

Pension Application for James Fitzgibbons

R.3587

B.L. No. 1591-100

Schoharie County SS.

George Shafer being duly sworn saith that he was well acquainted with James Fitzgibbons at Fort Montgomery, that said Fitzgibbons was in the battle of that place and was killed as this deponent understood and verily believes to be true, this deponent resides in the town of Blenheim in Schoharie County and that said Fitzgibbons belonged to Stewart's Company and the Dubois Regiment and that said Fitzgibbons was a standing troop in the service of the United States. (Signed with his mark) George Shafer

Sworn the 6th day of Febr'y 1821 before me Elias Halliday Justice of the Peace.
State of New York, Schoharie County SS.

Mary Teabout being duly sworn deposeseth and saith that she was well acquainted with James Fitzgibbons, that she was present at his marriage with Anna Swart?, which was in the Spring of the year 1774, in May some time according to the best recollection and belief of this deponent, that they were married by the Reverend Mr. Sommers at the old parsonage house in the Town of Schoharie, that in that summer or fall after his marriage he enlisted into the service of the United States as she understood and verily believes and that she has never seen him since and this deponent further saith that the said James Fitzgibbons had one child by his wife named Eleanor, that the said Anna wife of the said James Fitzgibbons has since died and further this deponent saith [rest was not microfilmed.]

War Department, Revolutionary Claim

State of New York

Schoharie County SS.

I, Eleanor Feeck (late Fitzgibbons) daughter and only heir at law of James Fitzgibbons deceased do upon oath declare, & testify to the best of my knowledge & belief that James Fitzgibbons did enlist January 1777 for the term of during the war, and served in Regiment number Five under the command of Colonel Lewis Dubois of the New York line; and that he continued in the Service until he was killed at Fort Montgomery in the month of October in the year 1777.

I do further declare that I have never received a warrant for the Bounty Land promised to James Fitzgibbons on the part of the United States; nor do I believe he ever received it nor do I believe he ever received it or transferred his claim to it in any manner whatsoever; therefore,

Know all men by these presents that I Eleanor Feeck aforesaid do hereby constitute and appoint John Ogden Deyo of the City of Albany to be my true and lawful Attorney for me and in my name to demand and receive from the Secretary at War of the United States a Warrant for the quantity of land due to me as aforesaid; and my said attorney hereby fully authorized and empowered to constitute and appoint one or more substitutes or attorneys under him for the special purposes above expressed. Dated this 26th day of December 1829. (Signed) Eleanor Feeck

Witness -- H. Manning

Auburn Cayuga Co. NY

May 31st 1853

Hon'd J.E. Heath, Commissioner of Pensions.

Sir,

James Fitzgibbons private enlisted in the United States service Jan'y 1st 1777 for the term of the war in Capt. Stewarts company in the NY Regiment commanded by Col. Dubois and continued in the service until he was killed in battle at Fort Montgomery at the time of the evacuation of that Fort.

His only child and legal heir Eleanor Feak received from the State of New York 100 acres of Bounty Land, and 100 acres from the United States. She is now nearly 90 years of age, infirm, and very poor. Is there no law or provision by which she is entitled to benefits of pension, and equal quantity of Bounty Land with those who survived & served until the close of the war? [?] the facts above stated can be clearly shown.

End Notes—R.3587—James Fitzgibbons

1. George enlisted in captain Thomas Lee's Company, the eighth company, as a private on January 25, 1777 in Colonel Lewis DuBois' Fifth New York Continental Regiment. Captain Lee resigned on May 19, 1778. George was eventually transferred to Captain Philip DeBevier's Company, which was the fourth company, by May of 1779. When the second, fourth, and fifth New York Regiments were consolidated on January 1, 1781, George was transferred to Captain Henry DuBois Company in Colonel Philip VanCortlandt's Second New York Continental Regiment. FROM: Revolutionary War Rolls 1775-1783, Series M-246, Roll 72, folder 68 (5th NYCR, and Roll 67, folder 23 (2 NYCR, National Archives, Washington, D.C. George claims to have

understood that Fitzgibbons was killed on October 6, 1777 at Fort Montgomery. He did not see him killed or captured.

2. James enlisted as a private on January 1, 1777 for during the war in Captain James Stewart's Company, the third company in Colonel Lewis DuBois' Fifth New York Continental Regiment. FROM: Revolutionary War Rolls 1775-1783, Series, M-246, Roll 72, folder 71, National Archives, Washington, D.C.
3. James is listed as deserting on October 6, 1777, and not killed in the Battle of Fort Montgomery which was fought on that date. He was owed £ 2. . 19. . 0. List of Deserters, Dead, and Prisoners of the Fifth New York Regt of Foot in the Service of the United States of America, Commanded by Coll. Lewis Duboys from 1st June 1777 to the 1st August 1778, with the wages due to each in the Pay Master's Hands. FROM: Revolutionary War Rolls 1775-1783, Series M-246, Roll 71, folder 62, National Archives, Washington D.C.