

DIE JOVIS, 9 HO. A. M. AUG. 17th 1775.

A Letter from General Washington was read and filed and is in the words following :

Camp at Cambridge, Aug. 10, 1775.

Sir:

Your favour of the 2^d instant is duly received, but it is out of my power to comply with the request it contains of forwarding Commissions. All those I have yet received from the Honorable Continental Congress are far short of the number required in this Army, for which reason, when in *New York*, and by letter from this, I directed General *Schuyler* to apply to the Congress at *Philadelphia* for those of his Department as the shortest and easiest mode,— to which I must also now refer you.

I am, Sir,

The President of the
Provincial Congress — *New York*.

GEO. WASHINGTON.

A draft of a letter to Major General *Schuyler* was read and approved and is in the word following, to wit:

In Provincial Congress.

New York, Aug. 17th 1775.

Sir: We have received your favour dated the 31st July last covering the proceedings of the *Green Mountain Boys* in their choice of Officers & agreeable to your request enclose you twenty one Blank warrants to be filled up agreeable to their choice.—The Field Officers were to be recommended jointly with you by this Congress, but as we are ignorant of the merits and qualifications of those among them, who would be equal to the appointment, we have therefore concluded to leave the appointment to you. The disputes already subsisting amongst their chiefs, the principles whereof we are strangers to is an additional inducement in determining us to this reference. Your acquaintance with them we hope will enable you to fix the choice on such persons as may be least exceptionable and who will most effectually promote the service.

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DIE LUNAE, 9 HO. A. M. AUG. 21st 1775.

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The Muster Roll of Capt. *Rufus Herrick's* Company¹ returned by Mr. *Jacobus Swartwout* was filed. The Muster Rolls of Capt. *Andrew Billings*,² of Capt. *Lewis DuBois*³ and of *Henry B. Livingston's*⁴ Companies returned by Mr. *Jacobus Swartwout* and filed.

¹ Fourth (*Dutchess Co.*) Company of Col. *Holmes*' (4th) Reg^t.
² Sixth (*Dutchess Co.*) Comp. *Clintons* (3^d) Reg^t.
³ Fourth (*Dutchess Co.*) Comp. same Reg^t.
⁴ First (*Dutchess Co.*) Comp. Fourth Reg^t. None of these rolls have been preserved.

8th. That the Colonels and commanding Officers of each Regiment do assemble and exercise their respective Regiments at least two days in every year at some convenient place to be fixed Upon by the Field Officers.

9th. That the several Companies of Horse already formed or to be formed in this Colony shall be under the direction of the Colonel of the Regiment, where their respective Captains do reside and be considered a part of such Regiment,—that the Officers and Privates shall assemble as often, as by these regulations it is required of the Companies of Foot (not Minute Men) and be subject to the same penalties and forfeitures for non-attendance,—That every man belonging to the Horse shall, with all convenient speed, provide himself with a good serviceable horse, not less than 14 hands high, with a good saddle, bridle, hostlers, housings, breast plate and crupper, a case of pistols, a sword or hanger, one pound of gunpowder and 3 lbs. of sizeable bullets, a pair of boots with suitable spurs and a carabine, well fixed with a good belt, swivel & buckle under the penalty of 10s. for the want of a sizeable horse & 5s. for the want of each or either of the articles of the Troopers' furniture. And also that every Trooper be provided at their respective places of abode with 1 lb of powder and 3 lbs of bullets.

10th. That in case any person shall refuse or neglect to serve as Sergeant, Corporal or Drummer in any Company being thereto requested by the Captain or commanding Officer or shall refuse or neglect to warn the men to appear under arms, when required by the Captain or commanding Officer, shall for every such neglect forfeit the sum of 40 shill.

11th. That all Officers commissioned by this Congress Do subscribe the following declaration: We, the subscribers, the Officers of the Battalion or Regiment in the County of and Colony of *New York* do hereby promise and engage under all the ties of religion, honour and regard to our country, that we will respectively duly observe and carry into execution to the utmost of our power, all and every the orders, rules and recommendations made or to be made by the Continental Congress and the Congress or Convention of this Colony. That we'll also give in our respective ranks due obedience to the regulations by them established for the forming of the Militia of this Colony, as also due obedience to such Officers, who either by rank or superiority are placed above us in such order, as is directed by the said Continental or Provincial Congress.

12th. That the following penalties be inflicted on those, who do not attend and obey orders on the days appointed for exercise, not having a reasonable excuse to be allowed of by the Officer commanding, to wit: a Colonel £5, a Lieutenant Colonel £4, a Major £3, Captains, Lieutenants and Adjutants 30s. each, Ensigns and Quartermaster 20s. each, Sergeants, Corporals, Drummers, Fifers and Privates 10s. each for the first default and double for the second.— And in case any person make default three times successively or refuse to enlist and do duty, such person shall be advertised and held up as an *enemy* to his country.— All fines under the degree of a Captain to be levied on the goods and chattels of the offender by warrant from the Captain directed to a Sergeant of the Company and those of a Captain and all Field Officers under the degree of a Colonel to be levied on the goods and chattels of the offender by a warrant from the Colonel of the Regiment directed to the Adjutant, and those of a Colonel by a warrant from a Brigadier General directed to the Major of the Brigade, and for want of the goods and chattels to take the body of the offender and him keep in safe custody, until such fine together with the charges be paid. The monies arising by the fines in any Company be applied by the Captain, (after paying for Drum and Fife for the Company) towards purchasing Arms, Amunition and Accoutrements for such persons in such Company, as are unable to furnish themselves.— The

monies arising by the fines of the Field Officers (after paying for a set of colours for each Battalion) be equally divided between the several Companies for the above mentioned use.

13th. That the members of his Majesty's Council, Justices of the Supreme Court, of the Vice Admiralty Court, of the Mayors Courts and Inferior Courts of Common Pleas,—his majesty's Attorney General,—Secretary of the Province or his Deputy — Clerks of the Courts — Collector, Comptroller, Naval Officer and Searcher and Surveyor of his Majesty's Customs,— Ministers of the Gospel, Physicians and Surgeons — Members of the Continental Congress and of the Provincial Congress and the several Committees, while immediately engaged in the public service — Sheriffs, Gaolers and Ferry-men — one Miller to each mill — and the people, called Quakers, be excused from military duty, except in cases of invasion and that in case of an invasion in any part of this Colony, the Physicians and Surgeons there or such of them as shall be directed by the Officers commanding the Militia (that shall march to oppose the Enemy) shall attend with proper medicines, instruments and other necessaries to take care of the sick and wounded.

14th. That the commissioned Officers of each Company of Minute Men form their Companies into four subdivisions in such manner, as they shall think most convenient for their frequent meetings. The subdivisions under their respective Officers to meet once in every week and to employ half a day or at least four hours each time in perfecting themselves in military discipline, the whole Companies to meet once every fortnight, to spend the same time for the same purpose. That the several Companies of Minute Men be formed into Regiments, to consist of about seven Companies each. That there be commissioned by the Congress to each Regiment, one Colonel, one Lieutenant Colonel, two Majors, and Adjutant and Quarter Master.

15th. That those Regiments be formed into Brigades, each Brigade to consist of about Regiments. That there be commissioned by this Congress to each Brigade one Brigadier General and a Major of Brigade.

16th. That the whole body of Minute Men shall be under the direction of the Major General appointed by this Congress, while within the Colony, unless a Continental Officer of superior or equal rank be present.

17th. That the Minute Men, when called out in defence of their country shall be subject to the Articles of War established by the Continental Congress and be entitled to the same allowance as to pay and provisions with the Continental Forces — To be under the direction of the Commander in Chief of those Forces.

18th. That they be subject to the like penalties and forfeitures for not attending on the days appointed for exercise as above mentioned. The said fines to be levied and applied as above directed.

19th. That in case of any alarm, invasion or insurrection every subaltern and soldier is immediately to repair properly armed and accoutred to his colours or Parade, (which Parade shall be understood to be the habitation of his Captain unless otherwise ordered) and the Captain or commanding Officer nearest to the place, where such invasion or insurrection shall be, shall immediately march his Company to oppose the Enemy, at the same time send off an express to the commanding Officer of the Regiment or Brigade, to which he belongs, who is to march with the whole or part of the Militia under his command, as he shall judge necessary, and use all possible diligence to prevent the Enemy from landing or penetrating into any part of the country and to quell every insurrection. That every non-commissioned Officer and Private, who shall neglect or refuse to perform his duty in this case, shall be subject to such pains, penalties and forfeitures, as shall be adjudged by a general Court-Martial.

20th. That at least twice in every year the Captains or in their absence the next commanding Officer of every Company of Militia, as well as of the Minute Men as others, shall deliver to the Colonel of the Regiment a true and compleat Roll containing the names of all the men belonging to his Company, under the penalty of £2 to be recovered and applied, as hereinbefore directed. And the Colonels of the Regiments shall within one month after the receipt of every such roll deliver or send a copy of every such roll to the Brigadier General of the Brigade, to which he belongs, who is directed to send the same or a copy to the Major General of the Colony.

21st. That in case of an alarm or an invasion the Officer commanding in each district shall leave a proper detachment of his Company, to guard against the insurrection of slaves, or if judged more expedient and safe, may take the slaves or part of them with him and employ them in carrying baggage, dragging cannon or the like.

22nd. That all persons, as well Minute Men as others, able to bear arms, who shall leave or attempt to leave a place actually invaded without leave of the Officer commanding such place, or who shall refuse to obey order in time of actual invasion or insurrection shall be liable to such punishment, as shall be inflicted by a Court-Martial.

23rd. That in case it shall be judged necessary at any time and place by this Congress, by the Committee of Safety or by the several Committees of the respective Counties or Districts, that a military watch be established,— All persons able to bear arms, where such watch is judged to be necessary, shall upon due warning be obliged to serve on such watch under the penalty of 12s. for every neglect, A commissioned Officer in turn to mount said guard in person under the penalty of 40s.

24th. That every Centinel, who shall leave his post—be found asleep, when he is posted, shall be liable to such punishment, as shall be inflicted by a Court-Martial.

25th. That when the Militia, as well Minute Men as others, in case of Invasion or Insurrection shall be called out on actual service, They shall be subject to the same Rules and Orders, as directed and ordered by the Continental Congress of the associated Colonies held at *Philadelphia* on the 10th day of May last for better government of the Continental Troops.

A letter from Capt. *John Lamb*, dated this day, soliciting this Congress to ascertain the pay of the Artillery Company under his command was read and filed.

Agreed and ordered, That the Artillery Company raised in this Colony as part of the Continental Army and enlisted under Capt. *John Lamb* shall have such pay, as the Continental Congress shall agree to and order, and that in the meantime Capt. *Lamb's* Company shall have the like pay, as the *Rhode Island* Company of Artillery are allowed,* until the Continental Congress shall have fixed and ascertained the pay of Capt. *Lamb's* Company. And *ordered*, that Capt. *John Lamb* and his Company be considered as an additional Company to, and a part of Col. *McDougall's* Regiment and subject to his commands.

* Capt. *Lamb*, in the letter mentioned, refers to the pay of the R. I. Company and points out as a mistake, in that arrangement, that the pay of a 2^d. Lieutenant and Lieut. Fireworker is not equal to the pay of Lieutenants of Foot Companies, also that a Bombardier receives more, than a Sergeant.

DIE MERCURII, 9 HO. A. M. AUG. 23^d 1775.

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The Committee appointed to confer with Mr. *Duer* report,

That it appears to the Committee, that Mr. *Duer's* private affairs are so peculiarly circumstanced, as to render it extremely imprudent for him to accept of his appointment to the office of Deputy Adjutant General in the Continental Army in this Colony.

Resolved, that this Congress does agree with the said Committee in their said report. . . .

Resolved and agreed, nem. con., That *Robert G. Livingston Jun^r*, be appointed Deputy Adjutant General with the rank of Colonel in the place of *Wm. Duer, Esq^{re}* and that he be directed to join the Army under the command of General *Schuyler* with all possible dispatch.

DIE MARTIS, AUG. 29th 1775.

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A letter from General *Schuyler*, dated at *Saratoga* on the 19th instant was read and filed and is in the words following :

(Extract) "Col^o. *Ritzema* with the four Companies under his command is to march this morning from *McNeils*, two miles above this. His detachment has a quantity of baggage sufficient for three complete Regiments. Fourteen of Col^o. *Ritzema's* men have already deserted since his arrival at *Half Moon* and I believe he will loose many more, before he reaches *Ticonderoga*. If those gone are like some that remain, we have gained by their going off. . ."

(Extracts from letters of Gen^l. *Schuyler* of the 20th and 23^d Aug.)

"Reports prevail, that the controversy between *Allen* and *Warner* is carried to such a length, that few men will be raised and that of those, that may enlist very few will have arms."

"This morning (23^d) Mr. *Warner* was with me for the Cloathing and Blankets of the *Green Mountain Boys*; I read your resolutions to him and delivered six sets of warrants filled up agreeable to the choice made by them, — the seventh remains blank, as one of the Captains declined the service, and as these people could not take the field without some money to procure blankets, I have advanced him £500 on their pay.

"I did not mention to him your resolution authorizing me to appoint Field Officers, as I cannot possibly comply with that requisition. The peculiar situation of these people and the controversy they have had with this Colony or with gentlemen in it, renders that matter too delicate for me to determine and it was in this view, that I begged, that the warrants for the Field Officers might be sent me compleat, which I shall still hope to receive as soon as possible."¹

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Resolved, that the Company of Artillery raised by Capt. *Lamb* be considered as part of the 3000 men directed by the Continental Congress to be raised in this Colony, — That the Officers and Men belonging to the said Company be entitled to pay agreeable to the Continental

¹See for these letters Journal of the *New York* Provincial Congress, Vol. 2.

arrangement now established,²— That the Officers of the said Company be entitled to the same rank and be under the same command, as other Artillery Companies in the Continental Army * * and that the said Company do forthwith proceed to *Ticonderoga* and join the Army under General *Schuyler* and that Col^o. *McDougall* see, that this order be complied with with all possible dispatch.

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Resolved and agreed, nem. con, That *Edward Flemming*, Esquire, be appointed Deputy Adjutant General in the Continental Army with the rank of Colonel and that he be directed to join the forces under the command of Major General *Schuyler* with all possible dispatch.

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Ordered, that *Peter T. Curtenius* furnish arms for the fourth Regiment, as fast as may be conveniently done, and that he forward such a number of arms to *Albany* for the fourth Regiment, as Col^o. *Holmes* shall advise to be necessary, as fast as they can be procured.

DIE VENERIS, 8 HO. A. M. Septbr 1, 1775.

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Resolved, that *Seth Warner* be appointed Lieutenant Colonel of the Regiment of *Green Mountain Boys* and *Resolved,* that *Samuel Safford* be appointed Major of the said Regiment.

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A letter from Col^o. *Goose V. Schaick*, dated the 29th of August, was read and filed and is in the words following:

(Extract)

Albany, Aug. 29th 1775

Gent: I am at present stationed at *Albany* by General *Schuyler* to forward the troops, that arrive here, to *Ticonderoga* and it gives me pain to inform you, that Col^o. *Clinton* arrived here with the other Field Officers and six Companies of his Battalion, five of which are armed but in bad repairs . . .

Col^o. *Van Cortlandt* is also arrived here with five Companies of *Holmes'* Battalion, who have not arms sufficient to supply one Company . . .

I must also inform you, the men are much discontented for want of their pay, and do assure you, that the service greatly suffers. There is scarce anything to be heard in the Camp but Mutinies. I have for that purpose wrote to Mr. *Jonathan Trumbull Jun^r*, who I am informed is appointed Deputy Pay Master General . . .

Nine of my Companies are up at *Ticonderoga* with the other two Field Officers in actual service and the last will march to-morrow . . .

² By a resolution of the Continental Congress, adopted on the 29th of July 1775, the following pay-table was established: The pay of the Commissary-General of Musters to be 40 d per mo. Of the Dep. Commissary-Genl of Stores & Provisions 60 d Dep. Adj. Genl 50 d Brigade-Major 33 d Commissary of Artillery 30 d Judge-Advocate 20 d Colonel 50 d Lieutenant-Col. 40 d Major 33 1-3 d Captain 20 d Lieutenant 13½ d Ensign 10 d Sergeant 8 d Corporal, Drummer and Fifer, each 7 1-3 d Adjutant 18 1-3 d Quarter Master 18 1-3 d Chaplain 20 d Light Infantry Companies on the same footing as the other Companies of the Regt. In the Artillery-Coms. the Captain to receive 26 2-3 d p mo., Capt. Lieut. 20 d., Lieutenants 18 1-3 d. & Lieutenant-Fireworker 13 1-3 d., Sergeants 8 1-3 d., Corporals 7 1-3 d., Bombardiers 7 d., Matrosses 6 5-6 d. (See American Archives, 4th Series, Vol. 2, p. 1897.)

*Proceedings of the Provincial Congress.*DIE MARTIS, 9 HO. A. M. SEPTER 19th, 1775.

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A letter from the Honorable *John Hancock* Esq^{re} of the 16th instant was read and filed and is in the words following:

Philadelphia, September 16th 1775.

Sir. Herewith I transmit you a Commission for Mr. *Edward Flemming* as Deputy Adjutant General with the Rank of Colonel agreeable to the recommendation of your Congress, which I have dated the day of his appointment.

I also forward you 400 Commissions for the Officers of your Forces under the command of General *Schuyler*, which you'll please to have regularly fill'd up with the names of those gentlemen, who were appointed by your Congress and transmit them to General *Schuyler* to be delivered there

Hon. *P. V. B. Livingston*

I have the honor &c &c

JOHN HANCOCK Pres^t.

DIE MERCURI, 9 HO. A M OCT 4th 1775.

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A draft of a letter to the Delegates of this Colony at Continental Congress was read and approved of and is in the words following, to wit:

In Provincial Congress at *New York*.
October 4th, 1775.

Gentlemen: Agreeable to your request we inform you of the state of the troops, raised by this Colony for the Continental service.—Eight Companies of the 1st or Col^o. *McDougall's* Regiment, compleatly appointed, are now in actual service in the Northern Department. The 9th Company is ready, compleatly armed and equipped, and wind and weather permitting will sail for *Albany* to-morrow. The 10th Company will be armed and equipped and we hope ready to depart next week. The first detachment of this Regiment under Lieutenant Colonel *Ritzema* had proceeded as far as *Half Moon* before the 10th of *August*.

The second or Colonel *Van Schaick's* Regiment is compleatly equipped and in service at the outposts; four Companies of this Regiment were raised early in the month of June and three of those Companies then proceeded as far as *Lake George*. The other companies of this Regiment were at and about *Albany* under the command of General *Montgomery* and we cannot ascertain the time of their departure.

Seven Companies of the third or Colonel *Clinton's* Regiment are also in service at the outposts. The 8th and 9th Companies proceeded early last week from hence on their way to *Isle aux Noix*. The 10th Company is come to *New York*, wants a few muskets and will be ready and proceed this week. It may be proper to inform you, that the three last mentioned Companies of this Regiment were sent out and detained for some time at the East end of *Nassau* Island by order of Congress, to prevent the ministerial troops from carrying off the sheep and cattle from thence, the inhabitants of *Suffolk* County having armed them while in that service.

The fourth or Colonel *Holmes'* Regiment is now at the outposts; part of this Regiment was

obliged to be detained at *Albany*, until arms could be procured for them, but the last Company proceeded down Lake *George* the 27th of September.

The first and second Regiments and some part of the other Regiments are armed with the best of muskets and bayonets and the others with firelocks of the widest bore, which could be found, repaired where it was necessary, and fitted; all our troops are furnished with belts and pouches for nineteen cartridges, bayonet belts, musket slings, blankets, coats, canteens, haversacks, &c. A great part of our arms have been procured by purchase; some have been hired — and from necessity, to compleat some Companies, a few arms have in some places been impressed.

* * * * *

It may be proper to mention to you, that besides the troops above mentioned we raised a Company of Artillery, consisting of 70 men compleatly appointed; they are now with the Army. When this Company was formed, the Continental Congress had not made an establishment for Artillery. The Congress of *New York* put this Company on the footing of the *Rhode Island* establishment as to their pay, which was the only one known at that time. They are a good Company, well armed, many of them bred in Artillery service and much wanted. They were raised on the faith of being put and kept on the like pay as the *Rhode Island* Artillery, before we knew what the Continental pay was. We entreat, you would intimate this to the Congress and get the *Rhode Island* establishment confirmed for this Company.

We are &c.

DIE MARTIS 9 HO. A. M. OCTOBER 17th, 1775.

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Mr. *Kissam* from the Committee appointed to examine all the resolutions and advices of the Continental Congress relative to this Colony delivered in their report, which was read, and the same being again read, paragraph by paragraph, and amended and approved of, is in the words following to wit:

Your Committee report it as their opinion

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2^d. That a letter be written to the respective Colonels of the Militia and Minute Men in this Colony, requesting them to appoint and notify to their respective Regiments some convenient place of rendezvous, where they are to muster compleatly equipped upon any public alarm and to remain, until marching orders are received by their respective Colonels or commanding Officers; and that the Colonels be desired to acquaint the Congress of the place, they shall so respectively appoint for that purpose.

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6. Your Committee further report, that it is their opinion, that four Companies of Matrosses, consisting of 80 men each, will be necessary to occupy the Forts on *Hudson's* river, when completed, and that one Company at least should be immediately enlisted for that purpose, and that it will be proper to write to the Continental Congress for their direction on this subject.

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Resolved, that this Congress does agree with their Committee in their report.

*Proceedings of the Provincial Congress.*DIE JOVIS, 9 HO. A. M. OCTOBER 19th 1775.

A petition from *Samuel Tudor* praying for rank for himself and Company was read and filed. *Ordered*, that Mr. *Clarkson* and Mr. *Thomas Smith* and Mr. *Morris* be a Committee to enquire into the intention of Captain *Rutgers* and Captain *Tudor* and their respective Companies and report their opinion with respect to the rank of those gentlemen and their Companies.

DIE JOVIS, 9 HO. A. M. NOVEMBER 2^d, 1775.

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A letter from the Honorable *John Hancock*, President of Continental Congress, was read and filed and is in the words following to wit :

Philadelphia 28th Octbr 1775.

Sir: Your letter of the 17th instant has been laid before the Congress and I am directed to acquaint you, that they approve of your immediately raising a Company of Matrosses, to consist of 68 Privates; they prefer that number, as it is the fixed establishment of the Companies in the Continental service.

You will please to appoint and forward the list of the Officers proper to command them and their commissions shall be made out and sent you. The Congress desire you will inform them, when this Company shall be compleated and they will take under consideration your proposals for raising a larger number. Inclosed is the resolution of Congress.

The President
of Congress of *New York*.

I am &c &c

JOHN HANCOCK, Pres^t.

The Resolution of Congress of the 28th October, therein inclosed, was also read and filed and is in the words following towit :

In Congress, October 28th, 1775.

“*Resolved*, That a Company of Matrosses to consist of one Captain, one Captain Lientenant, a first and second Lientenant, a Lientenant Fireworker, four Sergeants, four Corporals, eight Bombardiers, sixty-eight Matrosses, one Drummer and one Fifer be immediately raised in *New York* for the defense of *Hudson's* river and to occupy the fortifications now erecting in the Highlands; and that the President write to the Convention of that Province, recommending it to them immediately to raise the said Company and to appoint the proper Officers.”

Ordered, that Colonel *McDougall*, Mr. *Van Zandt* and Mr. *Brasher* be a Committee to arrange the Company and report.

DIE VENERIS, 10 HO. A. M. NOVEMBER 3^d, 1775.

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The Congress then took into consideration the defenceless state of the fortifications on the banks of *Hudson's* river in the Highlands; thereupon *Ordered*, that Colonel *McDougall* send Captain *Greenell* (3^d Reg^t.) and Captain *Ledyard* (1st Reg^t.) with their Companies up to the said fortifications immediately to be and remain until Matrosses are raised or further orders.