

Pension Application of Nicholas Spoon, Spahn, Span, etc.

W.17861 (Widow: Catharine) Nicholas died April 27, 1830.

State of New York

County of Herkimer SS.

On this sixth day of February in the year of our Lord one thousand eight hundred and thirty nine personally appeared before the Judges of the Court of Common Pleas of the County of Herkimer in open court the same being a court of record, Catharine Spoon a resident of Herkimer in the county of Herkimer and State of New York aged seventy two years the 20th of March next 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 7th 1838 entitled "An act granting half pay and pensions to certain widows."

That she is the widow of Nicholas Spoon deceased who was a private in the service of the United States during the Revolution[ary] War as he after their marriage and during his life time always told her. That he was enlisted in the nine months service and served the term of nine months and at another time was enlisted and served three months. That previous to his enlistment at one of the times he resided at Fort Plain, and went from there in a company with John Devendorff to Albany and that he and the said Devendorff there enlisted for nine months. That one Henry Devendorff enlisted there but she don't know what commission the said Henry Devendorff held—That he was in the battle at Johnstown (1) under Col. Brown (2) but cannot say who his captain was.

That he always said that he was in the pursuit of Ross and Butler (3) at the time Butler was killed. (4) That she often heard him speak of the hard times that he then underwent. That he had nothing to eat, that he and some of his comrades pounded bones fine and Eat them having nothing Else to Eat. And that she frequently heard him say that he with a portion of the company to which he belonged had to wade the West Canada Creek when it was so cold that the ice froze to their legs, and had to lie out nights in the wet and on the wet ground so that they were all wet. That he was at Saratoga, that he was at Fort Herkimer and was in service there and from there he went out on scouts frequently that at one time he went on a scout towards Cherry Valley that she cannot recollect the years in which he served, neither can she state the officers under which he served. Is positive that he always said he was enlisted and served two terms of enlistment one of nine months and another of three months.

She further states that she was married to the said Nicholas Spoon in the month of June, the precise day she cannot tell, in the year one thousand seven hundred and eighty five or six, that her husband the aforesaid Nicholas Spoon died on the twenty seventh day of April one thousand eight hundred and thirty. That she was not married to him prior to his leaving the service, but the marriage took place previous to the first of January seventeen hundred and ninety four viz at the time above stated. (Signed with her mark) Catharine Spoon.

Sworn & Subscribed in open court the 6th February A.D. 1839. J. Dygert, Clerk

Fort Plain. Nov. 23d 1781. Nicholas Spoon Capt. Skinners (5) Company Colo Willetts Regt levies may go home on furlough. Josiah Throop, Maj'r Com.

State of New York

Herkimer County SS.

On this 31st day of May 1839 personally appeared before me the under named Justice of the peace John F. Spoon of the town Little Falls who being duly sworn according to law does on his oath say that the paper hereto annexed signed Josiah Throop was found was found [sic] among the papers of Nicholas Spoon deceased in a chest used in his life time to keep his papers in that he is the grandson of the said Nicholas Spoon deceased and Catharine Spoon (6)

888now the widow of the said Nicholas and was always in and out there very often and quite conversant with these matters although he did not reside with his Grandfather the said Nicholas. That after the death of the said Nicholas, he this deponent was requested by his grandmother the said Catharine to examine the papers of his grandfather and did so and on such examination found the paper hereto annexed, signed as above stated and has no doubt it is a furlough or permit given his said grandfather in the war of the Revolution. (Signed) John F. Spoon

Sworn and Subscribed before me, May 31, 1839. John A. Rasbach, Justice of the peace.

State of New York
Herkimer County SS.

On this 25th day of April one thousand and eight hundred and thirty nine personally appeared before me the under named Justice of the Peace of Herkimer in said county Peter N. Kilts of the town of Palatine in the County of Montgomery State of New York aged seventy six the twenty seventh day of May next who being first duly sworn according to law, does on his oath say that before the Revolutionary war he was acquainted with Catharine Spoon widow of Nicholas Spoon deceased, that before he marriage with said Nicholas Spoon her name was Catharine Kilts, that this deponent and said Catharine were brought up together that she is his sister. That she always lived at home until her marriage that he was present at the marriage between the said Nicholas Spoon and the said Catharine that the marriage took place at the house of said Nicholas Spoon's father in the town of Herkimer in the month of June one thousand seven hundred and eighty six, the precise day of the month he cannot say but the year and month and month [sic] he is positive for the reason that he himself was married in the same month and year, and that he immediately made a record of his own marriage which record he now has. His marriage was on the 20th of June 1786, and the said Nicholas Spoon and the said Catharine now the widow of the said Nicholas were married about a fortnight before this deponent. That the Rev'd Abraham Rosecrantz solemnized the marriage between the said Nicholas and the said Catharine that this deponent became acquainted with the said Nicholas previous to his said marriage and was always afterwards acquainted with him until his death which took place some years ago, the precise time he cannot say, that he is informed that the said Catharine Spoon the widow of the said Nicholas is about to make application for a pension. (Signed) Peter N. Kilts

Subscribed and sworn to before me this 25th day of April 1839. John A. Rasbach, Justice.

State of New York
County of Herkimer SS.

John Shell of Herkimer in said County who is in his seventy third year of his age as near as he can now recollect having no record of his age, who being first duly sworn according to law before me the under named Justice of the Peace before me the under named Justice of the Peace of Herkimer in said County, doth of his oath say that he was some ten or eleven years of age about the commencement of the Revolutionary War, that during the said war he was acquainted with Nicholas Spoon who is now dead.

That he saw the said Nicholas Spoon in service in a company of Nine month's men under Andrew Fink who was then an officer but cannot now say what office he held. Some called him captain and some called him major. That on one occasion he thinks this was before the Oriskany battle, (7) a man by the name of John Cupper came to the residence of the father of this deponent near Fort Dayton said John Cupper (8) was stripped entirely naked and had

both of his ears cut so that the blood run down his sides and when he came near the house he called for a shirt. That he looked so frightful they (the boys) were afraid that this deponents mother gave the boys a shirt to take to him while after he had put it on, he came to the house and said Col. Willet (9) had sent him on an express with some papers from Fort Stanwix east and that a party of tories had way laid him and took him & his papers, took him with them till he came near to the house of Mr. Shell, and then let him go saying to him he would by following such a path come to people that after wards the said Cupper proceeded to Fort Dayton and told what had been done, and that the father of this deponent at once said that the tories must be the Empies, who had frequently been there. That the next day the said Andrew Fink came (10) with a company of nine months men to pursue the said party of Tories, and stopped at their house to get his father for a guide. That the said Nicholas Spoon was then in the company of the said nine month's men under the said Fink and the said Nicholas having then a bad cold coughed very much. As was said then on account of having lain out nights and the said Finks told the said Nicholas he was afraid he would expose them as the said Fink wanted to go still and that the said Fink directed the said Nicholas Spoon to return to Fort Dayton. That the reason of his saying this was before the Oriskany battle is that his father (11) was wounded in that battle and this was before his father was wounded, which was in the year 1777 that the said Cupper on the way from the house of Mr. Shell the father of this deponent met this deponent's father returning home from the said fort and told him what had happened. (Signed) John Schell.

Subscribed and Sworn before me this 23rd day of February 1839. John A. Rasbach, Justice of the Peace.

End Notes—W.17861—Nicholas Spoon.

1. The Battle of Johnstown was fought on October 25, 1781. Lieutenant Colonel Commandant Marinus Willett commanded the American forces in this battle.
2. John Brown was the colonel of a regiment of Massachusetts State Levies in 1780. He was killed on October 19, 1780, at the Battle of Stone Arabia.
3. Major John Ross and Captain Walter Butler commanded the British forces at the Battle of Johnstown.
4. Captain Butler was killed in the skirmish at West Canada Creek on October 30, 1781.
5. Captain Thomas Skinner of Willett's Regiment. He is shown on Captain Skinner's pay receipt roll which lists John Spoon for £8 . . 19 . .6. FROM: Revolutionary War Rolls 1775-1783, Series M-246, Roll 78, folder 173, National Archives, Washington, D.C. This furlough paper proves it was Nicholas. Josiah Throop was appointed major in Willett's Regiment on April 28, 1781. This also proves that he was in Willett's Regiment in 1781 at Johnstown and West Canada Creek. This company was raised for four months starting In August and the company was discharged on November 30, 1781.
6. Abraham G. Rosecrantz declared on July 15, 1839, that his father was George and his grandfather was Reverend Abraham Rosecrantz and the original church records had been passed to his father and now he is in possession of them. He stated the following was a true transcription. *"1780 20 June Joh. Nicol Spoon to Cartierine Geils daughter of Nicholas Giels [Kilts].* This also shows that John was Nicholas's given name and why John Spoor was listed on Captain Skinner's pay receipt roll. In a declaration of April 19, 1849, testimony was given that Catherine had died on May 29, 1848, and the following living children are listed. Nicholas Spoon, John Spoon, George Spoon, Adam Spoon, Elizabeth Falk, Catherine Suller and Eve Myers. They were applying for any pension payment due to their mother that she may not have received and to which they may entitled to receive.

7. The Battle of Oriskany was fought on August 6, 1777.
8. A John Cupper has not been found as serving in Colonel Peter Gansevoort's Third New York Continental Regiment for 1777. There were three John Coopers but there is no record on the muster rolls that they had been injured during this time.
9. In 1777, Marinus Willett was the Lieutenant-Colonel of Colonel Gansevoort's Regiment.
10. If this incident happened in 1777, Captain Andrew Fink was not there at that time. Andrew Fink was the Captain of the Third Company in Colonel Goose VanSchaick's First New York Continental Regiment. Colonel VanSchaick's Regiment marched with Major General Benedict Arnold's Relief column which eventually went to Fort Schuyler which lifted the siege of said fort on August 22. The First New York stayed at the fort to the end of October. A John Cooper enlisted on July 9, 1777 in Colonel VanSchaick's Regiment but he deserted the next day.
11. John Schell's father was also John. He served as a private in Colonel Peter Bellinger's Fourth Regiment of Tryon County Militia and he was wounded at Oriskany. Nicholas had also served in Colonel Bellinger's Regiment. A Nicholas Spahn was on Captain Frederick Frank's pay receipt roll; certificate No. 20638 for £2 . 2 . . 8; Captain Henry Staring's Company; Certificate no. 20909 for £ 1 . . 4 . . 10 2/3 and for Captain Jacob Small's Company; certificate no. 20972 for £ 1 . . 6 . . 8. In 1782, Nicholas enlisted as a private in Captain Guy Young's Company in Colonel Willett's Regiment. In November of 1782, Captain Young retired from the service and Joel Gillett was appointed captain in his place. There was one certificate for 1782, dated 1782, Dec 31 No. 7437 for £ 21 . . 6 . . 8. The certificate number etc. Were supplied by Comptroller Bates Cooke on December 24, 1839 as proof of Nicholas's service. Comptroller Cooke also supplied the following copy for proof of service from an original paper now on file in this office: *This certify that Capt. Jacob Roseboom Super'd of a class in Colo. Cuyler's Regiment of militia has this day deliv'd and was hired an able bodied man, namely Nicholas Spoon, duly enlisted to serve for said class in the levies raised for the defence of the Frontiers of this State till the first day of January next unless sooner discharged. Albany 1st May 1782. Peter B. Tearse by Dy MM (Deputy Master Master) Levies* Captain Jacob Roseboom was of Colonel Abraham Cuyler's First Regiment of Albany County Militia. The men from this regiment were raised from the City of Albany.