

Rochester

11677
✓ **INVALID.**

File No.

11677

Alvin W. Wade
Priv. Rev. War

Act:

June 7, 1862

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[Arrangement of 1870.]

State of Vermont

Winnington County - personally appeared before

me the undersigned one of the Justices of the
Court for said County within and under the County of
Winnington of Solomon Wade of Rupert in said
County who being duly sworn deposed and said
that by reason of the age, and the consequences of
the memory he cannot swear positively as to the
precise length of his service, but according to
the best of his recollection he served not less than
the periods mentioned below, and in the following
grades: - for Six months as a private in 1776

for two months and seven days as a Corporal
in 1777 and for said service I claim a pension,

and the said Solomon Wade being sworn as
aforesaid doth further depose and say that his
time was exclusively devoted to the service of his coun-
try during the periods aforesaid that he was not
engaged in any civil business - and that he has no
documentary or other evidence and that he does
not know of any person who can testify to
his service. -

Subscribed & sworn to before me
at the County of Winnington N. H. 1839

Solomon Wade

John Man. Weston, J. P. of Winnington County

State of Vermont

I Henry Robinson Clerk of
the County Court for Bennington County
hereby certify that Hon^{ble} Nathaniel Sutor
is an Justice of the County Court
in & for the County of Bennington, & Ex-
Officio a Justice of the Peace - & that
his signature I believe to be genuine.

In testimony whereof I have hereunto subscribed
my name & affixed the Seal of our S^d Court, at Bennington
this 8th day of November A.D. 1833 - 40th of the Independ-
ence of the United States the Fifty Eighth -

Henry Robinson

Solomon Made

Admin

8 Mo / says Fr



A. Burton
Rupert

10.580

BRIEF objections to the admission of Pension Claims, of which those answered in the negative, in red ink, will apply to the claim of
Simon Wade
further proof or explanation.

- I. Does the declaration show where the applicant resides?
- II. Did the declarant make the declaration in the county where he resides?
- III. If the applicant did not make the declaration in the county where he resides, is there any reason assigned for his not doing so?
- IV. Has the declarant mentioned the period or periods of the war when he served?
- V. Has he mentioned 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?
- VI. Has he given the names of the officers under whom he served, in conformity with the regulations?
- VII. Has he made a relinquishment of every claim to any other pension than the one under the Act of June 7, 1832?
- VIII. Has the Court given their opinion?
- IX. Has the Clerk given his certificate?
- X. Is the Clerk's seal affixed? And if so, has it a device or inscription by which it can be distinguished from any other seal?

- XI. Has the applicant obtained the evidence of a clergyman and another respectable citizen as to their belief respecting his age and the general belief in his neighborhood relative to his revolutionary service?
- XII. If the clergyman's affidavit has not been produced, is there any reason assigned for not obtaining it?
- XIII. If the applicant has no documentary evidence, and has not obtained the testimony of at least one living witness, has he stated in his declaration that such proof cannot be had? *no*
- XIV. † If the applicant's name is not found on the rolls of military service, has he produced a witness or witnesses, as to his service?
If he has produced direct proof as to service, has the magistrate who administered the oath, certified to the credibility of the witness or witnesses?
Has the proper officer certified to the official character and signature of the magistrate as the regulations direct?
- XV. Does it appear from any of the papers that the witness was in such a situation, or of such an age as to have a personal knowledge of the applicant's service?
- XVI. † Are the papers authenticated as the regulations direct?
- XVII. Are the seven interrogatories prescribed by the War Department answered satisfactorily? And, if not, which of them is not so answered?

EXPLANATORY NOTES.

- * QUERE V. In a case where the applicant cannot, by reason of the loss of memory, state precisely how long he served, he should amend his declaration by making an affidavit in the following words:
- "Personally appeared before me, the undersigned, a Justice of the Peace, &c. A. B. who, being duly sworn, deposed and saith, that, by reason of old age, and the consequent loss of memory, he cannot swear positively as to the precise length of his service, but according to the best of his recollection he served not less than the periods mentioned below, and in the following grades: For _____ year _____ months, and _____ days, I served as a _____ For _____ months, and _____ days, I served as a _____; and for such service I claim 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, as the law directs the pension to be paid according to the grade of the pensioner and the length of his service. The use of the phrase *about three or four months* is too indefinite, and all such qualifying expressions are objectionable. Some persons who apply for pensions merely state they served two years in the militia, &c. without specifying the tours; the names of the officers, and other particulars respecting their service. This form of a declaration is highly objectionable. It must in every case be clearly shewn under what officers the applicant served; the duration of each term of engagement; the particular place or places where the service was performed; that the applicant served with an embodied 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.

QUERE XIV. Proof of Service.

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 the time of the claimants entering the service, and the time and manner of his leaving the same, as well as the regiment, company, and line to which he belonged. The magistrate who may administer the oaths must certify to the credibility of the witnesses, and the official character and signature of the magistrate must be certified by the proper officer, under his seal of office.

QUERE XVI. Mode 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 paper authenticated, 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.

In every case where the clerk of the court, or other certifying officer, 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.

Oliver Hazard Russell of Salem in the County of Washington
and a state of New York of Lawful age being duly
sworn do depose testifies & says that in the year one-
thousand hundred and seventy six Solomon Wade was living
with me as a hired man and he enlisted into the
service on near 1st for six months and I believe
that he served his time and not much longer and not
knowing I further state that I have been acquainted
with Solomon Wade before and since the war and
I believe him to be an honest man & further I
cannot

Oliver Russell

State of Vermont

Franklin County, Report September 6th 1837

Then personally appeared Oliver Russell and
and made solemn oath that the above affida-
vits by him subscribed contain the truth
I hereby certify that I am well acquainted
with the above named Oliver Russell and
that he is a man of truth and veracity

David Sheldon Justice of the Peace

State of Vermont

To all to whom these presents shall
come or may concern — Greeting —

I hereby certify that David Sheldon Esq. whose
signature appears to the foregoing, was at the date thereof
a Justice of the Peace in & for the County of Bennington
duly qualified by Law to act as such & that his signature
I believe to be genuine —

In testimony whereof Henry Robinson
Clerk of the County Court in & for the County
of Bennington have hereunto subscribed
my name & affixed the Seal of our said
Court, at Manchester this 11th day of Sept.
A.D. 1832, of the Independence of the United
States the Fifty seventh —

Henry Robinson Clerk