1818, and that I have not nor has any person in trust for me any property, or securities, contracts or debts due to me nor have I any income other than what is contained in the schedule already enumerated in the several Declarations made and given in to the War office as stated (in this declaration) and which are lodged in the Archives of the said War Office and which is made a part of this declaration and Schedule which is made in conformity to regulations established and published early in the month of May 1824 the better government of

the then applicant petitioners whose claims were lodged in the War office. But subsequent to the publishing these orders I had received a pension Certificate No. 17098 dated ^{23rd May} some time in the last of May 1820 in all its forms from the Secretary of War and on which pension Certificate I have drawn up to the fourth March 1820 under these circumstances I might deem it unnecessary to make this Second Schedule but for an endorsement on the Certificate "that no pension would be paid after the fourth March 1820 until a new Schedule was made" Acting under this Settlement and impelled by my pecuniary situation I therefore make the Schedule already filed in the Archives of the War office this my Second declaration and Schedule, nothing changed or altered except the death of the best Negro slave. I have in the life Estate property spoken of and given in former Schedules and to which I refer

S/ Jas. Baytop

Sworn to in open Court this seventh day of November 1820 by James Baytop

[Veteran was pensioned at the rate of \$20 per month commencing April 6, 1818, for service as a Captain for 2 years in the Virginia Continental line.]

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Virginia documents pertaining to James Baytop
Transcribed and annotated by C. Leon Harris.

[The following are from [bounty-land records in the Library of Virginia](#) misfiled under the name Baylor, James. Parts of two documents are missing at the places marked *.]

7th June 1783

[*] that Mr. James Baytop was appointed Lieut in 7th Virg'a Regt sometime in Jan'y 1776. his Commis. [commission] will show at what time he was promoted to the rank of Capt. That he resign'd the 12th May 1779. Thomas Heth Maj.



[*]rant out of your Office, and this shall be your sufficient authority

Jas. Baytop
July 30 1783



To the Register }
of the Land Office }

Rec'd Aug't 13 1783 A Certificate for the above Warrant. Phil Taliaferro
[Philip Taliaferro]

