

CHARLES J. DAVIS, ADMINISTRATOR.

[To accompany bill H. R. No. 396.]

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JUNE 10, 1854.

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Mr. DRUM, from the Committee on Revolutionary Claims, made the following

REPORT:

*The Committee on Revolutionary Claims, to whom was referred the petition of Charles J. Davis, administrator of Captain John Davis, an officer of the Revolution, report:*

That the facts of the case are correctly stated in the report of Mr. Butler submitted at the 1st Session of the 31st Congress, and which is adopted by this committee. A bill for the relief of the petitioner is herewith presented.

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JULY 25, 1850.

*The Committee on Revolutionary Claims, to whom was referred the petition of Charles J. Davis, administrator of Captain John Davis, an officer of the Revolution, report:*

That the petitioner claims, in right of Captain John Davis, the commutation and bounty land promised to certain officers of the army of the Revolution who should serve to the end of the war. The proof in support of the claim is as follows: The original commission is produced, dated at Philadelphia, the 10th day of April, 1779, signed by John Jay, president of Congress, constituting John Davis a captain in the ninth Pennsylvania regiment in the army of the United States, to take rank as such from the 15th day of November, A. D. 1776. The oath of allegiance to the United States, sworn to by Captain John Davis, of the ninth Pennsylvania regiment, before Major General Lord Sterling, at Valley Forge, the 28th May, 1778, is also exhibited.

The remains of a journal kept by Captain Davis shows his active services during the war. Some portion of it is evidently torn off, and the first date that remains is January 4, 1778. The last date seems to have been made in South Carolina, January 11, 1782. Captain Davis was also a member of the Cincinnati Society, as appears from his diploma dated 31st October, 1785. This is not conclusive that he served to the end of the war, as by the constitution of that society three

years' service and an honorable discharge, as well as service to the end of the war, entitled officers to membership. There is parol proof, however, which, in addition to the facts above stated, is entirely satisfactory to the committee that Captain Davis continued in the service until the end of the war, particularly as there is no evidence among the public records or otherwise that he ever resigned his commission, or was discharged until the army was finally disbanded after the peace.

There is no evidence that Captain Davis ever applied for or received his commutation or bounty land. He was a highly respectable man, and his pecuniary circumstances were such as not to make it necessary for him to avail himself of the provisions made by his country for those who, like himself, had served her in her hour of need; and with a patriotic feeling of independence he abstained from making the claim during his lifetime. He had married a daughter of John Morton, one of the signers of the declaration of independence, and was for many years an associate judge of the courts in Chester county, Pennsylvania. After his death, which took place about the 1st of September, 1827, his family became reduced in their pecuniary condition, and now feel justified in calling for what is justly due from the government. The committee, upon a careful examination of the subject, find that the case is brought within the resolves of Congress granting commutation and bounty land. The committee report a bill accordingly.