

Pension Application for James Huston

R.5440

Declaration of James Huston, in order to obtain the benefit of the act of Congress passed June 7, 1832.

State of New York

Chautauqua County SS.

On this eleventh day of October 1832, James Huston a resident of the town of Chautauqua, aged seventy three years. On the sixteenth day of November last personally appeared in open court, before the Court of common Pleas now sitting who being first duly sworn according to law doth on his oath make the following declaration, in order to obtain the benefit of the act of Congress passed, June 7, 1832.

That he entered the service of the United States under the following named officers & served as herein stated.

His first services were rendered in the year 1776 when he was but 18 years of age & under the following circumstances. He was then living in the town of Andover (now Montgomery) in the County of Ulster & State of New York, when he volunteered to serve as a fifer under Capt. Falconer, Col. Dubois Regiment for the space of five months on the first of June he repaired to New York where he was remaining where the British fleet passed through the Narrows, and was also there at the time of the declaration of Independence, after which he was ordered to Long Island when the American Army was encamped on a peninsula near the village of Brooklyn, under the command of General Sullivan.

The British forces being under the command of Lord Howe on Long Island, he was engaged in the battle between the last mentioned forces & recollects the circumstance of Lord Sterling with a number of his soldiers being taken as prisoners of war, by the British this circumstances he thinks happened about night & in the night he retreated with the army to New York, where they remained until the British forces under General Howe showed disposition of attacking that place when he was ordered with the army to retreat to Kings Bridge, he recollects among his companions at this time.

Alexander Harrington, John Crawford, James Bull, Daniel Reed, Samuel Rogers, & James Rogers at Kingsbridge. They stayed a short time & then retreated to White Plains in the county of Westchester. Declarant was engaged in the battle at White Plains. This he says was in the latter part of October of 1776. Shortly after they marched to Kingsferry on the North River & was there discharged in the ordinary manner of discharging companies on military parade days.

Within two weeks after his return home he was drafted to serve in the militia & was for six months for every two weeks alternately engaged in active services against the enemy in New Jersey. These services were under Capt. Tilford, Col. McCougherty's Regiment. At the expiration of the term of service he returned home.

In the spring of 1777 Declarant volunteered to serve for the period of four months under Capt. Tilford, Col. McClougherty's Regiment as a fifer & repaired to Fort Montgomery where he served the period of two months, he then went to Morristown &

joined the main army for three years in which he enlisted in Capt. Daleus Company, Col. Spencer's Regiment. Declarant employed William McCall as his substitute to perform the services required by his enlistment who actually joined the army as such substitute & faithfully served therein until Feb 1778, when he die with the Small Pox at Valley Forge.

Notwithstanding declarant having employed Such substitute, he entered the army himself as a volunteer under the same Capt. & served under him until he was killed & continued to serve in the same company, under the command of Capt. Etsel, for the entire period of one year & ten months, during this time declarant was in the battles of Brandywine & Germantown, under Capt. Etsel he recollects Sergeant Burke of the then company being killed in the battle of Brandywine & he also recollects being quartered near the Schuylkill when Philadelphia was taken by the British this was in the latter part of Sept. 1777 & they marched to the battle ground of Germantown in the night time he recollects that an American General was killed in the battle of Germantown (his name he forgot) but that he was buried next day near declarant's tent under the honors of war, left the Army at Minisink in the winter following.

Subsequent to this declarant was a militia man in Capt. Yates Company, Col. Yates Regiment at intervals for one or two months at a time, he recollects being ordered out in the night time by Col. Yates to repair to Saratoga, there being in circulation a report that the British were in that place, but the alarm proving false. They tarried there but a few days, & then returned home. He was often on a scouting expedition & frequently called to repair to some post for the defence thereof until the close of the war.

He has no documentary evidence & he knows of no person whose evidence he can procure or who can testify to his services. He hereby relinquishes every claim whatever to a pension or annuity except the present & declares that, his name is not on the pension roll of the agency of any State.

And in answer to the particular interrogatories of the Court now here he says.

1st I was born in Andover (now Montgomery) in Ulster Co., N.York on the 16 Nov. 1758.
2^d I have a record of my age transmitted to me by my Grandfather Benjamin Haines when I was quite a boy which I have preserved and is now in my possession.

3. When first called into Service I was living in Andover Ulster County after the Revolution I lived in Schaghticoke Rensselaer Co. [Rensselaer County] about 6 years then moved to the town of Saratoga in Saratoga Co. where I lived 3 years from there I moved to Norwich in Chenango Co., & lived there about 5 years, from thence I moved to the town of Osasco in the County of Cayuga, lived there about 5 years from there I went to Seneca in Ontario Co., & lived there about 2 years left there & lived in Genesee Col, 1 year & returned to Ontario & stayed there 3 years from there I removed to Chautauqua in the County of Chautauqua where I now reside & have since resided.

4. I was first called into service by voluntary engagement & afterwards being drafted & subsequently by enlistment. I never served as a substitute but have served by a substitute as above sated.

5. This interrogatory is answered in my declaration as fully as I am able so to do.

6. I never received written discharges but was always dismissed as militia man are on parade days. [sic]

7. I am known to Rev. Ebenezer A. Stratton, Timothy Baker & others, my present neighbors who I pursue can testify as to my character for veracity & their belief of my services as a soldier in the Revolution. (Signed) James Huston

Sworn & Subscribed the day & year aforesaid. James B. Lowry, Clerk