

JAMES MITCHELL.

MARCH 5, 1846.

Read, and laid upon the table.

Mr. GORDON, from the Committee of Claims, made the following

REPORT:

*The Committee of Claims, to whom was referred the petition of James Mitchell, report:*

There is no proof of the destruction of the property of the father of the petitioner by the British in the Revolution, other than the affidavit of the petitioner himself, and the affidavit of John Fain, neither of whom had any knowledge of the destruction of the property other than hearsay. John Fain, the witness, testifies to what he heard the family of Adam Mitchell, the father of James Mitchell, say about the losses sustained by the British when he was a boy, and after the family had moved from North Carolina to Tennessee. James Mitchell also states what he heard his father say about it, having no knowledge of the facts. There is, therefore, no legal or satisfactory proof of the destruction of the property by the British or other persons. Besides, if the facts could be ever so clearly proved, they would constitute no claim on the United States for indemnity. The petitioner is not entitled to relief.

*To the honorable Senate and House of Representatives of the United States:*

Your petitioner, James Mitchell, respectfully represents:

That he is a native citizen of the United States, and now resides in Bradley county, Tennessee; that during the revolutionary war his father, Adam Mitchell, sen., was a resident citizen of Guilford county, North Carolina, and possessed of a fine farm, upon which he then resided, adjoining the county town where the court-house then was, and that he was keeping a boarding-house, cultivating his farm, and carrying on both a tanyard and distillery, at the time the Guilford battle was fought, and that the house of your petitioner's father stood directly between the American and British armies, when and where everything was totally destroyed of which he was possessed, except the dwelling-house and some few beds and bedclothes saved by your petitioner's grandmother.

Your petitioner further represents that his father, Adam Mitchell, sen., was taken prisoner, and penned in a rail pen, and fed with ears of corn

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like a hog, and guarded with a regular guard, until your petitioner's mother obtained permission from the British authorities to carry him other provisions. He was afterwards exchanged and set at liberty. Your petitioner being poor, and being the only surviving child that he certainly knows of that is now living of Adam Mitchell, sen., deceased, prays for relief, believing that it is just that he should have pay for said property which was destroyed, and also for the land which his father was compelled to abandon, and for which no person ever received any remuneration that he is apprized of. Your petitioner does not pretend to say or know positively what said land and other property was worth at that time, but supposes that it was worth something like \$8,000 or more. This estimate is put upon it by your petitioner, from what he has frequently heard his parents say upon the subject of their loss, as well as his elder brothers and sisters.

Your petitioner further states, that he himself served a six months' tour in the Creek war, and had a crippled knee most of the time; for this, however, your petitioner claims nothing, as he was duly paid.

Referring to the testimonials of character which accompany this petition, your petitioner prays relief, and will forever pray.

**JAMES MITCHELL.**

**STATE OF TENNESSEE, *Bradley county* :**

Personally appeared before me, Robert M. Swan, an acting justice of the peace in and for said county, James Mitchell, and after being duly sworn, deposes and says, that the facts stated in the foregoing petition, by information, he believes to be true, and those of his own knowledge he knows to be true.

**JAMES MITCHELL.**

Sworn to and subscribed before me, this 24th day of November, 1843.

**R. M. SWAN,**

*Justice of the Peace.*

**STATE OF TENNESSEE, *Bradley county* :**

I, John H. Robertson, clerk of the county court for the county of Bradley aforesaid, do certify that R. M. Swan, whose name appears to the foregoing affidavit, is an acting justice of the peace for said county. He was duly elected, commissioned, and sworn, and faith and credit is due to his official acts.

Given under my hand and seal of office, at office in Cleveland.

[L. S.]

**JOHN H. ROBERTSON, Clerk.**

NOVEMBER 24, 1843.

**STATE OF TENNESSEE, *Bradley county* :**

I, Robert M. Swan, chairman and chief presiding justice for said county court, do certify that John H. Robertson, whose name appears to the foregoing certificate, is the clerk of said county court, and that his certificate appears in due form of law.

Given under my hand and seal, this 24th day of November, 1843.

**ROBERT M. SWAN, [L. S.,]**

*Chief presiding justice.*

We, the undersigned, citizens of Bradley county, Tennessee, do certify and show to the Congress of the United States assembled, that we have been intimately and well acquainted with James Mitchell, whose name appears to the foregoing petition; that we have examined the statements and facts alleged in the foregoing petition, of the truth of which we have no personal knowledge; but from the well known character of the said James Mitchell, whose name is appended thereto, for veracity, honesty, and gentlemanly deportment in all his acts and intercourse with society, we have no doubt of the correctness of the statements therein made, to the best of his knowledge and belief, because we would feel bound to believe any statement of facts that James Mitchell would make, either upon oath or otherwise.

We do most earnestly recommend to your honorable body to grant the relief to James Mitchell prayed in his said petition. It would be bestowing and paying a debt to the son, long since due a deceased father, though perhaps unasked for by the ancestor. And process of time has rendered it fitter for the government to remunerate the said James Mitchell for the said losses sustained by his father, as he is now far advanced in life, and is poor, with a large but respectable female family dependant upon him alone for sustenance and education.

John C. Gant  
 A. J. White  
 Wm. W. White  
 John H. Robertson  
 F. Kincannon  
 Andrew Cenear  
 Jesse Poe  
 Fanteroy A. Carter  
 John G. Carter  
 L. B. Miller  
 G. R. Hambright  
 Luke Lea  
 James Berry  
 Ralph E. Tedford  
 J. W. Inman  
 Euclid Waterhouse  
 John Osment  
 A. A. Clingan  
 Benjamin S. Howard  
 George W. Saller  
 J. A. Johnston  
 D. C. Kenner  
 G. W. Allison  
 Bynum Jarnagin  
 George W. Rowles  
 A. P. Defriere  
 Levi Trehwhitt  
 R. S. Stuart  
 John H. Payne  
 Francis W. Lea

Andrew Russell  
 John Kincannon  
 Elias Bowler  
 Wm. H. Thompson  
 George T. Parker  
 Thomas McNutt  
 Baldwin Horle  
 Archibald Fitzgearalds  
 J. S. Alexander  
 Isaac Smith  
 R. M. Swan  
 James Cates  
 George Colville  
 William Thornburgh  
 Allison Howard  
 Wm. L. Brown  
 Samuel Blevins  
 N. G. Burgess  
 John Hughes, of Pope Co.  
 James A. Hartley  
 John H. Grant  
 John F. Hayes  
 William Grant  
 G. J. B. Thompson  
 J. W. McNaire  
 James Lauderdale  
 E. Bates  
 James Donohoo  
 Henry Price  
 Thos. F. L. Bates

B. B. Brown	David Lay
S. A. Erving	John Reneau
S. W. Eldredge	Anderson Cagele
J. M. Spriggs	C. J. Price
Wm. Smith	Simon Dixson
Young McLimore	John L. Wilson
John Rowe	G. W. Parks
Hiram Rees	A. J. Parks
Anthony B. Green	James Dobbs
John Beaty	Wm. P. Lea
Josiah S. Price	Thomas Wooden
James C. Opecar	Edward Cooper
Thomas Jack	Josiah Johnston
Hiram Pendergach	Benjamin F. Taylor
Hasten Poe	Alfred H. Lawson
Martin Langston	H. W. Von Aldehoff
John Clabough	J. B. Carmichael
W. C. Everett	William C. L. Walker
Reynolds Lawson	J. Armstrong Lea
Pleasant Casey	A. B. Akin
Bennet Cooper	J. M. Johnston
Thomas Low	John W. Price
Dempsey Cooper	Joseph Farmer
Joseph Stewart	Posey Haise
James H. Tedford	William Castiller
Ben. N. C. Johnson	Daniel Kirk
Wm. J. Johnson, McMinn Co.	William Samples
R. J. Moodey	Joseph Z. R. Brown
Daniel Williams	John R. Wooten
John P. Angelly	John Taylor
John Lea	John M. Pepper
J. Langston	P. J. G. Lea
Elisha E. Miller	B. S. Jack
J. P. Bates	

JEFFERSON COUNTY, *October 16, 1843.*

I, John Fain, a citizen of Dandridge, and State of Tennessee, do certify that I have been acquainted with James Mitchell, who was raised in Washington county, from his infancy; that said Mitchell resided in my family upwards of one year; that he is a man of good character, and that any assertion he would make on oath or otherwise is entitled to full credit, and would be believed by me.

JOHN FAIN.

I am well acquainted with the character of Mr. John Fain, and believe him to be entitled to the fullest credit for any statement he would make.

J. W. BLACKWELL.

OCTOBER 23, 1843.

SPRINGTEALE, TENN., *October 19, 1843.*

I do certify that I have for many years been acquainted with James Mitchell, who now resides in Bradley county, Tennessee; and that he is a man of good moral character, and worthy of credit on oath or otherwise.

NICHOLAS FAIN.

I am well acquainted with the character of Nicholas Fain, and believe him to be entitled to the fullest credit in any statement he would make.

J. W. BLACKWELL.

OCTOBER 25, 1843.

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DANDRIDGE, TENN., *March 3, 1844.*

I do certify that I am personally acquainted with James Mitchell, who lives in Cleaveland, Bradley county, Tennessee, and that he is the son of Adam Mitchell, who, during the revolutionary war with England, resided in or near to Guilford Courthouse, in North Carolina, as I have often heard the family say when I was a little boy; remember well the time when Adam Mitchell and family moved to Washington county, (in what is now Tennessee,) and his father-in-law gave him a tract of land about five miles east of Jonesborough, on which he and his wife departed this life. I am now near sixty-six years of age, and can recollect things that passed in the days of my boyhood better than those that were acted six months past. Having been often with the sons of Adam Mitchell, who were near my own age, and, after the death of my father and mother, lived about two years in the family, have often heard them say that their father lived at Guilford Courthouse at the time of the battle; that they had a tanyard and a distillery, and kept a public house; and that they sustained great losses by the British; and that Adam Mitchell was taken prisoner by them, but at what time or place, or how long detained, I know not.

Given under my hand.

JOHN FAIN.