26th Congress, 1st Session. Rep. No. 161. Ho. of Reps.

HELEN MILLER.

[To accompany bill H. R. No. 171.]

March 5, 1840.

Mr. Carr, from the Committee on Revolutionary Pensions, submitted the following

REPORT:

The Committee on Revolutionary Pensions, to whom was referred the petition of Helen Miller, of the town of Livingston, in the State of New York, for a pension, report:

The petitioner states that she is the widow of Philip P. Clum, who died in 1798; that she was married to said Clum in July, 1775; that she was 84 years old in 1837; that about 18 months after the death of said Clum, she married a certain Jacob Miller, who died about thirty years ago, and that she has remained a widow since; that her first husband, the said Philip P. Clum, was a private soldier in the revolutionary war, in Captain Rockfellow's company, Colonel Livingston's regiment, in the spring of 1776, at Greenbush, *two weeks;* and at Fishkill, in the fall, *two months;* and at Fort Edward, in the spring of 1777, *six weeks;* in the fall, at the taking of Burgoyne, at Saratoga, *two months;* and again at Ballston and Saratoga, in the fall of 1780 or 1781, for *six weeks;* that her marriage with said Clum took place before this service, and that her maiden name was Helen Hamm; and that her first child was born about 18 months after her marriage.

Barent Sipperly testifies that he is 80 years of age; that he was formerly intimately acquainted with Philip Clum; that he was at the wedding when he (Clum) was married to Helen Hamm, in July, 1775; that deponent and said Clum were private soldiers in the revolution, in Captain Rockfellow's company, belonging to Colonel Livingston's regiment, in the spring of 1776, at Greenbush, for *two weeks*, and then discharged; and at Fishkill, during the months of *November and December*, and returned on New-year: and again the deponent and Clum were in the service at Fort Edward, in the summer of 1777, (he thinks in June and July, or July and August,) six weeks, when they returned; and were at home but a few days, and were called to Saratoga again, where they arrived about the beginning of September, and were in the service till after the surrender of Burgoyne; discharged the latter part of October—in this service two months. They were also in the service against the Indians at Ballston and Saratoga for six weeks, in October and November, in the fall of 1780 or 1781; and the said Clum performed other service which deponent cannot particularize.

Adam Clum testifies that he is 82 years of age; knew Philip Clum; was present at his marriage with Helen Hamm in July, 1775; that he is a

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revolutionary pensioner, and that he served in the war of the revolution with said Philip Clum, under Captain Rockfellow. The further statement of this witness, as to the periods of service, corresponds entirely with that of Barent Sipperly, the other witness.

The objections to allowing this pension, made by the Commissioner of Pensions, are, that there are rolls for Captain Rockfellow's company for every tour performed after 1778, and the name of Philip Clum does not appear; but he says "that there may be some error as to the name of his captain *in actual service.* Rockfellow was the captain of the company to which he belonged, but he may have been draughted repeatedly when his captain was not." He says the witnesses do not specify as the rules of the department require, and he does not consider the testimony sufficient to rebut the presumption raised by the rolls.

The committee are of opinion that the testimony is as direct as can be expected. The witnesses are certified by the commissioner of deeds to be credible men; and the fact that all the service claimed for, except six weeks, was performed before the year 1782, the time at which the rolls commenced, leaves no doubt with the committee that the case is clearly made out, and they therefore report a bill for seven months' service.