

**Pension Application for Gershom Van Voast or Joachim VanVorst**

R.10901

34<sup>th</sup> Congress, 3d Session.

House of Representatives

Report No. 13

GERSHOM VAN VOAST.

[To accompany bill H.R. 595.]

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December 12, 1856.

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Mr. Broom, from the Committee on Revolutionary Pensions, made the following  
REPORT.

*The Committee on Revolutionary Pensions, to whom was referred the petition of  
Gershom Van Voast, submit the following report.*

The claimant, in his statement under oath, makes the following declaration:  
“That he entered the service of the United States in the summer of the year 1779, in  
the company of Captain Gray, regiment of Colonel Wemple; that he was not enlisted,  
but continued as aforesaid for more than *three* years in the service of the war of the  
Revolution; that he had the care of the horses at the Congress stable, situated on the  
land of his father, in Schenectady; was once despatched to carry the mail or express to  
Schoharie, also to drive cattle to Fort Plain and Fort Herkimer; and that this brother,  
James J. Van Voast, for having performed the same kind of duties, is now pensioned,  
and that said service was not performed under any civil contract, &c., &c.

James J. Van Voast, a *revolutionary pensioner*, states, under oath, that he is  
brother to the present applicant, and that to his knowledge his brother Gershom  
entered the service at the age of 14 years, and that said Gershom joined the company  
at Schenectady, under Captain Gray and Colonel Wemple in the year 1779, and was  
employed most of the time in taking care of the horses at the continental stable, in the  
city of Schenectady, and that he remained there employed, as above mentioned, more  
than two years; that he (said Gershom) was once despatched to carry the mail or  
express to Schoharie, and was once ordered to go with this deponent to drive cattle for  
the army to Forts Plain and Herkimer, and was attached to the army in the same  
capacity as he was, and was as much under the command of Captain Gray and Henry  
Glen, commanding general, as he was, from the years 1779 to 1783, and continued to  
perform all such duties as were imposed on him by the officers of the army, and did  
not devote any time to anything else than the military operations against the enemy of  
the country,” &c., &c.

Jerome Barkydt, also a *revolutionary pensioner*, says, *under oath*, that he well  
knew the said Gershom Van Voast was engaged in the service of the United States in  
the war of the Revolution for more than two years from 1779; that most of his services  
consisted in taking care of the horses belonging to the army; that he was compelled to  
do duty as express, and to drive cattle for the army to Forts Plain and Herkimer in  
1780, and performed the same kind of duty that his brother, James J. Van Voast, did  
during the war, &c., &c.

John J. Schermerhorn, a *revolutionary pensioner*, states, *under oath*, that he has always known Gershom Van Voast, and he believes, from the best of his recollection, that Gershom V. Voast served more than two years in the army of the United States, and at the time stated in the affidavit of James J. V. Voast, hereunto annexed, &c., &c.,

In presenting the case of the Pension Office, the objection to the allowance of the claim appears that, being “but 14 years of age, he could not have been under enlistment as a soldier, which is indispensably necessary to entitle him to a pension.” This objection, upon an examination of the act of June 7, 1832, under which claimant is entitled, does not justify the conclusion of the Pension Office. The first section of the said act is in the following words: “That each of the surviving officers, non-commissioned officers, musicians, soldiers, and Indian spies, who shall have served in the continental line, State troops, *volunteers*, or militia, at one or more terms, a period of two years during the war of the Revolution, &c., &c., shall be entitled to receive,” &c.

It is obvious from the act itself that *service only* was contemplated as the prerequisite to entitle a soldier to the pension, and not whether he was regularly enlisted, or whether it was performed without enlistment; or why would the word “volunteers” have been introduced? The act is, in its language, intended to embrace every species of service performed during the memorable struggle for independence; the term of service, provided it was of six months’ duration, being the only thing necessary to insure to the aged soldier his country’s bounty.

The committee deem the evidence fully satisfactory to establish two years’ service, and the rules of the office themselves fully complied with; they therefore report a bill for his relief.

#### IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 1856.

Mr. Broom, From the Committee on Revolutionary Pension, reported the following bill:

#### A BILL

For the relief of Gershom Van Voast.

*Be it enacted by the Senate and House of Representatives of the Unites States of America in Congress assembled.*

That the Secretary of the Interior be, and he is hereby, authorized and required to place the name of Gershom Van Voast on the pension roll of the State of New York, at the rate of pension due for a private of cavalry, under act of June seven, eighteen hundred and thirty-two, and to continue during his natural life; and said pension to be paid, in case of his decease, to his children.