THE COMMISSIONERS OF CONSPIRACIES

There is much confusion, in the documents, as to the time when the Committee for Conspiracies ended its duties and the Commissioners of Conspiracies began their work. This arose from the Committeemen sometimes calling themselves Commissioners; and vice versa. An Account of the Committee, commencing Sept. 28, 1776, and ending Jan. 11, 1777, is certified as a true copy from the Minutes of the Commissioners, and signed by Teunis Tappen as Clerk to the Commissioners. Another Account "of Sales of Effects taken from Persons who have fled to or joined the Enemy" runs from February to March 1777, and is made out by the Committee. Other Accounts, dated Apr. 12, Apr. 29 and May 16, recite "The late Committee of the Convention and the present Board of Commissioners." The Convention, Apr. 5, 1777, voted £1000 to the Commissioners; and, on Nov. 4, 1777, the Council of Safety ordered £400 refunded to them.

The Commissioners included, among their number, some of the members of the Committee; and the following who were not on the Committee:—Robert Harpur, Abraham Hasbrouck, Gilbert Livingston, Cornelius Schoonmaker, Jonathan G. Tompkins and Henry Williams. It is probable that even the Commissioners should still have been called the Committee, as late as Feb. 5, 1778, when the Governor was authorized to appoint not to exceed ten Commissioners; the number being increased to 20, Apr. 4, 1778.

Other laws, relating to the Commissioners of Conspiracies, were passed as follows:—June 30, 1778, the Commissioners were authorized to require all Suspects to take the Oath of Allegiance; Oct. 29, 1778, the powers of the Commissioners were continued; Feb. 17, 1779, a similar law; Oct. 1, 1779, the powers of the Commissioners, which had lapsed, were revived, and the Council of Appointment was authorized to appoint the Commissioners; June 14, 1780, the law relating to the appointment was revived; July 1, 1780, "for the removal of the families of persons who have joined the Enemy", but the Commissioners were authorized to give permits to remain; Mar. 27, 1783, the acts relating to the Commissioners were repealed.

From the date of these laws, it is evident that a great part of the work of the Commissioners was done in their capacity as a Committee of the Convention, or under the Governor's Order of Apr. 4, 1777, and before any Legislative enactment. They carried on the work along the lines laid out by the original Committee. They bought Muskets for the Soldiers; and apprehended Tories and Suspected Persons. They provided Food for the Guards and the Prisoners; also, Medicines for the latter. Together with the Commissioners for the several Counties (see below) they had general charge of all persons who were suspected or apprehended (see "Tories" &c., "British Prisoners of War" and "County Committees").

The Commissioners of Conspiracies for the several Counties consisted, in some cases, of others beside those appointed by the Order of the Governor, Apr. 4, 1778. They attended to details which it was impossible for the State Commissioners to handle; and they were paid 20/— per day

In Albany County, the Commissioners were:—John M. Beekman, Stewart Dean, Isaac D. Fonda, Leonard Gansevoort, jr. (Secretary), Cornelius Humfrey, John McClung, Hugh Mitchel, Reynier Mynderse, Abraham Oothout, Samuel Stringer, Jeremiah Van Rensselaer, Matthew Visscher and Peter Wynkoop, jr. Their Accounts began in 1778, and ended in 1782. They took charge of the Tories who were arrested for making a disturbance in Livingston Manor; confined some of the Prisoners in the "Tory Goal" in the Fort, at Albany; and sent other Prisoners to Fort Edward and to Claverack.

In Dutchess County the Commissioners had charge of the several Goals for the confinement of Prisoners. They also paid several Accounts of the Committees of Pawling and Poughkeepsie Precincts for apprehending Tories, the Suspected and the Disaffected; and they transported several Tory families to New York City (see "Dutchess County Committee"). The Commissioners were:—Egbert Benson, Gilbert Livingston, Zephaniah Platt and Israel Thompson. On Aug. 2, 1779, they paid £76.8.0 to Lieut. Stephen Hendrickson "For the service of himself and 13 privates for Monies actually expended, and provisions by themselves furnished, in Apprehending and Conveying to Poughkeepsie Goal, 7 Prisoners on Suspicion of harbouring Concealing and aiding the Robbers and other persons who carried off to the Enemy Lieut. John Smith and three other persons."

Gilbert Cooper, Thomas Moffat and Henry Wisner were the Commissioners in Orange County. Tryon County had these Commissioners:—Soverinas Cock, James McMaster and William Wills. The Commissioners for Ulster County were: Peter Cantine, Joseph Gasherie, Cornelius C. Schoonmaker and Cornelius E. Wynkoop. Richard Hatfield, Israel Honeywell, jr., Philip Leek, John J. Myers (Secretary), Philip Pell, jr., Ebenezer Purdy, Nathan Rockwell, Joseph Strang, and Jonathan G. Tompkins were the Commissioners for Westchester County.

The Disaffected, Suspected and Tories

The Committee of the Provincial Congress to Apprehend Tories consisted of Lewis Graham, John Sloss Hobart and Henry Remsen. A law was passed, early in the War, for the removal of the Families of Persons who had joined the Enemy. This provided that, because of the information given to the Enemy by the wives of those who had fled, the Justices of the Peace, or in their absence the Supervisors, or in the absence of both Justices and Supervisors, the Commissioners of Conspiracies, should give notice to the said wives to depart this State, or to go to the Enemy's Lines within this State, within 20 days, with their children not above 12 years of age. Failing to depart, they should be treated as Enemies of the State. Permission to remain might be given (by the above named Authorities) to parties of good character and not dangerous to the State of New York or to the United States.

The Committee of Westchester County, Jan. 4, 1776, seized 106 Guns from the Tories. On Mar. 10, the Committee for Conspiracies took many Arms from the Disaffected in New York City — among them four Swords from Samuel Bayard, and five Guns from William Bayard. The Committee made another collection, July 6. On the 18th of that month, Capt. Thomas Mitchell, with his men, apprehended a man and brought him before the Convention, by order of the Committee of three, named above.

Tories were transported Eastward from Red Hook, Dutchess County, Sept. 1, 1776. On Oct. 11, 1776, Capt. Jonathan Tuthill and his Guards escorted 30 Tories from New Windsor Ulster County, to Philadelphia, by Order of the Convention, at a cost of £80. Tories were confined in the Goshen Goal, Orange County, by order of the County Committee, and the expense was paid by the State. The Committee of Ulster County, in 1776, paid several bills for apprehending Tories, among the bills being those of Capt. Thomas Machin. In 1777, the Committee of Orange Sounty ordered Serjt. Nehemiah Clark to do similar work, and he was paid £17.12.0 for his services, Apr. 8, 1778. On June 17, 1778, the State paid £95.3.6 to refund the Committee of Marbletown, Ulster County, for removing Tory families from New Windsor on Dec. 16, 1777.

The Committee of Safety, Feb. 22, 1777, appointed John Thomas, jr., Col. Samuel Drake, Stephen Ward, William Miller, Nathaniel Hyatt, jr. and Israel Honeywell Commissioners to seize and sell the property of persons, in Westchester County, who had gone over to the Enemy; and on May 13, the Provincial Congress appointed Jonathan G. Tompkins, Richard Hatfield and Philip Pell, jr., Commissioners to settle the Accounts of the first named Commissioners. The Convention, Apr. 3, 1777, order the apprehension of certain Disaffected Persons, and Brig. Gen. George Clinton issued several Orders to Officers to carry out the Resolution of the Convention.

Numerous debts owing to parties who had been imprisoned, or who had gone over to the Enemy, were paid to the State Treasurer. In 1781 and 1782, Col. Marinus Willett sold, or converted to the use of the State, considerable property on the frontiers belonging to inhabitants who had been removed "on account of their Attachments to the Enemy". Col. Willett also took Provisions from such inhabitants, and delivered them to James Pratt. A strict accounting was made by Col. Willett, under the law of Apr. 22, 1785.

These names appear in the documents:—

TORIES

Brown Abiel
Mabbett Samuel
Mallows David H.
Richardson John
Towers Joseph

SUSPECTED PERSONS

Ackerly Obadiah
Ackerly William
Allen John
Anderson John
Anderson Thomas
Anghron Neal
Attwood Nathaniel
Banker Bethuel
Banker Jacobus
Banker John
Barker (Squire)
Barr Jacob
Bartley Josiah
Barton Roger
Bartow William
Baxter Stephen
Bay John
Beardsley John, Rev.
Beeker Peter
Bender Frederick
Besemer Jacobus
Blancher Job
Bondt Matthyse
Brewer Abraham
Brinckerhoff Abraham
Brown Enos
Brown Park
Brown William
Brush Joshua
Bullis Thomas
Bullus Robert, jr.
Burnet Matthew
Burnhart George
Bush Hendrick
Bush Jacob
Bush Jacobus
Bush Jacobus, jr.
Bush Wilhelmus
Butler William
Campbell Alexander
Canniff Joseph
Carbey
Carman Thomas
Cheeseman Samuel

Citnam John
Citternon John
Clark William
Coe Daniel
Colden Cadwallader, jr.
Combs Thomas
Commens John
Cook Matthew
Cooke John
Covill Simon
Craft John
Crawford Daniel
Crispell Hendrick
Cronk John
Cronkheyd Frederick
Cummins Thomas
Curson
Dairs Hezekiah
Dan Ezra
Davis John
Dean Nicholas
Derby James
Des Brosses Elias
Des Brosses Elizabeth
Des Brosses Magdalen
De Witt Petrus
Dinnist Hugh
Dods John
Doty Abraham
Doughty Charles
Down Thomas
Ducalon Stephen
Dumond Petrus
Dyer Henry
Ealigh William
Eliot David
Ferris William
Finch Reuben
Flint Asa
Fowler Michael
Fowler Stephen
French Benjamin
Frompair John, jr.
Furler Cornelius
Gardner Silas
Gee John
Germond Peter
Gibson Andrew
Gillet Richard
Gold Walter
Gordon James
Hagaman Isaac, Capt.
Hains Joseph
Hains Samuel
Halenbeck Jacob
Hallenbush Robert
Halstead John
Handerson James
Haring Samuel
Harris
Harris William
Hawley
Hawley John
Hire Walter
Hodges Timothy
Hogel Francis
Hooghtaling William
Huff William
Hughs George
Hughson Nathaniel
Hughson Silvanus
Jero Benjamin
Johnson (Lady)
Johnson Abraham
Jonson Rulf
Keese John
Kelly James
Kent John
Keyser Andrew
Kip Benjamin
Kise Jediah
Kisselbrack Jacob
Knapp (Mrs.)
Knowles James
Kuk Johannes
Lamson John
Lazell Joshua
Lester Cornelius
Leveson Andrew
Lewis Benjamin
Livingston, Maj.
Lobdell John
Lockwood Jesse
Lodowick Gasprus
Lonyon Jacobus
Losee John
Lott Abraham
Lounsberry Epenetus
Lounsberry Phinehas
Low Simon
Lowlee Abraham
McDonald Lewis
McFarling John
McGinnis William
McHenry Arthur
McMurry Jeremiah
Maddagh Jacob
Matthews Fletcher
Medeagh Jacob
Merkle Henry
Merrikle Wilhelmus
Merrikle Wilhelmus, jr.
Mesick Peter
Mesier Hezekiah
Mesier Peter
Middagh Abraham
Middagh George
Miller John
Mills Nathaniel
Minthorn Mangel
Morehouse Elijah
Mott Joseph
Munro John
Myer Hans
Mysenas Conradt
Needham Mary
Neilson Bloomer
Noe Lemountis
O'Bryan James
Ogden Benjamin
Ogden William
Ore William
Orr William
Osborn John
Ostrom Jacob
Palmer Harrison
Palmetier, Capt.
Penman Alexander
Philip Nicholas
Pict William
Platt Benoni, Capt.
Poor William
Powell Caleb
Powell Elisha
Prosser, Dr.
Quickley James
Quimby Levy
Randol John
Rapalje John
Redmond Michael
Reed William
Rhinelander Fredrick
Rosa Gysbert
Rosa Jacobus
Rose John
Rose Lodowick
Ruyter John
Rypenbergh Johannis
Sax John
Scofield Seth
Seaman Richard
Seamens
Secord Isaac
Seimonds
Selverman Jacob
Sharps William
Shaw Albertson
Shaw William
Shear Johannis
Sherer Lewis
Shower William
Showerman Johannes
Showerman Peter
Sillick Frederick
Simmons Charles
Sisson Peleg
Slack William
Sleuter Wouter
Smith Benjamin
Smith Claudius
Smith Edward
Smith James
Smith Matthias
Smith Peter
Snedeker Richard
Speck Hans
Sprder John
Sgaight, Dr.
Santon George
Sples John
Seikle Nicholas
Sprm
Sory Zachariah
Sybolt John
Taylor Neal
Ted William
Templer Christopher
Ten Eyck Thomas
Thompson Edward
Thurman John
Tidd William
Tidd William, jr.
Titus William
Townsend James
Tremper John
Trip Robert
Turner John
Turner Joseph
Underhill Abraham
Utley Any
Utter Isaac
Vail Isaac
Valentine
Van Buren Marte
Van Cortlandt Augustus
Van den Bergh Henry
Van der Mark Sylvester
Van Dyke Henry
Van Dyke Stephen
Van Hoesen Jacob
Van Hoesen John Lenderts
Van Hoesen Justice
Van Horne Augustus
Van Horne David
Van Husen Dirck
Van Kleek Barent A.
Van Oart Abraham
Van Schaick Henry
Van Vleet Daniel
Van Vleet John
Van Zilen Johannis
Verplanck Guilliam
Vosburgh Dirck
Vosburgh Peter
Walker John
Wanamaker Dirick

Warren Francis	Westbrook Young	Wilkinson Thomas	Worden Shubal
Watson Jacob	White Charles	Wood John	Wright Jonathan
West Benjamin	White David	Wood William	Yager Hendrick
Westbrook Capt.			Zee John

In the above lists, it will be noted that many of the names appear, also, among the "British Prisoners of War". In several cases, a more full investigation proved the innocence of the alleged offender; so that the appearance of a name in the above lists, or among the Prisoners, is not always a badge of dishonor, as viewed from the American standpoint.

Disturbances in the Counties of Albany and Dutchess

The largest of the "Disturbances by the Enemies of America" was in Dutchess County and in the Manor of Livingston, Albany County. It began in July, 1776. Matthew Cantine and Zephaniah Platt were appointed, by the Convention, a "Committee to Quell the Tories" in those parts; and, on Dec. 26, 1777, the Treasurer of the Provincial Congress received a balance of £53.2.4 from them. The Disturbers of the Peace were brought to Albany. The Committees of the Precincts of Pawling and Poughkeepsie paid several Claims for apprehending Disaffected Persons, and they were afterward reimbursed by the Commissioners of Conspiracies. The Committee of Dutchess County, July 8, 1776, paid £8.1.4. to Capt. Brinton Paine for disarming Tories on Feb. 4, 1776; and, also, £7.13.6 for "going after Tories in the Last Insurrection". (See "Dutchess County Committee").

British Prisoners of War

Abraham B. Bancker, Abraham De Peyster, Henry Dodge, Harmanus J. Knickerbacker, Philip Pell, jr. and Ezekiel Williams were Commissaries of Prisoners. Abraham Brasher, John Broome and Robert Van Rensselaer were a Committee to Superintend Prisoners. Peter Cantine, Melancton Smith and Jeremiah Van Rensselaer were Commissioners to Superintend the return of Prisoners from Connecticut; and Abraham De Peyster was Commissary for Prisoners out of that State. Thomas Odiorne was Agent for New York Prisoners in New Hampshire. Cornelius C. Elmendorph was Commissary of the Fleet Prison. Zephaniah Platt, James Tallmadge, Jonathan G. Tompkins and Robert Wood were the Committee for the Goal at Amenia. Philip Cooper, Ephraim Curtis, Eliphalet Daniels, Charles Gyles, Barzilla Hudson, Daniel Mapes, Joseph Stacey, Benjamin Tusten and Robert Wood were Goal Keepers.

The Prisoners in the list at the end of this Chapter were, for the most part, the Disaffected or Suspected Persons and Tories. Very few of them belonged to the British Army. Early in the War, the Committee of Safety and the County Committees had charge of them; but, later, the Commissioners of Conspiracies took full charge, with the aid of the County Committees.

The first Prisoners were taken at Ticonderoga. The Albany County Committee, June 23, 1775, paid 6/— to Bastian Visscher for Beer for Prisoners brought from that place. There are no other records of Prisoners brought to that County. The Committee for Conspiracies (the predecessor of the Commissioners), Oct. 6, 1776, paid a bill of James Cooper for the board of five Prisoners from Quebec; and Joseph Wood was paid £20 for supporting Canadian Prisoners, who were probably taken at Montreal. The Council of Safety, Aug. 14, 1777, paid $300 to Abraham B. Bancker, Commissary of Prisoners; and Henry Dodge, also Commissary, was paid $30 per month, in 1781.

The Counties of Dutchess, Orange, Ulster and Westchester had the care of nearly all of the British Prisoners. In Dutchess County, a Goal was built at Amenia by Zephaniah Platt and Jonathan G. Tompkins, for about £560. The Commissioners of Conspiracies had charge of it, and bills were made out to them. They also paid bills to the Committee of Westchester County for bringing Prisoners to the Poughkeepsie Goal, when Westchester County became unsafe for their confinement. Thirty-two Prisoners were thus transferred by Capt. Micah Townsend, Oct. 22, 1776, on account of the British being in possession of New York City. There is a bill of £7.12.6 by Capt. Henry Tourneur, Apr. 20, 1777, "for Serching for Apprehending Committing to prison and from thence Conveying to Peekskill Under Guard a Certain Jacob Barr, Peter Beeker and John Bay who appeared to be Spies from the British Army"

The evidence of the documents is that very few Prisoners were confined in Westchester County, except during the first year of the War. After that, the locality was too near the Enemy; but the Goals at Bedford and White Plains were used as long as they were safe places of confinement. On Sept. 18, 1778, the Committee of the County paid £10. 8. 0. to Lodowick Light for taking Prisoners from White Plains to the Goal at Kingston.

The Western bank of the Hudson River afforded better security. In Orange County, the chief Goal was the one at Goshen. This was in charge of the Committee of that Precinct; and bills were made out directly to the State, by order of the Committee of Orange County; although the Commissioners of Conspiracies had the full responsibility. Prisoners were sent from New York to the Goshen Goal until the very moment of the occupation of that City by the Enemy, in 1776. The County Committee, Sept. 20, 1777, paid a bill of Lieut. Resolvent Van Houten, £1. 16. 0, for bringing Prisoners to Gen. Putnam; also, Mar. 6, 1778, a bill of £18. 2. 6 to Ebenezer Wood Goal-Keeper, for Provisions for the Prisoners.

Prisoners were also taken at sea:—

New York 29th June 1776

Sir, The Provincial Congress having appointed us a Committee to superintend the Prisoners, we beg leave to inform you that by this conveyance we send to your care the following Prisoners taken on Board a Transport from Scotland bound to Boston, vizt (See list below).

We desire that you will appoint some discreet Person or Persons to superintend those Prisoners and that they be furnished with provisions, not exceeding the rations allowed to privates in the armies of the Continent. By the resolutions of Continental Congress, Women and Children belonging to Prisoners are to be furnished with subsistance, and supplied with fireing and other things absolutely necessary for their support. Prisoners are likewise permitted to exercise their Trades and labour in order to support themselves and Families. We doubt not you will be able to get these Persons so distributed in Goshen, and its vicinage, as to make their situation easy for them, and the expence as moderate as possible to the Public, and as they are Prisoners you will cause a strict attention to be paid to their Conduct. It is possible individuals will be disposed to take the young lads, during the time they are prisoners, & support them for their service. You will be pleased to transmit your acct

to the Congress of this Colony, charging the Continental Congress for their support, and inform us in what manner the Prisoners are disposed of. We doubt not they will be treated with humanity.

We are, Sir, your most Hbl servts

Jno Broome
Ab. Brasher
Robt Van Rensselaer

To the Chairman of
the Committee of Goshen,
Orange County.

A List of the Names of the Prisoners of War Delivered to the Care of the Chairman of the Committee of the Precinct of Goshen with the account of the Charges from their arrival the Eighth of July to the 26th Novr 1776—

Persons Names	Bank	When became chargeable	The amount at 10¾ per Day
John McMallin's wife		July the 8	£ 6. 2. 6
John McMallin	Private	September ye 30	2.10. 8 1/2
Donel McDonel	Ditto	Sepr the 30	2.10. 8 1/2
John Gillis	Ditto	Sepr the 30	2.10. 8 1/2
Gillis McGillis	Ditto	Sepr the 30	2.10. 8 1/2
John McClean)	(Boys between		
Donel McEntire)	8 and 12 yr old.)	October the 9	2. 0. 6
Neal McCloud)			
x James West	Saler	Received 21 Rations	0.18. 4 1/2
x Peter	Ditto		
x Doctr Speaght his wife and one child	Disaffected person.	Received 10 Days provision	1. 6. 3
		My commissions	1. 0. 0

Sir — Be pleased to Send the money by Colo. Allison and you will oblige —

Your Hum Servant

Benj Tusten

x West, Peter and Speaght not in the part from New York.

Benjamin Tusten also sent in this bill:—

1776	The American States.....Dr —		
Octobr 20	A Vomit for John McClean a Scotch prisoner		£ 0. 1. 3
	16 Febrifuge Powders	ditto	0. 8. 0
Novr 21	A Vomit	ditto	0. 1. 3
	16 Febrifuge powders repd	ditto	0. 8. 0
			£ 0.18. 6

William Holly also sent in a bill of £35.19.4 for boarding the Scotch prisoners from Mar. 26 to Aug. 7, 1777; £1 for paying Dr. Thomas Wickham; and £1.5. for Dr. John Gale for medicines and attendance. The Auditor-General made this comment upon Mr. Holly's bill:—

Wm Hollys Claim for furnishing Prisoners with provisions & the men who guarded the prisoners, not supported by any Vouchers, therefore cannot be admitted as it now stands. He has also a claim for the rent of a House occupied for the use of the U. S., as appears by Corns Cregier's Certificate who was an offr of the Cloathing department under the United States. The last a claim agt the U. S.

Ulster, more than any other County, took charge of the British Prisoners of War. In 1776, the County Committee paid several items for keeping and guarding the Prisoners in the County Goal; also, a bill for £12. 1. 7 1/2 by Egbert Roosa, and one for £9.11.6 by William Eltinge — both for repairing the Goal. The Committee of Safety, Feb. 1, 1777, gave the control of the

Prisoners in Kingston Goal to the Committee of Kingston, the bills to be paid by the State. After the dissolution of the Committee of Safety, the Council of Safety took charge of the Goal. On May 27, 1777, the Council ordered a bill of £8. 4. 4. to be paid to Cornelius Hogeboom for bringing four Prisoners from Claverack to Kingston. Prisoners were also brought from Westchester County.

THE FLEET PRISON

The Council of Safety also took charge of the most interesting of the Prisons, that on board of Ships anchored off Esopus (Kingston) known as "The Fleet Prison". On May 27, 1777, the Council appropriated £120 to the use of Gilbert Livingston and Maj. Jacobus Van Zandt or either of them, "a Committee appointed by the recent Convention to provide Vessels for the Disaffected Apprehended in Rhinebeck and Livingston Manor". One of the Ships was the "Camden", afterward destroyed by the Enemy (See "Privateers"). Several Ships were built, in May and June, 1777; and Mr. Livingston's Accounts mention "32 trees cut on Mr. Gasbeck's Land a 2/— £3.12.0". Others of the Ships were seized. The comments on the two following Claims are by the Auditor-General:—

Claim of Joseph Towers & David H. Mallows Two Inveterate Enemies of their Country claim payment for a Brigantine taken by order of the Convention for a Prison Ship & burnt by the British in the year 1777. If the Attor'y Gen'l is of Opinion that they recover from Gilbert Livingston I think it is best that the state should pay them, but not their whole demand. The Sails, anchor & cable which were taken by the Quarter Master Gen'l & Mr Bedlow & the Money paid to the Captain for his wages ought to be deducted.

Wages pd by the Treasurer amo'tg to, as per Spranger's acct & Rect	£ 94.18. 9
Anchor & Cable he recd pay for from the U. S.	53. 7. 3
Sails &c D.D. the Q. M. Gen'l	193. 2 4
	£341. 8. 4

N.B. It appears by a Resolution of the 18th April, 1777, that Spranger's Vessel was seized by the Convention as Tory Property.

John Dole's claim £310 for one half of a Sloop taken by Gilbert Livingston for the use of Tory Prisoners. Gilbert Livingston acted under the authority of the Council of Safety. It appears by the 5th & 6th sections of the Act of 22d Novemr 1781, to provide for the payment of contingent expences, that Philip Jacobs sued G. Livingston & recovered £310. 0. 0 Damages for one half of said Sloop & that he received a Certificate from the Treas^r for £317. 7. 4 for Damages & Costs. I believe it is best that the State pays it without cost, after deducting for part of her sails & the anchor & Cable which must be paid by the United States.

The Ships being ready for use, the Council passed these Directions:—

In Council of Safety for the State of New York, Kingston June 17th 1777.

Resolved that Mr. Hobart, Mr. Jay and Mr. Cuyler be and hereby are appointed a Committee to regulate the fleet Prison & to appoint proper officers for the same

John McKesson, Secry.

In Pursuance of the above Resolution the Committee therein named have established the Regulations for the Fleet Prison and appointed the following Officers for the same:—

I. That all the Sloops or Vessels which may from Time to Time compose the Fleet Prison, together with all the Prisoners on Board the same, be under the Care and Custody of

the Warden thereof and that Capt. Henry Benson be Warden of the Said Prison, That it shall be the duty of the Warden —

I. To enter in a Book the Names of all the Prisoners, the times when committed & when discharged, the Cause of Committment & by whom committed.

II. To provide for their secure Custody, and that the said Vessels be at all times clean & neat.

III. To deliver three Times a week in Spring, Summer and Autumn and twice a week in Winter, to the victualler the Names of all such of the Prisoners as may not be able or not chuse to provide themselves with Provisions & that he enter the same in a Book. That he condemn all such Provisions sent to the Prison by the Victualler as may not be sound & wholesome & keep an Account thereof.

IV. That he permit the Friends of the Prisoners to send them Necessaries, but that the same be delivered to the Officer on Guard & be by him carefully inspected and examined before they be given to the Prisoners.

V. That no Person be at any time permitted to visit the said Prison without the Leave or Order in writing of the Council of Safety or of a Member of this Committee, other than Members of the said Council, and the Commissary, Clerk & Victualler of the said Prison.

VI. That he suffer no Letters or Papers to pass to or from any of the Prisoners without Licence in writing from a Member of this Committee, except that he receive and transmit all Petitions and letters which they may think proper to send to the Council of Safety, or Committees or Members thereof.

VII. That whenever he shall receive Orders to discharge any of the said Prisoners, he shall immediately make known the same to the Clerk of the Prison in order that he may proceed to make out the Account of the State against the said Prisoner and receive the money which may be due thereon. That in Case any of the said Prisoners so ordered to be discharged should refuse to pay their said accounts, that the Warden do suspend their Discharge, until he shall have informed the Council of Safety thereof (which he shall immediately do) & obtained their further Order.

II. That a Victualler to the said Prison be appointed. That Capt. Charles Giles be the Victualler thereof. That it shall be the duty of the said Victualler to —

I. To deliver regularly to the Commissary a Copy of the List of Prisoners to be victualled, which he shall from time to time receive from the Warden.

II. That he serve out to the Prisoners named in the said List three Quarters of a pound of Beef, Pork or Mutton & one pound of Bread per day, with a reasonable Allowance of Salt and Vinegar. And that the said rations be served out to the Prisoners at the least three times a Week in Spring, Summer & Autumn, & twice a week in Winter.

III That he receive from the Commissary, and Account for the expenditure of, all Provisions to be by him as aforesaid served out to the Prisoners.

IV That he take care that the Fuel furnished by the Commissary for the use of the Prisoners be Plentifully & regularly served out to them, & that he keep an Account of the same.

V. That the Victualler be paid for his Trouble Nine pounds per Month.

III. That a Commissary to the Said Prison be appointed. That Cornelius Elmendorph be Commissary thereto. That it shall be the duty of the Commissary —

I. To furnish the Victualler for the use of such of the Prisoners as may not be able or willing to provide themselves with three Quarters of a pound weight of Beef, Pork or Mutton, and a pound of Bread per Day, with a reasonable Allowance of Salt, Vinegar and Fuel.

II. That he Account Monthly for the Expenditure of all such sums of Money as shall be advanced to him by the Council of Safety for the purchase of the necessaries aforesaid.

III. That he cause the Hides, Tallow & Wool of all such Cattle or Sheep as he may purchase & kill for the Use of the Prisoners aforesaid to be preserved, and that he render a monthly Account of the same.

IV. That he be paid Eighteen pounds per Month for his trouble.

IV. That a Clerk to the said Prison be appointed. That Capt. Henry Benson be Clerk thereto. That it shall be the Duty of the Clerk —

I. To open & state an Account against each of the Prisoners Provided as aforesaid, noting the Times of their Committment & Discharge.

II. In the said Account to charge them with the Expence Occasioned by their Maintenance respectively, Which Expence will consist of their several Proportions of the first Cost of the Provisions Salt Vinegar and Fuel supplied to them with the incidental Charges, and of the Wages of the Commissary and Victualler.

III. That whenever the Warden of the Prison shall inform the Clerk That he has received Orders to discharge any of the Prisoners, the Clerk shall forthwith make out the Accounts and demand & receive the money due thereon.

IV. That the Clerk have free Access to the Book & Vouchers of the Warden, Commissary and Victualler, in order to enable him to state and keep the Accounts above directed.

V. That the Clerk for his Trouble be allowed to demand and receive for his own Use from each Prisoner, when discharged, the sum of six Shillings & sixpence —

John Sloss Hobart
John Jay
Jacob Cuyler

In Council of Safety for the State of New York, Augt. 27th, 1777.

Resolved that the Prisoners on board the fleet Prison receive the daily Ration of one quarter of a pound of Beef, Pork or Mutton or one half of a pound of Fish and one pound & an half of flower; and once in every ten Days half a pint of Vinegar, one Ounce of Salt & two quarts of Peas & that they be supplied once in two Days.

Resolved that Major Tappen & Mr. Harpur be & they hereby are empowered & directed to form a Contract with some proper Person upon the best Terms they can to furnish such Supplies.

Robt. Benson Secry.

In Council of Safety for the State of New York, September the 1st, 1777.

Resolved that the Commissary of the fleet Prison be served with a Copy of the Regulations of the 27th of Augt last for victualling the Prisoners on board the fleet Prison; and that he be directed to victual the said Prisoners agreeable thereto.

Resolved that the said Commissary be directed to supply the State Prisoners in Kingston Goal with one pound & an half of bread per day and that the Goaler supply them with Water

Robt. Benson Secry.

The Accounts of Cornelius C. Elmendorph, Commissary, give the names of those who were confined in the Fleet Prison, and also many small bills for Provisions furnished. The Council, Aug. 18, 1777, ordered the State Treasurer to pay Mr. Elmendorph £150; and a like amount was ordered paid, Sept. 5, 1777. Early in that year, the Enemy made a raid upon Peekskill, and many who were expecting to go to their Lines were apprehended and placed in the Fleet Prison. On July 10, 1777, Capt. Jacob Hasbrouck, jr., was paid £2. 18. 0 for guarding and conveying Prisoners, by order of the Committee of Ulster County, "to the Ships ordered by the Convention of this State for the Reception of Prisoners in Hudson's River". The Prisoners were taken to New Paltz; and thence, by a journey of two days, to the Ships. There is a Pay-Roll (paid by the Commissioners of Conspiracies Sept. 23, 1777) "of Captain David Van Ness' Company of Militia in Rhinebeck for Guarding Tories from Claverack to ye Fleet Prison at Esopus, Commencing 24th Augt End'g 27th Augt. 1777". The total is £21.3.0.

PRISONERS SENT TO OTHER STATES

Not all of the Prisoners were confined in this State. In October, 1776, many were sent by the Committee of Conspiracies, under guard, to Connecticut, Massachusetts, New Hampshire and Pennsylvania. Bills for their keeping were made out by the Chairmen of the several Town Committees in those States. In Connecticut, the Prisoners were confined at Hartford, Litchfield and Sharon.

The Council of Safety, Aug. 13, 1777, ordered the auditing of the Accounts for the removal of the Prisoners from Connecticut to this State and to New Hampshire. Prisoners had been conveyed to New Hampshire before that date. The Committee of Conspiracies, Oct. 31, 1776, ordered a Detachment from Col. Robert Van Rensselaer's Regiment to guard the Prisoners to New Hampshire. Samuel Smith was appointed Commissary. The journey took 21 days from Charlotte Precinct (Dutchess County) to Exeter, where nearly all of the Prisoners were kept; and the cost was £23. 4. 0. The same Committee, Nov. 9, 1776, ordered Lieut. Bezaleel Rudd, with his Detachment, to join Capt. Robinson in escorting Prisoners from Fishkill to New Hampshire.

On Jan. 9, 1777, the House of Representatives of New Hampshire, on petition of Lt. Col. Joseph Welch, ordered that the Sheriff of Rockingham County keep certain Prisoners at the Expense of the State of New York. The Rev. Dr. Chauncey Graham presented a bill of £38.17.0 for medical attendance upon these Prisoners.

On Mar. 13, 1777, the Committee of Conspiracies sent Lieut. Theodorus Brett after certain Prisoners in New Hampshire, Connecticut and Massachusetts. The Legislature, Nov. 4, 1778, paid the Governor £1192. 11. 0 to reimburse him for the expense of Prisoners moved to New Hampshire; and, in the same year, this State paid £1174.8.9 3/4 to New Hampshire for keeping the Prisoners.

In Massachusetts, the Prisoners were confined at Springfield and Worcester; but the records contain very little about them.

The names of the following British Prisoners of War appear in the documents:—

Aims George
Akerly Isaac
Akerly Nathaniel
Akins Morris
Amar John
Anderson Thomas
Anderson William
Andre John, Maj.
Armstrong Edward
Ashton John
Astin Abraham
Auchmuty James
Bailey William
Bain Peter
Baizley Francis
Ball George
Banyar Gouldsbury
Bark James
Barnot
Bartle Andries B.
Batts Frederick
Bayard William
Bebe Asa
Bedell William
Beemer John
Beemus Coenradt
Beemus Jothem
Bell George
Bennet Asel
Benson Cust
Besemer Jacobus
Bevan Anthony
Beving Casper
Beyala John
Biggs James
Biggs Nathaniel
Bishop Ezekiel
Blake James
Blakely James
Blauvelt Cornelius I.
Blewer Thomas
Bloomer Robert
Bogardus Ephraim
Bolton George
Bougher Benjamin
Bowne Gershom
Bowne James
Bradshaw James
Breamer Anthony
Brewer Richard
Bridget Robert
Brisbow Barnett
Britt Maritje
Brooks Philip
Brown James
Brown John
Brown Mordecai
Brown William
Browne John Thomas
Brownson Samuel
Brundige Joshua
Brush Joshua
Brusie Andries
Brusie Johannes J.
Brusie Nicholas C.
Bryan William
Bryant Lewis
Bryce Abraham
Bulles Jesse
Bulless John
Burdock Peter
Burdock Robert
Burgett Abraham
Burns John
Burrows John
Burrows Nicholas
Burrows William
Burtch Charles
Burtch William
Bush Jacob

Buttelor Thomas
Buyce Abraham
Buyce Peter
Callalen Patrick
Calwell Robert
Campbell Alexander
Campbell Archibald, Col.
Canwell John
Carleton Dennis
Carney Michael
Carniff Jonas
Carpenter Walter
Care Jonah
Case Jonah
Caswell John
Charters George
Chilson Beriah
Chism John
Clapp Joseph
Clark Nathan
Clarke John
Claus Johan George
Clint John
Clum Hendrick
Coans Nicholas
Coens Andries
Coens Philip H.
Colden Cadwallader
Colden Thomas
Cole Aaron, sr.
Cole Aaron, jr.
Cole Benjamin
Cole David
Cole Nicholas
Colgin Thomas
Colis Jarvis
Collins John
Combs Solomon
Commaral William
Conckling David
Conklin Isaac
Conklin John
Conklin Nathaniel
Conner Brian
Connoly Daniel
Conwell Joh
Conwell Reuben
Cook John
Coons Abraham
Cooper Martin
Corbin Nathaniel
Corey Griffin
Cornwall Daniel
Coune John
Coventry Edward
Coventry Robert
Cox Samuel
Crab John
Craft Abraham
Craft Thomas
Crafts William
Crispell Hendrick
Croat Christian
Crookshank Alexander
Cropse Henry
Cropsey Alexander
Crosfield Stephen
Cruselar Baltus
Culm Henry
Cummins John
Cure Samuel
Curry William
Cuyler Abraham C.
Dash Baltus
Dates Daniel
Davis John
Davis Samuel
Dean Daniel
Dean John
Dean Josiah
Deces James
Dederick Jacob
Deeker Arens
Deeker Broer J.
Deeker Coenradt
Deeker Enrigh
Deeker Hendrick
Deeker Jacobus
Deeker John L.
Denton Robert
Depew Peter
Derby William
Devine James
Devine Samuel
De Voe Frederick
Dickinson Tertullus
Didslow Josiah
Dillenburg Peter
Dings George Peter
Dings John
Disbrow Josiah
Diver Andrew
Dodd John
Doughty Edward
Doughty William
Downs James
Drinkwater Samuel
Ducker Daniel
Duell Silas
Dumond John B.
Dunbar Robert
Dunner Walter
Dups Yerry Peter
Dusenbury John
Duzenbery Henry
Ealigh William
Earl Joseph
Eastman Benjamin
Eastmond James
Eastmore Benjamin
Ebbets Daniel
Elting Roelof I.
Eltinge Roeloff
Evans Jacob
Everts Thomas
Eyrs Ephraim
Farrington Benjamin
Faulkner John
Fennell William
Ferman John
Ferris Peter
Fink Alexander
Fink Frederick
Finkle Frederick
Finkle Johan Jost
Fisher Christian
Fisher George
Flewelling James
Flewelling John
Forbes Gilbert
Forbes William
Forgason Peter
Fowland Jacob
Fowler Jacob
Frair Abraham
Franklin Christian
Fraser Daniel
Frazier Simeon
Frazier William
Freisley Samuel
Freligh Isaac
Freligh Samuel
Frenne Samuel
Frere Hendrick
Frier John
Frisbee Coroth
Fulmon Jasper
Furler Jacob
Ganston David
Gardner Paul
Gardner Silas
Garrison Jonas
Gidney Joseph
Gillis John
Goes Matthew, jr.
Gordon James
Gosline James
Grant James
Grant John
Grant William
Grawbarak
Green John
Griffin Obadiah
Groome Francis
Gusherack Frederick
Guyer Nathan
Haaver Christian
Hadden Thomas
Hains Samuel
Halenbeek Kelean
Hallaway Joseph
Halstead John
Ham Coonrat
Hamilton William
Handling Bryant
Hanedorn Christopher
Hannah Samuel
Harder Peter
Hare Alexander
Harris Joseph
Harris Thomas
Hart John
Hartle George
Hasbrook Francis
Hatt Bern't
Haver Johannes
Haver Peter, jr.
Haviland Isaac
Haviland John
Hawley Agur
Hawley John
Hay John
Haynes Samuel
Heard Ebenezer
Hearring Samuel
Heggen John
Helmer John
Henderson Ward
Henderson William
Herring James
Hetfield Col.
Heustis Caleb
Hoffman Coenradt
Hogel Isaac
Holamback Nicholas
Holamback Samuel
Holden James
Holloway Joseph
Horon Isaac
Horton Gilbert
Horton Jonathan
Houten Jonathan
Howard Edward
Hubble Stephen
Hueson George
Hughson George
Hughston George
Hugyet Benjamin
Hull Robert
Huston George
Huton Isaac
Hysdrat Adam
Inglis George
Ingraham Benjamin
Ives David
Jarrolman Henry

Jarvis Samuel
Jeecocks Benjamin
Jenkins John
Jewell Richard
Jones James
Jones Stephen
Josephson Manuel
Keating Gerrit
Kelder William
Keller William
Kelley Patrick
Kelly Thomas
Kennedy Samuel
Ketcham Isaac
Killman Johannes
Kisselbrack Jacob
Kister Henning Nich.
Kitchner Isaac
Klons Johan George
Knox James
Knox Simeon
Koats Christopher
Kool Aaron
Kool Aaron, jr.
Kool Benjamin
Kool David
Korts John
Korts John, jr.
Krank
Ladow Abraham
Laight Edward
Lamanse James
Lancaster William
Landsman Casper
Lantman Hendrick
Laroy Francis
Laroy Johannes
Larys John
Lasher Marks
Lasher Samuel
Laughlin Alexander
Law Henry
Lawrence Thomas
Lawrence William, Dr.
Lawson John
Leonard Thomas
Leslie Alexander
Lester Cornelius
Lester Enoch
Lighthart Daniel
Livingston Samuel
Loan Andries
Loan Philip
Lobdell John
Lockwood Isaac
Lockwood Jesse
Long James
Lonnart Peter
Loop Martin

Losee John
Lott Abraham
Loun Bastian
Low Isaac
Low Simon
Lown Johannes
Lucas Sebastian
Lycks Johannes
Lycks Martin
Lyng John B.
Mabbett Joseph
Mabbett Samuel
McAdo Robert
McAlpin John
McAndo Robert
McAuley William
McCarty Haynes
McDinment William
McDonald Angus
McDonald Daniel
McDonald Donald
McDonald Patrick
McEdew Robert
McEntire Daniel
McEvers James
McGillis Gillis
McGinnis Stephen
McGray Thomas
McGuire Hugh
McIntire Daniel
McIntire John
McIntire Murphy
McKay William
McKinney Arthur
McLachlin Alexander
McLachlin John
McLean Daniel
McLean John
McLean Peter
McLeod Neal
McLetray John
McMallin John
McMullan Donald
McMullen Archibald
McNeil Archibald
McReay William
Maloney John
Mann William
Margeson Peter
Martin John
Matthews Fletcher
Maybee Myndert
Mead William
Medlar John
Megkle Johannes, jr.
Merritt Hackaliah
Merryfield William
Mickle John
Middagh Alexander

Migkle Johannes, jr.
Miller Jacob
Miller Jonathan
Miller Philip
Miller Thomas
Miller Tite
Minkler Adam
Mirey Griffen
Mitchel Robert
Mitchel William
Moffatt William
More John
Morgan Daniel
Morrel John
Morrill Benjamin
Morrison John
Mosher John
Mosier Jehiel
Mott Jacob
Muckle John
Muckleler John
Munro John
Muntford Dominickus
Murphy Thomas
Mynard Henry
Neefus Peter
Neilson Bloomer
Newkerk Jacobus
Newkirk Cornelius
Newman Joseph
Nicolls Charles
Nicolson Robert
Noble Jesse
Olmstead James
Ore William
Orr William
Ortman Christopher
Osburn Alexander
Osburn Israel, sr.
Osburn Israel, jr.
Palmeteer Hendrick
Palmetier Capt.
Panton Francis
Patree Christopher
Patterson Alexander
Penbrook David
Pettit James
Phillips Frederick
Phillips John
Phillips Roelif
Phillips Samuel
Pine Jonathan
Place James
Potts Frederick
Powell Elisha
Proper Samuel
Prosser Elias
Pulver Nicholas
Pulver Peter

Purdy Daniel
Purdy Joseph
Pye Thomas
Ragg Richard
Rapalje John
Rapalje Rem
Read William
Redding David
Redding Edward
Redmond Michael
Reed Jacob
Reed William
Reenuit David
Reynolds James
Richardson John
Rickhart John
Ripenbergh David
Ripenbergh Hendrick
Ritchie George
Robinson Alexander
Robinson Duncan
Robinson James
Robinson John
Rodgers John
Rogers James
Roome John L. C.
Rosse Ephraim
Rumsay Pheneus
Runnien Hendrick
Ryley Michael
Rypenbergh George
Rypenbergh Johannes
Rysdorp Lawrence
St. John Philip
Sand John
Savage John
Saxton John
Saxton William
Sayre John
Schearer Joseph
Schurman Jacob
Scott William
Scoutenar Jacob
Scoutin Jacob
Seaman Coenradt
Seaman David
Seamen Jacob
Seamen Jacob, jr.
Seamen Jeremiah
Second Samuel
Seely Ephraim
Service Christopher
Sexton John
Shannon Joseph
Shaver Hendrick Jacobus
Shaw Gilbert
Shaw Lewis
Shearer Joseph
Shenkley

Shepler William
Sherer Lewis
Shever Hendrick, jr.
Short Edward
Sibley Richard
Simmons Charles
Simmons Coonrat
Simmons David
Simmons Edward
Simmons Jacob
Simmons Jeremiah
Simmons Nicholas
Sipperly Barnt
Sisson Peleg
Skinner Samuel Spencer
Slack William
Sleght Frederick
Sloss John
Sloss Robert
Smedes Abraham
Smedes Joel
Smedes Moses
Smith
Smith Abraham
Smith Austin
Smith Benjamin
Smith Claudius
Smith Coonradt
Smith Daniel
Smith David
Smith Hendrick, jr.
Smith John
Smith Joseph
Smith Killyan, jr.
Smith Zebulon
Snider John
Sniffin Isaac
Snowdry
Snyder Dederick
Snyder Jacob
Snyder John
Snyder Martin
Snyder Teunis
Snyder William
Southard Zebulon
Spencer Jabez
Spicer Frederick

Stanmore Seabody
States Thomas
Steenbrander Benjamin
Steenbrander Isaac
Stevens John
Steward Alexander
Stickle Nicholas
Stokes John
Stokum Jonathan
Storm David
Stout Benjamin
Straats Jacob, jr.
Strain James
Straver Nicholas
Strevell Aldreeks
Stuart Alexander
Summerville John
Swinney John
Switzer Phillip
Sword Samuel
Taylor Cornelius
Taylor Elijah
Taylor Joseph
Tederick Christian
Teed William
Ten Eyck Andrew
Thitshung Isaac
Thomas James
Thompson James
Thorne Jabez
Thorne Jonathan
Thorne Robert
Thurman Richardson
Tibbets George
Timmerman Jacob
Tippet James
Totten Joseph
Tracy James
Trane Joseph
Travers Johannes
Travers Charles
Trecarton Martin
Tremper John
Triver John
Turner
Turner James

Turner Joseph
Tyler Joseph
Underhill Daniel
Underhill Nathaniel
Ustick Henry
Van Alen John L.
Van Alstine Harmon
Van Alstine John S.
Van Alstine Martinus
Van Alstyne Bartholomew
Van Camp Jacob
Van Camp Jacob, jr.
Van Denbergh Henry
Van derburgh John
Van der Kar John
Van dermark Sylvester
Van Duser Johannes
Van Duser Robert
Van Dyck Dirck
Van Kleeck Barent
Van Kleef William
Van Kleek Baltus
Van Schaick Henry
Van Vlarken Alexander
Van Vleet John
Van Waggenen Johannis
Vary Samuel
Vaughan Wright
Verlie Jercke
Verte Thomas
Verty Samuel
Vonk Jacob
Vosburgh Jacob
Vredenbergh John W.
Vrooman Meynard
Wagner John Crist
Wallace William
Wallbridge Elias
Wallegrove Thomas
Walter George
Ward John
Warden Nathaniel
Warner Thomas
Weigger
West Elisha
West James

West Joseph
West William
Wheeler Jerry
Wheeler Nicholas
White Charles
White David
White John
Whitman Abraham
Whitmore Philip
Wickham William
Wigant William
Wilkinson Hannah
Wilkinson Thomas
Williams Arent
Williams Benjamin
Williams Peter
Williams Richard
Williams William
Williamson Thomas
Wilson Alexander
Wilson Thomas
Winderwoer Abraham
Winterton William
Wiver Andrew
Wood James
Wood John
Wood Samuel
Wood Stephen
Wood William
Woodside John
Woolcomb Joseph
Woolsey William
Wooster Moses
Wormer Isaac
Wright Joseph
Wyatt David
Wykoff John
Yager Nicholas
Yates William
Young Adam
Young Andrew
Youngs Isaac
Youngs Israel
Youngs Philip
Youngs Robert
Younkhanse Hendrick
Zise Michael