



26445  
 Philip Wernitz  
 of Centre Co. in the State of Pa  
 who was a Private in the Company commanded  
 by Captain Blum of the Regt. commanded  
Col. Miltin in the 1st Regt.  
of Pa.  
 Served on the Roll of 1st Regt.  
 at the rate of 10 Dollars per month  
 to commence on the 1st day of March, 1831.  
 Certificate of Pension issued the 10 day of July  
 and paid to Philip Wernitz  
134 N. C. Pike, Bellefonte  
 Amount to the 1st of Feb 31 50.00  
 For rent, allowance ending 1/31 10.00  
\$ 60.00  
 Revolutionary War  
 this June 7, 1831  
 Recorded by J. D. Spruill  
 Book 6 Vol. 51 Page 652

Philip Wernitz  
 24292



5<sup>th</sup> State the names of the Regular officers who were with the troops with you, such as Captains & Militia regiments as you can recollect & the general circumstances of your service.

Ans. I do not remember the names of any of the regular officers, or soldiers. I served two days in guarding & evacuating prisoners from York to Reading - I was drafted & served three months in guarding the English prisoners at a new post - I then served an additional three months as a substitute for Daniel Spental.

6<sup>th</sup> Did you ever receive a discharge & where is it? Ans. I never rec<sup>d</sup> a discharge when the two of these months, for which I was drafted had expired I was permitted to leave the army with a discharge.

7<sup>th</sup> State the names of persons residing in your present neighborhood, who can certify as to your character for honesty, and their belief of your services as a soldier of the Revolution.

Ans. John Hatterman George Moxey of Haines townsh. Centre County, as of your case.

Sworn & subscribed, in open Court this 25<sup>th</sup> day of January 1838  
Jas Gilliland, Justice

J. Fuller, juror

3

We John Hatterman & George Moxey of Haines townsh. Centre County Pennsylvania, here by certify that we are well acquainted with Philip Moxey who has subscribed to the above declaration & believe him to be about 70 years of age & that he is respected & believed in the neighborhood where he resides to have been a soldier of the revolution - and we concur in that opinion.

John Hatterman  
George Moxey

Sworn & subscribed in open Court this 25<sup>th</sup> day of January 1838  
Jas Gilliland, Justice

And the said Court do hereby declare their opinion, after the investigation of the matter, and after putting the interrogatories prescribed by the said Statute that the above named Philip Moxey was a soldier of the Revolution & served as he states. And the Court further certifying that John Hatterman & George Moxey who have signed the above, certificates are residents of Haines townsh. in Centre County and are credible persons & that their statements is entitled to credit.

John Moxey  
Jacob Moxey  
Jacob Moxey

John Moxey Clerk of the Court of Common Pleas in & for the County of Centre do hereby certify that the foregoing contains the original proceedings in the matter of the application of Philip Moxey for a pension.

In testimony whereof I have hereunto set my hand and affixed the seal of office this 28<sup>th</sup> day of January 1838  
Jas Gilliland, Clerk

Philip Moxey  
24292

No 24292  
 Philip Wermey  
 Contraband  
 Pennsylvania

f-1780 p 6  
 \$20.

R. C. Hale Esq  
 Bellefonte  
 Pa  
 James Sullivan Esq.  
 Bellefonte  
 Pa

WAR DEPARTMENT,  
 Pension Office.

193

Sir:

The evidence in support of your claim, under the act of June 7, 1832, has been examined, and the papers are herewith returned. The following is a statement of your case in a tabular form. On comparing these papers with the following rules, and the subjoined notes you will readily perceive that objections exist, which must be removed, before a pension can be allowed. The notes and the regulations will show what is necessary to be done. Those points to which your attention is more particularly directed, you will find marked in the margin with a brace (thus: } ). You will, when you return your papers to this Department, send this printed letter with them; and you will, by complying with this request, greatly facilitate the investigation of your claim.

A Statement, showing the Service of Philip Wermey Contraband

Period during the residence.	Duration of the claimant's service.			Rank of the claimant.	Name and rank of the Field office under whom he served.	Age at present, and place of abode when he entered the service.	Proof by which the declaration is supported.
	Year.	Month.	Day.				
Apr 1862	10			Private	Capt. E. B. Stone	17 1/2 years	Practical evidence
Apr 1862	3				no field office established	17 1/2 years	Account of living witness for 3 1/2 years
Apr 1862	3					17 1/2 years	Practical evidence
Apr 1862						17 1/2 years	Practical evidence

I am, respectfully,  
 Your obedient servant,

J. L. EDWARDS,  
 Commissioner of Pensions.

REGULATIONS UNDER THE ACT OF JUNE 7, 1832.

The following regulations have been adopted:
This law has been construed to extend, as well to the line, as to every branch of the Staff of the Army, and to include under the terms "Continental Line," "State troops," "militia," and "volunteers," all persons enlisted, drafted, or who volunteered...

- 1. The Regular Troops.
2. The State Troops, Militia, and Volunteers.
3. Persons employed in the Naval Service.
4. Indian Spies.

As rolls of the regular troops in the Revolutionary War exist in this Department, all persons claiming the benefit of this law as officers, non-commissioned officers, musicians or privates, will, in the first instance, make application by transmitting the following declaration, which will be made before a Court of Record of the County where such applicant resides.

DECLARATION,

In order to obtain the benefit of the Act of Congress of the 7th of June, 1832.

State, Territory, or District of
County of

On this day of personally appeared (a) before
A. B. a resident (b) of in the county of and State, Territory or District
of aged (c) years, who being first duly sworn, according to law, doth on his oath make the following declaration, in order to obtain the benefit of the provision made by the act of Congress, passed June 7th, 1832. That he enlisted in the Army of the United States in the year (d) with and served in the (e) regiment of the line, under the following named officers:

[Here set forth the names and rank of the Field and Company Officers; the time he left the service; (and if he served under more than one term of enlistment, he must specify the particular period, and rank and names of his officers;) the town or county and State in which he resided when he entered the service; the battles, if any, in which he was engaged, and the country through which he marched. This form is to be varied so as to apply to the cases of officers and persons who belonged to the militia, volunteers, navy, &c.]

He hereby relinquishes every claim (f) whatever to a pension or an annuity, except the present, and he declares that his name is not on the Pension Roll of any Agency in any State, or (if any) only on that of the Agency in the State of

Sworn to and subscribed the day and year aforesaid. A. B.

[And then will follow the certificate of the Court.]

And the said Court do hereby declare their opinion (g) that the above named applicant was a revolutionary soldier, and served as he states.

I, of the Court of do hereby certify (h) that the foregoing contains the original proceedings of the said Court in the matter of the application of for a pension.

In testimony whereof, I have hereunto set my hand and seal of office (i) this day of &c.

If, on examination of the proper record, the names of applicants, making such declaration, cannot be found, they will produce such proof as the rule given in note (j) points out.

Every applicant who claims a pension by virtue of service in the State Troops, Volunteers or Militia, except those who belonged to the New Hampshire Militia and State Troops of Virginia, will make and subscribe a declaration similar to the foregoing, with the following additions, viz:

(k) We, A. B. a Clergyman, residing in and C. D. residing in (the same) hereby certify, that we are well acquainted with and C. D. who has subscribed and sworn to the above declaration; that we believe him to be years of age; that he is reputed and believed, in the neighborhood where he resides, to have been a soldier of the Revolution, and that we concur in that opinion.

Sworn and subscribed the days and year aforesaid.

[And then will follow the certificate of the Court.]

And the said Court do hereby declare their opinion, after the investigation of the matter, and after putting the interrogatories prescribed by the War Department, that the above named applicant was a Revolutionary Soldier, and served as he states. And the Court further certifies, that it appears to them that A. B. who has signed the preceding certificate is a clergyman, resident in the and that C. D., who has also signed the same is a resident in the and is a credible person, and that their statement is entitled to credit.

I, Clerk of the Court of do hereby certify that the foregoing contains the original proceedings of the said Court, in the matter of the application of for a pension.

In testimony whereof, I have hereunto set my hand and seal of office, this day of &c.

Every applicant will produce the best proof in his power. This is the original discharge or commission; but if neither of these can be obtained, the party will so state under oath, and will then procure, if possible, the testimony of at least one credible witness, stating in detail his personal knowledge of the services of the applicant, and such circumstances connected therewith, as may have a tendency to throw light upon the transaction.

If such surviving witness cannot be found, the applicant will so state in his declaration, (l) and he will also, whether he produce such evidence or not, proceed to relate all the material facts, which can be useful in the investigation of his claim, and in the comparison of his narrative with the events of the period of his alleged service, as they are known at the Department. A very full account of the services of each person

will be indispensable to a favorable action upon his case. The facts stated will afford one of the principal means of corroborating the declaration of the applicant, if true, or of detecting the imposition, if one be attempted; and unless, therefore, these are amply and clearly set forth, no favorable decision can be expected. All applicants will appear before some Court of Record in the County in which they reside, and there subscribe and be sworn to, one of the declarations above provided, according to the nature of his case.

The Court will propound the following (m) interrogatories to all applicants for a pension, on account of service in the Militia, State troops, or Volunteers, except the Militia of New Hampshire and the State troops of Virginia.

- 1. Where and in what year were you born?
2. Have you any record of your age, and if so, where is it?
3. Where were you living when called into service; where have you lived since the Revolutionary war, and where do you now live?
4. How were you called into service; were you drafted, did you volunteer, or were you a substitute? And if a substitute, for whom?
5. State the names of some of the Regular Officers, who were with the troops, where you served; such Continental and Militia Regiments as you can recollect, and the general circumstances of your services.
6. To a Soldier, Did you ever receive a discharge from the service, and if so, by whom was it given, and what has become of it?
To an Officer, Did you ever receive a commission, and if so, by whom was it signed, and what has become of it?
7. State the names of persons to whom you are known in your present neighborhood, and who can testify as to your character for veracity, and their belief of your services as a soldier of the Revolution.

The Court will see that the answers to these questions are embodied in the declaration, and they are required to annex their opinions of the truth of the statement of the applicant.

The applicant will further produce in Court, if the same can be done, in the opinion of the Court, without too much expense and inconvenience to him, two respectable persons—one of whom should be the nearest clergyman, if one lives in the immediate vicinity of such applicant, who can testify, from their acquaintance with him, that they believe he is of the age he represents, and that he is reputed and believed in the neighborhood to have been a Revolutionary soldier, and that they concur in that opinion. If one of these persons is a Clergyman, the Court will so certify, and they will also certify to the character and standing of other persons giving such certificates.

The ordinary evidence of service is deemed very important, in the absence of any direct proof, except the declaration of the party. And the Courts are requested to be very particular in the enquiry whether the belief is general, and whether any doubts have ever existed upon the subject.

Applicants unable to appear in Court, by reason of bodily infirmity, may make the declaration before required, and submit to the examination, before a Judge or Justice of a Court of Record of the proper county, and the Judge or Justice will execute the duties, which the Court is herein requested to perform, and will also certify that the applicant cannot, from bodily infirmity, attend the Court.

Whenever any official act is required to be done by a Judge or Justice of a Court of Record, or by a Justice of the Peace, the certificate of the Secretary of State, or of the Territory, or of the proper Clerk of the Court or County, under his seal of office, will be annexed, stating that such person is a Judge or Justice of a Court of Record, or a Justice of the Peace, and that the signature annexed is his genuine signature.

No payments can be made on account of the services of any person, who may have died before the taking effect of the act of June 7, 1832; and in case of death subsequent thereto, and before the declaration herein required is made, the parties interested will transmit such evidence as they can procure, taken and authenticated before a Court of Record, showing the services of the deceased, the period of his death, the opinion of the neighborhood respecting such services, the title of the claimant, and the opinion of the Court upon the whole matter.

(e) The declarant must appear in open Court, unless prevented from doing so by reason of bodily infirmity; in which case the declarant will follow the rule laid down for his guardian.
(f) The declarant must make his declaration in the county where he resides. If he should fail to do so, he must assign a sufficient reason for not conforming to the rule.
(g) The declarant must mention the periods or periods of the war when he served.
(h) Every continental officer or soldier must give the name of the Colonel under whom he served; otherwise a satisfactory examination of the claim cannot be had. Every claimant must state, with precision, the length of his service, and the different grades in which he served, in language so definite as to enable the Department to determine to what amount of pension he is entitled. In a case where the applicant cannot, by reason of the loss of memory, state precisely how long he served, he should annex a declaration, sworn to before some Justice of the Peace, &c., by a person of high reputation, that he was in the service of the United States during the periods mentioned above, and in the following grades:—For ———— year ———— month ———— day, he served as a ————, and for each service he claims a pension. ————
It is important, in all cases, to determine with precision the period for which each applicant served, and the particular rank he held during the term of his service, and the length of his service. The use of the phrase about three or four months, in the militia, &c. without specifying the month and day of his service, and the particular ranks he held, is highly objectionable. It must, in every case, be clearly shown under what officers the applicant served; the duration of his term of engagement; the particular place or places where the service was performed; that the applicant served with an established corps called into service by competent authority; that he was either in the field or in garrison; and for the time during which the service was performed, he was not employed in any civil pursuit.
(i) The law makes the relinquishment indispensable.
(j) The opinion of the Court is always required.
(k) The Clerk must give his certificate in every case.
(l) The Clerk must affix his seal, and if it has no device or inscription by which it can be distinguished from any other seal, or if he has no public seal of office, the certificate of a Member of Congress, proving the official character and signature of the certifying officer, should accompany the papers.
Mise of authenticating papers.
In every instance where the certificate of the certifying officer who authenticates the papers, is not written on the same sheet of paper which contains the affidavit, or other papers authorized, the certificate must be attached thereto by a piece of tape or narrow ribbon, the ends of which must pass under the seal of office of the certifying officer, so as to prevent any paper from being improperly attached to the certificate.
Proof of Service.
[1] In a case where the name of the applicant is not found on the records of the Department, he must prove his service by two credible witnesses, who are required to set forth in their affidavits, not only the time and nature of his services, but also the name of the regiment, company, and line to which he belonged. The affidavits will be taken before some Justice of the Peace, or some other magistrate, and the official character and signature of the magistrate must be attested by the proper authority. The notes from [a] to [l] are all equally applicable to the cases of Militia men, Volunteers and State Troops. The proof required by [m] also applies to continental troops only.
[n] This extraordinary evidence is indispensable in militia cases.
[o] If a witness cannot be found, the declarant must state the fact.
[p] The answers to the interrogatories must all be written, and sent to the War Department, with the declaration.

John C. Watkins

Will Mr. Adler kindly  
translate the signature  
in the declaration hereto  
attached and place  
the translation on this  
slip?

S.M.C.

Phillip Wernitz  
L.A.

Rev. Man

7860  
INVALID.

File No.

7865

Phillip Wernitz\*

Prin. Rev. War

Act:

June 7<sup>th</sup> 1832

Index:—Vol.

105

Page

398

[Arrangement of 1870.]

Phillip Wernitz, Aug 8, 1904  
Record corrected

Union County Pa.

I do hereby certify that Hugh  
Wilson Esq. is one of the Asso-  
ciate Judges of the Court of  
Common Pleas of Union County  
Pennsylvania duly commissioned & qualified.  
Witness my hand and the  
Seal of Office this tenth day of  
January A.D. 1833

Joseph Sitwell, Clerk  
for Thomas Sitwell

7  
Wilson  
Personally appeared before me Hugh <sup>Wilson</sup> Esq.  
one of the Judges of the Court of Common Pleas of  
Union County, and State of Pennsylvania, this twentieth  
day of December A.D. 1832, Martin Cronmiller, of  
the said County, who being duly sworn according  
to law doth depose and say that he distinctly  
remembers that in the Spring of the year 1780  
when residing in the town of York, York County,  
and State of Pennsylvania that Philip  
Wendy entered the Service of the United States as a  
militia man under the command of Captain  
John Sherman, of whose Company department was  
Corporal, that the Company proceeded to the  
town of Reading in the County of Berks and  
State of Pennsylvania where they escorted  
a number of English Prisoners from the town  
of York and that they were absent upon this  
duty for about ten days.

And he doth ~~depose~~ depose and testify that ~~that~~  
in the fall of the same year 1780 the said  
Philip Wendy again entered the Service of the  
United States as a militia man under the  
command of Captain John Sherman Lieut-  
enant John Albertson at which time and in which  
Company department was again Corporal, that during  
this Service the Company was engaged in digging  
ditches, making palisades, for the secure keeping  
of the said prisoners, and that during the entire  
Service which lasted for three months the said  
Philip Wendy performed his duty as a good sol-  
dier and a good Citizen.

And further this Depoent saith not.  
Sworn and subscribed before Martin Cronmiller  
Jue. one of the Judges of Union  
County, Pennsylvania date above  
by Martin Cronmiller whose statement  
is worthy of credit  
Hugh Wilson



State of Pennsylvania,  
Union County

I Joseph Stillwell Clerk  
of the Court of Common Pleas of  
the county, and State aforesaid, do  
hereby certify that Hugh Wilson says  
before whom the within deposition  
was taken is one of the Associate  
Judges of the Court of Common  
Pleas of Union County, duly  
commissioned and qualified, and  
that the within signature, pur-  
porting to be his is genuine  
Given under my hand and  
the seal of said County, this  
thirtieth day of May 1854

Joseph Stillwell Clerk

State of Pennsylvania,  
Berks County

And now this 24<sup>th</sup> day of May  
1854, the deposition of Martin Cronmiller  
having been forwarded to the Prothonary  
of Union County for correction and to have  
the same properly certified is returned  
and attached to the original papers  
of Philip Womsey in his application for  
a pension. Witness my hand & the seal  
of office the day & year above written

Jas. Gilliland Prothonary