

Pension Application for James Smith

S.11423

Declaration in order to obtain the benefit of the Act of Congress passed June 7th 1832.

State of New York

Montgomery County SS.

On the 19th day of September in the year of our Lord one thousand eight hundred & thirty two, personally appeared in open court before the Judges of the Court of Common Pleas at the court house in Johnstown in & for the said County—being a court of record now sitting James Smith a resident of the town of Canajoharie & County of Montgomery & that aforesaid aged 71 years, who being first duly sworn according to law doth on his oath make the following declaration in order to obtain the benefit of the act of Congress passed June 7, 1832.

That he entered the service of the United States under the following named officers & served as herein stated—to wit—at the time of the Revolution deponent & his father's family resided in the town of Charlotte (now called Armenia) in the County of Dutchess [Dutchess] & State of New York – that in the years of 1776---77 & 78—Deponent belonged to a company of Militia commanded by Ebenezer Husted, James Talmage – Lieutenant in Col. Sutherland's Regt—Deponent was drafted with for four months as Deponent believes six others of this company in the month of May about the middle as deponent thinks (the day of the months does not recollect) in the year 1777—The names of those drafted with the deponent out of his company were Evans Nabins, James Sutherland, William Sutherland, Martin Adsit, James Holmes & George Sampson deponent with those of his fellows drafted with him were marched to Fishkill in the State of New York & were put into a Regt of drafted militia under the command of A. Col. Weisenfeldt, a German in Capt. Dodge's Company—Their Lieutenants name was Bennet Pompelly adjutants name was Walsh—the adjutant was a petulant man—cruel to the soldiers & was often teased by them—Deponent with the troops rayjoined them at Fishkill—under drill & doing duty—were then marched to Peekskill N.York crossed the North River & then to a small encampment called York Flatts a little West of West Point. Lay there several weeks with the troops & was then dismissed with the other drafted men & returned home to [?] aforesaid after the expiration of four months which time deponent served as aforesaid—Deponent was discharged on or about the middle of Sept. 1777.

In the month of October 1777—about the middle of the month as deponent believes—at Charlotte aforesaid—he was pressed in to the wagon service & go & meet Burgoyne's Army after his surrender & a part in taking down the baggage of the officers—[?] to old Sharon Connecticut—Then [??] of the baggage [??] a part of the State of N.York to Fishkill. Deponent in this service was under the immediate command of Ezey Thompson father of the [?] Smith Thompson after having performed this service & their return. They were detained by an order to remove a quantity of Continental stores at Fishkill—then returned home in the latter part of the month of Nov 1777 having been in the service on this occasion a little more than one month.

About the middle of July 1778—deponent was drafted with ten others of his company from the Militia company aforesaid at Charlotte in the County of Dutchess aforesaid for 3 months [?] put under the command of officers [?] from Col. Sutherland's Regt—the name of the Capt. of the company thus formed—was John Finch—Lieutenant John Penderson were mustered & marched to the City of Albany & from there this company were detached & sent to Ballstown to Garrison a small picket Fort—which surrounded a building—whilst guarding this Fort a small party of Indians made their appearance a small distance from the Fort—we were ordered to man our port holes—Capt. Finch on this occasion betrayed so much cowardice on this occasion he was sent home--& the command [?] on Lieut Penderson—the second night after this—this small party of Indians appeared again near a small lake in the vicinity of the Fort & were headed by two white men—Penderson called for volunteers—all turned out except a few to take care of the fort—surprised & took the part of Indians all except a few who swam the lake—Deponent was afterwards selected as one of the guard to conduct the prisoners to Albany—was taken

sick on arriving there was put into the hospital & then lay until a brother in law of deponent by the name of Adsit took deponent home to Charlotte aforesaid. Deponents three months had expired a few days after he was put into the hospital at Albany & had elapsed sometime before he was taken home arrived home the latter part of October 1778.

Previous to the above related services deponent in the month of September as deponent thinks in the year 1776—he was called out with the whole company in which deponent was a soldier—Capt. Husted & Talmage Lieutenant—Col Paine then commanded the Regt previous to the appointment of Col. Sutherland. They were called out to guard the North River—George Clinton afterwards governor had the chief command Deponent & his company were stationed on the North River—on scouts standing Sentry—on guard--& on excursions of observation for about one month when they with deponent were discharged and returned home. This was about the middle of October of the year 1776—Deponent was acquainted with Genl Washington, Genl Montgomery—has seen Genl Putnam & George Clinton—deponent was in no other battles that the one above described with the Indians—nor has he any documentary evidence of his services nor does he know of any person whose testimony he can procure who can testify to his services—he hereby relinquishes every claim whatever to a pension or annuity except the present & declares that his name is not on the pension roll of the agency of any state. (Signed) James Smith

Sworn to & subscribed the day & year aforesaid.