

Pension Application for John Manley or Manly

S.9394

Thirtieth Congress—First Session.

Report No. 110

[To accompany bill H.R. No. 99

HOUSE OF REPRESENTATIVES

January 19, 1848.

Mr. Lawrence, from the Committee on Revolutionary Pensions, made the following
REPORT:

The committee on Revolutionary Pensions, to whom were referred the memorial and accompanying papers of John Manley, praying for a pension, report:

That the petitioner, John Manley, of the city of New York, who is, probably, the last survivor of the prisoners confined during the revolutionary war on board the old Jersey prison-ship, in which so many of our brave countrymen lost their lives from the cruelty of the enemy, applies for the benefit of the act of the 7th June, 1832, giving pensions to certain surviving officers and soldiers of the revolution.

His proofs not being strictly in accordance with the rules and regulations of the Pension Office, he is directed to Congress for relief. He has established his case to the satisfaction of the committee, by the best evidence of which his case is susceptible, and such parts of it as is material are hereto annexed. The rules of the Pension Office requiring a certificate of an officer, or the affidavit of two witnesses personally acquainted with the facts, cannot now be obtained, for, as far as can be ascertained, the commanders certainly, and the comrades probably, of this venerable survivor of our navy of the revolution, *are all dead.*

The statements presented by him carry with them the force of evidence themselves, inasmuch as they furnish us with some facts which have as yet not appeared in the written histories of the navy, and which would, in their particularity, have escaped the recollection of any one except and actor in the events himself. The testimony produced by him consists:

First. His own affidavit of the facts and circumstances, with the affidavits of the Rev. Dr. DeWitt and James VanAntwerp, Esq., of the city of New York, who testify to their acquaintance with the petitioner, and the general reputation in the neighborhood of his being a midshipman in the navy of the revolution. To these affidavits is appended the certificate of the clerk of the court of common pleas of the city and county of New York, under the seal of that court, declaring the opinion of that court to the same effect. These affidavits and certificates are hereunto annexed, and marked No. 1, No. 2, and No. 3.

Second. The affidavits of Ann Marley, the sister of the petitioner, sustaining his statements, so far as the same is within her knowledge, and of Dr. James R. Manley, his brother, in relation to the family history; which affidavits are also annexed, marked No. 4 and No. 5.

Third. An original letter, from the mother of the petitioner, to her sister, dated Philadelphia, October 22, 1781, mentioning the capture of her son on board the Trumbull and his imprisonment on board the prison-ship. This is marked No. 6.

Fourth. Portions of the journal kept by the petitioner on the voyage of the ship General Washington, from Philadelphia, to Havre, from June 8th to June 11th 1783, both inclusive, and from June 28th to July 1st, both inclusive, when she arrived in the latter port. These portions of the journal are filed with the papers before the committee.

From these proofs, and other statements among the papers of the petitioner before the committee, it appears that the petitioner has never received any annuity or pension from the government; that he entered the service of the United States as a midshipman on board the Trumbull frigate, 28 guns, James Nicholson, commander, in the spring of 1781; and that he sailed in her early in July of that year from Philadelphia.

The Trumbull was blockaded in the Delaware until the 8th of August, when she put to sea; but was captured the same night by two British cruisers, the Iris of 32 guns, and the general Monk of 18 guns, after a gallant resistance and the loss of five killed and eleven wounded, of whom the petitioner was one. We learn from his papers, now for the first time, the names of *all* the officers on board the Trumbull, viz: James Nicholson, commander; _____ Maltby, first lieutenant; Richard Dale, second lieutenant; John Morrow, surgeon, and Samuel Morrow, assistant; John Manley, the petitioner; and David Haight, of New Jersey, midshipman. Captain Alexander Morrow * was a volunteer.

* A letter of Captain Nicholson, giving an account of the action, is to be found in the Philadelphia papers of September 27, 1781; but neither that letter, nor the naval histories of Cooper, and others, give us the names of all the officers.—(See Pennsylvania Packet of above date.)

Upon the capture of the Trumbull, the officers and men were all taken to New York and confined in the prison-ships, where they remained until the last day of November 1781, when the officers were exchanged. They returned to Philadelphia; here the petitioner again entered on board a public ship, and, in October, 1782, sailed in the General Washington, under Commodore Barney, who was despatched by the American government with despatches to Dr. Franklin, then our minister at the court of Versailles, and who brought home, on the 12th of March, 1783, the news of the signing of the preliminary articles of peace, and also a large amount of gold and silver.

The definitive treaty was signed on the 3d of September, and it found the petitioner still on board the General Washington; he reined in her still, under Commodore Barney, until the 4th of April, 1784, when he received an honorable discharge under the hand of that brave commander.

The time of actual service of the petitioner was two years and three months, namely ten months on board the Trumbull and the Jersey prison-ship; and on board the General Washington one year and five months, seven months of which was after the war, making one year and eight months' actual service during the war.

It will be observed, that although the proofs in this case are not of the form or character required at the Pension Office, yet taken collectively, they cannot be said to be less conclusive and satisfactory.

The committee do not hesitate to recommend that the petitioner be allowed the usual pension, for one year and eight months' service in the navy as midshipman, and ask leave to bring in a bill accordingly.

No. 1

City and County of New York SS.

On the first day of April 1845 personally appeared John Manley a resident of this city, aged upwards of eighty years who being first sworn according to law, doth on his oath, make the following declaration in order to obtain the benefit of the act of Congress passed June 7th 1832.

That he entered the service of the United States in the Frigate Trumbull, then in the port of Philadelphia, under the command of Capt James Nicholson as a midshipman early in the spring of 1781--I think in March sailed from Cape May on the tenth day of August following, say high noon; immediately on clearing the Cape we discovered three sails to the eastward; they made chase after us; we carried away our fore-topmast and rendered a perfect wreck in this situation the enemy came along side, at midnight (the Iris Frigate and Sloop of War General Monk--).

After an action of near three glasses --we were compelled to strike; we were towed into New York and sent to the Jersey Prison Ship, and there remained until late in the fall. I think the latter part of November.

I hereby relinquish every claim to a pension or annuity except the present, and declare that my name is not on the pension roll of the agency of any state.

And further this deponent in the fall of 1782 was attached to the United States ship of war Genl Washington, Capt. Joshua Barney Esqr, Commander; said ship was employed as a packet to Europe, with dispatches, and so continued until April one thousand seven hundred and eighty four; she was the ship that brought over the preliminaries of peace from L'Orient and also a heavy loan of money, which your petitioner deposited in the Bank of North America, Chestnut Street, by order of Robert Morris Esqr. our financial agent.

This ship made three voyages to Europe the first to L'Orient, the second and third to Havre and Plymouth, and further before we departed from L'Orient there was forwarded to Capt. Barney through the hands of "Benjamin Franklin from Versailles" a passport from the "Crown of Great Britian" for our ship having "dispatches of his importance" and to proceed home "immediately"—and lastly, here is a copy from memory (and I believe strictly correct.) of a discharge from my commander:

"I hereby certify that the bearer John Manley was one of my midshipman on board of the Sloop of War General Washington under my command for near two years, and an attentive active officer. Joshua Barney, Baltimore. April 4th 1784."

And further this deponent saith not. Jno. Manley

Subscribed and sworn to before me this first day of April A.D. 1845.

M. Ulshoeffter, *First Judge New York, Common Pleas, and ex-officio Justice of the Peace.*