

**Southern Campaign American Revolution Pension Statements &
Rosters**

Petition relating to the service of Kirby Poythress Va15¹
Transcribed by John M. Poythress

5/28/11

Poythress, Kirby (Sergeant), Southampton County, VA

This file contains only two documents. First is a poor image cover page indicating that the original claim was received on 19 Oct 1839, remanded for additional evidence and then rejected in 1840.

The only document remaining in this file is a deposition of one William Oney transcribed as follows:

“Virginia: At a court held for the County of Southampton on the 16th day of September 1839.

In open court came William Oney who made oath that he was well acquainted with Kirby Poythress dced, formerly of Southampton who died somewhere from 25 to 30 years ago in the county of Southampton. The deponent further states that the said Kirby Poythress enlisted in the army of the Revolutionary War and served in the said Army about five years and did not leave the service until the end of the War. The said Kirby was at York Town in battle at the capture of Cornwallis. He left the County of Southampton under the command of Captain James Gray and went first to the North. The deponent was never with the said Poythress in any engagement other than that at York Town. The deponent further states that the said Poythress had the following children his sole heirs at his death, to wit baby Ann, Sally & Peggy and one son called Gideon Poythress – that the females aforesaid died some years ago without issue and the said Gideon died in October last leaving Benjamin Poythress, Patsy or Martha Poythress and Ann Poythress his children. Martha is the wife of Benjamin Andrews, Ann is dead without issue and Benjamin is still living in Southampton County, State of Virginia and that there is no widow of the said Kirby Poythress now living.

—
&
—

¹ The originals are to be found in 3 sets of microfilm reels in the Library of Virginia: Revolutionary War Bounty Warrants, reels 1-29; Virginia Land Office Military Certificates, reels 1-38; and Revolutionary War Rejected Claims, reels 1-15.

Teste,
L. A. Edwards, CC”

Comments: Presumably it is grandson Benjamin and/or granddaughter Martha Poythress Andrews making the claim.

It may be expected that untimely claims were held to a high standard of proof. Oney’s testimony of witnessing Kirby Poythress in only one battle would not seem to be helpful on its own. Also, one might expect that an enlisted man’s presence would be less conspicuous than an officer. Any other evidence presented in petition at the time of the claim was demonstrably unsatisfactory to gain approval. Several inferences suggest the difficulty of carrying this claim.