

Southern Campaigns American Revolution Pension Statements and Rosters

Pension Application of James Berry S37756

PA

Transcribed and annotated by C. Leon Harris.

Virginia At a Court held for Russell County the 2^d day of June 1818.
James Berry who resides in the County of Russell wishing to become a pensioner under the Act of Congress of the 18th of March last, entitled An Act to provide for certain persons engaged in the land and naval service of the United States, in the revolutionary war, declared on oath that he enlisted as a private soldier in the 10th Regiment of the Pennsylvania line, commanded by Colo Richard Butler, and in Capt Robert Sampler's [sic: Robert Sample's] Company, in which regiment he served five years; that he was in the battle of Germantown [Germantown, 4 Oct 1777', at the battles of Brandywine [11 Sep 1777] & James Town [Green Springs Plantation at Jamestown Island VA, 6 Jul 1781], that he went from thence to Little York and was at the taking of Cornwallis [Yorktown VA, 19 Oct 1781]; that he was discharged by Capt Lang at Philadelphia, having served in the whole seven years. He also declares that he is in indigent circumstances. [Court certification not transcribed.]

At a Court held for the said County of Russell the 1st day of June 1819.

This day came into court James Berry, who at a Court held for this County the 2^d day of June 1818 made a declaration on Oath for the purpose of obtaining the pension allowed by the Act of Congress of the 18th of March 1818, and in addition thereto, declared on his Oath, that he enlisted in the Pennsylvania Line on Continental Establishment as stated in his first declaration some time in the month of March after the defeat of the Hessians at Trenton [26 Dec 1776] (the year he cannot recollect) with Capt Robert Samples, of the tenth Regiment then commanded by Colo Cook, served in said Regiment (about two years was then transferred to the 6th commanded by Colo Richard Butler; and that he was discharged by Capt Lang at Philadelphia about 18 months after the defeat of Lord Cornwallis: which, as well as the statement first made, the judge of the Court believes to be substantially true. [Court certification not transcribed.]

State of Montgomery, Montgomery County Sct.

On this 28th day of September 1833 personally appeared before the Judge of the Circuit Superior Court of law and chancery for the County of Montgomery James Berry a resident in the county of Montgomery and state of Virginia aged Eighty two 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 provisions made by the act of Congress passed 15th May 1828. That he enlisted in the army of the United States to serve for and during the war in the year 1777 with Captain Robert Sample and served in the tenth Regiment of the Pennsylvania line under the following named officers viz. Cook was his Colonel Edward Stewart the name of his Major, Robert Sample was his first Captain, John Lang his second, John Miligan [John Milligan] was his Lieutenant he has forgotten the name of his Ensign, he continued in the service until he was disbanded at Philadelphia after the capture of Yorktown, after having served his country five years, in the War of the revolution as a private. Your applicant served under but one term of enlistment and at the time he enlisted he resided in Bucks county and state of Pennsylvania, about twenty five miles from the city of Philadelphia and was engaged in the following named battles, the battle of Brandywine, the battle of Germantown a small battle at James Town in Virginia and the last battle in which he was engaged was at the taking of Lord Cornwallis; after he enlisted he marched from Philadelphia to Trenton from thence to Princeton from Princeton to Morristown from Morristown to a place called Summerset [sic: Somerset NJ] and through other parts of the country the names of which he now disremembers
Your applicant further states that he was not aware of the existence of the law of 1828 until he came to apply under the act of 7th June 1832 when he was informed of the other law. He hereby relinquishes every claim whatever to a pension or annuity except the present & declares that his name is not on the Pension

roll of the agency of any state. Sworn to and subscribed the day and year aforesaid.

James hisXmark Berry

NOTES:

James Berry's pension under the act of 1818 was suspended under the pension act of 1820, which required proof of need. His application under the act of 1828 was rejected, because he did not serve until the formal end of the war in 1783. He was, however, granted a pension under the act of 1832.

A document in the file states that James Berry died on 4 Dec 1836, survived by his widow, Margaret Berry.