

Southern Campaign American Revolution Pension Statements & Rosters

Pension application of James Gray ¹ R56.5²

f59VA

Transcribed by Will Graves

8/11/11 rev'd 5/18/14, 2/1/19 & 12/14/23

[Methodology: Spelling, punctuation and/or grammar have been corrected in some instances for ease of reading and to facilitate searches of the database. Where the meaning is not compromised by adhering to the spelling, punctuation or grammar, no change has been made. Corrections or additional notes have been inserted within brackets or footnotes. Blanks appearing in the transcripts reflect blanks in the original. A bracketed question mark indicates that the word or words preceding it represent(s) a guess by me. The word 'illegible' or 'indecipherable' appearing in brackets indicates that at the time I made the transcription, I was unable to decipher the word or phrase in question. Only materials pertinent to the military service of the veteran and to contemporary events have been transcribed. Affidavits that provide additional information on these events are included and genealogical information is abstracted, while standard, 'boilerplate' affidavits and attestations related solely to the application, and later nineteenth and twentieth century research requests for information have been omitted. I use speech recognition software to make all my transcriptions. Such software misinterprets my southern accent with unfortunate regularity and my poor proofreading skills fail to catch all misinterpretations. Also, dates or numbers which the software treats as numerals rather than words are not corrected: for example, the software transcribes "the eighth of June one thousand eighty six" as "the 8th of June 1786." Please call material errors or omissions to my attention.]

Proceeding of a board of Officers, late of the State line & Navy that sat in Richmond in consequence of a requisition of the Supreme Executive on Thursday the 13th May 1784

Present:

Commodore Barron³

Colonel Meriwether [probably Thomas Meriwether] &

Colonel Muter [George Muter]

Capt. Lilly [probably Thomas Lilly]

The board examined all the list of officers of the Navy which is subjoined & find from the best evidence they can procure that it is agreeable to the arrangement of the officers of the Navy next preceding the fall session of Assembly in 1781 and that their officers that are now alive, whose names are included in the said list have always behaved themselves in such a manner as to be justly entitled to all the emoluments given by law to the officers of the State Navy. The board however are informed that Lieutenant Gray in his lifetime & while he commanded the *Cormorant*⁴ behaved much amiss in making away with stores entrusted to his care. This happened in the year 1782. The foregoing is a true and correct copy of a part of the proceedings of a board of Officers all of which is now on file in this office &

Given under my hand at the Auditor's Office, Richmond this 4th of February 1847

S/ Jas. E. Heath, 1st Auditor

Executive Department Richmond March 24th 1834

The Heirs of James Gray are allowed Land Bounty for his services as a Lieutenant in the State Navy from February 27, 1776 to the close of the War. The Register will issue a Warrant accordingly, if not heretofore drawn.

Attest

S/ John Floyd

S/ John B Richardson

¹ Va. Half Pay See Acc. No. 837—Virginia State Navy James Gray, Y S File Va. Half Pay.

² Will Graves has assigned this odd number to this file because the War Department assigned the file number R56 to at least two different men and since. C. Leon Harris has already transcribed [James Adkins R56](#), a unique number was needed for this file on the database.

³ [James Barron VAS1949](#).

⁴ *Cormorant*. SchV:44, British vessel, 16 guns, Capt Rd. M'Evoy [Richard McEvoy], captured in 1781 by the French off Charleston. Dandridge: 187, VA Navy:161, Ford 1783:444n, Capt James Maxwell, taken from the British by the French and sold to the VA Navy. The vessel was used during the Yorktown operations as a transport, then was prepared in 1782 for protecting the Chesapeake. There is some indication this vessel was also known as the *Rattlesnake* was captured by the British Assurance in ? 1782 on the American coast, taken back into the Royal Navy as the *Cormarrant* of 14 guns. <https://www.awiatsea.com/Hough/Hough%20List%20C-D.html>

On the 16th day of September 1834, a Warrant No. 8026 for 4677 acres issued to Elizabeth Dammerell, Thomas Topping and William Topping heirs of James Gray.

A copy from the record of the Virginia Land Office

Test: S/ S. H. Parker, Reg. L. Office

Thursday 11th September 1777

James Gray is recommended to his Excellency the Governor and the Honorable the Council as a proper person to be appointed first Lieutenant in the Naval Department.

The above is truly copied from the Naval Journal, page 284.

Given under my hand at the Auditor's Office Richmond this 10th day of November 1846

S/ A. W. Morton 1st Clerk

acting in the absence of the Auditor

[p 7]

At a Court held for Warwick County at the Court House of said County, on Thursday the 12th day of December 1833 in the 58th year of the Commonwealth

It appears, to the Court, from satisfactory evidence this day adduced that James Gray, an officer in the State Navy, died intestate, leaving as his heir at law William Gray, his brother, who left as his heirs at law, Elizabeth Dammarel, wife of William Dammarel, Thomas Topping, William Topping and Mary Ann Topping, so that the said Elizabeth Dammarel, Thomas Topping, William Topping and Mary Ann Topping are the only heirs at law of the said James Gray.

At a Court continued by the act of Assembly, from Thursday last, and held for Maury County, at the Court House thereof, on Saturday the 14th day of November, 1846, in the 71st year of the Commonwealth.

It appears to the Court, by satisfactory evidence, that James Gray was a Lieutenant of the Virginia State Navy in the War of the Revolution, & that the said James Gray died in the County of Warwick and State of Virginia in the month of December in the year 1783.

I, William Robertson, Clerk, of the County Court of Warwick County, in the State of Virginia, do hereby certify that the foregoing are true transcripts from the records of the said Court.

In testimony whereof, I hereto set my hand & affixed the seal of the said Court, this 14th day of November, in the year 1846.

S/ Wm Robertson, C. W. C.

[p 11]

Pension Office January 29th, 1847

I certify that I have examined the claim of the heirs of the late James Gray, who was a Lieutenant in the Virginia State Navy, and who served to the end of the revolutionary war; and that the case is provided for by the act of July 5, 1832. It is my opinion therefore that the claim should be allowed at the rate of \$182.50 from the 22nd of April 1783, when the war closed, to the first of December 1783, at which month he died; and that the amount is payable to Francis A Dickins, attorney of George W Mallicote of Warwick County, Virginia, administrator of said James Gray, deceased.

S/ Commissioner of Pensions

Approved

Secretary of War

"Entered this on the Register, act 5 July '32 Va. case

[The heirs of James Gray applied for a larger pension based on a claim that he acted as a captain rather than a lieutenant. Only part of the evidence is transcribed here.]

[p22]

Richmond January 2nd 1782 [in different handwriting] intended for 1783 as appears
from the context

The Ship Cormorant Dr.

To 4 pair Overalla @
To 4 Sailors Jacketts @
To 8 Cotton Shirts @
To 4 pair Mens Shoes @
To 4 pair yarn Stocking @

Delivered Capt Jas Gray pr receipt

The above is truly copied from a Book containing Qr Mr [undeciphered word] & other papers
Vol No 3 Executive Department. Jas E Heath

[p28]

Ship Cormorant

To the Com'rs for the defence of Chesapeake Bay Dr

1783

April 12 To Cash paid James Gray 30. . .

May 24 To Paul Loyall for 17³/₄ gallons Rum }
on 12 ult'o @ 6/ } 5.6.6

To cash paid James Gray in full pr acco

I certify that the foregoing is truly copied from the 2^d Vol of "Papers concerning the State Navy."

Given under my hand at the Auditors Office Richmond this 4 day of February 1850

Jas E Heath/ Aud

[p 50: evidence that James Gray was acting as captain of the *Gloucester* in July 1780 when he signed for provisions for 30 days for 21 men; in August he drew bacon and flour for use of the *Gloucester* for 12 men, 30 days; September 1780, order for "Mr. Anderson [to] furnish Capt. Gray of the *Gloucester*⁵ **prison ship**, with one hundred ten penny nails, and one hundred double tens[?], also two ladles, two flesh forks and two dozen pair handcuffs.

"Ordered that Messrs Eaton & Browne issue to Capt. Gray, ten barrels of pork and ten ditto of flour for the use of the *Gloster* [sic] **prison ship**."

[p 51]

"Richmond Monday the 9th October 1780

Ordered that a warrant issued to Captain James Gray for two hundred pounds on account, to defray the expenses of the *Gloucester* **prison ship**."

⁵ *Gloucester*.

Coggins: 102, VANavy:161, ND11:1163, ship of the VA Navy in 1777-79, Capt. Thomas Lilly.C336, VA Navy Capt. Thomas Whiting, Apr 7777.Dandridge:186, 187, used as a prison ship, beginning in 1780.Silverstone:20.Paullin:406, added to Navy in 1777. <http://www.awiatsea.com/Other/Hough%20List%20G.html>

"Richmond Tuesday Nov. 28th 1780

Ordered that Capt. Gray of the *Gloucester* **prison ship** lend Captain Reeves such blocks and rigging as he may want, from those belonging to the brig *Industry* for the use of the Flag going to Charleston."

"Ordered that the Commissary of stores deliver Capt Gray, one box of candles and one barrel of rum, for the use of the *Gloucester* **prison ship.**"

"Richmond, Monday December 18th 1780

Ordered that Capt Thomas supply Capt Gray with seventy fathoms of seine line, for the use of the *Gloucester* **prison ship.**"

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"Tuesday the 15th of day of February 1780

Ordered that a warrant issue to Capt James Gray commander of the **prison ship**, for three thousand two hundred and forty pounds on account of the purpose of recruiting twelve men for the Naval Department.

Ordered – that the Board be adjourned till Monday morning 10 o'clock.

Signed S/ James Innis
 S/ George Syne"

[Note from Will Graves: I highlighted the term "prison ship" above because evidence that the US used prison ships to house prisoners of war is rare. According to E. M. Sanchez-Saavedra, *A Guide to Virginia Military Organizations in the American Revolution*, the *Gloucester* was converted into a "prison hulk" in 1780. The British used such ships extensively in NY, SC and GA. If anyone has any further information about the US using prison ships in the Revolutionary War, I would appreciate hearing from them. See the home page of this website for my email address.]

[From [rejected pension records in the Library of Virginia](#). In addition to the documents transcribed below, the file includes copies of some documents already transcribed above and a three-page list of reasons why Gray should have been considered as a captain rather than a lieutenant.]

To the Gov'r & Council of Va

The undersigned heirs of Jas. Gray formerly an officer of the Va. navy respectfully solicit an allowance of additional bounty Land in consideration of the services of their ancestor.

A few years since, they received Warrant no 8026 for 4677 Acres for the service of James Gray as Lieutenant of the Navy from 27th Feby 1776 to the end of the war, as per advice of council recorded with the papers in the Land office.

This allowance was for a period of 7 years 8 months and 26 days, entitling the parties to an additional allowance over 6 years, of 1 yr 8 mos 26 days.

The heirs of James Gray ask an additional allowance, first as Lieutenant, and on the ground that the Register of the Land office committed an error in the calculation of the amount

due.

The true amount of a Lieutenants Warrant for 7 years 8 months & 26 days is $5158\frac{1}{7}$ acres. But the Heirs have rec'd only 4677 acres, (as per Register Certificate [undeciphered]) with this petition. They are [several illegible words] to and additional allowance of $481\frac{1}{7}$ Acres, which they ask may be allowed them.

But they ask also an additional allowance of Bounty on the ground that James Gray was a Captain at the close of the war and had been for several years previous thereto. As proof of this, they refer to 7 [undeciphered word] from the Records of the Auditor's office (see paper No. 2) shewing quite clearly that He was Captain of the ship Gloucester which being a prison ship, was kept in service the whole war, as the records of the Navy [undeciphered word] shew.

The only counter evidence as to the grade of James Gray is to be found in the fact that he was appointed by a board of officers as a Lieutenant. But the report of the same Board shews that at the time of the sitting of the Board, James Gray was dead. He could not therefore be present to have himself reported in his true grade, and the report of the Board was conjecture merely. The certificate of the Auditor leave not a shadow of doubt that James Gray was the Capt of the Gloucester Prison ship.

The heirs therefore, ask an allowance of the difference between a Captain's & a Lieutenant's pay, from the 27th Feby 1776 and the end of the War.

But if the Executive should decide against the propriety of the [two or three undeciphered words] they are still entitled to the additional bounty of $481\frac{1}{7}$ acres, as a Lieutenant.

Wm Damrel/ Thos Topping/ Wm Topping.

This claim rejected. If any error was committed by the Register in a mere matter of calculation, that office will revise it, though it is not apparent that any such error has been committed

T.W.G. [Gov. Thomas Walker Gilmer]/ March 13, 1841

[From [bounty land records in the Library of Virginia](#) in three files. Most of the included documents are illegible but duplicated more legibly in the federal pension file and transcribed above.]

[p 19. The following is a response to a petition by the heirs of James Gray for additional bounty land from Virginia. Their petition is in the file but mostly illegible.]

James Gray entered the service as Lieutenant in the Navy the 2nd day of March 1776. That he served until the close of the war is agreed on [by] all hands – in what capacity he served is a question.

Up to the 15th day of July 1780 he is spoken of always as Lieutenant. After that time until the close of the war he is always designated as Captain; & he is nearly all the time in actual command of a ship. Very many officers were raised to the command of Captain, after his appointment as Lieutenant – & many of these disbanded before the close of the war. It is hardly to be believed that this man, an older officer than these, should have remained stationary at his first appointment throughout the whole war to its close; while a larger number of officers should have been promoted over him; & disbanded too during the same period. But the Board of Officers after the war did nominate him Lieutenant – and this is thought conclusive of his rank I do not so consider it – we have no proof of the evidence before them, & we know that they made many other very glaring mistakes. For these and many other reasons which will readily occur to anyone from a close examination of all the papers connected with this one, I allow the claim for

additional land bounty as captain in the Navy from the 16 of March 1776 until the close of the war deducting the amount already received as Lieutenant.

S/John Floyd [Governor of Virginia]



[From [Virginia Half-Pay record on Fold3.com](http://www.fold3.com)]

<https://www.fold3.com/image/616521244>

[p 7]

Warrant No. 8026, 4677 Acres – Script issued under the Act of 1835 to

“Elizabeth Dammerell, Thomas Topping, William Topping and Mary and Topping the only heirs at law of James Gray deceased a Lieutenant from February 1776 to the close of the War, in the Virginia State Navy.

William Norris

Clerk General Land Office

January 27, 1847

[p 9: A certified copy of the document transcribed from page 19 of the [bounty land records in the Library of Virginia](#) as transcribed above.]

[p 12]

Proceedings of a Board of Officers, late of the State line and Navy that sat at Richmond in consequence of a requisition of the Supreme Executive on Thursday the 13th May 1784

Present – Commodore Barron, Col. Muter, Col. Meriwether and Capt. Lilly

The board examined the list of Officers of the Navy, which is subjoined, and find, from the best evidence they can procure, that it is agreeable to the management of the Officers of the Navy next preceding the fall session of Assembly in 1781; and that the Officers that are now alive, whose names are included in the Said list, have always behaved themselves in such a manner as to be justly entitled to all the emoluments given by law to the Officers of the State Navy. The board however are informed that Lieutenant Gray in his lifetime, and while he commanded the *Cormorant* behaved much amiss in making away with the stores entrusted to his care. This happened in the year 1783.

List of Officers of the State Navy agreeable to the arrangement next preceding the Fall Session of Assembly in 1781.

James Barron, Commodore, commissioned July 3, 1780

Richard Barron, Captain, commissioned January 6, 1776

Thomas Lilly, Captain, commissioned January 14, 1776

Richard Taylor, Captain when commissioned not known

Celey Saunders, Captain when commissioned not known since dead

Edward Travis, Captain when commissioned not known since dead

Willis Wilson, Captain when commissioned not known

James Markham, Captain when commissioned not known

Wright Waiscoat, Captain when commissioned not known since dead

__ Elliott, Captain when commissioned not known

John Harris, Captain when commissioned not known since dead

William Saunders, Captain when commissioned not known

Michael James, Lieutenant, when commissioned not known
___ Gray, Lieutenant when commissioned not known since dead
Thomas Chandler, Lieutenant, when commissioned not known since dead
William Steel [?],⁶ Lieutenant when commissioned not known
William H Parker, Lieutenant when commissioned not known
James Barron, President

[p 31]

The United States

To James Gray deceased
Lieutenant in the Virginia State Navy
for his half pay from April 22, 1783 to December 1, 1783
when he died being 223 days at \$182.50 per annum \$111.50

Allowed by decisions of Secretary of War dated January 29, 1847

Act to provide for liquidating & paying certain claims
of the State of Virginia approved July 5, 1832

Dollars 111.50
Treasury Department
3rd Auditor's Office
February 18, 1847
Stated by
J B Kirkpatrick

William Steel