

JOURNAL

OF THE

VOTES and PROCEEDINGS

OF THE

CONVENTION

OF

NEW-JERSEY.

Begun at BURLINGTON the 10th of *June* 1776,
and thence continued by Adjournment at
TRENTON and NEW-BRUNSWICK to the 21st
of *August* following.

TO WHICH IS ANNEXED,

Sundry ORDINANCES, and the
CONSTITUTION.

PUBLISHED BY ORDER.

BURLINGTON:

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M.DCC.LXXVI.

[3]
JOURNAL, &c.

Names of the DEPUTIES.

BERGEN,

JOHN Demarest, Jacob Quackenbush,
Jacobus Post, Daniel Isaac Brown.
John Van Boskirk,

ESSEX,

Stephen Crane, Caleb Camp,
Abraham Clark, Robert Drummonds,
Lewis Ogden,

MORRIS,

Silas Condict, William Woodhull,
Jacob Drake, Jacob Green.
Ellis Cook,

SUSSEX,

Ephraim Martin, Isaac Van Campen,
Caspar Shaver, John Cleves Symmes.
Thomas Potts,

SOMERSET,

Frederick Frelinghuysen, Jacob R. Hardenbergh,
William Paterson, James Linn.
John Witherpoon,

MIDDLESEX,

Moses Bloomfield, Jonathan D. Sergeant,
John Wetherill, John Combs.
John Dunn,

MONMOUTH,

Edward Taylor, James Mott,
John Covenhoven, Josiah Holmes.
Joseph Holmes,

HUNTERDON

HUNTERDON,

Philemon Dickenson, John Hart,
 John Allen, y John Mehelm.
 Samuel Tucker,

BURLINGTON,

y Peter Tallman, ~ Charles Read,
 y Thomas Reynolds, y Caleb Shreve.
 y Thomas Fennimore,

GLOUCESTER,

y John Sparks, y Joseph Hugg,
 y John Cooper, y Joseph Ellis.
 y Elijah Clark,

SALEM,

Andrew Sinnickson, ~ Whitten Crips,
 John Holme, ~ Samuel Dick.
 y Joseph Shinn,

CUMBERLAND,

y Theophilus Elmer, John Buck,
 Jonathan Ayers, y Jonathan Bowen.
 y Ephraim Harris,

CAPE-MAY,

~ Elijah Hughs, ~ Joseph Savage,
 y Jesse Hand, y Hugh Hathorn.
 y Thomas Leaming, jun.

BURLINGTON,

BURLINGTON, Monday, June 10, 1776.

THE Provincial Congress of New-Jersey, being appointed to meet this day at Burlington, a number of the members met accordingly; but not being a sufficient number to proceed upon business, adjourned till to-morrow morning ten o'clock.

TUESDAY, June 11, ten o'clock, A. M.

A sufficient number of members not being yet come to town, adjourned to three o'clock afternoon.

The members present met according to adjournment, and a sufficient number attending, the certificates of their elections were produced and read.

Adjourned to six o'clock, afternoon.

Met according to adjournment, and proceeded to the election of a president and secretary, when Samuel Tucker, Esquire, was, by plurality of votes, chosen president, (the votes being taken by ballot) and William Paterson, Esquire, was unanimously chosen secretary.

The Rev. Doctor Witherpoon, opened the congress with prayer.

Upon motion,

Resolved unanimously, That the doors of the congress be kept shut, and the debates and proceedings be kept secret; except in those cases wherein the congress order otherwise.

The president laid before the congress a letter from the Honourable John Hancock, Esquire, president of the Continental Congress, together with a number of resolutions, which are as follow:

" In

"In CONGRESS, June 1, 1776.

RESOLVED, That six thousand militia be employed to reinforce the army in *Canada*, and to keep up the communication with that province; and, to make up that number,

Resolved, That the colony of *Massachusetts-Bay* be requested to supply of their militia

	3000	four battali.
<i>Connecticut</i> of their militia	1500	two ditto.
<i>New-Hampshire</i> of their militia	750	one ditto.
<i>New-York</i> of their militia	750	one ditto.

June 3, 1776.

Resolved, That the general be impowered to employ in *Canada* a number of Indians, not exceeding two thousand.

That thirteen thousand eight hundred militia be employed to reinforce the army at *New-York*; to complete which number,

Resolved, That the colony of *Massachusetts-Bay* be requested to furnish of their militia 2000

Connecticut of their militia 5500

New-York of their militia 3000

New-Jersey of their militia 3300

Resolved, As the opinion of this congress, that the eleven battalions raised and ordered to be raised for the protection of the *New-England* colonies are sufficient.

Resolved, That a flying camp be immediately established in the middle colonies, and that it consist of ten thousand men; to make up which number,

Resolved, That the colony of *Pennsylvania* be requested to furnish of their militia 6000

Maryland of their militia 3400

Delaware government of their's 600

That the militias be engaged to the first day of *December* next, unless sooner discharged by congress.

That

That the pay of the militias commence from the day of their marching from home; and that they be allowed one penny a mile, lawful money, in lieu of rations for travelling expences, and one day's pay for every twenty miles between home and the general rendezvous going and returning.

That two provincial brigadiers-general be employed in the *Canada* department; one from *Massachusetts-Bay*, and one from *Connecticut*.

That four provincial brigadiers-general be employed in the *New-York* department; one from *Massachusetts-Bay*, one from *Connecticut*; one from *New-York*; and one from *New-Jersey*.

That three provincial brigadiers-general be employed for the flying camp; two from *Pennsylvania*, and one from *Maryland*.

That the said brigadiers-general be appointed by the respective colonies above-mentioned.

Resolved, That it be earnestly recommended to the assemblies, conventions and committees of safety, in the United Colonies, to fall upon the most effectual means for removing the stocks, grain and meal from such parts of their respective colonies as are invaded, or are in imminent danger of being invaded by the enemy.

That the general assembly of the colony of *Massachusetts-Bay*, the governor and assembly of *Connecticut*, the conventions of *New-York* and *New-Jersey*, and the conventions of such other of the United Colonies, in which there are any lead mines, be requested to transmit to congress, with all convenient dispatch, the state and condition of the lead mines in their respective colonies, and use the most speedy means to procure their being wrought to effect.

Extract from the minutes,

CHA. THOMSON, Sec."

"June,

" June 4, 1776.

Resolved, That it be recommended to the assemblies and conventions of the colonies requested to supply or furnish militias by the resolutions of yesterday, to take particular care that their militias come provided with arms, accoutrements and camp kettles.

By order of Congress,

JOHN HANCOCK, *President.*"

A letter was also laid before the congress from His Excellency General *Washington*, earnestly recommending that the above resolutions respecting the militia of *New-Jersey* be immediately carried into effect; whereupon,

Ordered, That *Mr. Dickenson*, *Mr. Sergeant*, *Mr. Clark*, *Mr. Freelinghuysen*, *Mr. Mehelm*, *Mr. Ellis*, *Mr. Elmer*, *Mr. Cook* and *Mr. Covenhoven*, be a committee to devise ways and means for carrying the said resolutions into immediate effect. Adjourned till to-morrow morning eight o'clock.

WEDNESDAY, June 12.

Met according to adjournment, and opened with prayer, pursuant to the standing order of the house.

Resolved unanimously, That in all divisions upon any question, if any member move to insert the yeas and nays on the minutes, and is seconded, the same shall be inserted.

On motion,

That not less than two thirds of the deputies of this congress be a quorum or body sufficient to do business; the same was carried in the negative as follows:

Yeas.

Yeas.

Mr. Drummond,
Mr. Allen,
Mr. Hart,
Mr. Dickenson,
Mr. Taylor,
Mr. Covenhoven,
Mr. Holmes,
Mr. Mott,
Mr. Sparks,
Mr. Coopers,
Mr. Demarest,
Mr. Post,
Mr. Van Boskirk,
Mr. Quackenbush.

Nays.

Mr. Abraham Clark,
Mr. Condit,
Mr. Cook,
Mr. Woodhull,
Mr. Green,
Mr. Freelinghuysen,
Mr. Paterfon,
Dr. Witherpoon,
Mr. Hardenbergh,
Mr. Mehelm,
Mr. Josiah Holmes,
Mr. Elijah Clark,
Mr. Hugg,
Mr. Ellis,
Mr. Elmer,
Mr. Ayers,

Nays.

Mr. Harris,
Mr. Bowen,
Mr. Hugbes,
Mr. Hand,
Mr. Leaming,
Mr. Savage,
Mr. Hathorn,
Dr. Bloomfield,
Mr. Sergeant,
Mr. Combs,
Mr. Martin,
Mr. Shaver,
Mr. Potts,
Mr. Van Campen,
Mr. Symmes,
Mr. Sinnickson.

Resolved, That a majority of the members elected be always a quorum sufficient to transact any business.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

A letter from the Honourable President *Hancock* was read, inclosing a resolution of the Continental Congress of the 11th instant, and urging to dispatch in forwarding the militia.

Richard Smith, Esquire, one of the delegates for this colony in the Continental Congress, asking leave to resign his seat there on account of indisposition;

Ordered, That his resignation be accepted.

A memorial from *Azariah Dunham*, Esquire, requesting the appointment of commissary and paymaster to the troops about to be raised in this colony for the continental service; was read, and ordered a second reading.

A memorial from the commissioners of the western division respecting the procuring tents, &c. was read, and ordered a second reading.

B

A letter

A letter from the Honourable *Edmund Pendleton*, Esquire, president of the convention of *Virginia*, inclosing the resolutions of the said convention respecting the independence of these colonies; read, and ordered to be filed.

A letter from the provincial congress of *New-York*, respecting a defection in *Bergen* county in this colony, together with some affidavits respecting the same; were read, and ordered to be filed.

A letter from colonel *David Brearley* of the county of *Monmouth*, complaining of sundry distressed persons in his regiment; read, and ordered a second reading.

Resolved, That Dr. *Roan* be requested to attend the western company of artillery; and that this Congress will defray the expence of such attendance.

Two petitions from sundry inhabitants of *Burlington* county, setting forth, that for certain reasons therein mentioned, no deputies were elected to represent the said county in the Provincial Congress, and praying that this congress would appoint a day for the election of deputies in that county; read, and ordered a second reading.

A petition from sundry inhabitants of the county of *Monmouth*, praying that none of the militia may be taken out of that county, as it lies so exposed to hostile invasions; read, and ordered a second reading.

Two petitions from sundry inhabitants of the fourth ward of the city of *Perth-Amboy*, in the county of *Middlesex*, praying that the government under the king of *Great-Britain* may be suppressed, and that this congress would point out and establish

establish some more suitable form of government; read, and ordered a second reading.

A petition from sundry inhabitants of the county of *Hunterdon*, setting forth, that *John Allen*, Esquire, was elected a deputy for that county to serve in provincial congress, and praying that his election may, for reasons therein mentioned, be vacated; read, and ordered a second reading.

Adjourned till eight o'clock to-morrow morning.

THURSDAY, June 13.

Met according to adjournment.

John De Hart, Esquire, one of the delegates in Continental Congress, asking leave to resign his seat on account of the situation of his family and affairs;

Ordered, That his resignation be accepted.

A petition from sundry persons in captain *Maitland's* company, in the township of *Alexandria*, and county of *Hunterdon*, praying that the petitioners may, for reasons therein mentioned, be taken from the said company and annexed to a company in *Greenwich*, in the county of *Suffex*; read, and ordered a second reading.

The committee to whom were referred the resolutions of the Continental Congress for detaching the militia, made report; which was read, and ordered a second reading.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Two petitions from the inhabitants of *Somerset* county, praying that a bounty may be offered to induce the militia to turn out as volunteers, and that the expence thereon arising may be defrayed by assessments on the ratable estates of the inhabitants

bitants in general; were read, and ordered a second reading.

The report of the committee to whom were referred the resolutions of the Continental Congress, &c. read a second time, and, after some time spent thereon, recommitted to the same committee.

The two petitions from sundry inhabitants of *Burlington* county, praying a day to be appointed for the election of deputies, &c. read a second time.

WHEREAS by a late ordinance of the Provincial Congress of *New-Jersey*, it was resolved and directed, "That all freeholders qualified to vote for representatives in general assembly in this colony, who have signed the general association recommended by this congress; and all other persons of full age, who, immediately preceding the election, shall have resided for the space of one year in any county of this colony; and who are worth at least *fifty pounds*, proclamation money in personal estate, and have signed the general association as aforesaid, shall be admitted to vote in the county wherein they reside for deputies to serve in Provincial Congress:" And by the said ordinance the said electors in each county were directed to meet on the fourth *Monday* in *May* last at the particular places therein mentioned, and elect deputies to serve in provincial congress: Notwithstanding which the electors of the county of *Burlington* neglected to elect such deputies on the day in said ordinance particularly prescribed; and no power being given to the electors of any county wherein such negligence happened, to proceed to the election of deputies on any other day, and several of the inhabitants

inhabitants of said county having prayed relief in the premises: *It is therefore resolved*, That the electors of the county of *Burlington*, qualified to vote for deputies to serve in Provincial Congress by virtue of said ordinance, do meet at the courthouse in the city of *Burlington*, on *Thursday* the twentieth day of this instant *June*, between the hours of ten in the forenoon and one in the afternoon of said day, and proceed to the election of deputies to serve in Provincial Congress; and also of a county committee, pursuant to the directions of said ordinance.

Adjourned till to-morrow morning eight o'clock.

FRIDAY, *June 14.*

Met according to adjournment.

The committee to whom the report of the committee upon the resolves of the Continental Congress was recommitted, made report of the same; which was read, and, being amended, was agreed to, and ordered to be engrossed.

Adjourned to three o'clock afternoon.

Met according to adjournment.

On motion,

Resolved, That, in the opinion of this congress, the proclamation of *William Franklin*, Esquire, late governor of *New-Jersey*, bearing date on the thirtieth day of *May* last, in the name of the king of *Great-Britain*, appointing a meeting of the general assembly to be held on the twentieth day of this instant *June*, ought not to be obeyed.

On the question,

The above resolution passed as follows:

Yeas.

Yeas.	Yeas.	Nays.
Mr. A. Clark,	Mr. Ellis,	Mr. Drummond,
Mr. Condit,	Mr. Elmer,	Mr. Dickenson,
Mr. Drake,	Mr. Ayers,	Mr. Allen,
Mr. Cook,	Mr. Harris,	Mr. Joseph Holmes,
Mr. Woodbull,	Mr. Bowen,	Mr. Hughes,
Mr. Green,	Mr. Hand,	Mr. Savage,
Mr. Frelinghuysen,	Mr. Leaning,	Mr. Demarest,
Mr. Paterfon,	Mr. Hatborn,	Mr. Post,
Dr. Witherspoon,	Dr. Bloomfield,	Mr. Van Boskirk,
Mr. Hardenbergh,	Mr. Wetherill,	Mr. Brown,
Mr. Linn,	Mr. Dunn,	Mr. Potts.
Mr. Hart,	Mr. Sergeant,	
Mr. Mebelm,	Mr. Combs,	
Mr. Covenhoven,	Mr. Martin,	
Mr. Mott,	Mr. Shaver,	
Mr. Sparks,	Mr. Van Campen,	
Mr. Cooper,	Mr. Symmes,	
Mr. E. Clark,	Mr. Sinnickson,	
Mr. Hugg,	Mr. John Holme.	

Adjourned till to-morrow morning eight o'clock.

SATURDAY, June 16.

Met according to adjournment.

A petition from sundry inhabitants of the north ward of the city of *Perth-Amboy*, praying that the government of the province of *New-Jersey* may not be changed: As also a petition from sundry inhabitants of the township of *Shrewsbury*, in the county of *Monmouth* to the same effect; read, and ordered a second reading.

On motion,

2. *Resolved*, That, in the opinion of this congress, the said *William Franklin*, Esquire, by such his proclamation, has acted in direct contempt and violation of the resolve of the Continental Congress of the 15th day of *May* last;

On the question,

The said resolution passed as follows:

Yeas.

Yeas.

Mr. A. Clark,
Mr. Condit,
Mr. Drake,
Mr. Cook,
Mr. Woodbull,
Mr. Green,
Mr. Frelinghuysen,
Mr. Paterfon,
Dr. Witherspoon,
Mr. Hardenbergh,
Mr. Linn,
Mr. Hart,
Mr. Mebelm,
Mr. Covenhoven,
Mr. Mott,
Mr. Josiah Holmes,
Mr. Elijah Clark,
Mr. Sparks,
Mr. Cooper,
Mr. Hugg,
Mr. Ellis,

On motion,

3. *Resolved*, That, in the opinion of this congress, the said *William Franklin*, Esquire, has discovered himself to be an enemy to the liberties of this country; and that measures ought to be immediately taken for securing the person of the said *William Franklin*, Esquire:

On the question,

The said resolution passed as follows:

Yeas.

Mr. A. Clark,
Mr. Camp,
Mr. Condit,
Mr. Drake,
Mr. Cook,
Mr. Woodbull,
Mr. Green,
Mr. Frelinghuysen,
Mr. Paterfon,
Dr. Witherspoon,
Mr. Hardenbergh,
Mr. Linn,
Mr. Hart,
Mr. Mebelm,
Mr. Covenhoven,
Mr. Mott,
Mr. Josiah Holmes,

Yeas.

Mr. Elmer,
Mr. Harris,
Mr. Bowen,
Mr. Hand,
Mr. Leaming,
Mr. Hatborn,
Dr. Bloomfield,
Mr. Wetherill,
Mr. Dunn,
Mr. Sergeant,
Mr. Combs,
Mr. Demarest,
Mr. Post,
Mr. Quackenbush,
Mr. Martin,
Mr. Shaver,
Mr. Van Campen,
Mr. Symmes,
Mr. Sinnickson,
Mr. Hoit,

Yeas.

Mr. Sparks,
Mr. Cooper,
Mr. E. Clark,
Mr. Hugg,
Mr. Ellis,
Mr. Elmer,
Mr. Harris,
Mr. Bowen,
Mr. Hand,
Mr. Leaming,
Mr. Savage,
Mr. Hatborn,
Dr. Bloomfield,
Mr. Wetherill,
Mr. Dunn,
Mr. Sergeant,
Mr. Combs,

Nays.

Mr. Drummond,
Mr. Dickenson,
Mr. Allen,
Mr. Taylor,
Mr. Joseph Holmes,
Mr. Hughes,
Mr. Savage,
Mr. Van Boskirk,
Mr. Brown,
Mr. Potts.

Nays.

Mr. Drummond,
Mr. Dickenson,
Mr. Allen,
Mr. Taylor,
Mr. Joseph Holmes,
Mr. Hughes,
Mr. Post,
Mr. Van Boskirk,
Mr. Brown,
Mr. Potts.

Yeas.

Yeas.

Mr. Demarest,
Mr. Quackenbush,
Mr. Martin,
Mr. Shaver,

Yeas.

Mr. Van Campen,
Mr. Symmes,
Mr. Sinnickson,
Mr. John Holme.

On motion,

4. *Resolved*, That, in the opinion of this congress, all payments of money on account of salary or otherwise to the said *William Franklin*, Esquire, as governor, ought from henceforth to cease; and that the treasurers of this province shall account for the monies in their hands to this congress, or to the future legislature of this colony.

On the question,

The said resolution passed as follows:

Yeas.

Mr. A. Clark,
Mr. Camp,
Mr. Condit,
Mr. Drake,
Mr. Cook,
Mr. Woodbull,
Mr. Frelinghuysen,
Mr. Paterfson,
Dr. Witherspoon,
Mr. Hardenbergh,
Mr. Linn,
Mr. Dickenson,
Mr. Hart,
Mr. Mebelm,
Mr. Taylor,
Mr. Covenhoven,
Mr. Joseph Holmes,
Mr. Mott,
Mr. Josiah Holmes,
Mr. Sparks,
Mr. Cooper,
Mr. Clark,
Mr. Hugg,
Mr. Ellis,

Yeas.

Mr. Elmer,
Mr. Harris,
Mr. Bowen,
Mr. Hughes,
Mr. Hand,
Mr. Leaming,
Mr. Savage,
Mr. Hatborn,
Dr. Bloomfield,
Mr. Wetherill,
Mr. Dunn,
Mr. Sergeant,
Mr. Combs,
Mr. Demarest,
Mr. Post,
Mr. Van Boskirk,
Mr. Quackenbush,
Mr. Martin,
Mr. Shaver,
Mr. Van Campen,
Mr. Symmes,
Mr. Sinnickson,
Mr. John Holme.

Nays.

Mr. Allen,
Mr. Brown,
Mr. Potts.

John Zabrieskie, of *Bergen* county, desiring leave to resign his commission as lieutenant-colonel of the battalion in that county;

Ordered,

Ordered, That his resignation be accepted.

Resolved, That the following order do issue to colonel *Nathaniel Heard*, of the first battalion of *Middlesex* county:

THE Provincial Congress of *New-Jersey*, reposing great confidence in your zeal and prudence, have thought fit to entrust to your care the execution of the enclosed resolves. It is the desire of Congress that this necessary business be conducted with all the delicacy and tenderness which the nature of the business can possibly admit. For this end you will find among the papers the form of a written parole, in which there is left a blank space for you to fill up, at the choice of Mr. *Franklin*, with the name of *Princeton*, *Bordentown*, or his own farm at *Rancocus*. When he shall have signed the parole, the Congress will rely upon his honour for the faithful performance of his engagements: but should he refuse to sign the parole, you are desired to put him under strong guard, and keep him in close custody, until the further order of this Congress. Whatever expence may be necessary for this service will be cheerfully defrayed by the congress. We refer to your discretion what means to use for that purpose; and you have full power and authority to take to your aid whatever force you may require.

John Hart, Esq. was elected vice-president.

Adjourned to three o'clock afternoon.

Met according to adjournment.

A sufficient number not attending to proceed on business, adjourned to *Monday* morning ten o'clock.

MONDAY, *June* 17.

Met according to adjournment, and a few only of

of the members attending, adjourned to three o'clock afternoon.

Met according to adjournment.

A petition from the township committee of *Windsor*, in the county of *Middlesex*, praying that a new mode of government may be established, that men above fifty may bear an equal burden, &c. was read, and ordered a second reading.

Mr. *Ellis*, Mr. *Clark* and Mr. *Camp*, having resigned their office as commissioners;

Ordered, That their resignations be accepted.

Mr. *Ellis* having resigned his office of paymaster and commissary for the company of artillery in *West-Jersey*;

Ordered, That his resignation be accepted.

Ordered, That *John Ross*, of *Woodbridge*, and *Isaac Woodruff*, of *Elizabeth-Town*, be commissioners for the eastern division, in the room of Mr. *Clark* and Mr. *Camp*, in order to purchase tents, canteens, &c. and that *David Pinkerton*, of *Trenton*, be a commissioner for the western division, in the room of Mr. *Ellis*.

A memorial from the western commissioners appointed to procure tents, &c. was read a second time.

WHEREAS the commissioners appointed to purchase tents and camp equipage, were restricted in the price, and, from their memorial now before this Congress, it appears that they are at a loss to determine what was intended to be comprised under the terms *camp equipage*: It is therefore resolved unanimously, That the said commissioners immediately purchase, on the most reasonable terms they can, four hundred tents, two thousand knapsacks, two thousand haversacks, and

and two thousand canteens, together with the six hundred and sixty camp kettles, ordered by a resolve of this Congress, bearing date the 14th day of this instant *June*.

Ordered, That *Benjamin Holme*, of the county of *Salem*, be pay-master and commissary for the company of artillery in *West-Jersey*, in the room of Mr. *Ellis*, who has resigned.

A petition from the inhabitants of *Maidenhead*, in the county of *Hunterdon*, praying that a new mode of government may be established, that all future elections be annual and by ballot, that the doors of Congress be kept open except in cases where secrecy is necessary, &c. was read, and ordered a second reading.

A remonstrance from sundry inhabitants of the county of *Burlington*, complaining of the extravagant price of goods, &c. and praying relief; read, and ordered a second reading.

Pursuant to a certificate of election,

Ordered, That the following persons be commissioned as officers in a company of militia in the county of *Hunterdon*, in the battalion whereof *Isaac Smith*, Esq. is Colonel, to wit, *John Hunt*, captain, *Henry Mershon*, first lieutenant, *Ralph Lanning*, second lieutenant, *Ely Moore*, ensign.

Ordered, That on *Friday* next, in the forenoon, this Congress will consider the propriety of forming a government; will draught instructions for the delegates in Continental Congress; and will elect delegates to represent this colony in said congress.

The petition from sundry persons in captain *Maitland's* company, in *Hunterdon* county, read a second time; whereupon,

Ordered,

Ordered, That the several persons included within the boundaries of the road from *Dunlap's* ferry and the *Hell-Town* road over *Musconetcong* on the south and east, and the river *Deleware* and *Musconetcong* on the north and west, be added to the company late of captain *Andrew Sprowle*, in *Suffex* county, on account of their particular situation.

On reading a second time the memorial of colonel *David Brearley*, respecting certain disaffected persons in *Monmouth* county; and the letter from the president of the Provincial Congress of *New-York*, stating the circumstances of a defection in *Bergen* county, &c.

Ordered, That the same be referred to Col. *Dick*, Mr. *Sergeant*, Mr. *Symmes*, Col. *Covenhoven* and Mr. *Brown*.

Adjourned till to-morrow morning eight o'clock.

TUESDAY, June 18.

Met according to adjournment.

A letter from colonel *Heard* of the 17th instant, read, and is in the words following, to wit,

To SAMUEL TUCKER, Esq. President of the Provincial Congress at Burlington, per express.

Sir,

AGREEABLY to an order and resolve of the Provincial Congress lately sent me, I this morning, with major *Deare*, went to governor *Franklin*, and desired him to comply with the order of Congress, and sign the parole sent me, which he absolutely refused to do, and forbid me, at my peril, to carry the order into execution. We then left the governor's house, and ordered a company of militia, which were in readiness, to attend,

attend, and have placed a guard of about sixty men at and around his house. I expect he will persist in refusing to comply, and therefore send this per express, and beg the further directions of the Congress respecting this matter as soon as possible by return of the bearer, and shall act accordingly. I am, in great haste,

Sir,

Your most humble servant,

NATHANIEL HEARD.

Amboy, June 17, 1776.

Ordered unanimously, That a copy of the following letter be signed by the president, and sent to Col. *Heard*.

Sir,

IT is the desire of Congress, that you immediately bring *William Franklin*, Esq. to this Place, under such guard as you may think sufficient.

Ordered unanimously, That a copy of the following letter be signed by the president, and sent to the Honourable *John Hancock*, Esq. president of the Continental Congress:

Sir,

OUR Colony has of late been alarmed with sundry attempts of disaffected persons to create disturbances. The proclamation of Mr. *Franklin*, our late governor, for calling together the assembly, is one of these which we have thought deserving the most serious attention. Enclosed we have sent a copy of certain resolves, which we have thought necessary to pass on the occasion; together with a copy of our instructions to Col. *Heard*.

We this minute received by express from Col. *Heard* a letter, of which the enclosed is a copy. We have ordered down to this place Mr. *Franklin*

lin under guard; and now beg leave to submit to the consideration of the Congress, whether it would not be for the general good of the United Colonies, that Mr. *Franklin* should be removed to some other colony: Congress will easily conceive the reasons of this application; as Mr. *Franklin*, we presume, would be capable of doing less mischief in *Connecticut* or *Pennsylvania* than in *New-Jersey*. Whatever advice Congress may think proper to give us, we shall be glad to receive; and would further intimate, that the countenance and approbation of the Continental Congress would satisfy some persons, who might otherwise be disposed to blame us.

The enclosed printed papers will shew what steps we have taken with respect to the militia.

Ordered, That *Cornelius Blanchard* be brigademajor for the eastern division of *New-Jersey*, and be commissioned accordingly.

Ordered, That the commissioners immediately purchase one or more ammunition waggons for the use of each of the artillery companies of this colony.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Memorial from the county committee of *Hunterdon*, respecting certain disaffected persons in that county; read, and referred to the committee for considering the memorial of Colonel *David Brearley*, &c.

Henry Hand, Esq. lieutenant-colonel of the battalion of *Cape-May*, having resigned his commission,

Ordered, That his resignation be accepted.

Eli

Eli Eldridge, Esq. first major of the same battalion, having resigned his commission,

Ordered, That his resignation be accepted.

Thomas Leaming, Esq. adjutant of the same battalion, having resigned his commission,

Ordered, That his resignation be accepted.

Pursuant to a certificate of election,

Ordered, That the following persons be commissioned as officers in a company of light infantry, in the township of *Middletown*, county of *Monmouth*, to wit, *John Burrowes*, jun. captain, *Jonathan Forman*, first lieutenant, *James Whitlock*, second lieutenant, *Samuel Carhart*, third lieutenant.

The petition from sundry inhabitants of *Hunterdon* county, praying the election of *John Allen*, Esq. for certain reasons, to be vacated, &c. read a second time;

On the question,

Whether the prayer of the said petition be granted? It passed in the negative.

James Mott, second major of the second battalion of foot militia in *Monmouth* county, having resigned his commission,

Ordered, That his resignation be accepted.

Adjourned till to-morrow morning eight o'clock.

WEDNESDAY, June 19.

Met according to adjournment.

Agreeable to certificate of election,

Ordered, That *William Tucker* be captain, *John Fitch*, first lieutenant, *Isajah Yard*, second lieutenant, and *Joseph Clunn*, ensign, of a company in *Trenton*, in the county of *Hunterdon*, whereof *Isaac Smith*, Esq. is colonel.

A petition from sundry inhabitants of the township,

ship of *Shrewsbury*, in *Monmouth* county, praying that no new mode of government may be established; that the present may continue as being sufficient for the exigency of our affairs; and that no measures may be adopted that tend to separate this colony from *Great-Britain*; was read, and ordered a second reading.

A petition from the south ward of *New-Brunswick*, praying that a new government be established; and that a speedy and absolute independence upon *Great-Britain* be proclaimed, &c. read, and ordered a second reading.

A petition from the committee of *Tewkesbury* and *Reading* town, in *Hunterdon* county, praying that the bounty offered by a late resolve of this Congress, in order to induce the militia to turn out, may be augmented; read, and ordered to lie on the table.

The committee of the north ward of the city of *Perth-Amboy*, having transmitted to this Congress an appraisement of arms taken from the non-associators within their bounds;

Ordered, That the same be filed.

The committee to whom were referred the memorials and representations respecting certain distressed persons in the counties of *Monmouth*, *Hunterdon*, *Bergen* and *Sussex*, made report, and, after sundry amendments, the same was agreed to, and the Congress came to sundry resolutions thereupon, which are as follow, viz.

Resolved, That it be referred to the county committee of *Sussex*, to take order with the persons who have been charged with behaving in a disorderly manner in that county; and that they be empowered to punish the delinquents according as the case may require, not exceeding fine and imprisonment.

Resolved,

Resolved, That the affidavits transmitted to this Congress, by the president of the Provincial Congress of *New-York*, respecting a supposed defection in the county of *Bergen*, be transmitted to the committee of that county; and that they be directed immediately to examine strictly into the truth of the case, and report their proceedings to this Congress as speedily as possible.

Resolved, That the following persons, *Richard Robins* and *Moses Ivins*, of the county of *Monmouth*, and *John Vaught*, *Frederick Fritz*, *George Updike* and *William Rittenhouse*, of the county of *Hunterdon*, be required to attend this Congress, on *Tuesday* the twenty-fifth day of this instant *June*, at nine o'clock in the forenoon; and that the President employ persons to serve the summonses.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Pursuant to certificate of election,

Ordered—unanimously, That *David Chambers*, Esq. be colonel, *Thomas Lowrey*, lieutenant-colonel, and *Cornelius Stout*, second major, of the third battalion of foot militia in the county of *Hunterdon*.

A petition from part of captain *John Phillip's* company, in the third battalion of *Hunterdon*, praying that the said company may be joined to the first battalion; read, and ordered to lie on the table.

The memorial of *William Nathaniel French*, setting forth, that the estate of his father and family, of whom he is the representative, lies in *England* and the island of *Barbados*, and lest the same may be forfeited, praying that he may be exempted from all military calls, associations, &c. read, and ordered to lie on the table.

D

Whereas

Whereas some doubts have arisen whether the late ordinance of the Provincial Congress, directing a bounty of *one shilling* a pound to be paid for all merchantable salt-petre manufactured in this province, should be allowed on any salt-petre unless in those cases where the same was purchased by the respective committees; for removing which doubts,

Resolved, That the aforesaid bounty be paid for all salt-petre manufactured in this colony, upon the proof, and under the limitations in the said ordinance directed, whether the same be sold in this or any other colony.

Ordered, That Dr. *Thomas Ewing* be appointed surgeon to the battalion directed to be raised in the counties of *Burlington, Gloucester, Cumberland* and *Salem*, under the command of Colonel *Silas Newcomb*.

Ordered, That the commissioners for the company of artillery in *West-Jersey*, immediately purchase the following articles for the use of said company, *viz.*

Powder	600 weight.
Cannon ball	500 ditto.
Double headed and grape shot	1500 ditto.
Lead	600 ditto.

Knapfacks and Haverfacks 64 of each.

Intrenching tools, spades and shovels 20; hoes 6, 2 worms, 4 rammers and sponges, 4 handspikes capt with iron.

A sufficient quantity of coarse oznabrigs or crocus for making up cartridges with grape shot; 3 dozen eatisters for the same purpose; 600 tubes ready filled; and a sufficient quantity of port fires, tube boxes, and boxes for transportation of cartridges.

Adjourned

Adjourned till to-morrow morning eight o'clock.

THURSDAY, June 20.

Met according to adjournment.

Pursuant to certificate of election from the committee of *Salem*, prior to the militia ordinance,

Ordered, That *Samuel Dick*, Esq. be colonel, *Whitton Cripps*, Esq. lieutenant-colonel, *William Mecum*, Esq. first major, and *Edward Hall*, Esq. second major, of the western battalion of the said county, and that they be commissioned accordingly.

A letter from President *Hancock* of the 19th instant, was read; together with a resolve of the Continental Congress in the words following, *viz.*

"In CONGRESS, June 19, 1776.

RESOLVED, That it be recommended to the convention of *New-Jersey*; to proceed on the examination of Mr. *Franklin*; and if, upon such examination, they shall be of opinion that he should be confined, to report such opinion to this Congress, and then this Congress will direct the place of his confinement, they concurring in sentiment with the Convention of *New-Jersey*, that it would be improper to confine him in that colony.

Extract from the minutes,

CHA. THOMSON, Sec."

Adjourned to six o'clock afternoon.

Met according to adjournment.

The certificate of election for members of Congress for the county of *Burlington*, read, allowed and filed.

Adjourned till to-morrow morning eight o'clock.

FRIDAY, June 21.

Met according to adjournment.

A petition

A petition from sundry inhabitants of the township of *Morris*, in the county of *Morris*, praying that all officers in civil government may be annually elected by the people; that the fees of all officers may be as low as possible, &c. was read, and ordered a second reading.

Ordered, That the president write to General *Livingston*, and inform him, that it is the desire of Congress that he would take the command of the militia destined for *New-York*.

The Honourable the Continental Congress having resolved "that letters be written to the "Conventions of *New-Jersey* and *New-York*, "and to the Assembly of *Connecticut*, recommending to them to authorize the commander in chief in the colony of *New-York*, to call to the assistance of that colony, when necessity shall require it, such of the militia of those colonies as may be necessary; and to afford him such other assistance as the situation of affairs may require: and that it be further recommended to the Convention of *New-York*, to empower the said commander in chief, to impress carriages and water craft, when necessary, for the publick service; and also to remove ships and other vessels in *Hudson's* and the *East* rivers, for the purpose of securing them from the enemy."

This Congress, sensible of the importance of securing *New-York* against the attempts of the enemy to cut off the communication between the eastern and southern colonies; and although they have directed the immediate raising of five battalions to join the continental army for that purpose; yet, as it is impossible to ascertain the number of the enemy, they are of opinion that, in the present uncertain state of publick affairs, the inhabitants

bitants of this province ought, in cases of extraordinary danger, to give all the occasional assistance in their power, especially as the fate of *America* may perhaps depend upon the issue of this summer's campaign, *do resolve*, that in case the commander in chief of the continental forces at *New-York*, upon the arrival of *British* troops, shall stand in need of the aid of the militia of this colony, that he be authorized to call for the same, by applying to one of the brigadiers-general, or the colonels of militia. And the said militia, upon such request, are desired immediately to march to the defence of the parts invaded, or threatened with an immediate invasion. And all such of the militia as, upon the requisition of the commander in chief, shall march to the defence of any place in danger, shall be entitled to the same pay and subsistence as are allowed to the continental forces, and shall not be detained in such service more than one month from the time of their marching. This Congress, from experience of the zeal and alacrity of the inhabitants of this colony to step forward for the defence of *America* on all former occasions, are persuaded that this request from their representatives, arising from pure necessity, will be most cheerfully complied with, and the honour and safety of the colony thereby maintained.

Ordered, That a copy of the above resolution be transmitted to General *Washington*; and that the same be published in the news-papers.

Ordered unanimously, That Doctor *Melancthon Freeman*, be appointed surgeon, and Mr. *Benjamin Stockton* surgeon's mate, to the battalion directed to be raised in the counties of *Middlesex* and *Monmouth*.

A petition from *John Reynolds* and *George Riche*,

Riche, paper-makers in *Germantown, Pennsylvania*, setting forth, that they designed to carry on their trade in this colony, and praying that this Congress would encourage the same; read, and ordered a second reading.

A petition from sundry inhabitants of the county of *Burlington*, setting forth, that great expence will necessarily attend recruiting the men directed to be raised by an ordinance of the fourteenth instant; and praying that the men may be subsisted and paid from the time of enlistment; read, and ordered a second reading.

William Franklin, Esq. late governor of this province, having been brought before this Congress pursuant to an order for that purpose, to be examined touching such parts of his conduct as were deemed inimical to the liberties of *America*, *Mr. Franklin* refused to answer the questions put to him, denying the authority of this body, which he alledged had usurped the king's government in this province.

As the said *William Franklin*, by this and his former conduct, in many instances, appears to be a virulent enemy to this country, and a person that may prove dangerous; therefore it is

Unanimously resolved, That the said *William Franklin* be confined in such place and manner as the Honourable Continental Congress shall direct.

Ordered, That the president write to the Continental Congress enclosing the above resolves, and the questions that were put to *Mr. Franklin*.

Resolved, That lieutenant-colonel *Bowes Reed* keep under safe guard the person of *William Franklin*, Esq. until the further order of this Congress; and that the president sign an order for this purpose.

Adjourned

Adjourned to three o'clock afternoon.

Met according to adjournment.

The petition from sundry inhabitants of *Burlington* county, setting forth, that great expence will necessarily attend the recruiting the men directed to be raised by an ordinance of the fourteenth instant; and praying that the men may be subsisted and paid from the time of enlistment; was read a second time, and referred to *Mr. Dick*, *Mr. Ellis* and *Mr. Symmes*.

Four petitions from the township of *Middletown* and *Shrewsbury*, in the county of *Monmouth*, praying that the government of the province of *New-Jersey* may not be changed, &c. read.

Two petitions from the township of *Freehold*, in the county of *Monmouth*, praying that this Congress will immediately establish such mode of government as shall be equal to the present exigencies of this colony, and fully coincide with the resolve of the Honourable Continental Congress of the 15th of *May* last; were read.

Pursuant to the order of the day, the Congress went into the consideration of the propriety of forming a government, &c.

Resolved, That a government be formed for regulating the internal police of this colony, pursuant to the recommendation of the Continental Congress of the 15th of *May* last;

On the question,

It passed in the affirmative as follows:

Yea.

Yeas.

Mr. A. Clark,
Mr. Ogden,
Mr. Camp,
Mr. Drummond,
Mr. Condict,
Mr. Drake,
Mr. Cook,
Mr. Woodbull,
Mr. Green,
Mr. Frelinghuysen,
Mr. Paterfon,
Dr. Witherpoon,
Mr. Hardenbergh,
Mr. Linn,
Mr. Hart,
Mr. Mebelm,
Mr. Covenhoven,
Mr. Joseph Holmes,
Mr. Mott,
Mr. Josiah Holmes,
Mr. Sparks,
Mr. Cooper,
Mr. Elijah Clark,
Mr. Hugg,
Mr. Ellis,
Mr. Elmer,
Mr. Ayers,

Yeas.

Mr. Harris,
Mr. Bowen,
Mr. Hughes,
Mr. Hand,
Mr. Leaming,
Mr. Savage,
Mr. Hatborn,
Dr. Bloomfield,
Mr. Wetberill,
Mr. Dunn,
Mr. Sergeant,
Mr. Combs,
Mr. Van Boskirk,
Mr. Shaver,
Mr. Potts,
Mr. Van Campen,
Mr. Symmes,
Mr. Sinnickson,
Mr. Holme,
Mr. Shinn,
Mr. Cripps,
Mr. Dick,
Mr. Tallman,
Mr. Reynolds,
Mr. Fennimore,
Mr. Read,
Mr. Shreve.

Nays.

Mr. Allen,
Mr. Taylor,
Mr. Brown.

Adjourned till to-morrow morning eight o'clock.

SATURDAY, June 22.

Met according to adjournment.

Upon the question,

Whether one or more delegates shall be a sufficient number to represent this colony in Continental Congress? It passed in the affirmative as follows, viz.

For one.

Mr. A. Clark,
Mr. Ogden,
Mr. Camp,
Mr. Condict,
Mr. Drake,
Mr. Cook,
Mr. Woodbull,
Mr. Green,

For one.

Mr. Frelinghuysen,
Mr. Paterfon,
Dr. Witherpoon,
Mr. Hardenbergh,
Mr. Linn,
Mr. Brown,
Mr. Shaver,
Mr. Potts,

For more.

Mr. Drummond,
Mr. Dickenson,
Mr. Hart,
Mr. Taylor,
Mr. Joseph Holmes,
Mr. Mott,
Mr. Josiah Holmes,
Mr. Cooper,

For one.

Mr. Van Campen,
Mr. Mebelm,
Mr. Covenhoven,
Mr. E. Clark,
Mr. Hugg,
Mr. Ellis,
Mr. Hughes,
Mr. Hand,
Mr. Leaming,
Mr. Savage,
Mr. Hatborn,
Dr. Bloomfield,
Mr. Wetberill,

For one.

Mr. Dunn,
Mr. Sergeant,
Mr. Combs,
Mr. Van Boskirk,
Mr. Quackenbush,
Mr. Symmes,
Mr. John Holme,
Mr. Shinn,
Mr. Cripps,
Mr. Dick,
Mr. Reynolds,
Mr. Shreve.

For more.

Mr. Elmer,
Mr. Harris,
Mr. Bowen,
Mr. Post,
Mr. Sinnickson,
Mr. Tallman,
Mr. Read.

Resolved, That five persons be elected to represent this colony in Continental Congress, to serve for one year, unless a new appointment be made before that time, any one of whom shall have power to vote.

Mr. *Sergeant* having resigned his appointment as a delegate in the Continental Congress;

Ordered, That his resignation be accepted.

Adjourned to three o'clock afternoon.

Met according to adjournment.

The Congress proceeded to the election of delegates to represent this colony in Continental Congress, when *Richard Stockton, Abraham Clark, John Hart, Francis Hopkinson*, Esquires, and Dr. *John Witherpoon*, were elected by ballot to serve for one year, unless a new appointment be made before that time.

Resolved, That the following instructions be given to the delegates so elected, viz.

To *Richard Stockton, Abraham Clark, John Hart, Francis Hopkinson*, Esquires, and the Reverend Doctor *John Witherpoon*, delegates appointed to represent the colony of New-Jersey in Continental Congress.

THE Congress empower and direct you, in the name of this colony, to join with the delegates

delegates of the other colonies in Continental Congress, in the most vigorous measures for supporting the just rights and liberties of *America*. And, if you shall judge it necessary and expedient for this purpose, we empower you to join with them in declaring the United Colonies independent of *Great-Britain*, entering into a confederacy for union and common defence, making treaties with foreign nations for commerce and assistance, and to take such other measures as to them and you may appear necessary for these great ends, promising to support them with the whole force of this province; always observing that, whatever plan of confederacy you enter into, the regulating the internal police of this province is to be reserved to the colony legislature.

Ordered, That *Ebenezer Howell*, of the county of *Salem*, be commissioned as major of the battalion commanded by colonel *Newcomb*.

A petition from the county committee of *Monmouth*; read, and ordered a second reading.

A petition from *Stafford* township, in *Monmouth* county; read, and ordered a second reading.

A petition from *Charles Loveland*; read, filed, and ordered a second reading.

Two petitions from the township of *Woodbridge*; read, filed, and ordered a second reading.

Colonel *Borden's* account for the paying of *Robert Quigley's* company; read, filed, and ordered a second reading.

Adjourned to two o'clock on *Monday* next.

MONDAY, *June 24*.

Met according to adjournment.

Two petitions from the townships of *Middletown* and

and *Freehold*, in the county of *Monmouth*, praying that this Congress would immediately establish such mode of government as shall be equal to the exigencies of this colony, and fully coincide with the resolve of the Honourable Continental Congress of the fifteenth of *May* last; read, and ordered a second reading.

A letter from the county committee of *Monmouth*, enclosing an association signed by certain disaffected persons; read, and ordered a second reading.

A representation of the county committee of *Monmouth*, giving a detail of colonel *Forman* and the minute-men, seizing several disaffected persons in that county without the express command of the committee, though approved by them afterwards; accompanied with an account of the expence attending the seizure of said persons; read, and ordered a second reading.

Ordered, That *Mr. Green*, *Mr. Cooper*, *Mr. Sergeant*, *Mr. Ogden*, *Mr. Elmer*, *Mr. Hughes*, *Mr. Covenhoven*, *Mr. Symmes*, *Mr. Condict* and *Mr. Dick*, be a committee to prepare the draught of a constitution.

Ordered, That *Thomas Okefon*, charged with supplying the *British* men of war with provisions, be committed to the common gaol of *Burlington* county.

Adjourned till to-morrow morning eight o'clock.

TUESDAY, *June 25*.

Met according to adjournment.

The Continental Congress having resolved, That *William Franklin*, Esquire, be sent under guard to Governor *Trumbull* of *Connecticut*, who is desired to take his parole; and if
" Mr.

"Mr. Franklin refuse to give his parole, that Governor Trumbull be desired to treat him agreeable to the resolutions of Congress respecting prisoners."

Resolved, That the president do issue orders, and take such measures as may be necessary to carry the above resolve into execution.

Brigadier-general Livingston having by letter informed this Congress that he could not, for reasons therein mentioned, accept the command of the militia destined for *New-York*;

Resolved, That Colonel Nathaniel Heard be, and he is hereby appointed brigadier-general of the said forces.

The committee to whom was referred the petition from *Burlington*, praying that the men raised in order to reinforce the army at *New-York*, may be subsisted and paid from the time of enlistment, made report; which was read, and ordered a second reading.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Memorial of Colonel Stephen Hunt, setting forth, That several difficulties have arisen in raising the new levies, &c. read, and ordered a second reading.

Representation of Richard Robins and Moses Ivins, containing reasons for their refusing to obey the summons of this house; read.

The Congress took under consideration the memorial of Colonel Hunt; and also the report of the committee to whom was referred the petition from *Burlington* county, &c. and, after some time spent therein, came to the following determination:

WHEREAS

WHEREAS by a late ordinance of this Congress for the raising of three thousand three hundred of the militia to reinforce the army at *New-York*, no provision was made for the subsistence of the said militia from the time of enlistment to the time of marching. And whereas it is highly reasonable that some provision should be made therefor; It is therefore resolved, That every commissioned officer be allowed at the rate of fifteen shillings a week for his subsistence from the time he begins to recruit, to the time he begins to march to the place of general rendezvous; and that every non-commissioned officer and private be allowed at the rate of seven shillings and six-pence a week for his subsistence, computing from the time of his enlistment to the time of his marching for the place of destination or general rendezvous.

Adjourned till to-morrow morning eight o'clock.

WEDNESDAY, June 26.

Met according to adjournment.

Whereas it appears, from undoubted intelligence, that there are several insurgents in the county of *Monmouth*, who take every measure in their power, to contravene the regulations of Congress, and to oppose the cause of American freedom; and, as it is highly necessary that an immediate check be given to so daring a spirit of disaffection;

It is therefore resolved unanimously, That colonel Charles Read take to his aid two companies of the militia of the county of *Burlington*, properly officered and armed, and proceed without delay to the county of *Monmouth*, in order to apprehend such insurgents and disaffected persons in said county, as this Congress shall give in direction to Colonel Read.

Resolved,

Resolved unanimously, That Colonel *Read* take, if necessary, to his assistance, the militia of *Monmouth*.

Resolved unanimously, That such officers and militia as engage in this service, shall receive the like pay as the continental troops.

Resolved unanimously, That the said militia furnish themselves with provisions, and that this Congress will order payment therefor.

Resolved, That the following directions, signed by the president, be given to Colonel *Read*.

Colonel *Charles Read*,

YOU are hereby ordered to apprehend *Richard Robins* and *Moses Ivins*, and to deliver them unto the keeper of the common gaol of the county of *Gloucester*, who is hereby commanded to keep said persons in close and safe confinement, until this Congress, or Committee of Safety, shall take further order therein: And you are also to apprehend *Anthony Woodward*, junior, *Joseph Grover*, *Guisebert Guisebertson* and *Thomas Lewis Woodward*, and bring them before this Congress, or, during their recess, the Committee of Safety.

Whereas it appears from authentick information, that certain disaffected persons, in the county of *Hunterdon*, have confederated for the purpose of opposing the measures of the Continental and Provincial Congresses, and have even proceeded to acts of open and daring violence; have plundered and robbed the house of captain *Jones*; have beaten, wounded and otherwise abused the friends of freedom in said county, and now publicly declare, that they will take up arms and engage in behalf of the king of *Great-Britain*, the avowed and implacable enemy of the United Colonies. In order to put an effectual stop to a combination so hostile and dangerous,

It is resolved unanimously, That lieutenant-colonel *Ten Eick*, and major *Berry*, take to their aid such a number of the militia, properly officered and armed, of the counties of *Hunterdon* and *Somerset*, as they may think necessary, and proceed, without delay, to the said county of *Hunterdon*, in order to apprehend such insurgents and disaffected persons as this Congress shall direct.

Resolved unanimously, That such officers and militia as engage in this service shall receive the like pay as the continental troops.

Resolved unanimously, That the said militia furnish themselves with provisions, and that this Congress will order payment therefor.

Resolved; That the following directions, signed by the president, be sent to Colonel *Ten Eick*.

Colonel *Abraham Ten Eick*,

YOU are hereby ordered to apprehend *John Vaught*, *Joseph Lee*, *Thomas Swindle*, *George Cyphers*, jun. *Peter Cyphers*, *John Day*, *William Hunt*, jun. *Jonathan Hunt*, *John Hunt*, *John Millham*, jun. *Herman Millham*, *Christopher Vaught*, *James Mac Cord*, *George Casner*, *Thomas Buskirk*, *Federick Frittz*, *Peter Abgar*, *Daniel Hunt*, *George Adike*, *John Horpence*, *Philip Forker*, *Christopher Mills*, *Bartholomew Thatcher*, *Samuel Slater*, *Edward Taylor* and *John Taylor*, all of whom you are to keep under strong guard, and to bring before this Congress, or Committee of Safety, or, during their recess, to deliver them to the keeper of the common gaol of *Trenton*, who is hereby commanded to keep them in close and safe confinement, until this Congress, or Committee of Safety, shall take further orders therein.

Adjourned to three o'clock afternoon.

Met according to adjournment.

The

The committee appointed to draught a constitution, &c. reported a draught accordingly; which was read, and ordered a second reading.

Ordered, That Mr. Mehelm, Mr. Woodhull, Dr. Bloomfield and Mr. Joseph Holmes, be a committee to examine and report all publick accounts.

Ordered, That the president write to the western commissioners, and desire them to deliver half a hundred weight of gunpowder to Colonel Johnston.

A petition from the town committees of Galloway and Great-Egg-Harbour, praying that the surplus of the money arising from the sale of goods saved in a transport which was stranded on the coast, may be appropriated towards equipping such persons within their bounds as are unable to equip themselves; was read, and ordered a second reading.

Ordered, That Mr. Philip Vickers Fitbrian be chaplain to the battalion under the command of Colonel Newcomb; and to the battalion to be raised in the counties of Middlesex and Monmouth, which are destined for New-York.

The petition from fundry inhabitants of the county of Monmouth, praying that none of the militia may be taken out of that county, as it lies so exposed to hostile invasions; was read a second time, and ordered to lie on the table.

Ordered, That the company under the command of captain Stillwell, which was directed by the late Committee of Safety to guard the coast of this colony near Sandy-Hook, be continued until the further order of this Convention or Committee of Safety. If it be inconvenient for any of the company to continue in the said employment,

employment, captain Stillwell is hereby empowered to supply such deficiency by enlistment.

Ordered, That Colonel George Taylor be commissary for the said company.

A petition from Thomas Okefor, now confined in Burlington gaol for corresponding with the enemy, praying that he may be released; read, and ordered a second reading.

Adjourned till to-morrow morning eight o'clock.

THURSDAY, June 27.

Met according to adjournment.

The memorial from Azariah Dunham, Esquire, requesting the appointment of commissary and paymaster for the troops to be raised in this province for the continental service, read the second time; whereupon,

Resolved, That this Congress recommend Mr. Dunham as commissary for the new levies raising in this colony to reinforce the army at New-York.

Resolved, That Mr. Rowland Chambers be recommended by this Congress to the Honourable Continental Congress as a proper person to be paymaster of the said levies.

The Congress resolved itself into a committee of the whole, and Mr. Covenhoven being in the chair, took under consideration the draught of a constitution, &c.

The president resumed the chair, and Mr. Covenhoven, from the committee of the whole, made report, that they have made some progress in the matters to them referred, and pray leave to sit again.

A letter from the Provincial Congress of New-York, enclosing an extract from their minutes, was received and read.

F

Adjourned

Adjourned till three o'clock afternoon.

Met according to adjournment.

The Congress resolved itself into a committee of the whole, and Mr. *Covenhoven* being in the chair, resumed the consideration of the draught of a constitution.

The president resumed the chair, and Mr. *Covenhoven* from the committee of the whole, made report, that they have made some further progress in the matters to them referred, and desire leave to sit again.

Adjourned till to-morrow morning eight o'clock.

FRIDAY, June 28.

Met according to adjournment.

A petition from the officers of the militia of *Gloucester*, appointed to raise men for the continental service, to reinforce the troops now in *New-York*, setting forth, that *fifteen shillings* a week is not sufficient to defray their expences in enlisting said men, and requesting that this Congress would make such further allowance as may be reasonable and necessary; was read, and ordered a second reading.

Two petitions from sundry inhabitants of the township of *Upper Freehold*, in the county of *Monmouth*, praying that this Congress would immediately establish such mode of government as shall be equal to the exigencies of this colony, and fully coincide with the resolve of the Honourable Continental Congress of the 15th of *May* last; read, and ordered a second reading.

The several petitions for and against the establishment of a government, read the second time, and referred to the committee of the whole.

The

The Congress resolved itself into a committee of the whole.

The president resumed the chair, when Mr. *Covenhoven*, from the committee of the whole, made report, that they had not yet come to any resolutions, and desired leave to sit again.

Adjourned till three o'clock afternoon.

Met according to adjournment.

Ordered; That Mr. *Andrew Hunter* be chaplain to the three battalions now raising in this colony, under the command of colonels *Van Cortland*, *Martin* and *Hunt*, destined to reinforce the army at *New-York*.

The Congress resolved itself into a committee of the whole.

The president resumed the chair, and Mr. *Covenhoven*, from the committee of the whole, made report, that they had not yet come to any resolutions, and desired leave to sit again.

Pursuant to a certificate of election,

Ordered, That *Elliot Howell* be second lieutenant of the light infantry company in the first battalion of foot militia in the county of *Hunterdon*, whereof *Isaac Smith*, Esquire, is colonel.

Pursuant to a certificate of election,

Ordered, That *Joseph Clunn* be ensign of a company at *Trenton*, in the same battalion.

Adjourned till seven o'clock to-morrow morning.

SATURDAY, June 29.

Met according to adjournment.

A petition from the county committee of *Monmouth*, setting forth, that, in pursuance of a resolution of the late Congress, said committee furnished Colonel *Maxwell's* battalion with fifty stand of arms, and that it was in their option to have

have them replaced or receive their value in money, and praying that this Congress would order the value of said arms to be paid in money, read a second time, and ordered that the treasurer pay the amount of said arms according to the appraisement.

Mr. *Josiah Franklin Davenport* handed to Congress an account in the words following:

"Extract of a letter from the Provincial Congress, dated *Burlington, June 15, 1776*, delivered to Mr. *Davenport*.

"To Col. *Nathaniel Heard*.

"Whatever expence may be necessary for this service will be cheerfully defrayed by the Congress.

"*Samuel Tucker, president*.

"Col. *Nathaniel Heard* to *Josiah F. Davenport*,
Dr.
June 26, 1776.

"To boarding and lodging Governor *Franklin*,
his Servant, &c. one week, £. 3 : 0 : 0

Ordered, That the treasurer pay the above account.

Two memorials, the one from the county committee of *Monmouth*, the other from the committee of safety of that county, respecting certain disaffected persons in said county; and requesting that this Congress would take some decisive order therein; were read, and ordered a second reading.

Ordered, That Dr. *John Condict* be surgeon to the battalion directed to be raised in the counties of *Bergen, Essex* and *Burlington*, under the command of Colonel *Van Cortland*, destined to reinforce the army at *New-York*.

A petition

A petition from *Richard Robins* and *Moses Ivins*, praying a hearing, confessing their faults, offering to make discoveries, and praying a discharge; read and filed.

Ordered, That they attend immediately.

After the hearing,

Ordered, That they be remanded to prison.

A letter from Adjutant-General *Reed*, informing that General *Howe* is arrived at *Sandy-Hook* with a considerable force, and desiring immediate detachments from the militia of this colony, to reinforce the army at *New-York*; read and filed.

Ordered, That the president write to Mr. *Reed*, and inform him of the situation of our levies, and the orders this Congress have issued.

John Covenhoven, Esq. elected vice-president.

Agreed that twenty of the members of this Congress be a quorum or body sufficient to transact any business, except such as may respect the formation of the constitution.

CERTAIN advice being received of the arrival of General *Howe* at *Sandy-Hook*,
Ordered, That all officers who have enlisted men properly armed, under the late ordinance for raising three thousand three hundred men within this colony, proceed immediately with such numbers as they may have collected, or can collect, without delay to *New-York*; assigning a due proportion of officers to the men that may be ready, and leaving other officers as occasion may require, to collect the remainder. All officers, paymasters and others are required to be diligent in their respective stations; and all the friends of liberty throughout the colony are most earnestly entreated now to exert themselves for the

the preservation of their country, their lives, liberties and property.

This Congress do likewise earnestly desire all persons to lend arms or other necessaries on the present occasion, and they may rest assured of the publick faith to make amends for any loss or damage they may incur.

Ordered, That *Cornelius Van Voorst* be lieutenant-colonel, *Richard Dey*, first major, and *John Mauritus Gootchins*, second major, of the battalion of foot militia in the county of *Bergen*.

Ordered, That *Charles Pettit*, Esquire, be commanded immediately to remove the publick records and papers, in his custody, from the city of *Perth-Amboy* to the city of *Burlington*.

Adjourned to three o'clock afternoon.

Met according to adjournment.

The Congress resolved itself into a committee of the whole.

The President resumed the chair.

Resolved, That the committee of the whole, reported, that the committee had come to several resolutions, which he was ready to report.

Resolved, That the Congress will receive the report of the committee of the whole on *Tuesday* next; at which time every member is enjoined to be punctual in his attendance.

Ordered, That *Dr. Jonathan Horton* be surgeon, and *Dr. David Ewen* surgeon's mate to the battalion directed to be raised in the counties of *Morris* and *Sussex*, under the command of *Col. Martin*, destined to reinforce the army at *New-York*.

Congress received a letter from *Colonel Taylor* of *Monmouth*, dated ten o'clock in the forenoon of

of this day, informing that nineteen sail of the enemy's fleet lies at the *Hook*, and forty-five in sight; read and filed.

Ordered, That the president write to the Continental Congress, enclosing a copy of the above letter, and requesting a supply of powder.

Adjourned till to-morrow morning eight o'clock.

SUNDAY, June 30.

A sufficient number of members not attending, adjourned till to-morrow morning eight o'clock.

MONDAY, July 1.

Met according to adjournment.

The Continental Congress having, upon request, furnished this Congress with two tons of powder,

Ordered, That the same be distributed in the following manner,

<i>Morris</i>	400	<i>Somerset</i>	400
<i>Bergen</i>	400	<i>Essex</i>	500
<i>Sussex</i>	400	<i>Monmouth</i>	700
<i>Hunterdon</i>	400	<i>Middlesex</i>	500
<i>Burlington</i>	300		
			2100

1900

Adjourned to three o'clock afternoon.

Met according to adjournment.

WHEREAS by a regulation of the late Congress, the several committees in this colony, were authorized and directed to disarm all the non-associators and persons notoriously disaffected, within their bounds: And whereas it appears that the said regulation hath not been carried into effect in some parts of the colony; and it being absolutely necessary, in the present dangerous

ous state of publick affairs, when arms are much wanted for the publick defence, that it should be instantly executed: *It is therefore directed and resolved*, That the several colonels in this colony do, without delay, proceed to disarm all such persons within their districts, whose religious principles will not permit them to bear arms; and likewise all such as have hitherto refused and still do, refuse to bear arms; that the arms so taken be appraised by some indifferent person or persons; that the said colonels give vouchers for the same, and that the appraisement and receipt be left in the hands of the person disarmed.

John Leonard, Richard Robins, Moses Ivins, Thomas Lewis Woodward and Ezekiel Forman, being brought before Congress, to answer certain charges exhibited against them, did severally and voluntarily execute bonds, in the penalty of *five hundred pounds*, conditioned at all times, and in all things well and faithfully to observe, obey, keep and perform all resolves, orders, ordinances and regulations of the Continental Congress, and of this Provincial Congress, and to be of good behaviour, and in no wise knowingly or willingly to act inimically or unfriendly to the cause of the United Colonies.

Adjourned till to-morrow morning eight o'clock.

TUESDAY, July 2.

Met according to adjournment.

Agreeable to order, the Congress went into the consideration of the report of the committee of the whole; and, after some time spent therein, deferred the further consideration thereof till the afternoon.

Resolved,

Resolved, That in the opinion of this Congress the militia of *Monmouth* county ought, for the present, to remain in their own county, excepting such part thereof as by the late ordinance of this Congress were required to form their proportion of the *New-Jersey* brigade of three thousand three hundred men.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Henry Waddell, Esq. Captain of a grenadier-company in the militia of *Monmouth*, having, by petition, prayed that this Congress would accept a resignation of his commission, assigning for reason that he was so frequently afflicted with the gout, that he was rendered incapable of doing the duty of an officer.

Ordered, That his resignation be accepted.

Ordered, That Colonel *Isaac Smith* be directed to take charge of *Christopher Vaught, John Vaught, Joseph Lee, Frederick Frittz, Thomas Baskirk, Jonathan Hunt, Jacob Hunt, Bartholomew Thatcher, John Brady, John Horpence, Philip Cool, Philip Fanker, James Greames and William Thatcher*, disaffected persons, apprehended by order of Congress, and to confine them in the common gaol of *Trenton*, and there to keep them under guard until the further order of this Congress, or the Committee of Safety.

The Congress resumed the consideration of the report of the committee of the whole; which, after sundry amendments, was agreed to.

On the question,

Whether the draught of the constitution, formed on the report of the committee of the whole, be now confirmed, or be deferred for

G

further

further consideration? It was carried for confirming now, as follows:

For now.	For now.	For deferring.
Mr. Camp,	Mr. Harris,	Mr. Drummond,
Mr. Cook,	Mr. Bowen,	Mr. Paterfon,
Mr. Green,	Mr. Hand,	Mr. Hugbes,
Mr. Mebelm,	Mr. Leaming,	Mr. Savage,
Mr. Joseph Holmes,	Mr. Hatborn,	Mr. Post,
Mr. Mott,	Mr. Sergeant,	Mr. Brown,
Mr. Josiah Holmes,	Mr. Shaver,	Mr. Cripps,
Mr. Sparks,	Mr. Symmes,	Mr. Dick,
Mr. Cooper,	Mr. Shinn,	Mr. Read,
Mr. Clark,	Mr. Tallman,	
Mr. Hugg,	Mr. Reynolds,	
Mr. Ellis,	Mr. Fennimore,	
Mr. Elmer,	Mr. Shreve,	

Adjourned till to-morrow morning eight o'clock.

WEDNESDAY, July 3.

Met according to adjournment.

Ordered, That Joseph Pancoast be commissioned as captain, Henry Delatash first lieutenant, John Kerlin ensign, of a company of foot militia in the township of Mansfield, in Burlington county.

Ordered, That captain Kinney be cited to appear before this Congress, and answer for his conduct in delaying the removal of William Franklin, Esq. to Connecticut.

Whereas authentick information has been received by this Congress, that a number of disaffected persons have assembled in the county of Monmouth, preparing, by force of arms, to oppose the cause of American freedom, and to join the British troops, for the destruction of this country; and it being highly necessary that immediate measures be taken to subdue these dangerous insurgents: It is therefore unanimously resolved, that colonel Charles Read, lieutenant-colonel Samuel Forman, and major Joseph Haight, do take two hundred

hundred of the militia of Burlington county, and two hundred of the militia of Monmouth, and proceed, without delay, in order to quell the aforesaid insurrection, and to disarm and take prisoners whomsoever they shall find assembled with intent to oppose the friends of American freedom; which prisoners, so taken, they shall forthwith bring before this Congress: and the said officers are empowered to take such measures as they shall think necessary for this service.

Adjourned to three o'clock afternoon.

Met according to adjournment.

On the question,

Whether the draught of the constitution be now printed, or the printing thereof be deferred for a few days, in order to reconsider, in a full house, the propriety of the last clause in the constitution, containing the proviso respecting reconciliation? It was carried as follows:

For printing now.	For deferring.
Mr. Camp,	Mr. Bowen,
Mr. Hardenbergh,	Mr. Leaming,
Mr. Joseph Holmes,	Mr. Shaver,
Mr. Mott,	Mr. Shinn,
Mr. Sparks,	Mr. Tallman,
Mr. Cooper,	Mr. Fennimore,
Mr. Clark,	Mr. Shreve,
Mr. Elmer,	Mr. Covenhoven,
Mr. Harris,	

Ordered, That one thousand copies of the draught of charter rights be immediately printed and dispersed among the inhabitants of this colony.

On the application of the Provincial Congress of New-York,

Ordered, That they be empowered to apprehend and secure such of the inhabitants of that colony, who have removed into this, as they may think

think necessary for the publick good; and all persons within this colony are desired to aid and assist in the execution of such orders for that purpose as they may think proper to make.

Ordered, That *Stephen Crane*, *Lewis Ogden* and *Caleb Camp*, Esquires, be a secret committee to correspond and co-operate with the secret committee of the Provincial Congress of *New-York*; and that the said committee be vested with power to issue warrants and apprehend and confine such person or persons as they may think necessary for the publick good.

The petition from the town committee of *Galloway* and *Great-Egg-Harbour*, praying that the surplus of the money arising from the sale of goods saved on board a transport belonging to the enemy, which was stranded on the *Jersey* coast, may be appropriated towards equipping such within their bounds, and the bounds of *Little-Egg-Harbour*, as are unable to equip themselves; was read a second time, and ordered to lie on the table.

Adjourned till to-morrow morning eight o'clock.

THURSDAY, July 4.

Met according to adjournment.

The petition from *John Reynolds* and *George Riche*, paper-makers in *Germantown*, *Pennsylvania*, setting forth, that they designed to carry on their trade in this colony, and praying that this Congress would encourage the same; read a second time, and deferred for further consideration.

Resolved, That, in order to prevent a failure of justice, all judges, justices of the peace, sheriffs, coroners, and other inferior officers of the late

late government within this colony, proceed in the execution of their several offices, under the authority of the people, until the intended legislature, and the several officers of the new government, be settled and perfected, having respect to the present constitution of *New-Jersey*, as by the Congress of late ordained, and the orders of the Continental and Provincial Congresses: and that all actions, suits and processes be continued, altering only the style and form thereof, according to the terms by the said constitution prescribed, in the further prosecution thereof.

Ordered, That the committee of the county of *Gloucester* be continued, and that they proceed to act in all cases as heretofore directed, until a new election.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Whereas this Congress has been given to understand that divers persons, in the county of *Monmouth*, have embodied themselves in opposition to the measures of Congress; and are informed that numbers have expressed their willingness to return to their duty upon assurances of pardon, alledging that they have been seduced and misled by the false and malicious reports of others: *It is therefore declared*, That all such persons as shall without delay return peaceably to their homes, and conform to the orders of Congress, shall be treated with lenity and indulgence; and, upon their good behaviour, shall be restored to the favour of their country; provided that none such as shall appear to have been the leaders and principals in those disorders, who, to their other guilt, have added that of seducing the weak and unwary, shall yet be treated according to their demerits.

Adjourned

Adjourned to meet at *Trenton* to-morrow morning ten o'clock.

TRENTON, FRIDAY, July 5, 1776.

Met according to adjournment.

Isaac De Cow, Esquire, having resigned his commission of second-major of the first regiment of foot militia in the county of *Hunterdon*, whereof *Isaac Smith*, Esquire, is colonel;

Ordered, That his resignation be accepted.

Ordered, That Colonel *Joseph Borden* do provide waggons, and every other necessary, to accommodate the rifle battalion of *Pennsylvania*, consisting of five hundred men, under the command of lieutenant-colonel *Broadhead*, in their march to *Monmouth* county, the place of their destination.

Resolved, That the artillery company, under the command of captain *Hugg*, be ordered to march immediately with their artillery to *New-Brunswick*; and from thence to such place as General *Livingston* shall direct.

Letter from *John Dennis*, Esquire, urging the necessity of removing the officers and other prisoners of war from the publick places in which they are at present; as the soldiers have been continually plotting with the negroes, discouraging persons from enlisting in the continental service, ridiculing the Congress, &c.

Ordered, That the president immediately write to the Honourable Continental Congress, enclosing a copy of the letter from Mr. *Dennis*, and requesting their advice in what manner to dispose of the said prisoners of war.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Ordered,

Ordered, That commissions be made out for the following persons, officers in the battalion ordered to be raised in the counties of *Somerset* and *Hunterdon*, destined to reinforce the army at *New-York*: *Richard Stites*, captain, *Peter Low*, first lieutenant, *Derick Lane*, second lieutenant, *John Garrish*, ensign; *Jeremiah Dunn*, first lieutenant, *William Cummins*, second lieutenant, *David Smalley*, ensign.

Ordered, That the treasurer for the western division do advance to the wives of *William Bertles*, *Sergeant Willson* and *Hugh Mac Lean*, the sum of *twenty-five shillings*, proclamation money, per month each; which sum is to be stopped out of their pay in the hands of captain *Brearley*.

Petition from the township committee of *Piscataway*, setting forth, that certain disaffected persons had been taken and carried out of the said township before trial, and praying that this Congress would take some order therein; was read; whereupon,

Ordered, That the president write to General *Heard* on the above subject.

Adjourned till to-morrow morning eight o'clock.

SATURDAY, July 6.

Met according to adjournment.

Ordered, That Mr. *Copper* and Mr. *Dick* be a committee to prepare the draught of a bill to regulate the ensuing election.

Resolved, That the several persons appointed muster-masters of the levies, directed to be raised by the late ordinance of this Congress, pay the said levies their subsistence money.

Ordered, That the prisoners now in gaol on account

account of being disaffected to the cause of the United Colonies, be brought to trial on *Wednesday* next, at three o'clock afternoon.

Resolved, That a number of the militia in the county of *Cape-May*, not exceeding five and twenty, commanded by one commissioned officer, be raised and stationed at the point of *Cape-May*.

Ordered, That Mr. *Menucan Hughes* be commissary and paymaster of the said detachment of militia.

It appearing to be absolutely necessary, in the present dangerous situation of publick affairs, that this Congress continue sitting; and many members having been called away by a regard to their private affairs at this busy season of the year, others by an attention to their families in the neighbourhood of the enemy, and some (we are sorry to say) having wholly neglected their duty to the publick, by departing without leave: therefore,

Ordered, That such members as shall attend be empowered to transact any business which may arise and require immediate consideration, whether a sufficient number to constitute a quorum attend or not.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Ordered, That Mr. *Joseph King* be adjutant, and Mr. *Joshua Gordon* regimental quarter-master, of the battalion to be raised in the counties of *Sussex* and *Morris*, under the command of Colonel *Martin*, destined to reinforce the army at *New-York*.

Congress received a letter from the Honourable President *Hancock*, enclosing the following resolve.

" In

" In CONGRESS, July 5, 1776.

" *Resolved*, That the *British* officers and soldiers who are prisoners, and now in the colony of *New-Jersey*, be sent from thence to the town of *Tork*, in the colony of *Pennsylvania*; and that the Convention, or Committee of Safety, of *New-Jersey*, be requested to carry this resolve into immediate execution.

" By order of Congress,

" JOHN HANCOCK, president."

Ordered, That the above resolve of the Continental Congress be forthwith carried into immediate execution, and that the necessary steps be immediately taken for that purpose.

Ordered, That the president do take the parole of honour of Mr. *John Lawrence* of *Monmouth* county, not to depart the house of Mr. *Renssellier Williams*; and, if Mr. *Lawrence* should refuse to give the same, that the president order him to be confined under such guard as he may deem necessary.

Adjourned to nine o'clock on *Monday* morning.

MONDAY, July 8.

Met according to adjournment.

On application,

Ordered, That the president take the parole of Mr. *Lawrence*, not to depart the township of *Trenton*, unless with leave of Congress.

A petition from sundry inhabitants of the township of *Alexandria*, in *Hunterdon* county, praying that no member of Congress may hold any post of profit; that all publick accounts may be fairly stated and put in the journals; that the yeas and nays may also be inserted, &c. read, and ordered a second reading.

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Ordered,

Ordered, That the commissioners send forward, without delay, the camp-kettles by them purchased for the use of General *Heard's* brigade; that the commissioners divide them to each battalion, according to the directions of General *Heard*; and that they take receipts of the several regimental quarter-masters, for the number of camp-kettles delivered as aforesaid:

Also ordered, That they send forward the lead, flints and canteens, knapsacks, cartridge paper, brushes and wires, and intrenching tools, by them purchased, to General *Livingston's* brigade, to be by him disposed of as necessity may require.

Captain *Charles Harrison* having resigned his commission,

Ordered, That his resignation be accepted.

The committee appointed to prepare a draught for regulating the ensuing election, made report; which was read, and ordered a second reading.

Adjourned till three o'clock afternoon.

Met according to adjournment.

Ordered, That *Robert Paterson*, Esq. be surgeon's mate to the battalion directed to be raised in the counties of *Burlington*, *Gloucester*, *Salem* and *Cumberland*, under the command of Colonel *Silas Newcomb*.

The memorial of Dr. *Thomas Ewing*, surgeon to the battalion under Colonel *Newcomb*, setting forth, that, not knowing what provision has been made of instruments and medicine for the use of the said battalion, he had laid in, for present use, about twenty pounds worth, relying on the credit of this Congress for reimbursement of the money; was read, and ordered a second reading.

Ordered, That Dr. *Cornelius Baldwin* be surgeon to the battalion directed to be raised in the counties

counties of *Hunterdon* and *Somerset*, under the command of Colonel *Stephen Hunt*.

Adjourned till to-morrow morning eight o'clock.

TUESDAY, July 9.

Met according to adjournment.

Colonel *Breeze* having resigned his commission of colonel of the third battalion of militia in the county of *Monmouth*, assigning for reason the great backwardness of the people; himself so indifferently attended on field days, and so few ready to turn out, hiding themselves, and deserting their houses, when called upon to defend the shore;

Ordered, That his resignation be accepted.

Ordered, That *Daniel Hendrickson*, Esq. be colonel of the third battalion of foot militia in the county of *Monmouth*.

Letter from General *Livingston*, enclosing copies of letters from General *Washington* and Major *Duxbinck*; read and filed.

Letter from *Lewis Ogden*, Esq. read and filed.

Letter from *John Dennis*, Esq. read and filed.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Mr. *Symmes* and Mr. *Sergeant*, appointed a committee to wait on *Stephen Skinner*, Esq. Captain *Kennedy*, Mr. *Fairholm*, Captain *Turnbull*, *Philip Kearney*, *Michael Kearney*, Doctor *John Lawrence*, *Thomas Skinner*, *Isaac Bonnell* and *William Hick*, apprehended and removed to this place pursuant to an order of General *Washington*, and take their parole, not to depart the town of *Trenton*, unless with leave of Congress.

The

The above committee make report, that they have taken the parole of the above gentlemen, according to order.

Pursuant to order, *John Lawrence*, Esq. appeared before Congress, and was permitted to return home on his parole, to attend this house whenever called upon.

Adjourned till to-morrow morning eight o'clock.

WEDNESDAY, *July 10.*

Met according to adjournment.

Letter from *Abraham Clark*, Esq. informing that four tons of powder were ordered to be sent immediately on continental account for the use of the militia who march out to guard the province until the flying camp is formed, or for the use of the flying camp, if not expended before they take the field; read, and ordered to be filed.

The petition from Doctor *John Hicks*, apprehended and removed to this place pursuant to an order of General *Washington*, setting forth, that he is a half-pay officer, is desirous of saving his half-pay, as he has a large family to support, that he has not yet signed the association, nor has been ever called upon for that purpose; but seeing the necessity of the colonies being united, is determined that his half-pay shall not be any restraint upon his future conduct; that he is ready to sign the association, and to act in every respect agreeable to the resolves of the Honourable Continental Congress, praying that he may be permitted to return, as his affairs are suffering on account of his absence; was read, and ordered a second reading.

Ordered,

Ordered, That the president take the parole of *John Richards* and Dr. *John Hicks*, apprehended and sent to this place pursuant to an order of General *Washington*, not to depart the town of *Trenton*, unless with leave of this Congress.

The report of the committee of *Trenton*, respecting *Samuel Henry*; was read, and ordered a second reading.

Resolved, That General *Livingston* be directed to apprehend the person of the late treasurer *John Smyth*, Esq. and remove him, with the publick money in his hands, and such of his books and papers as relate to the treasury, under guard to *Trenton*.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Ordered, That *Samuel Franklin Parker* be major of the battalion raised in the counties of *Middlesex* and *Monmouth*, destined to reinforce the army at *New-York*, in the brigade under General *Heard*.

Jacob Tice, ensign in Captain *Burrows's* company, destined to reinforce the army at *New-York*, having refused to accept his appointment;

Ordered, That *Jonathan Holmes* be ensign in the said company.

Ordered, That *Mark Thompson*, Esq. be colonel of the first battalion of militia in the county of *Suffex*.

Pursuant to the order of the day, the Congress went into the examination of witnesses in support of the charges exhibited against certain disaffected persons apprehended in the county of *Hunterdon* by order of Congress; after hearing several

several witnesses, the further consideration thereof was deferred till to-morrow morning.

Adjourned till to-morrow morning eight o'clock.

THURSDAY, July 11.

Met according to adjournment.

A letter from Adjutant-General *Reed*, informing Congress, that he had it in charge from General *Washington* to acquaint this body, that it being of the utmost importance to prevent any communication or correspondence with the enemy; and having, from many strong circumstances, just reason to suspect sundry persons about *Amboy* would avail themselves of their situation to give intelligence and aid to the enemy, he deemed it necessary, for the safety of the publick, that they should be removed to places where they could have no opportunity of carrying such design into execution; submitting it to the consideration of this house, whether some general direction given on this head to the committees, or general officers, or both, is not absolutely necessary; read, and ordered a second reading.

Ordered, That Captain *William Gamble* be directed to apprehend, and bring to this place, Captain *Crow*; and that this Congress will defray the necessary expence arising thereon.

Congress resumed the examination of witnesses for and against certain disaffected persons in the county of *Hunterdon*; and, after some time spent therein, adjourned the further examination till the afternoon.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Congress resumed the examination of witnesses for

for and against certain disaffected persons in the county of *Hunterdon*; and, having gone through the same, deferred the determination thereof until to-morrow.

Adjourned till to-morrow morning eight o'clock.

FRIDAY, July 12.

Met according to adjournment.

On the recommendation of General *Livingston*, *William Bott*, Esq. is appointed adjutant-general of the militia of *New-Jersey*.

It appearing that opposition to the draughts was made in Captain *Groenendyck's* company, and *George Updike* and *John Horpence* having attended before Congress upon a charge of being concerned, when no witnesses appeared to fix the charge upon any individuals; It is ordered, that the township committee of *Kingwood*, take cognizance of the offence of the people of that company.

Ordered, That lieutenant *Howell*, with two privates, be directed to proceed immediately to *Burlington*, and bring, under guard, *Thomas Okefon* to *Trenton*.

Upon the application of Dr. *Beaumont* to this Congress for reimbursement of his expences in transporting his baggage, &c. and for payment of his subsistence.

Ordered, That Dr. *Beaumont* be informed, that his application must be made to the Continental Congress.

The proceedings of the committee of *Amwell*, in the county of *Hunterdon*, respecting a certain *William Steel*, who has his residence in the county of *Middlesex*, but, being in the county of *Hunterdon*,

terdon, was apprehended by order of the said committee; being transmitted to this Congress and read;

Ordered, That the said *Steel* be forthwith brought before this house; whereupon the said *Willham Steel* being brought before Congress, the proceedings of the committee were read in his presence, and, being heard in his defence,

Ordered, That he be committed to the common gaol at *Trenton*.

It being represented to Congress that the levies in *Salem* county are obstructed for want of arms, when, at the same time, there are in the county a sufficient number of *Fersey* arms, which are the publick property of the county; therefore,

Ordered, That the people of that county do supply such of the levies, in the present brigade, as have been or may be raised in that county, with the publick arms in their hands, and that the county committee be enjoined to see this order properly executed.

Adjourned to three o'clock afternoon.

Met pursuant to adjournment.

A letter from *Col. Stephen Hunt*, alledging want of health, and resigning his appointment in the brigade under *General Heard*; read, and his resignation accepted.

The draught of a bill for regulating the ensuing election, was read the second time; and an amendment being moved, that no person be entitled to a seat in the legislative council or assembly, unless he first take the following test, &c.

I A B do swear (or affirm) that I do not hold myself bound to bear allegiance to George the Third King of Great-Britain; that I will not by any means

means directly or indirectly oppose the measures adopted by this colony, or the Continental Congress, against the tyranny attempted to be established over these colonies by the court of Great-Britain; and that I do and will bear true allegiance to the government established in this province under the authority of the people.

On the question,

It was carried in the affirmative as follows, viz.

Yeas.

Mr. Camp,
Mr. Condit,
Mr. Woodbull,
Mr. Paterfon,
Mr. Hardenbergh,
Mr. Linn,
Mr. Dickenson,
Mr. Josiah Holmes,
Mr. Leaming,

Yeas.

Dr. Bloomfield,
Mr. Dunn,
Mr. Sergeant,
Mr. Quackenbush,
Mr. Shaver,
Mr. Van Campen,
Mr. Sinnickson,
Mr. Cripps.

Nays.

Mr. Drummond,
Mr. Joseph Holmes,
Mr. Mott,
Mr. Sparks,
Mr. Cooper,
Mr. Elmer,
Mr. Harris,
Mr. Buck,
Mr. Combs,
Mr. Reynolds,
Mr. Tallman,
Mr. Shreve.

After some time spent on the said bill, the further consideration thereof was deferred.

Adjourned till to-morrow morning eight o'clock.

SATURDAY, July 13.

Met according to adjournment.

Ordered, That *Mr. Covenhoven*, *Mr. Mehelm* and *Mr. Sergeant*, be a committee to examine into the state of the eastern treasury, and that they report thereon.

A petition of *Dr. John Hicks*, setting forth, that he is willing, if required, to be bound by oath, to act in such manner as to give the fullest satisfaction; that whenever the militia is called out in defence of the country, he will be ready to give his attendance as a surgeon, or in any other station that may afford the most benefit; and praying

praying that he may be permitted to return to his family; read, and ordered a second reading.

The petition of *Cornelius Williamson*, a prisoner in the gaol of *Trenton*; read, and ordered a second reading.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Upon the question,

Whether any of the persons sent under guard from *Amboy*, be permitted to return in order to remove their effects to such place as Congress shall appoint for a limited time, upon their parole and security, if required? It was carried in the affirmative as follows, viz.

Yeas.	Yeas.	Nays.
Mr. Drummond,	Dr. Bloomfield,	Mr. Condit,
Mr. Dickenson,	Mr. Combs,	Mr. Woodbull,
Mr. Mott,	Mr. Leaming,	Mr. Covenhoven,
Mr. Josiah Holmes,	Mr. Quackenbush,	Mr. Joseph Holmes,
Mr. Cooper,	Mr. Sinnickson,	Mr. Sparks,
Mr. Elmer,	Mr. Shreve.	Mr. Buck,
		Mr. Sergeant,
		Mr. Van Campen,
		Mr. Cripps,
		Mr. Tallman.

The Congress resumed the consideration of the draught of a bill for regulating the ensuing election; and, after some time spent thereon,

Ordered, That the same be recommitted to Dr. Bloomfield, Mr. Cooper and Mr. Sergeant.

Ordered, That Mr. *Michael Kearney* have leave to remove to *Burlington*, on his parole not to depart from thence further than six miles on the east side of *Delaware*, till the further order of Congress.

Ordered, That Mr. *Philip Kearney* have leave to remove, on his parole, to the dwelling-house of Mr. *Richard Stevens*, in the township of *Alexandria*, and

and county of *Hunterdon*, or to *Morris-town*, and not to depart from thence more than six miles without leave of Congress.

Ordered, That Dr. *John Lawrence* have leave to remove, on his parole, to *Morris-town*, and not to depart from thence more than six miles, without leave of Congress.

Ordered, That Mr. *Johnston Fairholm* have leave, on his parole, to reside at *Bordentown*, or at Mr. *Rutherford's*, in *Hunterdon* county, and not to depart from thence, or from within six miles thereof, without leave.

Ordered, That Mr. *Bonnel* and Mr. *Thomas Skinner* have leave, on their parole, to reside at *Cranberry-town*, and not to depart from thence, or from within six miles thereof, without leave.

Ordered, That Captain *Turnbull* have leave, on his parole, to remove to *Bordentown*, and not to depart more than six miles from thence without leave.

Ordered, That Mr. *Hick* have leave to return home for the present, giving bond and security for his good behaviour, in the penalty of five hundred pounds.

Ordered, That Mr. *Stephen Skinner* and Captain *Kennedy* have leave, on their parole, to reside at *Morris-town*, and not to remove more than six miles from thence.

Ordered, That Mr. *John Richards* have leave, on his parole, and security in the penalty of one thousand pounds, to reside on his own farm, and not to depart more than two miles from thence, without leave.

Doctor *John Hicks* having come into Congress, and taken an oath to the present government,

Ordered,

Ordered, That he have leave to return home.

Ordered, That the above persons, before they remove to the places of their destination, have leave to remain at home two days in order to settle their business.

Adjourned till *Monday* morning eight o'clock.

MONDAY, *July 15*.

Met pursuant to adjournment.

The committee appointed to examine into the state of the eastern treasury, made report, that they had waited upon Mr. *Smyth*, who had delivered into their hands the sum of *four thousand nine hundred and forty-four pounds nineteen shillings and six-pence*; proclamation money; and also a bag sealed, said to contain a quantity of cancelled paper money.

The committee further report, that they have delivered the above sum of money and bag sealed, to *John Stevens*, Esq. as ordered by this house, to be by him deposited in the treasury chest of this colony, for which they have taken his receipt; that Mr. *Smyth*, the treasurer, had not his accounts with him, but has returned home in order to collect his papers, and the monies outstanding, upon his parole and promise to prepare himself for settlement in a short time, and to attend the further order of this house.

Ordered, That *Nehemiah Wade*, Esq. be second major of the first regiment of foot militia in the county of *Essex*; whereof *Edward Thomas*, Esq. is colonel.

Ordered, That Doctor *William Williams* be surgeon to the same regiment.

The committee to whom was re-committed the draught of a bill for regulating the ensuing election,

tion, made report, which was read, and, after sundry amendments agreed to, and ordered to be engrossed.

Resolved, On the motion of the members of the county of *Salem*, That the election in that county be by ballot, and that it be held at the courthouse in the town of *Salem*, without removing from place to place, any thing in the ordinance for ascertaining the mode and places of election before contained to the contrary notwithstanding.

Adjourned to three o'clock afternoon.

Met according to adjournment.

The petition of *Cornelius Williamson*, a disaffected person, now confined in the common gaol of *Hunterdon*, in pursuance of the adjudication of the *Amwell* committee, praying that he may have an immediate hearing; read, and ordered to lie on the table.

Adjourned till to-morrow morning eight o'clock.

TUESDAY, *July 16*.

Met according to adjournment.

Ordered, That the deputy-quarter-master general Colonel *Biddle*, and his assistants, be empowered, in case of necessity, to impress within this colony baggage-waggons and horses for the service of the United States of *North-America*, paying a reasonable hire for their service while employed.

A letter from Adjutant-General *Reed*, informing that Lord *Howe* is arrived at the *Hook*, and the necessity of urging on, with all expedition, the new levies raising in this colony; read, and ordered to be filed.

A petition

A petition from *Samuel Wigton*, a debtor confined in the gaol of *Morris*, setting forth, that he was enlisted as a sergeant in Captain *Morris's* company, in the battalion now under the command of Colonel *Winds*; that before the said company left the county of *Morris* he was arrested for debt, and committed to the gaol of *Morris*; and that he has several sums of money due to him from sundry persons in the battalion aforesaid, which, when recovered, are sufficient to discharge his debts; praying that he may have time for the payment of his debts; that he may be released from imprisonment, and that he may be ordered to join his battalion, or any other this Congress may think proper; and also a testimonial thereunder written, signed by sundry persons, in support of the facts contained in the said petition; read, and ordered to lie on the table.

Ordered, That Dr. *William Burnet* be added to the number of commissioners for *East-New-Jersey*, and that he have the like authority as is given to the commissioners nominated in the ordinance of the late Congress for striking the sum of *fifty thousand pounds*.

Resolved, That the several township committees throughout this colony, do immediately exert themselves in procuring lead for the use of the army now engaged in our defence, as the demand for that article is very great and pressing: that to this end they do forthwith collect all the leaden weights from windows and clocks, and all leaden weights of shops, stores and mills, of one pound weight and upwards: also all other lead in and about houses, or other places; and that they forward all the lead which shall by them be

so

so collected to the hands of *Alexander Chambers*, *Abraham Hunt*, *David Pinkerton* and *William Tucker* of *Trenton*; *Hendrick Fisher* of *Somerset county*, *Azariah Dunham* of *New-Brunswick*, *John Ross* of *Woodbridge*, *Isaac Woodruff* of *Elizabethtown*, and Dr. *William Burnet* of *Newark*, or any of them, commissioners appointed for purchasing arms, &c. And the said commissioners are directed to pay for all such lead, at the rate of *six-pence* proclamation money the pound weight; together with the reasonable expence that may arise in forwarding the same.

Returned to three o'clock afternoon.

Met according to adjournment.

Captain *Kinney* appeared before this house, in consequence of the citation issued by this Congress, for a charge of loitering on the road to *Connecticut*, with the late Governor *Franklin*, and now, upon examining into the causes of complaint, it appears to this house that whatever delay arose thereon was inevitable, owing to no misconduct in Captain *Kinney*, but to accidental causes.

The report of the committee of *Trenton* respecting *Samuel Henry*, was read the second time, and Mr. *Henry* being duly notified, appeared before Congress; the charges against him were read, several witnesses examined, and the further hearing of the same deferred till to-morrow morning.

Whereas it has been represented to this Congress, that *Henry Cuyler*, Esq. is so extremely indisposed as to render his removal very dangerous; therefore,

Ordered, That the chairman of the committee of *Newark* take the parole, drawn in the usual manner,

manner, of Mr. Cuyler, to remain for the present in his dwelling-house at *Newark*, or within two miles thereof, he giving bond, with security, in the penalty of *one thousand pounds*, for the faithful observance of his parole.

Ordered, That Mr. Sergeant, Mr. Hugg and Mr. Elmer, be a committee to draught an ordinance for punishing traitors and counterfeiters of the continental and provincial currencies.

Adjourned till to-morrow morning eight o'clock.

WEDNESDAY, July 17.

Met according to adjournment.

A petition from sundry ladies at *Perth-Amboy*, setting forth, that they apprehend fatal and melancholy consequences to themselves and families, and to the inhabitants in general, if they should be deprived of the assistance of Dr. Lawrence's skill in his profession, as his attendance is hourly necessary to several patients now much indisposed, who will be left helpless if he be removed, as no other practitioner resides in that place, praying that he may be permitted to remain in *Amboy*; was read, and ordered a second reading.

Adjourned to two o'clock afternoon.

Met according to adjournment.

The committee appointed to draught an ordinance for punishing traitors and counterfeiters, made report, which was read, and ordered a second reading.

The petition of *George Woodward*, setting forth the distressed situation of the wife and children of *Anthony Woodward*, who has been hunted by bands of armed men, and driven, contrary to his

his intention, to the king's troops for shelter and protection, praying that he may return to his rank and station in the community; was read, and ordered a second reading.

A letter from the committee of *Newark*, requesting that this Congress would procure, or order to be built, four gondolas or row-gallies, mounted with cannon, to ply between the mouths of *Passaick* and *Hackinsack* rivers and *Perth-Amboy*: also informing Congress that four persons were confined in the gaol of *Essex*, at the desire of the secret committee of *New-York*, enclosing their examinations, and some affidavits concerning them, and requesting that this Congress would take some order therein; was read, whereupon,

Ordered, That the said examinations and affidavits be referred to the secret committee appointed by this Congress.

The petition from sundry ladies at *Perth-Amboy*, was read the second time, and ordered that a copy of the following letter, addressed to Mrs. *Franklin*, one of the subscribers, be signed by the president, and sent:

Madam,

I AM ordered by Congress to acquaint you, and through you the other ladies of *Amboy*, that their petition, in favour of Dr. *John Lawrence*, has been received and considered.

Could any application have procured a greater indulgence to Dr. *Lawrence*, you may be assured yours could not have failed of success. But, unhappily, madam, we are placed in such a situation, that motives of commiseration to individuals must give place to the safety of the publick.

As Dr. *Lawrence* therefore has fallen under the suspicion of our generals, we are under the necessity

necessity of abiding by the steps which are taken ;
And are, &c.

Ordered, That *Thomas Okefon* be committed to the common gaol of *Hunterdon*, the keeper whereof is hereby commanded to receive the said *Okefon* into his custody, and to keep him in close confinement until the further order of this Congress, or the future legislature of this state.

Congress resumed the consideration of the charges exhibited against *Samuel Henry*, and came to the following determination ;

Ordered, That *Samuel Henry* be committed to the common gaol of *Hunterdon*, the keeper whereof is hereby commanded to receive the said *Samuel Henry* into his custody, and to keep him in close confinement until the further order of this Congress or future legislature of this state.

Letter from the Honourable *John Hancock*, Esq. enclosing resolves of the Continental Congress, requiring an addition of two thousand of the militia of this state to the flying camp, read, and referred to Mr. *Mehelm*, Mr. *Ellis* and Mr. *Pater-son*.

Whereas the Honourable Continental Congress have declared the United Colonies Free and Independent States ; We, the Deputies of *New-Jersey*, in Provincial Congress assembled, Do resolve and declare, That we will support the freedom and independence of the said States with our lives and fortunes, and with the whole force of *New-Jersey*.

Adjourned till eight o'clock to-morrow morning.

THURSDAY, July 18.

Met according to adjournment.

Resolved,

Resolved, That this house from henceforth, instead of the style and title of the Provincial Congress of *New-Jersey*, do adopt and assume the style and title of the Convention of the State of *New-Jersey*.

Ordered, That Colonel *Isaac Smith* be directed to employ some officer of the militia to apprehend *Samuel Henry*, and deliver him, together with the order of this Convention for his commitment, to the keeper of the common gaol at *Trenton*.

The report of the committee for draughting an ordinance for punishing traitors, &c. read a second time, and ordered a third reading.

The committee to whom were referred the resolves of the Continental Congress, &c. made report, which was read, and ordered a second reading.

The report of the committee for draughting an ordinance for punishing traitors, &c. read a third time,

Ordered, That the same be engrossed and do pass.

The report of the committee to whom were referred the resolves of the Continental Congress, &c. read a second time, and ordered a third reading.

Adjourned to three o'clock afternoon.

Met according to adjournment.

On the question,

Whether *William Ellis*, Esq. or *Elijah Hand*, Esq. be major of the battalion of militia to be raised in the counties of *Burlington*, *Gloucester* and *Cumberland*? It was carried as follows, viz.

For

For *W. Ellis, Esq.*

Mr. Drummond,
Mr. Paterson,
Mr. Hardenbergh,
Mr. Mebelm,
Mr. Joseph Holmes,
Mr. Mott,
Mr. Sparks,
Mr. Clark,
Mr. Hugg,

Mr. Ellis,
Dr. Bloomfield,
Mr. Combs,
Mr. Van Campen,
Mr. Sinnickson,
Mr. Cripps,
Mr. Tallman,
Mr. Shreve.

For *E. Hand, Esq.*

Mr. Condit,
Mr. Josiah Holmes,
Mr. Elmer,
Mr. Ayers,
Mr. Harris,
Mr. Buck,
Mr. Bowen,
Mr. Sergeant,
Mr. Post,
Mr. Taylor.

The report of the committee to whom were referred the resolves of the Continental Congress, read a third time; and, after sundry amendments,

Ordered unanimously, That the same do pass.

The petition of *Ebenezer Cowel, jun.* setting forth, that *John Barnes, Esq.* high-sheriff of the county of *Hunterdon*, had refused to receive and execute two writs issued under the authority of the people, pursuant to the ordinance of this Convention, read; whereupon,

Ordered, That *Mr. Barnes* immediately attend this house.

Mr. Barnes appeared before this house, and, in answer to the above charge, informed the Convention that he declines acting as sheriff under the authority of the people, and is willing to be superseded; wherefore,

Resolved, That a new sheriff be appointed.
Adjourned till to-morrow morning eight o'clock.

FRIDAY, July 19.

Met according to adjournment.

The committee of *Burlington* county having called before them *Drury Wake, Esq.* on a charge of his being inimical to the liberties of this country; and, having made adjudication thereof, the said *Drury Wake* refused to abide thereby, and appealed

appealed to this Convention; the committee made report of their proceedings, which being read in the presence of the said *Wake*, and proof being given concerning the same,

Ordered, That the said *Drury Wake, Esq.* be committed to the common gaol of *Salem*, the keeper whereof is hereby commanded to receive him into his custody, and keep him in close confinement until the further order of this Convention or future legislature of this state.

Ordered, That Colonel *Joseph Borden* be directed to employ some officer of the militia, with such guard as may be necessary, to deliver *Drury Wake, Esq.* together with the order of this Convention for his commitment, to the keeper of the common gaol of *Salem*.

Whereas *Drury Wake, Esq.* appeared before the county committee of *Burlington*, on a charge of his being inimical to the liberties of this country; which committee, after hearing proofs and allegations, made an adjudication on said charge, and the aforesaid *Drury Wake* appealed from the adjudication of the said committee to this Convention;

Resolved therefore, That the said *Drury Wake* pay all the costs arising on the above prosecution, including the expence of taking him to the gaol of *Salem*, to be taxed by the county committee of *Burlington*.

Mr. William Smith appeared before the Convention upon a charge exhibited against him by the committee of *Woodbridge*, and, after hearing and considering the several matters alledged and proved relative to the said charge, this house are of opinion that no offence appears to have been made good against him, and do therefore discharge

discharge him from all further attendance on this house, or on said committee, unless some new charge be made appear by which he shall be found guilty of some offence against the state.

Ordered, That *Ebenezer Foster*, Esq. have leave, on his parole, and security in the sum of *one thousand pounds*, to remove to the publick house of *Mr. White* in *Barnard's* town, in the county of *Somerset*, and not to go more than six miles from thence unless with leave of this Convention, or the future legislature of this state.

Adjourned to three o'clock afternoon.

Met pursuant to adjournment.

Mr. Conrad Hendricks was brought before this Convention upon a charge transmitted against him by the committee of the Provincial Congress of *New-York*; and, after hearing and considering the several matters alledged against him, this house are of opinion that no offence has been proved against him, and do therefore discharge him from all further attendance on this house, unless some new charge be made appear by which he shall be found guilty of some offence against the state.

Adjourned till to-morrow morning six o'clock.

SATURDAY, July 20.

Met according to adjournment.

The petition of *Samuel Henry*, setting forth, that he is desirous of giving every reasonable satisfaction in his power that may obviate any prejudices remaining on the minds of the Convention; that he is ready to make acknowledgments for any rash expressions that Convention may conceive

conceive he has been guilty of, and for every part of his conduct that has been, in their opinion, exceptionable; that it is his fixed resolution to conduct himself in future, as to afford no further room for just offence; that he is ready to give any security the Convention may think necessary to require; and praying that he may be released from his confinement;

Ordered, That, for the contrition expressed in the above petition, *Samuel Henry* be discharged from his confinement, and have leave, on his parole, drawn in the usual form, and giving bond, with security, in the sum of *two thousand pounds*, for the faithful performance of his parole, to remove to his mills in *Trenton*, and there, or within a circle of two miles thereof, continue, and not to depart said bounds unless with leave of this Convention, or the future legislature of this state.

Ordered, That *William Tucker*, Esq. of *Trenton*, be sheriff of the county of *Hunterdon* until a sheriff be chosen for said county at the ensuing election, and that a commission be made out accordingly.

Ordered, That the commanding officer of the *Pennsylvania* troops now at or near *Trenton*, be desired to apprehend *Joseph Stansbury*, a suspected person from *Philadelphia*, and transmit him safely to the committee of inspection of that city, who are requested to prevent his rambling through this state, and prying into our unhappy situation.

Ordered, That *Peter Tallman*, Esq. chairman of the county committee of *Burlington*, be directed to take the parole of the Rev. *Jonathan Odell*, a person suspected of being inimical to *American*

American Liberty; that he confine himself on the east side of *Delaware* river, within a circle of eight miles from the courthouse in the city of *Burlington*.

Adjourned to *N. Brunswick* Monday 3 o'clock, P. M.

MONDAY, July 22.

Met according to adjournment.

Adjourned till to-morrow morning eight o'clock.

TUESDAY, July 23.

Met according to adjournment.

Whereas the Honourable Continental Congress have resolved, "That it be earnestly recommended to the Convention of *New-Jersey*, to cause all the stock on the sea-coast, which they shall apprehend to be in danger of falling into the hands of the enemy, to be immediately removed and driven back into the country to a place of safety." And whereas this Convention deem it necessary that the above resolution should be carried into immediate effect, particularly in the county of *Monmouth*, which is at present most exposed to depredations, It is therefore unanimously resolved and directed, That the county committee of *Monmouth* proceed, without delay, to remove all the stock on their coast which may be in danger of falling into the hands of the enemy, back into the country, to a place or places of safety.

Convention being informed that Colonel *Hendrickson*, of *Monmouth*, was at the door and desired admittance,

Ordered, That he attend.

Colonel *Hendrickson* informed Convention that the *Monmouth* coast was exposed extremely to the incursions.

incursions and depredations of the enemy, and requested that a guard might be stationed along said coast; and maintained at the publick expence.

He further informed Convention that some of his negro slaves had run off, and were on board the enemy's fleet; that he had reason to believe he could recover the said slaves if he were permitted to send a flag, and requesting that, thro' the interference of this house, he might have such permission.

The Convention took the latter requisition under consideration, and agreed unanimously, that the sending of flags comes properly within the department of brigadier-general *Mercer*, and that they could no further interfere on the occasion than to write a letter of introduction to the general in favour of Col. *Hendrickson*.

The petition of *Richard Walker*, setting forth, that a legacy of nine hundred pounds, sterling, was bequeathed to him by his uncle, who resided in *England*, to be paid on the decease of his grandmother, who was living in the autumn of the year 1775; that if he should take up arms against the kingdom of *Great-Britain* he should lose the above legacy; and praying that he may be exempted from bearing arms against the said kingdom, on engaging that he will not be concerned in any measures that may prove ruinous to the liberty or interest of the United States; read, and ordered a second reading.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Ordered, That Mr. *Elmer* be added to the committee appointed to examine into the state of the eastern treasury.

Ordered, That the committee appointed to examine

amine into the state of the eastern treasury, proceed forthwith to *Amboy*; that they be and hereby are vested with full power to bring, if they should deem it necessary, Mr. *Smyth*, the treasurer, to this place, with the money in the said treasury, and all the vouchers, documents and other papers relative thereto; and that the said committee call to their aid such force as they may think necessary to carry this order into effect.

Agreed that the commission of *James Mount*, Esq. a field-officer in the third battalion of the *Monmouth* militia, be, and it hereby is revoked.

Ordered, That *Oake Wikoff*, Esq. be lieutenant-colonel, *Denice Denice*, Esq. first major, and *Hendrick Van Brunt*, Esq. be second major of the third battalion of foot militia in the county of *Monmouth*.

Adjourned till to-morrow morning eight o'clock.

WEDNESDAY, July 24,

Met according to adjournment.

A letter from General *Washington*, informing that the brigade under General *Heard* was far from being complete, and urging the necessity of raising and forwarding the new levies destined to reinforce the army at *New-York*, was read; whereupon,

Ordered, That a letter be written to General *Washington*, informing that several companies were on their way to join the brigade, and that this Convention will use its utmost efforts to furnish its quota, and to give his excellency such other aid as the weal of the United States may require, and the condition of this state will admit.

Also ordered, That a letter be written to brigadier-

dier-general *Heard*, desiring that he would, without delay, make return to Convention of the number of men in the several companies in his brigade, and by what counties those companies were furnished.

Convention received a letter from the war-office of the 20th of *July*, referring to this Convention the propriety of *Bryan Lefferty*, Esquire, his residing in *New-Jersey*, and to take his parole and security.

Ordered, That Mr. *Lefferty* do sign his parole as settled by Congress, and give security in the sum of one thousand pounds, to depart hence to the house of the widow *Lefferty*, in the township of *Bedminster*, in *Somerset* county, and there to remain, or within a circle of four miles thereof, until he have leave to the contrary.

Ordered, That Dr. *William Winants* be surgeon to the battalion directed to be detached from the militia in the counties of *Bergen*, *Essex* and *Morris*, under the command of Colonel *Thomas*, destined to reinforce the flying camp.

Ordered, That Dr. *John Hammell* be surgeon's mate to the battalion directed to be raised in the counties of *Bergen*, *Essex* and *Burlington*, whereof *Philip Van Cortland*, Esq. is colonel, under the command of General *Heard*, destined to reinforce the army at *New-York*.

Ordered, That Doctor *Bodo Otto*, jun. be surgeon to the battalion directed to be detached from the militia in the counties of *Burlington*, *Gloucester* and *Cumberland*, to be under the command of Colonel *Charles Read*, destined to reinforce the flying camp.

Ordered, That Mr. *Tallman*, Dr. *Bloomfield* and Mr. *Freelinghuysen*, be a committee to draught a bill for amending the militia ordinance.

Adjourned

Adjourned to three o'clock afternoon.

Met according to adjournment.

Agreeable to certificate of election,

Ordered, That *Jacob Vandeventer* be captain, and *Abraham Terhune* first lieutenant, of a company in the first battalion of militia in *Middlesex* county.

Whereas the independent company in the county of *Essex*, under the command of Captain *Drummond*, has been greatly reduced by reason of promotion and otherwise: *And whereas* it is inexpedient to take from other companies in order to add to or keep up the proper number of the said independent company, *It is therefore agreed unanimously*, That the said company be forthwith dissolved, and be incorporated with the other militia in the several companies in the districts in which they respectively reside.

Adjourned till to-morrow morning eight o'clock.

THURSDAY, July 25.

Met according to adjournment.

Ordered, That Dr. *Bloomfield*, Mr. *Drummond*, Mr. *Quackenbush*, Mr. *Ogden* and Mr. *Brown*, be a committee to consider the propriety of building or purchasing of four gondolas or row-gallies, mounted with cannon, to ply between the mouths of *Passaick* and *Hackinsack* rivers and *Perth-Amboy*.

Richard Stites, Esq. captain of a company in the county of *Somerset*, resigned his commission, assigning for reason, that he was appointed to raise a company in the brigade under General *Heard*; and that he had removed out of the township in which his company reside;

Ordered,

Ordered, That his resignation be accepted.

Micajah Dunn, Esq. lieutenant-colonel of the first regiment of foot militia in the county of *Middlesex*, resigned his commission, assigning for reason, that he is so far advanced in life, and of so infirm a state of health, as to render it impossible for him fully to discharge the duty of his station;

Ordered, That his resignation be accepted.

Ordered, That *Jonathan Deare*, Esq. be lieutenant-colonel, and *John Dunn*, Esq. first major of the first battalion of foot militia in the county of *Middlesex*.

Convention received a letter from the Honourable *John Hancock*, Esq. dated the 22d instant, informing that Congress had come to a resolution to increase the flying camp. For this purpose, that the state of *New-Jersey* is desired to augment its quota with three battalions of militia, in addition to those formerly desired by Congress, and send them, with all possible dispatch, to join the flying camp. Whereupon,

Ordered, That a letter be written to Congress, informing that Convention had ordered two thousand of its militia to be detached pursuant to the late requisition of Congress, which are to be renewed monthly.

Adjourned to three o'clock afternoon.

Met according to adjournment.

The committee appointed to prepare a draught for amending the militia ordinance, made report, which was read, and ordered a second reading.

Ordered, That Captain *Peter Gordon* be brigade major of the brigade under the command of General *Heard*, and that he continue captain of the

the company under his command in the battalion whereof *David Forman*, Esq. is colonel.

Adjourned till to-morrow morning nine o'clock.

FRIDAY, July 26.

Met according to adjournment.

The committee of inspection for the city of *New-Brunswick*, having referred the case of Mr. *John Hortwick* to this Convention, the same was taken under consideration, and it appearing by a testimonial of the said committee, that the aforesaid *John Hortwick* has always been esteemed as a good citizen, and a hearty friend to this country; that he is a military associator, and as such has turned out on all occasions when required: and this Convention being of opinion, that he was induced to trade with the captain of the *Asia* ship of war to fulfil an oath which had been exacted from him by the said captain, and to regain the liberty of himself and sons, and not with any intention of abetting the enemies of *America*; and that he has manifested a becoming degree of contrition for his offence, *It is agreed unanimously*, That the said *John Hortwick* be forgiven, received into favour, and restored to the good opinion of his countrymen.

Whereas by a resolution of the late Provincial Congress it was, in the election of the county committee of *Bergen*, either to receive pay for the arms taken by Captain *Meeker*, or to have them replaced: *And whereas* the said committee have made choice of accepting pay for the arms, of which it appears there were seventy-nine stand; therefore, *It is ordered*, That either of the treasurers of this state pay *Johannes Demarest*, Esq. Doctor *Abraham Van Boskirk*, and *Jacobus Pest*, Esq.

Esq. or any of them, persons authorized by the committee for that purpose, the sum of *three hundred and fifty-five pounds ten shillings*, proclamation money, being the amount of the aforesaid seventy-nine stand of arms at the rate of *four pounds ten shillings* a piece; and that the receipt of the above named persons, or any of them, shall be a sufficient voucher for that sum.

The committee of inspection for the city of *New-Brunswick* having referred the case of *John Brown* and *Jacob Neifies*, persons employed by *John Hortwick* to purchase some provision for the *Asia* ship of war, to this Convention, the same was considered accordingly; it appearing that the said *John Brown* and *Jacob Neifies* procured the said provision solely with design to assist the said *Hortwick* their neighbour in his distress, and not to aid the enemies of this country; that they have manifested due contrition for their offence, and requested forgiveness therefor; *It is therefore ordered*, That the said *John Brown* and *Jacob Neifies* be forgiven, received into favour, and restored to the good opinion of their countrymen.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Ordered, That the committee of the township of *Hillsborough*, in the county of *Somerset*, do leave in the hands of Mr. *Isaac Brokaw*, clock-maker, thirty pounds weight of lead, he having represented to the Convention that he could not carry on his trade without such quantity.

Adjourned till eight o'clock to-morrow morning.

SATURDAY, July 27.

Met according to adjournment.

Agreeable to certificate of election,

Ordered,

Ordered, That *David De Groot*, Esq. be captain of a company in the first battalion of foot militia in *Somerset* county, whereof *Stephen Hunt*, Esq. is colonel.

The memorial of *Jerome Vanderbelt*, of the city of *New-Brunswick*, setting forth, that two of his apprentices had enlisted in the brigade under General *Heard*; that he is a hearty friend to his country; that he cannot well carry on his business without the aid of one of them; and praying the influence of this house that one of his said apprentices may be returned; read, and ordered to lie on the table.

Ordered, That Captain *John Cook* of *Monmouth*, be directed to take to his assistance as many of the militia as he shall find necessary, and apprehend any persons whom he has reason to suspect of enlisting, or being enlisted for the *British* army, and to take them before the county committee of *Monmouth*, who are required to commit or discharge such accused persons as they shall find necessary.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Resolved, That General *Mercer*, in conjunction with the committee of *Perth-Amboy*, or such of them as can be readily convened, do take immediate steps for removing all such disaffected or suspicious persons in that city, as may, from their situation, be thought dangerous to the publick cause; especially such as have relations or connections among the enemy.

Adjourned to three o'clock afternoon on *Monday* next.

MONDAY, *July 29.*

Met according to adjournment.

Jacob

Jacob Wardell, *Joseph Wardell* and *Peter Wardell*, persons apprehended by a detachment of the *Monmouth* militia, on account of furnishing the enemy with provision, were brought before the house, and witnesses examined in support of the charge;

Ordered, That the determination thereof be deferred till to-morrow.

Ordered, Upon the complaint and representation of the committee of the western precinct of *Somerset* county, that *Joseph Stockton* be committed to the common gaol of *Somerset*, the keeper whereof is hereby commanded to receive him into his custody, and to keep him in close confinement until the further order of this Convention or future legislature of this state.

Adjourned till to-morrow morning eight o'clock.

TUESDAY, *July 30.*

Met according to adjournment.

Convention resumed the consideration of the charge against *Jacob Wardell*, *Joseph Wardell* and *Peter Wardell*; and, after some time spent therein,

Ordered, That *Jacob Wardell* be committed to the custody of the sheriff of *Monmouth*, to be by him safely kept, until discharged by this Convention, or delivered by due course of law.

Ordered, That *Joseph Wardell* and *Peter Wardell* be discharged on giving bond, each with security in the sum of *five hundred pounds* for their future good behaviour, and for their appearance when called upon by the Convention, or future legislature of this state. The county committee of *Monmouth* are directed to take the said bond, and to judge of the security.

Ordered, That *Jacob Wardell* pay *twenty-eight pounds*

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pounds seven shillings and eleven-pence, proclamation money, being the expence of apprehending and bringing him before this Convention, and conducting him to the sheriff of *Monmouth*.

The committee to whom was referred the letter from the committee of *Newark* respecting the building or purchase of four gondolas or row-gallies to ply between the mouths of *Passaick* and *Hackinsack* rivers and *Perth-Amboy*, made report; which was read, and ordered a second reading.

Ordered, That *Thomas Hutton* be employed, at the rate of *one dollar* a day, to search for lead and sulphur mines, and flint quarries, and make report in three weeks.

Adjourned to three o'clock afternoon.

Met pursuant to adjournment.

The committee appointed to examine into the state of the eastern treasury, made report, that, including the money by them received at *Trenton*, as by their former report, they had received in the whole from *John Smyth*, Esq. the late treasurer, the sum of *six thousand one hundred and one pounds two shillings*, proclamation money, besides a bag sealed, said to contain *four thousand eight hundred and nineteen pounds five shillings and nine-pence*, like money, of bills cancelled; all which they have deposited in the hands of the Honourable *John Stevens*, Esq. to be by him kept in the province chest, agreeable to the order of this Convention, as by his receipts appears; and that by the accounts of Mr. *Smyth* herewith exhibited, there appears to be due from Mr. *Smyth* to the state, a further balance of *nine hundred and thirty pounds six shillings and six-pence*, like money, exclusive of loan-office money not yet signed or disposed of.

Ordered,

Ordered, That the said report be received, and the accounts filed.

Adjourned till to-morrow morning eight o'clock.

WEDNESDAY, July 31.

Met according to adjournment.

Ordered, That *Chevalier Fouet* have leave, on his parole, drawn in the usual manner, and on giving bond with security, in the sum of *one thousand pounds* for the faithful performance of his parole, to remove to the dwelling-house of Mr. *White*, innkeeper, in *Barnard's* town, in the county of *Somerset*, and there, or within a circle of four miles thereof, remain, and not depart the said bounds unless with leave of this Convention, or the future legislature of this state.

Ordered, That a copy of the following letter be signed by the vice-president and sent to Col. *Wetherill*:

Sir,

THE Convention lately entered into certain resolves, requiring the immediate detaching a brigade of two thousand of the militia of this state to join the flying camp; a copy of which has been transmitted to you.

The present alarming exigencies require the utmost dispatch in this service: we are perfectly at a loss for your reasons in not exerting yourself in making the detachment ordered from your regiment; and we must desire you will explicitly inform us thereof by the bearer.

Letter from the Convention of the state of *New-York*, enclosing the affidavit of *Balthazar De Hart*, Esq. respecting certain inhabitants of that state, who have either given countenance and aid

aid to our enemies, or have deserted its defence at this dangerous crisis; read and filed.

Adjourned to three o'clock afternoon.

Met according to adjournment.

This Convention having heard the charges exhibited against *Christopher Vaught*, *John Vaught*, *Joseph Lee*, *Thomas Buskirk*, *Philip Cool*, *William Thatcher*, *Christopher Diltz* and *Frederick Frittz*, disaffected and dangerous persons, apprehended by order of Convention, and considered the several matters alledged and proved relative to the said charges, *Do order and resolve*, That *Christopher Vaught* be fined in the sum of *one hundred pounds*, *John Vaught* in the sum of *one hundred pounds*, *Joseph Lee* in the sum of *one hundred pounds*, *Thomas Buskirk* in the sum of *twelve pounds*, *Philip Cool* in the sum of *seventy-two pounds*, *William Thatcher* in the sum of *sixty pounds*, *Christopher Diltz* in the sum of *ten pounds*, and *Frederick Frittz* in the sum of *seventy-three pounds*, proclamation money: and that the above persons be committed until they pay, or give security for the payment of the sums in which they are respectively amerced.

Ordered, That the above fines be appropriated towards defraying the costs and expences which accrued in apprehending and bringing the said disaffected persons to justice.

Adjourned till to-morrow morning eight o'clock.

THURSDAY, August 1.

Met according to adjournment.

A letter from the Rev. Mr. *Odell*, praying, for certain reasons, that he may be excused from signing the parole heretofore ordered, and offering a new parole, binding himself not to hold any political

political correspondence with the enemy, or to furnish them with provisions or intelligence, read; whereupon Convention having taken the same into consideration,

Ordered, That Mr. *Odell* sign the original parole sent to the committee of *Burlington*.

The report of the committee to whom was referred the letter from the committee of *Newark* respecting the building or purchase of gondolas, &c. read the second time,

Ordered, That the same be referred to the Continental Congress, and that Mr. *Ogden* and Mr. *Sergeant* draught a letter for that purpose.

Ordered, That Mr. *Camp*, Mr. *Hand* and Mr. *Holme*, be a committee to settle the accounts and pay the several detachments of militia of this state, which were lately called out at the requisition of General *Washington*; that they immediately advertise their appointment; and that they, or any one of them, have power to draw for the money needed upon the treasurers, who are required to pay the same.

Adjourned to three o'clock afternoon.

Met according to adjournment.

On motion,

Resolved, That *Thomas Skinner* and *Isaac Bonnel*, Esqrs. be released from their present parole, and be entitled to all the rights and immunities of others the good subjects of this state, on taking an oath, the test which is inserted in the election ordinance.

Ordered, That Mr. *Linn* be added to the committee appointed to settle and pay the accounts of the several detachments of militia, &c.

Resolved, That it be recommended to the county committee of *Monmouth*, and to the several township

township committees and colonels of the battalions in the said county, that they assist Captain *Wikoff* by furnishing him with arms for his levies in General *Heard's* brigade, as far as they may be able, to expedite the equipment of the said levies. It is further recommended to the said committees and colonels, that Captain *Wikoff* be furnished with such of the arms and accoutrements taken from non-associators, &c. within their bounds, as may be fit for service, he giving sufficient vouchers on receiving the said arms.

Ordered, That *Philip Johnston*, Esq. be colonel, *Joseph Phillips*, Esq. lieutenant-colonel, and *Platt Bayles* major of the battalion raised in the counties of *Hunterdon* and *Somerset*, in the brigade under the command of General *Heard*, destined to reinforce the army at *New-York*.

Ordered, That the several battalions in the brigade under General *Heard* take rank according to the date of the commissions of the colonels; that the several companies in each battalion in said brigade take rank according to the date of the commissions of the captains; and that the rank of all the officers be regulated according to the date of their several commissions.

John Wetherill, Esq. colonel of the second battalion of foot militia in the county of *Middlesex*, having informed Mr. *Combs*, a member of this house, that he was not able to perform the duty of his office, owing to his indisposition and advanced age, and was desirous of resigning his commission, if agreeable to Convention;

Ordered, That the said resignation be accepted.

Azariah Dunham, lieutenant-colonel of the second battalion of foot militia in the county of *Middlesex*, having informed a member of this house

house that, as he is engaged in the office of commissary, he cannot discharge the duty of his military office, and that he was desirous of resigning his commission, if agreeable to Convention;

Ordered, That his resignation be accepted.

Ordered, That *John Neilson*, Esq. be colonel, and *John Duychinck*, Esq. lieutenant-colonel of the second battalion of foot militia in the county of *Middlesex*.

Adjourned till to-morrow morning eight o'clock.

FRIDAY, August 2.

Met according to adjournment.

Ordered, That *John Dunn*, Esq. be major of the battalion detached from the militia of the counties of *Middlesex*, *Monmouth* and *Salem*, destined to reinforce the flying camp, in the room of major *Duychinck*, who was appointed to that command but refused to accept of it.

Ordered, That *Robert Hoops*, Esq. be brigademajor of the militia of this state under brigadier-general *Dickenson*.

Ordered, That *Reuben Potter* be second major of the first battalion of foot militia in the county of *Middlesex*.

Ordered, That Captain *John Sherrerd* be required to apprehend *Peter Cyphers*, and bring him forthwith before this Convention in custody.

The draught for amending the militia ordinance was read a second time, and referred to further consideration.

The petition of sundry persons in the first regiment of foot militia in the county of *Monmouth*, praying that further regulations may be made respecting

respecting the militia, &c. was read; and ordered a second reading.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Guisebert Guisebertson, captain of a company in the second battalion of foot militia in the county of *Monmouth*, having resigned his commission for reasons mentioned in his letter:

Ordered, That his resignation be accepted.

Resolved, That the several county committees in this state do cause inventories and appraisements to be made of the estates real as well as personal of all such persons within their respective bounds as have or shall have absconded from their homes and joined themselves to the enemies of this state, causing all perishable articles to be sold, and the monies arising therefrom, and all other the goods and estates of such persons, that they keep in safe and secure custody until the further order of this Convention, or the determination of other proper judicature; provided, that the said committees be empowered to leave any part of the said estates in the hands of the relations or friends of such absconding persons, taking such security as they may think proper for the return thereof, or of the value.

The Convention resumed the consideration of the draught prepared by the committee for amending the militia ordinance, and recommitted it to the same committee.

The petition of sundry persons in the second battalion of *Monmouth*; read the second time, and referred to the same committee.

The memorial of Captain *Hankinson*, of *Monmouth*, setting forth, that he had raised a company

pany of minute-men, to continue in service for the space of two months, agreeable to the directions of the late Committee of Safety; that the said company had been called to the *Hook* on the arrival of General *Howe*; and praying that the said company may be paid for such service; an account of which accompanied the aforesaid memorial; read, and referred to the committee of accounts.

Adjourned till to-morrow morning eight o'clock.

SATURDAY, August 3.

Met according to adjournment.

Ordered, That the county committee of *Essex*, proceed to hear and determine the charges exhibited against the four persons apprehended by order of the secret committee of the state of *New-York*, who remained confined in the common gaol of that county on the twenty-fourth day of *July* last; and that they be vested with full power to acquit, amerce or imprison said persons.

The committee to whom was referred the draught of an ordinance for amending the militia ordinance, made report; which was read, and ordered a second reading.

The petition of *Ebenezer Foster*, now on his parole at *Barnard's* town, praying that he may be permitted to return to his farm at *Woodbridge*; read, and ordered to lie on the table.

The letter of *John Duychinck*, Esq. appointed lieutenant-colonel of the second battalion of foot militia in the county of *Middlesex*, enclosing his commission, with a resignation of the same; was read,

Ordered, That his resignation be accepted.

The report of the committee to whom was referred

referred the draught of an ordinance for amending the militia ordinance, read the second time; and, after sundry amendments,

On the question,

Whether the same do pass; it was carried as follows, viz.

Yeas.	Yeas.	Nays.
Mr. Ogden,	Mr. E. Clark,	Mr. Joseph Holmes,
Mr. Drake,	Mr. Hand,	Mr. Mott,
Mr. Woodbull,	Dr. Bloomfield,	Mr. Sparks,
Mr. Freelingbushen,	Mr. Quackenbush,	Mr. Elmer,
Mr. Paterfon,	Mr. Brown,	Mr. Buck,
Mr. Hardenbergh,	Mr. Sbarver,	Mr. Bowens,
Mr. Linn,	Mr. Shinn,	Mr. Combs,
Mr. Taylor,	Mr. Dick.	Mr. John Holmes.
Mr. Josiah Holmes,		

Thomas Skinner and Isaac Bonnel, Esqrs. appeared before Convention and took, on oath, the test inserted in the election ordinance; whereupon,

Ordered, That they be released from their parole, and be entitled to all the rights and immunities of others the good subjects of this state.

Adjourned to Monday afternoon five o'clock.

MONDAY, August 5.

Met according to adjournment.

A sufficient number of members not attending, adjourned to three o'clock to-morrow afternoon.

TUESDAY, August 6.

Met according to adjournment.

Ordered, That Dr. Jacob Jennings be surgeon to the battalion directed to be detached from the militia in the counties of Somerset, Hunterdon and Sussex, to be under the command of colonel Mark Thompson, destined to reinforce the flying camp.

The

The representation of the county committee of Monmouth, respecting the removal of the stock on the sea coast, &c. read, and ordered a second reading.

John Carey, Esq. and Mr. Ephraim Lloyd, from the county of Salem, presented a remonstrance to this Convention (being duly authorized for that purpose) against the resolution which passed this house the 15th day of July last, directing that the election in that county be by ballot, and that it be held at the courthouse in the town of Salem, without removing from place to place, &c. and requesting that the said resolution be rescinded; read, and ordered a second reading.

Letter from General Dickenson, read.

Agreeable to certificate of election,

Ordered, That Abraham Johannes Blauvelt be captain, Cornelius D. Blauvelt, first lieutenant, Guiliam Bogart, second lieutenant, and John Logier, ensign, of a company of foot militia in the township of Harrington, and county of Bergen.

Letter from the county committee of Bergen, informing that some of the powder lately sent to that county by this Convention was damaged and wholly unfit for use, and praying that this Convention would take direction therein, and order the deficiency to be made up; read, and ordered a second reading.

Letter from Col. Thomas, enclosing a letter from Mr. Bott, informing that a certain Caleb Hetfield dissuaded the militia from turning out under Col. Thomas, and even offered a bounty to restrain and keep them back; read, and referred to the county committee of Essex.

Letter

Letter from *Daniel Jobnes*, complaining of sundry riotous and disaffected persons in his company, one of whom struck said *Jobnes*; read, and ordered a second reading.

Adjourned till eight o'clock to-morrow morning.

WEDNESDAY, *August 7.*

Met according to adjournment.

The representation of the township committee of *Woodbridge*, setting forth, that certain persons in the third battalion of *Philadelphia* militia, had insulted and abused *Nathaniel Fitz Randolph* and *Ezekiel Bloomfield*, inhabitants of said township, and praying that this Convention would take the said complaint under consideration; was read, and ordered a second reading.

Letter from *Mr. Stockton*, enclosing certain resolves of Congress, directing "that this Convention would make such provision for keeping open the communication between the states of *New-Jersey* and *New-York*, by way of the ferries over *Passaick* and *Hackinsack* rivers, as to them shall appear most effectual; and that Congress will reimburse the expences of such service to the state of *New-Jersey*:" and recommending to the Convention of *New-Jersey*, to order their militia immediately to march and join *General Mercer*; read and filed.

Letter from *General Heard*, enclosing return of men in his brigade; read and filed.

Letter from *General Mercer*; read and filed.

Resolved, That the deputies in Convention be allowed at the rate of *six shillings* a day for every day they have or shall attend during the continuance of this Convention, to be certified by
Mr.

Mr. Elmer, *Dr. Bloomfield*, *Mr. Hand* and *Mr. Paterfon*, or any two of them.

Adjourned to three o'clock afternoon.

Met according to adjournment.

The remonstrance of certain freeholders and others electors in the county of *Salem*, against the resolution which passed this house on the 15th day of *July* last, on motion of the deputies of that county, &c. read a second time;

WHEREAS on motion made the 15th day of last month, by the members of the county of *Salem*, it was resolved, "that the election in that county be by ballot, and that it be held at the courthouse in the town of *Salem*, without removing from place to place, any thing in the ordinance for ascertaining the mode and places of election before contained to the contrary notwithstanding." And whereas a remonstrance, signed by a great number of the freeholders and others electors of said county, has been presented to this Convention, against the above recited resolution, praying that the same may be rescinded, and that the ensuing election in said county may, in every respect, be carried on in the same manner as ordained by Convention for all the other counties in this state: It is therefore resolved, That the election of members to serve in legislative council and assembly of this state for the county of *Salem*; and also of one sheriff and one or more coroners for said county, to be held on the second *Tuesday* of this instant *August*, be conducted in the same manner, and governed by the same regulations, as are prescribed and ordained by this Convention for all the other counties in this state, any thing in the above recited resolution, which passed on the motion of
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the deputies from *Salem*, to the contrary notwithstanding.

Adjourned till *Friday* morning nine o'clock.

FRIDAY, August 9.

Met according to adjournment.

A petition from sundry officers of the second battalion of *Middlesex* county, praying a division thereof; read, and ordered a second reading.

Ordered, That *Mr. Ogden*, *Mr. Drummond*, *Mr. Brown*, *Mr. Camp* and *Mr. Combs*, be a committee to devise ways and means, and report a plan for keeping open the communication between this state and *New-York*, by way of the ferries over the rivers *Passaick* and *Hackinsack*.

Adjourned to three o'clock afternoon.

Met according to adjournment.

A letter from General *Washington* of the 8th instant; read and filed.

A petition of sundry persons in the fourth ward of *New-Brunswick*, praying the interposition of this house relative to the choice of officers in a company of militia late commanded by captain *Jacob Pyatt*; read, and ordered a second reading.

A petition from sundry persons in *Barnard's* town, relative to a company of militia; was read.

Ordered, That the same be referred to the county committee of *Somerset*.

The petition from sundry officers of the second battalion of *Middlesex* county, praying a division, &c. read a second time; whereupon,

Ordered, That a third battalion be formed out of the same, to consist of the companies commanded

manded by the captains *Artupet*, *Barr*, *Stout*, *Schenck*, *Scudder*, *Wetherill* and *Pyatt*.

Ordered, That *John Duychinck*, Esq. be colonel, *Jacob Hyer*, Esq. lieutenant-colonel, *William Scudder*, Esq. first major thereof, and that the second major be appointed on the return of General *Heard's* brigade.

Mr. Ogden, from the committee appointed to devise ways and means for keeping open the communication between *New-Jersey* and *New-York* by way of the ferries over *Passaick* and *Hackinsack*, reported an ordinance for that purpose, which was three times read, and passed.

Adjourned till to-morrow morning eight o'clock.

SATURDAY, August 10.

Met according to adjournment.

Ordered, That *Mr. Ogden* and *Mr. Dick*, be a committee to prepare an ordinance for the immediate detaching of one half of the militia of this state to join the flying camp.

The board of war and ordnance having referred the case of lieutenant *Wadman* to this Convention, the same was accordingly considered; whereupon,

Ordered, That lieutenant *Wadman* sign his parole as settled by Congress, to depart from the city of *New-Brunswick* to *Bordentown*, in the state of *New-Jersey*, and there, or within six miles thereof in said state, to remain, and not to depart said bounds unless with leave of the Honourable Continental Congress, the Convention or future legislature of this state.

The committee of the western precinct of *Somerset* county having referred the case of *Joseph Stockton* to this Convention; and, before the charge

charge was considered, said *Stockton* having requested time in order to determine whether he should sign the test inserted in the election ordinance,

Ordered, That he have time for a few days to consider thereof, and that in the mean-time he return to *Hillsborough*.

Ordered, That *Thomas Jones* be second lieutenant in Captain *Anderson's* company in the battalion whereof *Silas Newcomb, Esq.* is colonel, in General *Heard's* brigade; and that he continue adjutant of the same battalion.

Adjourned to three o'clock afternoon.

Met according to adjournment.

General *Mercer's* letter received this day, was read and filed.

The committee appointed to prepare an ordinance for the immediate detaching of one half of the militia, &c. made report; which was read, and ordered a second reading.

Inventories of the estates of *Anthony Woodward* and *William Guisebertson*, of *Monmouth* county, persons who have absconded from their homes, and joined the enemy; were read and filed.

Resolved, That, to prevent desertion, no person or persons belonging to or coming from the army in the state of *New-Jersey*, be permitted to go over any of the ferries in or travel through said state without a pass, signed either by General *Mercer*, Colonel *Griffin* or Colonel *Biddle*, and all persons in general, and in particular the members of committees, militia officers and owners or keepers of ferries, are strictly enjoined to carry this resolution into effect, by apprehending and securing every person belonging to or coming from said army, who shall not have a pass

pass signed as above directed, until he can be re-conducted to the army aforesaid.

The draught of a bill for the immediate detaching of one half of the militia to join the flying camp, was read the second time, and ordered to be recommitted to Mr. *Ogden*, Mr. *Sergeant* and Mr. *Paterfan*.

Adjourned till to-morrow morning eight o'clock.

SUNDAY, *August 11.*

Met according to adjournment.

The committee to whom was referred the bill for the immediate detaching one half of the militia, &c. made report, and, after sundry amendments, was agreed to unanimously.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Resolved, That no troops in the service of the United States, or of any of them, nor their baggage, ammunition, or their other waggons, shall pay for passing any of the ferries within this state more than one third part of the ferriage usually paid by such as are not in said service; and, to prevent a misconstruction of this resolve, *It is hereby declared*, That commissaries or other persons supplying the army with provisions, stores, &c. are not intended to be included in said resolve, so as to receive any private benefit from the same.

A letter from the war-office of the sixth of *August*, read and filed.

Adjourned to *Thursday* three o'clock.

THURSDAY, *August 15.*

A sufficient number of members not attending, the Convention did not meet.

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FRIDAY, August 16.

The Convention met.

Ordered, That the committees of the several counties, towns and districts in this state, do make out lists of the prisoners of war which now are or have been resident within their districts, and transmit the same to this Convention, or the future legislature of this state, without delay.

Mr. *Hardenbergh* added to the committee of accounts.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Ordered, That *Richard Lott*, Esq. be appointed lieutenant-colonel of the second battalion of *Middlesex*.

Ordered, That *John Taylor* be appointed first major thereof.

The petition of capt. *Philip Van Arsdalen*, praying leave to raise a company of light-horse in *Somerset* county; read, and ordered to lie on the table.

A petition from the officers of the second battalion of *Middlesex*, praying an addition of capt. *Wetherill's* company to that battalion; read, and ordered a second reading.

Adjourned till to-morrow morning eight o'clock.

SATURDAY, August 17.

Met according to adjournment.

Adjourned to three o'clock afternoon.

Met according to adjournment.

A letter from *William Ch. Huston*, captain of a company in the second battalion of foot militia in the county of *Somerset*, setting forth, that, from his connection with the college in the absence

sence of Dr. *Witherspoon*, and other circumstances, he cannot pay the due attention to his company, and begging leave to resign his commission;

Ordered, That his resignation be accepted.

In pursuance of the recommendation of the Honourable Continental Congress,

Resolved, That all the workmen of this state actually employed in the manufactory of fire-arms be excused from going out with the militia when called upon.

Resolved unanimously, That the bills of credit emitted by the Honourable Continental Congress be a legal tender within the state of *New-Jersey*, for all sums of money due and owing from one person to another.

Ordered, That Mr. *Sergeant* revise, correct and transcribe the minutes of this Convention for the press, to be inspected, approved and signed by the president, and that he have the same compensation as has been allowed to the clerks of assembly in this state.

Whereas the difference of the several currencies within this state very greatly perplexes many of the good people thereof, and more especially such of the people of the neighbouring states as have come hither for our defence against the common enemy, and gives occasion to great impositions and deceits,

Resolved unanimously, That all payments and receipts be made in every part of this state in proclamation money of *New-Jersey*, at seven shillings and six-pence the dollar, reckoning the difference between the usual prices heretofore taken in any other currency, and reducing the same to proclamation.

Adjourned.

Adjourned till Monday morning eight o'clock.

MONDAY, August 19.

Met according to adjournment.

Upon the application of Doctor *Samuel Bard* for the assistance and encouragement of this state in the erecting of salt-works;

Resolved unanimously, That this state will, upon good security, lend to the said Doctor *Bard* a sum of money not exceeding five hundred pounds, for the term of two years, without interest, for the purpose of erecting salt-works within this state.

Resolved unanimously, That this state will receive salt, manufactured by the said Dr. *Bard*, at one dollar the bushel, in payment of said sum of money; provided the same be tendered for payment before the expiration of two years after the loan of the money.

Resolved unanimously, That if any of the works so to be raised shall be destroyed by the enemy, this state will sustain the loss of one half of the money which shall have been appropriated for the purpose of erecting such works, out of the money advanced on loan by this state to the said Doctor *Bard*.

Resolved unanimously, That the workmen actually employed in the said works, not exceeding ten, be exempt from military duty during the time in which they shall be so employed.

Provided, that the said money be lent upon condition that the works shall be completed within three months of the said loan; and that the said Doctor *Bard* be not entitled to receive the bounty heretofore offered on salt.

A petition signed by fifty-six associators in the company of Captain *Smith*, in the precinct of upper

upper *Alloway's creek*, in the county of *Salem*, praying, that they may be formed into a distinct company, and be officered by *Abner Penton*, as capt. *Eaton Hawood* first lieutenant, *Jacob Houseman* second lieutenant, and *Thomas Smith* ensign, was read.

A memorial of the committee of the said precinct was also read, recommending that the prayer of the said petition may be granted; whereupon,

Ordered, That the prayer of said petition be granted, and that commissions do issue accordingly.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Whereas *Isaac Low*, Esq. apprehended on suspicion of being unfriendly to the cause of *American* freedom, did lately give his parole to the Convention, drawn in the usual manner: And whereas this Convention are now fully satisfied as to the grounds of such suspicion;

Ordered, That Mr. *Low* be released from his parole, restored to his former liberty, and entitled, during his stay in this state, to all the rights and immunities of others the good subjects thereof.

Mr. *Joseph Stockton* having appeared before Convention, and took, on oath, the test inserted in the election ordinance,

Ordered, That the bond Mr. *Stockton* executed to the committee, be cancelled; that he be released from his present confinement, and be entitled to all the rights and immunities of others the good subjects of this state.

Ordered, That Mr. *Hardenbergh*, Mr. *Elmer*, Mr. *Condict* and Mr. *Hand*, be a committee to settle the accounts of *John Dennis*, Esq. the eastern treasurer.

Adjourned

Adjourned till to-morrow morning nine o'clock.

TUESDAY, *August 20.*

Met according to adjournment.

The committee appointed to settle the accounts of *John Dennis, Esq.* made report, which was read and accepted.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Ordered, That *Mr. Crow* do sign his parole, and give bond in the sum of *five hundred pounds* for the performance thereof, to depart from hence to the town of *Mountholly*, in the county of *Burlington*, there, or within a circle of four miles thereof, to remain until discharged, or otherwise permitted by this Convention.

Resolved, That all persons who have received any publick money of, or are indebted to this Convention, or any Congress or Committee of Safety of this state, do account for the same to the future legislature of said state, or such person or persons as they shall nominate and appoint.

Thomas Hutton, who was appointed to search for lead and sulphur mines and flint quarries, made report as follows:

That he had not discovered any lead mines, but that he found symptoms thereof, which he produced, on the plantation of *Casper Smith*, about four miles from *Newtown* in *Suffex*.

He also produced a sample of black lead, which he found at *Port-Chuck*, near the drowned land in *Suffex*, and thinks a large quantity of black lead may be had at the above place.

He produced several samples of sulphur, which he found on the land of *James Young*, in the township of *Mendham*, and county of *Morris*—

Imagines

Imagines great quantities of sulphur may be had there—Thinks he could raise it for *thirty shillings*, or at most *forty shillings* (the latter including gun-powder) a ton.

Samples of flints which he found on a hill near *Colonel Martin's*, and the brook called *Beaver Run*, in *Suffex*, great quantities whereof may be had there, and they are exceeding promising.

Ordered, That *Moses Ivins* be fined in the sum of *thirty pounds*, *Richard Robins* in the sum of *twenty-two pounds*, *John Leonard* in the sum of *twenty pounds*, *Thomas Lewis Woodward* in the sum of *sixteen pounds*, and *Ezekiel Forman* in the sum of *three pounds*, proclamation money of the state of *New-Jersey*.

Adjourned till to-morrow morning eight o'clock.

WEDNESDAY, *August 21.*

Met according to adjournment.

Whereas some doubts have arisen whether the several committees in this state will not expire on the meeting of the legislative council and assembly, *It is therefore resolved*, That the said committees shall continue to execute the duty of their office as heretofore, until otherwise ordered by the future legislature of this state.

Whereas the late ordinance of this Convention directing that all able-bodied men, without exception, between the ages of sixteen and fifty, should be forthwith enrolled, and deemed to be the militia of this state, one half of which were ordered into immediate service, hath not pointed out either the mode of levying the fines payable by such as do not go out in their proper turn; or the use to which the same when levied shall be appropriated:

Resolved therefore, That the said fines shall be recovered

recovered by the captains of the companies in which the delinquents are enrolled, in the manner directed by an ordinance of the late Congress, bearing date the 28th of October 1775.

Resolved, That the fines payable by those who have been or shall be enrolled in consequence of the late ordinance of this Convention, passed the eleventh of this instant, be appropriated to such publick use as the future legislature of this state shall direct; and that the fines payable by those formerly enrolled be appropriated as is directed by the resolves of this Convention, bearing date the 3d of this instant.

Resolved, That the captains shall respectively be accountable for the amount of the fines levied in pursuance of the ordinance aforesaid of the 11th instant, to the future legislature, or to such person or persons as they shall nominate and appoint.

And whereas this Convention have been given to understand that divers persons have been extremely aggrieved by excessive distresses for fines incurred by breach of the several militia ordinances, goods to a great value having been seized for small fines; *therefore resolved*, That all persons who shall hereafter be aggrieved by such excessive distresses, be entitled to recover damages in like manner as for excessive distresses at common law.

The committee of accounts made report of sundry articles contained in the draught of an ordinance for the payment of incidental charges; which being read,

Ordered, That the same do pass.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Adjourned without day.

ORDINANCES, &c.

An ordinance for raising three thousand three hundred of the militia of New-Jersey to reinforce the army at New-York.

Passed June 14, 1776.

WHEREAS the Honourable Continental Congress have resolved, That the colony of *New-Jersey* be requested immediately to send three thousand three hundred of their militia to reinforce the army at *New-York*, to be continued in the service until the first day of *December* next, unless sooner discharged by the Congress: And that the pay of the militia, which by a late resolve of the Continental Congress is *Fifty Shillings*, proclamation money per month for the privates in all the United Colonies, commence from the day of their marching from home, allowing them *one penny*, lawful money, per mile, in lieu of rations for travelling expences, and one day's pay for every twenty miles between home and the general rendezvous going and returning. And as troops of the enemy, from the best intelligence, are daily expected to arrive at *New-York*, this Congress are anxiously desirous to carry the resolutions of the Honourable Continental Congress into immediate effect:

Resolved therefore, That five battalions, consisting of eight companies of seventy-eight non-commissioned officers and privates, be immediately got in readiness and marched to *New-York*, under the command of a brigadier-general; which battalions shall be raised by a voluntary enlistment, to

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continue

continue in the service until the first day of December next, unless sooner discharged.

Resolved further, That the said battalions shall be formed as follows: one battalion to consist of three companies from the county of *Bergen*, and three companies from the county of *Essex*, and two companies from the county of *Burlington*.

One battalion to consist of four companies from the county of *Middlesex*, and four companies from the county of *Monmouth*.

One battalion to consist of four companies from the county of *Morris*, and four companies from the county of *Suffex*.

One battalion to consist of three companies from the county of *Somerset*, and five companies from the county of *Hunterdon*.

One battalion to consist of two companies from the county of *Burlington*, two companies from the county of *Cumberland*, two companies from the county of *Gloucester*, and two companies from the county of *Salem*.

And, in order that proper officers may be immediately appointed, *Resolved*, That the field-officers, with the subalterns in each county, do forthwith assemble, and agree upon one captain, two lieutenants, and one ensign, for each company, to be raised in their respective counties; and that the field-officers appointed to the command of each battalion do appoint an adjutant and quarter-master for the battalion.

Resolved, That each man, at the time of his enlisting, do sign the following enlistment:

I *have this day enlisted myself in the company of captain as a volunteer in the battalion commanded by colonel now raising in New-Jersey, to reinforce the army at New-York, to continue in that service until the first*

first day of December next, unless sooner discharged: and do bind myself to conform in all instances to the regulations which are or shall be established for the government of said army.

And it is further resolved, That each man, so entering himself as a volunteer, do furnish himself, at his own expence, with a good musket with a bayonet, a cartouch-box, blanket, canteen and knapsack.

And, in order to expedite the raising of the aforesaid battalions at a season when the labour of the inhabitants is greatly needed in the country, and to encourage the enlistment of men in this necessary service, *It is further resolved*, That there be allowed and paid as a bounty to each man, who shall voluntarily enlist as aforesaid, and be properly accoutred, the sum of THREE POUNDS, proclamation money, over and above the continental pay, to be paid to him at the time he marches to the general rendezvous.

And it is further resolved, That said forces, when raised, shall not be compelled to march out of this colony further than the city of *New-York*, or parts adjacent thereto.

Resolved, That as soon as any company shall be completed, the same shall be mustered in the presence of one of the commissioners herein after named, who are respectively appointed muster-masters for that purpose; and upon such muster being had, the said company shall immediately march to the place of general rendezvous, to be appointed by the brigadier-general.

Resolved, That the colonels of said battalions be directed to make return as soon as possible to this Congress, or Committee of Safety, or to the brigadier-general, to be by him laid before the Congress or Committee of Safety, of the number

number of men enlisted in each county of this colony in the battalions aforesaid.

Resolved, That *Sidney Berry, Benjamin Halsey, Richard Ludlow, Asber Holmes, and Thomas Sinnerickson*, Esquires, be, and they are hereby appointed commissioners for paying the bounty allowed to each volunteer as aforesaid, which they, or any of them, are to pay out of the bills of credit lately made current by an ordinance of the Congress of this Province; and shall take proper receipts for all monies by them, or any of them, paid out as a bounty in manner aforesaid, signed by the persons receiving the same; which receipts, when laid before this or a future Congress, or other future representative body of this colony, to whom they are hereby made accountable, shall discharge the said commissioners, or any of them, of all monies legally paid out as aforesaid: And that there be allowed, as a compensation to said commissioners for reviewing said men, and paying said bounty, a sum after the rate of one per cent for all monies by them, or any of them, paid out as aforesaid. And the treasurers of this colony, appointed by Congress, and each of them, are hereby required to pay to such commissioners, or any of them, such sum or sums of money as may be necessary for the above purpose.

Resolved, That the commissioners appointed by the late Congress do furnish the aforesaid five battalions with six hundred and sixty camp-kettles, or one camp kettle for every five men, to be lent to them during this campaign.

Resolved, That it be recommended to the several committees of this colony to be zealous and diligent in assisting the officers to raise and equip the aforesaid forces; and that those who do not engage in this service be earnestly requested to
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lend or dispose of their arms and accoutrements to the volunteers who shall enlist.

It is further resolved, That the five battalions above directed to be raised form one brigade, and that a brigadier-general be appointed to command the same.

Resolved unanimously, That *Joseph Reed*, Esq. be, and he is hereby appointed brigadier-general.

Resolved, That the following officers be appointed to the command of the respective battalions, viz. For the battalion to be raised in *Bergen, Essex and Burlington*; *Philip Van Cortland*, colonel, *David Brearley*, lieutenant-colonel, and *Richard Dey*, major; for the battalion to be raised in *Middlesex and Monmouth*, *Nathaniel Heard*, colonel, *David Forman*, lieutenant-colonel, and *Thomas Henderson*, major; for the battalion to be raised in *Morris and Sussex*, *Ephraim Martin*, colonel, *John Munson*, lieutenant-colonel, and *Cornelius Ludlow*, major; for the battalion to be raised in *Somerset and Hunterdon*, *Stephen Hunt*, colonel, *Philip Johnson*, lieutenant-colonel, and *Joseph Philips*, major; for the battalion to be raised in *Gloucester, Salem, Cumberland and Burlington*, *Silas Newcomb*, colonel, *Bowes Reed*, lieutenant-colonel, and major.

Resolved, That *Robert Hoops*, Esquire, be, and he is hereby appointed brigade-major of the aforesaid brigade.

Resolved, That the militia, which have been lately draughted by order of the Committee of Safety of this province, be, and hereby are at liberty to enlist in the above brigade; and that no further draughts be made in consequence of said order.

CONSTITUTION of NEW-JERSEY.

Passed July 2, 1766.

WHEREAS all the constitutional authority, ever possessed by the kings of *Great-Britain* over these colonies, or their other dominions, was, by compact, derived from the people, and held of them for the common interest of the whole society; allegiance and protection are, in the nature of things, reciprocal ties, each equally depending upon the other, and liable to be dissolved by the other's being refused or withdrawn: And whereas *George* the third, king of *Great-Britain*, has refused protection to the good people of these colonies; and, by assenting to sundry acts of the *British* parliament, attempted to subject them to the absolute dominion of that body; and has also made war upon them in the most cruel and unnatural manner, for no other cause than asserting their just rights; all civil authority under him is necessarily at an end, and a dissolution of government in each colony has consequently taken place.

AND WHEREAS, in the present deplorable situation of these colonies, exposed to the fury of a cruel and relentless enemy, some form of government is absolutely necessary, not only for the preservation of good order, but also the more effectually to unite the people, and enable them to exert their whole force in their own necessary defence; and as the Honourable the Continental Congress, the supreme council of the *American* colonies, has advised such of the colonies, as have not yet gone into the measure, to adopt for themselves respectively such government as shall best conduce

duce to their own happiness and safety, and the well-being of *America* in general; We, the Representatives of the colony of *New-Jersey*, having been elected by all the counties in the freest manner, and in Congress assembled, have, after mature deliberation, agreed upon a set of charter-rights, and the form of a Constitution, in manner following, *videlicet*,

I. THAT the government of this province shall be vested in a governor, legislative council, and general assembly.

II. THAT the said legislative council and assembly shall be chosen, for the first time, on the second *Tuesday* of *August* next; the members whereof shall be the same in number and qualifications as is herein after mentioned; and shall be and remain vested with all the powers and authority to be held by any future legislative council and assembly of this colony until the second *Tuesday* in *October* which will be in the year of our Lord one thousand seven hundred and seventy-seven.

III. THAT on the said second *Tuesday* in *October*, yearly and every year for ever (with the privilege of adjourning from day to day as occasion may require) the counties shall severally choose one person to be a member of the legislative council of this colony, who shall be and have been for one whole year next before the election, an inhabitant and freeholder in the county in which he is chosen, and worth at least *one thousand pounds*, proclamation money, of real and personal estate within the same county: That, at the same time, each county shall also choose three members of assembly; provided, that no person shall be entitled to a seat in the said assembly, unless he be and

and have been for one whole year next before the election, an inhabitant of the county he is to represent, and worth *five hundred pounds*, proclamation money in real and personal estate in the same county: That, on the second *Tuesday* next after the day of election, the council and assembly shall separately meet; and that the consent of both houses shall be necessary to every law, provided that seven shall be a quorum of the council for doing business; and that no law shall pass, unless there be a majority of all the representatives of each body personally present and agreeing thereto. *Provided always*, That if a majority of the representatives of this province in council and general assembly convened, shall, at any time or times hereafter, judge it equitable and proper to add to or diminish the number or proportion of the members of the assembly for any county or counties in this colony, then, and in such case, the same may, on the principles of more equal representation, be lawfully done, any thing in this charter to the contrary notwithstanding; so that the whole number of representatives in assembly shall not at any time be less than thirty-nine.

IV. THAT all inhabitants of this colony of full age, who are worth *fifty pounds*, proclamation money, clear estate in the same, and have resided within the county in which they claim a vote for twelve months immediately preceding the election, shall be entitled to vote for representatives in council and assembly; and also for all other public officers that shall be elected by the people of the county at large.

V. THAT the assembly, when met, shall have power to choose a speaker, and other their officers

ers; to be judges of the qualifications, and elections of their own members; sit upon their own adjournments; prepare bills to be passed into laws, and to empower their speaker to convene them, whenever any extraordinary occurrence shall render it necessary.

VI. THAT the council shall also have power to prepare bills to pass into laws, and have other like powers as the assembly, and in all respects be a free and independent branch of the legislature of this colony; save only that they shall not prepare or alter any money bill, which shall be the privilege of the assembly; that the council shall, from time to time, be convened by the governor or vice-president, but must be convened at all times when the assembly sits; for which purpose the speaker of the house of assembly shall always, immediately after an adjournment, give notice to the governor or vice-president of the time and place to which the house is adjourned.

VII. THAT the council and assembly jointly at their first meeting, after each annual election, shall, by a majority of votes, elect some fit person within the colony to be a governor for one year, who shall be constant president of the council, and have a casting vote in their proceedings; and that the council themselves shall choose a vice-president, who shall act as such in the absence of the governor.

VIII. That the governor, or, in his absence, the vice-president of the council, shall have the supreme executive power, be chancellor of the colony, and act as captain-general and commander in chief of all the militia, and other military force in this colony; and that any three or more

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of the council shall, at all times, be a privy council to advise the governor in all cases, where he may find it necessary to consult them; and that the governor be ordinary or surrogate general.

IX. THAT the governor and council (seven whereof shall be a quorum) be the court of appeals in the last resort in all causes of law as heretofore; and that they possess the power of granting pardons to criminals after condemnation in all cases of treason, felony, or other offences.

X. THAT captains, and all other inferior officers of the militia, shall be chosen by the companies in the respective counties; but field and general officers by the council and assembly.

XI. THAT the council and assembly shall have power to make the great seal of this colony, which shall be kept by the governor, or, in his absence, by the vice-president of the council, to be used by them as occasion may require; and it shall be called *The Great Seal of the colony of New-Jersey*.

XII. THAT the judges of the supreme court shall continue in office for seven years, the judges of the inferior court of common pleas in the several counties, justices of the peace, clerks of the supreme court, clerks of the inferior courts of common pleas, and quarter-sessions, the attorney-general and provincial secretary, shall continue in office for five years, and the provincial treasurer shall continue in office for one year; and that they shall be severally appointed by the council and assembly in manner aforesaid, and commissioned by the governor, or, in his absence, by the vice-president of the council. *Provided always,* That the said officers severally shall be capable

capable of being re-appointed at the end of the terms severally before limited; and that any of the said officers shall be liable to be dismissed, when adjudged guilty of misbehaviour by the council on an impeachment of the assembly.

XIII. THAT the inhabitants of each county, qualified to vote as aforesaid, shall, at the time and place of electing their representatives, annually elect one sheriff, and one or more coroners; and that they may re-elect the same person to such offices, until he shall have served three years, but no longer; after which three years shall elapse before the same person is capable of being elected again. When the election is certified to the governor or vice-president, under the hands of six freeholders of the county for which they were elected, they shall be immediately commissioned to serve in their respective offices.

XIV. THAT the townships, at their annual town-meetings for electing other officers, shall choose constables for the districts respectively; and also three or more judicious freeholders of good character to hear and finally determine all appeals relative to unjust assessments in cases of publick taxation; which commissioners of appeal shall, for that purpose, sit at some suitable time or times to be by them appointed, and made known to the people by advertisements.

XV. THAT the laws of this colony shall begin in the following style, viz. *Be it enacted by the council and general assembly of this colony, and it is hereby enacted by the authority of the same:* That all commissions, granted by the governor or vice-president, shall run thus—*The colony of New-Jersey to A B, &c. Greeting:* And that all writs shall likewise run in the name of the colony: And that

that all indictments shall conclude in the following manner, viz. *against the peace of this colony, the government, and dignity of the same.*

XVI. THAT all criminals shall be admitted to the same privileges of witnesses and counsel, as their prosecutors are or shall be entitled to.

XVII. THAT the estates of such persons as shall destroy their own lives shall not, for that offence, be forfeited; but shall descend in the same manner as they would have done had such persons died in a natural way; nor shall any article, which may occasion accidentally the death of any one, be henceforth deemed a deodand, or in anywise forfeited on account of such misfortune.

XVIII. THAT no person shall ever within this colony be deprived of the inestimable privilege of worshipping Almighty God in a manner agreeable to the dictates of his own conscience; nor under any pretence whatsoever compelled to attend any place of worship, contrary to his own faith and judgment; nor shall any person within this colony ever be obliged to pay tithes, taxes, or any other rates, for the purpose of building or repairing any church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right, or has deliberately or voluntarily engaged himself to perform.

XIX. THAT there shall be no establishment of any one religious sect in this province in preference to another; and that no *protestant inhabitant* of this colony shall be denied the enjoyment of any civil right merely on account of his religious principles; but that all persons, professing a belief in the faith of any protestant sect, who shall demean themselves peaceably under the government

ment as hereby established, shall be capable of being elected into any office of profit or trust, or being a member of either branch of the legislature, and shall fully and freely enjoy every privilege and immunity enjoyed by others their fellow subjects.

XX. THAT the legislative department of this colony may, as much as possible, be preserved from all suspicion of corruption, none of the judges of the supreme or other courts, sheriffs, or any other person or persons possessed of any post of profit under the government, other than justices of the peace, shall be entitled to a seat in assembly; but that, on his being elected and taking his seat, his office or post shall be considered as vacant.

XXI. THAT all the laws of this province, contained in the edition lately published by Mr. *Allinson*, shall be and remain in full force, until altered by the legislature of this colony (such only excepted as are incompatible with this charter), and shall be, according as heretofore, regarded in all respects by all civil officers, and others, the good people of this province.

XXII. THAT the common law of *England*, as well as so much of the statute-law, as have been heretofore practised in this colony, shall still remain in force, until they shall be altered by a future law of the legislature; such parts only excepted as are repugnant to the rights and privileges contained in this charter; and that the inestimable right of trial by jury shall remain confirmed, as a part of the law of this colony without repeal for ever.

XXXIII. THAT every person who shall be elected as aforesaid to be a member of the legislative

lative council or house of assembly, shall, previous to his taking his seat in council or assembly, take the following oath or affirmation, viz. I A B do solemnly declare, that, as a member of the legislative council (or assembly, as the case may be) of the colony of New-Jersey, I will not assent to any law, vote or proceeding, which shall appear to me injurious to the publick welfare of said colony, nor that shall annul or repeal that part of the third section in the charter of this colony, which establishes that the elections of members of the legislative council and assembly shall be annual, nor that part of the twenty-second section in said charter respecting the trial by jury, nor that shall annul, repeal or alter any part or parts of the eighteenth or nineteenth sections of the same. And any person or persons, who shall be elected as aforesaid, is hereby empowered to administer to the said members the said oath or affirmation.

Provided always, and it is the true intent and meaning of this Congress, That if a reconciliation between Great-Britain and these colonies should take place, and the latter be again taken under the protection and government of the crown of Great-Britain, this charter shall be null and void, otherwise to remain firm and inviolable.

Ordinance for regulating the ensuing election.

Passed July 15, 1776.

WHEREAS by the second-section of the constitution of this colony, formed by this Congress, there is to be a legislative council and general assembly elected by the good people of

of this colony, on the second *Tuesday* in *August* next; and, pursuant to the same constitution, one sheriff and one or more coroners in each county ought, at the same time, to be elected. AND WHEREAS it was thought proper not to fix or insert in the said constitution either the places or mode of election, or the place where the said council and assembly shall meet, after they are so elected, but leave them to be ascertained by a distinct ordinance of this Congress.

Resolved therefore, That the places of election shall be as follows: In *Bergen*, at the courthouse in *New-Barbados*; in *Essex*, at the courthouse in *Newark*; in *Middlesex*, at the courthouse in *New-Branswick*; in *Somerset*, at the courthouse at *Hillborough*; in *Morris*, at the courthouse in *Morris-town*; in *Monmouth*, at the courthouse in *Freehold*; in *Hunterdon*, at the courthouse in *Trenton*; in *Sussex*, at the courthouse in *New-town*; in *Burlington*, at the courthouse in the city of *Burlington*; in *Gloucester*, at the courthouse in the town of *Gloucester*; in *Salem*, at the courthouse in the town of *Salem*; in *Cumberland*, at the courthouse in *Bridge-town*; and in *Cape-May*, at the courthouse in the *Middle-Precinct*. And that the inhabitants of each county, entitled to vote for representatives in the said council and general assembly, when met at the place of election, shall, between the hours of ten in the morning and one in the afternoon, choose three judicious freeholders to preside as judges of the election; which judges shall take an oath or affirmation before any justice of the peace for the faithful and impartial discharge of their duty; and the said inhabitants shall then proceed to elect such a number of representatives in council and assembly, as, by the said constitution, they are entitled

entitled to elect; and also one sheriff, and one or more coroners; adjourning from day to day, and from place to place, (except in the county of *Salem*) if it shall be thought necessary, pursuant to the ordinance of the late Provincial Congress. And the certificate of the judges, so as aforesaid appointed, together with six good and sufficient freeholders, shall be a sufficient testimonial of the election of any member of council or assembly; the form of which certificate shall be as follows: *We do hereby certify, That on the day of the date hereof, A B and C were (or that A was in the certificate for a member of council) duly elected to represent the county of in the general assembly of this colony (or legislative council, as the case may require) to be held at Princeton on the 27th of this instant. Witness our hands and seals this day of August 1776. Provided always, That no person or persons shall be entitled to a seat in council or assembly unless he or they so elected shall have first taken the following oath or affirmation, to wit, I A B do swear (or affirm) that I do not hold myself bound to bear allegiance to George the third king of Great-Britain; that I will not by any means directly or indirectly oppose the measures adopted by this colony or the Continental Congress against the tyranny attempted to be established over these colonies by the court of Great-Britain; and that I do and will bear true allegiance to the government established in this colony under the authority of the people.*

And as it is highly unreasonable, that the enemies of *America* should be admitted to take an active part in our publick measures, no person or persons shall be admitted to vote at the said election, unless he first take the same oath or affirmation, if thereunto required, by any one of the judges

judges or inspectors of the said election; which oath or affirmation any one of the judges aforesaid shall be empowered to tender and administer to any or either of the said electors.

And that each person, who shall be named as a candidate by any inhabitant entitled to vote, shall be admitted to appoint one inspector and one clerk; which clerks, when so appointed, shall be sworn or affirmed in manner aforesaid truly and impartially to take the votes and set down the name and place of abode of each elector, and to poll no voter, who is not attested, if required so to be by any one or more of the judges or inspectors.

Provided always, That no sheriff or coroner shall be empowered to act in his office, until he shall be commissioned by the future governor or vice-president of the colony, and shall be further qualified in such manner, as the future legislature of this colony shall direct and appoint.

And it is further resolved, That the legislative council and general assembly, when so elected, shall, for the first time, meet at *Princeton*.

An ordinance for punishing treason and counterfeiting.

Passed July 18, 1776.

WHEREAS it is necessary in these times of danger, that crimes should receive their due punishment; and the safety of the people more especially requires, that all persons, who shall be found so wicked as to desire the destruction of good government, or to aid and assist the avowed enemies of the state, be punished with death;

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Therefore

Therefore be it resolved and ordained by this Convention, and it is resolved and ordained by the authority of the same, That all persons abiding within this state of New-Jersey, and deriving protection from the laws thereof, do owe allegiance to the government of this state as of late established on the authority of the people, and are to be deemed as members of this state: and that all persons passing through, visiting, or making a temporary stay in this state, being entitled to the protection of the law during such passage, visitation or temporary stay, during the same time owe allegiance to this government.

And be it further resolved and ordained, That all and every person or persons, members of, or owing allegiance to this government, as before described, who, from and after the date hereof, shall levy war against this state within the same, or be adherent to the king of Great-Britain, or others the enemies of this state within the same, or to the enemies of the United States of North-America, giving to him or them aid or comfort, shall be adjudged guilty of high treason, and suffer the pains and penalties thereof, in like manner as by the ancient laws of this state, he or they should have suffered in cases of high treason.

And be it further resolved and ordained, That all and every person or persons, who, from and after the date hereof, shall be found guilty of reviling the government of this state, as by this Convention established, or of other seditious speeches or practices, shall be punished in like manner as by the former laws of this state such person or persons might or ought to have been punished for such seditious speeches and practices against the government then in being.

And

And be it further resolved and ordained, That all and every person or persons, who, from and after the date hereof, shall be found guilty of counterfeiting or altering the continental bills of credit, the bills of credit issued by the late Provincial Congress of this state, or the assemblies, conventions or congresses of any of the United States of North-America, or uttering the same knowing them to be counterfeit or altered, shall be adjudged felons, and be punished with death, in like manner as persons found guilty of counterfeiting or knowingly altering the former bills of credit of this state might or should have been.

Provided always, That no person or persons shall suffer death, or other pains or penalties, for any the offences aforesaid, until he or they shall have been first found guilty of the same offence or offences whereof he or they shall be charged and accused in a due course of law, and by the verdict of a jury.

Provided also, That nothing in this ordinance contained shall be construed to divest any committee of the power they now possess of examining and committing any offenders, so that they do not proceed to the infliction of punishments for any the offences in this ordinance contained, but leave the same to be determined in due course of law in manner aforesaid.

An ordinance for detaching two thousand of the militia.

Passed July 18, 1776.

WHEREAS the Honourable Continental Congress have resolved, "That General
"Washington

"*Washington* be desired to call to his assistance two thousand of the men who have marched into *New-Jersey* to form the flying camp, and that the convention of *New-Jersey* be requested immediately to supply their places with an equal number of the militia of that state." AND WHEREAS the situation of *New-York*, the vicinity of *New-Jersey* to the enemy, and, above all, the arrival of lord *Howe*, who, it is probable, will speedily make some decisive movement, render it absolutely necessary, that the most immediate and effectual steps be taken to guard against the incursions of the *British* troops, and to strengthen the army of the United States.

Resolved therefore unanimously, That two thousand of the militia of this state be immediately detached to supply the place of the like number taken from the flying camp in *New-Jersey*, and ordered to *New-York*.

Resolved, That said two thousand militia compose four battalions, consisting of thirty companies of sixty-four non-commissioned officers and privates, under the command of a brigadier-general.

Resolved, That said militia continue in service for the space of one calendar month, computing from the time of their joining the flying camp, unless sooner discharged; that they have the same pay, rations and allowance, as the brigade under general *Heard* are entitled to receive from the Continental Congress, computing from the time of their marching to the place of destination; and that they conform in all instances to the regulations which are or shall be made for the government of said forces.

Resolved, That the said battalions shall be formed as follows: one battalion to consist of
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two companies from the county of *Bergen*, three companies from the county of *Essex*, and two companies from the county of *Morris*.

One battalion to consist of two companies from the county of *Somerset*, two companies from the county of *Suffex*, and four companies from the county of *Hunterdon*.

One battalion to consist of three companies from the county of *Middlesex*, three companies from the county of *Monmouth* (whereof captain *Stillwell's* company is to be one) and two companies from the county of *Salem*.

One battalion to consist of three companies from the county of *Burlington*, three companies from the county of *Gloucester*, and one company from the county of *Cumberland*.

And, in order that proper officers may be immediately appointed, *Resolved*, That the field-officers, with the captains and subalterns in each county, do forthwith assemble, and agree upon one captain, one lieutenant, and one ensign, for each company, to be raised in their respective counties; and that the field-officers appointed to the command of each battalion do appoint an adjutant and quarter-master for the battalion.

Resolved, That each man come equipped with a good musket with a bayonet, (if the latter can be procured) a tomahawk, a cartouch-box, blanket, canteen and knapsack.

Resolved, That the colonels of said battalions be directed to make return as soon as possible to this convention, or to the brigadier-general, to be by him laid before the convention, of the number of men which turned out in each county of this state in the battalions aforesaid.

Resolved, That the four battalions above directed to be raised, form one brigade.

Resolved,

Resolved, That the following officers be appointed to the command of the respective battalions. *viz.* For the battalion to be raised in *Bergen, Essex and Morris*, *Edward Thomas*, colonel, *Ellis Cook*, lieutenant-colonel, *Maurice Goatscius*, major; for the battalion to be raised in the counties of *Somerset, Sussex and Hunterdon*, *Mark Thompson*, colonel, *Abraham Bonnel*, lieutenant-colonel, and *Enos Kelsey*, major; for the battalion to be raised in the counties of *Middlesex, Monmouth and Salem*, *George Taylor*, colonel, *Whitton Cripps*, lieutenant-colonel, and *John Duychinck*, major; for the battalion to be raised in the counties of *Burlington, Gloucester and Cumberland*, *Charles Read*, colonel, *Josiah Hillman*, lieutenant-colonel, and *William Ellis*, major.

Resolved, That any of the said two thousand militia, while in service, be at liberty to enlist in the brigade under the command of General *Heard*, and, on such enlistment, shall be entitled to the bounty of *Three Pounds*, agreeable to the late ordinance of the Congress.

And whereas camp-kettles are extremely scarce, and indeed impossible to be procured, *Therefore resolved*, That it be recommended to the said militia to bring with them a sufficient number of kettles; and for this purpose it is further recommended, that every company be divided into lots, six men in a lot, and that each lot furnish itself with a kettle. And if said kettles, or any of them, should happen to be taken by the enemy, or endamaged or destroyed in the service, this state will make the owners full compensation for such injury or loss.

The zeal, alacrity, and spirit, which the inhabitants of *New-Jersey* have manifested during the present most important contest for freedom, is a happy

happy presage, as well as the strongest assurance, that this requisition of their representatives will be carried into instant execution; and the rather so, as the brigade, now directed to be raised, is particularly destined to guard this state. We flatter ourselves that it is almost useless to recommend the utmost dispatch, as the enemy is at hand, and the danger pressing and great. The vicinity of a mortal foe, whose avowed design is to reduce us to the most abject state of vassalage, is surely a call sufficient for freemen. Our brethren of *Pennsylvania* pour out in thousands: may *New-Jersey* keep the illustrious example in view, and evince to the world, that the militia of this state are equally zealous in the glorious cause of *American* freedom! Remember, the hour is approaching, which will, in all human probability, decide the fate of *America*—which will either ensure your title to the rank of freemen, or debase you to the lowest class of slaves. Life, liberty and property, all await the issue of the present struggle. Arise then and exert yourselves!

On ordinance for keeping open the communication between New-Jersey and New-York by way of the ferries over Passaick and Hackinsack rivers.

Passed August 9, 1776.

THE Convention having received information that the ferries over *Passaick* and *Hackinsack* rivers, between *Newark* and *New-York*, are neither supplied by the proprietors thereof or their tenants, with such a number of scows and proper boats as are requisite in our present alarming situation,

situation, nor duly attended. AND WHEREAS it is of great importance that the passing and repassing between this state and *New-York*, while the enemy is at our door, should be put on the most convenient footing; and the said proprietors and tenants, notwithstanding repeated applications, having neglected to make the necessary provision for the aforesaid purposes;

It is therefore resolved, ordained and directed, That the management and direction of said ferries be taken out of the hands of the said proprietors, and that messieurs *William Camp* and *Joseph Hedden*, junior, be, and they are hereby appointed commissioners to take into their hands the possession, sole management and direction of said ferries, and hold the same for the purposes aforesaid, until the first day of *December* next, unless sooner discharged from this service by the legislature of this state. And they, or either of them, are hereby empowered and required to provide at least four scows for the ferries, over each of said rivers, and to employ a sufficient number of hands to ply and attend the same; and also to provide ropes to be stretched across the said rivers, and all such articles as they shall judge expedient for the service aforesaid.

And it is further resolved and directed, That no troops in service of the United States, or of any of them, nor their baggage, ammunition or their other waggon, carriages or horses shall pay more than one third part of the ferriage paid by such as are not in said service; and, to prevent a misconstruction of this resolve, *It is hereby declared,* That commissaries or other persons supplying the army by contract with provisions, stores, &c. are not intended to be either included in, or to receive any private benefit from the said resolve.

And

And it is further resolved and directed, That the said commissioners keep an exact account as well of the expences and disbursements, as of the monies they shall receive for ferriages. And the said commissioners, or either of them, are hereby authorised to draw orders on either of the treasurers of this state for such sums of money as shall be necessary for the disbursements aforesaid, and his or their receipts thereof shall be sufficient vouchers to indemnify the said treasurers, their heirs, executors and administrators for the payment of said orders; and, at the expiration of the said term, the said accounts of disbursements and monies received for ferriage by the commissioners, shall be submitted to the examination of the said proprietors, who shall and may then choose, either to accept of the profits arising from the said ferries while in the hands of said commissioners, after paying thereout such sum for said commissioners attendance on the business aforesaid, as by the representatives of this state shall be adjudged, or be paid a reasonable rent for the ferries during the time aforesaid.

An ordinance for detaching one half of the militia,

Passed August 11, 1776.

THE Convention viewing with serious concern the present alarming situation of this and their sister states, that on a prudent use of the present moment depend their lives, their liberty and happiness, think it their indispensable duty to put the militia on such a footing, that their whole force may be most advantageously
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exerted; and to call out the one half into immediate service, to be relieved by the other monthly.

Be it therefore resolved, ordained and directed; That all able-bodied men, without exception, in this state, between the ages of sixteen and fifty, be immediately enrolled by the captains of the militia, in whose districts they live, into their several companies, and be called, and deemed to be, in construction of this Ordinance, the militia of this State, and to be in that regiment to which the company they are enrolled in belongs; and that the said militia be formed into two divisions in manner following, *to wit*, orders shall be immediately issued by the brigadiers-general to the several colonels or commanding officers of every regiment and battalion within this state to call together without delay all that are directed as aforesaid to be enrolled in their several companies; and in those regiments or battalions where one half will not turn out volunteers to serve in the first division, that the divisions be determined by lot.

That the first division be immediately equipped with arms and every necessary accoutrement that can be obtained, and four days provision, and march with all dispatch to join the flying camp in this state. And, to the end that the several divisions may be properly formed and officered, *It is hereby directed*, That the battalions of the first division shall be formed as follows, *to wit*, one battalion from the regiments or battalions whereof *Philip Van Cortland* and *Edward Thomas*, Esquires, are colonels; another battalion from the regiment whereof *Theunis Dey*, Esquire, is colonel; another battalion from the battalions, whereof *Jacob Ford* and *Jacob Drake*, Esquires, are colonels; another battalion from the two regiments

regiments and one battalion, whereof *Mark Thompson*, *Ephraim Martin* and *John Cleave Symmes*, Esquires, are colonels; another battalion from the two battalions whereof *Stephen Hunt* and *Abraham Quick*, Esquires, are colonels; another battalion from the battalions whereof *George Taylor*, *David Breasley* and *Daniel Hendrickson*, Esquires, are colonels; another battalion from the battalions whereof *Jonathan Deare*, Esquire, is lieutenant-colonel, and *John Neilson* and *John Duykinck*, Esquires, are colonels; another battalion from the battalions whereof *Isaac Smith* and *David Chambers*, Esquires, are colonels; another battalion from the battalions whereof *Joseph Beavers* and *John Mehelm*, Esquires, are colonels; another battalion from the battalions whereof *Joseph Borden* and *Charles Read*, Esquires, are colonels; another battalion from the battalions whereof *Joseph Ellis* and *Richard Somers*, Esqs. are colonels, and *Samuel Tonkin*, Esquire, is lieutenant-colonel; another battalion from the battalions whereof *Samuel Dick* and *John Holme*, Esquires, are colonels; and another battalion from the battalions whereof *Silas Newcomb* and *David Potter*, Esquires, are colonels.

That the field and other officers of every two regiments or battalions, from whence by division a battalion is to be formed as aforesaid, meet together as soon as possible; and the officers to command each division shall be determined as follows; one of the regiments or battalions shall furnish a colonel, the other a lieutenant-colonel, and so alternately the majors and other officers: and if it cannot readily be agreed by the said officers, which regiment or battalion shall furnish the colonel, or other field-officer for the first division, the same shall be determined by lot; and wheresoever

wheresoever there are a greater number of companies in one than in the other of the said regiments or battalions from whence one is to be formed as aforesaid, if the captains and subalterns in that regiment or battalion containing the greatest number of companies do not agree among themselves who shall serve in the first division, the same shall be determined by lot.

That in the county where there is but one regiment, either the colonel and one of the majors, or the lieutenant-colonel and the other major go out with the first division; and if not agreed on among themselves which of them shall go in the first division, the same shall be determined by lot; and wheresoever a battalion is to be formed out of three regiments or battalions, the field-officers shall go out in rotation.

That the battalions for the second division shall be formed in like manner as those of the first division, *to wit*, each of the remaining half parts of such regiments or battalions out of which a battalion is above directed to be formed for the first division, shall form a battalion for the second division.

That the first division shall continue in service for and during the term of one month, to be computed from the time of joining the flying camp; and then, unless sooner discharged, to be relieved by the second division, and so alternately every month, until orders to the contrary shall be issued by the legislature, the commander in chief, or one of the brigadiers-general of this state.

That to the end that every man of the first division may be completely equipped as far as possible, the several colonels or commanding officers of each regiment or battalion of the militia are hereby directed to take from the militia

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of the second division of their respective regiments or battalions a sufficient number of their best arms, and equip those of the first division, giving receipts and taking just appraisements; and, when relieved by the second division, those of the first shall re-deliver the same to them; and also such numbers of their own arms as shall be needed to be taken, and appraised in manner aforesaid; and the same arms so at any time lent or taken, if lost or damaged in the service, shall be made good by this state.

That every private shall and may have the liberty of timely providing an able bodied man to serve in his stead, to be approved by the captain of the company in which he is to serve.

That every officer refusing to serve in his turn shall be cashiered and reduced into the ranks, and shall be fined in manner following; a colonel *twenty pounds*; a lieutenant-colonel *fifteen pounds*; a major *twelve pounds*; a captain *eight pounds*; a lieutenant, ensign or adjutant, *six pounds*; a non-commissioned officer *three pounds*; and every private refusing to serve in his turn as aforesaid, shall be fined *three pounds*.

That the pay of the officers and privates, to be computed from the time of their marching to join the flying camp, shall be, in all respects, the same as those in the continental service.

And whereas the principles of equity and humanity require, that a proper compensation and provision be made for the families of all such as may be killed or wounded in the service; the convention pledge the faith of this state, that an adequate provision for the purpose aforesaid shall be made in such manner, as that an equitable share of the burden shall fall upon those who do not go out with one or other of said divisions on their tour

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of service ; it being clearly the opinion of the convention, that the fines above-mentioned to be paid by those who do not go out, being but a small share of property, are not equivalent, nor can with any degree of reason be put in competition with the risk of lives and limbs of those who go into the service ; and also upon persons of property above the age of fifty, who are neither required to do duty nor pay any fine.

In this interesting situation—viewing on the one hand—an active, inveterate and implacable enemy, increasing fast in strength, daily receiving large reinforcements, and industriously preparing to strike some decisive blow : on the other—a considerable part of the inhabitants supinely slumbering on the brink of ruin—and moved with affecting apprehensions, the convention think it incumbent upon them to warn their constituents of the impending danger.—On you, our friends and brethren, it depends, this day, to determine—Whether you, your wives, your children, and millions of your descendants yet unborn, shall wear the galling, the ignominious yoke of slavery ; or nobly inherit the generous, the inestimable blessings of freedom.—The alternative is before you—can you hesitate in your choice ? can you doubt which to prefer ? Say !—will you be slaves ? Will you toil and labour and glean together a little property, merely that it may be at the disposal of a relentless and rapacious conqueror ?—Will you, of choice, become hewers of wood and drawers of water ? Impossible ! You cannot be so amazingly degenerate as to lick the hand that is raised to shed your blood !—Nature and nature's God have made you free !—Liberty is the birthright of Americans ! the gift is of heaven ! and the instant it is forced

forced from you, you take leave of every thing valuable on earth !—Your happiness or misery, virtuous independence or indignant servitude, hang trembling in the balance !—Happily we know, we can anticipate your virtuous choice—With confident satisfaction we are assured, that not a moment will delay your important decision—that you cannot feel hesitation, whether you will tamely and degenerately bend your necks to the irretrievable wretchedness of slavery—or by your instant and animated exertions enjoy the fair inheritance of heaven-born freedom, and transmit it unimpaired to your posterity.

An ordinance to provide for the payment of incidental charges.

Passed August 21, 1776.

WHEREAS it is necessary to provide for the payment of such incidental charges as have accrued during the sittings of this convention,

It is therefore resolved and directed, That there be paid by either of the treasurers to the president and each of the members of this Convention the sum of *six shillings* per diem for every day they have or shall attend during the continuance of this Convention, to be certified by Mr. Elmer, Dr. Bloomfield, Mr. Paterfon and Mr. Hand, or any two of them.

To the secretary of this Convention the sum of *fourteen shillings* per diem for each day he hath or shall attend this Convention, to be certified as aforesaid.

To lieutenant-colonel *Bowes, Reed* the sum of *fifty-one pounds two shillings and ten-pence*, in full of

of his account for himself and guard for *William Franklin*, Esq. while a prisoner in *Burlington*, and on his way to *Princeton*; and the guard's pay for six nights and two days while on said service.

To colonel *Charles Read* and major *Haight* the sum of *eighty-seven pounds seven shillings and ten-pence*, in full for the pay and subsistence for themselves, officers and privates, on their first expedition to *Monmouth*.

To lieutenant-colonel *Ellis Cook* *five pounds eighteen shillings and seven-pence*, *York money*, in full for six days wages and subsistence, and cash paid for ferriage of one hundred and fifty men of his detachment.

To *Joseph Hugg*, Esquire, *three pounds five shillings and six-pence*, in full of his account for transporting two tons and four pounds of powder, expence of loading, storing, &c.

To *John Dennis*, Esquire, *twenty-five shillings*, in full of his account for ~~being~~ furnished for the Convention.

To *Daniel Baillergeau*, door-keeper, for his attending fourteen days at *Trenton*, *two pounds sixteen shillings*, in full of his account.

To *John Cleave Symmes*, for Doctor *Baldwin's* bill, *three pounds twelve shillings and eleven-pence*, and *two pounds two shillings and eight-pence*, for attending two continental soldiers of colonel *Maxwell's* battalion; and *four shillings* for horse hire, in full of his account.

To *Renssellier Williams* *six pounds six shillings*, in full of his account.

To Mrs. *Rachel Stelle* *three pounds eighteen shillings and four-pence*, in full of her account.

To lieutenant *Elliot Howell* *eighteen shillings*, in full of his account for guarding *Thomas Okefon* from *Burlington* to *Trenton*.

To

To captain *Thomas Kinney* *one hundred and five pounds one shilling and seven-pence*, for himself and guard in attending *William Franklin*, Esq. from *Morris-town* to governor *Trumbull*, in the state of *Connecticut*.

To *Aaron Penson* and *James Nutman* the sum of *five pounds* in full for guarding *Conrad Hendricks* to *Trenton*.

To colonel *Nathaniel Heard*, Esq. *fifty-four pounds ten shillings and five-pence*, in full of his account for guarding *William Franklin*, Esq. from *Amboy* to *Burlington*.

To colonel *Nathaniel Heard*, Esq. *seven hundred and fifty-three pounds nine shillings and seven-pence*, in full of his account for the *Middlesex*, *Essex* and *Somerset* militias, for the expedition to *Staten-Island*, at the request of the committee of safety of *New-York*, on their promise of repayment.

To captain *James Wheeler* *fifty-two pounds one shilling and two-pence*, in full of his account in marching his company of militia to *New-York*, by order of lord *Stirling*, brigadier-general.

To captain *Robert Drummond* *one pound fourteen shillings and eleven-pence*, in full for *Nicholas Roche's* account of expences and medicines for the militia when marching to *Long-Island*.

To *Frederick Freelinghuysen* *sixty-one pounds thirteen shillings and two-pence*, being the balance due to him and men by him enlisted for the eastern company of artillery, who were discharged upon his resignation.

To major *John Dunn* *twenty-seven shillings and three-pence*, in full for his account of expences to *Monmouth* courthouse by order of the Convention.

To Doctor *Moses Bloomfield* *five pounds eleven shillings*

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shillings and five-pence, in full of his account of medicines and attendance on captain Neel's artillery company.

To Jonathan Bowen ten *shillings*, in full of his expences to Salem.

To colonel George Taylor, Esquire, one hundred and seventy-six pounds eighteen *shillings* and two-pence, in full of the balance due him as commissary, and reviewing captain Stillwell's company.

To lieutenant-colonel Samuel Forman seventy-nine pounds eleven *shillings* and seven-pence, in part for his account for himself and the officers and men under his command, in pursuit of the disaffected in Monmouth county, by order of this Convention.

To lieutenant-colonel Samuel Forman fifteen pounds ten *shillings* and three-pence, in full of the balance due for his militia marching in the county of Monmouth with colonel Charles Read, in apprehending disaffected persons.

To captain Robert Rhea four pounds four *shillings* and three-pence, in full of his account for guarding Thomas Okefen from Monmouth to Burlington.

To Josiah Franklin Davenport three pounds, in full of his account for boarding William Franklin, Esquire, and his servant, one week.

To captain William Kelsey thirty pounds towards subsisting his company on their march from Cumberland to New-York, to join the brigade under General Heard.

To colonel Charles Read and major Haight two hundred pounds six *shillings* and two-pence, in full of their accounts for the second expedition, with the militia of Burlington, into the county of Monmouth, in pursuit of the disaffected.

To lieutenant-colonel Bowe Reed the sum of two hundred and one pounds, towards defraying the

the expence of removing the continental prisoners from Burlington to York county in Pennsylvania, with their baggage.

To John Schurman, chairman of the county committee of Middlesex the sum of twenty-five pounds for the purpose of paying the price of hiring baggage-waggons, expresses, &c.

To Doctor Thomas Wiggins, chairman of the committee at Princeton, the sum of twenty-five pounds for forwarding expresses, &c.

To colonel Joseph Borden, Esquire, the sum of fifty-four pounds, in full of his account for fourteen waggons employed in transporting the baggage of lieutenant-colonel Broadhead's battalion of rifle-men from Bordentown to Brunswick and Amboy, in the continental service.

To colonel Joseph Borden one hundred and twenty-three pounds one *shilling* and one penny, for paying bounty and subsistence of twenty-five men in captain Anderson's company.

To the committee of the county of Bergen the sum of three hundred and fifty-five pounds ten *shillings*, in full of their account for seventy-nine stand of arms delivered captain Meeker, in lord Stirling's battalion.

To Benjamin Thornell, chairman of the committee of Woodbridge, the sum of twenty-five pounds, to be employed in paying expresses, baggage-waggons, &c.

To lieutenant-colonel Jonathan Deare two pounds eighteen *shillings* and six-pence, in full of his account for conducting the eastern treasurer from Amboy to Trenton.

To Daniel Isaac Brown, for the county of Bergen, one pound eighteen *shillings* and nine-pence, in full for flints and bullets delivered captain Meeker, in lord Stirling's battalion, for the continental service.

To

To lieutenant *Alexander Mitchel* the sum of *thirty-six pounds fifteen shillings*, on account of two weeks subsistence due captain *Whitall*, and his officers and thirty-seven privates in colonel *Newcomb's* regiment, in General *Heard's* brigade.

To colonel *Charles Read* the sum of *twenty pounds*, towards equipping the militia under his command, to be accounted for by colonel *Read*, or the committee of *Burlington* county.

To major *Sidney Berry* *four hundred and seventy-five pounds eleven shillings and six-pence*, in full for the *Somerset* and *Hunterdon* militias apprehending certain disaffected persons in the county of *Hunterdon*.

To the brigadier-generals *Dickenfon* and *Livingston*, the sum of *one thousand pounds* each, towards expediting the marching the militia to the assistance of *New-York*, or to join the flying camp, for which they are to be accountable to this convention or the future legislature.

To the wives of *William Burtless*, *Hugh Mac Clain* and *John Wilson*, soldiers in captain *Brearley's* company, in colonel *Maxwell's* battalion, the sum of *twenty-five shillings* per month, from the sixth of *February* last past, being so much stopt in the hands of captain *Brearley* towards their support, out of the monthly pay of the said *Burtless*, *Mac Clain* and *Wilson*, as appears by captain *Brearley's* certificates.

To Doctor *Moses Scott* *four pounds*, in full for a gun lost in the service of this state, which, when found, to be delivered to either of the treasurers for the use of this state.

To *William Hay* the sum of *three pounds fifteen shillings*, for going express to *Burlington*, in full of his account.

To *Joseph Taylor* *twenty shillings*, in full of his account

account for freight of powder from *Burlington* to *Trenton*.

To the president *forty-six shillings and eight-pence*, in full of his account for postage of letters.

To *Frederick Freelinghuysen*, Esquire, *sixteen shillings and four-pence* to pay for bringing four prisoners from *Somerset* to *Princeton*.

To *John Taylor* *fifty-four shillings*, in full of his account for bringing a deserter from *Sandy-Hook* to *Burlington*.

To captain *Thomas Kinney* *seven pounds six shillings and eight-pence*, in full of a mistake made in his account of pay and expences for guarding *William Franklin* to governor *Trumbull* in *Connecticut*.

To *Joseph Robinson*, for attending as door-keeper twenty-five days, at *four shillings* per day, the sum of *five pounds*.

To *Thomas Hutton* the sum of *six pounds fifteen shillings*, in full for the time he spent in searching for lead and sulphur mines and flint quarries, by order of this Convention.

Which certificates, with receipts endorsed thereon, shall be sufficient vouchers to the said treasurers, or either of them, and shall discharge them, their heirs, executors and administrators from the several payments so made and paid out of the treasury by virtue of this ordinance.



B*Y* virtue of an order of the CON-
VENTION of the state of New-
Jersey, I do appoint Isaac Collins of
Burlington to print the foregoing Mi-
nutes and Ordinances.

SAMUEL TUCKER, *president.*

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1/3/38

