

Southern Campaigns American Revolution Pension Statements and Rosters

Pension Application of Joseph Gale S34895

Hannah Gale NJ

Transcribed and annotated by C. Leon Harris.

County of Burlington Ss

On the ninth day of August 1828 personally appeared before me one of the judges of the Court of Common Pleas in and for said County Joseph Gale resident near Tuckerton in said County aged seventy six years who being first duly sworn according to Law doth on his oath make the following declaration in order to obtain the provision made by the Acts of Congress of the 18<sup>th</sup> March 1818 and the first of May 1820 that he the said Joseph Gale enlisted for the term of five Months in the Spring of 1776 in Capt Benjamin Fennimores Company of Col Phillip Van Cortlandts Regiment of the Continental Line [see endnote] and was at the Battle of Long Island [27 Aug 1776] and White Plains [28 Oct 1776], that he served six months and was discharged in the State of New Jersey and received a discharge hereto annexed. And this deponent further states that in November 1779 [sic; see endnote] he enlisted in Capt Bendelows [sic: Paul Bentalou's] Company in Count [Kazimierz] Pulaski's Legion at Little Egg Harbor New Jersey, for one year and received a discharge from Capt Bentelow after a ten months service which discharge has been destroyed by mice or other vermin. That the cause of his discharge before the expiration of his time was the prospects of no active operations and a strong desire to return to his native place and family expressed to his superior officer that he was discharged from the service at Charlotte Tavern in the State of North Carolina – and this deponent further states that he rendered some service in the militia and was at the Battle of Red Bank [Fort Mercer, 22 Oct 1777] at the fort under Capt Leek and he further states he served during a part of the war on board different continental Privateers and was of the Crew of the Schooner Rattle Snake [*Rattlesnake*] John Field Commander and fought a hard Battle with a British Privateer from New York. That during the whole war he was a faithful advocate for the Independence of the Country and suffered much in the cause. And that the following are the reasons for not making earlier application for a Pension – that he has been and still is in very indigent circumstances advanced in age and infirm from disease with a large family to support illiterate and ignorant of my rights situated forty five miles from the County Town but few Friends and witnesses scattered in various parts of the Country some of their residence unknown until recently to this deponent

That he hereby relinquishes every claim whatever to a pension except the present – that his name is not on the [pension] roll of any state to his knowledge – and in pursuance of the act of 1<sup>st</sup> May 1820 I do solemnly swear that I was a resident Citizen of the United States on the 18<sup>th</sup> 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 18<sup>th</sup> 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. That since the 18<sup>th</sup> March 1818 no changes have been made in my property. And I further swear that I am unable to attend or appear in Court by reason of a rheumatic disease and a private affection of my parts and general bodily infirmity and disability

Sworn to and declared on the 9<sup>th</sup> day of August AD 1828

Joseph hisXmark Gale

Geo W Tucker

I George W Tucker a Judge of the Inferior Court of Common Pleas holden in the County where the declarant resides do hereby certify that the above named Joseph Gale is from a disease called Hydrocele with which I am credibly informed and believe he has been afflicted for the space of five months unable to attend the Court of which I am Judge and I do not think from present appearances that he will be able to attend the Court above named at its next session I have therefore in pursuance of the Act of Congress of the 1<sup>st</sup> March 1823 attended at his place of abode and administered the foregoing oath Geo. W. Tucker

Schedule of the property of Jos. Gale

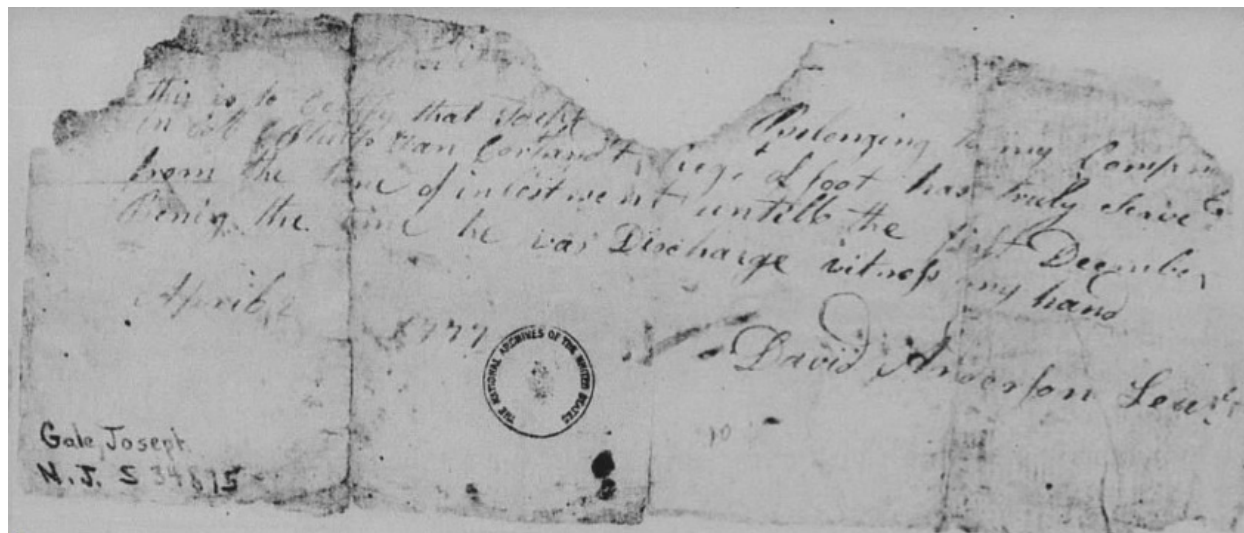
I have no property except one horse and Waggon, one ten plate stove and the clothing necessary to cover my nakedness

Joseph his Xmark Gale

Witness/ Geo W Tucker

this is to Certify that Josp[page torn] Belonging to my Company in Coll Philip Van Cortandt Reg't. of foot has truly Served from the time of inlistment untill the first December Being the time he was Discharge witness my hand

April 2 1777 David Anderson Leut



State of New Jersey }

County of Burlington }

On the 17<sup>th</sup> day of May A.D. 1828 Personally appeared Isaac Andrews [pension application S33964] of Perth Amboy, New Jersey who being duly sworn deposed and saith that he is a Revolutionary Pensioner of the United States, and is aged Sixty eight years. That he is acquainted with Joseph Gale Sr. and believes that he is an older man than this deponent. That said Joseph Gale is now an applicant for a Pension. That he Joseph Gale Joined Count Pulaski Legion at Little Eggharbour New Jersey in the month of July or August AD. 1779 and was attached to Capt Bentalous Company in said Legion, and marched with the Legion to North Carolina and saw said Joseph Gale with the Legion at Charlotte Tavern in said State that said Gale was in Service in said Legion Exceeding nine months, and this deponent further states that he was attached to the same Company and Legion, and further saith not.

Sworn and Subscribed to before me date above

Geo. W. Tucker

Justice Peace

I George W. Tucker Justice Peace of Burlington County, Do Certify that I am informed that the within named Isaac Andrew resides at Perth Amboy New Jersey distant from my residence by the most usual route about one hundred miles That, I am unacquainted with his private character, but infer that his Credibility is unimpeach he being a Pensioner himself and his oath upon his own claim admitted.

Given under my hand the 20<sup>th</sup> Jany. AD 1829. Geo. W. Tucker

I do Herby Certify that Mr Joseph Gale is Afflicted with a Species of Hydrocele & I should say that it would be injurious to his Complaint to attend Court at this term Given under my Hand this 9<sup>th</sup> Augt 1828

[signed] Wm K Mason

State of New Jersey }  
County of Burlington Ss }

On this Ninth day of Septem 1828 Personally appeared before me one of the Judges of the Court of Common Pleas in & for said County, James Gale of Washington Township in said County aged Seventy eight years who being first duly sworn according to Law doth depose and say: That Joseph Gale an applicant for a Pension Enlisted under Capt. Benjm'n. Fennimore in the Spring of 1776 said Fennimores Company belonged to Colonel Philip Van Carlands Regiment of the Continental line, and believes that he was at the Battle of Long Island and White Plains. That he believes he served six or seven months under the Enlistment and saw his discharge after his return.

And this deponent further states that Joseph Gale enlisted at the same time, viz November 1779 at Little Eggharbour with Isaac Andrews and one Riggins in Capt. Bentilows Company, Count Pulaskis Legion [see endnote].

That he was absent from home near a year and this deponent believes he was in the Continental Service during that period of time, and has seen his discharge after his return, and has since seen the remnants of it eaten by mice or other vermin.

He also deposes that said Joseph Gale served in the Militia a tour of duty under Capt. Leek, and has also served on board various Continental Privateers. James hisXmark Gale  
Sworn and subscribed to before me the day & year aforesaid Geo. W. Tucker

State of New Jersey }  
Burlington County }

I George W. Tucker one of the Judges of the Court of Common Pleas of the aforesaid County, Do hereby Certify that the Testimony of James Gale (whose deposition is hereunto annexed), is received in the Courts of Justice of this County, and to my knowledge his veracity has never been impeached therein, but that he is admitted as a credible witness in all cases. Witness my hand and Seal this Twenty eighth day of March AD 1829. Geo W. Tucker

Sir, I return the papers of Joseph Gale to you the omission of the Certificate upon James Gales Affidavit was accidental, and the delay occasioned thereby, regretted by me.

The old Soldier is verry anxious to hear his destiny from your department; his tottering pace denotes his short route to the grave; and I must add that he has but few rations upon his fatiguing march for himself & family. Verry Respetfully/ Your Obedient/ Geo. W. Tucker/ March 28<sup>th</sup> 1829

Tuckerton N.J. August 14<sup>th</sup> 1830

Sir [Hon. J. H. Eaton, Sec. of War]. The publicity of the fact of a Pension having been granted to Joseph Gale has brought out reports of his conduct during the Revolutionary War said to be facts, and also of the doubtful Credibility of his witnesses; I feel it my duty as I was somewhat accessory in procuring the Pension, to state, that I have been (so far as reports speak and as I now believe) most egregiously imposed upon by this man and his witnesses, and hasten to repair any injury that the government may sustain by implication or otherwise in future by continuing his Pension, and suggest the propriety of suspending the same, untill evidence is produced to sustain the following charges among others.

1<sup>st</sup> That Joseph Gale did not serve nine mo. in the Continental Service, in that he was during the Revolutionary War aiding & assisting the Common Enemy, by acts of violence in supplying them with provisions in New York & elsewhere, that he was a Tory during a part of the Rev. War; that his pretended discharge is of a suspicious description.

2<sup>nd</sup> Isaac Andrews a Witness not to be believed under Oath

3<sup>rd</sup> James Gale, a Witness not to be believed under Oath, his Testimony having been publickly discredited in the Court of Common Pleas for Burlington County by testimony there produced.

As unworthy as this Pensiner is said to be, it is gratifying to add that the disease producing his personal Disability has in a great measure subsided.

The Certificate having been left in my possession I return it to your Office for your further direction thereon. I am verry Respetfully/ Your Obedient Servant/ Geo. W. Tucker

State of New Jersey }  
Burlington County }

Upon the twenty third of September A.D. 1830 before the subscriber one of the Justices of the Peace in & for the aforesaid County personally appeared Thomas Giffard of the Township of Little Eggharbour, County & State aforesaid who being duly cautioned and affirmed deposeth & saith that he is in the seventieth year of his age & has always resided in the aforesaid Township & has from his youth upwards known Joseph Gale of the same Township that this deponent recollects Gen'l. Pulaskie & his troops visit to this place & with others was affirmed before him to be true to the States, that this deponent does not know that Joseph Gale did nor does not believe that he did enlist with Pulaskie that if said Gale had enlisted this deponent thinks he would have heard of it at the time or after, does not know or believe that he was absent with Pulaski after his departure & that had he served a tour of duty equal to nine months this deponent would have heard of it or known of it. Thomas Giffard  
Affirmed & subscribed to before me the date above/ Geo. W. Tucker/ Justice of the Peace

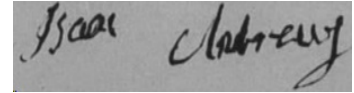
State of New Jersey }  
Burlington County }

On the twenty third of September A.D. 1830 before the subscriber one of the Justices of the Peace in & for the County aforesaid personally appeared Hesekih Mathis of Little Eggharbor Township, County & State aforesaid who being duly cautioned and affirmed deposeth & saith that he was Eighty four years of age 11<sup>th</sup> Jan'y 1830 that he has always resided in the aforesaid Township and has from his youth upwards been acquainted with Joseph Gale of said Township that he recollects the visit of Gen'l. Pulaski to this place during the Revolutionary War, and the Skirmish with the Brittish [5 Oct 1778], that this deponent with Job Mathis and others took the oath to be true to the States before Pulaski, that said Pulaski & troops had grain & other articles from him for which he received an order for payment but was never paid that this deponent does not know nor does not believe that Joseph Gale enlisted with Pulaski if he had enlisted he would have heard of it at the time or some time there after; that he has never heard of said Gales being absent with Pulaski for any period of time if he had been absent this deponent believes that he would have heard of it at, or after the time and would now reccollect it.  
Affirmed & subscribed to before me the date above [signed illegibly]  
Geo. W. Tucker/ Justice of the Peace

State of New Jersey }  
Burlington County Ss }

On the twenty third of September A.D. 1830 before me the subscriber one of the Justices of the Peace in & for the County aforesaid personally appeared Isaac Andrews of the Township of Little Eggharbor County & State aforesaid, Aged Eighty four years who being duly Cautioned and Sworn deposeth & saith that with the exception of one year he has resided in said Township and has from his youth known Joseph Gale, that this deponent held a Captains Commission in the Militia of New Jersey and was upon a tour of duty at Princeton in 1777 or thereabout that Captain Benjamin Fenimore a Militia officer of Burlington County was also upon duty at the same time & place that this deponent is confident that Joseph Gale was not there at the time. This deponent further states that Gen'l. Count Pulaski with his troops being upon a tour of duty at Little Eggharbour in 1777 or 1778 (at which place they had a skirmish with the British) this deponent remained with said Pulaski during his stay at this place & was received and entertained by said Pulaski as an officer & friend and accompanied him a few miles upon his departure, that this deponent knows of no enlistment with Pulaski at Little Eggharbor except Isaac Andrews a nephew of this deponent that if any other enlistment had taken place this deponent would have known it, that he does not recollect seeing Joseph Gale during Pulaski's stay at Little Eggharbour that if said Gale had enlisted he this deponent would have known it and that he does not

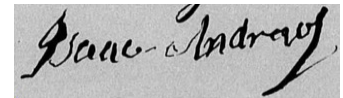
believe that he did enlist under Pulaski or go with him, that he did not miss said Gale nor does not believe that he was absent from this neighbourhood any period like a year after the departure of Pulaski, that if said Gale had gone upon a tour of duty with Pulaski this deponent would have heard of it at the time, which he did not, nor ever did until within a year or Eighteen months from Gale himself, that said Gale called upon this deponent as a witness to the fact which he refused to be not knowing or believing that he did serve under Pulaski, this deponent further states that he has no knowledge of said Gales being in service except a short period under Captain Leek at Red Bank as a drafted Militia Man, this deponent further states that he has no knowledge of any officer in Pulaski's Legion called Bentelow [sic]. Sworn & subscribed to before me the date & year above written  
Geo. W. Tucker/ Justice of the Peace



State of New Jersey }  
Burlington County Ss }

On the twenty third of September AD 1830 before the subscriber one of the Justices of the Peace in & for the County aforesaid personally appeared Isaac Andrews of the Township of Little Eggharbour County State aforesaid aged Eighty four years who being duly cautioned and sworn deposed and saith that Isaac Andrews was always a wild and indiscreet man & he is compelled to believe is a man unworthy of credit for veracity.

Sworn & subscribed to before me the date & year above written  
Geo. W. Tucker/Justice of the Peace



State of New Jersey }  
Burlington County }

Upon the twenty fourth of September AD 1830 personally appeared before the subscriber one of the Justices of the Peace in & for said County Henry Mott aged Eighty two years who being duly cautioned and affirmed deposed & saith that he has always resided in the Township of Little Eggharbour, that on or about the year 1777 this deponent with Thomas Gifford [sic] & others went to the now village of Tuckerton and "took the oath of allegiance to the States" before Count Pulaski & by his order, that he is well acquainted with Joseph Gale and knew him at the aforesaid period, that said Joseph Gale did not to the knowledge of this deponent enlist in said Pulaski's Corps nor does he believe that he did, that said Gale was not to his knowledge absent for any length of time after Pulaski's departure, that had he been absent for any period like a year this deponent would have known it & thinks would now recollect it, that he has no knowledge of his being in any service except on board the Privateer Rattle Snake, that his general reputation was that of a reffugee, this deponent further states that Gale married a relation of one Joseph Story who lived in the neighbourhood of Gale that said Story was at the assault upon Quebec [sic: Quebec, 1 Jan 1776] & Seizure of Ticonderoga [10 May 1775] & several other Nothern expeditions and served a long period during the Revolutionary war, this deponent does not know that said Gale had access to any of the papers of said Story or that he obtained possession of any of his discharges but thinks it highly probably that his character & ingenuity might bade him to it, that his general character is that of a "bad man"

Henry hisXmark Mott

Read & subscribed to in the presence of [signed] Thomas Page  
Affirmed & subscribed to before me the date above/ Geo. W. Tucker J. Peace

State of New Jersey }  
Burlington County Ss }

On the Twenty Ninth of September AD 1830 personally appeared before the subscriber one of the Justices of the Peace in & for the County aforesaid John Forman Esq. who being duly cautioned and Sware deposed & saith he has resided in the Township of Little Eggharbour for the space of Forty — years & has been acquainted with Joseph Gale during & after the Revolutionary war, that he never knew of said Gale's performing a tour of duty with Gen'l. Pulaski and would have heard or known it had it been

the fact, this deponent is aged Sixty Nine years. John Forman  
Sworn & Subscribed to before me date above/ Geo. W. Tucker  
John Forman Esqr now & for the last ten years has resided in the Township of Washington formerly a part  
of Little Eggharbor

State of New Jersey }  
Burlington County Ss }

On the Fifth of October AD 1830 before the Subscriber one of the Justices of the Peace in & for  
the County aforesaid personally appeared Charles Cramer of the Township of Little Egg harbour, County  
& state aforesaid who being duly Cautioned and sworn deposeth & saith that he has been acquainted with  
James Gale of the Township of Washington for Thirty — years, that his general character is that of a man  
unworthy of credit as a witness, that from this deponents personal knowledge of the man he considers him  
as unworthy of credit under Oath, and have heard his testimony publicly discredited by witnesses in the  
Court of Common Pleas for the Count of Burlington for February term 1830. Charles Cramer  
Sworn & subscribed to before me this 5<sup>th</sup> October 1830/ Geo. W. Tucker/ Justice Peace  
[Several others made similar statements regarding the character of James Gale.]

State of New Jersey }  
Burlington County Ss }

On the Fifth of October AD 1830 before the subscriber one of the Justices of the Peace in & for  
the aforesaid County personally appeared Joseph Allen Esquire who being duly Cautioned and Sworn  
deposeth & saith that he is in the seventy third year of his age, that he has always resided in the Township  
of Little Eggharbour and known Joseph Gale from his youth upwards, that this deponent accompanied  
Gen'l. Pulaski from this place to Trenton as a substitute for a Sub Officer upon leave of absence that said  
Joseph Gale did not serve a tour of enlistment with said Pulaski, nor was not absent from this place nine  
months with said Pulaski's troops, that this deponent during the Revolutionary War lived near the  
neighbourhood of said Gale and has a full knowledge of the above facts.  
This deponent further states that he has no knowledge of said Gale's takeing Arms against the Country,  
but that he was known to be "a trader with the Brittish" and an associate of the Reffugees, this deponent  
has himself seen some service in the Militia of the Revolution as well as several of his brothers in the  
Militia and Continental Line one of whom is now a pensioner.  
Sworn & Subscribed to before me the date above Joseph Allen  
Geo. W. Tucker/ Justice Peace

State of New Jersey }  
Burlington County Ss }

On the sixth of October AD 1830 before the subscriber one of the Justices of the Peace in & for  
the County aforesaid personally appeared Jonathan Giffard of the Township of Little Eggharbour County  
& State aforesaid who being duly cautioned & affirmed deposeth & saith that he has been acquainted with  
Joseph Gale of the Township of Little Egg harbour for Twenty years that his general character is that of a  
man unworthy of credit as a witness, that from this deponents personal knowledge of the man he considers  
him as unworthy of credit under oath. this deponent further saith that he is Fifty three years of age  
Affirmed & subscribed to before me the date above Jonathan Giffard  
Geo. W. Tucker  
[Others made similar statements regarding the character of Joseph Gale.]

State of New Jersey }  
Burlington County Ss }

On the sixth of October AD 1830 personally appeared before me the subscriber one of the  
Justices of the Peace in & for the County aforesaid, Samuel Mathis of Tuckerton who being duly



cautioned & affirmed deposed & saith that he had a conversation with Col. G. W. Tucker in the spring of the present year, thinks it was in March or April, that this deponent mentioned to said Tucker that Joseph Gales receiving a Pension had caused much surprise & dissatisfaction among the people and that this deponent himself felt surprised as from Gales own acknowledgments to & conversation with this deponent, he this deponent considered him a trader with the Brittish if not a confirmed Reffugee during the Revolution, that said Tucker replied & remarked that Gale had made him the said Tucker believe his stories but that if the reports against Gale were confirmed that his Pension ought to be & would be stopped or words of that import.

Samuel Mathis

Affirmed & subscribed to before the date above/ Sam'l Deacon

State of New Jersey }  
Burlington County Ss }

We the subscribers Justices of the Peace in & for the County of Burlington & state aforesaid Do hereby Certify that Hugh Johnson Esq & John Forman Esq & Nicholas Johnson of Washington Township and Wm. Kindle, Isaac Andrews, Henry Mott, Capt. Charles Cramer, Thomas Giffard, Uriah Cramer, Heseekiah Mathis, Isaac Cramer, Wm. Giffard, James White, George Cramer, Joseph Allen Esqr. Samuel Mathis, Charles Adams, Isaac Giffard, Jonathan Giffard, Thomas French, William Nugent and Reccompence Darby of the Township of Little Eggharbour, are personally known to us, and that said persons characters stand unimpeached for veracity, and that they severally are entitled to full faith & credit as such as witnesses in all courts of Judication. Witness our hands this seventh day of October AD 1830

Geo W. Tucker

Sam'l. Deacon

Cortlandt Town Oct'r 8<sup>th</sup> 1830

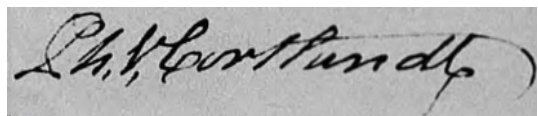
Geo. W. Tucker Esq'r

Sir I have rec'd yours of the 18 Sep'r respecting a certain Joseph Gale said to have been a Soldier in a Company of which Benja'n Fennemore was Capt and was Discharged by a certain David Anderson after 5 or 6 months service on Long Island and White Plains in October or Nov'r 1776 under my command. And you enquire If I have any Recollection of them or of their being in the army of the Revolutionary War. My answer is that I never knew or heard of any such men being under my com'd. or under the com'd. of any other Colonel in the Army; They nor either of them could have been under my com'd in October 1776 on Long Island as I was then a Lieut Colo. under the com'd. of Colo. [Cornelius D.] Wynkoop of the 4<sup>th</sup> N. York Reg't. at Skeensborough [sic: Skenesborough] on Lake Champlain – however the 2<sup>d</sup> N. York Reg't was at the Battle of the White Plains, commanded by the Lieut Colo. Frederick Weissenfels [Frederick Weisenfels], as the Colo. Rudolphus Writsma had absented himself without leave & then his Excellency Gen'l Washington having Blank Commissions had one Filled up with my name to com'd that Regiment and sent it by Express to me at Skeensborough which I rec'd in December and Imediately proceeded to join the Regiment which I found in the State of Pensylvania, much reduced by Desertion and unwaranted Discharges made by Colo Writsma, before his Desertion as I was Informed.

The Regiment after the Capture of the Heshens [sic: Hessians, 26 Dec 1776] at Trenton was ordered to proceed to Fishkill in the state of New York to be recruited, which order I complied with & continued the command thereof untill the end of the war, having received previously on the 10<sup>th</sup> of Oct'r 1783 a commission as a Brigadier General by brevet in the army of the United States of America, In persuance of an act of Congress of the 30<sup>th</sup> of Sep'r 1783.

Very Respectfully I Remain

Yr. Humble Ser't/ Ph. V. Cortlandt



Tuckerton N.J. October 1830

Sir [J. L. Edwards, Chief Clerk, Pension Office], The enclosed is testimony touching the claim of Joseph Gale to a pension for Revolutionary services. I am solely actuated in my conduct in bringing this matter to your notice by a sense of public duty, and if Gale has really rendered us services during that eventful struggle and can satisfy the Department of them, it will afford me pleasure to learn that he has again been permitted to draw his pension; I am however satisfied that I have been grossly imposed upon in relation to his services, and wish the agency I had in procuring for him a pension to be cancelled.

The hints thrown out that Gale was using Joseph Storys discharges (whose relative he married) and the discrediting of James Gales testimony in our Court in Feby term last by Genl Read & Wm. Kindle two respectable men (which occurred after my leaving the Court, and which only came to my knowledge in April or May last) brought me to make enquiries that resulted in my conviction of his want of a fair claim to a pension & induced me to give the department the notice that I did in August last.

Although sick of this investigation and of this [undeciphered word] of these men, and of the perfect putridity of James Gale's character for veracity, I feel bound to give the Department any further aid in my power when called upon. I am very Respectfully/ Your Obedient/ Geo. W. Tucker

N.B. Some of the witnesses named in the Certificate of Credibility are absent at present. Others are a repetition of these sent. I am further informed that Stephen Inman a respectable man of the adjoining County of Monmouth complains that he recognized Joseph Gale with a Band of Refugees that succeeded in robbing his Father's House in the latter part of the Revolution. I have not taken his affidavit.

War Dept/ Pension Office/ April 16 1832

Sir [Mr. Sam'l. J Read/ Mount Holly, New Jersey], In reply to your enquiry respecting the case of Joseph Gale, I have to inform you that his pension has been stopt, because from affidavits on file in this Office it appears that he did not serve in the American army during the revolutionary war; and it further appears that he was engaged with a band of Refugees in committing depredations on our peaceable citizens. [Unsigned copy, original probably by James L. Edwards]

War Dept./ Pension Office/ May 2, 1832

Sir [Samuel J. Read, Esq'r/ Mount Holly, N. Jersey], Your letter of the 26<sup>th</sup> ult'o has been received. the affidavits containing information against Joseph Gale were made before G. W. Tucker, Esq'r of Tuckerton, N.J. If you will write to him, and get him to join you in the request that copies of them may be furnished, we will immediately send copies to you. It is the wish of this Dept. to prevent disputes and vexatious law-suits in such cases. Otherwise we should not hesitate to comply with your request. It seems to be proper in most cases that when charges are filed against any individual, he should at least know the nature of them, and be made acquainted with the names of the informants.

State of New Jersey

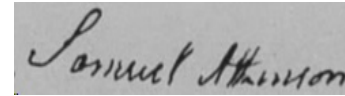
Burlington County Ss Samuel Atkinson [pension application S943] of the township of Springfield in the County of Burlington aforesaid being duly sworn according to law doth depose and say that he is now in the seventy third year of his age, that in the year of our Lord seventeen hundred & seventy six prior to the month of June of that year this deponent entered the service of the United States under the Command of Captain Benj'n Fenimore who raised a Company of Militia in the County of Burlington for the Term of five months, that in the month of June seventeen hundred & seventy six the said Company marched from Slab town (now called Jacksonville) in the County of Burlington aforesaid the place of Rendezvous and joined the American Troops on Long Island in the State of New York – and this deponent doth well remember that Joseph Gale was a private in the said Company and march from Slabtown aforesaid with them & joined the Troops on Long Island – that this deponent doth also remember that the said Joseph Gale was in the Battle between the American & British Armies on Long Island and afterwards at White Plains – and that after the expiration of the said five months the term of their engagement the Commander in Chief requested of the Volunteers & Militiamen whose term of



Service had expired to remain with the Army until the new recruits should arrive in Camp and that this deponent the said Joseph Gale David Hausler [David Housler R5266] & several others of their said Company did remain and do duty for more than a month after the expiration of the five months the time of their engagement – and this deponent doth further depose that at that time the said Joseph Gale was a young stout athletic man vigilant in the discharge of his duty – and this deponent verily beleives the said Joseph Gale was true & faithfull in the service of his Country – and that he hath never heard the said Joseph Gale at any time charged or suspected of desertion or taking part with the enemies of his Country – and further saith not.

Sworn & Subscribed this 18<sup>th</sup> August 1832 before

Geo Haywood one of the Justices of the peace of the County of Burlington



State of New Jersey

Burlington County Ss.

Be it remembered that on the twentieth day of August in the year of our Lord one thousand eight hundred & thirty two personally appeared before me William Russell Judge of the District Court of the United States in and for the District of New Jersey, Joseph Taylor [pension application S33782] of the township of Northampton in the County of Burlington aforesaid who being duly sworn according to Law upon his said oath doth depose and say that he is now in the eighty fourth year of his Age, that he served as a private during the war of the Revolution and the greater part of his time the Legion of Cavalry under the Command of Col Henry Lee of Virginia – and this deponent doth perfectly well recollect that at the time he joined the said corps that Joseph Gale was then a private in the same Corps and continued to serve therein for some considerable time, and afterwards the said Joseph Gale was discharged with several others at Charlottie Court House in the State of Virginia – that during the whole time the said Joseph Gale belong to the said Corps he done his duty faithfully as this deponent verily believes – and he never heard at any time that the said Joseph Gale was a deserter or a refugee – and this deponent is confident that if any allegation of that kind had been made against the said Joseph Gale that this deponent would have heard of it & further saith not

Joseph hisXmark Taylor

State of New Jersey } ss.

County of Burlington }

On this 12th day of May one thousand eight hundred and fifty one personally appeared before me Oliver W P Emby a Judge of the Court of Common Pleas in said County Hannah Gale a resident of Tuckerton in the County and State aforesaid aged seventy four years who being duly affirmed according to law, doth on her oath make the following declaration in order to obtain the benifit of the provisions made by the act of Congress approved July 29th 1848. That she is the widow of Joseph Gale who was a Revolutionary Soldier and was a Pensioner of the United States That he was inscribd on the roll of Pensions on the 28th of March 1829 at 8 dollars per month, and that his Certificate was issued on the 27 of April 1829 that her said husband drew his pension for about two years through his Agent George W. Tucker that he said George W Tucker became disaffected because he could not have the dispersal of the Pension money and solely through malicious designs and unfriendly feelings in the year 1830 he made unjust and false statements to the department falsely alleging that Joseph Gale was or had been a refugee and Tory and discrediting the witnesses who made affidavit in favor of his last term of service by which means the said Joseph Gales pension was stoped; She further declares that the statements made to the department by George W. Tucker for the purpose of depriving him of his pension were false and unjust and that it was well known in the neighborhood he did it solely through malevolent designs which will be made more fully to appear by the testimony of Credible witnesses hereunto annexed; She also states that she has seen Joseph Gales discharge for his last term of service which was for ten months commencing in the year 1779; that the discharge is lost; She further declares that she was married to the said Joseph Gale at Bridgport Burlington County and state aforesaid on or about the 12th day of August A.D. 1798 by one Gibson Ashcraft Esquire and that her name before her said marriage was Hannah Mott; And that her said

husband died at Pemberton New Jersey in the year 1834; and that she is still a Widow; That she has no marriage Certificate or record and after due search believes that none exists; She makes this declaration for the purpose of obtaining the arrears of Pension illegally withheld from her husband as well as for her own pension agreeable to the Act of Congress approved July 29<sup>th</sup> 1848. Hannah herXmark Gale

Affirmed & subscribed before me the 12<sup>th</sup> day of May 1851. Oliver W. P. Emby

[Cornelius Gale certified that he had been present at the marriage of Joseph Gale and Hannah Mott. Joseph Ridgeway Esq. certified that "Tucker was malevolently enacuated to exert the influence he possessed over certain individuals to procure affidavits disreputable to the said Gales witnesses and to the reputation of Joseph Gale as a Revolutionary Soldier," and that James Gale and particularly Isaac Andrews were credible witnesses in Gale's behalf.]

[To Hon'ble Jas. E. Heath Commissioner of Pensions]

Joseph Gale of New Jersey, was a private in Captain Fenimore's Company, in Col Philip Van Cortlandt's Regt. and served six months, and was discharged; his discharge, which is on file with his declaration at the Pension office, bears date 21st April 1777.

In 1779 Joseph Gale enlisted in Captn Burletou's or Burlestou's Company, in Count Pulaski's Legion where he served ten months and was discharged, but this discharge has been accidentally destroyed.

He was inscribed on the Pension roll of New Jersey at \$ pr month [sic] to commence on the 28th of March 1829. The certificate of Pension was issued 27th April 1829. The declaration, depositions and evidence &c on which the Pension was allowed, were for the most part, if not altogether, prepared by George W. Tucker Esqr. who appears to have acted as Gale's agent; and it also appears that he got possession of the Pension Certificate, and because he was not allowed to use the whole of the Pension or control it as he wished, he became incensed against Gale, and instead of his friend, became suddenly his bitter enemy and waged against a poor infirm old Soldier uncompromising hostility, litterally causing an old defender of his country, because he was a poor man, to die wretchedly and miserably in the public poor's house. So early as 14th August 1830 Mr. Tucker writes to the Pension office adverse to Gale's right to his Pension at the same time returning the Pensioner's certificate to the Department.

Upon an examination of the evidence upon which the Pension was allowed we think it will be seen that the evidence then filed very clearly established the right of the Soldier to a pension and that the Department committed no error in granting it. On the other hand we think that the assertions of Mr. Tucker and the depositions that he filed to destroy the pension are not by any means such testimony as should overthrow the claim of the Pensioner, especially of the rebutting testimony which I have now the honor to submit shall be taken in connexion with the evidence first filed in favor of the claim.

The depositions and declaration of the widow are authenticated by a judge of the Court, and the deponents are certified to the most credible witnesses the State of New Jersey can furnish. We ask for the widow arrears of Pension due her husband from the time his pension was [undeciphered word] stopped to the time of his death in 1834.

We most respectfully invite attention to one item furnished by Mr Tucker in his anxiety to destroy the old pensioner's claim to his pension, to wit; his application to Genl Van Cortlandt to try to tease out of that officer a declaration that Gale was not in the service in his Regt. what does Genl Van Cortlant say? Simply that he does not recollect! Is it to be supposed a Genl Officer could or would be likely to recollect every private soldier who may have been at any time in service in his Regt. at the distance of about fifty years? But Mr. Tucker was rather unfortunate in his own memory or he would have remembered that there was evidence indisputable, already on file, and put there by himself too, that the soldier did serve in Van Coltants Regt. I allude to his discharge which has been before adverted to.

In conclusion we offer the enclosed testimony to rebut all the malicious claims set up by Tucker to gratify his private malice, and hope that upon an examination of this and comparing the whole carefully there will be no difficulty in allowing the widow's claim. Very respectfully/ your Obt. Servt.  
24th May 1851. H. C. Spalding/ Attorney

State of New Jersey }  
 County of Atlantic } Sct. On this 3d day of September A.D. 1851 personally appeared before me J M Browne a Notary Public for the State of New Jersey Joseph Johnson [possibly pension application W7937] a resident of Pleasant Mills in the County and State aforesaid who being duly affirmed according to law deposeth and saith I am about 92 years of age and am a Soldier of the Revolution and am a Pensioner of the United States I have been in receipt of a Pension since the year 1832 I was acquainted with Joseph Gale of Eggharbor Township Burlington County and State of New Jersey the identical Joseph Gale who was placed on the pension roll and afterwards dropped therefrom whose widow Hannah Gale now lives at Tuckerton NJ. Joseph Gale did not serve in the Company and Regiment with me but I know that he was a Revolutionary Soldier and served his country faithfully I cannot say how long he served but think he served between two and three years he was discharged at or near Amboy New Jersey I know other persons of the same name who were torys and who fought against their Country but I know the said Joseph Gale was true to his Country and served in the war of the Revolution and was honorably discharged  
 Joseph hisXmark Johnson

[The table below apparently pertains to a different Joseph Gale, possibly pension application S34370.]  
 First Regiment

Return of the Non-commissioned Officers and privates of the First Jersey Regiment in Service in January 1781 with the sums due to each of account of the depreciation of their pay, agreeably to an Act of the Legislature passed January 6, 1781

Names Rank	Time in Service	Pay per month	Amt of Depr'n.	State Stores	Cash rec'd of Com.	Bal due
Joseph Gail Private	Apr 1 1777 to Aug 1 1780	£2.10.0	£83.19.2	£4.0.0	£1.17.6	£78.1.8

State of New Jersey I Thomas S Allison Secretary of State of the State of New Jersey do hereby certify that the foregoing is a true extract from Book A of Auditors Accounts page 8 as taken from and compared with the original record in my Office. And I do further certify that there is no other Joseph Gail or Joseph Gale to be found on the records of this Office, nor any record of the desertion of such person.

In Testimony whereof I have hereunto set my hand and affixed my Seal of Office at Trenton this nineteenth day of September Eighteen hundred and fifty one. Thos. S. Allison/ Sec'y of State

NOTES:

Testimony by Samuel Atkinson later in Gale's file, as well as in Atkinson's own pension application (S943), indicates that the first enlistment claimed by Gale was in the Flying Camp, which was apparently temporarily attached to the 4<sup>th</sup> New York Continental Regiment commanded by Lt. Col. Philip Van Cortlandt, but not a formal part of that regiment. Details of this tour are also independently confirmed in the pension application of David Housler (R5266). Both pension applications were filed in 1832 and state that David Anderson was a Lieutenant on that tour, consistent with the discharge presented by Gale.

The dates given for Gale's tour in Pulaski's Legion do not agree with the historical record. In November 1779, when Gale said he enlisted at Little Egg Harbor, the Legion was in South Carolina. Pulaski's Legion was actually at Little Egg Harbor late in 1778.

The names of a Joseph Gale, Isaac Andrews, and Ebenezer Riggins are all on a 19 March 1779 payroll recorded at York PA for the company of Capt. Paul Bentalou in Pulaski's Legion. The Joseph Gale on this payroll was paid for 10 months and 28 days of service which commenced on 28 April 1778. This payroll, transcribed at <http://revwarapps.org/b222.pdf>, was available to the Pension Office but would not have been accessible to the general public at the time of Joseph Gale's application.

Pulaski's Legion probably passed through Charlotte NC on its way to Charleston SC in the spring of 1779. The Legion was all but destroyed at the Siege of Savannah (24 Sep - 19 Oct 1779). What remained of the Legion was absorbed into the command of Col. Charles Armand at Hillsborough NC in

July 1780.

On 8 Jan 1851 William Gale certified that he had witnessed the marriage of Joseph and Hannah Gale.

Hannah Gale's application for arrears for her husband and a pension in her own right was unsuccessful.