

ABRAHAM TIPTON.

MARCH 1, 1838.

Read, and laid upon the table.

Mr. JOSEPH L. WILLIAMS, from the Committee on Revolutionary Claims, made the following

REPORT:

*The Committee on Revolutionary Claims, to whom was referred the petition of the heirs of Abraham Tipton, deceased, report:*

The petition represents that said Tipton was a captain in the continental army of the Revolution, and as such died in the service of the country. The army-rolls in the office of the Third Auditor of the Treasury show that Abraham Tipton was appointed a captain in the Virginia line of the army, and that he commanded a company; but said rolls do not conclusively show that he continued in service to the end of the war, nor that he died in service.

The testimony of Hugh McGavock, of Wythe county, Virginia, establishes the following facts: That he, himself, was an officer in the revolutionary war, and attached to Colonel Joseph Crockett's regiment of the Virginia State line; that he has drawn half pay, and is now drawing a pension under the act of Congress of the 7th of June, 1832; that he was well acquainted with Abraham Tipton; that he first made his acquaintance at the barracks in Albemarle county, Virginia, in 1780; that Tipton was then commanding a company in the same regiment; that Tipton continued in that service and capacity until his death, some time in 1781, when he was killed by the Indians near the falls of the Ohio river; that affiant was in company with Tipton when, a short distance from the main body of the troops, he was shot down; that, hastening away, and giving notice of the occurrence, he returned with a body of men and found Tipton dead, scalped, and almost divested of his clothing.

The heirs pray the allowance of commutation pay, in consideration of the services of their ancestor, commensurate with the grade of captain. The committee cheerfully admit that the proof in this case establishes the fact of the meritorious service rendered by Abraham Tipton; but at the same time insist that, under the circumstances and the law, that service constitutes no valid claim against this Government. The claim may be properly referrible to another tribunal.

The committee are constrained to render an unfavorable report.