

Pension Application for Stephen Burgess

W.17395 (Widow: Elizabeth)

B.L. Wt34523-160-55

State of New York

County of Saratoga SS.

On this Fourth day of September 1838 personally appeared before me the undersigned a Justice of the Peace of Ballston Spa in and for the County of Saratoga Susan Foot, a resident of Ballston Spa, county of Saratoga, and State of New York aged sixty five years and who being first duly sworn according to law doth on her oath depose and say that she is the sister of Elizabeth Burgess, now residing in the town of Lexington, County of Green and State of New York the widow of Stephen Burgess deceased. That the said Elizabeth was lawfully married unto the said Stephen Burgess on the 6th day of March in the year 1792 at New Canaan Columbia County New York by the Rev. John Camp a Presbyterian [sic] or Congregational Clergyman then settled in that place. That the marriage was duly consummated at the house of the said Clergyman in the presence of this deponent. That deponent was present at the Solemnization of said marriage with a young man named Benjamin Haxton and the family of the said Clergyman all that were present to her best recollection of deponent. That said clergyman is dead, and the other persons present she knows not what has become of them. That deponent and the said Elizabeth and Stephen Burgess then resided in the said town of New Canaan. That said Elizabeth and Stephen immediately after their marriage, went to house keeping together as husband and wife and even after continued to live together as husband and wife until the death of said Stephen Burgess. That the said Stephen Burgess died at the house of deponent at Ballston Spa, New York on the fourteenth day of October 1829. Deponent was present at his death. That the said Elizabeth was left surviving as his widow and has ever since remained unmarried. That deponent has always understood, that the said Stephen Burgess was a soldier of the revolution and served as such in the revolutionary war. (signed) Susan Foot.

State of New York

County of Greene SS.

One this fifteenth day of September 1838 personally appeared before the undersigned Henry Goslee one of the Judges of the Court of Common Pleas of the county of Greene, Elizabeth Burgess a resident of the town of Lexington County of Greene and state of New York aged Sixty eight years who being first duly sworn according to law doth on her oath make the following declaration in order to obtain the benefit of the provision, made by the Act of Congress passed July 7, 1838, entitled "An Act granting half pay and pension to certain widows."

That she is the widow of Stephen Burgess who was a Sergeant in the service of the United States in the war of the revolution. That he said Stephen Burgess if now living would be 78 years of age, that she has always understood from him that he went into the revolutionary service when he was 16 years old and served during the war, she hearing him say that he was in the service at the taking of Burgoyne (1) in Gen. Gates' army or with him, and that he the night after a battle with Burgoyne's forces stood sentry over thirty dead and dying, has heard him say that he served at one time with Dr. (Amos) Hamlin (2), that he was a sergeant in the service, cannot recollect the statements made by him as to the particulars of his service or the names of any of the officers under whom he served or with him in the service for his service he drew some land she does not recollect where it was but is under the impression that it was near Lake Champlain thinks 600 acres. This land the said Stephen conveyed to his son John who soon after left & went to Virginia nineteen years ago, and has not since been heard of & is believed to be dead, said John took all the papers relating to the land when he went away the said Stephen deponent believes had other papers relating to his service, and one or more discharges from the service, but John must have taken them with the papers relating to the land or they have been lost or destroyed as upon diligent search they cannot be found—100 acres, however of the land before stated was given for locating it under the first law or Act of congress allowing pensions for revolutionary service said Stephen intended to apply for a pension but the law was soon after altered limiting them as to the amount of property and his having more property than applicants were allowed to have to obtain a pension, did not apply said Stephen resided in New Canaan Columbia County NY when he entered the service as deponent is informed & believes that She believes that the said Stephen (3) served as stated by him viz from the age of 16 years to the end of the war and part of that time as a Sergeant and the remainder as a private, that she has often heard him give the particulars of his service, but by reason of old age & consequent loss of memory she cannot recollect any particulars nor service before stated. Deponent became first acquainted with said Stephen about six years previous to their marriage at the town of New Canaan aforesaid where they both then resided – as to the land herein before stated cannot state anything & knows not anything more particularly than herein before stated as her recollection has so failed her.

She further declares that she was married to the said Stephen Burgess on the sixth day of March in the year seventeen hundred and ninety two; that her husband the aforesaid Stephen Burgess died on the fourteenth day of October in the year eighteen hundred and twenty nine; that she was not married to him prior to his leaving

the service, but the marriage took place previous to the first of January, seventeen hundred and ninety four, viz; at the time above stated; that deponent by reason of bodily infirmity is unable to appear in open court to make this declaration and that she has no documentary or other evidence of the service of her husband or of her marriage to him than that hereto annexed. (Signed with her mark) Elizabeth Burgess

Sworn to and subscribed before me the undersigned on the day and year first above written and I certify that the said declarant is unable by reason of bodily infirmity to appear in open court to make the above declaration. Henry Goslee, Judge as aforesaid.

Know all Men by these presents that I Pliny Moor at present residing in Kinderhook Columbia County and State of New York for and in consideration of a certificate delivered me to locate on unappropriated lands and ten shillings to me in hand paid both by Stephen Burgess of Canaan Town Columbia County and State aforesaid the receipt whereof I do hereby acknowledge have sold [a land?] released and confirmed and by the present do sell [alum?] releas and unto the said Stepehn Burges—and to his heirs and assigns all the Interest property possession claim and demand I have of in and to all and every of the lots of land contained in a patent granted to me under the Great Seal of the State of New York bearing date the eighth day of October in the year of our Lord one thousand seven hundred and eighty seven situated on the west of the waters which emty [empty] out of Lake George into lake Champlain as by the said patent will appear Referenced being thereunto had said Lots called known and distinguished in the general division of said patent by the name of Lots No. 28—30—52—and Ninety one—containing one hundred acres together with all the woods waters avantages hereditaments and appurtenances to the same lots of land belonging excepting and referring to myself all gold and silver mines within the same and five acres out of each hundred acres for highways agreeable to the Tenor of the patent to me granted. To have and to hold the said lots of land as above described in severalty with the hereditaments and appurtenances to the same belonging or appertaining unto the said Stephen Burges—his heirs and assigns to the only proper use and behoof of the said Stephen Burges his heirs and assigns, forever—In witness whereof I have herunto set my hand and seal this fourteenth day of February in the Year of our Lord one Thousand seven hundred and eighty nine. Seal and delivered In presence of Philander Moore and Mary Bulles (signed with her mark)

End Notes—W.17395—Stephen Burgess

1. Lieutenant General John Burgoyne who led an expedition from Canada of British, Germans, Loyalists, and Indian Allies for a total of about 7,000 troops. One of his goals was to reach and capture Albany, New York via the Hudson River Valley. After pursuing a retreating American Army from fortifications at Lake Champlain to Stillwater-Saratoga area which resulted in several battles and skirmishes. General Burgoyne surrendered his army to Major General Horatio Gates of the Continental Army on October 17, 1777. Stephen as a private served under Captain John Davis in Colonel William B. Whiting's Seventeenth Regiment of Albany County Militia. This is probably the regiment he was in when he served from 1776 to 1780.
2. Amos Hamlin served as a sergeant in Captain Simeon Newell's Company in Colonel Marinus Willett's Regiment of New York State Levies in 1782 and in 1783 in Captain Jonathan Pearce's Company. Stephen enlisted in Captain Joseph Harrison's company in 1782 in Colonel Marinus Willett's Regiment as a Corporal. According to Colonel Marinus Willett's Descriptive Book No. 4, Doc No. 11105, Special Collections and Manuscripts, New York State Library, Albany, New York; the following is extracted: "*Born at Boston, Massachusetts. Enlisted on July 26, 1782 by Captain Joseph Harrison for 2 years 5 months 26 days. Age 22, size 5 ft 6 in, complexion light, hair light, eyes brown, occupation farmer.*" On Captain Harrison's Company Muster and Payroll Stephen is listed as a sergeant. He served 10 months and he had been paid £40 and was owed £60. Captain Harrison had retired from the service on November 1, 1783 and Stephen was transferred to Captain Edward Conner's Company in Willett's Regiment for his remaining two months of service. He was owed £20 for his service. FROM: Revolutionary War Rolls 1775-1783, Series M-246, Roll 78, folder 173, National Archives, Washington, D.C.
3. Stephen enlisted as a private in May of 1780 in Captain Lathrop Allen's Company in Lieutenant-Colonel commandant John Harper's Regiment of New York State Levies for seven months. FROM: Revolutionary War Rolls 1775-1783, Series M-246, Roll 74, folder 112, National Archives, Washington, D.C. During this service the Continental Army was allowed to recruit men from the levies to serve in their regiment to bolster their regimental numbers. The men they enlisted only had to serve whatever time was left on their levy enlistment unless they chose to enlist for "during war". Stephen enlisted as a private on July 5, 1780 in Captain Benjamin Walker's Company in Lieutenant-Colonel Commandant Frederick Weisenfels Fourt New York Continental Regiment. He was discharged on December 15, 1780. FROM: Revolutionary War Rolls 1775-1783, Series M-246, Roll 71, folder 60, National Archives, Washington, D.C.