

Pension Application for William Munday

W.24027 (Widow: Leah) Died December 29, 1829. Leah died October 8, 1840.
Washington D.C. Novr 8th 1850.

Sir; I herewith present the papers in support of the claim of Miss Hannah P. Munday daughter and executicx of Leah Munday deceased, for the amount of pension due the said Leah at the time of her death, under the act of the 7th of July A.D. 1838, as the widow, and on account of the services, of her husband William Munday, during the Revolutionary War.

From the rolls in your office, it appears, that the said William Munday, belonged to the Second Regiment, New York Line of the Continental Army during the Revolutionary War, --that he was commissioned as a Lieutenant in said Regiment on the twenty first day of November A.D. 1776—Quarter-Master on the [blank] day of May A.D. 1778, [?] as Quarter-Master on the [blank] day of January A.D. 1780 and dismissed by General Court Martial, on the eleventh day of October A.D. 1781.

A certain William Munday, whom I am induced to believe, is the identical William Munday above referred to, appears to have been a Sergeant in the first Regiment, New York Line, on the 22d day of July A.D. 1776, as he was recommended for promotion to an Ensigncy on that day, in Capt. Ledyard's Company , the Regiment commanded by Col. McDougall. See American Archives 5th Series Vol. 1st page 646.

The said William, intermarried with the said Leah, whose maiden name was Simpson, on the sixth day of February A.D. 1786, in Baltimore and State of Mary land, as is substantially proved by a certified copy of the marriage license, and the affidavits of Jonathan W. [Hurley?] George Decker, and William J. Alevek, which accompany the memorial of the said Hannah P. Munday. The said William departed this life, on the twenty ninth day of December A.D. 1829, and his widow, the said Leah, who survived him, departed this life on the eighth day of October A.D. 1840.

The said Leah presented to you, her claim on the tenth day of September A.D. 1838, under the act of the 7th of July A.D. 1838, which was however rejected by you, because her husband, on account of whose services the pension was claimed, had been cashiered by the sentence of a general court martial.

After the rejection of the said claim, as aforesaid, the said Leah, made application to the Congress of the United States for relief, and a committee of the House of Representatives, to whom the papers were referred, reported in favor of allowing to the said Leah Munday, widow of the said William, "five year's full pay of a lieutenant" as will appear by a copy of the Report and Bill here produced marked P and Q.

As some evidence of the efficient services, and high military character of the said William Munday, and that he received a severe wound while fighting in defence of his country, I beg leave to refer you to copies of certain letters and certificates of Col. Chs. VanCortlandt and Capt N. Fish of the 2d New York Regiment (the originals of which as I understand were filed with the claim of Mrs. Leah Munday in your office but cannot now be found), here produced marked "R".

All of the facts necessary to establish a claim to the amount of the Pension [?] to be due to the said Leah Munday at the time of her death, having been fully proved, as I conceive, the only question which presents itself is whether the claim is bound by the sentence of the General Court Martial aforesaid, by which the said William Munday was dismissed.

The acts of Congress of the seventh of June A.D. eighteen hundred and thirty two, and of the seventh of July A.D. eighteen hundred and thirty eight, contain no claim or proviso, which can, by any possibility be constituted to exclude or impair, the right to the arrears of pension, now claimed. So far from it, the act of the seventh day of June A.D. eighteen hundred and thirty two, expressly stipulates, that "each of the surviving officers, non commissioned officers, musicians, soldiers, and Indian spies, who shall have served, in the Continental Line, or State troops, volunteers or Militia, at me or more terms, a period of two years, during the war of the Revolution is authorized to receive, out of any money in the treasury not otherwise appropriated, the amount of his full pay in said line, according to his rank, such pay to commence from the fourth day of march one thousand eight hundred and thirty one, and to continue during his natural life; and any such officers, non commissioned officer, musician or private, as aforesaid, who shall have served in the Continental line, State troops, volunteers or militia, a term or terms, in the whole, less than the above period, but not less than six months, shall be authorized to receive out of any unappropriated money in the treasury during his natural life, each according to his term of service, an amount bearing such proportion to the annuity granted to the same rank for the service of two years, as this term of service did, to the term aforesaid to commence from the fourth day of march, one thousand eight hundred and thirty one."

By the act of the seventh day of July A.D. eighteen hundred and thirty eight, the widows of those who served according to the provisions of the act aforesaid, of the seventh day of June A.D., eighteen hundred and thirty two, and "whose marriage took place after the expiration of the last period of service, and before the first day of January A.D., seventeen hundred and ninety four, are entitled, to receive for and during the term of five years from the fourth day of March, eighteen hundred and thirty six, the annuity, or pension, which might have been allowed to the husband, in virtue of said act, if living at the time it had passed."

That the construction, which I contend, ought to be placed upon the acts of Congress aforesaid, is correct, and has been sanctioned by the executive department, I beg leave to refer to two recent [desissions?] of the late Secretary of the Interior. The first is that if the case of Elizabeth Spoor, only daughter of Jerusha Farrington widow of Thomas Farrington deceased, late a Lieutenant Colonel during the Revolutionary War. It appears from the certificate of the Secretary of State, of the Commonwealth of Massachusetts, filed with the papers in the care, that the said Lieut. Col. Farrington, was "cashiered" on the seventeenth day of May A.D. seventeen hundred and seventy seven. There being satisfactory evidence in the case, that he had served from the 20th day of November A.D. 1775 to the 17th day of May A.D. 1777, the claim was allowed by the late Secretary of the Interior, with instructions, that the pension should be

completed for that period. This decision was made the [blot] day of march A.D. 1850, and extended the benefit of the provisions of the act of the 7th day of July A.D. 1838, to the only daughter of Jerusha Farrington, widow of the said Lieutenant Col. Farrington, notwithstanding, that officer had been cashiered as aforesaid.

The other decision above referred to, is that, in the case of N. Hills, administrator of Hannah Currier widow of Moses Pigion, which is analogous to the case of Jerusha Farrington, and was decided in favor of the said administrator, on the 28th day of August A.D. 1850.

That the will of the said Leah Munday deceased, has been admitted to probate in the orphans court for the County of Washington in the District of Columbia, and that the said Hannah P. Munday has been duly qualified in executrix thereof, will be seen by the certificate, of the Register of Wills, have produced marked S.

As the eight of the said Hannah P. Munday, executrix as aforesaid, to the arrears of pension aforesaid, I hope the claim will be promptly acted upon, and allowed.

I am very respectfully your obt svt. F. W, Risque
Hon. James L. Edwards
Comr of Pensions
Washington D.C.