

3731

Wm. Smith
Richard Smith died late
widow of John Smith, dec'd
who died on the 17th Septemr 1779
of Maricott in the State of New Jersey
who was a Soldier in the Army, commanded
by Captain Parsons of the Regt. commanded
by Col. Holmes in the late Jersey
line for 2 1/2 years

Inserted on the Roll of New Jersey
at the rate of 80 Dollars. Rate per annum.
to commence on the 1st day of March, 1831. Verifying
24th March 1831 Macadam

Certificate of Pension issued the day of June
1831 at New York N.Y.
Richard Smith
Attends to the 1st of March 1831 \$480 00
Pension allowance ending 31st
March 1831 \$444
her death \$444

{ Revolutionary Claim,
Act July 2, 1836,
Section the 3rd }

Recorded by W. Madison Clerk.
Book 6 Vol. 2 Page 146
Payment to be made to Ellen
Mrs. Smith, children of said dec'd

Payment to be made
to Ellen Miller
Mary Miller
Elizabeth Roberts and
John E. Smith
Children of said
deceased

Let to P. Dickinson
June 29 1832

3517
Rachel Smith^d

N. J.

Oct 4. July '36

m 70. d 99.

noted

2 years pri

80 \$

To Ellen Miss. Mary
Miller Elizabeth Roberts
~~By order of~~
John R. Smith del.
drew for 4 months
to 24 March 1837

J. M. Harris home St
Freehold
N. J.

Declaration of Rachel Smith, in order to obtain the
benefit of the third Section of the Act of Congress
of the 24th of July 1836.

State of New Jersey }
Monmouth County } on this day of
in the year of our Lord one thousand eight hundred
and thirty six before the Judges of the Superior Court
of Common Pleas of said County, personally appeared
Rachel Smith, resident of the Township of Freshford
in the County and State of aforesaid aged eighty four
in May last, who being first duly sworn according
to Law, doth on her oath make the following declar-
ation in order to obtain the benefit of the provisions
made by the Act of Congress, passed July 4, 1836. That she
is the widow of John Smith who was a private in
the Army of the United States, and also in the Militia
of Monmouth County aforesaid during the Revolutionary
War: That she recollects perfectly well when the British
Fleet appeared off Sandy Hook about the 1st of July 1776,
and that about that time or immediately after, she recollects
that her husband the said John Smith enlisted in the
Army under Capt. John Burrows in a Company of Light
Infantry raised by said Captain for five months, and that
he left home and marched with said Company, as she believes
immediately after said enlistment, to Long Island, and
there joined the Continental Army - that the said John
Smith served out his full term of five months in said
Company, and was attached to the army at the time ^{and during} the
retreat from Long Island to New York, and thence across
New Jersey as she has been informed by her husband
and as she verily believes, for she knows that he was absent
from home during that time, and she recollects that she lost
a child during this absence, which impressed it upon her
mind more deeply. She cannot recollect the names
of the officers of said ^{Company}, but thinks Jonathan Torman was lieutenant

and recollects very well of hearing her husband say that David
Forman was the Field officer who commanded the Company
raised in the County of Monmouth who marched to Long-
Island upon that occasion. That almost immediately
after his return from the Army in the winter of 1776
& 1777, she recollects that her said husband John Smith
turned out in the Militia of said County of Monmouth
and served in a Company commanded, part of the time
by Capt. Thomas Hum, and afterwards by Capt. Samuel Car-
hart every other month during the years 1777, 1778, & 1779
making six months service in each of the years above
mentioned, for she recollects perfectly that every other
month, he would go out on service, and be absent a
month at a time, and when not out upon his an-
nual tours of service, he generally followed carting provisions
to the soldiers who were stationed ~~at~~ their head
quarters along the shore, with a team which he owned
and then he would generally return home every night, but
when he was on service that was not the case. That she
cannot recollect how long each of the Captains above
named had command of the Company. That she cannot
recollect any of the other officers of said Company. That
after this time she thinks her husband the said John
Smith was not out in the service so frequently as before,
but she knows that he turned out and served in the
Company aforesaid whenever and as often as the said
Company (belonging to the Militia of said County) were called
out and served, which she thinks was at least three months
in each of the years during the latter part of the war in
1780, 1781, & 1782 - for she knows that whenever he was absent
upon his regular tours of duty it was for a month at a time
and she knows that he was absent on such service at ^{out} three
months in each of the years last above named, and she thinks
often, that she cannot pretend to recollect the time
of the beginning and ending of each monthly tour of service

of the said John Smith above mentioned, nor can she recollect the names of all the Field Officers in the Militia yet she thinks David Forman was General, and Ather Holmes Colonel. That she has often heard her husband say that their duties were, when on service, principally to guard the shores and frontiers from the ravages of the British and Tories, and that they were stationed at different times upon the different parts of the sea coast and Bay shore of Monmouth, but at what particular places and times she is unable to say. That the said John Smith resided in the Township of Freehold in said County when he entered the service, and during the war: That his marches were principally confined to the County of Monmouth except when he went to Long Island and joined the Army. That their house was robbed and plundered by a party of Tories at one time during the war, and upon another occasion they were of about twenty sheep which were driven off also by the Tories - That she has no documentary evidence whatever in support of her claims. That she was born on the 22^d day of May 1752, and that her husband was two or three years older than herself, that she has no record of her or her husband's age, but has seen the record of her own in her father's hand writing - She further declared that she was married to the said John Smith on the day of April in the year seventeen hundred and

aided twenty, by the Rev. Benjamin Smith, Minister of a congregation for the Congregational Church, that she was at quite sixteen years of age at the time of the marriage, she cannot recollect - that she had eight children by the said John Smith, the oldest of whom is still living and was sixty four years of age in April last.

State of New Jersey

Monmouth County } So: Personally appeared before me one
of the Judges of the Court of Common Pleas in & for said
County, Aaron Sutphen who being duly sworn deposited
and said that he is a surviving soldier of the Revolution,
aged seventy four years and past, that he was
acquainted with John Smith the husband of the
aforesaid applicant Rachel Smith, in the Revolution-
ary war, that he this deponent had seen
the said John Smith in the Militia of said County
a number of times during said war, but at what
particular times he cannot recollect, or how often,
for this deponent belonged to another Company, that
from this deponent's knowledge of the services of the said
John Smith, and from the character which he sustained
in those days of being a good soldier and soldier he verily
believed that the said John Smith served at least
two years in the Militia of said County during the
Revolutionary war, that he thinks the said John Smith
belonged to Captain Carhart's Company and served
therein - that the said John Smith was reputed and
believed in the neighborhood where he resided to have
been a soldier of the Revolution, never heard a doubt to
the contrary, and that he fully concurred in that opinion,
that the said John Smith has been dead a number
of years, cannot tell how long, and that the said Rachel
Smith has remained his widow ever since his death.
and that the said John Smith and Rachel Smith lived
together as man and wife during the Revolutionary war

Sworn to & Subscribed before me }
this 10th day of December } Aaron Sutphen
A.D. 1836 - William Lloyd }

And I the said Justice do hereby
certify that Aaron Sutphen above named is a surviving soldier
of the Revolution resident in said County, and that he is a credible
person

William Lloyd

State of New York
Monmouth County Sss:

Personally appeared before me a justice
of the peace of said County, James M. Hart-
home, who being duly sworn deposeth and
saith that the annexed declaration of
Rachel Smith ~~Smith~~, was drawn up by
this deponent, at her request and under
direction for the purpose of making applica-
tion for a pension, and the Court not being in
session at the time, was the reason it was
not signed by her - that she never afterwards
called upon this deponent, and before having
her papers executed she departed this life -

I now to & subscribed before
me justice as aforesaid by the
said James M. Hartstone who
is a credible person & whose
statement is entitled to credit.
the 2th day of January 1842.

J. M. Hartstone

Attest
Justice

State of New Jersey
Monmouth County 385

On this 29th day of October in the year one thousand eight hundred and forty one before the Court of Common Pleas of said County personally appeared Ellen Mires, Mary Miller, Elizabeth Roberts, and John R. Smith residents of the said County and State aforesaid who being duly sworn according to Law, do on their oath make the following declaration in order to obtain the benefit of the provision made by the Act of Congress passed July 4, 1836. That they are the only children of Rachel Smith deceased who was the widow of John Smith who was a private in the Militia and Army of the Revolution that the said Rachel Smith died on the 24th day of March in the year eighteen hundred and thirty seven - that their father the said John Smith as they are informed and believe enlisted and served a term of five months service under Capt. John Burrond commencing about the first of July ending about the first of December 1776 as part of the troops raised to reinforce the army at New York - That after his return from the army the said John Smith entered the Militia of Monmouth County, served under Capt. Thomas Hurn & Capt. Samuel Carhart at least every other month alternately during the years 1777, 1778 & 1779 making six months actual service in each year - that the said John Smith served in the said Militia under the said Capt. Carhart for at least three months in each and every year during 1780, 1781, & 1782 - that his field officers were John Roberts Col. & David Norman General - that the duties of

the said Militia were to guard the shores and frontiers from the depredations and inroads of the British Forces - That the said John Smith resided in the Township of Freehold in said County when he entered the service and continued to reside there during the war - They further declare that the said John Smith was married to the said Rachel, then Rachel Lake on the 15th day of April 1770 by the Reverend Benjamin Dubois who was then a minister of the Dutch Reformed Church of Freehold & Middletown - that the said John Smith died on the 1st day of September seventeen hundred and ninety nine and that the said Rachel Smith remained his widow, unmarried up to the time of her death as above stated - that the said Ellen Mirel, the widow of John Mirel was born in the year 1772 that the said Mary Miller, the widow of James Miller, was born in the year 1774 that the said Elizabeth Roberts widow of Matthew S. Roberts was born in the year 1783 and that the said John R. Smith was born in the year 1786 - that they are the only surviving children of the said John and Rachel Smith - They further state that the above facts are set forth according to the best of their information knowledge and belief, and that the said Rachel Smith shortly before her death applied to James M. Bantshome to obtain her pension, and he drew up her declaration at her request and according to her direction and had some evidence taken, but before it could be completed or sufficient evidence obtained the said Rachel Smith died without ever having signed her said declaration which contains a full statement as we have frequently heard her, and our father detail them

and which declaration is annexed to these
proceedings -
I have not subscribed before
the Court of Common Pleas
as aforesaid -

[Handwritten signature]

his
Ellen + Miles
mark

his
Mary X Miller
mark

his
Elizabeth X Roberts
mark

John B. Smith

State of New Jersey
Monmouth County 1841

Personally appeared before ~~two judges of~~
the Court of Common Pleas of said County Richard
Sutphen who being sworn saith that he was well
acquainted with ~~John Smith and~~ Rachel Smith
~~before she is dead~~ the widow of John Smith
in his lifetime that she was a widow at the
time of her death which occurred in March
in the year 1837 - and that Ellen Nires, Mary
Mciller, Elizabeth Roberts and John B. Smith
are the only surviving children of the said
Rachel Smith ~~that her husband died many years ago~~

Sworn to & subscribed before
the Court of Common Pleas
Oct 29th 1841. by the said
Richard Sutphen who is a
credible person whose statement
is entitled to credit -

Richard Sutphen

[Signature]

State of New Jersey
Monmouth County

ss. I Samuel Mairs Clerk of
Superior Court of Common Pleas of the
said County of Monmouth do hereby
Certify that the foregoing contains
the original proceedings of the
said Court in the matter of the

application of the children of Rachel Smith
for a partition - that William F. Boone Esquire
is the presiding judge of the said Court, and that
his signatures to the said proceedings are genuine -
And I do further certify that William Lloyd before whom
the annexed affidavits were taken was at the time of the
taking thereof a judge of the said Court and also a justice
of the peace of said County duly Commissioned & sworn and
that his signatures thereto and to the Certificates are genuine.
And I do further certify that William Herbat before
whom the annexed affidavit of A. A. Marcus, was taken
was at the time of the taking thereof a judge of the said
Court duly Commissioned and sworn, & that his signature
thereto is genuine - And also that James J. Lawrence
before whom the affidavit of J. M. Hartshorn was taken
was at the time of taking thereof a justice of the peace
in and for the said County, duly Commissioned & sworn
and that his signature thereto is genuine -

In Testimony whereof I have hereinto set
my hand and affixed the seal of the said
Court at Freehold this fifth day of January
in the year of our Lord one thousand eight
hundred and forty two

Samuel Mairs, Clerk

State of New Jersey
Monmouth County, 1885.

Be it known that on this Sixth day of May 1882 personally appeared before the undersigned a Justice of the Peace of said County, Nathaniel Smith - who being duly sworn deposeeth and saith that he is a surviving Soldier of the Revolution aged eighty five years and upwards - that this Deponent is the brother of John Smith now deceased, ~~whose children are now applying for the pension due to their mother Rachel Smith who was the widow of the said John Smith~~ whose children are now applying for the pension due to their mother Rachel Smith who was the widow of the said John Smith that the said John Smith was older than this Deponent, and served in the Militia of Monmouth, during the Revolutionary War. He enlisted in the Commencement of the war under Capt John Bunong, and marched to New York and Long Island, and was at the battle of Brooklyn - that this Deponent was well acquainted with the Soldiers in the Militia of the County of Monmouth in the Revolutionary War, and he further states that there was no other person by the name of John Smith in the Service in said Militia at any time during said War, that this Deponent saw or heard of, except his brother above mentioned. And if there had been any other person by that name in the said Service, there is no doubt but that this Deponent would have known him or heard of him - And this Deponent further states that the said John Smith served in the said Militia of Monmouth County, in a Company commanded by Capt. Thomas Wume, and Capt. Samuel Carhart, the latter being appointed Capt in the year 1777. when the former was appointed Major, that the said Company was called out and was in the said Service at least every other

month in the years 1777, & 1778, and until
the Six Months Men were raised by Capt. Carhart
in 1779, or 1780, this deponent cannot tell which is
and this deponent further states, that the said John
Smith belonged to the said Company, and served in
the same, in actual service, in guarding the shores
and frontier of Monmouth County at least every
other month alternately, during the years 1777,
1778 and part of 1779, and he thinks the whole of
1779 - Making at least six months actual service
in 1777 - Six months actual service in 1778, and three
months actual service in 1779 - Samuel Carhart
was Lieut. of said Company while Hann was Capt
and he cannot nor pretend to state the exact time
when Carhart was appointed Capt - the Lieutenant
generally Commanded the Company more than
the Capt. which makes it difficult to distinguish
the time - Asher Haines was Colonel, and
David Borman the General - That afterwards, in
the years 1780, 1781, & 1782, the said John Smith
served in the said Company in said Militia
but not so frequently, as before, as the Militia
were somewhat relieved by the raising of State
troops, yet the deponent verily believed that the said
John Smith served in actual service in said
Company of Militia for at least 3 months in
each of the years last mentioned - that it is
impossible for him at this length of time to state
the particular day of the beginning and ending
of each tour of service - Their duties were to guard
the shores and frontier of Monmouth County, and
their head quarters were a part of the time at the
Highlands near Sandy Hook, & a part of the time
at Mount Pleasant - that the said Company was an
embodied Corps called into service by the laws
of this State & that said service was performed
in field and not in garrison and that for the

time during which the said service was performed the said John Smith was not employed in any civil pursuit - and this deponent further states that he belonged to and served in the same Company with the said John Smith -

From W. subscribed before me Justice as aforesaid by the said Matthias Smith who is a credible person and whose statement is entitled to credit, the same being first read over to him

his
Matthias Smith
mark

Walter Hart

State of New Jersey,
Monmouth County, 885

I Samuel Mains Clerk of the Superior Court of Common Pleas of said County do hereby Certify that Walter W. Hart Esq. before whom the foregoing affidavit was sworn & subscribed was at the time of taking the same a Justice of the Peace of said County, and also a Judge of the said Court, duly commissioned and sworn as such Judge and Justice and that his signature thereto is genuine, and I do further Certify that it has been proven to the satisfaction of the said Court that Rachel Smith the widow of John Smith dec'd. died on the 24th day of March eighteen hundred and thirty seven and that Ellen Mired, Mary Miller, Elizabeth Roberts and John R. Smith are the only surviving children of the said Rachel & John Smith dec'd.

In Testimony whereof I have hereunto set my hand & Seal of Office this 27th day of May A.D. 1842

Samuel Mains clk

State of New Jersey
Monmouth-County } Per solemnly appeared before
me: Judge of the Court of Common Pleas of said
County the Reverend Aaron A. Marselus
who being duly sworn saith that he is the Mini-
ster and pastor of the first Dutch Reformed
Church of Freehold in said County - that he
has in his possession: the Register of Marriages
kept by the Ministers of the said Church in
which is made the following entry purporting
to have been done by the Rev. Benjamin Dubois
who was at that time the Minister and Pastor
of the Reformed Dutch Churches of Freehold and
Middletown, and that the same is entered in
the low dutch language as follows to wit:

"April den 15^{de} Anno. 1770 John Smith met
Rachel Lake: which in the English language
would read literally as follows to wit:

"April the 15th in the year 1770 John Smith
with Rachel Lake".

And this deponent further states that the said
entry of Marriage is truly taken and copied from
the said Register of Marriages which now remains
in my possession and custody.

Sworn to & subscribed before me
Judge as aforesaid this 30th
day of October A.D. 1861
by the Rev. A. A. Marselus who is
a credible person & whose state-
ment is entitled to full credit }

A. A. Marselus
Pastor of the First Reform^d
Dutch Church of Freehold

William Corbitt } one of the Judges
of the Court of Common
Pleas in said County
of Monmouth

Rachman

WIDOW, &c.

File No. 2479
Rachel Smith.
Widow
John Smith.
Priv. Rev. War.

Act: July 4, 1836.

Index:—Vol. m. Page 218.

[Arrangement of 1870.]

✓

Handwritten text on a dark rectangular label, possibly a name or address, which is mostly illegible due to the dark background and cursive script.

Trechoed N. F. Jan'y 5. 1841

Lii

I herewith enclose to you the papers of the children of Rachel Smith the widow of John Smith - for the amount of Pension due to the said Rachel at the time of her death -

They claim for 5 mo. service in the troops raised to reinforce the army at New York in 1776. under Capt John Barons - which will be proved by reference to the records - and to the affidavit of John Chassey accompanying the papers -

They also claim for their father's services in the Militia to the amount of £27.2.11 - equal to \$72.36 as proved by the testimony of Aaron Sutherland and John Chassey. and a copy from Hudsons Margin - the marriage was in 1770 -

The marriage is proved by a copy from the Church record - the widow died March 26th 1837, the pension will therefore run from 2nd March 1831. to 26. march 1837

Yours Most Respectfully
J. M. Hartshorne

J. L. Edwards Esq.
Comr. of Pensions -

State of New Jersey

I, Isaac Southard, Treasurer of the State of New Jersey, do hereby Certify that the following extract is true:

- N^o. 109. John Smith, £5-0-0 May 1st 1784, D^y
- N^o. 406 John Smith, £18-5-10 May 1st 1784, D^y
- N^o. 532 John Smith, £3-17-0 May 1st 1784, D^y

Is a true extract and copy taken from the margin of Certificates issued by Tho^s. Henderson Esq^r who was a Commissioner appointed by the General Assembly of New Jersey to settle with the Militia of the County of Monmouth and to issue certificates for the amount found due to them at the close of the revolutionary war, which said margin of Certificates so issued as aforesaid and from which the above extract is truly taken and copied now remaining in my office as a public record

In witness whereof I have hereunto set my hand and seal (having no seal of office) this 30th day of December A^d. 1841 Eighteen hundred forty one
Isaac Southard

State of New Jersey

Monmouth County, ss: Personally appeared before me one
John Chadey, ^{deponent} ~~of the~~ ^{of said County} Court of Common Pleas —

John Chadey who being duly sworn deposes and says that he is a surviving Soldier of the Revolution aged Eighty years, that he was acquainted with John Smith the husband of the annexed applicant, in the Revolutionary war; that he this deponent enlisted in the five months service under Capt. John Burrows and marched to New York Long Islands in the year 1776. And he has a strong impression upon his mind that the said John Smith enlisted in said Company and served the said tour at that time, but he cannot speak with certainty, owing to old age, and the consequent loss of memory, and it seems almost like a dream to him, and from this impression, and the knowledge which he had of the character of the said John Smith, he verily believes that the said John Smith enlisted in the said Company under the said Captain John Burrows and served out his full tour of five months — that there were many in that Company, whom he cannot recollect at this time — that Jonathan Forman was Lieutenant of said Company, and David Forman was the Field Officer who had command of the force raised in this County for that service — that this deponent served but very little in the Militia during the war (principally under enlistment) and therefore cannot speak of the service ~~in the Militia~~ of the said John Smith in the Militia, but has always understood that the said John Smith was a good Soldier during the Revolution, never heard to the contrary, and knows that he was a friend to his Country for he once gave information, in the last year of the war, to this deponent, of some persons trading with the enemy, in consequence of which this deponent and another took a prize, which was divided among their Company — that the said John Smith was

reputed and believed in the neighborhood where he resided to have been a soldier of the Revolution, and he fully concurs in that opinion - that the ^{said} John Smith has been dead a number of years, and that his widow Rachel Smith is old and infirm, and in very needy circumstances, and has remained a widow ever since her said husband's death, & that the said John Smith and Rachel Smith lived together as man and wife during the Revolutionary war -

Known to & subscribed before me
this 10th day of December
A.D. 1836.

John Chassey

William Lewis

And I the said Justice do hereby certify that John Chassey above named is a surviving soldier of the Revolution resident in said County, and that he is a credible person and that his statement is entitled to credit.

William Lewis

Children of Rachel Smith

J. L. Edwards Esq
Comr. of Pensions

Sir

Freedhold N. J. May 27, 1842

I herewith enclose some additional evidence in the case of the children of Rachel Smith the widow of John Smith for the pension due their Mother at the time of her death. The affidavit herewith sent is sufficient I apprehend to do away with the inferences mentioned in your letter that there might have been three different persons by the name of John Smith in the Militia of Monmouth County during the Revolution. There are a number of cases which have been papered upon by you, where certificates of this kind of different numbers and for different sums had been issued to the same person. See the following cases. John Carhart Joseph Walling - Daniel Walling - Ann Cornhoren widow of John Cornhoren - Catharine Mount widow of Moses Mount, and the widow of John Reed, besides a number of others which I do not now recollect.

It is proved by the affidavit of Matthias Smith that his brother John Smith served in Capt. Samuel Carhart's Company for more than two years, and by reference to Col. Holmes' original pay abstracts herewith enclosed and those sent to the Department with the papers of Jane Van Serbetz, you will perceive that Capt. Carhart's Company was in actual service, and received pay for more service than is alleged by the witness. We have then positive proof that John Smith belonged to & served in Capt. Carhart's Company at least two years, and in addition to that we have documentary evidence to show that Capt. Carhart received pay for the services of his Company for more than is alleged by the witness.

It will be seen by the exhibits herewith sent and Newark B. C. & D. and exhibits No. 1 & 2 on Jane Van Serbetz's application, that Capt. Carhart's Company

was in Service 7 months in the year 1778 - In 1779
his Company was in Service 10 months as will be
seen by exhibits No. 3, 4 & 5 on Mr. Vandebelt's application
and one filed with the papers of Cathy Bennett widow of
James Bennett - And in 1780 his Company was in ser-
vice 9 months, see exhibits No. 6 & 7 with Mr. Vandebelt's
papers and Exhibit E. - After that period Capt. Carhart
raised a Company for 12 months beginning Jan'y 11, 1781 - see
Exhibit E. & also No. 9. You will perceive by exhibit No. 6 that
Capt. Carhart's Company was paid up to the 15th March 1780 -
Col. Holmes appears to have acted as paymaster to his regi-
ment during the years 1778, 1779 & part of 1780 - The certifi-
cates issued to Josim Smith by the Commissioners must
have been for Service after that date - they amount to
about \$72 - and prove about 11 months Service after
the 15th March 1780. in the years 1780, 1781 & 1782 -

You have always considered these certificates the
best evidence that could be produced, and in fact
you have required that kind of evidence in all cases where
it could be had, and I can name a number of
cases that were allowed almost entirely upon that
kind of evidence & without even specifying the Service
time of them are the Cases of Martha Forman widow of
Jonathan Forman, and Catharine Hartshome widow of
Richard Hartshome, and there are other Cases of the
same Character - The rule which has been hitherto
acted upon and adopted by the Department is in my
opinion right and the Department ought to observe it
even it never had been adopted, and I am confident
that the Department will have more regard for its Consistency
than to abolish its own rules adopted in numerous
Cases - The same rule of evidence ought to prevail
now that did a year ago -

Upon a careful perusal of the Act of Assembly passed
Decr. 20, 1783 it will be seen that the certificates of the Com-
missioners could have been issued for nothing else but the
pay of the Militia & State troops - The preamble says "for money

due to the Militia, and the state troops who have served on the frontiers &c. The 4th Sec. says, "for adjusting the pay rolls of the Militia & troops" &c. - The very form of the certificate given in Sec: 5. says "being for Militia Services" &c. - The 8th Sec. says the Court shall give notice &c. for all persons having any demand for Militia Services or for services rendered under temporary enlistments &c. There is not one word in the whole act, which will countenance the idea or rather the supposition thrown out by you that those certificates may embrace other charges as well as pay - but the words of the act are directly to the contrary - Exhibit No. 7. on James Audubett's application proves that those certificates were issued for pay alone, as that abstract was made out to be presented to the Commissioners (see exhibit C.) and is for pay alone (not for bounty, rations or any thing else) which was for actual service as certified by Col. Haldred - all the other abstracts contain bounty, pay &c.

It strikes me in candor that this is as strong a case as could be made out for militia service -

5 mo: in 1776 - 6 mo: in 1777 - 6 mo: in 1778
6 mo: in 1779 - 3 mo: in 1780. 3 mo: in 1781. and
3 mo: in 1782. making altogether 32 months actual service proved by a living witness, and though corroborated by documentary evidence. In fact the case is much stronger than if the witness had undertaken to specify the beginning and ending of each term of service for that is plainly impossible, from the very nature of the service, being monthly. In addition to all this, there is the traditional evidence of John Chady and Aaron Sutherland men who were contemporary with him, and who must have known all about his character as a soldier in those times. Under this evidence they claim full pay up, to the time of their mother's death -

I am very Respectfully
Your Obedt Servt
B. M. Harts home

J. L. Edwards Esq
Comm of Pension

SOURCE INFORMATION

Source: <https://www.fold3.com/file/14683389/smith-john-page-1-us-revolutionary-war-pensions-1800-1900>
State: New Jersey
Veteran: Smith, John
Pensioner: Smith, Rachel
Service: New Jersey
Pension Number: W. 2479
Conflict Period: US Revolutionary War
Served for: United States of America
Publication Number: M804
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Nara Catalog Title: Case Files of Pension and Bounty-Land Warrant Applications Based on Revolutionary War Service, compiled ca. 1800 - ca. 1912, documenting the period ca. 1775 - ca. 1900
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