

## **Pension Application for Stephen Kirby or Kerby**

S.23287

Declaration in order to obtain the benefit of the Act of congress passed June 7, 1832.

State of New York

Westchester County SS.

On this [blank] day of October 1836 before me one of the Judges of the Court of Common Pleas of the County of Westchester and State of New York Stephen Kirby a resident of the Town of North Castle & County aforesaid aged eighty seven years, who being by me duly sworn according to law, doth on his oath make the following declaration in order to obtain the benefit of the act Congress passed June 7, 1832.

That as appears from a memorandum on a page of a family Bible, whereon are entered the several ages of the members of his family he was born Feb. 1, 1749. Which memorandum was made more than fifty years since and he believes it to be correct—and knows of no other record of his age. That he was born at Cowneck then in the town of Oyster bay or Hempstead in Queens Co., on Long Island & in the State of New York—continued to reside until the latter part of the Revolutionary War.

When about the time the American & British lines were moved above North Castle and passed through the town of Bedford this declarant removed to that place—and resided there about two years and three months.

This Declarant served in the militia of the State of New York during the whole of the Revolutionary War. That at the commencement of the war the regiment in which he served (the number of which he cannot recollect) was commanded by Col. Gilbert Budd, who then resided at [Warwack?] Westchester Co. That he served under said Budd until he removed from that quarter of the County. That he continued to serve under his immediate superior Col. Thomas Thomas to the end of the war. That he served in the company commanded by Capt. David Hobby until said Hobby was appointed a Major. That his service in said company under Captain Hobby commenced with war and continued during the greater part of it.

That said company was on the promotion of Captain Hobby as aforesaid commanded by Captain Benoni Platt and next subsequently by Captain Gilbert Lyon who commanded it at the close of the war. That during the time he lived at Bedford, he joined a company commanded by Captain St. Johns. That he was then classed and with six or eight others he paid and supported a soldier in the service. That he was called into service with Captain Moseman at East Chester in said County. That he served under some other captains on the different tours he made, whose names he does not now recollect. That he was acquainted with Gen. Hull to command of the American Lines on the northern frontier in the late war. Who was at the period of this declarants acquaintance with him—A Lieutenant Colonel stationed at North Castle of the Regiment of Col. Fowler? As this declarant believes.

That he was also acquainted with Captain Richard Hullett and Thomas Hunt of the regular army—the former of whom was promoted to a Colonelcy—This declarant was liable at any moment to be called into actual service. His residence was always near the Americans & British line.

He was called out by the Military Authorities for days, nights & weeks as the emergency of the occasion demanded. At some times for many days successively or alternately. While he was under Col. Budd he was very frequently ordered to Marinack? To protect that place from the British Shipping in Long Island Sound. He believes he was ordered to that place as on many as ten to twelve occasions. His service on such occasions, at times occupied a week and sometimes several weeks. Marinack was about fourteen miles from his residence when ordered on each service. He was one of a body of men stationed at East Chester, during the early part of the war to guard prisoners [????] He traveled West Chester County in every direction on his various military expeditions. That on one of these military expeditions in which he was engaged. He passed into the town of Greenwich, Fairfield County Con. about six or seven miles from the New York state boundary line.

This declarant never happened to be engaged in any battle. During the latter part of the war this declarant was surprised and taken prisoner at the house of one Hyatt in White Plains. While he was under arms with his musket. He was [taken] by two Tories. He was taken to New York and kept in close confinement in the Sugar House for the period of six weeks—when, with three others, (Captain Hollett who served in the capacity of Captain although he never received a commission, Ebenezer Merritt and Jonathan Banks) he was exchanged for British prisoners. This declarant was exchanged for one Abraham Goulding. This declarant received pay for the time of his detention as prisoner as aforesaid.

This declarant cannot state with any [?] of precision the duration of his term of service under the said several officers. This declarant was engaged much of the time as a guard of the neighbourhood. He is unable to estimate the whole times in which he was actually engaged on military excursions and so given is of neighbourhood as aforesaid, but he in fact believes that he was actually so engaged considerably more than two years. At one time he [?] to said Hobby certificates of pay due him for fifteen dollars in cash at the rate of five shilling on the pound. [?] to one Uriah Fils who lived in Greenwich Con. Certificates for ten dollars or about that some at the same rate.

That he sold a quantity of said certificates to one Nathaniel Tucker the amount of which he cannot recollect. He has also reason to believe that he did not receive certificates for the full amount due him, but that he was defrauded of the same by the said Captain Gilbert Lyon. This declarant was so occupied or interrupted by his military services, that he was unable to pursue any civil association [?] during any part of the war.

This declarant has resided his whole life as is above set forth except about twenty years he lived in Greenwich, Fairfield Con. Conn. This declarant is in indigent circumstances and dependent upon his son who is a laboring man for his support. This declarant is utterly unable from bodily infirmity to appear in Court for the purpose of making his declaration. Since his present residence in North Castle [???] from Greenwich, about nine years ago, and is not at anytime been absent more than a mile and a half from his home—and has not attended church and is not acquainted with any clergyman in his vicinity.

Those who had a personal knowledge of the services of this declarant in the Revolution have died or have removed their residence to places of which he is ignorant except Mr. S. Miller whose deposition is hereto annexed and one Reuben Sniffen an old neighbor & associate in arms now a U.S. pensioner and residing in LaFayette, Onondaga N.Y. who was intimately acquainted with him during the war and whose testimony in support of this application he has endeavored to procure. But he has been informed in answer to a letter he had caused to be written to said Sniffen's son for that purpose. That Mr. Sniffen's memory has entirely failed him. The name of this declarant was formerly spelled Kerby, and on some of the official books and papers of hi military officers he has seen it spelled Curby.

This declarant hereby relinquishes every claim whatever to a pension or annuity except the present and declares that his name is not on the pension roll of the agency of any state. This declarant knows of no documentary evidence which he can procure in support of this application.

State of New York

County of Westchester SS

James Kirby of North Castle in said county being duly affirmed according to law depose that he is a son of Stephen Kirby named in the foregoing & that the facts relating to the Revolutionary service of said Kirby is true according to the best of deponents knowledge & belief that the deposition referred to S. Miller was not then obtained or annexed but was dismissed to have been before the papers was executed. Subscribed & sworn to before me in open court this 28 day of August 1849. Albert Lockwood County Judge. James Kirby

Letter in folder dated December 1, 1926, written in response to an inquiry.

I have to advise you that from the papers in the Revolutionary war pension claim S.23287 it appears that Stephen Kerby, or Kirby, was born February 1, or 12, 1749 at Cowneck, then in the town of Oyster Bay or Hempstead in Queens County, Long Island, New York, and then fourteen years of age moved to North Castle, Westchester County, New York, at which place and in Bedford, he lived during the Revolution.

He enlisted July 1, 1777 and served at various times during each succeeding year until in 1781, as a private under Captain David Hobby, Benoni Platt, Gilbert Lyon and Saith Johns, and Colonels Gilbert Budd and Thomas Thomas in the New York Troops, one year, three months and twenty-two days in all, and was captured at White Plains, New York, taken to New York and held a prisoner in the old "Sugar House from November 1, 1781 until December 10, 1781 when he was exchanged.

In 1838 he was living in North Castle, New York, prior to which he had lived about twenty years in Greenwich, Fairfield County, Connecticut. He died March 18, 1842 in said North Castle, leaving no widow. In 1849 two children survived, James born Jun 11, 1774 and Deborah Kerby.

The pension due their father for his services in the Revolution, was allowed on the application of said James Kirby, made August 28, 1849 in behalf of himself and sister Deborah, at which time he was living in North Castle, New York.

The following family data is also of record: February 12, 1770, Stephen Kerby twenty-one years of age.

First born (no name) April 1, 1771.

Mary born June 5, 1773.

James born June 11, 1774.

Thomas born December 24, 1778.

Deborah born February 28, 1782.

And again:

Stephen Kerby born February ? 1749.

Mary Kerby born November 14, 1749.

James Kerby born June 11, 1774.

Thomas Kerby born December 24, 1778.

Deborah Kerby born January 28, 1782.

The Revolutionary War records of this Bureau fail to show a claim for pension or bounty land on file on account of the services of a Captain William Kirby (Kerby).