

Pension Application for Martin Nestle

W.16354
State of New York
Montgomery County

On this sixteenth day of February 1821 personally appeared in open court being a court of Record called a Court of Common Pleas of the said county of Montgomery and having by the Constitution and laws of the said state common law jurisdiction and possessed of the power of fine and imprisonment Martin Nestle aged about sixty one years being resident in the Town of Oppenheim in the County of Montgomery aforesaid who being first duly sworn according to law doth on his oath declare that he enlisted into the United States Service in the War of the Revolution on the Continental Establishment sometime in the summer or fall of the year 1781 at a place called Stone Arabia in the Town of Palatine in the county & state aforesaid that he enlisted into the service as aforesaid for & during the war in a company commanded by one Captain Flemmings and which belonged to a New York Regiment of Artillery under the command of one Colonel Lamb.

That he served in the said regiment as a private soldier against the common enemy from the time of his said enlistment until the end of the said War of the Revolution and that he received his discharge in writing from the said service at Stony Point on the Hudson River about thirty six miles north of the City of New York, sometime in the summer or fall of the year 1783 that the discharge of this deponent which he received from the said service as aforesaid was some years ago left with one Jost Spreker in said town of Palatine whose dwelling house has since been consumed by fire and probably said discharge with it for search has since been made for it among the papers of said Jost [Spraker] and it could not be found.

That this deponent cannot produce said discharge not having it in his power or possession and believing it to be lost or destroyed and that he has no other written evidence in his power of his said services, that he was in the Battle of Johnstown while in the said service.

And I Martin Nestle do solemnly swear that I was a resident within the United States on the eighteenth day of March one thousand eight hundred and eighteen and that I have not since that time by gift sale or in any manner whatever 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 the eighteenth day of March one thousand eight hundred and eighteen 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.

That I am poor & in reduced circumstances in life not having any property except my wearing apparel and some little household furniture & that my family & myself sometimes suffer for the want of provisions & clothing and that I actually need the assistance of my Country for support that the foregoing declaration on oath is made in order to obtain the provisions of an act of Congress entitled an act to provide for certain persons in the land & naval service of the United States in the Revolutionary War.

(Signed) Martin Nestle

Subscribed sworn to and declared in open court the 16th day of February 1821. Jno. McCarthy
Ck

The following is the schedule of the property of Martin Nestle to wit. One pot, one spider [a type of cast iron frying pan], seven plates, seven teacups and saucers, four spoons, six knives & forks, one table, one pail and one old bed & bedding. Real estate I have none. (Signed) Martin Nestle

That his said father always & repeatedly told his deponent that his service in the revolution were in Col. Lamb's regiment of Artillery; that he this deponent was acquainted with his said father, making application for a pension & circumstances thereof & that his claim for a pension was founded on those alleged services under said Col. Lamb

That his said father while living kept a family record in his family which was contained in his family bible which said bible & record are now produced before the officer before whom this affidavit is made from which said record the following is a transcript, to wit.

"Cathrina Gunderman born October twenty sixth seventeen hundred & fifty three—married seventeen hundred & seventy eight. Cathrina Nestell to Martin Nestell. Married by Lawrence Peeke in the town of Johnstown, Montgomery County, NY."

That the same is a true copy of the record with the exception of the dates which was pressed on the record in fair legible figures as follows, "October 26th 1753." "1778" That the above is a true extract from the record of said family bible with the exception above named. Christian Nestell

Sworn & subscribed before me this 28th day of May 1838 & I further certify that the bible & record mentioned in the foregoing affidavit were produced before me & that the transcript mentioned in said affidavit is a true extract there upon with the exception therein mentioned.

Augustus F. Ferris one of the Judges of Cayuga County Courts.