

Pension Application for John Myers

W.19905

United States of America

State of New York

City and County of Albany } To Wit:

In conformity with the provisions of the Act of the Congress of the United States of America, passed March 18th, 1818, entitled "An Act to provide for certain persons engaged in the Land and Naval Service of the United States in the Revolutionary War," the following DECLARATION, in writing, is made under oath, by John Myers of the City of Albany in the County of Albany in the State of New York before the Honorable Philip S. Parker Esquire, one of the Judges of the Mayors Court of the City of Albany in the said state, which Court is a Court of Record of the County and State, in which the said John Myers doth reside, that is to say:

DECLARATION.

I, John Myers of the city of Albany in the County of Albany in the State of New York on the Fourth day of April in the year of our Lord one thousand eight hundred and eighteen, *Do* solemnly, sincerely and truly swear and declare, that I served against the common enemy in the Army, in the War of the Revolution, for the Term of Three Years at different periods during the War on the Continental Establishment and that I am a resident Citizen of the United States, to wit, in the City County and State aforesaid; and that by reason of my reduced circumstances in life, I am in need of assistance from my country for support. *I do further swear and declare*, that I served in the said Revolutionary War, in the capacity of, and being a Sergeant that I belonged to the Army, to wit, I belonged to Captains Woods & Hiltons (1) & Livingston's (2) Company, Col. Hays Regiment and New York Line—That I entered the said service about the month of April in the year of our Lord one thousand seven hundred and Seventy Six and left it about the twentieth day of December in the year of our Lord one thousand seven hundred and eighty two in the manner following to wit: I left it by reason of the expiration of my term of service, that I received no document concerning the same service and that there is no other evidence in my power to my knowledge, concerning the matters deposed by me than Adam Ostrander, who has made a deposition accompanying the declaration. *And I further declare*, that in pursuance of the requisitions of the aforesaid Act of Congress, I do hereby freely and absolutely, and to all intents and purposes, relinquish all claims to any Pension under any of the Laws of the United States, except the Pension contemplated to be allowed me under the Act of Congress aforesaid mentioned, and under which this Declaration is made.

IN WITNESS of the truth of this Declaration, I have subscribed the same in presence of the said Judge, and have solemnly deposed to the truth thereof, on the day herein before, for that purpose, specified.
(his mark) John Myers

Sworn before me, this Fourth day of April 1818. Philip S. Parker, recorder and Judge of the Mayors Court of the City of Albany.

United States of America

By the Honorable Philip S. Parker Esquire, one of the Judges of a Court of Record in the State of New York, to wit, of the Mayors Court, of the City of Albany in the said State.

To the Honorable the Secretary of the Department of War of the United States of America.

SIR,

I do respectfully certify to you, in pursuance of the Act of the Congress of the United States of America, passed March 18th, 1818, entitled "An Act to provide for certain persons engaged in the Land and Naval Service of the United States in the Revolutionary War," that John Myers of the City of Albany in the County of Albany and State of New York personally appeared before me, at the City of Albany in the County of Albany, in the said state, on the Fourth day of April in the year of our Lord one thousand eight hundred and eighteen, and then and there was carefully and minutely interrogated and examined by me, under oath, touching the facts stated in his foregoing Declaration, and thereupon he then and there subscribed the said Declaration in my presence, (after the same was deliberately read and explained to him by me) and at the same time made solemn oath before me, on the Holy Evangelists of Almighty God, that the said Declaration was, in all respects, true—Whereupon, I required of him to produce such other evidence as was in his power, to support the truth of his said Declaration—Accordingly he produced as testimony, the deposition of Adam Ostrander (and which accompanies this Certificate)—And I having duly considered the said declaration and the said testimony produced in support thereof, I DO CERTIFY to you, Sir, that I am fully satisfied that the said John Myers did serve in the Revolutionary War, against the common enemy, for the time and the manner by him stated in his said DECLARATION; and I am likewise satisfied, that the other facts in that Declaration stated, are, in like manner, true—I do therefore, respectfully transmit to you the testimony in the case, and the proceedings had thereon, according to the Act of Congress aforesaid.

Given under my Hand and the Seal, of said court at the City of Albany, the Fourth day of April in the year of our Lord one thousand eight hundred and eighteen. Philip S. Parker.

State of New York
City & County of Albany} TO WIT—

Adam Ostrander late a Soldier in the Army of the United States, in the Revolutionary War, against the Common Enemy, being duly sworn saith, that he believes John Myers the Sergeant in the preceding Declaration & Certificate of his Honor Judge Parker named, to have been such, he having seen him in the capacity of a soldier; and that he believes said John Myers served as a Sergeant in Captain Jacob Hilton's company—Col. Hay's Regiment, and New York Line—(3) and that he verily believes the facts—stated by the said John Myers in the foregoing—Declaration, and certificate to be true.

(Signed) Adam Ostrander.

Sworn before me this 4th day of April 1818. Philip S. Parker recorder and Judge of the Mayors Court of the City of Albany.

State of New York
County of Rensselaer City of Troy SS

On this First day of August, 1820 personally appeared in open court, (being a court of record in and for the said City according to the solemn adjudications of the Supreme Court of this state, and being a court which proceeds according to the course of common law; with a jurisdiction unlimited in point of amount; keeping a record of its proceedings; and possessing the power of fine and imprisonment) John Myers aged Seventy Two years, resident in the Town of Greenbush in said County who, being first duly sworn according to law, doth on his oath declare, that he served in the revolutionary war as follows: --viz. enlisted in May 1776 in a Regiment commanded by Col. Moses Hazen, in a company under Capt. Abram Livingston, (4) seventy-three years. That his original declaration, under, the Law of 1818 March 1818 was dated the fourth day of April 1818. That his pension certificate is No. 2.773.

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, in the revolutionary war, "passed on the 18th of March, 1818; 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, (his mark) John Myers

Sworn to and declared on the First day of August 1820. Archib. Bull, Deputy Clerk

State of New York
City of Troy SS.

I Joseph S. Selden, Clerk of the Court of Common Pleas entitled the Mayors Court, held on & for the City of Troy do hereby certify, that the foregoing oath & affidavit and the schedule thereto annexed, are truly copied from the record of the said court; and I do further certify, that it is the opinion of the said court, that the total amount, in value, of property exhibited in the aforesaid schedule, is sixteen dollars and six cents. IN TESTIMONY WHEREOF I have hereunto set my hand, and affixed the seal of the said court, on this first day of August 1820. Joseph S. Selden, Clerk

Schedule of property belonging to John Myers the person named in the foregoing declaration viz. No Real Estate ~ Personal property as follows viz—

1 Tea Kettle, 50. 1 Table 50. 1 Iron pot 75. 1 Brass Kettle 2.00. 3 old chairs 94 3 cups & saucers 50 ----\$4.19
½ doz earthen plates 37 ½ 1 Broad Axe, 2.00 6 moulding planes 2.50, 1 knap sack & cartrich box 2.00 1 auger
50. \$6.37 ½

1 cross cut saw 250, Debts owing to me by 3 different persons 3. \$5.50
\$16.06 ½

I am by occupation a carpenter, unable to do much labour, by reason of old age & Rheumatic pain, with which I have been afflicted for several years—my family consists of myself, wife—my wife is fifty eight years old & except what arises from the little Labour which I perform myself, & wife are supported by my children. (his mark) John Myers.

State of New York SS. On this 25th day of February 1842 personally appeared before me one of the Judges of the Court of Common Pleas in & for the County of Rensselaer in said State Susannah Myers a resident of Greenbush in said County of Rensselaer and State of New York aged Seventy Seven 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 4th 1836: That she is the widow of John Myers, who was a soldier during the War of the Revolution holding the office of Sergeant in the Army of the Revolution, and late a pensioner of the United States under the Act of Congress passed March 18th 1818—She further declares that she was married on the 19th day of May (1783) (5) in the year Seventeen Hundred & Eighty Three. That her Husband the aforesaid John Myers died on the 17th day of January 1829. And that she has remained a widow ever since that period as will more fully appear by reference to the proof hereunto annexed.

(Signed with her mark) Susannah Myers

Sworn to and subscribed on the day and year above written before me and I certify that the said Susannah Myers is unable to attend Court by reason of old age & bodily infirmity. Francis N. Mann, Judge of Renss. Com. Pleas & Counsellor in Sup. Court.

Supplemental Declaration

And the said Susannah Myers, being further duly sworn deposeseth and saith that at the time of her marriage with the said John Myers she lived at Fort Plain in the County of Tryon. That the said John Myers was at that time a non commissioned officer on duty in the fort at that place. And so deponent thinks in the Regiment of Colonels Willett or Hay. That they were married by a clergyman, by the name of Rosekrans residing at Stone Arabia at the time above mentioned. That after said marriage her said husband continued on duty at said fort at Fort Plain and this declarant remained there with him about one month. That her maiden name was Susannah Lambert. That previous to her marriage she resided with her fathers family in said Fort at Fort Plain. When her Husband was discharged from service he removed with her to the Town of Greenbush her present residence & where she has since resided. That she cannot relate the particulars of her husbands Revolutionary Services although she has frequently heard him state that he had served at various occasions—That he was present at the battle of Johnstown (6) and also when Colonel Butler (7) was killed by an Indian and at sundry other times. To wit—at the Battle of Thurlow (8) when Captain McKean was wounded & at other places not now in her recollection.

(Signed with her mark) Susannah Myers

Subscribed and sworn this 25th day of Feby 1842 before me Francis N. Mann Judge of Renss. Com. Pleas & Counsellor in Sup. Court.

State of New York SS. On this 28th day of February 1842 personally appeared before me Kesia Myers, who being duly sworn says that she is a resident of the Town of Greenbush in the County of Rensselaer & was acquainted with John Myers the husband of Susannah Myers in his life time for & during thirty years. That he lived & cohabited with the above named Susannah Myers as man & wife during all of which time that he the said John Myers died on the seventeenth day of January 1829 at his residence in Greenbush. That this deponent was with him during the day of his decease and saw him after his decease.

(signed with her mark) Kesia Myers

Sworn & Subscribed this 25th day of February 1842 before me Francis N. Mann Judge of Renn. Com. Pleas & Counsellor in Sup. Court.

State of New York

Rensselaer County SS. I Charles Hooper Clerk of said Clerks office & County do hereby certify that Francis N. Mann Esq before whom the proof of the annexed three depositions of Susannah Myers and Kesia Myers purport to have been taken was at the time of taking such proof one of the Judges of the Rensselaer Courts, duly Commissioned & served, residing in said County—That I am well acquainted with the handwriting of the said Judge and verily believe his several signatures subscribed to the Jarats of said depositions are genuine.

In testimony whereof I have hereunto set my hand & affixed my official seal this 4th day of May 1843. Charles Hooper Clerk.

End Notes—W.19905—John Myers

1. Ann Hawkes Hays was Colonel of the Third Regiment of Orange County Militia. A Captain Woods or Captain Jacob Hilton do not appear as officers in this regiment. There are several Captain Woods in the New York Militia but so far a Hilton as Captain has not been found. John's name does appear as sergeant in Captain Hendrick Turnure's Company (Clarks Town Company) in Colonel Hays' Regiment. There was also an Ensign John Myers in the same Company.
2. John served as a sergeant in Captain Abraham Livingston's Company in 1781 in Lieutenant-Colonel Commandant Marinus Willett's Regiment of New York State Levies. In a company payroll of certificates paid by October 1785, John is listed as owed £ 14. . 13. . 4 which was delivered to Abraham Ten Eyck. FROM: Revolutionary War Rolls 1775-1783, Series M-246, Roll 78, folder 173, National Archives, Washington, D.C.
3. Colonel Hays' regiment was militia and was not in the New York Line. They were not Continental Soldiers.

4. Captain Livingston never served in Colonel Moses Hazen's Second Canadian Continental Regiment. Livingston was appointed Captain on December 18, 1776 in Colonel James Livingston's First Canadian Continental Regiment. He served under his brother until January 1, 1781 when the regiment was consolidated with the Second New York Continental Regiment. Captain Livingston was discharged and later in 1781 he was appointed Captain in Willett's Regiment.
5. The same date appears in the book of marriages on page 197 in the Dutch Reformed Church of German Flatts. They were married by Reverend Abraham Rosecrants.
6. The Battle of Johnstown was fought on October 25, 1781.
7. Captain Walter Butler was killed on October 30, 1781 at West Canada Creek. His father Lieutenant-Colonel John Butler was not on this raid.
8. The Battle of New Dorlach, now present day Sharon Springs, Schoharie County, was fought on July 10, 1781. Captain Robert McKean of Willett's Regiment was mortally wounded in the battle and died on the return march back to Fort Rensselaer.