

Southern Campaigns American Revolution Pension Statements and Rosters

Pension Application of James Burton S48412 Elizabeth Burton VA
Transcribed and annotated by C. Leon Harris. Revised 16 Sep 2018.

For the purpose of obtaining the balance of pay due my dec'd husband, the late Capt. James Burton of the County of Orange State of Virginia – under the act of 15th May 1828 granting full pay for life to the officers and soldiers of the army of the Revolution, who should serve to the end of the war in actual service, or remaining as acting officer until the close of our revolutionary struggle. – In the early part of the year 1776 he was appointed an Ensign from the ranks and went to the north where he remained in active service till the latter part of the year 1778 when he was sent on the recruiting service. In the spring of the year 1779 he was appointed a Lieutenant in the Reg't. to guard the Convention prisoners then stationed in Charlottesville [Burgoyne's army captured at Saratoga on 17 Oct 1777 and kept at Albemarle Barracks Jan 1779 - Feb 1781] under the command of Colo. Francis Taylor [R19418] of the va Cont. Line and Colo. James Wood [BLWt2419-500] who was his senior Colo. and promoted from a Lieutenancy to a Captaincy and continued in active service, till that Reg't. was disbanded in the spring of the year 1781 when he became Supernumerary as the other officers did and remained as such until the end of the war and always liable to be called into service ever afterwards – being thus in truth in the service of his country from the very beginning until the end of the revolutionary struggle.

At the time Capt. James Burton died which was in the month of August 1829, he the said Burton was entitled to the pay of a captain for three years and half under the above act of 15th May 1828 – It is therefore asked that the pay may be accorded to his widow. She claims also to be the residuary devisee of her dec'd. husband the late Capt James Burton. [Power of attorney follows.]

[signed 29 Nov 1833] Elizabeth Burton

4 Jan'y. 1834

The widow of James Burton late of [blank] in the County of Orange in the State of Virginia has applied to the Secretary of the Treasury for the benefits of the act, entitled “An Act for the relief of certain surviving officers and soldiers of the army of the Revolution,” approved on the 15th of May, 1828. she states that he was as an officer on the Continental line, and served as such until he became supernumerary in the spring of 1781, at which period he was a Captain in Taylor's & Wood's regiment of the Virginia line; and that she does not state whether he received commutation certificates for five years full pay granted by the resolve of 22 March, 1783; nor whether he was a pensioner

The Third Auditor is requested to report how far these several statements are corroborated by the records in his office. By order of the Secretary/ Francis A Dickins

TREASURY DEPARTMENT,/ THIRD AUDITOR'S OFFICE

It further appears that Capt. James Burton is not now on the pension list of any agency, and has been since the 3^d March 1826

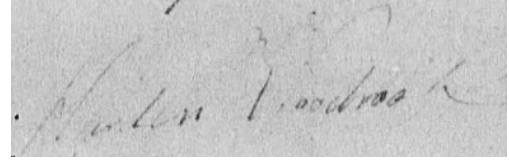
The Revolutionary records on file in this office, furnish no information in relation to Captain James Burton's services as an officer in the Virginia line. It may be proper to state, that in March last, the Hon. John M. Patton, transmitted to this office some papers in relation to Capt. James Burton's services, and from them it appears that he was appointed a captain under the Resolution of Congress, of the 9th January 1779, which authorized the raising of Troops for the purpose of guarding the convention Troops at Albemarle Barracks – for 12 months – and were therefore not entitled to half pay for life, or commutation.

Peter Hagner Aud'r

[The following are original receipts on two slips of paper:]

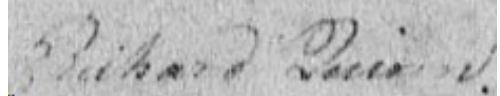
Received of James Burton two Body Shirts one Hunting Shirt & one pr. Stockings 9th May 1781.

Hardin Woodroof [W3485]



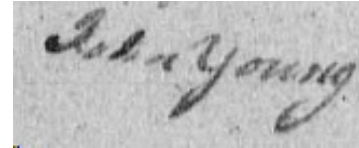
Received of James Burton two Body Shirts one Hunting shirt & one pr. Stockings 9th May 1781.

Richard Quinn



Received of James Burton two body shirts one Hunting shirt and one pr. stockings it being part of the Cloathing due whilst a soldier in Colo F Taylors Reg't. Guards 11th Nov'r. 1781.

John Young



[A note states that the documents listed below were removed from the file on 16 Jan 1913 and sent to the War Department:]

An order to Lieut. James Burton, 2nd Va. Regt. to march his squad of disbanded soldiers to Virginia and there to enter the recruiting service of men for 3 yrs. or during the war; signed Walter Stewart, Col. Coming Gen'l. [George] Weedon's brigade; dated Mar. 13, 1778.

A muster roll of same company in same regt. for months of Mar. to July, 1780 inc., showing date of James Burton's commission as Capt. Oct. 8, 1779; signed John Roberts [W2347], Maj'r. regt.; mustered Aug 1, 1780. [transcribed at <http://revwarapps.org/b112.pdf>]

I certify that James Burton of Orange County was first a Lieut. and subsequently a Captain in the Regiment of Guards that guarded the Convention Troops of Burgoyans army at the Barracks in Albemarle county and that he also acted as adjutant to the Regiment and that he continued in the said Regiment until it was discharged which was in or about may 1781. I knew him well, & he was considered as a meritorious officer by all the officers of the Regiment

He retired as the rest of the officers did for the want of command and I have no hesitation in saying he would have reentered the service if he had have been ordered to do so.

From under my hand this 9th January 1833 — Jno. Roberts Maj'r. of the late Reg't. of Guards

[The following are from [bounty-land records in the Library of Virginia](#). Full names and numbers of pension or bounty-land applications are added in brackets at the first occurrence. Also in the file is a mostly undeciphered copy of a payroll of Capt. Marquis Calmes's company for a period ending 31 Aug 1777 signed by Lt. James Burton.]

[The original of the following table has a fifth column showing the total payment in pounds and shillings calculated by multiplying the number of dollars by 0.3.]

A Pay Roll of Capt Francis Taylors Company of the 2^d Battalion of Virginia Forces in Continental service. Commanded by Colo William Woodford, from the 28th day of Feb'y to the 28th April 1776.

Rating Dollars at 6/ each, Virginia Currency.

Mens names	Rank	Appointed or When Enlisted	No of Dollars
Francis Taylor [R19418]	Capt'n	28 Feb'ry	26 ² / ₃ pr Month 53 ¹ / ₃
William Taylor [W6233]	Lieut		18 36
Benjamin Porter	D'o		18 36
Francis Cowherd [W6721]	Ensign		13 ¹ / ₃ 26 ² / ₃
Samuel Clayton	Serjeant	13 March	10 15
Robert Dawson	D'o	6	10 17 ¹ / ₃
James Welsh	D'o	28 Feb'y	10 20
Howard Bledsoe	D'o	10 March	10 16
James Courtney	Corporal	13	8 ¹ / ₃ 12 ¹ / ₂
James Quin	D'o	28 Feb'y	16 ² / ₃
Thomas Shelton	D'o	4 March	15
Lewis Willis	D'o	25	9 ¹ / ₆
Jeremiah Cox	Drum'r	28 Feb'ry	16 ² / ₃
Alexander Thomas	Fifer	10 March	13 ¹ / ₃
William Townshend	Privates	28 Feb'ry	6 ² / ₃ 13 ¹ / ₃
Thomas Porter			13 ¹ / ₃
James Brown [W403]			13 ¹ / ₃
Samuel Warren			13 ¹ / ₃
Perry Patterson			13 ¹ / ₃
James Brooks			13 ¹ / ₃
Michael Gavin			13 ¹ / ₃
William Turner [S38446]			13 ¹ / ₃
Shadrach Hill			13 ¹ / ₃
Edward Broadus [VAS2664]			13 ¹ / ₃
Benjamin Rucker			13 ¹ / ₃
Jonathan Davis			13 ¹ / ₃
James Deering			13 ¹ / ₃
Francis McLarney			13 ¹ / ₃
Elijah Deer			13 ¹ / ₃
William Finnell			13 ¹ / ₃
Henry Barnett			13 ¹ / ₃
Richard Chandler			13 ¹ / ₃
John Gillock			13 ¹ / ₃
Robert Chandler			13 ¹ / ₃
John Brown			13 ¹ / ₃
Turner Thomason			13 ¹ / ₃
John Almond			13 ¹ / ₃
Leonard Sale		1 March	12 ² / ₃
Elisha Estes		2	12 ⁴ / ₉
Joseph Hervey [possibly Joseph Harvey R4711]			12 ⁴ / ₉
Thomas Ballard			12 ⁴ / ₉

[The following payroll also includes a column headed "To be p'd from," which is not included in this transcription because the only entry is "28 Feb'y 1777" in the first line.]

Copy of Pay roll &c to 28 March 1777.

A Payroll of Capt Francis Taylors Company of the 2^d Virginia Battalion from 28 February to 28 March 1777.

No.	Names	Rank	Dollars	Occurrences
	Francis Taylor	Capt	40	
	William Taylor	1 Lieut	27	
	Francis Cowherd	2 Lieut	27	
	James Burton	Ensign	20	
	Samuel Clayton	Serg't	8	
	James Broadus	d'o	8	
	James Welsh	d'o	8	
	Robert Dawson	d'o	8	
	Jeremiah Cox	Drum'r	7 $\frac{1}{3}$	
1	James Quin	Corporal	7 $\frac{1}{3}$	
2	Evan Bramham [Ebin Branham VAS2612]	d'o	7 $\frac{1}{3}$	
3	Thomas Shelton	d'o	7 $\frac{1}{3}$	
4	John Bowen [W5851]	d'o	7 $\frac{1}{3}$	
5	Achilles Fowler	Privates	6 $\frac{2}{3}$	
6	Henry Russell		6 $\frac{2}{3}$	
7	George Brooks		6 $\frac{2}{3}$	
8	Ransdel Abbott		6 $\frac{2}{3}$	
9	William Medley		6 $\frac{2}{3}$	
10	William Ward [S32048]		6 $\frac{2}{3}$	
11	Thos McClanahan [Thomas McClanahan W1052]		6 $\frac{2}{3}$	
12	Robert White		6 $\frac{2}{3}$	
13	Andrew Harrison		6 $\frac{2}{3}$	
14	Stephen Ham		6 $\frac{2}{3}$	
15	Elijah Deer		6 $\frac{2}{3}$	
16	Leonard Sale		6 $\frac{2}{3}$	
17	John Almand		6 $\frac{2}{3}$	
18	Gerard Morton [Jarot Morton VAS1873]		6 $\frac{2}{3}$	
19	Elisha Hawkins [Elisha Hawkins S31103]		6 $\frac{2}{3}$	
20	Robert Chandler		6 $\frac{2}{3}$	
21	James Brown		6 $\frac{2}{3}$	Discharged by order of Colo Spotswood [Alexander Spotswood R18089] Lost his speech; [undeciphered]

[continued]

22	John Chowning		6 ² / ₃	
23	John Gillock		6 ² / ₃	
24	Samuel Warren		6 ² / ₃	
25	William Morris		6 ² / ₃	
26	Joseph Thomas		6 ² / ₃	
27	James Long		6 ² / ₃	
28	Henry Barnet		6 ² / ₃	
29	Turner Thomason		6 ² / ₃	
30	Joseph Hervey		6 ² / ₃	
31	Shadrach Hill		6 ² / ₃	
32	Benjamin Lawson		6 ² / ₃	
33	Thomas Morris		6 ² / ₃	
34	John Fennel		6 ² / ₃	
35	Thornbery Bowling		6 ² / ₃	
36	James Deering		6 ² / ₃	
37	Thomas Breedlove		6 ² / ₃	
38	Jacob Burrus [W340]		6 ² / ₃	
39	Elisha Estes		6 ² / ₃	
40	William Martin		6 ² / ₃	
41	John Snow [S38391]		6 ² / ₃	
42	Thomas Fleeman [S39525]		6 ² / ₃	
43	Lewis Pines		6 ² / ₃	
44	Joel Foster		6 ² / ₃	
45	James Jackson [S38071]		6 ² / ₃	
46	Thomas Ballard		6 ² / ₃	
47	James Beasley		6 ² / ₃	
48	William Turner		6 ² / ₃	
49	Edward Broadus		6 ² / ₃	
50	Perry Patterson		6 ² / ₃	
51	William Lewis		6 ² / ₃	
52	James Gibbons		6 ² / ₃	
	Humphrey Shay		6 ² / ₃	1 st Virg'a Battalion
	John Johnson		6 ² / ₃	Colo [rest
			509 ¹ / ₃	undeciphered]

To Pay Roll	509 ¹ / ₃ Dollars
Enlisting Accompt from last payroll	29 ¹ / ₃ 538 ² / ₃
Humphrey Shay 2 months pay	13 ¹ / ₃
Perry Patterson d'o	13 ¹ / ₃
Edward Broadus d'o	13 ¹ / ₃
Henry Russell d'o	13 ¹ / ₃
Ballance	485 ¹ / ₃ 538 ² / ₃

[The following roll has an additional column headed “Amount of Pay in Virg’a Currency” in pounds, shillings, and pence. The column is not transcribed here, but the amounts can be calculated by multiplying the number of months served by the pay and subsistence per month by 0.3. One or more pages appear to be missing.]

A Pay Roll of capt. James Burton Comp’y in the Regim’t of Guards at Albemarle Barracks Commd by Colo. Fra’s Taylor for the Months of Jan’y Feb’y March Ap’l May June & July 1780

Names	Rank	Commencing Pay	Time of Months	Service Days	Pay and Subsistence pr Month in Dollars	Remarks	
James Burton	Capt	1 Jan’y	7		240	Resigned 6 th March 1780	
John Winston	Lieut		2	6	120		
Wm Kennedy [William Kennedy VAS1039]	Ensign	16 June	1	15	120		
James Goodall	Serg’t	1 Jan’y	7		20		
Roger Shakelford	D’o	D’o	7		20		
John Briant [VAS2738]			7		20		
Thomas Smith			3	13	20		
John Barnett	Fifer		7		17 $\frac{1}{3}$		
Richard Quinn	Corp’l		7		17 $\frac{1}{3}$		
Harden Woodroof [W3485]			7		17 $\frac{1}{3}$		
Wm Ballard [William Ballard]}	Corp’l	1 March	3		17 $\frac{1}{3}$		Reduced to private 1 st June
Wm Ballard }	Privates	1 Jan’y	2		16 $\frac{2}{3}$		
Wm Ballard }		1 Jan’y	2		16 $\frac{2}{3}$		
Phillip Sutherlin [Philip Southerland W19417]			7		16 $\frac{2}{3}$		
Jedithon Canterbury [James M. Franklin S31040]			7		16 $\frac{2}{3}$		
Ambrose Lucas			7		16 $\frac{2}{3}$		
James Farguson [James Ferguson S31675]			7		16 $\frac{2}{3}$		
Jonathan Roach			7		16 $\frac{2}{3}$		
John Young			7		16 $\frac{2}{3}$		
James Haney [S8679]			7		16 $\frac{2}{3}$		
John Lain			[?]		[?]		

Albemarle Barracks Dec'r 13, 1780

Capt'n James Burton of the Regiment of Guards urging That it would be inconvenient to him and prejudicial to his domestick affairs to continue in the Regiment, and having made application to his Excellency Gov Jefferson, has obtained permission to Resign his commission in the [illegible] Regiment, which he has done the date abovementioned

I do Certify that Capt Burton's conduct while in the Regiment of Guards, has been highly approved of by me and that he has constantly behaved in the character of the officer and Gentleman.

F Taylor Col Guards

October 11th 1811

This may Certify that James Burton Entred the Service of the United States as a Caditt some time in Ap'l. 1776 and marchd with me to Orange Courthouse and there Join'd Capt. Francis Taylors Comp'y of the 2nd Virginia Regt & was promoted in said to Rank of Lieut. & I saw him acting as a Capt. in the Regt of Gaurds at Albemarle Barrack some time in march 1780

Wm White [William White] Late Capt/ 5th Virgin'a Regt

I Entered in the service in the 2nd Virg'a Continental Reg't in april 1776, Received an Ensigns Commission the 6th day of November 1776, and got Promoted to Liet. the 4th May 1777 and continued as Liet. in the s'd Reg't till the 23^d Dec'r 1778 at which time I Resigned. Received an appointment as Liet. in the Reg't. of guards Raised to guard the Convention troops at Albemarle Barricks the [blank] Jan'y. 1779 which Reg't. was placed on Continental Establishment, got Promoted to Capt. and Commanded a company untill the 13th December 1780 in the s'd Regt.

My Resigning out of one Reg't. and taken a Commission in a nother it appeared to be a bar, Believing myself in Justice Intitled to those donations given to the Officers but knowing not how to obtain it never made any application, and have never received any thing for my services only my wages and the Deprection of the Paper money. I am now getting old with a large Family and needy. Seeing an Advertisement of the Executive requesting those who has Claims to bring them in which has Induced me to present mine, and if I am thought deserving, I shall thankfully [several illegible words] content myself with the belief that I have deserved well of my Country. I have served allmost five years and only three or four weeks out of service in the time

James Burton/ Orange County Virg'a/ Oct'r. 24th 1811

I do hereby Certify that James Burton entered as Cadet in the service of United State the month of Ap'l. 1776. marched with me from Orange Cty to the City of Williamsburg where he joined the 2nd Virg Cont'l. Reg't Rec'd. an appointment as Ensign in s'd. Reg't. the 6th Nov'r following, and on the 4th May 1777 was promoted to Leutenancy marched with the s'd Regt to the State of New Jersey and Continued to do duty as Leut till 23^d Dec'r 1778 at which time the Regiment was [illegible word]

F. Cowherd [Francis Cowherd W6721] Late Cap'n. 2^d Virg'a Cont'l. Reg't.

25th Oct 1811

At a monthly court held for the county of Orange on monday the 28th of October 1811.

James Burton this day made oath in open court, that he entered the Army, in the second Regiment of the Virginia line on Continental establishment, on the [blank] day of April 1776, as a Cadet – that on the eight day of November in the same year, he was appointed Ensign – and on the fourth day of May 1777 received Commission of Lieutenant and continued to act as such till the 23^d day of December 1778, when he resigned. That he was commissioned Lieutenant in the regiment of guards, raised to guard the Convention troops, at the barracks in Albemarle, on the [blank] day of January 1779, (which Regiment was placed on Continental establishment) and subsequently promoted to the rank of a Captain & commanded as such until the 13th of December 1780, in the said Regiment. And that he hath

never claimed or before proved his right to [illegible word] for the service aforesaid which is by the court ordered to be recorded.

[A note dated 1 Nov 1811 states that Burton's claim was rejected, because he had not served three years without interruption.]

NOTES:

The federal file includes a copy of James Burton's last will and testament signed 26 Nov 1828 and proved 26 Oct 1829. The following are among the provisions:

To sons James and William land in Kentucky.

To son Bezaleel Burton Negroes David and Ben to be in his mother's care until he arrives to lawful age, and also land in Kentucky.

To the widow of son John M. Burton the loan of land in Kentucky as long as his children remain with her.

To daughter Frankey Goodridge Negro girls Daffny and Caroline, and also land in Ohio. To daughter Nancy Brown a Negro named Simon, a horse, and land in Ohio.

To daughter Ann Elisabeth Burton Negro Phillis and her children Arener, Polly, and Monroe, and also land in Ohio.

To "helpless daughter" Ursula Burton Negroes named Mourning, Dinah, Barbour, and Elliott, in her mother's care as long as she lives, then in the care of Ann Elisabeth Burton.

In addition, James Burton and his wife Elizabeth Burton provided that 142 acres in Orange County adjoining Robert Cave and the widow Dennison be given to their daughter Ann Elisabeth Burton.

A document dated 30 Dec 1833 states that James Burton died on or about 21 Aug 1829, that his son, Bezaleel Burton, would soon arrive at the age of 21 years, and that the "afflicted daughter," Ursula, lives with her mother.

On 18 July 1832 Elizabeth Burton assigned power of attorney to obtain additional bounty land for the service of her husband.