

### **Pension Application for James Agens**

S.33,960

Private, Capt Gales, Company Maryland Line. Inscribed on the roll of New Jersey. Wounded twice at the Battle of Monmouth, once in the leg, once in the side.

District of New Jersey SS.

On this thirteenth day of April 1818, before me the subscriber one of the Judges of the Circuit Court of the United States for the said District, personally appeared, James Agens, aged sixty seven years resident in Newark in the County of Essex in the said District who being by me first duly sworn according to law, doth on his oath, make the following declaration, in order to obtain the provision made by 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". That he the said James Agens enlisted (by the name of James Ragens because other in the same company were named Agens, which creating confusion he was called & entered by the name of Ragens) sometime in the year 1776 at White Plains in the State of New York in the company commanded by Captain Gates (1) in the fourth Maryland regiment commanded by Col. Hall (2) in the Maryland Line, Samuel Smith (3) Esquire being Lieutenant Colonel on the Continental establishment. That he continued to serve in the said Corps for the term of three years when his term of enlistment expiring he was discharged at Tappan in the State of New York. That in less than ten days after receiving his discharge as said which he has since lost he enlisted at West Point in the State of New York in the Company commanded by Capt. Roosecrants (4) in the fourth New York Regiment commanded by Col. Willet (5) in the New York line on the Continental Establishment that he continued to serve in the said Corps until the war was over, when he was discharged from service in the City of New York (6) about a week after the City was evacuated—That he was in the Battle of Germantown (7), Monmouth (8), Stoney Point (9) & at YorkTown (1), and that he is in reduced circumstances and stands in need of the assistance of his country for support & that he has no other evidence now in his power of his said services having lost his discharge—that he was twice wounded, once in the Battle of Monmouth by a musket ball & once at Stoney Point by a bayonet, that these wounds do now prevent him from laboring. (Signed with his mark) James Agens

Sworn to and declared before me the day & year aforesaid. William S. Pennington, District Judge of the US District Court for the District of New Jersey.

District Court of the United States for the District of New Jersey holden at New Ark in Essex County in said District.

Present the Honorable William S. Pennington, District of New Jersey SS. Be it Remembered, that on the fifteenth day of July, in the year of our Lord one thousand eight hundred and twenty personally appeared in the District Court of the United States for the District of New Jersey, in open court, the said court being a court of record for the District of New Jersey, holden in Essex County aforesaid. James Agens, aged seventy one years, resident in the Town of New Ark, county of Essex, & State of New Jersey, who being first duly sworn according to law, doth on his oath declares, that he served in the revolutionary war as follows: That he enlisted as a Private before the Battle of Brandywine the day & year he cannot state. In the 4 Maryland Regiment under Captain Gates in the Regiment commanded by Col. Samuel Smith & was shortly after promoted to be drill Sergeant of the same Regiment, and continued on the Roll of the said Regiment for three years, and then obtained his discharge from Col. Hall, who was the first Col. in command. He then enlisted in the 4<sup>th</sup> New York Regiment under Col. Wittel [Willett] & there remained during the residue of the war. Was in actual service on the Continental Establishment for six years. His certificates are now on file in the office of the

War Department accompanying his first application. He was in the Battle of Brandywine (11), Battle of Germantown, Battle of Stony Point, Battle of Monmouth, Battle at Fort Stanwick (12) & in several small skirmishes, at the taking of Lord Cornwallis at Little York, and that his original declaration is dated the thirteenth day of April one thousand eight hundred and eighteen and that his pension is No. 2164.

And 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, one thousand eight hundred and eighteen: 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, to wit: No real estate—no personal estate except wearing apparel—By occupation a labourer, unable to gain a living by reason of a wound in the leg, and side received at the Battle of Monmouth. No family at home, no income whatever. (Signed with his mark) James Agens

Sworn to & declared before me July 15<sup>th</sup> 1820. William S. Pennington. District Judge

End Notes—S.33960—James Agens

1. A Captain Gates was not found in the Fourth Maryland Continental Regiment. A John Gale (Gates) was found in the Second Maryland Continental Regiment. He was appointed second lieutenant on December 10, 1776, and first lieutenant on January 15, 1777. He was taken prisoner on Staten Island, N.Y. on August 22, 1777 and was exchanged on October 12, 1778. He was appointed captain on December 10, 1777.
2. Josias C. Hall was appointed colonel on December 10, 1776 of the Fourth Maryland. Colonel Hall commanded the regiment until January 1, 1781.
3. Samuel Smith was appointed major on December 10, 1776. He was appointed lieutenant colonel on February 22, 1777 and remained with the Fourth Maryland until May 11, 1779. He was wounded October 23, 1777 at fort Mifflin, Pennsylvania.
4. James (Jacobus is Dutch for James) Rosekrans in 1780 was the Major of the Third New York continental Regiment under Colonel Peter Gansevoort. He had been appointed on March 1, 1780. Before that Rosekrans was the Captain of the First Company having been appointed on November 21, 1776 in Colonel Lewis DuBois' Fifth New York Continental Regiment. James is wrong about the regiment's number and about Rosekrans.
5. James again is incorrect. Marinus Willett was appointed Lieutenant-Colonel Commandant of the Fifth New York on July 1, 1780. Colonel DuBois had resigned on December 22, 1779. James did however serve in the Fifth New York. He enlisted as a private on May 2, 1780 in Captain Henry VanDeburgh's Company in Willett's Fifth New York. He was discharged on December 15, 1780. FROM: Revolutionary War Rolls 1775-1783, Series M-246, Roll 72, folder 70, National Archives, Washington, D.C. According to the "Pay Abstract of the Levies that joined the 5<sup>th</sup> New York Regt. Commanded by Col. Marinus Willet in the Service of the United States for 1780", James is listed as a private having enlisted on May 2, and discharged on December 15, 1780 having served seven months and fourteen days. FROM: Revolutionary War Rolls, 1775-1783, Series M-246, Roll 72, National Archives, Washington, D.C. Both sources have James serving a short term as a levy and not for three years or during war term. In 1780 the New York Continental Regiments were so under strength and found it almost

impossible to get me to enlist for the 3 years or during war terms that men were enlisted for shorter terms. In addition to this the recruiting officers from the 5 New York Regiments were allowed to enlist men from the levy regiments who would then only serve the remainder of their term of enlistments. James claims to have served the remainder of the war under Colonel Willett. After January 1, 1781, the Fifth New York was no longer in existence. On January 1, 1781, the Second, Third, and Fifth New York Regiments were consolidated into a new Second New York. Philip VanCortlandt remained the colonel of this regiment and Willett was discharged. Captain VanDeburgh was transferred to the Second New York. On examining his muster rolls, James' name was found on them. FROM: Revolutionary War Rolls, 1775-1783, Series M-246, Roll 69, folder 34, National Archives, Washington, D.C.

6. James is mistaken about this event. New York City was "evacuated" by the British Troops on November 25, 1783. The Continental Army was discharged or disbanded in June of 1783. James Could not have been part of the Continental Army at this time.
7. The Battle of Germantown, Pennsylvania was fought on October 4, 1777. The Fourth Maryland was still in General Sullivan's Division and was part of the right wing in the attack.
8. The Battle of Monmouth, New Jersey was fought on June 28, 1777.
9. The Battle of Stony Point, New York was on July 16, 1779.
10. The Yorktown, Virginia Campaign was from September 28 to October 19, 1781.
11. The Battle of Brandywine, Pennsylvania was fought on September 11, 1777. The Fourth Maryland was part of Major General John Sullivan's Division in Brigadier General Prud' Home De Borre's Brigade at Brenton's Ford.
12. The Battle of Fort Stanwick (Siege of Fort Stanwix or Fort Schuyler) New York was from August 2, August 22, 1777.