

TMG 3569 Mil Taylor Jesse Affid-Poy Lewis re RevWarPen wid  
[Poy Lewis Affidavit for Taylor Jesse's widow for Rev War Pension]  
Date: 30 May 2010  
Subj: Lewis Poythress birth place & year in his affidavit for a Taylor  
From: Barbara Neal  
To: Poythress List <poythress@rootsweb.com>

I post this today with thanks to Sarah Poythress who pointed me to this affidavit. Sarah earlier found and printed the affidavit during a limited-time-free access of documents at Footnote.com. I then got a one-week free-trial access to their now-premium-level collection of Revolutionary War Pension Applications, and found the below-transcribed 2 pages containing Lewis Poythress' affidavit, and a certification of it. Immediately following it, below, is another page from the file, which evaluated the widow's application on the basis of Lewis' affidavit.

The applicant was "Mary or Polly Taylor" widow of Jesse Taylor, based on his Virginia service as a Sergeant during the Revolution. Her application was given Number "W.11598" and the jacket for the application bears [Bounty Land Warrant number] "B.L.Wt.12705 -160-55" The scans of the file come from the National Archives & Records Administration (NARA) M804, Revolutionary War Pension and Bounty-Land Warrant Application Files.

We learn from Lewis' own affidavit, made on 18 May 1846 in Mecklenburg Co, VA, and from the Justice of the Peace's certification of it, that

- Lewis was born in Dinwiddie Co, VA about 1765 - 1786
- at age 80 Lewis' mind was apparently not impaired by age, per the J.P.
- Lewis lived in Brunswick Co, VA during the Revolutionary War, before coming to Mecklenburg Co, VA
- Lewis had lived in Mecklenburg Co, VA since about 1786
- and it's nice to know Lewis was "a gentleman of the first respectability" per the J.P.

Actually Lewis made a critical mis-statement in his affidavit: we know that his first marriage bond was 27 Dec 1792 in Mecklenburg Co, VA for his marriage to Elizabeth Giles. That marriage ended in her death. He then soon married Rebecca B Taylor, per bond in Mecklenburg Co, VA dated 9 April 1802. Thus as of his 18 May 1846 affidavit, he had been married for a total of about 53.5 years in those two consecutive marriages, NOT about 56 years as he stated. As we'll see below that hurt the cause of Mary or Polly getting a pension.

Lewis was correct that Jesse and Mary or Polly Taylor were married before he married, because per Mary or Polly's own statement, she and Jesse Taylor married in the end of Aug or first part of Sept of

1792, which was about 4 months before Lewis married Elizabeth Giles at the end of Dec 1792. However, he said they were living together as husband and wife "before 1792" which was likely wrong.

Further notes: The good news is that after nearly two more years, and after more affidavits, and finally a special Act of Congress for her relief on 14 August 1848, Mary or Polly Taylor finally got her widow's pension. Pursuant to the Rev War Pension Act of 7 July 1838, after her own special Act of Congress in Aug 1848, she got a pension of \$120 per year, to commence retroactively, as of 7 April 1845, the date of her initial application in Hamilton Co, IL.

Through the voluminous paperwork in the file, we learn other interesting facts about this former resident of Mecklenburg Co, VA. On 7 April 1845 she had stated she was 67 years old, thus born about 1777-1778.

We also learn her maiden name and her father's name: from Hamblen Freeman's 7 Nov 1846 affidavit (when he was then living in her county's adjacent Illinois county of Franklin) that he grew up in Mecklenburg Co, VA, within 2 miles of the farm where the widow, Mary Branton, daughter of James Branton, grew up.

Hamblen Freeman was about 3 years younger than she was and he clearly recalled her marriage in about 1792 to Jesse Taylor because she was so young and Jesse Taylor was "an old young Man" which age difference "Created More than ordinary Conversation with this affiants associates, and Among the Neighbors."

Freeman also testified that Jesse Taylor was known there to have served in the Revolution as a Soldier and a Sergeant, and particularly remembered his speaking of having been in the Battle of Guilford Court house. Hamblen Freeman said he never heard the legality of Taylor's marriage to Mary Branton questioned, and he never heard anyone dispute Taylor's having been a Soldier & a Sergeant in the Revolutionary War.

Mary or Polly and her husband Jesse Taylor lived in Rutherford County, Tennessee (the area around Murfreesboro - a little southeast of Nashville), at the time he initially applied for a Revolutionary pension on 17 January 1829. Jesse stated that he "enlisted in the Continental line of the State of Virginia, of the Army of the Revolution, for twelve months, and was in the service at the close of the War; at which period I was an orderly Sergeant in Captain Ballard company, in the then Regiment commanded by Colo: Samuel Meredith." His pension application was rejected.

Unfortunately for us, Jesse Taylor gave no indication of his age when he applied. I have not yet gleaned enough from the file, or from other info, to determine exactly how this Revolutionary Sergeant, Jesse Taylor, may have been related to the second wife of Lewis Poythress, Rebecca B Taylor. I presume they were likely related, because many years after Jesse Taylor and his widow had left Mecklenburg Co, VA (at least by 1829), the widow, from Hamilton Co, IL, was in touch with Lewis Poythress in Mecklenburg Co, VA, in order to get Lewis' 1846 affidavit trying to help her get her widow's pension.

Lewis' 2nd wife was daughter of David Taylor and Rebecca Dortch; and she was granddaughter of Thomas Taylor, Sr, of Mecklenburg Co, VA whose will I posted a transcription of yesterday, 29 May 2010. His 24 Oct 1772 will mentioned a grandson, Jesse Taylor. I'll also be posting a transcription of a will of the Jesse Taylor who was apparently that grandson, who died early in 1792 leaving wife Phoebe (nee Moody), who was pregnant when he made his will on 5 Sep 1791. Thus Thomas Taylor Sr's grandson Jesse Taylor (who had not yet been of lawful age on 24 Oct 1772, and who died in early 1792) was not the same person as today's posting's Jesse Taylor, Revolutionary Sergeant who died about 40 years later.

Not only did the Revolutionary Sergeant Jesse Taylor's widow Mary or Polly nee Branton get her widow's pension retroactively, but later she applied by an affidavit dated 31 March 1855, (at which time she said she was age 77, which is consistent with her earlier age of 67 on 7 April 1845), for Bounty Land which she apparently got, judging from the Bounty Land Warrant number on her file's jacket. In presenting that 1855 statement, other Hamilton Co, IL residents helped her: yet another Jesse Taylor and Jane Taylor, who stated they were disinterested parties in any land she would get; and H.W. Hall, the Justice of the Peace certifying their statement added that he had seen the widow's husband, Jesse Taylor, die.

The Revolutionary Sergeant Jesse Taylor had died 24 Feb 1832. From Justice of Peace Hall having seen Jesse die, it seems likely he died in Illinois (just 3 years after he had been in Rutherford Co, TN) in the area of Hamilton County, IL -- county seat of which was then and still is, McLeansboro, IL, which is about 30 miles into southern Illinois from near the intersection of Kentucky & Indiana with that eastern border of Illinois -- not far west of Evansville, Indiana, and not far west of where the Ohio River (one of the "freeways" of that day) forms the state line along between Kentucky and Indiana.]

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[Transcribed from jpg image, Page 77, of the file for the Revolutionary War Pension Application to Virginia by the widow of Jesse Taylor. Image viewed at Footnote.com. Remarks inserted in square brackets within the affidavit are remarks by Barbara Neal when transcribing May 30, 2010]

Commonwealth of Virginia  
Mecklenburg County

On this eighteenth day of May in the year one thousand eight hundred and forty six before the subscriber one of the Justices of the peace in and for the county aforesaid, personally appeared Lewis Poythress a Citizen of Said County, who being first duly Sworn according to the laws of the State of Virginia doth depose & Say: That I am eighty years of age. I was born in the County of Dinwiddie and lived in the County of Brunswick Va during the Revolutionary War, and have resided in this county about sixty years. I was personally acquainted with Jessee Taylor who formerly lived in this County. I know that Jessee Taylor & Polly lived together as man and wife before seventeen hundred and ninety two from the fact that they lived together before I was married and I have been married fifty ["five" was struck out here] six years. I know that Jessee Taylor & Polly lived together several years before they had any child but do not recollect precisely the number of years. I lived within three miles of Jessee Taylor from the time I moved to this county until he moved from this state. The names of his children

were as follows. The eldest was name Charles. Then William. Then James. Then John. Then Jessee of the Boys and one Daughter by the name of Betsey. I know that Jessee Taylor was reported & believed to have been a soldier in the Revolution & I concur fully in the opinion from the fact that I lived with Taylor one year & frequently heard him say that he served in that war. Lewis (his X mark) Poythress

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[Page 78 is the back side of page 77. Image viewed at Footnote.com. The first two sections below are in one handwriting. The third section of the page is in a different handwriting.]

The within deposition were subscribed and sworn to before [me?] this 18th day of May 1846 Thos. Wartman, JP.

I certify that Lewis Poythress who has subscribed and sworn to the within deposition is a credible witness that he is a gentleman of the first respectability and his mind apparently not at all impaired by age. Given under my hand this 18th day of May 1846.

Thomas Wartman JP.

Virginia

Mecklenburg County [??]Ct

I, Richard B Baptist Clerk of the County Court of said County do hereby certify that Thomas Wartman is a magistrate as above and that the forgoing signatures purporting to be his are genuine [wax seal, covered by small square of paper]

In testimony whereof I hereto

set my hand and affix my

seal of office at office

this 28 day of May 1846

Rich'd B Baptist C

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[Page 49, which is the Pension Office's evaluation of Mary or Polly Taylor's widow's pension application after they received Lewis Poythress' 18 May 1846 affidavit]

[at top center of page, this sheet indicates it was a copy of a letter:]

(Copy)

[return address portion, at upper right:]

Pension Office,

July 13th 1846

Sir,

I have the honor to inform you that the affidavit of Lewis Poythress in the case of Mary or Polly Taylor, widow of Jesse Taylor, does not furnish the proof of the date of their marriage heretofore required.

This witness states that he had been married fifty six years, and that these parties were living together as husband and wife before his marriage.

In her declaration, made in April 1845, Mary Taylor says that she is aged sixty seven years, and alleges that her marriage took Place in 1792.

Agreeably, therefore, to her own statement, claimant was but fourteen years old at the date of the consummation of that event. This witness has placed the date thereof at a period more than two years prior to that of Mary Taylor, when she must have been under twelve years of age, which is altogether improbable.

[signature section which is on the right-hand side:]

I have the honor to be,

Very respectfully,

Your Obt. [obediant] Serv't. [servant]

J. L. Edwards

[on left side, at bottom:]

Hon. Sidney Breese,

Senate United States