

Pension Application for Othniel D. Smith

S.42338

To the Honorable James Emott, first Judge of the Court of Common Pleas, of the County of Dutchess which is a Court of Record of the State of New York.

The Declaration under oath of Othniel D. Smith formerly a soldier engaged in the Service of the United States, during the Revolutionary War, and now a Citizen of the United States, a resident of Clinton in the County of Dutchess & State of New York.

Respectfully Showeth, that the said Othniel in or about the month of February in the year one thousand seven hundred seventy seven enlisted as a private in the American army in a company of Artillery principally raised in the State of Massachusetts commanded by Captain Thomas Seward for three years and that this declarant continued to serve as a private in the said company on the Continental Establishment under his enlistment until the expiration of his time and until the month of February in the year one thousand seven hundred & eighty when he was regularly and honorably discharged as appears by the certificate hereunto annexed; and this declarant farther saith that he was considered as part of the quote of the State of Massachusetts and is by reason of his reduced circumstances in life, in need of assistance from his country for support; and that he has had no pension heretofore allowed him.

Therefore he conceives himself entitled to the benefit of the Act of the Congress of the United States, entitled, "An Act to provide for certain persons engaged in the Land and Naval Service of the United States, in the Revolutionary War", approved, March 18, 1818, and requests that your Honor will examine into the truths of the matters aforesaid, certify and transmit the testimony in this case, and the proceedings had thereon to the Honorable the Secretary of the Department of War, to the end that such relief may be had in the premises, as is by law in such case provided. And in support of the facts above set forth, he refers to the affidavit of himself and the affidavit of Nehemiah Oakley hereafter set forth.

Dated, the 11 day of April 1818.

Othneil D. Smith

New York, County of Dutchess SS. Othniel D. Smith being duly sworn says, that in the matters by him set forth in the foregoing Declaration, are in all respects just and true. Sworn the 11 day of April 1818 before me. James Emott.

At a Court of Common Pleas held at the Court House in the Village of Poughkeepsie in and for the County of Dutchess in the State of New York on Monday the twenty sixth day of June one thousand eight hundred and twenty.

Present the Hon. James Emott, First Judge, Daniel C. VerPlanck, Abraham D. VanWyck, Esquires, Judges.

Dutchess County SS. Be it remembered that on the 26th day of June in the year of our Lord one thousand eight hundred and twenty personally appeared in the Court of Common Pleas in open court the said Court being a Court of Record for the County of Dutchess in the State of New York, Othniel Smith aged about seventy one years resident in the town of Clinton in the County of Dutchess & State of New York who being first duly sworn according to law doth on his oath declare that he served in the Revolutionary War as follows.

In the month of February 1777 he enlisted at Clinton town in Dutchess in the company commanded by Captain Thomas Seward in Colonel John Crane's Regiment of Artillery in the Massachusetts line of the Army of the Revolution for the term of three years that he served in the same company and regiment the full term of his said enlistment and until he was discharged at WestPoint in New York and that his original declaration is dated the eleventh day of April one thousand eight hundred and eighteen and that his pension certificate is No. 494 and I do solemnly swear that I was a resident

citizen of the United States on the 18th 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—the Revolutionary War" passed in the 18th 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.—

Real property, I have none

Personal property wearing apparel and bedding except as follows.

Two pots, 1 chest old joiners tools, 1 tea kettle, 6 tea cups & saucers, 1 frying pan, 6 earthen plates, 6 knives & forks, 2 tin pans, 3 water pails, shovel & tongs.

The deponent says his family consists of himself, his wife aged seventy two years, who is infirm & subject to fits, two sons who occasionally reside at home a few days at a time, aged thirty seven and twenty seven years, that he is a house carpenter and joiner by trade, but from Rheumatism and infirmity is unable to labour. Othneil Smith

Sworn and subscribed in open court this 26th day of June 1820. W. Henry Bulkey, Dep Clerk.