

### **Pension Application for Josiah Weaver**

R.11243

New York & Vermont

At a Court of Common Pleas holden at the Court house in the Village of Elmira in and for the County of Tioga in the State of New York Commencing on the fourth day of September 1832—Present Hon. Grant B. Baldwin first Judge...John R. Drake, Darius Bentley, Joseph L. Darling & Elijah Shoemaker Esquires Judges.—

State of New York

Tioga County SS.

On this 4<sup>th</sup> day of September 1832, personally appeared in open court before the Judges aforesaid being a court of record because made so by the Laws and constitution of the State, having by Law a Clerk and Seal now sitting Josiah Weaver a resident of the Town of Elmira in the County of Tioga and State of New York aged eighty four years, the sixteenth day of June last who being first duly sworn according to law doth on his oath make the following declaration in order to obtain the benefit of the Act of Congress passed June 7<sup>th</sup> 1832; that he entered the service of the United States under the following named officers and served as herein stated.

That about the first of June in the year 1777 the militia in the Town of Clarrendon County of Rutland and State of Vermont and also in that County generally were called upon to furnish two companies for the service of the United States in the common cause of liberty and this declarant volunteered for three months in the company commanded by Capt. Seely and under the command of Col. Mead (1) who then resided in Rutland aforesaid—That he this declarant together with the said company were marched to Bennington in the said State of Vermont and he was in the Battle on the 16<sup>th</sup> of August of that year under Gen. Stark (2) in which engagement he received a bullet wound in his left hand which crippled three of his fingers so that they have remained crooked up and useless to the present day—he finished this campaign of three months and was dismissed—sometime in the fall of the same year '77 he took his small family a wife and two children and removed on to the North River in the County of Dutchess in the State of New York at a place in the neighborhood of what was called the Nine Partners. On his arrival at this place he found that the enemy had the command of the river and a call was made upon the militia to guard the bank of the river at every assailable point from the said Nine Partners down to Fishkill a distance of about twenty miles—This declarant volunteered for that purpose he thinks in the latter part of October '77 in the company of Captain Israel Veal under Col. Vanderbergh (3) in which company he served upwards of two years receiving regular pay and rations—another company was in the same service at the same time under Captain Reynolds (4) and under the same Col. the nature of this service was to guard the bank of the River so as to prevent the enemy from the shipping in the River from landing and pillaging the property of the inhabitants along the shore and its vicinity; and also to prevent any intercourse of the Tories with them with which this region was very much infested. In this service he continued without any special engagement as to the length of time till the beginning of the winter or the month of December in the year 1779 when he was dismissed—He then removed with his family to Half Moon Point in the now county of Saratoga but then county of Albany and about ten miles above the City of Albany at which place he continued to live upwards of thirty years but instead of getting beyond the seat of war he found he was getting more and more into it—at this place he immediately volunteered in the company of Capt. Joshua Taylor (5) and under Col. VanSchoonhoven for one year which he completed about the first of January in the year 1781 when he was dismissed from any further service—during this last year's service he was stationed most of the time at Half Moon aforesaid on guard and sentry except in the summer of 1780 he performed an expedition under Capt. Taylor to Lake George where he staid about one week and returned—That he has no documentary evidence of his said services and that he knows of no person whose testimony he can procure who can testify to his said service.—

And in answer to the several interrogatories put to him by the Court he says that he was born in the Town of Warwick in the State of Rhode Island on the 16<sup>th</sup> day of June in the year 1748; that he had a record of his age which he took from his parents record and placed it in his family Bible when he was young; but about five years since it got burnt with his dwelling house and he has now no record by his memory which he believes is correct, and is as above stated—that when he first entered the service of the United States he lived in the town of Clarrendon, County of Rutland and State of Vermont; that at the close of the Revolutionary war he lived in the town of Half Moon, in the County of Saratoga and State of New York and lived there for the space of about thirty years, then lived about fourteen years in the Town of Dryden, County of Tompkins and state last mentioned and for the last five years or since his house was burnt he has had no permanent place of resident and that he now lives in the Town of Elmira aforesaid—that he went into the service at the several times above stated as a volunteer—that which in the service aforesaid he was acquainted with Gov. George Clinton (6)—he was along in the expedition to Lake George already mentioned—he was also acquainted with Gen. James Clinton—but his recollection of any other Troops or Regiments than those already mentioned is very indistinct—that he never received any paper discharge from the service—That he would refer to the Hon. Thomas Maxwell, Elijah Jones and the first Judge of this Court all of Elmira aforesaid as persons who are acquainted with his reputation for the good standing of truth and veracity and for their belief in the truth of the foregoing declaration.

That he hereby relinquishes every claim whatever to a pension or annuity except the present and declares that his name is not on the pension roll of the agency of any state. (Signed with his mark) Josiah Weaver  
Sworn to & subscribed the day & year aforesaid. Green M. Tuthill, CLK

Letter dated June 24, 1929, in reply to an inquiry about the soldier.

I advise you from the papers in the Revolutionary War pension claim, R.11243, it appears that Josiah Weaver was born June 16, 1748, at Warwick, Rhode Island.

While residing at Clarendon, Rutland County, Vermont, he enlisted in June 1777, and served three months as a private in Captain Seely's Company Colonel Mead's Vermont Regiment and was in the battle of Bennington, where wounded in his left hand.

He stated that in the fall of 1777, he moved with his wife and two children (their names not given) to North River, Dutchess County, New York, and from in October, 1777, served two years under Captain Israel Veal and Colonel Vanderberg with the New York Troops, guarding the banks of the river to prevent the enemy from landing; in 1779, moved to Half Moon Point, Albany County, New York, and served one year under Captain Joshua Taylor and Colonel VanSchoonhoven and was on guard duty at Half Moon.

He applied for pension September 4, 1832, while residing at Elmyra, Tioga County, New York.

The claim was rejected on the ground that the soldier failed to render six months actual service in an embodied corps, the three year service constituted patrol duty which was not embraced in the Act of 1832 under which he applied.

There are no further data as to family.

End Notes—R.1124--Josiah Weaver

1. Probably Colonel James Mead of the Vermont Militia.
2. Brigadier-General John Stark of the New Hampshire Militia. He was appointed Brigadier-General in the Continental Army on October 4, 1777.
3. Israel Vail was appointed Captain on March 10, 1778 in Colonel James VanDeburgh's (also appointed on March 10, 1778) Fifth Regiment of Dutchess County militia.
4. Joseph Reynolds was the Captain of the Third Company (commissioned October 17, 1775) in Colonel VanDeburgh's Regiment (Colonel William Humphrey's in 1775).
5. Joshua Taylor is Commissioned the First Lieutenant on March 4, 1780, in Captain Elias Steenburgh's Company in Colonel Jacobus VanSchoonhoven's Twelfth Regiment of Albany County Militia (Half Moon and Ballston Districts).
6. George Clinton, Governor of New York State, and Brigadier General James Clinton of the Continental Army were brothers.