

Southern Campaign American Revolution Pension Statements & Rosters

Pension application of John Kilby S38119
Transcribed by Craig M. Kilby

fn32MD
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Holographic Pension Application of John Kilby: S38119; NARA microfilm roll M804. Frames 594-624.

Note: "The Narrative of John Kilby" was written for Thomas Ritchie in 1810, and was published in [Scribner's Magazine](#) in July 1905. It gives a much more detailed and colorful account than this pension application. It may be viewed on-line at <http://babel.hathitrust.org/cgi/pt?seq=19&view=image&size=100&id=mdp.39015030597044&u=1&num=23>. This pension application adds additional information not found in the narrative. As such, they are great companion pieces. We are fortunate to have such first-hand accounts of a crew member of the *Bonne Homme Richard* under Capt. John Paul Jones to add to our Revolutionary War history.

NARA microfilm roll M804. Frames 594-598.

[Hanover County, Virginia, 28 April 1818]

The affadavit of John Kilby a citizen of the United States of North America and now of the Commonwealth of Virginia deposeth & sayeth that on the 6th day of August in the year 1776 this deponent shipped on board the Brigantine *Sturdy Beggan* of fourteen guns commissioned by Capt. James Cambell [Campbell], in the Town of Vienna, Maryland, Dorchester County the place where he was born, then went to Newbern [sic, New Bern] North Carolina where the Brig then lay.

We then sailed on a Cruise, and on or about the 28th day of November same year, we fell in with a Glasgow Brig of 6 double fortified six Pounders and after a small action of $\frac{3}{4}$ of an hour we explored her and on the 1st December same year, we fell in with the ship Smerney [sic, *Smyrna*] Gally of 18 guns and after an action of $\frac{1}{2}$ an hour we captured her, the said Kilby was put on board the prize ship, & on 9th day of the same month, was captured by the Resolution 14 guns, commanded by Sir John Chandler Oglesby, and carried into Spit head (England) and after remaining on board the guard ship nearly four months was then carried to Hazel Hospital, and after going through a pretended trial, the then sitting Judge, after calling over all of our names pronounced sentence in these words, to wit: "You are all condemned for piracy and high treason on His Majesty's high seas."

We the ship's Crew, were then sent up to Fortune Jail [i.e., Portsea Jail] under a strong guard of Soldiers where we lay in the cold sweating Brick Walls near twenty two

months, after which one hundred of us were exchanged over to France. We arrived in the Port of Penhap [the narrative says Paim Boeuf], then went up to the City of Nantze [i.e. Nantes] where we remained eight days. A letter was drafted and sent by Post over to Capt. John P. Jones then lying in the port of L'Orient, requesting him to send over an officer & that we wished to ship on board his ship. The letter was sent, and he sent over two officer (the sailing master and gunner) about 33 of us entered and signed the Ship *Bonhomme Richard's* articles for twelve months, on or about 1st April or May 1779 after which we sailed on a Cruise from the Port of L'Orient, where the ship then lay, but before we sailed, we all received twenty french crowns from Mr. Marlow [narrative says Moylan], the Continental agent.

The before named Cruize is well known to the whole world and needs no explanation from me. I will only say on 23 November 1779 we fell in with the sea Rapis [i.e., *Serapis*] of 44 guns, commanded by Richard Pearson and after an action of 9 [illegible] four hours of which were side and side we captured her.

I was an officer, first a midshipman & in the action master's mate [that live in?] [O]ur ship, the *Bonhomme Richard* sunk within 24 hours after the action, we took charge of the Prize ship and arrived safe in the [Tesel?] (Holland) where we lay a long time, after which our Capt. was by Doct. Benjamin Franklin, ordered to take charge of the *Alliance* frigate of 36 gun, and the then commander Peter Landas [sic, Landais], ordered to go to Perra, we at length sailed on a cruise, went into Croncy (Spain) where we lay some small time.

We again sailed on a Cruise after which we arrived in the Port of L'Orient, where we first sailed from. Our Captain [John Paul Jones] went to Paris, and on his return our Ship was all ready to sail for the Port of Boston (America) but by some means the former Captain of the *Alliance* Peter Landas, got on board of the Ship which Capt. Jones and some of his principal officers were on shore.

The reason why it happened was this: the two ship's crews were as soon as Jones took charge of the *Alliance*, altogether and both officers and men could not indure [sic] each other as Landas was accused of disobeying the Orders of Jones. The Commodore of the Squadron and generally called a Coward by all the officers and men of the crew of that good ship called the *Bonhomme Richard*, the officers of the *Alliance* to get Landas their Captain in the ship again, his officers got him on board by [skill?] while Jones was on shore.

Landas when on Board way'd [i.e., weighed] anchor and went to Sea. We at length arrived safe in Boston where Landas was tried and Broke ~~the~~ [interlined] altho it may seem like [end interline] self praise.

I do say that [interlined] my discharge it [end interline] was not a dishonorable one. I still followed the sea in Armed Ships, and off the West Indies was again taken a Prisoner by

a Sloop of [xxx] 16 guns commanded by Liet. Parker, with dispatches from New York to Admiral Hood. I was plundered of all my cloaths [sic], my discharge, and all my papers I had before obtained from Capt. Jones authorizing my acting as an officer; some little time we fell in with *L'Amiable* Frigate of 38 guns, Capt. Alexander Hood, and was put on board of his ship as a Prisoner.

Some small time after I was put on board the *Tarbay* 74 guns, ordered into Kingston, Jamaica. in which place I remained very nearly four months on Parole, further I will say that for all the said services serving my country in Congress services upwards of two long years I never received ~~only the~~ [interlined] **but** [end interline] the twenty French Crowns and one Dutch Ducat nine shillings and six pence Sterling either in wages or Prize money.

(And now from my advanced age and from reduced circumstances in life, I claim the pension as an officer allowed by Act of Congress, and as c have received information from the Secretary of War by letter that all the Records of the Navy during the Revolutionary War has been destroyed by fire [i.e., War of 1812 British burning of Washington, D.C.] which put it out of my power to prove my services before stated in other way only by a letter from Commissioner Richard Dale who was in that ship the Lieutenant, which is hereunto annexed, which letter I presume will be a satisfactory evidence of the Fact and further this Deponent saith not.

/s/ John Kilby
25 April 1818

Frame 599. [28 April 1818, Virginia]

To wit.

This day personally appeared before me a Judge of the General Court of Virginia. John Kilby of Hanover County, who made oath to the Truth of the facts contained in this affidavit - and I do certify that the said Kilby is by reason of his reduced circumstances in life in need of Assistance from his Country for support--the evidence to that effect produced by him being satisfactory to me ~

Given under my hand this 28th April 1818 ~

/s/ Wm. Brockenbrough

Frame 600: Jacket Cover

John Kilby: 2020

Inclosed my Certificate by mail to Hanover Town, Virginia

Not dated.

to me /s/ John Kilby

Frames 601-603:

Supplemental Pension Application of John Kilby, 28 April 1821 [Hanover County, VA]

On this 28th day of April 1821 personally appeared in Open Court, being a Court of record for the county of Hanover, John Kilby who was born on the 15th day of Sep^r 1758 aged near sixty three years, a resident in the county of Hanover County in the District of Virginia, who being first duly sworn according to law, doth on his oath declare that he served in the Revolutionary war as follows;

[T]hat on the 6th day of August 1776 he entered and sailed on board the Brig *Sturdy Beggar* of fourteen guns commanded by Capt. James Cambell, that on the 23rd day of October of the same year fell in with the Brig *Glasgo* from Port Glasgo [sic, Glasgow] bound to St. John's (Newfoundland) mounting sixteen carriage guns which we captured after an action of one hour and a quarter; that on the 1st day of December following [i.e., 1776] we fell in with and captured after an action three quarters of an hour, the ship *Smirney* [sic, *Smyrna*] Gally of eighteen guns bound from Smirnay to London; that on the 9th day of the same month he was captured on board the same Ship by the *Revolution* of seventy five guns commanded by Sir John Chandley [sic, Chandler] Oglesby and carried to England;

[T]hat he was committed to Hazelly Hospital, then removed with about three hundred (to wit, Capt. John Harris, Capt. Alexander, Dic and many more men of note from Virginia and the others states) on Rebel's allowance until some time in August 1779 when one hundred of us were exchanged and sent to the city of Nantze (France) where thirty three including myself who had been thus long confined entered on board the *Bonhomme Richard* commanded by John Paul Jones, then in Congress service (say we entered on the 2nd day of September 1779).

The ship then lay in the Port of L'Orient and mounted forty guns; that he served on board of that ship and the *Alliance* Frigate of thirty-six guns until the *Alliance* arrived in Boston [see previous affadavit] in the year 1781 when Capt. Peter Landas [sic, Landais]

his commander was arrested and tried and cashiered and he, John Kilby, with the rest of her crew dispersed without receiving any discharge;

[T]hat while he sailed with John Paul Jones he acted first as Midshipman, second as Master Mate and third as Lieutenant in the action with the *Serapis*; that he had papers from said Jones to show these facts but being afterwards taken in an armed vessel by the *L'Amiable* frigate of thirty eight guns commanded by Alexander Hood and sent into Jamaica a British Island where he was confined for four months and was robbed [sic, robbed] of all his papers and clothes and treated worse than he was treated in England for it appeared to him that no treatment was bad enough for one who had served under John Paul Jones';

[T]hat he was in the Island of St. Thomas when peace was made since which time he has resided in the County of Hanover in the State of Virginia; that when he entered on board the *Bonhomme Richard* he received twenty French Crowns; in Holland he received one Ducat of nine shillings six pence sterling and never one cent more either of prize money or wages, so that the balance of prize money and wages is still due to him; that the date of his original declaration is the ____ day of _____ and the number of his pension certificate is _____ in pursuance of the Act of the first of May 1820.

And I do solemnly swear that I was a resident citizen of the United States on the 18th day of March 1818; that I have not since that time by gift, sale, or in any other manner disposed of my property or any part thereof with intent thereby so to diminish it as to being myself within the provisions of an act of Congress Entitled "An Act to provide for certain persons engaged in the land and naval service of the United States in the Revolutionary War" passed on the 18th day of March 1818;

[T]hat I have not, nor has any person in trust for me [missing word] any property or securities contracts or debts except [interlined] the debts due [end interline] from James H. Neal, John Pond, Richard E. Armstrong, Alexander Cockburn and the estate of Samuel Earnest dec'd all of which debts I have paid as security and from whom I never expect to get one cent; the whole of them having long since proven insolvent, [interlined] all of which debt has long since been assigned & [end interline] and nor have I any income other than what is contained in the Schedule hereto annexed and by me subscribed, to wit: no property whatever, clothing excepted.

That I have been bred to the Sea, but have quitted that calling for near thirty years [i.e., ca 1791] & am now unable to do much labor; that I have a wife [who is] about forty three years old who has two children living with me by her former husband, William Augustus Talley aged about eight years and George Washington Talley aged about six years and that I now stand in need of assistance from my Country for support which I faithfully served nearly through the whole war, and I hope the Secretary of War will order that I shall receive my pension from the time I was last paid.

/s/ John Kilby

Sworn to in open Court the 28th day of April 1821

/s/ Tho: Tinsley, Presiding Magistrate

Virginia, Hanover County Court. I do hereby certify that the foregoing transcript is a true copy from the records of the said County. I do further Certify that the said Court was of opinion that the value of the property contained in the Schedule in the said Transcript set forth was nothing. In testimony whereof I have hereunto set my hand & affixed the seal of the said County the second day of May 1821.

/s/ William Pollard, Clerk of the County Court of Hanover County