

Pension Application for Benjamin Hays

R.4790

State of New York
Warren County SS.

On the eleventh day of September in the year of our Lord one thousand eight hundred & thirty three personally appeared in open court before the judges thereof to wit Seth C. Baldwin Esquire first Judge & Thomas Pattison, Hiram Barber, Hobby Mean & Truman B. Hicks Esquires his associate Judges of the Court of Common Pleas of said County now sitting in the Court House in the Town of Caldwell in said County, Benjamin Hays of the Town of Bolton in said County aged seventy years the sixth day of April last (1833) who being first duly sworn according to law makes the following declaration in order to obtain the benefit of the act of Congress passed June 7th 1832.

He first entered the service at Greenbush in the County of Albany in said State in September 1780, as a private in the militia in a company commanded by Captain Anthony Brace, 1st Lieutenant Hulbert Woodbeck, 2nd Lieutenant John Ostrander Ensign, John Stock, Colonel Killian VanRenselaer [VanRensselaer], Major Matthew Van Buer, Brigadier General Robert VanRenselaer, -- that he marched immediately with his company from Greenbush aforesaid to Saratoga—crossed the river at StillWater (Half Moon ferry), & rendezvoused at Fish Creek where they were encamped about two weeks, & was there discharged on parol [parole] by Col. Killian VanRenselaer.

That in October (of the same year he thinks) he was again called into the service under the same officers, crossed the River at Albany & marched to Beaver dam—Fort with two regiments where they stayed twelve days and then marched back to Albany, where they were again discharged on parol by Col. Killian VanRenselaer—

That in the month of March 1781 he was again called into the service in his company aforesaid in which he served till sometime in November of the same year—that his company during the time last mentioned acted in guarding the highways between Albany & Hudson, that one the weather becoming cold his company left the service but that he received no written discharge.

1st Ques. I was born in NewPaltz (now Orange County).

2nd Ques. I have no record of my age except a slip of paper found among my father's papers, by which it appears that my age is as stated in the foregoing declaration.

3rd Ques. When first called into the service I lived in the Town of Greenbush in the County of Albany, after I left the service I resided at the same place till 1784, when I removed to Berkshire County in the State of Massachusetts where I lived four years. I then returned to Greenbush where I lived two years & then moved to the (now) Town of Bolton aforesaid where I lived twelve years—I thin moved to the Town of Queensbury in the the [sic] (then) County of Washington where I lived about a year—I then moved to Saratoga County where I lived fourteen years in the Town of Hadley. I then removed to the Town of Bolton aforesaid in the month of March 1819 where I have since resided & now reside.

4th & 5th. Answered in the forgoing declaration.

6th. I never received any written discharge & I hereby relinquish any claim whatever to a pension or annuity except the present & declare that my name is not on the pension roll of the agency of any state.

I have no documentary evidence of my service during the war of the revolution but that my brother Nathan Hays had personal knowledge of my service the period from the month of March 1781, to the month of November of the same years, last mentioned in the foregoing declaration.

That in consequence of poverty I am unable to go after my associate to get their certificates of the remainder of the time mentioned in the foregoing declaration.

7th. That Asa Priest a Clergyman residing in the Town of Caldwell in said County, Warren Thomas of the Town of Bolton aforesaid are persons to whom I am personally known & who can testify as to my character for truth & veracity & their belief of my service as a soldier of the revolution.

And further that my brother Nathan Hays, who has made an affidavit of my services, on account of bodily infirmities can not be produced in Court without great difficulty & inconvenience. (Signed with his mark) Benjamin Hays

Subscribed & Sworn before me in open court this eleventh day of September 1833. Thomas Archibald, Clerk

Letter in folder dated May 26, 1933, written in response to an inquiry.

Reference is made to your letter in which you request the pension application of your ancestor, Benjamin Hays.

The record of Benjamin Hays is given below as found in the papers on file in pension claim, R.4790, based upon his military service in the Revolutionary War.

Benjamin Hays was born April 6, 1763 in New Paltz, New York; said town was later in Orange County, New York. The names of his parents are not shown.

While a resident of Greenbush, Albany County, New York, he enlisted in September 1780, and served about two weeks as private in Captain Anthony Brace's (possibly meant for Bries') company, Colonel Kilian VanRensselaer's New York regiment, and in October, (1780), served about twelve days under these same officers; he enlisted in March, 1781, in said Captain Anthony Brace's company, Colonel Kilian VanRensselaer's New York regiment and was out guarding the highway between Albany and Hudson until discharged, sometime in November, 1781, specific dates of service not shown.

After the war, the soldier resided in Greenbush, New York, until 1784, moved then to Berkshire County, Massachusetts, where he remained about four years, then returned to Greenbush for two years, after which he resided in Bolton, New York, for twelve years, then went to Rensselaer in Washington County, that state, where he remained about one year, from there moved to Hadley, Saratoga County, and remained about fourteen years, after which he moved to Bolton, New York, in the spring of 1819.

He applied for pension September 11, 1833, at which time he was a resident of Bolton, Warren County, New York.

His claim was not allowed as he failed to furnish proof of service of six months as required by the pension law under which he applied.

In 1833, Nathan Hays, the soldier's brother, made affidavit in behalf of the soldier in Warren County, New York.

No reference is made to wife or children of the soldier, Benjamin Hays, in the papers in this claim.