

[Southern Campaigns American Revolution Pension Statements and Rosters](#)

Pension Application of Charles DeKay R34

VA Sea Service

Transcribed and annotated by C. Leon Harris. Revised 16 July 2019.

Pension Office/ April 28th, 1842

Sir It is hereby certified that the claim of the administrator of the late Charles Dekay, has been examined; that he served as Sailing Master in the Virginia State Navy to the end of the revolutionary war and died in the summer or fall of 1829; that the claim is embraced by the act of the 5th of July 1832, entitled "An act to provide for liquidating and paying certain claims of the State of Virginia;" and that the claim should be paid at the rate of One Hundred and fifty two dollars and eight cents per annum, from the twenty second of April seventeen hundred and eighty three, when the war terminated, to the first of August eighteen hundred and twenty nine, on or after which day he died. Payment in the case to be made to the Honorable John Taliaferro, attorney of Thomas Hord, of Virginia, administrator of Charles Dekay, deceased.

Approved/ Secretary of War.

Commissioner of Pensions.

[The testimony referred to in the following is not found in DeKay's federal file but is probably the same as found in the state applications transcribed below.]

Pension Office/ March 8th 1842

Sir [Hon'l. John Taliaferro [sic]/ House of Representatives]

I have examined the papers in the case of Charles DeKay, dec'd who appears to have been a Sailing Master in the Virginia State Navy during the revolutionary war, and I regret exceedingly that I have not been able to come to the conclusion which you have arrived at, that DeKay was a Sailing Master in the Virginia State Navy to the end of the War. Reuben Chandler, a witness in this case, swears that Charles Dekay was an Officer in the Brig Musquito [sic: *Mosquito*], that she sailed on a cruize in 1777, but what happened to that vessel afterwards he does not know except from information derived from others.

Moses Stanley [W3886] swears that DeKay was a Sailing Master on board of the Musquito; that he belonged to that vessel; that sometime during revolutionary war, year not recollected, the Musquito sailed for the West Indies, and put into Point Peter [sic: Pointe-à-Pitre]; that she sailed from thence on a cruize, and was taken by a British Man of War [4 Jun 1777], carried to England, and in Fortune [sic: Forton] Prison he the deponent and all the crew were confined. He does not say any thing particularly of DeKay, after the vessel went on her first cruize. This is the substance of Stanley's testimony given in the case of George Catlett, dec'd [see [George Catlett W2524](#)].

William Mitchell [S38221] testifies that in February 1777 he entered on board of the Brig Musquito; says that Charles DeKay was Sailing Master on board of that vessel; that she sailed from Norfolk on a cruize in the Spring of that year; that she put into Point Peter; that she sailed thence on another cruize, when she was taken, that the vessel and crew were carried into Barbadoes [sic: Barbados]; remained there seven months and fifteen days, and then the crew were sent to England and confined in Fortune Prison. After remaining in that Prison thirty two months, he with fifteen other prisoners escaped from confinement, and returned to the U. States. He says that he escaped in January 1779, and then left Dekay a prisoner with other Officers, and he understood that they remained in confinement till the end of the war. This evidence is the most minute, and if Mitchell was a man of good character and sound memory, the testimony is certainly entitled to credit.

William Moore [S36166], now deceased, who made an affidavit in his own behalf in 1835, also swears that DeKay was a Sailing Master in 1776 or 1777 on board of the Musquito; that he the affiant was taken prisoner &c. This is the substance of his testimony so far as it relates to Dekay.

The foregoing statements are not supported by the records of the Virginia State Navy. We find

DeKay's name in two places, and in two only, and in neither entry does it appear that he was a Sailing Master. The Virginia Navy Journal states that Charles DeKay was appointed a Lieutenant in the State Navy on the 4th of April 1778, and on the 20th of May 1778 he appeared before the Navy Board in person and refused to accept the appointment. We have extracts from the proceedings of the Board from the 8th of July 1776 to the 7th of April 1780, and it is believed from the certificate given by the Auditor at Richmond that those extracts contain lists of all the recommendations, appointments, and resignations of the Officers during that period. I do not know how to reconcile the evidence in this case with the Journal of the Navy Board, unless we suppose that DeKay was never legally appointed a Sailing Master, and merely acted in that capacity, and that if he was on board of the Musquito when she was captured, the capture must have taken place after May 1778, and not in 1776 or 1777, as the witnesses allege. As it is a rule of this Office not to admit any claim which is not fully sustained by the records, if we have records to refer to, I cannot allow this claim. For this reason I would not advise the parties who claim, to incur any expense in proving heirship &c. I have the honor to be, Very respectfully/ Your Obed. Ser't.

J. L. Edwards [Commissioner of Pensions]

Know all men by these presents that I Thomas B DeKay of Vernon Sussex County and state of New Jersey, Administrator of Charles DeKay deceased do hereby constitute, appoint, empower and authorize Thomas C McEwen of Warwick, Orange County and state of New York my true and lawful agent and attorney for me and in my name and stead to examine into, to prosecute, to demand and to receive from the United States Government Treasurer or State officers all my rights as administrators and as one of the legal heirs and for the legal heirs in all and in any manner of claim for commutation pay that may be due me as administrator and for the legal heirs of Charles DeKay deceased on account of the services of the said Charles DeKay deceased in the Navy of the state of Virginia in the war of the Revolution who was promised the said Commutation pay in Lieu of half pay for life, and who died at Newark Essex County and state of New Jersey leaving the same undrawn

Witness my hand and seal this 23rd day of June A.D. 1855.

Thomas B DeKay

Warwick. Orange Co. NY. Aug 20/55

To the Commissioner of Pensions of the U.S.

Dear Sir I am in receipt of a copy of a letter from the Commissioner of Pensions, of the date of October 28/54 in answer to a letter from D. M. Cowdrey Esqr, relative to the claims of the heirs of Charles DeKay deceased for services in the Navy of Virginia during the revolutionary war, from which it appears that the sum of \$7,037.76 has been paid to one Robert Hord, from your department on account of such services.

I beg to state to your department, that the said Hord had no authority from the heirs of the said Charles DeKay to collect the said claim, except from one Julia D. Kimball, who was a distant relative of Com. De Kay.

Thomas B. DeKay of Sussex Co N.J. has taken letters of Administration upon the Estate of the said Charles DeKay which are herewith enclosed, and has Executed to me a power of Atty also herewith sent, to prosecute the said claim on behalf of the Estate of the said deceased.

Mrs Kimball would probably be entitled to about one thirtieth part of the claim, and as to her interest I presume that Mr Hord had authority to act; further than that, I claim that he had no authority. If any one claims the lands to which he Charles DeKay was entitled from the State of Virginia, for such services, I hereby protest, on behalf of said administrator, against any and all such claims.

Respectfully Yours/ Thomas C. McEwen

[The following are from [bounty-land records in the Library of Virginia](#). This file includes a copy of a warrant from the War Department for \$7037.76, referred to in the federal file. The file also includes a long document apparently summarizing the evidence of DeKay's service, but it is not legible enough for transcription.]

State of Kentucky } Sct Be it known that before me the undersigned, a Justice of the Peace, in &
Rock Castle County } for the County aforesaid, on this [blank] day of February 1835,
personally appeared William Moore of said County aged 78 years & made Oath as follows (to wit) That
he entered the service of the United States in the Revolutionary war on 23^d April 1776 as a Soldier of the
Marines, that [undeciphered word] the same year he was placed on board the Brig Mosquito Commanded
by Captain John Harris [R41] (an Italian [see endnote]) who then lived in Hampton town Va. Bird
Chamberlain first Left. [sic: Byrd Chamberlayne R22 1st Lt.] George Chamberlain 2nd Lt. [sic: George
Chamberlaine R23] Charles Dekay Sailing Master. Said brig was fitted out by the Va bord of War &
sent out for a six months cruise during the cruise [undeciphered word] in 1776 or 1777 as he believes
they took a British victualing ship bound for antigo [sic: Antigua] with provisions and [undeciphered
word] for the British Army at that place they manned her & sent her to Guadalupe where this affiant was
informed she was sold according to the regulations of the bord of War Ship & cargo for £6000[?] or
more which left to each private Sixty lois after deducting the portion belonging to the bord of War. This
affiant was afterwards taken prisoner and never had a chance to seek his rights until after the war & he
then engaged to do it and has never yet received any part of his share of said prize nor has he ever
assigned or transferred said claim to any other person whatever. Sworn & subscribed this [blank] day &
year aforesaid

Jas. C. Jones J.P.RC

William Moore

I certify that I was acquainted with George Catlett of Port Royal in Caroline County, in the revolutionary war. Early in the revolution, but at what particular date, I would not now undertake to say, I enlisted in the marine service of Virginia for the term of twelve months, and when the term was nearly expired, I reenlisted for the term of three years or during the war, and soon after my second enlistment, I think about one month, I was taken into service on board the musquito brig The officers on board of said brig when I entered her, were Capt. John Harris, Lt. Chamberlayne Midshipman Alexander Moore, Alexander Dick [R13751] Captain of Marines, and George Catlett Lieutenant of Marines; The minor officers were Timothy Laws, a man name [Edward] Eagles, whose given name I do not recollect, Wm Coleman [William Coleman], John Brock, Robert Hamilton, and some of the privates were Wm. Mitchel now living in this county, Thos. Cotrill [Thomas Cotrill], Jno. Dodd [John Dodd] drummer, Wm Dowlins or Dollins [William Dowlins or William Dollins], George Spillman [or George Spellman, S37433], Tom Chandler [Thomas Chandler, possibly R24], Wm, John & Jas Dishman [William Dishman R2965; John Dishman; James Dishman W9409] and Larkin Farish. The musquito was at Norfolk when I entered her, and a short time after I went aboard, say about one week, she set sail on a cruize, and stood away for the west Indies, with a crew of about seventy five men, including all the above named, with Charles Dekay, who was sailing master. We captured the Snow John and afterwards the Noble and carried the last named into Point Petre. The Snow John got away from us. At Point Petre our crew took the small pox, which detained us several weeks. When we were recovered of that we set sail on another cruize, and fell in with the Brittish ship Ariadne, a vessel of superior size to the musquito. We surrendered to her, after having made every effort to escape, & not being able to fight her, and she took us into Barbadoes. The Ariadne was commanded by Capt. Collier. From Barbadoes, all our officers were immediately sent over to England, and we, the seamen were put in prison at Bridgetown, Barbadoes. Here we were kept seven months and fifteen days, and were then sent over to England in the Antelope and were confined, some in prison ships & others in Fortune jail. Billy Mitchell aforementioned was put in jail, – I was put in a ship. Here we soon learned that all our officers were confined in Fortune Jail. Soon after our arrival in England, Ralph Horn [Ralph R. Horn, S38046] another of our seamen received a note from Capt. Dick saying that all the officers were in Fortune Jail and that he should endeavour to get all the seamen there too. Some time after getting to England, I heard that Capt. Dick had made his escape, and that Mitchel and others had escaped also. I and sundry others continued in confinement until the war ended and the treaty of peace was published in England. Two of our men Chas. Pauldin [Charles Pauldin] and another died in jail.

Given under my hand this 22nd July 1837

Moses hisXmark Stanly [Moses Standly (Stanley) W3886]

This will certify that I enlisted for one year in 1775 in the service of the State of Virginia & served in the Brig of war defiance Commanded by Captain [Eleazer] Callender a part of the time; & on the expiration of that term I reenlisted for three years or during the war, and was about the month of February seventeen hundred & seventy seven transferred with Captain Alexander Dick's company of marines to the Brig Musquito commanded by Captain John Harris. The Musquito belonged to the State of Virginia, & her officers when I went on board were Captain John Harris, 1st Lieutenant Byrd Chamberlayne, 2^d Lieut George Chamberlayne, Sailing master Charles DeKay, midshipman Alexander Moore, Gunners Mt Rob Hambleton [Gunner's Mate Robert Hambleton or Robert Hamilton]. The Gunners name was Eagles. A. Dick was Captain of Marines & Geo Catlett Lieutenant of Marines. The [two undeciphered words] Norfolk in the Spring of 1777 on a cruise, with all the aforementioned officers, & bore away for the West Indies & made the port of Point Peter on the island of Grand Terre. Here the small pox broke out in our crew & kept us some time. We captured the Snow John & afterwards the British Ship Noble, laden with provisions for the army in the United States which we carried to Point Peter & sold. We went on another cruise & fell in with the British ship Ariadne, which being a larger ship than ours, captured us & carried us into Barbadoes Here the privates of the Musquito were kept as prisoners of war at Bridgetown seven months & fifteen days, & were then sent to England & imprisoned there, some in prison ships & others in Fortune Jail. I was put in Fortune jail where I found our officers imprisoned, who were sent off to England immediately after our capture & arrival at Barbadoes. After being confined in Fortune jail thirty two months & to the best of my recollection on the 23rd of January 1779, fifteen of the prisoners with myself undermined the jail [several undeciphered words] went immediately to the [undeciphered word] & took possession of a small vessel with which we crossed over to France & thence got passage to New York. Thence I went to Fredericksburg Va. where I met with Cap. Dick, who made his escape a little before me ([interlined: Lieut Catlett made his escape after me.) & was with me in the service at York [siege of Yorktown, 28 Sep - 19 Oct 1781]. Sailing Master Charles DeKay & the other officers, with many of the privates I left in jail where they continued as I understood & believed until the close of the war. Charles DeKay & all the officers & men of the Musquito, except Captain Harris, were brave men & faithful to their Country. Capt. Harris was a foreigner & in my opinion a tory.

William hisXmark Mitchell

[Certified in Spotsylvania County VA on 20 Nov 1838]

I certify that Captain Charles DeKay with whom I was acquainted & who was reputed to have been an officer in the Virginia Navy in the Revolutionary war, died intestate in this place Newark [NJ] & I was at his bedside. I cannot state the precise date of his death, but to the best of my recollection and from the best information to which I can refer, I would say he died in the month of August or September 1829. He left no issue, but had collateral relations/
William Stevens [25 April 1842]
[Mrs. Kitty Rosegrant of Essex County NJ swore to a similar affidavit.]

[The following are from [rejected claims in the Library of Virginia.](#)]

To the Honorable the Governor and Council of the state of Virginia
The memorial of Julia Kimball of the City of New York respectfully states, that she is the niece and one of the heirs at law of the late Charles DeKay, who was an officer in the Virginia state navy in the revolution. Memorialist states that she is in her 58th year of age & was well acquainted with her said uncle, who died intestate & without issue about nine years since in the state of New Jersey. Memorialist has often heard her said uncle speak of his services in the Virginia navy, and of his being taken prisoner & carried to England and there confined for a long time, & of his great sufferings there. Memorialist has also often heard him speak of what was due to him by Virginia for his services, and say there was no

chance of his getting any thing, as the records were burnt, & he had no proof of his service. Deponent
recollects that he went twice to Virginia for the purpose of presenting his claim about twelve years ago.
[22 Aug 1838] [signed] Julia D Kimball

Saturday the 14th day of April 1778

This Board doth recommend to his Excellency the Governor and the Honorables the Council Mr Charles
DeKay as a proper person to be appointed a Lieutenant in the Navy of this State.

The foregoing in truly copied from the Journal of the Navy Board. (page 373)

Given under my hand at the Auditors Office Richmond this 25th day of September 1840

A. W. Morton 1st Clk/ Aud'r absent

Richmond 26 Sept 1840

Dear Sir [Gov. T. W. Gilmer] I have left with the Secretary of State the claim of Charles DeKay's
heirs, for land bounty. He was sailing master in the brig Musquito, which was captured & the crew
carried to England & imprisoned, & part of them thus kept until the treaty of peace, of which Chas
DeKay was one.

I would refer you to the evidence in the application of Lt George Catlett's claim for land or
rather to a part of that evidence viz – to the memorial of Cap Alexander Dick & others to the Legislature,
after the war – in which the circumstances of their captivity are set forth – also to Wm Mitchel's – Moses
Stanleys & Reubin Chandler's affidavits.

My object in presenting this case is not to get land warrants – I would not pay the register's fee for the
warrant. On the same evidence Lt Catlett's claim for half pay under the act of 5th July 1832 was passed
at Washington & paid – & also for land bounty here. The commissioner at Washington will not examine
a claim for half pay, unless bounty land has been first allowed by Virginia. I have therefore to request
that you will examine & act upon it: and as necessity compels me to start in a few days to the west, & it
is important to have the matter decided at Washington before I start, I hope you will excuse me in asking
your early attention.

Mr Patton has promised me to give it his attention as soon as submitted to him.

I am very resp'ly yrs/ Rob Hord

1840 Oct 2 Rejected

NOTES:

The federal and state files are indexed with the surname "De Kay" as two words, but Thomas B.
DeKay spelled his surname as one word.

Other sources state that John Harris was born in Wales, which, considering the surname, is more
likely than his being Italian.