

### **Pension Application for Stephen Smith**

R.9728 (Widow: Elizabeth Martin) Stephen died November 11, 1845 at Macomb, St. Lawrence County, NY.

Montgomery County SS. On this tenth day of June one thousand eight hundred and twenty three personally appeared in open court being a court of Record of the said County of Montgomery called the Court of Common Pleas proceeding according to the course of the common law having the power of life and imprisonment Stephen Smith, resident in said County aged sixty-seven years who being first duly sworn according to law doth on his oath make the following declaration in order to obtain the provision made by the act of congress of the 18<sup>th</sup> of March 1818 and the first of May 1820, that he the said Stephen Smith enlisted for the term of nine months on or about the spring of the year 1777 or 1778, I cannot state the time more precise in the State of New York in the company commanded by Capt. Thodosius Fowler in the Regiment commanded by Colonel VanCortland in the line of the State of New York on the Continental Establishment that he continued to service in the said corps eleven month when he was discharged from the said service in the Jerseys at Bergen in the that his [sic] name has been placed on the pension list and draft therefore on account of his property.

And in pursuance of the Act of the 1<sup>st</sup> of May 1820 I do solemnly swear that I was a resident Citizen of the United States on the 18<sup>th</sup> day of March 1818 and that I have not since that time by gift sale of 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 18<sup>th</sup> day of March 1818, and that I have not nor has any person for me in trust 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 since the exhibition of my first schedule the following changes have been made in my property to wit a schedule of property now owned and possessed by Stephen Smith

Real Property, none.

Personal property I have one desk, 4 spinning wheels, 1 cupboard, 7 old chairs, half dozen knives and forks, spoons and glass, worth 67 cents, two guns, bowls, plates and tin pans, 1 churn 1 pair flat irons, 1 old wagon, 1 pair andirons, 1 pair tongs, some small things worth about 50 cents.

That he is yet honestly indebted to Lebeus Barton, the sum of \$84.00 to Chester Philps the sum of \$114, to Duncan McLaren the sum of \$10.00 and some other small debts.

And he further saith on his said oath that he he [sic] is now unable to state what his property in particular was in his inventory when he was dropt that his original declaration was filed in the clerk's office of Montgomery county New York State that he has caused toe clerk to make search for the same in said office & who informs this declarant that he is unable to find the same, and he further saith that a copy of his original declaration has been transmitted to the department of war and remains there on its files, and he further saith that the lands mentioned in his said original declaration was by the directions of Ebenezer Smith purchased from Joseph Osburn—for the express benefit of the said Ebenezer Smith and not for this declarant's benefit that the reasons why the same was so purchased was because the said Ebenezer Smith was then residing distant from Johnstown about 130 miles from those lands and this declarant about four miles, that those were held for sale, and that a mortgage on the premises should be executed that that could not be done whilst the said Ebenezer Smith was absent, that thereup the said Ebenezer Smith gave the directions to this declarant to purchase the same for the said Ebenezer Smith – execute bonds or notes for the payment of the monies and secure the same by mortgage on the premises and which this declarant accordingly did and as soon as convenient this declarant conveyed the premises to the said Ebenezer Smith and took an indemnity for the responsibilities so incurred by this declarant for the said Ebenezer Smith a true copy of which conveyance and indemnity is annexed to the copy sent to the department for war, that this declarant took no money, goods, wares or merchandizes

or effect for executing said conveyance but the writing of indemnity merely; and the said declarant further saith that he never possessed or enjoyed the said lands or its avails and that the said Ebenezer Smith is now actually residing thereon. That I am unable to work some & about the same as about possible generally of my age, that I am a miller by profession & pursue that for my support generally, that my family consists of a wife aged fifty five years and one son aged fourteen years. (Signed) Stephen Smith

In testimony whereof I have hereunto set my hand, and affixed the seal of the said court, the tenth day of June, in the year of our Lord, one thousand eight hundred and twenty three. Henry F. Yates, Clerk