

DIE VENERIS 10 HO. A. M., JANUARY 1ST., 1777,
at *Fishkill*

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Ordered, that the Secretaries deliver the Colours of the first Regiment of New York troops in the Continental service to General *Ten Broeck* to be by him delivered to Colonel *Van Schaick*.

A draft of a letter to General *Washington* was read and approved and is in the words following to wit :

(Extract :)

“On this occasion we beg leave to lay before your Excellency the true situation of this State. It formerly consisted of fourteen Counties of which five and a part of the sixth are in possession of the enemy and a considerable part of the Inhabitants of the Counties of *Gloucester*, *Cumberland* and *Charlotte* appear determined to shake off their dependence upon us so that above one half is lost ; of the remainder a considerable portion is disaffected and ready upon a favorable opportunity to join the enemy. * * * * * Your Excellency well remembers that we are to raise three thousand seven hundred and fifty men for the Continental service. The amount of the fighting men in that part of the State belonging to us is not more than fifteen thousand, whereof after deducting our Continental proportion there will not remain above Eleven thousand, of which one half at least lying to the northward, the remainder is not at furthest above five thousand five hundred men, many of which are disaffected and others poor and in such a situation, that if called away as militia their families must perish for want of bread, fuel, etc. * * * * *

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Resolved, that Brigadier General *George Clinton* be ordered and empowered immediately to direct the raising of One Thousand men by drafts or in such other way as may to him appear most equitable and expeditious out of the Counties of *Dutchess*, *Ulster*, *Orange* and *Westchester* to continue in service till the last day of March next.

Resolved, that the Committees of the respective Counties above mentioned to gether with the general and field officers of the militia in their respective counties do assist in raising the said Thousand men.

Resolved, that they be raised out of each County in the following proportions, three tenths of *Dutchess* two tenths by *Westchester*, two tenths by *Orange* and three tenths by *Ulster*.

Resolved, that the Troops so to be raised be divided into two Regiments and the officers of the said Regiments be nominated to this Convention by General *George Clinton* out of the officers of those four Counties who have heretofore been at service.

Resolved that such men belonging to General *George Clinton's* brigade as have re-enlisted until the last day of February next be considered as a part of the said two Regiments and deducted from the proportion to be raised in the several Counties to which they respectively belong and that after the said first (? sic) day of February, they be discharged and if necessary others raised in their stead from the said counties respectively.

Resolved that the above troops be allowed Continental pay and rations.

Resolved that whenever any soldier belonging to the above mentioned regiments shall reinlist in either of the Continental Battalions to be raised in this State, that he shall be suffered to join the battalion into which he is so inlisted.

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*Proceedings of the Provincial Congress.*DIE JOVIS 10HO A. M. JANUARY 2^d. 1777.

* * * * *

Ordered that Mr. *Mathias B. Miller* be and is hereby appointed surgeon to Colonel *David Sutherland's* Regiment of Militia which is in actual service.

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Whereas the State of *New York* had lately made six new brass field pieces, six pounds, for the defence of the State, which have been removed out of and at a distance from the State with the Continental army, and the Committee of Safety are informed of General *Heath* is about to remove the field pieces now at *Peekskill* out of this State, RESOLVED that major general *Heath* be requested to direct that an equal number of brass field peices, sixpounders, be left at *Peekskill* for the defence of this State if consistent with the public service, until those belonging to the State are returned or they may appear less necessary for its defence, than at present.

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DIE VENERIS, 10HO A. M. JANUARY 3^d 1777.

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A letter from *Henry Wisner* esq^r was read and is in the words following towit.

Orange Town, Dec 24, 1776

Dear Sir

Since my letter of yesterday morning I have been visiting the different Battalions of Militia and finding them so exceeding uneasy, that I am afraid that notwithstanding everything that can be said and done to the people or at least many of them will go home, the situation of their families is so very distressing, that no argument can prevail with them; many left their families without wood, without meal and without fodder at home for their cattle and many of those near the *drowned land*, depend intirely on those meadows for the support of their stock. Many of their families without shoes at home and some of them little better here, for the above and many other reasons.

* * * * *

Whereas the greater part of the privates in Col. *Grahams* regiment of militia living in *Rhinebeck* precinct in the County of *Dutchess* within this State and being disaffected to the same, did on the 30th day of December last not only refuse to obey the resolutions of the Convention of this State of the twenty first of December aforesaid, by which they were ordered to march to the defence of the passes in the Highlands, but did also most contumaciously prevent those, who were affected from obeying the said Resolutions.

And whereas it is essentially necessary to the well being of Civil Society, that the laws of such society be in all things duly executed and that disobedience to the commands and denial of the authority of the Legislature be punished as well to awe the guilty as to deter others from engaging in such pernicious designs.

* * * * *

Resolved unanimously, that the said Militia be forthwith compelled to march according to the form and effect of the said resolutions of the 21st of December that is to say, that one third of the said Militia do march to *New Windsor*, one third part thereof to *Peekskill* and one third part thereof to *North Castle*.

* * * * *

Resolved unanimously, that *Egbert Benson, David Johnson, Walter Livingston, Ephraim Paine, Ezra Thompson, Jacobus Swarthout* and *Israel Thompson* esquires or any four of them be and they are hereby appointed Commissioners to execute these resolutions

* * * * *

Resolved unanimously, that the two Regiments of Militia belonging to the North end of the County of *Ulster* be dismissed by General *Clinton* from their present duty and that two hundred men be drafted thereout and put under the command of a field officer and ordered to repair to the Flats in *Rhinebeck* precinct in the County of *Dutchess* on the thirteenth day of January instant and that they be under the direction of the abovementioned Commissioners.

Resolved unanimously, that the said Commissioners be and they hereby are directed and impowered to take such ways and means, as they in their Wisdom shall think to cause the said Militia, to march in the manner above directed, and in case the said Militia or any part thereof shall prove refractory and obstinately refuse to obey the authority of this State, that in such case the said Commissioners be and they hereby are directed and enjoined to cause the said detachment of troops to fire upon and otherwise treat them as open enemies of the State.

DIE SABBATI, 10 HO. A. M. JANUARY 4th. 1777.

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Resolved that General *George Clinton* be and he is hereby empowered, to dismiss all the militia of the Counties of *Ulster* and *Orange* excepting only five hundred men to be commanded by such officers as General *Clinton* shall appoint; That the said five hundred men do continue in service until the Regiments by a resolution of the first instant directed to be raised for three months shall be compleated and no longer and while they do continue in service they be entirely under the command of General *Clinton* to be stationed and disposed of as he shall think most expedient for the public service.

10HO A. M. JANUARY 9th 1777

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Resolved that the Commissioners appointed by the resolutions of this Committee of the third instant for repressing the refractory spirit of the Militia of *Rhinebeck* precinct in *Dutchess* County, repair to *Paulding's* precinct in the same County, as soon as they have executed the resolutions relative to the militia of *Rhinebeck* precinct and that they be directed and authorized to pursue the same measures with respect to such of the militia of Col. *Fields* and Col. *M^r Humphries* regiments as have neglected or refused to obey the orders of this Convention of the 21st Ultimo as were by them exercised in the precinct of *Rhinebeck*, and that for this purpose the above mentioned Commissioners be vested with all and singular the powers and authorities whatsoever which were vested in them by the resolutions of the Committee of Safety of this State of the 8^d Instant.

* * * * *

A letter from Colonel *Peter R. Livingston*, dated the 2^d instant relative to the refractory Militia in the Manor of *Livingston* was read and is as follows, to wit:

District of Manor *Livingston* 2^d January 1777.

Gentlemen

Upon the receipt of your first resolves of the 21st of December I immediately ordered out my regiment in order to march down as many of them as the field officers judged could leave home without too much distressing their families at this inclement season of the year and sorry I am to acquaint the Convention, that out of the whole (except those that a few days before returned from duty) we could only make one company of about 45 men, that could any way possibly leave their families; just as they were ready we rec^d your countermand and dismissed those that did meet with orders for them to be ready on the earliest notice. * * *

As we were fearful you might want men, hearing the militia were so backward in *Dutchess*, thought it best to order out Lieutenant *Bowes* Company who are on Continental pay and are enlisted until the first of May next to march down to *Fishkill* and receive such further orders as you may judge fit to give him, as Capt. *Gaasheebus* people's time is out the 14th of this month.

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DIE MARTIS, 10 HO. A. M. JANUARY 14th. 1777.

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Whereas Colonel *Cornelius Humphrey*¹ a member of the house, has with a spirit of economy like a generous Patriot offered to take the Command of a number of Volunteers, who are willing to serve their Country at this important conjuncture, Resolved Therefore, that Colonel *Humphrey* be appointed to take the command of such volunteers with the rank of Colonel, that they be formed into a regiment to continue in service for six weeks from the time of their marching, unless sooner discharged and that they repair with the utmost expedition to *Peekskill* and put themselves under the direction of the Committee for carrying on an expedition in *Westchester* County &c That Colonel *Humphrey* be also authorized to enrol in the said regiment of volunteers such officers as in his opinion will be most serviceable on this occasion and that the officers, non-commissioned officers and privates be allowed Continental pay and rations.

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10 H. A. M. JAN^y 20th, 1777.

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Col. *Henry B. Livingston* agreeable to the order of this Committee delivered in a return of the garrisons of Forts *Montgomery* and *Constitution* which was read and follows, to wit:

¹ Of *Dutchess* County.

"A Return of the officers and men in Garrison at *Fort Constitution* under the Command of the honorable gen^l *Ja^s. Clinton* January 18th 1777

OFFICERS NAMES.	Capts	1st Lieut	2 Lieut.	Adj.	Sergts.	Dr & Fife	pres fit for duty	sick prest.	sick absent	on com'd	Total
Col. <i>Livingstons</i> reg ^t		1			3	2	54	1			60
Col. <i>Gansevoorts</i> do.....								4			4
Col. <i>Dubois</i> do.....							1	5			6
Col. <i>Swartwouts</i>	2	2	2	1	6	2	31	1	2		42
Captain <i>Baldwin's</i> Independent Company.....	1	1			3		17	12	11	1	44
Total.....	3	4	2	1	12	4	103	23	13	1	156

A Return of the officers and men in Garrison at *Fort Montgomery* under the Command of the hon^{ble} Brigadier general *James Clinton*, Jan^y 18th. 1777

OFFICERS NAMES.	Com'd. Officers				Staff officers			Non-com'd.		Rank & file					Total
	Capts	1st Lieut	Ensigns	Adj.	Qr Master	Surgeons	Mates	Sergts	Dr. & Fife	Prest for duty	sick prest	sick absent	on com'd.	on Furlough	
Capt. <i>Griffings</i> 2 ^d . N. Y. Reg ^t		1	1					2	1	15	5		2	1	23
Capt. <i>Jackson</i> 2 ^d . N. Y. Reg ^t		1	1					2	1	21	5	2	1		29
Capt. <i>Belknap</i>	1	1	1					2	1	22	2		1	3	28
Capt. <i>Childs</i>	1		1					1		15	2	3		2	22
Capt. <i>Rose</i>	1							2	2	27		2		1	30
Capt. <i>Davis</i>								2	1	19					19
Total.....	3	3	4	1	1	1	1	12	6	119	14	7	4	7	150

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FEBRUARY 6th 1777

Mr. *Duane* gave notice, that he intends speedily to move that Brigadier general *George Clinton* may be appointed Major general of the Militia of this State.

He assigned for reason, that it might be an introduction to place him in the continental service and desired it may be considered of.

On the motion of Mr. *Little*¹ pursuant to a nomination of Brigadier general *Geo. Clinton*

¹ Member from *Orange County*.

Ordered that a commission issue to *Seth Marvin* esq. as Captain of a Company of Militia drafted from the Militia of *Orange* County to continue in service until the last day of March next pursuant to certain resolutions of the Convention of this State passed on the first day of January, the said Commission to continue in force until the said Company shall be discharged from service and then to be void.

SUNDAY MORNING, FEBRUARY 9th* 1777.

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Whereas There is great reason to apprehend, that the Militia of the said Counties (of *Albany*, *Tryon*, *Charlotte*, *Gloucester* and *Cumberland*) are not armed and accoutred as the regulations for the Militia of this State require.

Resolved, that such of the said Militia of the said several Counties, who shall not on being detached for the service aforesaid [re-inforcement of *Ticonderoga*] be well armed and accoutred, be supplied by impress with arms and accoutrements from the rest of the militia of the said Counties respectively, that is to say — The detachment of each Regiment to be armed and accoutred from the rest of the militia of such regiment and the Brigadier general of each of the said Counties and such persons as they respectively shall authorize for the purposes hereby directed and required to make such impress as aforesaid.

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FRIDAY, FEBRUARY 19th* 1777

Kingston, Ulster Co.

A letter from General *G. Clinton* dated at *New Windsor* on the 14th instant, Informing the Committee that pursuant to the Resolve of the Convention he has raised 500 men in the Counties *Orange* and *Ulster*, but as a great part of the Militia of *Dutchess* and *Westchester* are lately returned home, he is of opinion that the five hundred men apportioned to these Counties cannot be raised as volunteers & recommending that the Commandants of these Militia in each County should have their proportion was read.

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MONDAY MORNING FEBR 24th* 1777.

The Committee to whom was referred the Letter from General *George Clinton* delivered in their report on the same is the words following:

“That as 500 of the men ordered to be raised by the Convention on the day of January 1777 out of the Militia of the Counties of *Dutchess* and *Westchester* as a part of one

* These dates are plainly inconsistent, but in the original FRIDAY the 21th. follows Saturday the 20th.

thousand men to be commanded by General *Geo. Clinton* were prevented from being embodied by a subsequent Order for marching the militia of those Counties on an expedition in *Westchester* County and that although the said militia are now discharged, yet the time limited for services under General *George Clinton* will so soon expire, that your Committee are of opinion, it will not tend to the public good to attempt raising any more men, than the Companies already raised in the County of *Westchester*.

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FEBRUARY 26th 1777.

Resolved that every non commissioned officer or private in either of the Companies of Rangers, who shall enlist in any of the Continental Regiments commanded by the Colonels *Cortlandt, Gansevoort, Van Schaick, H. B. Livingston* or *Dubois* shall upon being sworn, be discharged from such Company of Rangers and permitted to join the Regiment in which he has so enlisted.

MONDAY, MORNING MARCH 10th 1777.

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Resolved, that the Commanding Officers of the five Continental Regiments, raising in this State, be requested to send Returns of their respective Regiments to this Convention, specifying particularly the number of men enlisted by such officer to the end this Convention may be informed of the State of the said Regiments and know, whether any and which of the said officers have been inattentive to the recruiting duty.

Resolved, that the sum of sixteen shillings inclusive of what may be given by Congress be allowed to each recruiting Officer of the first, second, third, fourth and fifth Battalions raising in this State for every man, who shall pass muster, that he hath enlisted or may hereafter enlist for his expence and trouble in recruiting the same.

MONDAY MORNING MARCH 17th 1777

Mr. *Morris* requested the Sense of the House relative to the Artillery Company lately commanded by Captain *Hamilton*.

Thereupon resolved that the said Company be permitted to enlist in the service of the Continent and that Mr. *Morris* inform Capt. *Hamilton* thereof.

DIE LUNAE, 10th HO. A. M. MARCH 24th 1777

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Resolved that Colonel *Jacobus Swartwout* be and he hereby is authorized, empowered and required at his discretion to call out all or such part of the Militia of *Dutchess* County, as he, in his discretion, may from time to time think necessary for the Security of the important Forts and

passes in the Highlands and to oppose the incursions of the Enemy into this State, and that he have power to impress Horses, Teams and Carriages and pay for reasonable hire or use of them.

Resolved that the said Colonel *Jacobus Swartwout* take the command of the said Militia so to be by him called into Service, that they be allowed Continental pay and Rations and be subject to the Laws and Regulations provided for the government of the Continental Troops, while in service.

DIE MARTIS 9th HO. A. M. MARCH 25th 1777.

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Resolved that Brigadier General *George Clinton* be and he is hereby authorized and required, either on the requisition of his Excellency General *Washington* or at his own discretion to call into actual service all or any part or proportion of the Militia (as well horse as foot) of the Counties of *Westchester, Dutchess, Ulster* and *Orange* or either of them and that he station the said Militia in such manner as may be most proper for the securing the Forts and passes in the Highlands and frustrating the attempts of the Enemy to make Incursions into this State — and that they be discharged as soon as the arrival of a sufficient number of Continental Troops or other contingency shall render their continuance in the Field unnecessary.

THURSDAY MORNING, MARCH 27th 1777

Resolved, that the Companies of Rangers commanded by Captains *Elias Hasbrouck, Jacob Rutsen De Witt, Alexander Baldwin, John A. Bradt, Marcus Demotte, Christian Kitman, John Winn, Joshua Conckey, Isaac Moss* and Lieut. *Gideon Squire* be and they are hereby discharged.

* * * * *

And whereas this Convention are informed that divers of the said Rangers have enlisted in the Continental service in other Regiments than those specified in the said Resolutions,¹ therefore

Resolved, that such of the aforesaid Rangers so enlisted be not allowed any pay or subsistence, which may be now due to them, until they shall enlist in one or other of the five regiments in the said Resolution specified.

Resolved, that the Captain or other commanding officer of each of the Companies of Rangers above mentioned be and hereby is directed in his Muster Roll to return to this Convention, the name of each non-commissioned officer and private, who has enlisted out of his company into the Continental service and also the number of the Regiment and name of the Colonel or other commanding officer of the Regiment, into which such non-commissioned officer or private has so enlisted.

4 OC. P. M. THURSDAY APRIL 3, 1777

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Whereas it is the duty of every State to contribute as far as lays in their power to complete their respective regiments, as well as in order to relieve the Militia from frequent and burthensome

¹Of Feb^r 26th, see p. 147.

drafts, as (with the favor of Heaven) to insure success to the great and glorious cause in which we are engaged,

1st Therefore Resolved, that any person within this State, who shall on or before the first day of June next procure at his own expense an able bodied man to enlist for three years or during the war in either of the five Continental Regiments, raising under the direction of this Convention within this State and now commanded by the Colonels *Van Schaick, Van Cortlandt, Gansevoort, Dubois* and *Henry B. Livingston*, and shall deliver such soldier to any commissioned officer of either of the said Regiments, he shall on producing a Certificate of such delivery, signed by the said officer, to the Commanding Officer of the Regiment of Militia, to which the person so procuring such soldier shall belong, be exempted from all drafts from the Militia for the term of time, for which the person so enlisted shall engage.

2^d. Resolved, that every person so enlisted and delivered, exclusive of what he shall receive from the person by whom he was engaged, shall be entitled to the same bounty and other privileges as are allowed to soldiers in the Continental Army.¹

3^d. Resolved, that every certificate of the delivery of any Soldier shall contain the name of the person delivered, together with the time of the delivery and shall be signed by the Officer to whom the same shall have been delivered in the presence of a Justice of the Peace or a chairman of the County or District Committee, by whom the usual oath shall be administered to such soldier, which Justice or Chairman shall countersign the said Certificate in the presence of two creditable witnesses; and in case he shall suspect any fraud or collusion between such officer and the person demanding a certificate, he is hereby authorized and empowered to examine the said person and the officer or either of them upon oath touching the said fraud or collusion and if they shall appear to have been guilty thereof, he may and is hereby directed to commit the criminal to prison in order to his being tried for such fraud or Collusion. — And in case the said persons or either of them shall be found guilty thereof, he or they shall be punished by fine and imprisonment at the discretion of the Court by whom the offence shall be tried.

4th. Resolved that all such Certificates, as are above mentioned shall be filed with the Commanding Officer of the Regiment, to which the person producing the same shall belong before he can derive any benefit thereby.

5th. Resolved that every person counterfeiting or fraudulently procuring such certificate without having actually procured and delivered a soldier in manner aforesaid and every officer signing such fraudulent certificate shall on Conviction be subject to all the fines and penalties heretofore by law inflicted on persons found guilty of Forgery.

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TUESDAY MORNING, APRIL 8th 1777

Resolved, that *Comford Sands*² Esq. be directed to pay all officers of militia, who were called into service previous to the passing of the Resolution of Congress of the 21st of March last.

That he allow the said Militia one penny lawful money per mile while on their March in lieu of Rations, That he pay the officers of the said Militia their back Rations. * * *

¹ This resolution was continued in force to the first day of September.

² Appointed Paymaster of the Militia in *Westchester, Dutchess, Orange* and *Ulster* Counties April 4th. 1777.

Whereas it hath been suggested to this Convention by *John Wheelock* Esquire, that three Companies of men may be raised in the Northeastern parts of this State for three years or during the war, and whereas a number of men may from time to time in the Course of the ensuing Campaign be required of this State to reinforce the Continental Troops, which may be stationed in a southern Department or for the defence of such of the inhabitants of this State as are more immediately exposed to the depredations of the enemy; and whereas it is the interest of this State to avoid as much as possible the calling the inhabitants from their respective occupations into Service, Therefore

1st. *Resolved*, that three Companies be raised in the Northeastern parts of this State and that each Company consist of the like number of Officers and men as is directed by the Continental regulations and that they continue in service for three years unless sooner discharged by the Legislature of this State.

2^d. *Resolved*, that the Officers of each Company shall be nominated by the said *John Wheelock* and shall be entitled to Continental pay and rations from the time of such nomination, provided that the Company to which such Officers belong, shall at the end of eight weeks from the time of such nomination contain at least fifty men, inclusive of non-commissioned Officers.

3^d. *Resolved*, that *John Wheelock* Esquire be commissioned as a Major in the service of this State and that he be entitled to Continental pay and Rations from the date of his Commission, provided that at the end of nine weeks from the date thereof the three Companies first mentioned, who are hereby put under his Command, contain together at least one hundred & fifty men, non-commissioned Officers included.

4th. *Resolved*, that every Soldier so enlisting in the service of this State within either of the above Companies for three years, shall on his passing Muster be entitled to Continental bounty, Clothing, pay and rations, and that every of them, who shall find his own Arm, accoutrements and Blankets shall be entitled to a reasonable allowance therefor, to be ascertained by proper persons for that purpose to be appointed.

5th. *Resolved*, that the officers and privates of the above Corps shall, at the expiration of their term and when discharged by direction of the Legislature of this State, be entitled to Land within this State in the same proportion as is directed by the Continental regulations to be given to such of the Continental troops as serve during the war, and that the same shall be assigned to them or in case any of them shall die in the said service to their respective legal representatives free of all quit rent and charges out of the unlocated Lands of this State in such part thereof as a future Legislature of this State may direct: *provided* always, that no conveyance of any right to the said Land shall be of avail previous to the grant thereof.

6th. *Resolved*, That Two thousand dollars be advanced to the said *Jno. Wheelock* towards defraying the expence of raising the said men and that the same be transmitted to him by the hands of *Eleazar Wheelock* Jun^r., he giving his receipt therefore to the Treasurer of this State.

7th. *Resolved*, that the said *John Wheelock*¹ Esq. transmit to this Convention or to the Commander in Chief of this State from time to time returns of the number of men, that shall be raised under the command of the said *John Wheelock* in consequence of the above Resolutions together with regular Muster rolls sworn to by the Captain of each Company and certified by the said *John Wheelock* Esquire.

Resolved, that the said Companies or parts thereof, as they shall be raised, be forthwith

¹ *John Wheelock's* Commission as Major was issued the next day.

marched to *Fishkill* in *Dutchess* County or such other place or places as the said Convention or Commander in Chief may direct.

Resolved, that when the said Companies shall be completed a Surgeon be allowed them.

Resolved, that the Officers and Privates of each of the said Companies be subject to similar Regulations and Articles with those provided for the Government of the *American* Army.

WEDNESDAY MORNING APRIL 9th. 1777.

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Capt. *Zephaniah Platt* reported a conference had with *Egbert Benson* Esquire on the subject of raising a Company to be under the direction of the Commissioners for detecting Conspiracies &c and thereupon

Resolved, that the Commissioners for inquiring into, detecting and defeating all Conspiracies which may be formed in this State against the liberties of *America* be authorized to raise, pay and officer a Company for the defence of this State only, to consist of a Captain, two Subalterns, four Sergeants, four Corporals, one drummer, one Fifer and sixty privates to be allowed Continental pay—, to continue in service for one year unless sooner discharged by the Legislature and to be under the command and direction of the Commissioners above described or such persons as shall be appointed by the Legislature of this State.

Resolved, that the said Company be allowed Continental Rations or in lieu thereof at the option of the said Commissioners or such other person or persons as shall be appointed to have the direction of the said Company the following subsistence to wit: To the Captain Eighteen shillings per week, To the Subalterns Sixteen shillings per week and to the non-commissioned Officers and privates twelve shillings per week.

DIE LUNAE, 4 HO. P. M. APRIL 14th 1777

A Memorial of Maj^r *Albert Pawling* dated this day was read as follows to wit:
To the Honorable the Convention of the State of New York

The Memorial of *Alfred Pawling*, Major of one of the Sixteen additional Regiments ordered to be raised by the Honorable the Congress, for the service of the *United States of America* and officered by his Excellency General *Washington* Humbly Sheweth

That as well your Memorialist as the Officers of four Companies in one of the said Regiments, are members of this State, as will appear from the enclosed List: that most of them are persons who have fled from the City of *New York* or *Long Island*, leaving their All behind them, rather than desert the Cause of Liberty and their Country by falling into the hands of the Enemy; and all of them (one or two Subalterns excepted) have served as officers appointed by this State in the service of the *United States of America* and though with some degree of military reputation, as will appear by the recommendations given them to the Committee of Arrangement by the General Officers under whom they more immediately served, yet they were (from unavoidable necessity as your Memorialist believes) unprovided for in the five Regiments assigned to this State to raise.

Your Memorialist further begs leave to premise, that the Officers of the said sixteen Regiments are not confined to any particular State to recruit the same, notwithstanding which it has been the policy of the States of *Connecticut* and *Massachusetts Bay* to grant their respective State Bounties as well to Recruits (wheresoever enlisted) for those Regiments, as for the Artillery, where the recruiting Officers only are members belonging to either of those States, by means whereof they furnish Officers and this State men for those choirs (*corps*) and besides the honor of apparently furnishing a large proportion of men for the war: at the close of it from the well known attachment, *that men generally have to their Officers, they will acquire by this stroke of policy whole* Regiments of new subjects at the expence of this and others of the States.

Your Memorialist however means not by this reasoning to ask a Bounty or any extra encouragement for the Recruits of his officers, and as he wishes, so he will exert himself to raise as many in other States as he possibly can, for which purpose his recruiting Officers have proper directions: But your Memorialist can't help humbly thinking, that a late Resolve of this Honorable House giving an Exemption to such of the Militia from being drafted in the service as shall furnish or enlist men for either of the five Regiments of this State only bears extremely hard on his officers and will greatly retard, if not totally prevent their filling their Companies, except the same Resolve shall be extended to them.

Your Memorialist therefore from a desire of promoting the Interest of this State, of which he has the honor of being a member, and of promoting the recruiting service at large, by having his Officers put on equal footing with others of the same State, has thought it his duty to lay the state of Facts contained in the above Memorial before this Honorable House with the fullest confidence (arising from the high opinion he entertains of their wisdom and justice) that the said Resolution will be extended equally to the other four Companies now raising in this State.

And your Memorialist as in duty bound shall ever pray &c.

Kingston, April 14th 1777.

ALBERT PAWLING

A List of the officers of the four Companies alluded to in the above Memorial:

Capt. <i>Nathaniel Tom</i>	Lieut <i>Wood</i>	Lieut <i>Drake</i>
" <i>John Watkins</i>	" <i>Lawrence</i>	" <i>Oliver</i>
" <i>Black</i>	" <i>Neely</i>	" <i>Robert</i>
" <i>Santford</i>	" <i>Munnell</i>	" <i>Rodman</i>

Ordered, that Major Pawling be informed, that this Convention made and issued the Resolution referred to in his Memorial in order to aid in recruiting the five Regiments, directed to be raised in this State, which they conceived themselves bound in honor to complete as soon as possible: And that when those Regiments are completed, the Convention will give all such aid to the recruiting Service in general as shall to them appear consistent with the particular Circumstances of this State.

TUESDAY MORNING, MAY 6 1777

Resolved, that the Committee and Field Officers of the County of *Westchester* be empowered to raise as many men as they can for the defence of the said County and that this Convention will defray the expences thereof.

MAY 27th 1777.

A Letter of the 23^d inst. was received from Lieutenant Colonel *Jacob Hornbeck* informing the Council that when a third part of the Militia of *Ulster* and *Orange* was drawn into Service it was agreed by Brigadier General *Clinton* & the field officers, that any three men, who should be classed together in the said Counties and could not agree to make out one man to stay the whole time, that said three men might make out together to serve the said time by turns; in consequence of which several do serve by turns and relieve each other on set times— And further that Capt. *Frederick Schoonmaker*, who was enlisting a Company of men by order of the late Convention, had enlisted several persons, who were to go to their turns as aforesaid, whereby Discontents will be created and the Service injured.

Resolved, that Captain *Schoonmaker* do not in future enlist any men into his company, who are actually engaged in manner aforesaid to relieve any men of the Militia called into service as aforesaid and that he discharge all such of the men, whom he hath already enlisted, as are under these engagements.

MAY 28th 1777.

Resolved,¹ the time allowed for raising the three Companies to be by him (*Wheelock*) raised in the Service of this State be prolonged eight Weeks² from the Time formerly allowed by the Resolutions of the late Convention for that purpose.

Resolved, that *Samuel Paine* Esq. & *Eleazar Wheelock* the one by Major *Wheelock* appointed a Captain & the other a Lieutenant be commissioned — And that Major *Wheelock* direct Lieutenant *Wheelock* with the Privates of Captain *Pains* Company to march to *Fishkill* in *Dutchess* County without Delay there to receive and follow the further Directions of the Council of Safety or Executive power of this State.

Resolved, that General *Bayley* of *Gloucester* County be requested to order one of the Companies of the Troops raised in the Counties of *Gloucester* & *Cumberland*, usually called Rangers, to march to *Kingston* in *Ulster* County without Delay to follow the further Directions of the Council of Safety or executive power of this State.

IN CONGRESS, MAY 23^d 1777.

The Marine Committee to whom the letters from Gen^l. *McDougall* & *Gow*. *Morris* respecting the manning & fitting two gallies for the Defence of the *North* river were referred, report that they have taken the said Letters into consideration & are of opinion, that such gallies as may be necessary for the Defence of the said river ought to be equipped and their operations directed by the State of *New York*, for they find this kind of defence is undertaken by all the other States, when it is found necessary.

¹ Upon a memorial to that effect, presented by Major *Wheelock*.

² Major *Wheelock* had 70 men on the 28th of June following.

Resolved, that the Delegates of the State of *New York* be desired to inform the Convention of that State, that the above report of the Marine Committee is accepted and adopted as the Sense of Congress on this Subject.

Extract from the Minutes

CHA^s. THOMPSON Secr^y

DIE SABBATI, 10 HO. A. M. JUNE 7th 1777

Resolved, that the Honorable the Congress have from the Commencement of the War with *Great Britain* considered the security of *Hudson's* River as an Object of the Utmost importance to the Safety of *America* and thereupon ordered at the Continental expence the creating of Fortifications thereon and by various resolutions impowered the Commander and Chief and the late Convention of this State to obstruct the navigation thereof & to build vessels of war for its security.

Resolved, that it appears to this Council from the Representations of the Honorable Major General *Putnam* of the fourth instant necessary for the defence of the river that the Continental gallies now in *Hudson's* river be fitted and manned & that the General cause of *America* may suffer by any Delay in manning the same.

Resolved, that Captain *Cook*, who is commander of the *Lady Washington* galley by appointment from his Excellency General *Washington* be requested to cause the said gallies to be properly manned & fitted for service & that this Council will advance the money necessary for that purpose.

* * * * *

DIE MARTIS, JUNE 17th 1777

A Draft of a Letter to the President of General Congress was read, amended & approved & is in the words following to wit:

Sir. We have received from the Delegates of this State the Resolutions of your honorable House of the twenty-third of May last requiring us to equip such Gallies as may be necessary for the Defence of *Hudsons* River and to direct their operations. Congress having hitherto considered this matter in the Light of a Continental charge we are confident they cannot mean to cast the Burthen now upon this weak and mutilated State and therefore are led to suppose, that this Resolution has not received that due Weight of Deliberation, which usually accompanies every Affair of Importance.

From the earliest commencement of the present War a Line of Distinction hath by the Justice of your honorable Body been drawn between *New York* and her Sister States as the Center of *America* and in the vicinity of *Canada*: this State as well from the exposed situation of its Capital as from the great navigable River, by which it is intersected, became of necessity the grand Object of our Foes. It was wisely foreseen, that they would make the most strenuous exertions to possess themselves of it and that their Success by obstructing the easy Communication through this vast Continent by opening to them the Resources of a fertile and extensive Region & by removing every Obstruction to a free Intercourse with the Disaffected would expose all the

neighbouring States to reiterated Depredations, subject the numerous Tribes of Savages to their entire Control and open a broad Road to the total subjection of *America*. From a full Conviction of these truths Congress have ordered several different Works to be erected and have empowered his Excellency the General and the late Convention of this State to construct Fireships & other vessels at the Expence of the Continent for the Defence of *Hudsons* River. Forts & Vessels have been built and many Obstructions raised in Consequence of these Resolutions and the better to forward the Designs of your Honorable House in this and in other Parts of *America* all the Cannon and other military Stores of this State to a very considerable Amount have been delivered to the Officers of the Continent.

It is therefore with great surprise, that we are informed of your Requisition to fit out as many Gallies as may be thought necessary for the Defence of *Hudsons* River. For by the loss of our Capitol and Sea Coast almost all our Ship Carpenters and other necessary Mechanicks have sought Employment in the neighbouring States and those who remained have lately been sent to *Lake George*, where they now are in the Continental service. We have no Cannon and we can venture to assure Congress, that there are not twenty good Seamen to be hired in that Part of the State of *New York* now in our Possession.

But were it in our Power to comply with this Requisition there is a most evident Impropriety in subjecting the Direction of those gallies, which are to cover the chain and keep open the Communication between the works on the different Sides of the River to the Executive Power of this State, For Vessels so employed are certainly to be considered as the necessary Appendages of those Works or indeed as a part of them and then that they should be independent of the Officer commanding at that Post is utterly inconsistent.

For these Reasons, Sir, we hope Congress will excuse us for requesting the Reconsideration of that Resolution and not by Command we are incapable of complying with deprive us of the Pleasure we enjoy in acknowledging the Wisdom and Justice of their Measures by a ready & cheerful Acquiescence. That the Service may suffer as little as possible by this Delay, we have passed the Resolutions which we do ourselves the Honor to enclose and Sir, if you reflect upon the great Expence this State hath incurred by Bounties paid to their Militia, who have been called out, whenever the weakness of the Army required their Assistance, by the suppression of Insurrections and the Apprehension and Support of the disaffected, of whom not less than five hundred are at this time in Confinement; by the maintenance of the numerous Poor from those Parts of our State in possession of the Enemy; and above all by the enhanced Price, at which we obtain every necessary from the neighbouring States, it must be acknowledged that a parsimonious Disposition hath no Part, in what we have offered and that we have borne not only our full Share of the Burthen, but shown such Alacrity in taking it upon us, as must carry with it a Conviction, that we feel the utmost Regret, whenever we find ourselves so circumstanced as to be constrained to forbear complying with any Requisitions from your honorable House.

To

I am &c

Hon^{ble} JOHN HANCOCK, Esq

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NEWBURG, 14th. JUNE 1777.

Gentlemen.

* * * The Calling for the Rangers is stripping the Frontier of Men & Arms, which Order I received by Major *Wheelock* with a Verbal Account, that the others would soon follow, I gave the Orders for the March of the first Company but had no Money to March them, which they Insist upon. They Insist, that if the Conditions, they were raised upon, is altered in one part, it must in all before they March they say their Subsistence Money will not half Support them on their March nor at *Kingston* when they arrive.

I am, Gentlemen, &c

To Committee of Safety *Kingston*.

JACOB BAYLEY

FORT MONTGOMERY, 2^d JULY 1777

Sir. In Consequence of a Letter this Day received from his Excellency General *Washington*, of which I inclose you a Copy, I have issued Orders to Colonels *Brinckerhoff*, *Ludington*, *Humphreys* and *Freer* of *Dutchess* County to march their Regiments to *Peekskill* to reinforce the Army under General *Putnam* and Col^o. *Woodhull*, *Allison*, *McCloughry* and *Hasbroucks* their Regiments to reinforce this Garrison and Col^o. *Heathorn* his Regiment to the Post near *Sydnams Bridge*. I have omitted sending similar Orders to the Regiments in the upper End of *Ulster* and *Dutchess* Counties least the Situation of Affairs to the Northward might not admit of their coming this way, but should the Contrary be the Case, I beg the Council will order those Regiments to *Peeks Kill* and this Place

To the Hon^{ble} Pres^{dt}
of the Council of Safety.

I am with due Respect

Your most obed^t Serv^t

GEO. CLINTON

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IN MARINE COMMITTEE. PHILADELPHIA, JUNE 26th 1777.

We must beg your assistance in getting the Ships fitted* and we now take the liberty to inclose a sufficient number of Blank Commissions and Warrants for the Lieutenants and other Officers, who are to be appointed temporary, until such time, as we are sufficiently informed, that they are well qualified for the Stations, in which they may be put. . . .

To the Honorable The Council of Safety
for the State of *New York*.

DIE SABBATI, 10^a HO. A. M. JULY 12th. 1777.

The Memorial of *John Wheelock* Esq^r setting forth his Inability to raise the number of men in the Northeastern parts of this State, as stipulated by the Resolutions of the late Convention, to

* The Continental frigates in *Hudson* River.

entitle the Officers of the Corps to Commissions—that at most only eighty men are engaged part of whom are now at *Fishkill* pursuant to the order of this Board—The Memorialist prays the Council to determine whether they think it expedient to confirm said Corps was received, read and filed and

Ordered that the same be committed to Mr. Jay, Mr. Rob^t B. Livingston and Col^o. De Witt.

DIE MARTIS, 10 HO. A. M. JULY 15th. 1777.

* * * * *

Ordered, that Lieutenant Colonel *Elmendorph* do by Drafts out of the Regiment of Militia under his Command furnish a Captain and twenty Men to guard the Prisoners confined in *Kingston* Gaol and on board the Fleet Prison

Ordered, that Lieutenant Colonel *Hornbeck* do in like manner out of the Regiment under his Command furnish a Guard of a Lieutenant and fifteen men for the like purpose.

Resolved, that the said Lieutenant Colonels do cause the said Guards to be relieved weekly by similar Drafts from the said Regiments of Militia, until the Company of Guards which this Board are endeavouring to raise can be completed.

Resolved, that the said Drafts be allowed the like Pay and Subsistence as are allowed to Capt. *Schoonmakers* Company.

Ordered, that the Captains *Elmendorph* and *Bogardus* of Colonel *Snyder's* Regiment do by four o'clock this afternoon furnish a Guard of twenty-four men to relieve the Guards at the Court House and Fleet Prison, to be continued until relieved by other Guards from the Militia.

DIE MERCURI 10^a HO. A. M. JULY 16th 1777

Resolved, that Captain *Frederick Schoonmaker* be and he is hereby appointed to raise a Company of men similar to the Company he lately raised and commanded pursuant to the Resolutions of the late Convention passed the twenty-ninth of April last—and to be under the like Regulations as to Service, Pay and Subsistence and to continue in Service until the first day of December next unless sooner discharged.

DIE JOVIS, 4^a HO. P. M. JULY 17th 1777

Resolved, that two Companies of Rangers be raised to serve in the Counties of *Tryon*, *Ulster* and *Albany* for the Protection of the Frontier Inhabitants of the said Counties; that each Company consist of one Captain, one Lieutenant, four Sergeants, four Corporals one drum or fife and ninety Privates; that they find their own arms and accoutrements and be allowed Continental pay and that the Captains be allowed Sixteen Shillings and the Lieutenants Fourteen Shillings per week in Lieu of Rations. That the non-commissioned Officers and privates be allowed ten Shillings per week in Lieu of rations, except when it shall be thought more expedient by the

Officer commanding the said Companies to have the same supplied with rations, in which case no subsistence money shall be allowed, but the same shall be applied by the said Commanding Officer to the purchase of such rations.

Resolved, that *John Harpur* be first Captain, *Alexander Harpur* first Lieutenant, *James Clyde* second Captain and *John Campbell* first Lieutenant of the second Company.

Resolved, that the said Companies shall continue in pay until the first day of January next unless sooner discharged by the Legislature of this State and be subject to the Command of the Governor or Commander in chief of this State.

Resolved, that when the said Companies or either of them shall consist of more than fifty men, that a Second Lieutenant shall be added to such Company.

Resolved, that the pay of the said Soldiers shall commence from the day of their enlistment and that regular Muster rolls be returned monthly by the Captains commanding the said Companies under oath.

Resolved, that Colonel *Harpur* proceed to recruit as fast as possible and as soon as twenty five men are enlisted, that he station them to the best advantage for the protection of the Inhabitants of said Counties under the Command of Lieutenant *Harpur* and so on from time to time as fast as a sufficient number of Recruits are collected — that Colonel *Harpur* Station them under a proper officer and in Case our Domestic Enemy or the Indians should make any Depredations on any of the Inhabitants that Colonel *Harpur* give orders to repel force by force.

Resolved, that Colonel *Harpur* be cautious of making any attack upon the Savages or pursue any measures that bring on an Indian war, unless absolutely necessary for the Defence of the Inhabitants & rendered unavoidable by previous Hostilities committed on their Part. . . .

* * * * *

Whereas Major *John Wheelock* hath represented to this Board, that the late Convention of this State did on the eighth day of April appoint him to raise three Companies of men in the Northeastern part of the same, the Officers of which Companies were not to be entitled to Commissions, until at least one hundred and fifty men should be enlisted; Notwithstanding his utmost Exertions and the Prolongation of the time limited for the raising the said men, he hath been able to enlist only eighty men and that there is no Probability of enlisting any more by reason of the open Defection of that part of the State and other Incidents then unforeseen, For which Reasons he hath requested this Board to determine either to confirm or disband the same Corps.

And whereas it appears to this Council both reasonable and expedient, that the men so raised should be taken into the service of this State on the Terms of their enlistment, Provided that supernumerary Officers concerned therein will relinquish their Expectations of Commissions.

Resolved, that if any Six of the twelve commissioned Officers named by Major *Wheelock* for the said three Companies shall voluntarily discharge themselves from the said Corps, That then *Major Wheelock* do forthwith march all the men so as aforesaid by him enlisted with the Residue of the Officers to this Place, That on their Arrival here their respective Commissions be delivered to them and the Corps stand confirmed.

Resolved, that such of the Supernumerary Officers to be discharged as aforesaid as shall at any time within nine months from the date hereof procure and produce to Major *Wheelock* or the commanding Officer of the said Corps so many men to enlist in either of the said Companies as to render such additional Officer or Officers necessary to the said Company, shall be received and commissioned accordingly, but shall draw pay only from the time of such Junction — It being the Intention of this Council to give Countenance and Encouragement to all such as shall exert

themselves in the Service of the State. Provided nevertheless that no number of men less than fifteen shall entitle a Subaltern to a Commission, nor a less number than twenty men shall entitle a Captain to a Commission.

Resolved, that unless the above Resolutions be complied with in four weeks from the Date hereof the said Corps be disbanded & that Major *Wheelock* do repair hither to settle his Accounts

Resolved, that on the Arrival of Major *Wheelock* with the Eighty men and six Commissioned Officers aforesaid at *Kingston* Captain *Wait's* Company of Rangers, who are also ordered to repair to this place be put under his Command.

DIE VENERIS, 10^a HO A. M. JULY 18th 1777.

Ordered, that Colonel *Lasher* or his Deputy deliver to Colonel *John Harpur* one hundred weight of Gun Powder and three hundred weight of Lead for the use of the Rangers ordered to be raised under his command.

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DIE SABBATI, 4^a HO P. M. JULY 19th. 1777

Captain *Frederick Schoonmaker* attending according to order & being asked how many men he has enlisted in his Company, answered, that he had enlisted twenty three men for two months before he was made acquainted with the Resolutions directing them to be raised to serve till the first of December and therefore does not know, whether the said men will consent to serve so long or whether he can enlist many for that Term.

Resolved, that Captain *Frederick Schoonmaker* do enlist the Company of men, which were directed to be raised by the Resolution of the sixteenth instant to serve until the first of December next, to serve until the first day of October next unless sooner disbanded and that he do cause all such as he hath enlisted to parade at the Court House in *Kingston* on Tuesday next to relieve those of the Militia, who are guarding Prisoners confined in the Gaol and *Fleet* Prison.

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DIE SABBATI, 10^a HO. A. M. AUGUST 9th 1777.

A Petition of *Silvester Salisbury*, Captain of a Company of Light Horse at *Kingston* — Praying that this Council would be pleased to take into Consideration the services of the said Company and that Council would be pleased to fix the pay of the said Troop—was read and filed.

Ordered, that the said Petition be referred to his Excellency the Governor and that he be requested to endeavour to obtain information, what is the Continental pay allowed to Troopers and that he be pleased to cause proper Muster Rolls of the Amount of their pay to be properly Authenticated, that they may be paid.

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DIE MERCURI, 3^a HO P. M. AUG. 13th. 1777

Ordered, that Colo. *Lasher* or his Deputy deliver to Colonel *Graham* or his order one hundred small arms with accoutrements and that he take a receipt for the return of the same.

The Committee on Captain *Payn's* Letter & the Petition of ten Soldiers of his Company report the following Resolutions towit:

Resolved, that Captain *Payn* and the Soldiers under his Command be continued in the pay of this State.

Resolved, that Captain *Payn* be directed to compleat his Compliment of men & in the meanwhile make out a Muster Roll of the men that are now here and that they do duty with Captain *Schoonmaker's* Company of Guards at this Place until further Orders.

Resolved, that Colonel *Lasher* be directed to provide the men now here under Captain *Payn's* Command with Arms & Accoutrements & that they have the like Subsistence as the men belonging to Captain *Schoonmaker's* Company.

(Ordered accordingly next day.)

KINGSTON, AUGUST 14th 1777.

This is to inform your Honours, that the men now with me in this Place, are willing to do duty here as your Honours resolved yesterday; the men expects to be furnished with arms and accoutrements and clothing as was proposed, and also they are out of money; I desire that they may draw their back pay and the remainder of their bounty, clothing and rations. The enclosed is the names of those men with me, the time of their enlistment and bounty paid. *Benjamin Chase*, who was one that Lieut. *Wheelock* left at the *Fishkill*, who was returning home, got as far as *Northfield*, where I met him and turned him back, he got as far as *Pittsfield* and was taken sick, he is now there without money or friends; I beg your Honours, that he may draw some money, and I will take care to send it to him and see that he is here as soon as possible, and I beg of your Honours, that I may be helped to some money, &c &c. . . .

To the Council of Safety
for the State of *New York*.

SAMUEL PAINE.

NAMES.	Time of enlistment.	Bounty paid.
Serg ^t . <i>Isaac Osburn</i>	April 17, 1777	5 dollars
Serg ^t . <i>Charles Tildan</i>	April 19	5 do
Corp ^t <i>Gideon Rudd</i>	May 20	5 do
Corp ^t <i>Titus Goodell</i>	May 1	5 do
<i>Stephen Manning</i>	April 18	5 do
<i>Joseph Hodgkins</i>	May 12	5 do
<i>Jeremiah Triscott</i>	April 28	5 do
<i>Nehemiah Closson</i>	April 21	5 do
<i>Elijah Hammond</i>	April 22	5 do
<i>Jeremiah Gillman</i>	May 9	5 do
<i>Benjamin Chase</i>	April 17	5 do

DIE JOVIS, 10^a HO. A. M. AUGUST 14th 1777

Ordered, that the Commissary of the Clothing Store of this State furnish Captain *Samuel Payne* of Major *Wheelock's* Corps with such Clothing for the men under his Command at this Place as are allowed to the Continental Troops.

Ordered, that the Treasurer of this State advance to Captain *Samuel Payn* of Major *Wheelocks* Corps the sum of one hundred dollars on account.

DIE SABBATI, 10^a HO A. M. AUGUST 30th 1777

Ordered, that Mr. *Cantine* be added to the Committee on the Major *Wheelocks* Memorial. The said Committee withdrew and after some time returned and delivered in their report, which was read and approved of and is in the words following viz^t.

"Your Committee to whom was referred the Memorial of *John Wheelock* Esq^r. have taken the same into consideration and beg leave to report (here follows a repetition of all the former resolutions &c down to the 17th of July and then the report continues:)

"That it appears, that the aforesaid resolution of the 17th July hath not been complied with and therefore the said Corps is disbanded and all that remains is for the said *Wheelock* to settle his accounts."

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DIE MARTIS, 4^{ta} HO. P. M. SEPTEMBER 2^d, 1777

A Letter Colo: *Morris Graham* to his Excellency the Governor dated at *Van Schaicks Island* August the thirty-first enclosing an Arrangement of the Officers of the Regiments of Drafts from the Militia under his Command and requesting Commissions may be made out for such of them, whose names are marked with an Asterism was brought into Council by the Secretary by the direction of his Excellency, the same was read and immediately taken into Consideration.

Resolved, that his Excellency the Governor be empowered and requested to grant Brevets to such Officers of Colo: *Graham's* Regiment of Draughts from the Militia serving in the Northern Army, as have not Commissions for the Rank, they now hold in the Regiment.

DIE MERCURII, 10^a HO A. M. SEPT^r 3^d, 1777.

The Committee to whom was referred the Pay and Subsistence Rolls of the Men raised by order of the Committee of *Westchester* County for the defence thereof as also the Proceedings of the said Committee thereon delivered in their report, which was read and approved of and is in the words following, towit:

That it appears to your Committee, that the late Convention of this State did in and by a certain Resolution bearing date the 6th day of May last Resolve in the words following to wit:¹

That the Committee and Field Officers of the said County did order a certain Number of men to be raised for the Defence of said County by virtue of the said resolve, to continue in Service until the first day of January next unless sooner discharged and did agree to pay to each private six pounds per month and rations or in Lieu of Rations two Dollars per week, to each Sergeant seven pounds per month, to each Corporal, Fifer and Drummer six pounds ten shillings per month together with the same rations or allowance as the Privates — And to the commissioned Officers Continental pay and rations or in Lieu of Rations twenty-one shillings per week.

That it appears from the pay and subsistence rolls, that eighty-eight men Officers included have been raised in Consequence of the said Resolve and are now in actual Service in the said County And that the said pay and Subsistence rolls from the first day of June last to the first day of August being two months Amount to fifteen hundred and thirty-two pounds three shillings and six pence.

Your Committee after having stated the above Facts are of Opinion, That the aforesaid Committee and Field Officers were not Authorized or warranted by the true Construction of the said Resolve to raise the said Men on any other than the usual pay. And that the retaining in pay any Corps at the extravagant rate of wages on which these have been engaged would be attended with very evil consequences.

1st. By affording the Militia of any other County in the State when called into Actnal Service an equitable claim to the same extravagant pay especially where the County from which they might be ordered should be equally exposed to the Incursions of the enemy.

2^d. The Establishing a pay for the Militia Service as far above the Continental pay would greatly retard the filling of the Continental regiments engaged to be raised by this State.

Your Committee are nevertheless of opinion, that the Committee of the County of *Westchester* might possibly have been led into a misapprehension of the above recited resolution from its containing no express limitation of the pay that they were empowered to offer and that it would be unjust to leave the said Committee bound for the payment of the wages of the troops raised in Consequence of the above resolution, since they were probably prompted to the measure by their endeavour to serve the public.

Resolved, therefore that the said pay and subsistence rolls be audited and that the rangers raised in the County of *Westchester* be immediately disbanded, unless they shall be willing to serve for continental pay and the above allowance for rations.

The Council being informed, that those men of Capt. *Payn's* Company, who by order of Council have joyned Captain *Schoonmaker's* Company on a supposition that they belong to Major *Wheelock's* Corps, who are disbanded have applied for passes to return home, — Thereupon

Ordered, that the said men be informed, that they did not belong to Major *Wheelock's* Corps at the time they were ordered to join Captain *Schoonmaker's* Company and that Captain *Schoonmaker* be directed not to permit any of the said men to depart or quit his Company without orders from his Excellency the Governor or this Council.

¹ See the Resolution of May 6th 1777 on page 152.