

Southern Campaign American Revolution Pension Statements & Rosters

Pension Application of Henry Fitch R14170

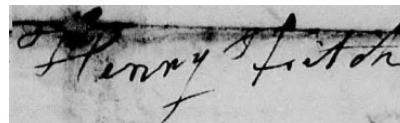
VA

Transcribed and annotated by C. Leon Harris. 7 Feb 2014.

State of Maryland

City of Baltimore Set

On this 13th day of May in the year of our Lord one thousand Eight hundred and Eighteen personally appeared before me the undersigned, Henry Fitch residing in the City of Baltimore, aged fifty eight years or thereabouts an applicant for a pension under the late act of Congress, entitled “an act to provide for certain persons engaged in the land and naval service of the United States, in the Revolutionary War,” and then and there made the following declaration on Oath, by me administered, “that he enlisted at Winchester in the State of Virginia in the fall of the year 1780, to the best of my recollection, into Captain Stumps Rifle Company, marched from thence to Fredericksburg in Virginia, there received Cloathing Arms and accoutrements, and joined the troops commanded by General Mughlenburg [sic: Peter Muhlenberg] near that place, the company to which he was attached were continually on the alert up and down James River watching the movements of Tarltons Light Horse [sic: Lt. Col. Banastre Tarleton’s Legion] &c never present at any memorable battle until the Siege of York where he saw Lord Cornwallis surrender his sword to General Washington [Yorktown VA, 19 Oct 1781; see endnote] – from thence marched as a guard to prisoners back to Winchester aforesaid, where they wintered and continued until the army was disbanded, and deponant received a written discharge signed by Cap Stump, having been two years and upwards in the Regular Army on the Continental Establishment. And that his name has never been inscribed on any pension list, therefore hath none to relinquish. And from his reduced circumstances needs the assistance of his Country for support.

A handwritten signature in cursive script, reading "Henry Fitch". The ink is dark and the paper appears aged. The signature is written on a single line of paper.

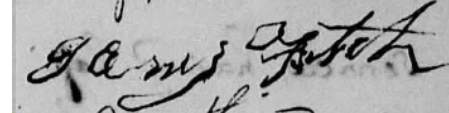
United States of America – Maryland District

On this third day of December, 1822, personally appeared in open court, in the District Court of the United States in and for the Maryland District, Henry Fitch, residing in Baltimore County, aged sixty-three years, who being first duly sworn according to law, doth, on his oath, make the following declaration, in order to obtain the provisions made by the acts of Congress of 18th March 1818 and the 1st May 1820, that he, the said Henry Fitch enlisted for the term of “during the war,” in the fall of the year 1780, in Winchester in the State of Virginia, in the rifle Company commanded by Captain Stump, in the line of the State of Virginia, on the Continental Establishment; that he continued to serve in the said corps, being principally employed on James’ River watching the movements of Tarlton’s Light Horse, &c. until after the Surrender of Lord Cornwallis, (at which he was present,) when he was discharged from the said service, in Winchester, in the State of Virginia, having marched there with the prisoners taken at Yorktown, where the company wintered, and he received his Discharge, after being two years and upwards in the Service; that he was in several skirmishes under General Mughlenburg, but in no battle of note, until the Seige of York, and that he has no other evidence, now in his power, of his said services, having left his discharge; – and, in pursuance of the act of the 1st May 1820, I do solemnly swear that I was a resident Citizen of the United States on the 18th day of March 1818 and that I have not since that time by gift sale or in any manner disposed of my property or any part thereof with intent thereby so to diminish it as to bring myself within the provisions of an act of Congress entitled “an act to provide for certain persons engaged in the land and naval service of the United States in the Revolutionary War” passed on the 18th day of March 1818 and that I have not nor has any person in trust for me any property or securities contracts or debts due to me nor have I any income other than what is

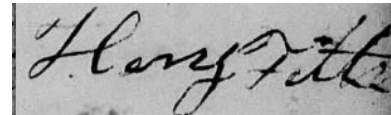
contained in the Schedule hereto annexed and by me subscribed: viz:

6 old Chairs	worth at most	\$2.50
3 old tables, 2 pine, 1 walnut	do	2.75
Cups, Saucers, Plates, Spoons, Knives }		
and Forks – three or four of each	} do	5.
		<u>\$10.25</u>

I, the said Henry Fitch am by occupation a Laborer, which I am prevented from following owing to general inability in consequence of my advanced age, rheumatic pains, and nearly total deafness. My family consists of three persons, myself, aged 63, my wife aged 62, and a son, William Fitch, aged 14, who works at the Tobacconists Business, and receives 50 cents per week for his support.



The Secretary of War of the United States of America, upon issuing a Pension Certificate in my favour, will please address the same to me, care of David Ramsay, No. 10 Market Street, Baltimore Md. Balt'r. Dec'r. 4 1822. Witness/ Thomas Barrett



[The above claims were rejected because there was no record of a Capt. Stump or other sufficient evidence of Fitch's service in the Revolutionary War. As shown in the following, Fitch subsequently applied unsuccessfully for a pension for a disability incurred during service in the War of 1812.]

On this third day of January in the year Eighteen Hundred and Twenty three Personally appeared before me the subscriber a Justice of the Peace for the State of Maryland in and for the City of Baltimore Stephen H. Moore of the City aforesaid, formerly a Captain of a Company of Volunteers employed in the Service of the United States during the late war with Great Britain who being duly sworn upon the Holy Evangely of Almighty God did depose and say, That on or about the Eighth day of September in the year Eighteen Hundred and Twelve a Certain Henry Fitch of the said City of Baltimore Enrolled himself in the Company of United States Volunteers Commanded by deponent, that he marched with said Company from Baltimore to the Niagara frontier & continued therein faithfully performing his duty as a private Soldier until the twenty seventh day of April Eighteen Hundred and Thirteen when upon the Attack and Capture of little York in Upper Canada [present Toronto] by the American forces under the Command of Major General Henry Dearborn, deponent with his Company being attached to the Brigade Commanded by Brigadier General Zebulon M Pike was grievously wounded & disabled & the Command of his Company necessarily devolved upon the First Lieutenant Mr. John Gill. That during the whole period of Deponents Command said Fitch Conducted himself as an orderly and faithful Soldier, so far as came to this deponents knowledge, and that deponent is informed and has reason to believe, said Henry Fitch continued in said Company after the Capture of York, (while capable of doing military duty) until the period of his discharge, which took place in General Orders issued at Fort George a short time subsequent to deponents departure from the Hospital at Lewstown [sic: Lewiston] State of New York

Deponent saith that he has been informed, and believes that after the Company was discharged by an order issued by General Boyd at Fort George, a special discharge was given by Lieutenant Gill at Lewiston, to each of the remaining non commissioned officers & soldiers of which number said Henry Fitch was one which discharge as is alledged by said Fitch, has been since lost or mislaid To the best of Deponents belief said Discharges were severally dated either at the close of the month of August or Early in September Eighteen Hundred & Thirteen.

On the 14 day of December 1822, Personally appeared before me the subscriber a Justice of the Peace for the State of Maryland in and for the City of Baltimore John Gill formerly Lt. Commander of the Baltimore Volunteers in the Service of the United States and being sworn upon the Holy Evangelist of Almighty God did depose and say that Henry Fitch was in the Hospital at Lewiston when the company was discharged he being incapable of doing duty on Account of his hearing from Fatigue & hardship and that he was Honorably Discharged Sworne before me [signed] John Gill [illegible abbreviation]
Nicholas Norris

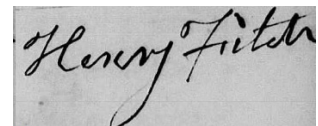
Baltimore December 16th 1822.

I do certify that Henry Fitch a private in the late company of volunteers, commanded by Captain Stephen H Moor, the Company generally known by the name of the Baltimore Blues, under the Regimental command of Colonel McClure, was in my care, in the hospital at Lewistown, State of New York; being employed by Doct. Man [sic: James Mann], the Surgeon Genal of the United States Army, as an assistant surgeon, in the Hospital. – As far as I was, and am capable of judging, it was occasioned by the inclemency or severity the weather, or season of that climate, his complaint being, the want hearing, and ill [still?] continues, and unable to earn bread by bodily labour.

[signed] And'w H Fife [Andrew H. Fife]

State of Maryland }
City of Baltimore } [2 Jan 1823]

Personally appeared before me the Subscriber one of the Justices of the peace in and for s'd city Henry Fitch late a private in Capt. Stephen H Moores comp'y of Baltimore Volunteers in the late war Who being by me duly sworn according to law saith that he inlisted at Baltimore in the fall of the year 1812 in Capt Stephen H Moores Compy for one year and Marched with him to Buffalo in the State of N York and incamped near Buffalo for a short time when the comp'y was ordered to be sent to Sackets Harbour [Sacketts Harbor] and and after that were commanded to go to Little York in upper Canada and at that place Capt Stephen H Moore had the misfortune to loose one of his legs by a wound which he received at the Battle of York and never commanded his company any more, Lieutenant John Gill of s'd comp'y then took Command of s'd Comp'y and the company was then ordered up the lake under the command of Lt. Gill and in a short time the Comp'y was ordered to go to fort George in upper canada where they were again engaged in Battle with the British deponant was in the battle of L. York and Fort George and remained well untill the last Battle he was in which was at Fort George Shortly after that engagement he was taken Ill and could not hear well he was almost deprived of hearing which rendered him totally unfit to do duty any more in the Comp'y he was then conveyed to the Hospital at Lewistown in the State of N York where he remained until the Comp'y was discharged the time of enlistment having expired when deponant was honourably dischargd but has always been troubled with a Cronic Rheumatism and a Deafness which has rendered him unable to Labour for a living and he has no property to Maintain him, and has no other means to get a living then to beg of his children to support him who are verry poor as well as himself and have to work by the day to support themselves The many Fatigues and hardships which he underwent while in the Service of the U States has been the whole cause of his Deafness and disability which has totally rendered him unable to Labour any more for a living



Fort McHenry/ January 10 1823

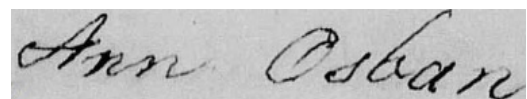
Sir [Doc'r Jos. Lovell/ Surgeon General &c] The book of Regulations says so little on the subject of pensions, that I feel myself often embarrassed when called upon to grant certificates of disability, from a

want of information as to what is essential to render a claim valid, and what documents are conclusive for me to found a certificate upon. I am therefore obliged to refer to your decision the accompanying papers of Henry Fitch, an applicant for a pension, in order that you may instruct me to make the necessary examination of him in case you deem them sufficient. The infirmities set forth in them are very apparent, but I am not fully convinced that they are a consequence of military hardships, since they are such as might naturally be expected at so advanced an age as 60 years; the late period too at which he resolved to urge the application I thought would likely be a bar to the attainment of it. In addition to the papers enclosed, he has a certificate from Capt. S. H. Moore to the same purport as that of Lt. Gill, which he has omitted to enclose me. Andrew H Fyfe who certifies and styles him A't. Surgeon to Dr. Mann was an Hospital Steward at Lewistown, and has since served in the same capacity at this post in 1815 with me. With this view of his case all that I could therefore promise him at present was a submission of his documents to your decision. He says that his services &c are known to Col. Towson P. M. Gen'l and to Capt Hook, to whom he meant to have applied for confirmation in case his infirmities had admitted of his making his application at Washington in person. Please to communicate to me on the subject and give such information as will serve for my future guidance in like cases, particularly as to what points in documentary evidence should be clearly specified and proven.

Your letter of instructions of the 8 In't. was not received until after the detachment had sailed. I had however given, from my post supply, a very few medicines, to the officer in command, such as he might with propriety venture to administer the men (36 in number) were (two only excepted) in health – and the probable duration of the voyage about 10 days. With great respect/ Your Ob't Serv't
Jos. Wallace/ A Surgeon

Baltimore County }
State of Maryland } [13 Jan 1823]

Personally appeared before me this Subscriber one of the Justices of the peace in and for said County Ann Osburn – who being by me duly sworn according to law on her Solemn Oath saith that she has been well acquainted with Henry Fitch from a Child for more than sixty years he was born in the State of Maryland in Baltimore County and on or about the year of Our lord 1778 he Father moved into Barkley county [sic: Berkeley County] in the State of Virginia where he resided for several years. Henry Fitch was there present with the Family and remained there untill he entered into the service as a Substitute for William Hughs who was drafted on about the year 1779 in Gen'l McIntosh Campaign [probably Lachlan McIntosh's intended campaign against Detroit, May 1778] under Command of Capt Heows[?] in search of the Indians the said H. Fitch after being in service a few month returned home again to his fathers house his time being expired for which he engaged He then remained at his Fathers house for some time deponant does not recollect the exact time or number of months that he remained out of service after he returned from his first engagement as a substitute but she well recollects that he was never contented to stay at home any more untill he enlisted again in the regular Army and on or about the fall of the year A Domini 1780 according the the best of deponants recollection he the said Henry Fitch enlisted into the regular army on the continental establishment for during the war in Winchester in the State of Virginia he belonged to a Rifle Company Command by Capt Stump according to the best of deponants recollection deponant seen him after he enlisted he was at his Fathers house for a few days before he marched away he then left his Fathers house went into the service of the U States and did not return any more untill the war was over when he returned again and was discharged from the army deponant did not see him any more after he marched From Winchester untill the war had expired and he returned home at Barclay County in the State of Virginia
Ann Osban

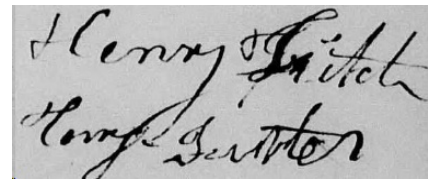


Baltimore April 12th 1823

Sir By the Small Note placed at the hand in the enclosed letter wrote by you it appears that you have Rejected my Claim to a pension and say the Testimony in the case is not Sufficient to grant me a pension for the Injury I received in the last war

I do not know why the testimony of Lt Gill and Doc'r Fife should not be sufficient They both have stated I did receive an Injury which caused me to become almost deaf while in the Service of the U States Lt Gill stood in the place of a Captain he Commanded the Company after the Battle of L York when Capt Moore was absent I have sent you his Deposition which if you believe he told the Truth The claim ought to be admitted and if the Doctor on due Examination does not say that I am entitled to a pension for my Defness then I will relinquish my claim forever but untill I am examined concerning my deafness on the testimony of Lt Gill & Doc'r Fife which you have in your office and have the thing decided by by the Doc'r I shall forever think that I am not used well in the case I hope the Testimony of Captain Moore concerning me will convince you I was a faithfull good Soldier if you believe him and also Lt Gill was the only man that give the best testimony in the case NB Inasmuch as Captain Moore has given you the Information of Capt Gill being first in Command in his place and taken so much trouble to Oblidge me to Inform you concerning me that you who are paid for it will examine my papers once more and if any other Testimony be required I will try to git it if I Can I am verry poor and verry much disabled & afflicted with the Rheumatism and a General Disability and gitting Old and verry much Infirm I have lost my wife within a few Weeks whom I have lived with 39 years I have not a house nor home provided for myself I am Wandering round the street of Baltimore like one who is lost and cannot be found untill Life has become a burden to me So no more at present Please to Write me a letter to the Post office I can get it

I am Verry respectfully yr frend & Humble Servant

A handwritten signature in cursive script, reading "Henry Fitch" on the top line and "Humble Servant" on the bottom line.

City of Baltimore }
State of Maryland ss }

Personally appeared before me the Subscriber One of the Justices of the peace in and for said city John Gill late a Lieutenant in Captain Stephen H. Moores company of Baltimore Volunteers in the late War, who being by me duly sworn according to law saith that Henry Fitch a private in said company Enlisted at Baltimore at which time he was a well sound Active man in the fall of 1812 and marched with the company from this place, to Bufalo and Sackets Harbour State of New York during which time he was always ready and willing to do his duty and no complaint or excuse was made by him, at any time, to deponant knowledge, of his not being able and willing to perform his duty untill he arived at Sackets Harbour in the State of N York, and on or about the 25th day of April of 1813 Henry Fitch with the rest of the company was ordered on Board of the Fleet at that place destined for the Siege of Little York in upper canada and there was a Small Schooner called Hamilton, on which capt Moores company was ordered, and Henry Fitch was on board, and there was about two hundred & Fifty Men on board of said Schooner according to the best of deponents knowledge & belief besides provisions Guns ammution and &c. on board of the said Schooner which was small & so mutch crowed with men, that several were Oblidged to lie on the deck without any cover, exposed to the inclemency of the weather, and Henry Fitch then and there on board of said Schooner between the 27th of April A.D. 1813 and 2^d day May lying on the deck of said Schooner without any covering exposed to the storms of Rain, Hail & Snow on lake Ontario against little York in upper Canada by night & Day while in the line of his duty in the service of the United States was taken sick, caused by the inclemency of the weather to which he was so much exposed, and he became almost deaf and Feeble and Afflicted with the Rheumatism which rendered him

totally unfit for duty, any more he was shortly after that time sent to the Hospital where he remained untill he was discharged and paid of by Adams Paymaster of Col McClures Regiment

Sworn and Subscribed before me the said } John Gill First Lt
Justice this 4th June Anno Domini 1823 } Baltimore Volunteers
Phil[emo]n Towson

Fort McHenry/ November 9th 1823

Sir [Doct. Jos. Lovell/ Surgeon General] Henry Fitch is again before us an applicant for pension – he submits in addition to the papers heretofore tendered the enclosed certificate from Lieut. Gill. Having already expressed an opinion and not being as yet convinced of its erroneousness, in his case, I am extremely solicitous to be exempted from any further consideration of it; he has heretofore appeared before me under circumstances the most unpropitious to his claim which will not suffer my mind to divest itself of the idea that the infirmities set forth are the natural & inevitable consequences of dissolute habits apart even from his advanced age. This expression of my opinion perhaps here very fallible I hope may be withheld from the pension office as it is only offered as a reason why I wish to be exempted from any further consideration in, and not intended to operate in the least against, his Case – they may think differently from me there and my opinion might tend to withhold from him that pittance which the Government provides for the deserving object. There is no part of my medical duties of so painful and perplexing a character as these, for I sometimes find it extremely hard indeed to keep my judgement from being greatly biased by the miserable appearance of the applicant, the importunities of friends and the strong appeals that are made to my humanity.

Allow me here to remark a little upon the hardship that is imposed on the Surgeon in requiring him in every instance to conform to the certificate prescribed by the Regulations of the Pension office. The existing form is (in my opinion) very applicable to a State of War – to cases of recent occurrence – or such as come within the immediate knowledge of the Surgeon either at his post or with his Regiment. Under other circumstances in granting certificates of pension all that the Surgeon should be required to certify to ought to be purely medical, such as the actual disability of the person at the time of examination – the degree of disqualification (in his opinion) as regards gaining a subsistence by manual labour with the proportion of pension to be entitled to by law. No examination of the Surgeon however “accurate” after a lapse of years without a previous knowledge of the case except in wounds, can identify his (then) disability with the injury said to have been sustained at so remote a period. His judgment in such instances must rest entirely on the documents adduced and yet he is required to certify to a connection of this fact and thus made a sort of negative judge in what is and must be left to the pension office alone to decide upon, and which does decide finally whether the documents prove sufficiently strong that the disability of the applicant, thus certified to by the Surgeon was actually acquired at the time, place and manner set forth and in the line of his duty. As the latter matter is not medical it should form no part of his certificate and he would not then be liable as now to compromise his judgment of the s’d. office by certifying to what is totally disregarded there.

With great respect. Your Ob’t. Serv’t
Jos. Wallace/ A Surgeon

NOTES:

Many pension applicants mistakenly thinking they witnessed Cornwallis surrendering his sword to Washington. Pleading indisposition, Cornwallis delegated the task to his second-in-command, Gen. Charles O’Hara, and Washington had the sword received by his second-in-command, Gen. Benjamin Lincoln.

Southern Campaign American Revolution Pension Statements & Rosters

Fitch Henry
Transcription by FA Weyler

Va

R14170

f44VA
07Oct1780

[p3] United States of America, Maryland District

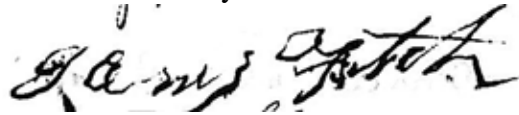
On the third day of December 1832, personally appeared in open court in the District Court of the United States in and for the Maryland District, Henry Fitch, residing in Baltimore County, aged sixty three years, who being first duly sworn according to law doth on his oath make the following declaration in order to obtain the benefit of the acts of Congress of 18th March 1818, and the 1st May 1820, that he, the said Henry Fitch enlisted for term of serving the war in the fall of the year 1780 in Winchester in the State of Virginia, in the rifle company commanded by Captain Stump, in the line of the State of Virginia on the Continental establishment. That he continued to serve in the said corps, being principally employed on James River watching the movements of Tarlton's Light Horse [Banastre Tarleton's Light Horse] &c. until after the surrender of Lord Cornwallis (at which he was present) when he was discharged from the said service in Winchester in the state of Virginia having marched there with the prisoners taken at Yorktown. Where the company wintered and he received his discharge after being two years and upwards in the service. That he was in several skirmishes under General Muhlenburg [Peter Muhlenberg], but in no battle of note until the siege of York. And that he has no other evidence now in his power of his said services having left his discharge, and in pursuance of the act of the 1st May 1820, I do solemnly swear that I was a resident citizen of the United States on the 18th day of March 1818. And that I have not

[p4] since that time, by gift, sale, or in any manner disposed of my property or any part thereof with intent thereby so to diminish it as to bring myself within the provisions of an act of Congress entitled "an act to provide for certain persons engaged in the land and naval service of the United States in the Revolutionary War" passed on the eighteenth day of March 1818; and that I have not nor has any person in trust for me any property or securities, contract, or debts owed to me; not have I any income other than what is contained in the schedule hereto annexed and by me subscribed: viz:

6 old chairs	worth at most	\$2.50
3 old tables, 2pine, 1 walnut		2.75
Cups, saucers, plates spoons, knives and forks-three or four of each		<u>5.00</u>
		\$10.25

I the said Henry Fitch am by occupation a laborer which I am prevented from following owing to general inability in consequence of my advanced age, rheumatic pain, and nearly total deafness. My family consists of three persons, myself aged 53, my wife aged 63, and a son William Fitch, aged __ [illegible] who works at the tobacconists business and received 50 cents per week for his support.

Sworn to and subscribed and declared to on the third day of December 1822.



[p5]
Routine district court certification
Philip Moore, clerk

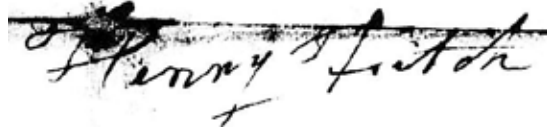
The Secretary of War of the United States of America upon issuing a Pension Certificate in my favour, will please address the same to me, care of David Ramsey, No 10 Market Street, Baltimore M^d



Balt. Dec.4.1832 Witness Thomas Barrett

[p6-p7]

13May1818, the original declaration certified by N Brice, chief judge of Baltimore City Court. Details are a virtual repeat of the 1820 sitting except that the signature is Henry Fitch, not appearing to be James Fitch nor Hery Fitts as on other documents.



[p8]

Baltimore County
State of Maryland

Personally appeared before me this subscriber one of the justices of the peace in and for said county, Ann Osborn, who being first duly sworn according to law on her solemn oath saith that she has been well acquainted with Henry Fitch from a child more than sixty years He was born in the state of Maryland in Baltimore County and on or about the year of our lord 1778. Is father moved into Barkley [sic] county in the state of Virginia where he resided for several years. Henry Fitch was then present with the family and remained there until he entered the service as a substitute for William Hughs who was drafted on about the year 1779 in Genl McInstosh companies under command of Capt Haws [?] on search of the Indians. The said H Fitch after being in service for a few months returned home again to his father's house, his time being expired for which he engaged.

He then remained at his father's house for some time, deponent does not recollect the exact time or number of months that he remained out of service after he returned from his first service as a substitute, but she well recollects that he was never contented to stay at home any more until he enlisted again in the regular army and on or about the fall of the year A Domino 1780 according to the best of deponent's recollection he the said Henry Fitch enlisted into the regular army on the continental establishment for during the war in Winchester in the state of Virginia. He belonged to a Rifle Company commanded by Capt Stump according to the best of deponent's recollection. Deponent seen him after he enlisted. He was at his father's house for a few days before he marched away. He then left his father's house went into the service of the U States and did not return any more until the war was over.

[p9] when he returned again and was discharged from the army.....

Deponent did not see him any more after he marched from Winchester until the war had expired and he returned home at Barclay County in the state of Virginia. s/Ann Osban [sic]

Sworn and subscribed before me this 13th day of Jany 1823 and I further certify that I believe her to be entitled to full credit and belief on her oath. Lyman Adams

[routine certification, Wm Gibson, clerk]

[p11]

Claim of Henry Fitch of Baltimore. This man presented two claims, neither of which were supported by sufficient evidence. See letter to Capt. Hook 14thFeb1823 and one to the claimant of 17thApril1823. The letter from Dr. Wallace (enclosed) dated Nov.9.1823 removes all doubt as to his claim as an invalid. Bad habits, it is highly probable, have brought on his disability. J.L.E. Feb.12.1826. Furnished Fitch with certified copies of Gill's and Fife's affidavits.

[p25]

Fort McHenry
January 10 1823

Sir:

The book of regulations says so little on the subject of pensions that I feel myself often embarrassed when called upon to grant certificates of disability. From a want of information as to what is essential to render a claim valid, and what documents are conclusive for me to found a certificate upon, I am therefore obliged to refer to your decision the accompanying papers of Henry Fitch, an applicant for a pension, in order that you may instruct me to make the necessary examination of him in case you deem them sufficient. The infirmities set forth in them are very apparent, but I am not fully convinced that they are a consequence of military hardships, since they are such as might naturally be expected at so advanced an age as 60 years; the late period too at which he resolved to urge the application I thought would likely be a bar to the attainment of it. In addition to

[p26] the papers enclosed, he has a certificate from Capt. S. H. Moore to the same purport as that of Lt. Gill which he has omitted to enclose me. Andrew H Fyfe who certifies and styles him as surgeon to G. Mason was an hospital steward at Lewistown, and has since served in the same capacity at this post in 1815 with me. With this view of his case all that I could therefore promise him at present was a submission of his documents to your decision. He says that his services &c are known to Col. Towson P.M.Gent and to Capt. Hook to whom he meant to have applied for confirmation in case his infirmity had admitted of his making his application at Washington in person. Please to communicate to me on the subject and give such information as will serve for my future guidance in like cases, particularly as to what points in documentary evidence should be clearly specified and proven.

Your letter of instructions of the 8th inst. was not received until after the detachment had sailed. I had however given from my post supply, a very

[p27] few medicines to the officer in command such as he might with propriety venture to administer the men (36 in number) were (two only accosted) in health & the probable duration of the voyage about 10 days.

With great respect
Your obt svt
Jos. Wallace
A Surgeon

[p29]

Fort McHenry
November 9th 1823

Sir:

Henry Fitch is again before us an applicant for pension. He submits in addition to the papers heretofore tendered the enclosed certificate from Lieut. Gill. Having already expressed an opinion and not being as yet convinced of its erroneousness, in his case, I am extremely solicitous to be exempted from any further consideration of it; he has heretofore appeared before me under circumstances the most unpropitious to his claim which will not suffer my mind to divest itself of the idea that the infirmities set forth are the natural & inevitable consequence of dissolute habits apart even from his advanced age. This expression of my opinion perhaps here very fallible as it is only offered as a reason why I wish to be exempted from any further consideration in, and not intended to operate to the least against, his case. They may think differently from me there and my opinion might tend to withhold from him that pittance which the government provides for the deserving object. There is no part of my medical duties of so painful and perplexing a character as these, for I sometimes find it extremely hard indeed to keep my judgment from

[p30] judge in what is and must be left to the pension office alone to decide upon, and which does describe finally whether the documents prove sufficiently strong that the disability of the applicant thus certified to by the surgeon was actually acquired at the time, place, and manner set forth and in the line of his duty. As the latter matter is not medical it should form no part of his certificate and he would not then be liable as now to compromise his judgment at the P Office by certifying to what is totally disregarded there.

With great respect
Your Obt Serv^t
Jos. Wallace
A Surgeon

To:

Doct Jos. Lovell
Surgeon General
Washington

[p32] Lt. John Gill testified that Henry Fitch was in the War of 1812 at Buffalo and on the deck of the schooner Hamilton was exposed to the wind and became deaf.

[Various other documents about the War of 1812 were also rejected by the pension office which was ruling upon a Revolutionary War pension law. Even had it been a War of 1812 claim, it should have not lingered a decade before the disability surfaced.]