

Gen. Ref.

# 16

A 16-pp. published, <sup>contemporary</sup> text of the  
Proceedings of September 11, 1775  
supplies a section missing  
from the text as published in  
Delaware Archives, vol. 3, pp. 35-37,  
and Delaware History, vol. 1 # 1,  
pp. 57-80. Filed in Charter Safe.

Delaware Council of Safety.

On Monday, the 11th of September, 1775, the Council of Safety for this Colony met by appointment, at Dover, in the County of Kent, and unanimously chose John McKinley, Esq., President, and James Sykes, Esq., Secretary.

The Council continued to sit for six days, and, amid a great many useful measures for protecting and defending the Country, proceeded to regulate the Militia of the several Counties, consisting of nine Battalions; three of which, in Newcastle County, under the respective commands of Colonels John McKinley, Thomas Cooch, and Richard Cantwell, Esquires, were formed into one Brigade, under Brigadier-General John McKinley, Esq.; two in Kent County, under the respective commands of Colonels Caesar Rodney and John Haslet, and the Western Battalion of Sussex County, were formed into a second Brigade, under Brigadier-General Caesar Rodney, Esq.; and the remaining three Battalions, under the respective commands of Colonels John Dagworthy, David Hall, and Jacob Moore, Esquires, were formed into a third Brigade, under Brigadier-General John Dagworthy, Esq. Commissions were made out for all the officers, and the seniority and command of each precisely ascertained. There are about five thousand effective men in this Government associated and determined to defend their just rights and liberties with their lives and fortunes.

1647

Continental Congress.

Friday, Jan 19, 1776.

\*\*\*\* The Council of Safety for the three lower Counties on Delaware, having recommended sundry gentlemen for Field-Officers of the Battalion ordered to be raised in that Colony, the Congress proceeded to the choice, when the following gentlemen were chosen:

John Haslet, Esq., Colonel; Gunning Bedford, Esq., Lieutenant-Colonel.

Sussex County, Broad Creek, Delaware,

July 5, 1776.

Gentlemen: The situation of the part of the country in which we live having of late appeared to us rather critical, and a number of armed vessels lately appearing in our rivers, occasion us to think ourselves bound in duty, both to our country and our families, to lay our case before you, both for advice and assistance. We need not inform that a large majority of the people in the lower part of this country appear disaffected, which being lately fully demonstrated by these hostile appearances, occasions troops to be sent from above to quiet them; and we are sorry to say, that it is our opinion that they (viz: the enemies of the cause) are not better affected than they were before those troops came, (we mean in the parts near us,) although we are fully of the opinion that the gentlemen appointed and sent down as heads of that business thought proper to have a few hundred riflemen sent amongst us at that time, who took up some of the most insolent, and put them in confinement, disarmed the offenders of less note, and left a few troops as a protection to the well disposed. Things at this time should have worn a face much more in favour of the country than it now does.

The night before last, we sent an express down to Vienna, a small town in Maryland, upon Nanticoke River, to give information of what men-of-war or tenders were in the rivers. Yesterday our express returned, and gave an account, that in the mouth of the River Nanticoke, there lay the Fowey ship-of-war and four tenders; in the River Wicomico were three tenders. Those up Wicomico had run far up the river into the heart of the country; but we had no account of any great damage they had then

done. They had landed, and attempted to rob some plantations; but were driven back to their vessels. Although the Militia were about ten miles below the mouth of the river, they went on shore, and robbed the most wealthy man in the neighbourhood of his case, and all his negroes they could lay hands on; after which, they tied the gentleman, and took him off on board their vessel. We also may inform you, that parties from tenders and other vessels supposed to belong to Dunmore's Fleet, have taken large quantities of cattle and other stock from what is called the Islands, which lie just below the mouth of the Nanticoke River; and we have reason to believe that they have taken stock out of the river they left, which they might easily have done, as great part of the inhabitants upon the river, from the mouth to the head, would be glad to have an opportunity to deal with them, and would take great pleasure to supply them with anything in their power. This much, gentlemen, you may depend on, that vast numbers of the inhabitants of Somerset and Dorchester Counties, in Maryland and of Sussex County, in Delaware, have men on board of these men-of-war and tenders, either trading, inlisting, taking the oath of allegiance, or something we really are not informed of; but we have it from such authority, that we do really believe that they purchase some sorts of goods from the tenders, very low; and also, that the captain of the tenders registers the name of every person who goes on board of them. We are also fully convinced that numbers of the inhabitants have actually voluntarily entered into the service under Dunmore; some of whom, we have reason to believe, now bear command on board these tenders, and we look upon them as a more dangerous enemy than the Europeans. They know our country, and are able to carry the vessels they command to the heads

of the rivers; and it is reported (and we believe it to be true) that these traitors have sent word (by their neighbours, who have been down on board trading) to their relations, who live in the heart of the country, that in a very short time they, with their armed vessels, will pay them a visit. It would be impossible for us to relate to you, gentlemen, on paper, every threat that has been thrown out by the disaffected amongst ourselves, as well as the people on board the tenders and ships-of-war, and therefore shall only add, that, from the disaffection amongst ourselves, which we conceive to be so great, that there is, at least, six disaffected to one firm man for America, - we say, from that melancholy appearance, and from the arrival of these armed vessels, we think it our duty to make application to you for assistance of men; and make no doubt but that, if it is in your power, you will grant it to us. If it is not in your power, we must be candid enough to inform you, that self-preservation will oblige us either to leave our hivings, or fall in and run with the current, either of which will be hateful to us. But we believe it cannot be required of us to offer ourselves sacrifices for our country, without there being some prospect of benefit arising therefrom.

If, Gentlemen, upon reflection, you judge it practicable and expedient to grant us men, we beg they may continue stationed amongst us, until we shall appear able to protect ourselves; and for that purpose, we pray you will, in our behalf, make application to Congress that we may not be liable to have them called away, and again be left destitute; for if we should have them only for a short time, and then taken from us, our case would be worse than now, as revenge might prompt our enemies to more desperate actions. Although we represent our case to be distressing, we

Amer. Archives 5th ser. v. 1, 9, 10, 11, (4)

do not mean to represent it as past hope; for we are of opinion, if you favour us with only three or four good companies, with prudent officers, we shall not only be able to defend ourselves, but also that it will be a means to reclaim a considerable number of the disaffected, and bring them to their duty, as it will enable our officers to pursue such steps as is necessary to accomplish this purpose so much wished for. Not doubting but that you will do everything for us that may appear to you necessary,

We rest, and are, gentlemen, your most obedient humble servants,

Jonathan Bell

John Mitchell,

Jno. Polk

Isaac Horsey,

John Creighton,

Levin Connaway,

Joseph Forman,

Robert Houston.

To the Hon. the Council of Safety now sitting at Sussex.

I do hereby certify, that the several subscribers to the within letter were sworn to the truth of the facts in said letter set forth before the Council of Safety for the County of Sussex, In Delaware, 5th July, 1776.

By order of the council of Safety.

Daivd Hall, Chairman.

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Testimony of Enoch Scudder, July 4, 1776.

Enoch Scudder, being duly sworn on the holy Gospel, doth depose and say: That on the third of this instant July, in travelling down from Philadelphia, he was overtaken by four men near Cedar Creek, who asked him if he had heard that Lord Dunmore had landed an armament of men in Maryland, and whether he (this deponent) was going to join him; upon which, this deponent asked them if there were any men there that would

Amer. Archives 5th Ser. v. 1, 9, 10, 11, (5)

join Dunmore, and how many, and whereabouts they were to be gathered: upon which, they informed him that fifteen hundred might be collected about Cedar Creek, and between that and the place where Dunmore had landed; and that he (this deponent) in several harvest-fields, heard the people converse to this purpose; and that they were determined that the gentlemen who had been busy in calling the Tories to account should not be suffered to pass without a guard; and they further told him that Boymer Lloyd ~~was~~ actually with Dunmore.

July 4, 1776.

Enoch Scudder.

Sworn before

Jno. Dagworthy.

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President of Congress to Colonel Haslett.

Philadelphia, July 5, 1776.

Sir: I have it in command from Congress to direct you to station one Company of the Battalion under your command at Lewistown, and to march the remaining seven companies to the town of Wilmington, and there remain until the further order of this Congress. You will therefore immediately put this order into execution.

I am, sir, your most obedient servant,

John Hancock, President.

To Colonel Haslett, or Officer commanding the Battalion of Continental Troops in Delaware Government.

P. S. The enclosed Declaration you will please to have read at the head of your Battalion.

American Archives, 5th Series, vol. 1. 9, 10, 11.

David Hall to President of Congress.

(Read July 8. Referred to the Delegates of Maryland.)

Lewis, Delaware, July 5, 1776.

Sir: I have the honour to enclose sundry depositions, containing, as we think, a true state of the general disaffection that prevails among the people in the County of Sussex. Sundry gentlemen from the neighborhood of Broad Creek, and Wicomico, have been qualified to the truth of it, on whose attachment to the cause of America we very much depend. The Council of Safety have ordered down part of an Independent Company now under their direction. A company of the Delaware Battalion is also preparing to march. The most alarming circumstance is, the danger of Lord Dunmore's recruiting with success among the disaffected, who repair to him without reserve, and supply him with the produce of the country. We earnestly entreat that Congress may take the matter into their serious consideration, and order what may be thought necessary to fix the minds of the wavering, and secure the common safety.

By order of the Council of Safety.

I am, with the greatest respect, Sir, your most humble servant,

David Hall, Chairman.

To the Hon. President of the Continental Congress.

4.896

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American Archives, 4th Series, vol. 4.  
1647

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Friday, Jan 19, 1776.

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John Haslet, Esq., Colonel; Gunning Bedford, Esq., Lieutenant-Colonel.

Sir

Please to pay M<sup>r</sup>. Thomas Martin the Sum of  
Six Pounds twelve Shillings and six pence for  
his trouble and Expences in going to Philad.<sup>a</sup> in  
the Service of this Council

by order of the Council of Safety

February 8<sup>th</sup> 1776

To

M<sup>r</sup>. John Wiltbank Esq<sup>r</sup>.

John Jones, Presid.

Misc. File - Delaware  
Archives - # 16

Minutes of <sup>Colonial</sup> Council of Safety

[Incomplete] 12-16 Sept [1775] "secretary to be paid for 10 days attendance" -  
this would make the beginning Sept. 5  
the "several branches of this committee" to meet "in their respective  
counties" Sept 25

25 Sept <sup>1775</sup> - Kent Co. branch met - adjourned to 7 Oct

" " (?) " " " 16 Oct

7 Oct - " " " " " " 13 Nov

16 Oct " " " " " " 13 Nov [next 3 pages blank]

8 Jan 1776 - Council of Safety for Gov't, appointed by Assembly Oct 10  
met at Dover

10 Jan - Proceedings of branches of Council of Safety called for  
N C and K produced, S forgot theirs

13 Jan P.M. - end of minutes [probably adjourned]

On Motion of Colonel Haslet

Ordered upon the Question that M<sup>r</sup> Vandike  
M<sup>r</sup> Moore and Col<sup>l</sup> Dagworthy be a Committee to  
prepare a draught of  
certain Rules and regulations

for the well  
ordering of the Military operations within  
this Government and lay the same before the Council  
Then the Council Adjourned till 3 oClock P. M.

Teusday September 12<sup>th</sup> P. M.

The Council met according to Adjournment  
M<sup>r</sup> Ridgely having business to transact with the  
Comittee of Inspection now sitting and M<sup>r</sup> Killen busi  
thereof and his presence Necessary there  
attendance at Council this Afterno

(Corner of  
MSS. torn  
off)

On Motion of Colonel Haslet

Ordered upon the Question that the Members of the Council for the respective Counties of this Government be Committees to collect Lists & Vouchers of the Election of the several Field Officers of the diferant Batalions within said Counties and as far as in their power the diffrent Enrolments of the Companies therein and lay the same before the Council to Morrow Morning

Then the Council Adjourned 'till 9 oClock to Morrow morn<sup>g</sup>  
Wednesday September 13.<sup>th</sup> A. M.

The Council met according to Adjournment M<sup>r</sup>. Ridgely and M<sup>r</sup>. Bedford being absent on calling over the Names of the Council the former called on a Visit to a Patient the latter confined to his Bed thro' indisposition are therefore excused.

The Committee appointed to prepare and lay (be)fore the Council certain rules and regulations Nessary ordering well regulating the Military operations

this Government do now Report that  
Essayed a draught for that purpose

(Corner of MSS missing) laid upon the table and the correction of the Council

F. Kellin

that the same be read which accordingly and is referred to

(3)

The Committee for the County of New Castle appointed to collect and deliver in to the Council lists and vouchers of the election of the Field Officers & Colonel Cantwell present to the Chair the said Lists & vouchers [and are referred On Motion ordered that the same be read which was done accordingly to further consideration --

The Committee for the County of Kent appointed to collect & deliver in to this Council Lists & vouchers of the Field & other officers within the same Do now Report that they had not yet been able to collect them and desire further time for that purpose which is granted -

The Committee for the County of Sussex appointed with respect to that County for the purposes last mentioned, now by Col<sup>n</sup> Moore [and other Officers present to the Chair the Lists & vouchers of the Election of Field in said County On Motion ordered that they be read which was done accordingly and are reserved to further consideration

Then The Council adjourned till 3 oClock P. M.

Wednesday Sep<sup>r</sup>. 13<sup>th</sup> P. M.

The Council met according to Adjournment.

A Petition signed by a number of the Inhabitants of the lower district of Duck Creek Hundred in the County of Kent was presented to the Chair Vandike setting forth that they ha(d) agreeable to the direction of the Co of this County and formed the Company and chosen their regularly met to learn th and that notwithstanding into the Batalion Praying this Coun premisses was

M<sup>r</sup>.

(MSS missing)

Ordered to lie on the

A Petition presented to the Chair by Colonel Haslet signed by Robert Dixon in behalf of sundry persons who were lately Inhabitants of the Province Maryland but now taken into the County of Kent by the Land newly added to this Government that the said Inhabitants had enrolled themselves in the said province of Maryland, that their district is now so narrow and confined that they are at present incapable of forming a Company and praying this Council to take the premises into consideration was read the first time.

Ordered to lie on the table for further consideration  
 On motion of Colonel Canfwell, by special order the Lists Concerning the choice of Field & other Officers in New Castle County was read a second time --

alter the place of the his last entries

The Committee for the County of

pointed to collect and deliver to this Council and vouchers relative to the Election Officers and other did now present them to the Chair that they be read which was done accordingly ther consideration (the) several Gentlemen Elected ade to this Council concerning the same unty of New Castle are

(Corner of MSS.  
 missing)

On Motion that the Rank and Precedence of the Field Officers for the County of New Castle should now be confirmed agreeable to a determination in said County after sundry debates thereon was referred under consideration until to Morrow Morning —

Then the Council Adjourned 'til 10 o'clock to Morrow Morn<sup>g</sup>.

Thursday Sep<sup>r</sup>. 14<sup>th</sup> A. M.

The Council met according to Adjournment.

On Motion the Lists and Vouchers respecting the Election of Field and other Officers in Sussex County were read a second time and after some time spent in the consideration of the same were referred to further consideration —

The Council resumed the consideration of the Rank and Precedence of the Field Officers of the County of New Castle as settled in that County and after some time <sup>the same</sup> spent in was referred to further consideration

On Motion <sup>the draught of Rules and</sup> Regulations for the well ordering of the Military Operations within this Government &c was read the second time and are referred to further consideration.

Then the Council Adjourned till 3 o'clock P. M

Thursday September 14. <sup>th</sup> P. M.

The Council met according to Adjournment.,

On Motion the draught of the Rules and Regulations for the well <sup>dering</sup> ordering of the Military operations within this Government was read Paragraph by Paragraph and after sundry Debates thereon was referred to farther consideration

Then the Council adjourned 'till to Morr: Mor o'clock

Fryday September 15<sup>th</sup> A. M.

The Council met according to Adjournment —  
and resumed the consideration of the draught  
for the well regulating the Military operations  
within this Government &c and after some  
time spent therein and some new Claus proposed  
to be added the same was referred to further  
consideration —

Then the Council adjourned 'till 3 oClock P. M.

Fryday Sep.<sup>tr</sup> 15<sup>th</sup> P. M<sup>o</sup>

The Council met according to Adjournment  
and again resumed the consideration of the draught  
for the well regulating the Military operations  
within this Government &c and the proposed clauses  
being added and it being again read Paragraph  
by Paragraph and the Question being put

do the Council agree to the same as it has now been read passed in the <sup>[affirmative was</sup>  
and follows in these

Words. Viz.† —

The long premeditated, and now openly avowed  
design of the British Government to raise a Revenue  
from the property of the Colonists, without their consent  
on the Gift Grant, and disposition of the Commons  
of Great Britain, the arbitrary and vindictive Statutes  
passed under colour of punishing ~~of~~ Riots to subdue  
by Military force and by Famine the Province of  
Massachusetts Bay, the Unlimited power assumed  
by Parliament to alter the Charter of that Province

and the constitution of all the Colonies thereby destroying the essential securities of the Lives, Liberties and properties of the Colonists, the commencement of Hostilities by the Ministerial forces and the cruel prosecution of the War against the People of the Massachusetts Bay followed by General Gage's Proclamation declaring almost the whole of the Inhabitants of the United Colonies by Name or description Rebels and Traitors; are sufficient causes to determine a free People to Arm themselves in defence of their Liberty, and to justify resistance no longer dictated by Prudence merely, but by necessity, and have no alternative but bare submission, or Manly opposition to unlimited Tyranny. The Congress chose the latter, and for the express purpose of security and defending the United Colonies, and preserving them in safety against all attempts to carry the above mentioned Acts into Execution by force of Arms, Resolved that the said Colonies be immediately put into a state of defence and now supports, at the joint expence, an Army to restrain the further violence and repel the future Attacks, of a disappointed and exasperated Enemy.-

The Council of Safety of this Government therefore firmly persuaded that it is necessary and justifiable to repel force by force do approve of the opposition by arms to the British Troops employed to enforce obedience to the late Acts and Statutes of the British Parliament for raising a Revenue in America, and altering and changing the Charter and Constitution of the Massachusetts Bay, and for destroying the Essential securities for the Lives, Liberties and Properties of the Subjects in the United Colonies do resolve

1.<sup>st</sup> That the present opposition carrying on as well by Arms as by the Continental opposition, restraining our commerce &c ought to be promoted and supported by the Inhabitants of this Government

2.<sup>d</sup> That as in these times of Publick danger and until a reconciliation with Great Britain on Constitutional principles is effected (an Event this Council most ardently wish may soon take place) the energy of Government may be greatly impaired, so that even Zeal unrestrained may be productive of Anarchy and confusion; It is Resolved in maintainance of good order and the Publick Peace to support the Civil power in the due execution of the Laws; so far as may be consistant with the present Plan of opposition, and to defend with our utmost power all Person from every species of outrage to themselves or their Property, and prevent any Punishment from being inflicted on any offenders, other than such as shall be adjudged by the Civil Magistrate the Continental Congress, this Council of Safety Committees of observation or as hereafter directed.

3.<sup>d</sup> That no Company of Foot Militia in this Government now formed or that hereafter may or shall be formed shall exceed the number of sixty eight privates or consist of less than fifty and if a greater number than sixty eight shall be Enrolled in any one Company, then, the Enrolment of any after the first sixty eight effective privates shall be deemed void; and such shall enroll in some other Company; and if a number of men shall be enrolled not amounting to fifty privates besides sufficient for Non commissioned Officers for any one Company they shall not be considered as a Company

4.<sup>th</sup> That each Captain of Foot Militia whose Company is not yet compleat or is not yet regularly returned shall transmit a Roll of his Company together with an Association (similar to those which are already and in the Counties of this Government to that Branch of this Council belonging to his County in order that Commissions may Issue to the Officers respectively agreeable to the order of the Honorable the the House of Assembly of this Government on or before the sixteenth day of October next.⊖

5.<sup>th</sup> That no Company of Foot be permitted to choose Officers before a sufficient number of men be Enrolled to make up fifty Privates besides non commissioned Officers, Provided that this Resolution shall not be construed to extend to those Companies who no have or shall have fifty Privates and upwards enrolled on or before the said sixteenth day of October next.⊖

6.<sup>th</sup> That no person already enrolled or may hereafter enroll himself, in any Company in this Government shall be permitted to leave said Company without the consent of the Captain in writing -

7.<sup>th</sup> That the several Military Officers of this Government make diligent enquiry after ~~the~~ <sup>and</sup> transmit to that Branch of this Council residing in the several Counties the name of every able Bodied effective freeman in their respective Hundred or districts; if there shall if there shall be any such who shall not enroll himself in some Company according to the 4.<sup>th</sup> Resolution above mentioned Excepting always Clergymen of every Denomination and those persons who from conscientious principles cannot bear Arms in any case to the end that the Council may take order therein; against whom no further proceedings or measures shall be taken but by the future order of the Council.

8.<sup>th</sup> That every Company of Foot Militia and Troop of Horse be exercised one day in every week except in the Months

of

of December, January, February and March and in those Months  
not oftener than once in every two weeks, and that every  
Batalion of Militia be exercised in Battalion at such  
times and places as the Field Officers of the Battalion  
shall appoint not oftener

On Motion of Cap.<sup>t</sup> Tilton

The Petition from a number of Inhabitants of the lower districts of Duck Creek Hundred in the County of Kent was read a second time, and is referred to further consideration.

The Lists and Vouchers for the Election of Field and other Officers for the County of Kent was read a second time and upon Motion the Question was put Do the Council approve of the choice of the field Officers for the said County ~~of Kent~~ ← [crossed out] as returned to the Council and it passed in the Affirmative

Then the Council Adjourned 'til 9 o'clock to Morrow Morn.

Saturday September 16<sup>th</sup> A. M.

The Council met according to Adjournment

The Council resumed the consideration of the Lists & vouchers respecting the Election of Field and other officers for the county of Sussex and after some time spent therein on Motion the Question was put shall the Captain & Subaltern Officers within said County whose Companies now appear to be compleat be Commissioned unless hereafter some good objections may be made to the contrary and it passed in the Affirmative -

The Council went into the consideration of the appointment of the Captains and Subaltern Officers Nominated in the several districts of New Castle County as they are returned before this Council and in the prosecution thereof A Motion the Question was put do the Council approve of the Several Gentlemen as returned to the Council [cil for] Officers of the respective Companies in the three Battalions of New Castle County and it passed in the Affirmative

Shall James Derrickson, Philip Vandiver Jun<sup>r</sup> John  
Vandiver Jun<sup>r</sup> and William Eliot be the Captain 1.<sup>st</sup>  
Lieut. 2.<sup>d</sup> Lieu.<sup>t</sup> and Ensign of a Company of foot

[Crossed out  
in the MSS]

Their Names and Rank as follows to wit

First Cap<sup>t</sup> Jacob Derickson

First Lieut.<sup>t</sup> Peter Vandiver Jun<sup>r</sup>

Second D.<sup>o</sup> John Vandiver

Ensign William Elliot Jun<sup>r</sup>

Second Cap.<sup>t</sup> William Anderson

First Lieut.<sup>t</sup> John James

Second D.<sup>o</sup> Moses M<sup>c</sup>Knight

Ensign James Crossan

Third Cap<sup>t</sup> Emanuel Grubb

First Lieut.<sup>t</sup> Thomas Robinson Jun<sup>r</sup><sup>o</sup>

Second D.<sup>o</sup> John Bird

Ensign John Pyle

Fourth Cap.<sup>t</sup> George Craighed

First Lieut.<sup>t</sup> John Hendrickson

Second D.<sup>o</sup> Cha<sup>s</sup>. Son of Joseph Springer

Ensign - Peter Hendrickson

The Council went into the consideration of the appointment of the Captains and Subaltern Officers nominated in the several districts of Kent County as they are returned before this Council and after some time spent therein on Motion the Question was put shall the Gentlemen whose names follow be the Officers of the Companies of the two Battalions in the County of Kent and it passed in the affirmative -

The Council adjourned 'till Three oClock P. M

Eodem Die P. M

The Council met according to Adj -

A Petition from Benja<sup>n</sup> Caton complaining that he had been Elected  
a Cap.<sup>t</sup> by a number of Inhabitants between Isaacs Branch  
and Tidbury Branch in Kent County that afterwards upon application of  
some of the Inhabitants aforesaid to the Committee of Inspection  
the said Committee ordered the district in which he was chosen Captain  
without any intention to deprive the  
petitioner of his Election That a number of  
of said Inhabitants with others of a Neighbouring district met on 24<sup>th</sup>  
and made a choice of Officers excluding your Petitioner

Stevens  
[June last at the House John Weaver

that he had from the time of his first appointment done his Duty as a Captain that he thinks himself ill ~~and~~ used in the premises and desiring redress from this Council was read ~~the~~ first time --

On Motion by special Order the said Petition was read a second time --

Ordered to lie on the table

On Motion Ordered that Commissions shall be issued to the Officers of the several Companies of Militia within the Limits of old <sup>Sussex</sup> on ~~the~~ <sup>their</sup> producing ~~of~~ Muster Rolls to that Branch of the Council of Safety residing without County with a number of Men equal to the determination of this Council in their regulation of Military Affairs

On Motion ordered that Commissions shall be issued to the officers of the several Militia Companies within the new aquired Land in Sussex County on their producing Muster Rolls together with an Association in Spirit & Substance like those used in the several Counties, in this Government to that

Branch of the Council of Safety residing in that County containing such a number of Men as directed by this Council in their Regulations of Military affairs

Note make the same alteration in the minute immediately-preceeding -

On Motion and the Question shall

David Hall be Col.<sup>n</sup> of one of the Battallions of

of Sussex carried in the affirmative

John Conwell Lieu<sup>t</sup> Col-

Henry Fisher - Major

Henry Null Adjutant

William Peery Bonus Standard Bearer

Joseph Hall Surgeon

Jacob Moore Col ✓  
James Renèch Lieut.<sup>t</sup> Col.  
John Wiltbank Major  
David Train Adjutant  
Thomas Marsh Standard Bearer  
Surgeon

New Sussex.

John Dagworthy Colonel  
John Jones Lieut.<sup>t</sup> Colonel  
Simon Kollock Major  
Nathaniel Mitchell Adjutant  
Elijah Cannon Standard Bearer

On Motion the Question was put whether  
the appointment of the Field Officers  
for the Western Batallion of new Sussex should be  
put off at this time and recommended to the Officers  
of the several Companies in that District to choose them in like manner  
other Counties in this Government & make return of their Names to that  
Council of safety belonging to Sussex County  
to be Commissioned and it passed in the  
affirmative

The Council then took into consideration ~~of~~ the  
Rank and precedence of the Colonels in New Castle County and after some  
spent therein the Question was put shall the  
Rank of Colonels of Militia in New Castle County as  
established by the Committee of Inspection of  
that County be approved by this Council and  
it passed in the affirmative -

John M<sup>c</sup>Kinley Esq.

On Motion the Question was put whether the first Colonel in New Castle County should have the Title of Brigadier General and it passed in the affirmative. -

On Motion the Question was put whether Colonel Caesar Rodney should be Colonel Commandant of Kent County and passed in the Affirmative -

On Motion the Question was put whether David Hall Esq. should be Col<sup>n</sup> Commandant of Sussex County and it passed in the Negative

On Motion the Question was put whether John Dagworthy Esquire should be Col<sup>n</sup> Commandant of Sussex County and it passed in the Affirmative

On Motion the Question was put whether the Caesar Rodney & John Dagworthy Esquires Colonel Commandants in the Counties of Kent and Sussex should have the Titles of Brigadier General and it passed in the Affirmative

On Motion the Question was put whether the Western Battallion of Sussex County should be added to the two Battallions of Kent County in order to form a Brigade and it passed in the affirmative

On Motion the Question was put whether the three Brigadiers shall have their Commissions dated on the same day and each to take Rank of the others in their respective Counties and it passed in the affirmative

On Motion the Question was put shall Colonel -  
Haslet be the first in Command of the Brigade  
in Kent County and it passed in the affirmative

On Motion the Question was put shall Colonel  
Hall be the first in Command of the Brigade  
of the County of Sussex and it passed in the Affirma  
-tive -

On Motion the Question was put shall the Leut<sup>t</sup>  
Colonels and Majors Commissions <sup>x</sup>[should] bear even  
date with the Commissions of there respective  
Colonels and it passed in the affirmative —

[x sense requires  
deletion of this word]

On Motion the Question was put whether Rich<sup>d</sup> Bassett  
Esq; Captain of a Troop of Horse and their Officers shall  
have the same Rank in the Military Arrangements  
of Kent County as is usual for such Officers to  
have in the Army and it passed in the Affirmative

On Motion the Question was put whether the several  
Branches of this Committee shall meet in their respective  
Counties on the 25<sup>th</sup> of This Instant and after  
sit on their own adjournments  
and then and there do and transact all  
such business as may arise and referred to them by this Council within  
Counties. and it passed in the affirmative —

[their said several

Then the Council adjourned for half an hour  
The Council met according to adjournment  
On Motion

Resolved that the President of this Council  
sign Commissions for the Officers of the respective  
Batallions within this government and that  
they be sealed with the Seals of the Supreme Court

**On Motion**

Resolved that the Commission for Brigadier General M<sup>c</sup>Kinly shall be signed by a Quorum of that Branch of the Council of Safety belonging to New Castle County —

On Motion ordered that the secretary be paid for 10 days attendance at 15/. <sup>10</sup>pr day -and the Door keeper 7/6 <sup>10</sup>pr day for 6 days attendance and that orders be drawn on Col Collins for the above sums and for the expenses of the Council during their setting. and that M<sup>r</sup> President sign said Orders -

September 25<sup>th</sup> 1775

In pursuance of the directions of the Council of Safety of this Govern<sup>ment</sup>~~ment~~  
a ~~the~~ Quorum of ~~that~~ Branch of said Council for Kent County  
met - and proceeded to fill up Commissions for the  
Militia Officers of the Northern Battalion to wit

and adjourned 'till the 7<sup>th</sup> October next.

Saturday October 7<sup>th</sup> 1775

The Council met according to Adjournments -

And proceeded to filling up the Comissions for Captain Abraham Allee and his officers -

and also the Comissions for Captain Bassett and his officers -

The Council took into consideration the Petition of Robert Dixon in behalf of himself and others and after some time spent ~~therein~~ -

Resolved That it be recommended to the able bodied effective men between sixteen and fifty years of age Inhabiting

the District between John Gray, Richard M<sup>c</sup>Natt Elijah

Morris's Companies and the Stone Lion do Assemble on the 14.<sup>th</sup>

of this Instant October at the House of William

Brown Merchant and form themselves into a

Company and choose their officers under the inspection of

Tho<sup>s</sup>. White Rob.<sup>t</sup> Dixon or either of them who are to make make report of their proceedings in the ~~Premises to~~ this Council

on the sixteenth day of this Instant that

Comissions may be made out for the Officers Elected chosen.

Then the Council adjourned till the 16<sup>th</sup> of October -

Monday October 16<sup>th</sup> 1775

The Council met according to adjournment

and took into consideration the Petition of Benjamin

Caton and after some time spent therein -

Resolved

That it be recommended to the Inhabitants between Isaacs Branch and Tidbury Branch that are not already enrolled under Captain Hale to meet at the House of John Stevens on Friday the 27<sup>th</sup> of this Instant - in order to choose first and second Lieutenants and an Ensign under - Captain Caton and that Captain Bassett attend at the time and place aforesaid to superintend the said Election and that he make return of his proceedings in the premises to the Council of Safety at their next meeting that the Gentlemen so chosen may be Commission'd

On Motion of M<sup>r</sup> Ridgely that the use of powder was necessary in the Troop of Horse in order to train them and use them to firing and that the Company of said Troop may be permitted to use as much ~~an~~ that way as is necessary for the purpose aforesaid- The Question was put and it passed in the affirmative -

The Council went into the consideration of the appointment of first Lieutenant and Ensign in Captain Jehu Davis's Company and M<sup>r</sup> Cullen and M<sup>r</sup> Beauchamp being admitted into the Council and having given satisfaction with respect to their being duly Elected and of their attachment to the Cause of American Liberty ordered upon the Question that Commissions be made out for them according to their appointment by the People -

Then the Council adjourned 'till the 13<sup>th</sup> November next.

[next 3 pages blank]

Votes & Proceedings of the Council of Safety  
at a Meeting of said Council held at Dover  
in the County of Kent on Monday the  
eight Day of January 1776 -

The Honorable House of Assembly for the  
Government of the Counties of New Castle Kent  
& Sussex upon Delaware at a Session of  
Assembly held at New Castle on the 20<sup>th</sup> Day  
of October last having in Pursuance of the  
Directions of the Honorable Continental Congress  
proceeded to the Nomination & Appointment  
of a Council of Safety it appears from the Votes  
of the said House on the Occasion that the  
following Gentlemen were appointed for  
that purpose viz.<sup>†</sup>

For New Castle County

Brig. Gen.<sup>l</sup> John M<sup>c</sup>Kinley

Captain John Evans

Lt. Col: James Latimer

Major Gunning Bedford

Col. Richard Cantwell

Leit. Nicholas Vandyke

George Reade Esq.<sup>r</sup>

For Kent County

William Killen Es

Capt. Thomas Rodney

Col. John Haslet

L. Col. Thomas Collins

Charles Ridgely Es

James Sykes Esq

Cap. Thomas Tilton

For Sussex County

Brig. Gen.<sup>l</sup> John Dagworthy

Col. David Hall

Col. Jacob Moore

Major John Wiltbank

Isaac Bradley Esq

William Polke Esq

Leut. Col John Jones -

and the said Members Names being called over  
they all appeared except William Killen Esquire  
Brig. Gen.<sup>l</sup> John Dagworthy, Col. David Hall, Isaac  
Bradley & William Polke Esquires -

Then the Council proceeded to the Choice  
of a President and Brig.<sup>r</sup> Gen.<sup>l</sup> John M<sup>c</sup>Kinley  
was elected, by a Majority of Voices -

The President having assumed the Chair  
the Council proceeded to the Choice of a Secretary  
and John Chew Esquire was elected to that  
Office -

And John Smithers was appointed Door Keeper.

Monday January 8<sup>th</sup> 1776 P M -

M<sup>r</sup>. Reade laid before the Council Extracts from the Resolutions of the Honorable Continental Congress relative to raising a Battallion in the Lower Counties on Delaware -

On Motion

Ordered that the same be read; which was done accordingly and follows in these Words. -

In Congress Oct.<sup>r</sup> 9. 1775 -

Resolved, That the Privates to be inlisted be allowed instead of a Bounty, a Felt Hatt, a pair of Yarn Stockings and a pair of Shoes, the Men to find their own Arms. -

That the Men inlisted, be furnished with a Hunting Shirt not exceeding in Value  $[1 \frac{d}{3}]$ ? Dollar and a Blanket provided these can be procured but not to be made Part of the Terms of Inlistment -

Nov.<sup>r</sup> 4

That a Man who brings a good new Blanket into the Camp be allowed Two Dollars therefor and take it away at the End of the Campaign -

That the Battalion be raised to Serve untill the Last Day of December 1776 liable to be discharged at any Time on allowing them one Months Pay extraordinary -

The

The Form of the Inlistment

I have this Day voluntarily inlisted myself as a Soldier in the American Continental Army for one Year unless sooner discharged, and do bind myself to conform in all Instances to such Rules and Regulations, as are or shall be established for the Government of the said Army -

The above are extracts from the Minutes (Signè) Cha. Thomson Secy.

In Congress Dec. 9. 1775.

RESOLVED

That an Order issue for raising one Battalion in the Lower Counties on Delaware on the same Terms as those to be raised in Philad<sup>a</sup> to consist of 1 Capt. 2 Lieut. 1 Ensign, 4 Serjeants, 4 Corporals, 1 Drummer & 1 Fifer and 76 Privates -

The Pay as Follows

|  |                         |                   |
|--|-------------------------|-------------------|
| 1 Col - - - - -                        | -50 Dollars             | pr Calendar month |
| 1 Lieut Col - - - - -                  | -40 D <sup>o</sup>      |                   |
| 1 Major - - - - -                      | -33 1/3 D <sup>o</sup>  |                   |
| 8 Captains each - - - - -              | -26 2/3 d <sup>o</sup>  |                   |
| 16 Leit. ea - - - - -                  | -18 D <sup>o</sup>      |                   |
| 8 Ensigns ea - - - - -                 | --13 1/3 d <sup>o</sup> |                   |
| 32 Serjeants ea - - - - -              | -8 D <sup>o</sup>       |                   |
| 32 Corporals ea - - - - -              | -7 1/3 d <sup>o</sup>   |                   |
| 16 Drums & Fife <sup>s</sup> - - - - - | -7 1/3 d <sup>o</sup>   |                   |
| 608 privates ea - - - - -              | --5                     |                   |
| 1 Surgeon - - - - -                    | -25                     |                   |
| 1 Adjutant - - - - -                   | --18 1/3                |                   |
| 1 Quarter Master - - - - -             | --18 1/3                |                   |
| 1 Chaplain - - - - -                   | -----20                 |                   |

December 15. 1775

Resolved

The Committee of Safety for the three Lower Counties on Delaware be requested to recommend proper Persons for Field Officers of the Battalion raised in said Colony -

Resolved,

That the said Committee appoint proper persons for Officers in the said Battalion under the Rank of Majors -

Extracts from the Minutes  
Signd Cha. Thomson Sec<sup>ry</sup>

On Motion

The same was taken into immediate Consideration and the Question put whether this Council will comply with the above Recommendation of Congress, and it passed in the Affirmative -

It being represented to this Council that the Inhabitants of the County of Sussex were not acquainted with the present intended military Arrangement - Therefore

On Motion of M<sup>r</sup> Wiltbank

Ordered upon the Question that Friday next be appointed for the Nomination of Officers in the Battalion to be raised in this Government agreeable to the above Recommendation of Congress, and Resolution of this Council

Tuesday 9.<sup>th</sup> January 1776 - A M -

The Council met according to Adjournment -

M<sup>r</sup>. Read laid before the Council a Resolve of the Honorable Continental Congress, recommending the Exportation of Provisions to the Foreign West Indies for the Purchase of Powder & under certain Restrictions -

On Motion

Ordered that the same be read which was done accordingly, and follows in these Words viz

In Congress Oct. 26. 1775

Resolved, That it be recommended to the Several Provincial Assemblies, Conventions or Councils of Safety of the United Colonies to export to the Foreign West Indies on account and Risque of their respective Colonies as much Provisions or any other produce except horned Cattle Sheep Hogs and Poultry as they may deem necessary for the Importation of Arms, Ammunition, Sulphur & Salt Peter -

Ordered. That a Copy of the above be transmitted by the Delegates to their respective Assemblies Conventions or Committees of Safety -

A True Copy

(Signd) Cha Thomson Sec<sup>y</sup>

Several Petition~~s~~ were presented to the Chair by Col. Moore from a considerable Number of Persons as well Officers as privates in the Southern Battalion of Sussex County, complaining

of

of the Appointment of Field Officers in said Battalion  
and alledging that the Gentlemen appointed were  
not chosen by them and praying Relief in the Premises -

On Motion of Col. Moore

Ordered, that the same be read, which was done  
accordingly -

Then the Council adjournd untill 3 oClock P M -  
Tuesday P M. The Council met accordg to

Adjournment -

William Killen Esq.<sup>r</sup> Brig.<sup>r</sup> Gen.<sup>l</sup> John Dagworthy, Col.

David Hall and William Polke Esq.<sup>r</sup> appeard and  
took their Seats in Council -

On Motion

By special Order, the Petitions from sundry  
Persons in the Southern Battalion of Sussex County  
complaining of the Appointment of Field Officers  
in said Battalion, were read a second Time -

The Council being inform'd that Capt. Levin Derickson  
Major Simon Kollock and Cap.<sup>t</sup> John Mitchell of the  
Southern Battalion of Sussex County were attending,  
and requested to be admitted to make their Objec  
tions against granting the Prayer of the above  
Petitions

Ordered that they be admitted -

And they were admitted accordingly, and after  
severally making their Objections and offering their  
Reasons against the Prayer of the said Petitions,  
were permitted to withdraw -

On Motion of Mr. Read

The Further Consideration of the aforesaid  
Petitions was referred until tomorrow Morning  
at Ten oClock -

Then the Council adjourned untill tomorrow  
Morning at ten oClock -

Wednesday 10<sup>th</sup> January 1776 A<sup>C</sup> M

The Council met according to Adjournment

And resuming the Consideration of the  
Petitions from some of the Officers and Privates  
of the Southern Battalion of Sussex County  
when Captain Thomas Batson, & Mr John  
Collins were admitted examined and after  
withdrew.

On Motion of Brigadier Gen<sup>l</sup> Dagworthy

Ordered that he have leave to withdraw. -  
Resolved that the said Petitions be dismissed,  
And it is the Opinion of this Council that the  
Officers belonging to the respective Companies  
of the Southern Battalion aforesaid, Do pay  
due Obedience to the Orders of the Field  
Officers appointed for the said Battalion  
by the late Council of Safety of this Government -

Then the Council adjourned till 3 oClock P M

Wednesday P M -

The Council met according to Adjournment.

A Petition signed by John Ralston by order of

a Number of Persons desirous at forming Company  
or Troop of Light Horse in the Battalion in the  
Southern District of Kent County, was presented to  
the Chair by Col. Haslet and on Motion read the  
first Time -

The Votes and Proceedings of the several  
Branches of the Council of Safety in the respective  
Counties of New Castle & Kent were delivered to the  
Chair and on Motion then read over.

The Votes & Proceedings of the Council for Sussex  
County being called for the Members of that County  
admitted that they were forgot to be brought up  
and were excused -

Then the House adjourned until tomorrow  
morning. 10 oClock -

Thursday, A M. 11<sup>th</sup> Jan<sup>ry</sup> 1776 The Council met  
according to Adjournment -

On Motion, Leave of Absence granted to Major  
Wiltbank till tomorrow Morning -

A Recommendation from sundry Commissioned  
Officers from the Western Battalion of Sussex  
County requesting the Council to appoint William  
Polke Esquire Colonel, M<sup>r</sup> Alexander Laws B<sup>t</sup>  
Colonel, M<sup>r</sup> Samuel Stoss Major M<sup>r</sup> William  
Bradley Standard Bearer M<sup>r</sup> John Woodgate  
Adjutant and M<sup>r</sup> Isaac Minshall Surgeon to  
said Battalion was presented to the Chair  
by M<sup>r</sup> Polke, and On Motion read the  
First Time

On Motion of M<sup>r</sup> Ridgely

By special Order the said Recommendation was read a second Time, and after sundry Debates the same was ordered to lie on the Table-

On Motion ordered that that Branch of this Council for Sussex County and M<sup>r</sup> Vandyke be a Committee to prepare a Draught of Resolves for the regulating the Election of Field Officers in the Western Battalion of said County and making a Division between said Western & Southern Battalions, and that they lay the same before the Council to morrow Morning -

It being represented to this Council by Col. Haslet that Richard Smith Esquire Captain of a very large Company of Militia in Kent County had hitherto neglected to muster his Men and to attend his Duty in the Upper Battalion of s.<sup>d</sup> County; and also that there were other Causes of Complaints against M<sup>r</sup> Smith; Therefore on Motion of Col. Haslet, Ordered on the Question that M<sup>r</sup> Smith be noticed to attend this Council on Saturday Morning at Ten oClock and that the President be requested to make this Order known to M<sup>r</sup> Smith in such general Terms as he may think proper -

Then the Council adjourn'd till tomorrow Morning 10 oClock

Friday 10 oClock A M. 12. January 1776

The Council met according to Adjournment

On Motion, The Votes & Proceedings of that Branch of the Council of Safety residing in New Castle County were read a Second Time and approved Nem.Contra.

On Motion, The Votes & Proceedings of that Branch of the late Council of Safety residing in the County of Kent were read a second Time, and when

the Question whether that Branch of this Council residing in the County of Kent proceeded regularly in granting Comissions to C<sup>aptain</sup> Abraham

Allee and his Officers it passed in the Affirmative

On Motion the Question was put whether the Votes and Proceedings of the Council of Safety residin<sup>g</sup> in the County of Kent receive the Approbation of this Council and it passed in the Affirmative -

The Association & Muster Roll of Captain Thomas Smiths Company in of Foot Militia in Mispillion Hundred in the District between John Gray Richard M<sup>c</sup>Knatt and Elijah Morris's Companies and the Stone Line, in Kent County certified by Thomas White Esquire who was appointed to superintend said Election by the late Council of Safety for Kent County, was presented to the Chair by M<sup>r</sup> Polke and on Motion the same was read, & Commissions ordered accordingly -

The Committee appointed to prepare a Draught of Resolutions for the regulating and ascertaining the Time of Election the Field Officers for the Western Battalion of Sussex County and for making a Division between the Southern and Western Battalions of said County delivered one to the Chair and on Motion the same was read and referred for further Consideration -

On Motion the Order of the Day was read & the Council resumed the Consideration of the Appointment of Officers in the Continental Battalion to be raised in this Government ;

Agreed Upon the Question that the Captains Lieutenants and Ensigns for three Companies in the Battalion now to be raised in pursuance of the Recommendation of the Honorable Continental Congress be appointed of the Persons applying for Commissions from Newcastle County, That the like Officers for Three Companies in the said Battalion be appointed of the Persons applying for Commissions from Kent County and that the Officers for the remaining two Companies be appointed of the Persons who apply for Commissions in said Battalion from Sussex County -

The Council then went into the Appointment of the said Captains & Subaltern Officers

and the following Persons were chosen, to wit from  
the said County of New Castle -

Captain Joseph Stedham

Captain Henry Darby

Captain Samuel Smith

1.<sup>st</sup> Lieut.<sup>s</sup> Robert Kirkwood Jun<sup>r</sup>

Lewis Howell

John Dixon

2.<sup>d</sup> Lieut.<sup>s</sup> Enoch Anderson

William Popham

James M<sup>c</sup>Donough Jun<sup>r</sup>

Ensigns. Thomas M<sup>c</sup>Clint~~sk~~

Thomas Holland

Abraham Carty

And the following Persons were chosen  
from the County of Kent to wit

Captains Johathan Caldwell

Nathan Adams

Charles Pope

1.<sup>st</sup> Lieut.<sup>s</sup> John Patten

James Moore

James Wells

2.<sup>d</sup> Lieut.<sup>s</sup> George M<sup>c</sup>Call

James Gordon

Alexander Stuart

Ensigns. James Stevens

Thomas Nixon Jun.

John Willson -

And the following Persons were chosen from  
the County of Sussex - to wit

Captains David Hall Jun<sup>r</sup>

Joseph Vaughan

1<sup>st</sup> Lieut<sup>s</sup>- Jonathan Hearn

Joseph Truitt Jun<sup>r</sup>

2<sup>d</sup> Lieut<sup>s</sup>. John Learmonth

John Purkins

Ensigns - Cord Hazard

William Vaughan

And on Motion that the Council do now  
appoint the Staff Officers to the said Battalion  
the following Persons were severally chosen  
to wit

Dr. James Tilton - - - - -as Surgeon

Thomas Holland - - - - - -Adjutant

Robert Bail - - - - - --Quarter Master

The Rev<sup>d</sup> Joseph Montgomery-Chaplain

Then the Council adjourned untill tomorrow  
Morning 10 oClock

Saturday the 13<sup>th</sup> January 1776 A M -

The Council met According to Adjournment  
And proceeded to the Choice of Field Officers by  
Ballot to be recommended to Congress when  
John Haslet Esquire was elected Colonel, Gunning  
Bedford Gentleman Lieutenant Colonel  
and John M<sup>c</sup>Pherson the Younger Esquire  
Major -

On Motion Ordered that Col. Moore L.<sup>t</sup>  
Vandyke and Captain Evans be a Committee  
to prepare a Draught of a Recommenda  
tion to Congress of the said Field Officers -

Mr Read laid before the Council a  
Resolution of the Honorable Continental  
Congress for exempting the Persons of Continen-  
tal Soldiers from Arrest for trifling Debts  
and for securing their Estates from Attachments  
On Motion the same was read and ordered  
to be entered on the Minutes and follows  
in these Words,

IN CONGRESS Dec. 26. 1775 -

"The Report of the Committee to whom  
was referred a Paragraph of Lord  
Sterlings Letter to the Congress complaining  
that several of his Recruits had been  
arrested and imprisoned for the trifling Debts,  
being taken into Consideration was agreed  
to as follows. -

This

This Committee have Reason to believe that divers Persons either from Inattention to the Public Good or with a Design to retard the recruiting Service have arrested and imprisoned for very trifling Debts many Soldiers who had engaged to risque their Lives in Defence of the Rights and Liberties of America and as it has always been found necessary in Time of War to regulate and restrain a Practice of such pernicious Tendency and in such Cases to abate the Rigor of the Law. -

Resolved therefore that it be recommended to the several Legislatures in these Colonies whether Assemblies or Conventions to pass Acts or Ordinances prohibiting the Arrest of continental Soldiers for small Debts; And in order that the same may pervade all the Colonies that no such Soldier be arrested at the Suit of his Creditors, unless the said Creditor make Oath that the said Soldier is justly indebted to him in the Sum of Thirty Five Dollars over and above all Discounts, And that the Estate of no Such Soldier shall be liable to Attachments at the Suit or for the Benefit of all his Creditors unless their Debts in the whole on being ascertained by their Oaths shall amount to one Hundred and Fifty Dollars -

Extract from the Minutes

Sign'd Cha Thomson

Sec<sup>RY</sup>

On Motion The Resolves of Congress of the 26<sup>th</sup> October 1775 relative to the Exportation of

Provision

Provision for purchasing Arms Ammunition &c on  
Account and Risque of the respective Colonies  
was read a second Time and postponed -

On Motion

That a Committee of Five be appointed  
to draw up certain Rules & Instructions to the Officers  
to be employed in recruiting Men for the Battalion  
to be raised here-

Ordered That the said Committee consist of M<sup>r</sup>  
President, Brig<sup>r</sup> Gen<sup>l</sup> Dagworthy Col. Haslet  
Capt. Evans and Col. Bedford -

Then the Council adjourned until 3 oClock  
this Afternoon-

SATURDAY P M --

The Council met according to Adjournment  
The Committee for drawing up Instructions to  
the Officers for recruiting reported a Draught  
which being read was approved and follows  
in these Words

#### DIRECTIONS FOR RECRUITING

It is recommended to those Officers who shall be  
employed in recruiting for the Battalion now to  
be raised in this Government that they do not  
inlist any who are Apprentices or indentured  
Servants or under Five Feet Five Inches  
high or exceeding Fifty Years of Age who are to be sound  
& able bodied and the Inhabitants are requested  
to give every reasonable Assistance & Support  
in their Power to forward and encourage this

necessary

necessary Service. It is likewise particularly recommended to the said Officers not to suffer their Recruits to molest or insult the said Inhabitants - And for the Encouragement of those who may be willing to enlist in said Battalion, they shall be allowed instead of a Bounty, a Felt Hat, a pair of Yarn Stockings and a Pair of Shoes, but to find their own Arms or otherwise the Value of such Arms to be retained out of their Monthly Pay- That a Man who brings a good new Blanket into the Battalion be allowed Two Dollars therefor and take it away at the End of the Campaign That the Battalion be raised to serve untill this Last Day of December 1776 liable to be discharged at any Time on allowing them one Months Pay Extraordinary-

The Form of the Inlistment -

I have this Day voluntarily inlisted myself as a soldier in the American Continental Army for one Year unless sooner discharged & do bind myself to conform in all Instances to such Rules and Regulations as are or shall be established for the Government of the said Army-

That the Subsistence of each Commissioned Officer whilst recruiting to be 2  $\frac{2}{3}$  Dollars <sup>pr</sup> Week, and of the Men one Dollar <sup>pr</sup> Week till they join the Battalion, and the Pay of the Privates <sup>pr</sup> Month Five Dollars each. -

The Committee appointed to prepare a Draught  
of the Recommendation of the Field Officers for this  
Government reported one which was read and  
approved and follows in these Words -

The Council went into the Consideration of the Complaints lodged against Richard Smith Esquire Captain of a Company of Militia of Foot in Kent County and being informed that he was attending for a Hearing of his Case, he was admitted, examined and after withdrew -

On Motion the Question was put whether Richard Smith Esquire and his Officers in said County of Kent shall receive Commissions from this Council and be joined to the Upper Battalion, & it passed in the Affirmative -

On Motion, The Draught of the Resolves of this Council for the election of Field Officers in the Western Battalion of Sussex County and for making a Division between the Southern and Western Battalions of said County, was read Paragraph by Paragraph and the Question was put whether the same as now read be agreed to by the Council and it passed in the Affirmative and follows in these Words -

Whereas by an order of the late Council of Safety for this Government in September last That Branch of said Council residing in Sussex County was impowered and directed to fill up

and

and deliver Commissions to the several Officers of the Companies of Militia in said County, on their producing to them Muster Rolls together with Associations in Spirit and Substance, like those used in the several Counties of said Government, Containing the Number of Men directed by said Council in their Regulation of Military Affairs -

And whereas it was determined by the said Council in the Same Month of September that the Appointment of Field Officers ~~For~~ the western Battalion of New Sussex should be putt off at that Time and a Choice of said Field Officers was recommended and directed to be made by the Officers of the several Companies in that ~~District~~ in like Manner as in the other Counties of this Government, and that a Return of the Names of the Persons so chosen for Field Officers should be made, to the Branch of said Council residing in said County of Sussex, in order that Commissions should be issued to them;

And it being now represented to this Council that the several Orders and Directions aforesaid have not been complied with, and that no Line of Division hath been made ~~between the Southern and Western~~ Battalions of Sussex and the Companies that are to form the Western Battalion there.

Therefore On Motion

RESOLVED, That Public Notice be given

by

by Advertisement from the Members of this Council residing in Sussex County or a Majority of them, to the Militia Officers of said Western Battalion to attend with their Muster Rolls and Association Papers (as by the said first recited order is directed ) at such Time and Place in the said District as may be appointed by the said Members or a Majority of them;

Resolved also that the Members of this Council residing in said County or a Majority of them then and there be impowered and directed to form a Line of Division between the southern & western Battalion in Sussex in such Manner as to them shall seem best adapted to the compleating of both the said Battalions having Regard to the Convenience of the associated Companies there. -

Resolved that the Officers of such Companies within the District assigned to the Western Battalion do then & there in the presence of the said Members proceed to make Choce of Field Officers for said Battalion; And the said Members or a Majority of them are hereby impowered to fill up and deliver Commissions to the Field Officers who may be chosen; and also to the Militia Officers in said Battalion and other Officers duly elected in the said County of Sussex who have not received Commissions. -

On Motion, The question was put whether the several Branches of this Council residing in the respective Counties of this Government shall contract with proper Persons to export the Produce

of

of these Colonies to the Foreign West Indies at the joint Risque of the Government agreeable to the Recommendation of the Continental Congress of the 26<sup>th</sup> October last for the Purchase of Arms Ammunition &c and it passed in the Affirmative -

On Motion

Ordered Upon the Question that the several Branches of this Council have Authority to invest any Sum not exceeding Six Hundred Pounds for each County in Produce of these Colonies to be exported for the Purpose last aforesaid. -

The Council took into Consideration the Rank to be assigned to the Captains appointed in the Battalion on Friday last and determined upon the Question severally That Jos<sup>h</sup>. Stedham be the first Captain in the said Battalion -

That Johathan Caldwell be second Captain

That David Hall the younger be Third Captain

That Henry Darby - - - - -be Fourth Captain

That Charles Pope - - - - -be Fifth Captain

That Nathan Adams - - - - -be Sixth Captain

That Samuel Smith - - - - -be Seventh Captain

& That Joseph Vaughan - - - - -be Eighth Captain

On Motion, It is recommended to the Commanding Officers of the respective Battalions of Associates in this Government to collect the public Arms of the several Counties that such Arms may be lent to the several Captains of the Companies of the Continental Battalion for the purpose

of

of training their Recruits, to be returned in equal  
Order when demanded by such commanding  
Officers -

Resolved that on the Redelivery of the public  
Arms aforesaid All Bonds Receipts or other Contracts  
given on the Delivery of such Arms for the Use of  
the Associators in this Government be cancelled  
in whole or in Part according to the Numbers  
returned -

On Motion, The question was put whether this  
Council do approve of recommending to Congress a proper  
Person as Paymaster (for the Battalion to be now  
raised) and it passed in the Affirmative -

On Motion, The Question was put whether this  
Council do recommend to Congress George Latimer  
for the said Office of Paymaster- passed in the  
Affirmative and the Recommendation to be as  
follows to wit -

The Council taking into Consideration the  
probable Necessity of a Paymaster to the Battalion  
to be raised in this Government and that the  
Congress may provide for such Officer Do  
recommend George Latimer of New Castle  
County Gentleman as a fit Person for this  
purpose -

Ordered that a Copy of this Recommendation be certified  
by the President and transmitted to the Delegates

of

this Government in Congress -

On Motion RESOLVED That the President transmit to Congress a list of the Names of such Persons as by this Council of Safety have been appointed Officers in the Continental Battalion to be raised in this Government with the Rank & Dates of their Commissions respectively, certified by him as President of this Council -

On Motion,

The President M<sup>r</sup> Read & Cap<sup>t</sup> Evans are appointed a Committee to revise & correct the Minutes of Council for transcribing