

Southern Campaign American Revolution Pension Statements & Rosters

Pension Application of Peter Fiveash R39 VA Sea Service
Transcribed and annotated by C. Leon Harris. 11 Feb 2014.

Virginia:

At a Court held for Norfolk County the 19th day of May 1851 Ordered, that it has been made to appear to the Court by satisfactory evidence that Peter Fiveash now deceased was a sailing master in the State Navy of Virginia during the War of the Revolution that the said Peter Fiveash was taken a prisoner [see endnote] and carried to the Island of Bermuda where he was closely confined a prisoner until the end of the war. The Court further certifies that the said Peter Fiveash died on the 15th day of July 1799 in the Town of Hampton and left four children viz: Alice Gardner, John Fiveash, Fanny Fiveash and Benjamin Fiveash, that Fanny Fiveash married Nathaniel Wilbourne and died leaving a child named John which died an infant leaving as his heirs at law his uncles Benjamin and John Fiveash and his Aunt Alice Gardner his heirs &c that the said Benjamin Fiveash died without having married, leaving his brother and sister John Fiveash and Alice Gardner his heirs at law, both of whom are now living in the City of Norfolk.

State of Virginia

Elizabeth City County to Wit

The Affidavit of Ann Payne taken before me Fayette Jones a Justice of the Peace in and for the County of Elizabeth City in the State of Virginia, on the 26th day of May in the year 1851. Ann Payne a resident of Elizabeth City County in the State of Virginia being duly sworn according to law, deposeth and saith: that she knew and was well acquainted with Peter Fiveash, who was a Master in the Virginia State Navy during the War of the Revolution, and in the early part of the said war was attached as a master in one of the small cruisers called the "Scorpion" that at a subsequent period the said Peter Fiveash was captured by the enemy and retained as a prisoner of War until after the peace in 1783. The Deponent cannot call to mind distinctly when he was confined, but to the best of her recollection it was in the Island of Bermuda. That the said Peter Fiveash after the termination of the War, and his release from imprisonment resided in the said County of Elizabeth City until the period of his death, which occurred (as well as she recollects) about 50 years ago. Given under my hand this 26th day of May in the year 1851

Ann herXmark Payne

Pension Office 13 Sept'r 1851

Sir [James Murdaugh Esqr, agent for the heirs of Peter Fiveash, care of Vespasian Ellis Esqr of Washington, DC]

I have examined the case of Peter Fiveash whose representative claims Half pay for his services as a Sailing Master in the Virginia State Navy during the Revolutionary war under the act of Congress of 5 July 1832. There is no evidence whatever record or otherwise of services for any specific period of time, and the only evidence adduced that he was attached to the State Navy is to be found in the deposition of Mrs Ann Payne a venerable resident of Hampton now more than eighty four years of age. Her deposition states that Mr Fiveash was attached as a Master in the early part of the war to one of the small cruisers called the "Scorpion" and that he was captured by the enemy and to the best of her recollection remained a prisoner at Bermuda until after the peace of 1783. There is filed among the papers an authenticated list of Prisoners sent from Bermuda by the Brig Dolphin a Flag of truce which arrived at Hampton in the early part of 1783. The Prisoners were forty three in number and among them was Peter Fiveash a master – four other masters – five masters mates, and sundry sailors and passengers. The letter from the Bermuda authorities dated 24 December 1782 states that "the Prisoners had been lately brought into those islands" – is utterly silent about "the Scorpion," whose capture must have occurred a considerable time previously – and therefore severs the connexion between Fiveash's services

and that vessel. The probability is that the greater part of the prisoners sent from Bermuda by the Brig Dolphin belonged to the Commercial service, no allusion being made to an armed vessel of the state. Of the five masters & four masters mates found among the prisoners, not a solitary name including that of Fiveash himself is found on the naval records of the state and Fiveash is the only one whose claim to half pay has ever been presented. The claim is disallowed. Very respectfully/ your obedient servant
J. E. Heath Commissioner

Hampton Jan'y 17th 1783

Sir [Gov. Benjamin Harrison, Richmond]

I have the Honour to Inclose your Excellency a Copy of the Brigg Dolphin a Flag of Truce Capt. Thos. Seymore from the Island of Bermuda with Forty Three American prisoners, Two having stade behind which is mentioned on the List with the Letters which came by her, also a List of Stores and a Few articles to Exchange for Provisions, your Excellency will be pleased to give your directions respecting them.

Capt. Thos Gibbins whoe saild from Yourk Town for New York some time past with Tobacco is also arriv'd from New Yourk the night before Last, has behaved verry Imprudent in bringing a number of articles with some things Landed on the Knight he Came in for Mr Loury which I have since Stopt. The Brigg is also stopt & in possession of my Brother [probably Richard Barron] on her way to Burwells Ferry [between Hog Island in Surry County and Carter's Grove, James City County], a Doct'r. Middleton a Scotchman Came passenger in her, Landed and went on to Yourk without my knowledge, I have got Capt. Armestead to send after him this morning am informed he was in our service formerly & went to Scotland to get an Estate which was left him thare, the Bermuda Capt. Reported his stores to me Capt. Gibbins did not, wether from mistake or not, I cant say.

I have the Honour to be Sir with Great respect your Excellencys Mo. Ob't. Humb'l. Servt.
[not signed, but apparently from Commodore James Barron]

Bermuda Alias } By His Excellency William Brown Esq'r. Capt'n. General
Somers Islands } Governor Commander in Chief, & Vice Admiral of these Islands of Bermudas

To all whom these Presents shall come Greeting

I do testify & make known, that Thomas Seymour Master or Commander of the Brigantine called the Dolphin, hath appeared before me the Governor aforesaid & declared upon oath that the said Brigantine or vessel of the Burthen of Eighty Tons or thereabouts doth belong to the subjects of His Majesty George the third King of Great Britain, France, & Ireland. And whereas I have dispatched authorized, & empowered him the said Thos. Seymour, to transport in His Brigantine to Virginia Forty five Prisoners, lately brought into these Islands whose names are hereunto annexed, & to treat & make an Exchange for the like number of British Prisoners by & under the sanction of a Flag of Truce. I do therefore request you & every of you whensoever the said Master or Commander shall be or arrive with his said Brigantine that you would be Pleased to receive Him courtously & use him kindly & Permit Him upon observing the Laws of Nations to enter into, remain in, & Pass from your Ports Rivers, & Dominions, & there to enjoy all kind of Right of Navigation without any Impediment, Capture, Seizure, Let or Molestation whatsoever, which I shall most readily acknowledge upon all occasions

In Testimony whereof I the Governor aforesaid have hereunto set my Hand & caused the Great Seal of these Islands to be affixed this 24th Dec'r 1782

By his Excellencys Command
Henry Tucker Jun'r Secretary

[A copy]

[From "Papers Concerning the State Navy Vol 1," State Auditor's Office, copy certified 28 June 1851.]
 List of Prisoners of War pr Brig Dolphin Thos. Seymour Master for Virginia

No	Names	Stations	No	Names	Stations
1	Peter Fiveash	Master	25	John Freeman	Sailor
2	Steven Swain	Mate	26	Josiah Snow	"
3	Mallirlo Miller	Sailor	27	Jona Gross	"
4	John Kelly	Do	28	Wm Woodhouse	"
5	John Catrule	Do		[William Woodhouse]	
6	Henry Rhodes	Do	29	John Higgason	"
7	Wm Carrol [William Carrol]	"	30	Negro Sam'l [Samuel]	"
8	John Savage	Master	31	Joshua Oldner	Master
9	John Reid	Passenger	32	John Gorham	Mate
10	Severn Reid	Do	33	Norman Bigole	Passenger
11	John Parker	Sailor	34	John Foster	Sailor
12	Henry Window	Do	35	Jas Foster [James Foster]	Do
13	Robert Speres	"	36	Joshua Gardner	"
14	Thos Ameg [Thomas Ameg]	"	37	Whiston Jones	"
15	Robt Ryon [Robert Ryon]	"	38	Wm Boothe [William Boothe]	"
16	John Spinner	Master	39	Wm Lassater [William Lassater]	"
17	Edward Walsh	Passenger	40	Lewis Peers	"
18	Daniel Jacobs	Master	41	Sam'l Michell [Samuel Michell]	"
19	Amos Jacobs	Sailor	42	Moses Cops	"
20	Thos Wallace [Thomas Wallace]	Mate	43	Luke Hill	"
21	John Gibson	Do	44	Daniel Downing	Passenger
22	Thos Martin [Thomas Martin]	Sailor	45	Daniel Richards	Mate
23	Wm Curtis [William Curtis]	"			Return of
24	Owin Barney	"			5 Masters
					5 Mates
					5 Pas- sengers
					30 Sail- ors
					45 Total

Commissary's office St. George Bermuda Dec'r 24th 1782
 Pendock Neal C'y of Prisoners

Washington 31 March 1852

James Murdaugh Esq

Dear Sir, In answer to y'r enquiries of the 29th Inst, I herewith send you a list of the Captains, Lieutenants & Masters who have received halfpay. There were upwards of 30 Vessels in the Va Navy, probably about 25, where officers were entitled to halfpay. The Commanders of 23 have rec'd. half pay. There are about 4 or 5 Lieutenants claims still outstanding, & there ought to be 10 or 12 Masters, as each vessel had its Master called "Sailing Master." There are also about 10 or 12 Surgeons, but, probably not ten, & perhaps not five more original claims will ever be presented, as it is likely that some of the Surgeons & Masters died in a year or two after the war, & may never be heard from. John Gibsons claim [R52] was paid in 1849. His name is on the same list with Fiveash. No Masters claim was ever paid till 1834, when I had this allowed by the Secretary. They had been wholly overlooked.

[illegible]/ Vespasian Ellis

Naval claims allowed halfpay

Captains

Richard Barron [R5]
Sam'l Barron
 [Samuel Barron R6]
James Barron [W12264]

George Elliott [R38]

George Gooseley
 [George Goosley R55]
John Harris [R41]

Thos Herbert
 [Thomas Herbert R15006]
Thomas Lilly [VAS923]
Js. Markham
 [James Markham R72]
Js. Maxwell [James Maxwell R73]
John Pasteur [R83]

John Rogers [R88]

Wm Saunders
 [William Saunders R89]
Wm Skinner
 [William Skinner R92]
Richard Taylor [S25873]

John Thomas [R100]
Edward Travis [R103]
Willis Wilson [R109]
Ed. Honneycutt
 [Edward Woneycutt R110]
Wright Westcott [R106]
Mark Thomas [R18446]

21 Captains

*Parker & Cannon, Lieutenants, commanded the "Accomack" & "Diligence" galleys, making 23 commanders who have rec'd. half pay. V. E.

Lieutenants

John Archer [W5348]
Jesse Cannon* [R19]

Geo Catlett
 [George Catlett W2524]
G. Chamberlayne
 [George Chamberlaine R23]
Thos Chandler
 [Thomas Chandler R24]
Js. Dougherty
 [James Dougherty R13659]
Theoph. Field
 [Theophilus Field R60]
Jesse George [R51]
L. Goffigon
 [Laban Goffigan R54]
Jos. Godwin [Joseph Godwin R53]
Tho. Humphlett
 [Thomas Humphlet R45]
Parson Hubert
 [Pasco Herbert R43]
Sam'l Haley
 [Samuel Healey R42]
Mich'l. James
 [Michael James R47]
J. V. Kautzman
 [John Valentine Kautzman R59]
Richard Parker [R81]*
Wm H Parker [William H. Parker R82]
Geo Rogers [George Rogers]
Jos. Saunders
 [Joseph Saunders S17073]
Jos. Speake [Joseph Speake R95]
Wm. Steele [William Steele R96]

21 Lieutenants

Masters

L. Bailey [Laban Bayly R1]
Jas Banks
 [James Banks W5762]
Wm Bennett
 [William Bennett R8]
Tho Bonwell
 [Thomas Bonnewell R10]
Wm Booth
 [William Booth R11]
Jno Britton
 [John Brittain R13]
R. Dobson
 [Robert Dobson R36]
R. Hall [Robert Hall R40]
Jno Jennings
 [John Jennings R48]
Jno Moore [John Moore R78]
Joseph Marshall [R69]

Jno Tupman
 [John Tupman R105]
Jenifer Marshall
 [Jenepher Marshall R70]
John Gibson [R52]

14 Masters

The affidavit of Mrs Ann Payne before me Fayette Jones, a Justice of the Peace for Elizabeth City County, Virginia, on this 19th November 1850.

The said deponent being duly sworn, states that she is a native of Elizabeth City County and resided in Hampton Virginia during the whole of the revolutionary war, deponent was well acquainted with Joseph Marshall, who was first a Midshipman in the Virginia State Navy, and was subsequently a sailing master, and in that capacity was attached to the schooner called the Scorpion, during or near the close of the war. The said vessel was captured by the British and the officers and men attached to the said vessel were kept in captivity until some time after the close of the war, among whom was the said Joseph Marshall.

Ann herXmark Payne

[Copy certified at the Third Auditor's Office, 7 June 1852.]

[The following is from [rejected claims in the Library of Virginia](#). The file also includes copies of the documents transcribed above.]

To The Executive of Virginia

As the attorney for the Heirs of Peter Fiveash dec'd. who was a Sailing Master in the Virginia State Navy, during the War of the Revolution, I present their claim for bounty Land, due for his service in the War of the Revolution

Evidence [a summary of documents in the federal half-pay claim follows]

From this evidence I ask for the allowance of the usual land Bounty

James Murdaugh/ attorney for the Heirs
Richmond July 10th 1851

NOTE:

According to E. M. Sanchez-Saavedra, *A Guide to Virginia Military Organizations in the American Revolution, 1774-1787*, the sloop *Scorpion* was in the Virginia Navy with the following officers: Captain Wright Westcott (pension application R106), 1st Lt. Laban Goffigon (R54), 2nd Lt. William Ivy (R46), 2nd Lt. John Archer (W5348). All but Ivy (who died in 1778) were allowed half pay for their services.

The following is from R. A. Stewart. *History of Virginia's Navy of the Revolution*, 1934, p 105. "The loss of the Sally Norton [spring 1781] was followed by that of the *Scorpion*. Capt. Wright Westcott, bound for Martinique, made out early one morning, as the mists broke away before the sun, a sail bearing towards him with clearly hostile intent. As the distance between them diminished, the stranger revealed herself as a powerful frigate, subsequently learned to be the *Cerberus* under command of Sir Jacob Wheat. To engage with any prospect of victory was for the *Scorpion* out of the question. No valor could avail against so formidable an adversary. Crowding on all her canvas, the *Scorpion* bore away with all the speed of which she was capable. The pursuit continued in earnest, with early chances favoring the Virginian's escape. But, with the rising of the wind as the day advanced, the larger vessel gained an advantage. Yet the *Scorpion* held her way for hours, and it was not until the same sun that had betrayed her presence in the early morning was dipping beneath the horizon that the American was overhauled and captured. Officers and crew were carried to Bermuda, and there held in prison-ships until the declaration of peace.*

*Among prisoners returned to Virginia on January 7, 1783 on the Bermudan boat *Dolphin* were Lieut. John Crew, Peter Fiveash, sailing-master, and Laban Goffigan, pilot, all of the *Scorpion*."

Note, however, that Crew and Goffigan are not on the list of returned prisoners.

Southern Campaign American Revolution Pension Statements & Rosters

Fiveash Peter
Transcription by Fred Weyler

VA

R39 f79VA
20Jul2013

[p13] A misfiled note about sailor John Gibson's land bounty

[p16]

Naval Claims allowed half pay

Captains	Lieutenants	Masters
Richard Barron	John Archer	L. Bailey
Saml Barron	Jesse Cannon	Ja ^s Banks
James Barron	Geo Catlett	W ^m Bennett
George Elliott	G. Chamberlayne	Tho Bonwell
George Goneley [?]	Tho Chandler	W ^m Booth
John Harris	Js Dougherty	R. Dobson
Tho Herbert	Theoph. Field	R. Hall
Thomas Lilly	Jesse George	Jno Jennings
Js. Machham	L. Goffigon	Jno Moore
J ^s Maxwell	Jos. Godwin	Joseph Marshall
John Parturs [?]	Tho. Hemphill	Jno Tupman
John Rogers	Parson Herbert	Jenefer [?] Marshall
W ^m Saunders	Sam ^l Haley	John Gibson
W ^m Skinner	Muh ^l [?] James	14 Masters
Richard Taylor	J.V. Kautzman	
John Thomas	Richard Parker	
Edward Travis	W ^m H Parker	
Willis Wilson	Geo Rogers	
Ed. Honneycutt [?]	Jos. Saunders	
Wright Westcott	Jos. Speaker [?]	
Mark Thomas	W ^m Steele	
21 Captains	21 Lieutenants	

® Parker & Cannon, Lieutenants, commanded the "Accomack" & "Diligence" galleys, making 23 commanders who have aud. half pay.

V.E.

[p33]

The affidavit of Mrs. Ann Payne before me Fayette Jones, a justice of the Peace for Elizabeth City County, Virginia, on the 19th November 1850.

The said deponent being duly sworn, states that she is a native of Elizabeth City County and resided in Hampton Virginia during the whole of the revolutionary war. Deponent was well acquainted with Joseph Marshall who was first a midshipman in the Virginia State Navy, and was subsequently sailing master, and in that capacity was attached to the schooner called the Scorpion, during or near the close of the war. The said vessel was captured by the British and the

officers and men attached to the said vessel were kept in captivity until some time after the close of the war, among whom was the said Joseph Marshall.

Ann Payne x her mark

[certification by
Fayette Jones, J.P.
Jno S. Gallaher, auditor of third auditor's office]

[Various correspondence among attorney for the heirs of Peter Fiveash, James Murdaugh, estate administrator John Ridley, Secretary of the Interior A.H. Stuart, and others during 1851 and 1852 allude to allegations that Fiveash was sailing master for the "Scorpion" and was imprisoned in Bermuda. The claim was repeatedly refused, final ruling was by the Court of Pensions.]

[p42-46] notes that John Gibson was granted half pay and bounty land as sailing master in the Virginia Navy. Signatures of Benjamin Harrison and Thomas Meriwether are apparently transcribed by the clerk, not actual handwriting.

[P50]

State of Virginia

Elizabeth City County to wit:

The affidavit of Ann Payne taken before me Fayette Jones a Justice of the Peace in and for the County of Elizabeth City in the State of Virginia, on the 25th day of May in the year 1841. Ann Payne a resident of Elizabeth City County in the State of Virginia being duly sworn according to law, depose and saith: That she knew and was well acquainted with Peter Fiveash, who was a Mater in the Virginia State Navy during the War of the Revolution, and in the early part of the said war was attached as a master in one of the small cruisers called the "Scorpion." That at a subsequent period the said Peter Fiveash as captured by the enemy and retained as a prisoner of war until after the peace in 1783. The deponent cannot call to mind distinctly when he was confined, but to the best of her recollection it was in the Island of Bermuda. That the said Peter Fiveash after the termination of the war, and his release from imprisonment resided in the said county of Elizabeth City until the period of his death, which occurred (as well as she recollects) about 50 years ago. Given under my hand this 25th day of May in the year 1851.

Test: Thomas C. Park

Ann Payne x her mark

[certification by Fayette Jones, JP

Samuel S. Howard, clerk

Wm H. Richardson, clerk of Executive Department, Richmond

[p52-53]

The pension office discounted the Ann Payne statement (from a venerable resident aged over 84) because of papers on file listing 45 prisoners in Bermuda of which Peter Fiveash was one. Further, Ann Payne had in 1850 (p33) named a different master for the same ship. Peter's connection to the Scorpion was alleged only by Ann Payne in contradiction to herself. The timing of the capture of the ship was not aligned with the imprisonment of Peter Fiveash. The pension office conjectured that Fiveash was a commercial sailor.

[p71]

List of Prisoner of War for Brig Dolphin Tho^s Seymour Master for Virginia

No	Names	Stations	No	Names	Stations
1	Peter Fiveash	Master	25	John Freeman	Sailor
2	Steven Swain	Master	26	Josiah Snow	“
3	Mallirlo Miller	Sailor	27	Jona Gross	“
4	John Kelly	Do	28	W ^m Woodhouse	“
5	John Catrule	Do	29	John Higgason	“
6	Henry Rhodes	Do	30	Negro, Sam ^l	“
7	W ^m Carroll	“	31	Joshua Oldner	Master
8	John Savage	Master	32	John Gorham	Mate
9	John Reid	Passenger	33	Norman Bigole	Passenger
10	Severn Reid	Do	34	John Foster	Sailor
11	John Parker	Sailor	35	Ja ^s Foster	Do
12	Henry Window	Do	36	Joshua Gardner	“
13	Robert Speres	“	37	Whiston Jones	“
14	Tho ^s Ameg	“	38	W ^m Boothe	“
15	Rob ^t Ryan	“	39	W ^m Lassater	“
16	John Spinner	Master	40	Lewis Peers	“
17	Edward Walsh	Passenger	41	Sam ^l Michell	“
18	Daniel Jacobs	Master	42	Moses Caps	“
19	Amos Jacobs	Sailor	43	Luke Hill	“
20	Tho ^s Wallace	Master	44	Daniel Downing	Passenger
21	John Gibson	Do	45	Daniel Richards	Mate
22	Tho ^s Martin	Sailor			
23	W ^m Curtis	“			
24	Owin Barney	“		Return of	5 Masters
					5 Mates
					5 Passengers
					30 Sailors

Commissary's office St. George
Bermuda Dec 24th 1782
Pendock Neal Cy of Prisoners