



A

JOURNAL

OF THE

PROCEEDINGS

OF THE

LEGISLATIVE-COUNCIL

OF THE

STATE

OF

NEW-JERSEY,

In GENERAL ASSEMBLY convened at PRINCETON, on the
twenty-seventh Day of *August*, in the Year of our Lord One
Thousand Seven Hundred and Seventy-six, and continued
by Adjournments.

BURLINGTON:

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Samuel Leake.

MEMBERS OF THE
LEGISLATIVE-COUNCIL.

Middlesex,
Monmouth,
Essex,
Somerset,
Bergen,
Burlington,
Gloucester,
Salem,
Cumberland,
Cape-May,
Hunterdon,
Morris,
Sussex,

The Honourable John Wetherill,
Nathaniel Scudder,
Stephen Crane,
William Paterfon,
John Fell,
Richard Smith,
John Cooper,
Andrew Sinnickfon,
Theophilus Elmer,
Jonathan Hand,
John Stevens, *Vice-President*,
Silas Condict,
John Cleves Symmes.

MEMBERS OF THE
ASSEMBLY.

Middlesex, John Combs,
Monmouth, John Covenhoven,
Essex, Abraham Clark,
Somerset, Jacob Bogart,
Bergen, Peter Zabriskie,
Burlington, Peter Tallman,
Gloucester, Richard Somers,
Salem, Edmund Wetherby,
Cumberland, Ephraim Harris,
Cape-May, Eli Eldridge,
Hunterdon, John Hart, *Speaker*,
Morris, Jacob Drake,
Sussex, Caspar Shaffer,

Daniel Moores,
Joseph Holmes, jun.
Caleb Camp,
Alexander Mac Eowen,
Theunis Dey,
Caleb Shreve,
Robert F. Price,
Samuel Dick,
Jonathan Bowen,
Joseph Savage,
John Mehelm,
Ellis Cook,
Abia Brown,

Benjamin Manning,
James Mott, jun.
Henry Garritse,
Reoloff Vandike,
David Board,
Joseph Newbold,
Isaac Mickle,
Elisha Bassett, jun.
John Buck,
Hugh Hathorne,
Charles Coxe,
William Woodhull,
Thomas Peterfon.

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JOURNAL
OF THE
PROCEEDINGS
OF THE
LEGISLATIVE-COUNCIL
OF THE
STATE of NEW-JERSEY.

PRINCETON, Tuesday, August 27, 1776.

SEVERAL of the Members met pursuant to the Constitution of this State, and, there not being a sufficient Number to proceed to Business, they adjourned till To-morrow Morning Nine o'Clock.

Wednesday, August 28, 1776.

The Members met pursuant to Adjournment.

There not being yet a sufficient Number to proceed to Business—adjourned till Three o'Clock, *P. M.*

The Members met pursuant to Adjournment.

PRESENT,

JOHN STEVENS, Esq.	WILLIAM PATERSON, Esq.
NATHANIEL SCUDDER, Esq.	JONATHAN HAND, Esq.
JOHN COOPER, Esq.	JOHN FELL, Esq.
ANDREW SINNICKSON, Esq.	STEPHEN CRANE, Esq.
SILAS CONDUCT, Esq.	RICHARD SMITH, Esq.

Adjourned till To-morrow Morning Nine o'Clock.

Thursday, August 29, 1776.

The Members met pursuant to Adjournment.

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PRESENT,

PRESENT,

RICHARD SMITH, Esq.
STEPHEN CRANE, Esq.
JOHN CLEVES SYMMES, Esq.
WILLIAM PATERSON, Esq.
JOHN FELL, Esq.

JONATHAN HAND, Esq.
ANDREW SINNICKSON, Esq.
SILAS CONDUCT, Esq.
JOHN COOPER, Esq.
JOHN STEVENS, Esq.

The Members present produced their respective Certificates of their being duly elected, which were severally read.

John Stevens, Silas Condict, Andrew Sinnickson, Jonathan Hand, John Cleves Symmes, John Fell and William Paterson, Esquires, took the Oath prescribed in the Ordinance for the Election of Members, and made and subscribed the solemn Declaration directed by the Constitution settled by the Convention of this State, before *Stephen Crane*, Esq. one of the Members returned for this House, and took their Seats in Council.

Stephen Crane, Esq. took the Oath, and made and subscribed the Declaration aforesaid, before *John Fell*, Esq. one of the Members of this House, and took his Seat in Council.

John Cooper and Richard Smith, Esquires, took the Affirmation prescribed in the said Ordinance, and made and subscribed the Declaration aforesaid, before the said *John Fell*, Esq. and took their Seats in Council.

The Council adjourned till Three o'Clock, *P. M.*

The Council met pursuant to Adjournment.

Nathaniel Scudder, Esq. having produced a Certificate that he was duly elected, took the Oath prescribed in the Ordinance for the Election of Members, and made and subscribed the solemn Declaration directed by the Constitution settled by the Convention of this State, before *Stephen Crane*, Esq. one of the Members of the Council, and took his Seat in Council.

The Council adjourned till Nine o'Clock To-morrow Morning.

Friday, August 30, 1776.

The Council met pursuant to Adjournment.

Theophilus Elmer, Esq. having produced a Certificate that he was duly elected, took the Oath prescribed in the Ordinance for the Election of Members, and made and subscribed the solemn Declaration directed by the Constitution, before *Stephen Crane*, Esq. one of the Members of the Council, and took his Seat in Council.

The Council adjourned till Three o'Clock, *P. M.*

The Council met pursuant to Adjournment.

PRESENT,

JOHN COOPER, Esq.
JONATHAN HAND, Esq.
ANDREW SINNICKSON, Esq.
JOHN CLEVES SYMMES, Esq.
STEPHEN CRANE, Esq.
RICHARD SMITH, Esq.

SILAS CONDUCT, Esq.
JOHN STEVENS, Esq.
JOHN FELL, Esq.
WILLIAM PATERSON, Esq.
THEOPHILUS ELMER, Esq.
NATHANIEL SCUDDER, Esq.

Ordered,

That Mr. *Paterson* acquaint the House of Assembly that the Council are read to attend in a Joint-Meeting with the House of Assembly to proceed to the Business pointed out by the Constitution for such Joint-Meeting, and propose that the Meeting be held in the College Library-Room.

Mr.

Mr. *Paterfon* reported, that he had obeyed the Order of the Council.

Mr. *Clark* and Mr. *Covenhoven* from the House of Assembly, informed the Council that they were ready to attend in a Joint-Meeting in the College Library-room.

Whereupon the Council withdrew from their Chamber to meet the House of Assembly.

After some Time the Council returned to the Council-Chamber, and Mr. *Stevens* reported that the Council and Assembly had met in the College Library-Room.

The Council adjourned till Nine o'Clock To-morrow Morning.

Saturday, August 31, 1776.

The Council met.

Ordered,

That Mr. *Fell* acquaint the House of Assembly that the Council are ready to meet them in the College Library-Room to proceed to the Business of a Joint-Meeting.

Mr. *Fell* reported, that he had obeyed the Order of the Council.

The Council withdrew to attend a Joint-Meeting of both Houses.

After some Time the Council returned to the Council-Chamber, and Mr. *Scudler* reported that the Council and Assembly had met in the College Library-Room.

The Council adjourned till *Monday* next 10 o'Clock, *A. M.*

Monday, September 2, 1776.

The Council met pursuant to Adjournment.

The Council adjourned till Three o'Clock, *P. M.*

The Council met, pursuant to Adjournment.

The Council withdrew from the Council-Chamber to attend a Joint-Meeting of the two Houses.

After some Time the Council returned to the Council-Chamber; and Mr. *Scudler* reported, that the Council and Assembly had met in the College-Library room.

The Council adjourned till To-morrow Morning Nine o'Clock.

Tuesday, September 3, 1776.

The Council met.

Mr. *Dick* and Mr. *Bowen* from the House of Assembly informed the Council that the House of Assembly were ready to attend a Joint-Meeting of the two Houses whenever the Council should think proper.

Whereupon the Council informed the two Gentlemen from the House of Assembly that they would be ready to attend the said Joint-Meeting in the Afternoon.

The Council adjourned till Three o'Clock, *P. M.*

The Council met pursuant to Adjournment.

The Council proceeded to the Election of a Vice-President pursuant to the Constitution

stitution lately established; when the Honourable *John Stevens*, Esq. was unanimously chosen to that Office, and took the Chair accordingly.

The House then proceeded to the Choice of a Clerk of the Council, when *Charles Pettit*, Esq. was unanimously chosen to that Office.

Ordered,

That Mr. *Paterfon* acquaint the House of Assembly that this House is now ready to attend in a Joint-Meeting of the two Houses.

Mr. *Paterfon* reported, that he had obeyed the Order of the House; and that the House of Assembly had informed him they were ready to join in the said Meeting.

The Vice-President left the Chair, and, with the House, withdrew from the Council-Chamber to attend in a Joint-Meeting of the two Houses.

After some Time the House returned, and the Vice-President resumed the Chair.

Mr. *Scudder* reported, that the two Houses had met in the College-Library Room.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, September 4, 1776.

The House met.

Ordered,

That Mr. *Symmes* have Leave of Absence from the Council for three Days on special Business.

Mr. *Crane* informed the House that, pursuant to the Order of the Joint-Meeting of the Council and Assembly, he had waited upon the Honourable *William Livingston*, Esq. and acquainted him that he was duly elected Governor of the State pursuant to the Constitution of Government lately established; and that Mr. *Livingston* had been pleased to signify his Acceptance of the same.

Mr. *Crane* acquainted the House that the Honourable *William Livingston* was in Town, and ready to take upon him the Administration of the Government.

Ordered,

That Mr. *Smith* and Mr. *Scudder* do wait upon his Honour and conduct him to the Council-Chamber.

The Honourable *William Livingston*, Esq. was conducted into the Council-Chamber; and, having made and subscribed the solemn Declaration appointed by the Constitution, and taken the Oath of Abjuration directed by the Election Ordinance, and an Oath for the due Execution of the Office of Governor, he took the Chair as President of the Council.

The Honourable *John Stevens*, Esq. took the Oath of Office as Vice-President of the Council, before His Excellency the Governor in Council.

Charles Pettit, Esq. took the Oaths to the State, and also an Oath for the due Execution of the Office of Clerk of the Council, before His Excellency the Governor in Council.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The Vice-President left the Chair, and, with the House, withdrew to attend in a Joint-Meeting of the two Houses.

After some Time the House returned to the Council-Chamber, and the Vice-President resumed the Chair.

Mr. *Scudder* reported, that the two Houses had met in the College Library-Room.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, September 5, 1776.

The House met.

The Vice-President of the House withdrew to attend in a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President resumed the Chair.

Mr. *Scudder* reported, that the Council and Assembly had met in the College Library-Room.

The House adjourned till To-morrow Morning Nine o'Clock.

Friday, September 6, 1776.

The House met.

Thomas Fleming was appointed Doorkeeper to the Council during the Pleasure of the House.

Ordered,

That Mr. *Smith* and Mr. *Cooper* be a Committee to meet a Committee of the House of Assembly in order to form a Great Seal for the State, and to make Report thereof to this House; and that Mr. *Paterfon* acquaint the House of Assembly therewith.

Mr. *Paterfon* reported, that he had obeyed the Order of the House.

His Excellency withdrew from the House, and the Vice-President took the Chair.

A Petition was presented to the House from *Joseph Haight* of the City of *Burlington*, setting forth that he was licensed by the late Governor to keep the Ferry from the City of *Burlington* to *Bristol*, in Pursuance of the Act of Assembly; that the said License has been taken from the Petitioner by the late Governor and given to another without any Hearing having been given to him respecting the said Removal; and praying that the Legislature would license the Petitioner to keep the said Ferry.

Which Petition was read, and ordered a second Reading.

A Message was received from the House of Assembly by Mr. *Holmes* and Mr. *Newbold* in the Words following, *viz.*

Ordered,

'That Mr. *Dick*, Mr. *Harris*, Mr. *Covenhoven* and Mr. *Coxe*, be a Committee to join a Committee of the Council in order to form a Great Seal for the State; and that Mr. *Holmes* and Mr. *Newbold* do inform the Council thereof, and desire they will appoint the Time and Place of Meeting.'

The Vice-President with the House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President resumed the Chair.

Mr. *Scudder* reported, that the Council and Assembly had met in the College Library-Room.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, September 7, 1776.

The House met.

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Ordered,

Ordered,

That Mr. *Crane* have Leave of Absence till *Tuesday* next on extraordinary Business.

A Memorial was presented to the House from *Rowland Chambers*, President of the County Committee of *Somerset*, setting forth that a Number of Prisoners of War and other Persons have been confined in the said County, and praying the Directions of the Legislature respecting the said Prisoners.

Ordered,

That Mr. *Paterfon*, Mr. *Fell* and Mr. *Symmes*, be a Committee to meet with a Committee of the House of Assembly in a Conference respecting the Prisoners of War and other Persons confined on Parole within this State, and make Report to this House; that the said Committees meet at Mr. *Whitehead's* at twelve o'Clock this Day; and that Mr. *Hand* acquaint the House of Assembly therewith.

Mr. *Hand* reported, that he had obeyed the Order of the House.

The Vice-President with the House withdrew to attend in a Joint-Meeting of both Houses.

After some Time the House returned and the Vice-President resumed the Chair.

Mr. *Scudder* reported, that the Council and Assembly had met in the College Library-Room.

A Message was received from the House of Assembly by Mr. *Board* and Mr. *Buck* in the Words following, *viz.*

Ordered,

'That Mr. *Mac Eowen*, Mr. *Bogart*, Mr. *Dey*, Mr. *Woodbull*, Mr. *Covenhoven* and Mr. *Cook*, be a Committee of this House to join the Committee of the Council in a Conference respecting the Prisoners of War and other Persons confined on Parole within this State, and make Report to this House, and that Mr. *Board* and Mr. *Buck* do acquaint the Council thereof.'

Mr. *Cooper*, with Leave of the House, brought in a Bill, entitled, *An Act for regulating Elections*, which was read the first Time, and ordered a second Reading.

The House adjourned till *Monday* next, Two o'Clock, *P. M.*

Monday, September 9, 1776.

The House met.

The Bill, entitled, *An Act for regulating Elections*, was read the second Time, and ordered a third Reading.

The House adjourned till To-morrow Morning Nine o'Clock.

Tuesday, September 10, 1776.

The House met.

The House having taken into Consideration that it will necessarily take up some Time to get a Great Seal prepared for the sealing of such Commissions as have usually passed under the Great Seal, and that it will be necessary for the publick Good that sundry Commissions should issue before such Great Seal can be made; therefore,

Resolved,

That the Seal at Arms of His Excellency *William Livingston*, Esq, shall be deemed, taken and used as the Great Seal of this State till another shall be made.

Ordered,

Ordered,

That Mr. *Fell* do carry a Copy of the foregoing Resolution to the House of Assembly for their Consideration and Concurrence.

Mr. *Fell* reported, that he had obeyed the Order of the House.

A Message was received from the House of Assembly by Mr. *Dick* and Mr. *Covenhoven* in the Words following, *viz.*

‘ The Message of the Council of this Day being taken into Consideration by this House,

‘ *Resolved,*

‘ That this House do concur with the Council in their Resolution respecting the Great Seal of this State, and that Mr. *Dick* and Mr. *Covenhoven* do inform the Council thereof.’

Mr. *Fell*, from the Committee appointed on *Saturday* last to confer with a Committee of the House of Assembly respecting the Prisoners of War and other Persons confined on Parole in this State, reported that the said Committee had met in Conference with the Committee from the House of Assembly, and that the said Committees had jointly agreed on a Report to be made to the respective Houses, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Fell* read the said Report in his Place and delivered it in at the Table.

The House, having taken the said Report into Consideration,

Resolved,

That the House approve thereof, and that the same be entered on the Minutes, as follows :

‘ Your Committee appointed to confer with a Committee of the Honourable House of Assembly respecting the Prisoners of War and other Persons confined on Parole in this State, beg Leave to report,

‘ 1st, That it appears to the Conferees that the taking, altering, or vacating of Paroles given by any Inhabitants of this State, who may have been apprehended on Suspicion of being inimical to their Country, and the Disposal of Prisoners of War, so far as respects the Place of their Residence and Destination, being Business of an executive Nature, falls properly within the Department of the Governor and his Privy Council.

‘ 2dly, That it appears to the Conferees that, waving the Point of Right, Matters of this Kind should be referred to the Governor and Privy Council on the Score of Expediency : For otherwise no Restriction or Enlargement of a Parole can be made during the Recess of the Legislative-Council and Assembly, or even during their Session without a Law for that Purpose, which would be at once extremely inconvenient to Individuals, and unnecessarily burdensome to the Legislature.

‘ 3dly, That the Conferees did not examine into the particular Situation and Circumstances of the Prisoners of War, and others under Parole in this State, because if they either of Right fall within, or for the Sake of Expediency be referred to the executive Line, it supercedes the Necessity of any Inquiry by the Conferees, the Business in such Case belonging to another Department, and of Course not coming properly under their View.’

Ordered,

That Mr. *Smith* and Mr. *Paterfon* be a Committee to prepare and bring in a Bill for establishing the Oaths to Government, and to authorise the Commander

in Chief to grant Commissions of *Dedimus Potestatem* in the several Counties of this State.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, September 11, 1776.

The House met.

Mr. *Smith* from the Committee appointed Yesterday to bring in a Bill for establishing the Oaths to Government, &c. brought in a Bill according to Order, intituled, *An Act for the Security of the Government of New-Jersey*, which was read the first Time, and ordered a second Reading.

Mr. *Dick* and Mr. *Holmes* from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act repealing an Ordinance of the Convention of the State of New-Jersey of the twenty-first of August last for recovering and appropriating certain Militia Fines, and to prevent excessive Distresses*, which was read the first Time, and ordered a second Reading.

A Petition from the Field-Officers of *Salem* respecting the Militia was brought up to this House, together with the said Bill.

A Message was received from the House of Assembly by Mr. *Tallman* and Mr. *Harris* in the Words following :

' Doctor *Samuel Bard* having produced to this House Bonds with satisfactory Security for the Sum of *Five Hundred Pounds* agreed to be lent him by the Convention of this State to encourage his erecting a Salt-Works in this State,

' *Resolved,*

' That the Treasurers of the late Convention, or either of them, pay to the said *Samuel Bard* or his Order the said Sum of *Five Hundred Pounds*, whose Receipt shall be a sufficient Voucher for the Payment thereof.

' *Ordered,*

' That Mr. *Tallman* and Mr. *Harris* wait on the Council and desire their Concurrence in this Resolution.'

The Council having taken the said Resolution into Consideration, and being satisfied with Sufficiency of the Security given by Doctor *Bard*,

Resolved,

That this House doth concur with the House of Assembly in the said Resolution.

Ordered,

That Mr. *Condict* acquaint the House of Assembly therewith.

The Governor withdrew, and the Vice-President took the Chair.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Condict* reported, that he had obeyed the Order of the House of this Morning.

The Vice-President with the House withdrew to attend in a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President resumed the Chair.

Mr. *Scudder* reported, that the Council and Assembly had met in the College Library-Room.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, September 12, 1776.

The House met.

A Message was received from the House of Assembly by Mr. *Dick* and Mr. *Manning*, in the Words following :

' *William Parker* and *Richard Hartshorne* having presented a Petition to this House, praying a Clearance for a small Sloop or Vessel called the *Dolphin*, whereof *Jonathan Bowne* is Master, for *Saint-Eustatia* or *Curacoa* in the *Dutch West-Indies*, and having produced a Manifest of the Cargo to be shipped on Board said Vessel,

' *Resolved,*

' That His Excellency *William Livingston*, Esq. Governor of this State, be empowered to clear out said Vessel or any others that shall be permitted until a proper Custom-House Officer or Officers be appointed for that Purpose; and that he be entitled to receive the Fees as established by Act of Assembly.

' *Ordered,*

' That Mr. *Dick* and Mr. *Manning* do wait on the Council and desire their Concurrence in this Resolution.'

The House having taken the said Resolution into Consideration,

Resolved,

That His Excellency *William Livingston*, Esq. Governor of this State, be empowered to clear out any Vessel or Vessels which shall be permitted to sail from this State until a proper Custom-House Officer or Officers be appointed for that Purpose; and that he be entitled to receive the Fees as established by Act of Assembly.

Ordered,

That Mr. *Smith* do acquaint the House of Assembly therewith.

The Bill, intituled, *An Act repealing an Ordinance of the Convention of the State of New-Jersey of the twenty-first of August last for recovering and appropriating certain Militia Fines, and to prevent excessive Distresses*, was read the second Time, and ordered a third Reading.

The Bill, intituled, *An Act for the Security of the Government of New-Jersey*, was read the second Time, and committed to Mr. *Paterfon*.

A Message was received from the House of Assembly by Mr. *Dey* and Mr. *Newbold*, in the Words following :

' *Ordered,*

' That Mr. *Combs*, Mr. *Price*, Mr. *Mehelm*, Mr. *Tallman* and Mr. *Dick*, or any three of them, be a Committee to join a Committee of the Council to settle the Accounts of *John Smyth*, *Joseph Smith*, *Samuel Tucker* and *John Dennis*, Esquires, late Treasurers of this State, and make Report to the House; and that Mr. *Dey* and Mr. *Newbold* do acquaint the Council thereof, and desire they will appoint a Committee for this Purpose.'

The Council, having taken the said Message into Consideration,

Ordered,

That Mr. *Fell*, Mr. *Cooper* and Mr. *Elmer*, or any two of them, be a Committee to join a Committee of the House of Assembly, to settle the Accounts of *John Smyth*, *Joseph Smith*, *Samuel Tucker* and *John Dennis*, Esquires, late Treasurers of this State, and make Report thereof to this House; and that the said Committees meet for that Purpose at the House of *Jacob Hyer* in *Princeton* on *Wednesday next* at Three o'Clock, *P. M.*

Ordered,

That Mr. *Smith* acquaint the House of Assembly therewith.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Smith* reported, that he had obeyed the two Orders of the House of this Morning.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, September 13, 1776.

The House met.

His Excellency, by a verbal Message by the Secretary, requested the Attendance of the House of Assembly in the Council-Chamber; whereupon the Speaker with the House of Assembly attended, and His Excellency was pleased to deliver a Speech to both Houses in the Words following:

Gentlemen of the Council, and General Assembly,

CONSIDERING how long the Hand of Oppression had been stretched out against us; while the most assiduous Applications for Redress were either totally disregarded or treated with Insult:—How long the System of Despotism concerted for our Ruin had been insidiously pursued, and was at Length attempted to be enforced by the Violence of War; Reason and Conscience must have approved the Measure had we sooner abjured that Allegiance, from which, not only by the Denial of Protection, but the hostile Assaults on our Persons and Properties, we were clearly absolved. It may, however, afford some Consolation to every Man duly regardful of the Convictions of his own Mind, and the Honour and Reputation of his Country; that *America* deferred this important Step, till the decisive Alternative of absolute Submission, or utter Destruction, announced by a numerous Fleet and Army, had extinguished all Hope of obtaining Justice; and the whole Continent, save a few self-interested Individuals, were unanimous in the Separation. In a Word, till the most scrupulous Conscience could, on the maturest Reflection, find itself justified before God and Man, in renouncing those Tyrants who, after having ravaged a great Part of *Asia*; and dissipated in Venality and Riot, the Treasures extorted from its innocent Inhabitants by the Hand of Rapine and Blood; finally meant to prolong their Luxury and Corruption, by appropriating to themselves the hard-earned Competence of the *American* World.

Thus constrained to assert our own Independence, and dissolve all political Connection with a Nation insatiate with Plunder, and deaf to the Voice of Reason of Justice and Humanity; the late “Representatives of the Colony of *New-Jersey* in Congress assembled, did, pursuant to the Advice of the Honourable “the Continental Congress, the Supreme Council of the *American* Colonies, agree “upon the Form of a Constitution;” which, by tacit Acquiescence and open Approbation, hath since received the Assent and Concurrence of the good People of this State, to whose Consideration it was, for that Purpose, submitted. Agreeably to this Constitution, you, Gentlemen, have been chosen the Legislative-Council and Assembly of this State; and being jointly met, have, in farther Pursuance of it, proceeded to the Choice of a Governor.

Having conferred that Honour upon one who feels himself very unequal to the Task; but at the same Time upon one, who, having during the whole Contest, taken an active Part in opposing the meditated Bondage, now disdains, in its most perilous Period, to shrink from a Station, which must render him peculiarly obnoxious

obnoxious to the common Enemy ; he can with great Sincerity assure you, that it shall be his constant Endeavour, faithfully to discharge the Trust reposed in him.

He is, moreover, confident, that how greatly soever you may find yourselves deceived in the favourable Opinion you may have been pleased to entertain of his Abilities ; he will never give you any Reason to call in Question, the Rectitude of his Intentions.

Gentlemen,

In the present Situation of Affairs, it is absolutely necessary to turn our first Attention to the Operations of War.

The Pay of our Militia, lately called out for the Defence of *New-York*, (which has acquired signal Renown by the Spirit and Alacrity with which it engaged in the common Cause) admits of no Delay.

That of half our Militia now on Duty, will be due in a few Days.

Some farther Regulations, respecting the better ordering the Militia, merit your speedy Attention.

A Law for regulating the impressing of such Articles as the Exigencies of the Service may require, is of great Importance.

No Allowance having been made for the Provender of the Light Horse when in actual Service, and it being impossible from their perpetual Change of Station, and being frequently employed as Expresses, for the Commissaries to provide them, it is reasonable the Men should be allowed an Equivalent for keeping their Horses themselves.

The fixing the Seat of Government in some convenient and plentiful Part of the State, calls for your seasonable Deliberation.

Such other Matters as may occur to me during the Session, and appear more particularly conducive to give Vigour to the executive Branch of the Constitution, I shall take the Liberty to lay before you.

To enable me, Gentlemen, the more successfully to execute the arduous Office, wherewith your unsought and unexpected Predilection hath invested me ; it affects me with singular Pleasure, to find both Houses composed of the most respectable Characters. This affords a happy Prefage of your Zeal and Unanimity, in promoting the true Emolument of that State, of which the *incorrupted* Voice of a free People, has made you the Guardians and Protectors. As it is our indispensable Duty, may it be our invariable Aim, to exhibit to our Constituents, the brightest Examples of a disinterested Love for the common Weal ; and be inflexible in our Resolution, to know neither Friend nor Favourite, whenever his Solicitations appear incompatible with the general Good. In our publick Capacities, we ought to rise superior to all private Attachment or Resentment, and make the intrinsic Merit of every Candidate for an Office, our sole Rule for his Promotion. Let us, Gentlemen, both by Precept and Practice, encourage a Spirit of Oeconomy, Industry and Patriotism ; and that publick Integrity and Righteousness which cannot fail to *exalt a Nation* : Setting our Faces at the same Time like a Flint, against that Dissoluteness of Manners, and political Corruption, which will ever be *the Reproach of any People*. May the Foundation of our Infant State be laid in Virtue and the Fear of God ; and the Superstructure will rise glorious, and endure for Ages. Then may we humbly expect the Blessing of ** the most High, who DIVIDES to the Nations their Inheritance, and SEPARATES the Sons of ADAM*. In fine, Gentlemen, while we are applauded by the whole impartial World, for demolishing the *old* Fabric, rotten and ruinous as it was ; let us unitedly strive to approve ourselves Master-Builders, by giving Beauty, Strength and Stability to the *new*.

WIL. LIVINGSTON.

Princeton, September 11, 1776.

His Excellency withdrew from the Council-Chamber, and the Vice-President took the Chair.

His Excellency's Speech having been read in the House,

Resolved,

That an Address be presented to His Excellency in answer to his Speech to both Houses.

Ordered,

That Mr. *Smith* and Mr. *Scudder* be a Committee to prepare and bring in a Draught of the said Address.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The Vice-President with the House, withdrew to attend in a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President resumed the Chair.

Mr. *Scudder* reported, that the Council and Assembly had met in the College-Library Room.

The House adjourned till To-morrow Morning Nine o'Clock.

Saturday, September 14, 1776.

The House met.

Mr. *Paterfon*, to whom was committed the Bill, intituled, *An Act for the Security of the Government of New-Jersey*, reported, that he had gone through the said Bill, and made fundry Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Paterfon* read the said Amendments in his Place, and delivered them in at the Table.

And the said Bill, being again read with the Amendments in their Places, was agreed to by the House,

Ordered,

That the said Bill as amended be engrossed.

The Bill, intituled, *An Act repealing an Ordinance of the Convention of the State of New-Jersey of the twenty-first of August last for recovering and appropriating certain Militia Fines, and to prevent excessive Distresses*, was read the third Time, and, on the Question, Whether the same do pass or not? It was carried in the Affirmative.

Ordered,

That the Vice-President do sign the said Bill.

Ordered,

That Mr. *Sinnickson* acquaint the House of Assembly therewith.

Mr. *Sinnickson* reported, that he had obeyed the Order of the House.

Ordered,

That Mr. *Sinnickson* and Mr. *Scudder* have Leave of Absence for a few Days.

The House adjourned till *Monday* next, Nine o'Clock, *A. M.*

Monday, September 16, 1776.

The House met.

The

The Engrossed Bill, intituled, *An Act for the Security of the Government of New-Jersey*, was read and compared, and, on the Question, Whether the same do pass or not? It passed in the Affirmative *nemine contradicente*.

Ordered,

That the President do sign the said Bill.

Ordered,

That Mr. *Smith* do carry the said Bill to the House of Assembly for their Concurrence.

Mr. *Smith* reported, that he had obeyed the Order of the House.

Mr. *Cooper*, with Leave of the House, brought in a Bill, intituled, *An Act to render certain Bills of Credit a legal Tender within this State, and to prevent the counterfeiting of the same and other Bills of Credit*; which was read the first Time, and ordered a second Reading.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

A Message was received from the House of Assembly by Mr. *Zabriskie* and Mr. *Mott*, in the Words following, *viz.*

Ordered,

'That Mr. *Coxe*, Mr. *Dick* and Mr. *Tallman*, or any two of them, be a Committee to join a Committee of the Council to settle the Accounts of this State with the Continental Congress.'

The House having taken the said Message into Consideration,

Ordered,

That Mr. *Sinnickson* and Mr. *Elmer*, or either of them, be a Committee to join with the Committee of the House of Assembly to settle the Accounts of this State with the Continental Congress.

A Message was received from the House of Assembly by Mr. *Zabriskie* and Mr. *Mott*, in the Words following, *viz.*

Ordered,

'That Mr. *Clark*, Mr. *Mebelm* and Mr. *Woodbull*, or any two of them, be a Committee to join a Committee of the Council to settle the Accounts of this State with the Provincial Convention of *New-York*.'

The House, having taken the said Message into Consideration,

Ordered,

That Mr. *Fell* and Mr. *Condit*, or either of them, be a Committee to join with the Committee of the House of Assembly to settle the Accounts of this State with the Provincial Convention of *New-York*.

Ordered,

That Mr. *Symmes* acquaint the House of Assembly with the two foregoing Orders.

Mr. *Symmes* reported, that he had obeyed the Orders of the House.

The House adjourned till To-morrow Morning Nine o'Clock.

Tuesday, September 17, 1776.

The House met.

Ordered,

That Mr. *Smith* and Mr. *Paterfon* be a Committee to prepare and bring in a Bill for confirming the Courts of Justice throughout this State.

The Bill, intituled, *An Act to render certain Bills of Credit a legal Tender within this State, and to prevent the counterfeiting of the same and other Bills of Credit*, was read the second Time and ordered to be engrossed.

The Governor withdrew from the Council-Chamber, and the Vice-President took the Chair.

Mr. *Smith*, from the Committee appointed to prepare and bring in a Draught of an Address to His Excellency in answer to his Speech, reported that the said Committee had prepared a Draught of an Address, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the Report be made immediately.

Whereupon Mr. *Smith* read the said Draught in his Place, and delivered it in at the Table.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

A Message was received from the House of Assembly by Mr. *Eldridge* and Mr. *Somers*, in the Words following, *viz.*

'The Memorial from the Committee of *Elizabeth-Town*, and a Letter from Brigadier-General *Williamson*, were read,

Ordered,

'That Mr. *Coxe*, Mr. *Dick*, Mr. *Mebelm*, Mr. *Combs*, Mr. *Price*, Mr. *Tallman*, Mr. *Mott*, Mr. *Mickle* and Mr. *Zabriskie*, or any six of them, be a Committee to join a Committee of the Council in a Conference respecting the subject Matter of said Memorial and Letter; and that Mr. *Eldridge* and Mr. *Somers* do wait on the Council and acquaint them therewith, and desire they will appoint the Time and Place of Meeting.'

The Council, having taken the said Message into Consideration,

Ordered,

That Mr. *Cooper*, Mr. *Elmer*, Mr. *Smith*, Mr. *Fell* and Mr. *Condict*, or any three of them, be a Committee to meet with the Committee of the House of Assembly in a free Conference on the subject Matter of the Memorial from the Committee of *Elizabeth-Town*, and the Letter from Brigadier-General *Williamson*; and that the said Conference be held in the Council-Chamber immediately.

Ordered,

That Mr. *Condict* acquaint the House of Assembly therewith.

Mr. *Condict* reported, that he had obeyed the Order of the House.

The House adjourned till To-morrow Morning Nine o'Clock.

Wednesday, September 18, 1776.

The House met.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Cooper*, from the Committee appointed Yesterday to meet with a Committee of the House of Assembly in a free Conference on the subject Matter of a Memorial from the Committee of *Elizabeth-Town*, and a Letter from Brigadier-General *Williamson*, reported that the said Committees had met pursuant to Order, and come to sundry Resolutions, which he was ready to report when the House would be pleased to receive the same.

Ordered,

Ordered,

That the said Report be made immediately.

Whereupon Mr. Cooper read the said Report in his Place and delivered it in at the Table: Which Report is in the Words following, *viz.*

‘ Your Committee, appointed to meet with a Committee of the House of Assembly in a free Conference on the subject Matter of a Memorial from the Committee of *Elizabeth-Town*, and a Letter from Brigadier-General *Williamson*, respecting a Supply of Ammunition and the Pay of the Militia called into actual Service, beg Leave to report,

‘ That the said Committees, having met in a Conference according to Order, and having read and considered the said Memorial and Letter, came to sundry Resolutions, which are as follow, *viz.*

‘ 1. *Resolved,*

‘ That as the publick Magazine of Ammunition, kept for the Use of the Militia at or near *Elizabeth-Town*, is nearly exhausted, it is necessary that Provision should be immediately made for replenishing the said Magazine.

‘ 2. *Resolved,*

‘ That it is proper that His Excellency be requested to procure an immediate Supply of one Ton of Gun-Powder for the Use of the Militia; and that he be empowered to draw from the Treasury of this State as much Money as may be necessary for the Purchase and Carriage of the same.

‘ 3. *Resolved,*

‘ That as large Bodies of the Militia of this State have been called out, at sundry Times, in the Continental Service; and, for Want of a proper Mode having been established for the Pay of the said Militia, many Inconveniencies have arisen and are daily increasing, therefore it is proper that His Excellency the Governor be requested to make Application to the Honourable the Continental Congress, and desire that they will be pleased to direct the immediate Payment of such of the Militia of this State as have been called out in the Service of the Continent; and to establish some Mode for the regular and punctual Payment of such of the Militia of this State as shall hereafter be called into the said Service.

‘ *By Order of the Committee,*

JOHN COOPER, *Chairman.*

The said Report having been read again in the House, after some Deliberation thereon,

Resolved,

That the House approve the same.

The House adjourned till To-morrow Morning Nine o’Clock.

Thursday, September 19, 1776.

The House met.

Mr. Mott and Mr. Cook brought up from the House of Assembly the Bill, intituled, *An Act for the Security of the Government of New-Jersey*, passed by that House.

The Engrossed Bill, intituled, *An Act to render certain Bills of Credit a legal Tender within this State, and to prevent the counterfeiting of the same and other Bills of Credit*, was read and compared; and, on the Question,

Resolved,

That the same do pass.

Ordered,

That the President do sign the same.

Ordered,

Ordered,

That Mr. *Fell* do carry the said Bill to the House of Assembly for their Concurrence.

Mr. *Fell* reported, that he had obeyed the Order of the House.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

The House withdrew from the Council-Chamber to attend in a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President resumed the Chair.

Mr. *Scudder* reported, that the Council and Assembly had met in the College-Library Room.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, September 29, 1776.

The House met.

Mr. *Smith*, from the Committee appointed to prepare and bring in a Bill for confirming the Courts of Justice, brought in a Bill according to Order, intituled, *An Act to confirm and establish the several Courts of Justice within this State*, which was read the first Time, and ordered a second Reading.

Mr. *Fell*, with Leave of the House, brought in a Bill, intituled, *An Act for the more easy procuring of Provender for the Horses employed in the publick Service*, which was read the first Time, and ordered a second Reading.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

Mr. *Brown* and Mr. *Cook* brought up from the House of Assembly the Bill, intituled, *An Act to render certain Bills of Credit a legal Tender within this State, and to prevent the counterfeiting of the same and other Bills of Credit*, which is passed by that House.

The House withdrew from the Council-Chamber to attend in a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President took the Chair.

Mr. *Scudder* reported, that the Council and Assembly had met in the College Library-Room.

The Bill, intituled, *An Act for the more easy procuring of Provender for the Horses employed in the publick Service*, was read the second Time, and, after some Amendments made thereto, was agreed to by the House, and ordered to be engrossed.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, September 21, 1776.

The House met.

The Bill, intituled, *An Act to confirm and establish the several Courts of Justice within this State*, was read the second Time, and committed to Mr. *Paterfon* and Mr. *Scudder*.

The Engrossed Bill, intituled, *An Act for the more easy procuring of Provender for the Horses employed in the publick Service*, was read and compared; and, on the Question,

Resolved,

That

That the same do pass.

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Elmer* do carry the said Bill to the House of Assembly for their Concurrence.

Mr. *Elmer* reported, that he had obeyed the Order of the House.

The House adjourned till *Monday* next Three o'Clock, *P. M.*

Monday, September 23, 1776.

The House met.

The House adjourned till To-morrow Morning Nine o'Clock.

Tuesday, September 24, 1776.

The House met.

Mr. *Paterfon*, with Leave of the House, brought in a Bill, intituled, *An Act for better regulating the Militia*, which was read the first Time, and ordered a second Reading.

Ordered,

That the Secretary do cause the Act for the Security of the Government, and the Act for making certain Bills of Credit a legal Tender, &c. to be published in the News-Papers.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The House adjourned till To-morrow Morning Nine o'Clock.

Wednesday, September 25, 1776.

The House met.

The Draught of an Address to His Excellency, in answer to his Speech, was read the second Time, and committed to Mr. *Paterfon* and Mr. *Fell*.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, September 26, 1776.

The House met.

The Bill, intituled, *An Act for better regulating the Militia*, was read the second Time, and committed to Mr. *Scudder* and Mr. *Symmes*.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

A Message was received from the House of Assembly by Mr. *Woodbull* and Mr. *Newbold*, in the Words following, *viz.*

Ordered,

' That Mr. *Dick*, Mr. *Coxe*, Mr. *Bowen*, Mr. *Eldridge*, Mr. *Zabriskie*, Mr. *Cook*, Mr. *Garritse*, Mr. *Moores* and Mr. *Peterfon*, or any five of them, be a Com-

‘mittee to join a Committee of the Council in a Conference on the subject Matter of a Letter received from the Honourable *John Hancock*, Esq. respecting the raising four Battalions of Troops in this State, to serve during the present War; and that Mr. *Woodhull* and Mr. *Newbold* do wait on the Council and acquaint them therewith and desire they will appoint a Committee for that Purpose, and the Time and Place of Meeting.’

The House, having taken the said Message into Consideration,

Ordered,

That Mr. *Condict*, Mr. *Scudder*, Mr. *Symmes* and Mr. *Sinnickson*, or any three of them, be a Committee to join with the Committee of the House of Assembly in a Conference on the subject Matter of a Letter received from the Honourable *John Hancock*, Esquire, respecting the raising of four Battalions of Troops in this State, to serve during the present War: And that the said Committees do meet for that Purpose at the House of *William Whitehead*, at six o’Clock this Evening.

Ordered,

That Mr. *Fell* do acquaint the House of Assembly therewith.

Mr. *Fell* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o’Clock To-morrow Morning.

Friday, September 27, 1776.

The House met.

Mr. *Condict*, from the Committee appointed Yesterday to join a Committee of the House of Assembly in a Conference on the subject Matter of a Letter received from the President of the Congress, by Leave of the House, made the following Report, to which the House agreed, *viz.*

‘Your Committee appointed to join (with a Committee of the House of Assembly) in a Conference on the subject Matter of a Letter received from the Honourable *John Hancock*, Esquire, respecting the raising four Battalions of Troops to serve during the War, beg Leave to report, That the said Committees met in Conference according to Order; and, having deliberated on the Matters referred to their Consideration, have come to sundry Resolutions as follow:

‘1st. That it is the Opinion of the Committees that it is proper to comply with the Requisition of the Honourable the Continental Congress, by raising, as speedily as possible, four Battalions of Troops to serve during the present War, and to be on Continental Pay.

‘2d. That, in order thereto, it will be proper to take the three Battalions first raised in this State, and now in the Service to the northward of *Albany*, (or such Parts thereof as are willing to engage in the Service) into the Establishment; reserving to the Legislature the Power of re-appointing the Officers at the End of the respective Terms of their former Enlistment, as the two Houses shall think proper on a due Consideration of their Merits, and having due Regard to their former Rank.

‘3d. That as to the fourth Battalion, and the supplying such Deficiencies as may happen in the three Battalions before-mentioned, it will be proper to give a Preference, both as to the Officers and Soldiers, to the five Battalions now under the Command of General *Heard*: The Officers to be elected out of such of them as shall apply, or shall otherwise signify their Willingness to engage in the Service, and the Soldiers to be enlisted by the Officers so appointed, so as not to interfere with their present Enlistment without the Consent of the Commander in Chief of the Army.

' 4th. That it will be proper to send one or more Commissioners, with proper Instructions, to enquire into the State of the Battalions raised in this State and now in the Service, and their Disposition to engage farther in the Service on the new Establishment.'

Ordered,

That Mr. *Symmes* be a Commissioner to join with such Commissioner or Commissioners as shall be appointed by the House of Assembly, to enquire into the State of the Battalions raised in this State and now in the Service, and their Disposition to engage farther in the Service on the new Establishment.

Ordered,

That Mr. *Smith* do acquaint the House of Assembly therewith, and desire they will appoint a Commissioner or Commissioners for the Purpose aforesaid.

Ordered,

That Mr. *Condict* be a Committee to join with a Committee of the House of Assembly to make a Draught of Instructions to the said Commissioners.

Ordered,

That Mr. *Smith* do acquaint the House of Assembly therewith, and desire they will appoint a Committee for that Purpose.

Mr. *Smith* reported, that he had obeyed the two foregoing Orders of the House.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Paterfon*, from the Committee to whom was referred the Draught of an Address to His Excellency, reported that the said Committee had gone through the same, and made sundry Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Paterfon* read the said Amendments in his Place, and delivered them in at the Table.

The Draught of an Address to His Excellency was read, with the Amendments in their Places, and agreed to by the House.

Ordered,

That the same be engrossed.

The House adjourned till To-morrow Morning Nine o'Clock.

Saturday, September 28, 1776.

The House met.

The Engrossed Address to His Excellency was read and compared,

Ordered,

That Mr. *Smith* and Mr. *Paterfon* do wait on the Governor, and desire to know when he will be pleased to receive the Address of this House.

Mr. *Smith* reported, that Mr. *Paterfon* and himself had waited on the Governor accordingly, who was pleased to say he would receive the Address of the Council immediately in the Council-Chamber.

The Governor came into the Council-Chamber, and the Vice-President with the House waited upon His Excellency with their Address, which was delivered by the Vice-President in the Words following, *viz.*

To His Excellency WILLIAM LIVINGSTON, Esquire, Governor, Captain-General and Commander in Chief in and over the State of New-Jersey, and Territories thereunto belonging, Chancellor and Ordinary in the same ;

The ADDRESS of the COUNCIL of the said STATE.

May it please your Excellency,

WE, the Council of the State of *New-Jersey*, beg Leave to congratulate your Excellency on your Appointment to the Government, and to return you our most cordial Thanks for your truly patriotic Speech.

The impartial and disinterested Part of the World will agree with your Excellency, that the Separation of *America* from *Great-Britain* is fully justifiable before God and Man: A Separation at once expedient, inevitable, and essentially necessary to our very Existence as Freemen. *America*, indeed, was compelled to break off all Union with a Nation, which, contaminated with Luxury, and insatiate with Plunder, had concerted a System of Despotism for her Ruin. All *America* regrets the Necessity, at the same Time that all *America* applauds the Rectitude and Spirit of the Measure. The *British* Nation too, if not totally immersed in Venality and Corruption, must applaud an Action, which accords so eminently with the true Spirit of their own Constitution: An Action, that owes its Birth to the same Principle which was so signally displayed in the memorable Revolution. What, however, is peculiarly worthy of Remark in the Progress of the present Contest is, that wonderful Preparation of Circumstances, and singular Combination of Causes, which gradually brought on the Separation, and disposed the Minds of Men for an Event so truly important.

The Constitution framed by the late Convention, although not entirely perfect, has, however, equitably and justly decided on most of the principal Points whereon the Happiness of this Society depends; and therefore hath met with general Approbation. Upon so respectable and honourable a Bottom the present Legislature is founded; which, in the most unbiassed Manner, hath chosen your Excellency to preside over the State, and, by that Choice, hath at this perilous Period clearly shewn how much they admire your Virtues, and what Confidence they repose in your Abilities.

The several important Matters recommended by your Excellency merit our serious and deliberate Consideration: And, in Conjunction with the General Assembly, we shall take such Steps, and pass such Laws, as may appear most conducive to the publick Weal.

We join your Excellency in Sentiment as to the Disinterestedness and Integrity so indispensably requisite in all our Proceedings. Certainly, as publick Men, we are to know neither Friend nor Favourite, Fear nor Resentment.—Sensible that, especially in the Infancy of our civil Institution, much depends upon the Selection of proper Persons to occupy the various Departments in the State, your Excellency may be assured that we shall be particularly cautious in our Choice. Stationed as we are, the Guardians and Protectors of the State, the general Good should be the sole Object of our Attention, and of Course, in the Appointment of Officers, intrinsic Merit should be the sole Rule of Promotion. These, Sir, were the Considerations which influenced us in the Appointment of such Officers as have been already elected, and we trust will continue to be the Rule of our Conduct.

No Time ever required more Oeconomy, Industry, Patriotism, Purity of Manners and true Devotion, than the present; and the Experience of all Ages, with the recent Example of *Great-Britain*, hath effectually taught us, how essentially
 necessary

necessary it is to the Weal of the State to inculcate these excellent Qualifications, both by Precept and Example.

By Order of the House,

JOHN STEVENS, *Vice-President.*

Princeton, September 28, 1776.

To which His Excellency was pleased to make the following Reply:

'Gentlemen,

I AM greatly obliged to you for your kind Congratulation on my Appointment to the Government; and for the favourable Sentiments you are pleased to express concerning me.—As every Office is only honourable in Proportion to the publick Good it enables the Person sustaining it to do, and the Officer himself in Proportion to the Good he actually does, I can assure you that the Reflection of having promoted the true Interest of this State, to the extent of my Wishes and of your Expectation, will afford me more solid Satisfaction than can result from any external Splendor, or the most illustrious Titles.'

It appearing to the House that the Honourable the Continental Congress have appointed a Committee, consisting of one Delegate from each State, to employ proper Persons to purchase, in their respective States, a sufficient Number of Blankets and Woollens fit for Soldiers Cloaths, and to take the most effectual and speedy Methods for getting such Woollens made up and distributed among the regular Continental Army in such Proportion as will best promote the publick Service; and also to purchase all other necessary Cloathing for the Soldiers in such Proportions as they judge, upon the best Information, will be wanted; and that the said Committee be authorized to draw on the President of the Congress for the Sums necessary to execute this Business, they to be accountable for the Amount of their Draughts and Disbursements. And it also appearing to the House that the said Committee of Congress met, on the 26th Instant, and agreed that the Resolutions should be laid before the Assembly or Convention of each State, and that they be recommended to appoint the proper Persons and fix the Places where the several Articles purchased shall be sent, that they may from thence be transmitted to the Army in their proper Proportions.

Ordered,

That Mr. *Sinnickson*, Mr. *Elmer* and Mr. *Smith*, be a Committee to meet with a Committee of the House of Assembly in a Conference on the Matters recommended to them by the Honourable the Continental Congress.

Ordered,

That Mr. *Scudder* do acquaint the House of Assembly therewith, and desire them to appoint a Committee for that Purpose, to meet at the House of *William Whitehead* at six o'Clock this Evening.

Mr. *Scudder* reported, that he had obeyed the Order of the House.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The House withdrew from the Council-Chamber to attend in a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President took the Chair.

Mr. *Scudder* reported, that the Council and Assembly had met in the College Library-Room.

The House adjourned till *Monday* Morning Nine o'Clock.

Monday, September 30, 1776.

The House met.

Mr. Smith, with Leave of the House, brought in a Bill, entitled, *An Act for establishing Courts of Admiralty and Custom-Houses within the State of New-Jersey*, which was read the first Time, and ordered a second Reading.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

Mr. Paterfon, from the Committee to whom was referred the Bill, intituled, *An Act to confirm and establish the Courts of Justice within this State*, reported that the said Committee had gone through the said Bill, and made sundry Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. Paterfon read the said Amendments in his Place, and delivered them in at the Table.

The said Bill was again read with the Amendments in their Places, and ordered to be engrossed.

Mr. Condict, to whom it was referred, in Conjunction with a Committee of the House of Assembly, to make a Draught of Instructions to the Commissioners for enquiring into the State of the Battalions raised in this State and now in the Service, and their Disposition to engage farther in the Service on the new Establishment, reported that the said Committees had prepared a Draught of Instructions according to Order, and that he was ready to make Report thereof when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. Condict read the said Draught in his Place, and delivered it in at the Table: And,

The same being again read, was agreed to by the House, and ordered to be engrossed.

Resolved,

That the Governor be requested to sign the said Instructions.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, October 1, 1776.

The House met.

Mr. Sinnickson, from the Committee appointed to meet with a Committee of the House of Assembly in a Conference on the Matters recommended to them by the Honourable the Continental Congress, by Leave of the House, made a Report from the said Committees, which was agreed to by the House, and is as follows, *Videlicet,*

‘ Your Committee appointed to confer with a Committee of the Assembly on
‘ the Resolve of Congress respecting the providing Cloathing, &c. in this State for
‘ the Continental Army, beg Leave to report, that it appears to the Conferees that
‘ it will be proper to appoint the Representatives, in Council and Assembly of
‘ this State, Commissioners in their respective Counties for the Purposes mentioned
‘ in the Resolve of Congress; and that it is the Opinion of the Conferees that
‘ the

‘ the Sum of *Thirty Thousand Dollars* is necessary in this State for executing the Purpose of said Resolve ; and that the Committee mentioned in said Resolve be requested, through the Honourable *Richard Stockton*, Esquire, to draw on the Honourable *John Hancock*, Esquire, for said Sum..

‘ ANDREW SINNICKSON, *Chairman.*’

Mr. *Symmes*, with Leave of the House, brought in a Bill, intituled, *An Act to punish Traitors and disaffected Persons* ; which was read the first Time, and ordered a second Reading.

A Message was received from the House of Assembly by Mr. *Buck* and Mr. *Manning*, in the Words following, *viz.*

‘ *Ordered,*

‘ That Mr. *Buck* and Mr. *Manning* do inform the Council that this House have nominated *William Churchill Houston* and *Jonathan Baldwin* to proceed to *Philadelphia* and receive of the Honourable the Congress the Sum of *Thirty Thousand Dollars* for purchasing Cloathing, &c. in this State, whose Expences are to be borne by this State, and that they desire the Council to concur in the said Nomination.’

The House, having taken the said Message into Consideration,

Resolved,

That this House doth concur in the said Nomination of *William Churchill Houston* and *Jonathan Baldwin* to proceed to *Philadelphia* and receive the Sum of *Thirty Thousand Dollars* for purchasing Cloathing, &c. in this State.

Ordered,

That Mr. *Condict* do acquaint the House of Assembly therewith.

Mr. *Condict* reported, that he had obeyed the Order of the House.

The Engrossed Bill, intituled, *An Act to confirm and establish the several Courts of Justice within this State*, was read and compared ; and, on the Question,

Resolved,

That the said Bill do pass.

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Smith* do carry the said Bill to the House of Assembly for Concurrence.

Mr. *Smith* reported, that he had obeyed the Order of the House.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

The House withdrew to attend in a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President took the Chair.

Mr. *Scudder* reported, that the Council and Assembly had met in the College-Library Room.

The House adjourned till To-morrow Morning Nine o’Clock.

Wednesday, October 2, 1776.

The House met.

A Message was received from the House of Assembly by Mr. *Camp* and Mr. *Hathorne*, in the Words following, *viz.*

‘ *Resolved,*

‘ That the Treasurer of this State do pay, out of the publick Money, to the Honourable

‘ Honourable *John Cleves Symmes* and *Theunis Dey*, Esquires, Commissioners appointed to go to the northern Army, or either of them, the Sum of *Sixty Pounds* to defray their Expences, and that their Receipt or the Receipt of either of them, be a sufficient Discharge to the said Treasurer; and that the said *John Cleves Symmes* and *Theunis Dey* do account to the Legislature for the Expenditure of the same.

‘ *Ordered*,

‘ That Mr. *Camp* and Mr. *Hathorne* do carry the said Resolution to the Council and desire their Concurrence therein.’

Which being read and considered,

Resolved,

That this House doth concur in the said Resolution.

Ordered,

That Mr. *Condict* do acquaint the House of Assembly therewith.

Mr. *Condict* reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act for establishing a Court of Admiralty and Custom-Houses within the State of New-Jersey*, was read the second Time, agreed to, and ordered to be engrossed.

The Engrossed Bill, intituled, *An Act for establishing a Court of Admiralty and Custom-Houses within the State of New-Jersey*, was read and compared; and, on the Question,

Resolved,

That the same do pass.

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Symmes* do carry the said Bill to the House of Assembly for Concurrence.

Mr. *Symmes* reported, that he had obeyed the Order of the House.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Mac Eowen* and Mr. *Vandike*, from the House of Assembly, brought up the Bill, intituled, *An Act to confirm and establish the several Courts of Justice within this State*, being passed by that House.

The House adjourned till Nine o’Clock To-morrow Morning.

Thursday, October 3, 1776.

The House met.

Mr. *Smith*, from the Committee appointed on the 6th of *September* last to meet a Committee of the House of Assembly in order to form a Great Seal of the State, reported that the said Committees had met according to Order, and that he was ready to make Report of their Proceedings when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Smith* read the said Report in his Place, and delivered it in at the Table:—And the same being again read, was agreed to by the House, and is as follows, *viz.*

‘ The Joint-Committees appointed by both Houses to prepare a Great Seal, beg Leave to report,

‘ That

‘ That they have considered the Subject, and taken the Sentiments of several intelligent Gentlemen thereon ; and are of Opinion that *Francis Hopkinson*, Esq. should be immediately engaged to employ proper Persons at *Philadelphia* to prepare a Silver Seal, which is to be round, of two and an half Inches diameter, and three-eighths of an Inch thick, and that the Arms shall be three Ploughs in an Escutcheon ; the Supporters, Liberty and Ceres, and the Crest, a Horse’s Head ; these Words to be engraved in large Letters round the Arms, *videlicet*,
 ‘ THE GREAT SEAL OF THE STATE OF NEW-JERSEY.

‘ *By Order of the Committee,*

‘ *Princeton, October 3, 1776.*

RICHARD SMITH, *Chairman.*’

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

A Message was received from the House of Assembly by Mr. *Woodbull* and Mr. *Tallman*, in the Words following, *viz.*

‘ The Report of the Joint-Committee respecting the Great-Seal, &c. being read,
 ‘ *Ordered,*

‘ That the Joint-Committee aforesaid do engage *Francis Hopkinson*, Esquire, accordingly ; and that Mr. *Hopkinson* be authorized to draw on the Treasurer of this State for the Expence of the Great Seal.

‘ *Ordered,*

‘ That Mr. *Woodbull* and Mr. *Tallman* do acquaint the Council therewith, and desire their Concurrence.’

The Council, having taken the same into Consideration,

Resolved,

That this House doth concur in the said Order.

Ordered,

That Mr. *Sinnickson* acquaint the House of Assembly therewith.

Mr. *Sinnickson* reported, that he had obeyed the Order of the House.

Mr. *Zabriskie* and Mr. *Garritse*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for the Inspection of Gun-Powder*, and a Bill, intituled, *An Act to encourage William Parker, William Corlies, Richard Lippincott, Jeremiah Borden and Lawrence Hartshorne, to erect Salt-Works in the State of New-Jersey.*

Which Bills were read the first Time, and severally ordered a second Reading.

The Bill, intituled, *An Act to punish Traitors and disaffected Persons*, was read the second Time, and ordered to be engrossed.

The House adjourned till Nine o’Clock To-morrow Morning.

Friday, October 4, 1776.

The House met.

The Bill, intituled, *An Act for the Inspection of Gun-Powder*, was read the second Time, and ordered a third Reading.

The Bill, intituled, *An Act to encourage William Parker, William Corlies, Richard Lippincott, Jeremiah Borden and Lawrence Hartshorne, to erect Salt-Works in the State of New-Jersey*, was read the second Time, and, some Amendments being made thereto, was ordered a third Reading.

The Engrossed Bill, intituled, *An Act to punish Traitors and disaffected Persons*, was read and compared ; and, on the Question,

H

Resolved,

Resolved,

That the said Bill do pass.

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Condict* do carry the said Bill to the House of Assembly for Concurrence.

Mr. *Condict* reported, that he had obeyed the Order of the House.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The Bill, intituled, *An Act for the Inspection of Gun-Powder*, was read the third Time; and, on the Question,

Resolved,

That the said Bill do pass.

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Fell* do acquaint the House of Assembly therewith.

Mr. *Fell* reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act to encourage William Parker, William Corlies, Richard Lippincott, Jeremiah Borden and Lawrence Hartshorne, to erect Salt-Works in the State of New-Jersey*, was read the third Time, with the Amendments in their Places; and, on the Question,

Resolved,

That the said Bill as amended do pass.

Ordered,

That the President do sign the said Bill and Amendments.

Ordered,

That Mr. *Condict* do carry the said Bill and Amendments to the House of Assembly, and desire their Concurrence in the said Amendments.

Mr. *Condict* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, October 5, 1776.

The House met.

Mr. *Manning* and Mr. *Hathorne*, from the House of Assembly, brought back to this House the Bill re-engrossed with the Amendments made by this House, intituled, *An Act to encourage William Parker, William Corlies, Richard Lippincott, Jeremiah Borden and Lawrence Hartshorne, to erect Salt-Works in the State of New-Jersey*, agreed to and passed by the House of Assembly.

Mr. *Manning* and Mr. *Hathorne*, from the House of Assembly, also brought back to this House the Bill, intituled, *An Act for establishing a Court of Admiralty and Custom-Houses within the State of New-Jersey*, with an Amendment made thereto, and desired the Concurrence of this House in the said Amendment.

The House, having taken the said Amendment into Consideration, agreed to the same.

Ordered,

That the said Bill as amended be re-engrossed.

The Bill, re-engrossed with the Amendments of this House, intituled, *An Act to encourage*

encourage William Parker, William Corlies, Richard Lippincott, Jeremiah Borden and Lawrence Hartshorne, *to erect Salt-Works in the State of New-Jersey*, was read and compared,

Ordered,

That the President do sign the same.

The Bill, re-engrossed with the Amendment made by the House of Assembly, intituled, *An Act for establishing a Court of Admiralty and Custom-Houses within the State of New-Jersey*, was read and compared; and, on the Question,

Resolved,

That the said Bill do pass.

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Elmer* do carry the said re-engrossed Bill to the House of Assembly.

Mr. *Elmer* reported, that he had obeyed the Order of the House.

Mr. *Woolbull*, from the House of Assembly, brought back the re-engrossed Bill, intituled, *An Act for establishing a Court of Admiralty and Custom-Houses within the State of New-Jersey*, being passed in that House.

The Governor came into the Council-Chamber, and having, in a verbal Message by the Secretary, signified to the House of Assembly that he was ready to receive their Address, the House of Assembly attended, and by their Speaker delivered an Address to His Excellency in the Words following:

' To His Excellency WILLIAM LIVINGSTON, Esquire, Governor, Captain-General and Commander in Chief in and over the State of New-Jersey, and Territories thereunto belonging, Chancellor and Ordinary in the same;

' The ADDRESS of the ASSEMBLY of the STATE of New-Jersey.

' May it please your Excellency,

WHILST we anticipate the Blessings of a Government founded on Freedom, having for its sole Object the Happiness of the People, it affords the most pleasing Reflection that all our Measures for attaining that great End, are strongly marked with Deliberation and Firmness, and will bear the strictest Scrutiny of Reason and Conscience. To those disposed to trace the Hand of approving Heaven in our Deliverance from the galling Yoke of Slavery, the unparalleled Unanimity of the *American States* in resisting the Encroachments of Despotism, and refusing the insidious Offers of precarious Peace—the Rejection of our Petitions, though fraught with unrefuted Reasoning and clear Demonstration, joined to the infatuated Policy of our Enemy, and the Success of our Arms, afford the most unequivocal Marks of Providential Agency; whilst our Willingness even to relinquish some of our indubitable Rights for the Sake of Peace—our Patience under repeated Insults and Injuries—the Declaration of our Rights, and consequent Independence long delayed—plainly evince to the impartial World our Aversion to shedding Human Blood. But, compelled by the insatiate Plunderers of the East to assert our Freedom, we have burst the Bands of political Slavery, and arose into a Life of Liberty. Thus situate, we cannot evince more fully to the World the Purity of our Intentions, and our Sense of the Value of our Purchase, than by placing, in the most conspicuous Point of View, those Gentlemen who have taken an early and decisive Part in our glorious Struggle for Freedom.

' Our Conviction of the Rectitude of your Excellency's Intentions stands confessed,

‘ felled, by your Appointment to the Office of Chief Magistrate of this free State.
 ‘ But whilst we feel our own Inadequacy to the Business assigned us by our Coun-
 ‘ try, we must acknowledge, with your Excellency, that your Task is arduous in-
 ‘ deed ! and entreat you to look up with us, to the indulgent Parent of the Uni-
 ‘ verse, who, when the End proposed is stamped with his Approbation, can make
 ‘ the Abilities keep pace with the Will.

‘ Convinced with your Excellency of the Necessity of a well-regulated Militia
 ‘ for the Defence of a free State, and of their being duly paid for their Service,
 ‘ our earliest Attention shall be given to that most important Business ; and per-
 ‘ mit us, Sir, to assure you, that, whilst we have aught to bestow, the Voice of
 ‘ murmuring for Services unpaid, or Merit unrewarded, shall not be heard in
 ‘ this State.

‘ If, in fixing the Seat of Government according to the local Circumstances and
 ‘ Convenience of the various Parts of this State, we should appoint a Place agree-
 ‘ able to your Excellency, it will double our Satisfaction. The Law mentioned,
 ‘ and such other salutary Regulations as may occur to your Excellency during this
 ‘ Session, when communicated to us, shall meet with all due Attention.

‘ Your obliging mention of the Importance of the Station in which the uncor-
 ‘ rupted Voice of our Constituents hath placed us, demands our Acknowledge-
 ‘ ments, and will, we hope, spirit us to such Exertions in our Duty, as may re-
 ‘ dound to the Benefit of the State: And we assure you, with Sincerity, that, lay-
 ‘ ing aside all private Attachments and Resentment, it shall be our Study to culti-
 ‘ vate that Harmony between the Branches of the Legislature, that Spirit of Oe-
 ‘ conomy, Industry and Patriotism, so justly recommended, and so essential to the
 ‘ publick Welfare; and that whilst our Heaven-directed Generals and Soldiers, with
 ‘ an ardour peculiar to Freemen, brave the Dangers of well-fought Fields, against
 ‘ the lawless Sons of Rapine and Plunder, ours shall be the important Task, in
 ‘ Conjunction with your Excellency and the Honourable Council, to give our
 ‘ cool Deliberations and useful Resolves, the most unambiguous Marks of that
 ‘ Spirit which ought to animate a Senate of Freemen.

‘ We hope that no Situation in Life can make us lose Sight of that evident Truth,
 ‘ so loudly proclaimed in the historic Page, that Dissoluteness of Manners and po-
 ‘ litical Corruption are inseparable Companions in the Destruction of Kingdoms ;
 ‘ whilst the concurring Testimony of the inspired Penman will enforce on the
 ‘ most obdurate Heart, that *Righteousness exalteth a Nation, but that Sin is a Re-
 ‘ proach to any People.* Determined to employ the Talents given in procuring, and
 ‘ transmitting inviolate to Posterity, the fair Inheritance of civil and religious
 ‘ Liberty, though bought at the Price of Life, we will look, for the Permanency
 ‘ and Stability of our new Government, to Him who bringeth Princes to nothing,
 ‘ and teaches Senators Wisdom.

‘ HOUSE OF ASSEMBLY,
 ‘ October 5, 1776.

‘ By Order of the House,

‘ JOHN HART, *Speaker.*’

To which His Excellency was pleased to make the following Reply :

‘ *Gentlemen,*

‘ **Y**OUR kind and affectionate Address deserves my cordial Thanks ; and
 ‘ I feel myself most agreeably affected with your obliging Assurances of
 ‘ paying all due Attention to the Laws and Regulations recommended to your
 ‘ Consideration.

‘ I heartily participate with you in the Pleasure of tracing that conspicuous
 ‘ Providential Agency which has hitherto frustrated the sanguinary Purposes of
 ‘ our Enemies ; and which, that it is not more generally and devoutly ac-
 ‘ knowledged, is greatly to be deplored. But while with pious Gratitude we
 ‘ survey

‘ survey the frequent Interpositions of Heaven in our Behalf, we ought to remember, that as the Disbelief of an over-ruling Providence is Atheism; so an absolute Confidence of having our Deliverance wrought out by the immediate Hand of God, without our own Exertions, is the most culpable Presumption. Let us therefore inflexibly persevere in exerting our most strenuous Efforts, in an humble and rational Dependance on the great Governor of the World; we have the fairest Prospect of surmounting all our Difficulties; and of seeing our merciless Oppressors involved in that Destruction which they have so long been meditating for others.

‘ WIL. LIVINGSTON.’

The House adjourned till Three o’Clock, P. M.

The House met pursuant to Adjournment.

The House adjourned till Monday next.

Monday, October 7, 1776.

The House met.

Mr. Fell, by Leave of the House, brought in a Bill, intituled, *An Act to pardon the Fugitives from New-Jersey*, which was read; and ordered to be read a second Time.

Mr. Dick and Mr. Manning, from the House of Assembly, brought back to this House the Bill, intituled, *An Act to punish Traitors and disaffected Persons*, being passed by that House.

Ordered,

That the Secretary do cause the above Act to be published in the publick Papers.

The House adjourned till To-morrow Morning Nine o’Clock.

Tuesday, October 8, 1776.

The House met.

The House adjourned till Three o’Clock, P. M.

The House met pursuant to Adjournment.

Mr. Wetherby and Mr. Holmes, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to oblige the Treasurer of the State of New-Jersey to give Security for the due Execution of his Office, and to prescribe the Mode in which the same Security shall be taken*; which was read the first Time, and ordered a second Reading.

Mr. Wetherby and Mr. Holmes, from the House of Assembly, also presented, for the Concurrence of this House, a Bill, intituled, *An Act to ascertain the Fees to be taken by the Governor and Secretary on Commissions to civil and military Officers in the State of New-Jersey*, which was read the first Time, and ordered a second Reading.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President took the Chair.

Mr. Scudder reported, that the Council and Assembly had met in the College-Library Room.

A Message was received from the House of Assembly, by Mr. Cook and Mr. Bowen, in the Words following, *viz.*

‘ On a Motion made,

‘ *Resolved,*

‘ That *Richard Smith*, Esquire, Treasurer of this State, do pay to each of the Members of the Council and Assembly, for their Attendance at this Sitting of Assembly at *Princeton*, *Eight Shillings* per Day for as many Days as the President or Vice-President of the Council, the Speaker, or any three Members of the Assembly shall sign a Certificate for, certifying the Days such Members have attended; and to the Clerks of the Council and Assembly *Ten Shillings* per Day for their Attendance this Sitting for so many Days as the President of the Council or Speaker of the Assembly shall certify such Clerks have attended; and also to the Sergeant at Arms *Three Shillings* per Day, and to the Doorkeepers of the Council and Assembly each *Four Shillings* per Day for as many Days as the President or Vice-President of the Council, or Speaker of the Assembly, do certify they have attended: And

‘ *Resolved also,*

‘ That the said *Richard Smith* do pay the Certificates of the late Members of Convention.

‘ And also, that the said *Richard Smith* pay to Messrs. *William Churchill Houston* and *Jonathau Baldwin*, *Six Pounds* for their Trouble and Expences in bringing the Money from the Continental Congress at *Philadelphia*.

‘ *Ordered,*

That Mr. *Cook* and Mr. *Bowen* do wait on the Council with this Resolution, and desire their Concurrence therein.’

The House, having taken the said Message into Consideration,

Resolved,

That the House doth concur in the Resolutions contained in the said Message.

Ordered,

That Mr. *Sinnickson* do acquaint the House of Assembly therewith.

Mr. *Sinnickson* reported, that he had obeyed the Order of the House.

The House of Assembly having acquainted this House that they are adjourned till the thirteenth Day of *November* next, then to meet at *Burlington*,

The House adjourned till the said thirteenth Day of *November* next, then to meet at *Burlington*.

BURLINGTON, Wednesday, November 13, 1776.

The House met pursuant to Adjournment.

There not being a sufficient Number of Members to proceed to Business, adjourned till To-morrow.

Thursday, November 14, 1776.

The House met.

There not being a sufficient Number of Members to proceed to Business, adjourned till To-morrow.

Friday, November 15, 1776.

The House met.

Ephraim Phillips was appointed Doorkeeper to the Council during the Pleasure of the House.

The

The House adjourned till Ten o'Clock To-morrow Morning.

Saturday, November 16, 1776.

The House met.

Mr. *Clark* and Mr. *Dey*, from the House of Assembly, informed the House, that the House of Assembly were ready to attend in a Joint-Meeting of both Houses, and requested that this House would appoint the Time and Place of Meeting.

Ordered,

That the Joint-Meeting be held in the Old Meeting-house immediately.

Ordered,

That Mr. *Smith* acquaint the House of Assembly therewith.

Mr. *Smith* reported, that he had obeyed the Order of the House.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President took the Chair.

Mr. *Scudder* reported, that the Council and Assembly had met in the Old Meeting-house.

A Message was received from the House of Assembly by Mr. *Buck*, in the Words following, *viz.*

Ordered,

' That Mr. *Dey* and Mr. *Covenhoven* be a Committee to join a Committee of the Council to provide Ways and Means to send the Shoes and Stockings, and such other Articles as are in Readiness to be sent, to the northern Army, agreeable to the Request in a Letter from the Honourable *Richard Stockton*, Esq. one of the Delegates of the Continental Congress, and that Mr. *Buck* do acquaint the Council therewith, and desire they will appoint a Committee for that Purpose; with the Time and Place of Meeting.'

The House, having taken the said Message into Consideration,

Ordered,

That Mr. *Smith* be a Committee to join the Committee of the House of Assembly to provide Ways and Means to send the Shoes and Stockings, and such other Articles as are in Readiness to be sent, to the northern Army: That the said Committees meet for that Purpose at the House of *Joseph Haight* at Nine o'Clock To-morrow Morning; and that Mr. *Fell* acquaint the House of Assembly therewith.

Mr. *Fell* reported, that he had obeyed the Order of the House.

The House adjourned till *Monday* next.

Monday, November 18, 1776.

The House met.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Smith*, with Leave of the House, brought in a Bill, intituled, *An Act to obviate Doubts with Respect to the Authority of Counsellors in New-Jersey*, which was read the first Time, and ordered a second Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, November 19, 1776.

The House met.

The Bill, intituled, *An Act to pardon certain Fugitives from the State of New-Jersey*, was read the second Time, and committed to Mr. Scudder, Mr. Paterfon and Mr. Fell, or any two of them.

The Bill, intituled, *An Act to obviate Doubts with Respect to the Authority of Counsellors in the State of New-Jersey*, was read the second Time and committed to Mr. Paterfon and Mr. Sinnickson.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

A Message was received from the House of Assembly, together with the Treasurer's Bond, in the Words following, *viz.*

' The Speaker laid before the House the Bond given by *Richard Smith*, Esquire, Treasurer of this State, with Securities in the Sum of *Twenty Thousand Pounds* for the due Execution of his Office; which Bond, having been read and taken into Consideration by the House, the House do approve of the said Bond and Securities.

' Ordered,

' That Mr. *Mott* and Mr. *Bowen* do carry the said Bond to the Council for their Concurrence.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, November 20, 1776.

The House met.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

Mr. *Paterfon*, from the Committee to whom was referred the Bill, intituled, *An Act to obviate Doubts with Respect to the Authority of Counsellors in New-Jersey*, reported that the said Committee had gone through the said Bill, and made some Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Paterfon* read the said Amendments in his Place and delivered them in at the Table.

And the said Bill being again read with the Amendments in their Places,

Ordered,

That the said Bill as amended be engrossed.

The Engrossed Bill, intituled, *An Act to obviate Doubts with Respect to the Authority of Counsellors*, was read and compared; and, on the Question,

Resolved,

That the said Bill do pass.

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Paterfon* do carry the said Bill to the House of Assembly for their Concurrence.

Mr. *Paterfon* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday,

Thursday, November 21, 1776.

The House met.

The Bill, intituled, *An Act to ascertain the Fees to be taken by the Governor and Secretary on Commissions to civil and military Officers in the State of New-Jersey*, was read the second Time, and sundry Amendments made thereto, which were read in their Places, agreed to by the House, and ordered to be engrossed.

The Engrossed Amendments to the Bill, intituled, *An Act to ascertain the Fees, &c.* were read and compared.

The Bill, intituled, *An Act to ascertain the Fees to be taken by the Governor and Secretary on Commissions to civil and military Officers in the State of New-Jersey*, was read the third Time, with the Amendments in their Places; and, on the Question,

Resolved,

That the said Bill as amended do pass.

Ordered,

That the President do sign the said Bill and Amendments.

Ordered,

That Mr. *Cooper* do carry the same to the House of Assembly, and desire their Concurrence in the said Amendments.

Mr. *Paterfon*, from the Committee to whom was referred the Bill, intituled, *An Act to pardon certain Fugitives from the State of New-Jersey*, reported that the said Committee had gone through the said Bill, and made sundry Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Paterfon* read the said Amendments in his Place, and delivered them in at the Table: And the said Amendments being again read, were agreed to by the House.

Ordered,

That the said Bill as amended be engrossed.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

Mr. *Cooper* reported, that he had obeyed the Order of the House of this Morning.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, November 22, 1776.

The House met.

Mr. *Symmes*, the Commissioner appointed by this House to join with a Commissioner from the House of Assembly to inquire into the State of the Battalions raised in this State and now in the Service, and their Disposition to engage farther in the Service on the new Establishment, reported that the said Commissioners had executed their said Commission, and that he was ready to report their Proceedings whenever the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Symmes* read a written Report in his Place, and delivered it in at the Table: And the said Report being again read in the House, was ordered to be inserted in the Journals, and is as follows, viz.

‘THE Commissioners appointed by the Honourable Council and General Assembly of the State of *New-Jersey*, to inquire into the Condition of the *Jersey* Troops to the northward of *Albany*, and the Disposition of the Officers to engage in the Continental Service, during the War; beg Leave to make the following Report:

‘That your Commissioners, having with all possible Dispatch repaired to *Ticonderoga*, did there, as far as they were able, inquire into the Condition of the Troops of this State.

‘Your Commissioners found the Soldiers destitute of many Articles of Dress: Supplies of every Kind they want; but Shoes and Stockings they are in the last Necessity for; many having neither to their Feet.

‘Your Commissioners believe that the Troops are well provided with Provisions: And they have Plenty of Arms.

‘Respecting the Disposition of the Officers to engage in the Service, your Commissioners beg Leave to say, that it is with the greatest Cheerfulness the most of the Officers are ready, on your Appointment, to serve their Country during the War. A very few declines, as may appear from the Returns of the several Regiments, which your Commissioners beg Leave to lay before you. The Characters of the Officers may be drawn from said Returns, and a few Anecdotes of some of the General Officers; which are at your Command.

‘*Burlington, November 21, 1776.*

‘JOHN CLEVES SYMMES,
‘THEUNIS DEY.’

The Engrossed Bill, intituled, *An Act to pardon certain Fugitives from the State of New-Jersey*, was read and compared; and, on the Question, Whether the said Bill do pass? It passed in the Negative.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

The House adjourned till Nine o’Clock To-morrow Morning.

Saturday, November 23, 1776.

The House met.

A Message was received from the House of Assembly by Mr. *Covenhoven* and Mr. *Cook*, in the Words following, *viz.*

‘The Bill, intituled, *An Act to ascertain the Fees to be taken by the Governor and Secretary on Commissions to civil and military Officers, &c.* was read with the Amendments made thereto by the Council, and, on the Question, the House agrees to eight of the Amendments made by the Council, and reject the last Clause or Amendment.

‘*Ordered,*

‘That Mr. *Covenhoven* and Mr. *Cook* do carry back the said Bill to the Council.’

The House, having taken the said Message into Consideration, are of Opinion that it is proper to have a free Conference with the House of Assembly on the subject Matter of the said Message.

Ordered,

That Mr. *Fell*, Mr. *Cooper*, Mr. *Paterfon* and Mr. *Symmes*, be a Committee to meet with a Committee of the House of Assembly in a free Conference on the subject Matter of their Message received this Morning respecting the Bill, intituled, *An Act to ascertain the Fees to be taken by the Governor and Secretary on Commissions, &c.* and that the Vice-President be requested to assist in the said Conference.

Ordered,

Ordered,

That Mr. *Sinnickson* do acquaint the House of Assembly therewith, and request them to appoint a Committee for that Purpose ; and that this House propose that the said Conference be held at the Old Meeting-house at Three o'Clock this Afternoon.

Mr. *Sinnickson* reported, that he had obeyed the Order of the House.

A Message was received from the House of Assembly by Mr. *Dey* and Mr. *Drake*, in the Words following, *viz.*

' The House, having taken into Consideration the Message of the Council received this Morning,

Ordered,

' That Mr. *Mehelm*, Mr. *Combs*, Mr. *Covenhoven*, Mr. *Woodhull*, Mr. *Mac Eowen*, Mr. *Manning*, Mr. *Cook* and Mr. *Camp*, be a Committee to meet a Committee of the Council in a free Conference on the subject Matter of the said Message, and that the Speaker be requested to assist in the said Conference.

Ordered,

' That Mr. *Dey* and Mr. *Drake* do wait on the Council and acquaint them therewith.'

The House adjourned till *Monday* next.

Monday, November 25, 1776.

The House met.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, November 26, 1776.

The House met.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, November 27, 1776.

The House met.

Mr. *Manning* and Mr. *Mac Eowen*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for the raising of four Battalions*, which was read the first Time, and ordered a second Reading.

The Bill, intituled, *An Act for the raising of four Battalions*, was read the second Time, and ordered a third Reading.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The Bill, intituled, *An Act for the raising of four Battalions*, was read the third Time, and, on the Question,

Resolved,

That the said Bill do pass.

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Fell* do acquaint the House of Assembly that the said Bill is passed by this House without any Amendment.

Mr. *Fell* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday,

Thursday, November 28, 1776.

The House met.

The House withdrew from the Council-Chamber to attend a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President took the Chair.

The Vice-President reported, that the Council and Assembly had met in the Old Meeting-house.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, November 29, 1776.

The House met.

Mr.

DR.	JOHN SMYTH, his Account cur—	
To Balance of Account settled by the Committees, <i>Feb. 3, 1775,</i>		£. 20550 : 13 : 11
To Cash received for Deficiencies on Support of Government for the Year 1774, <i>viz.</i>		
<i>Bergen,</i> - - -	£. 260 : 1 : 0	
<i>Middlesex,</i> - - -	307 : 4 : 2½	
<i>Monmouth,</i> - - -	610 : 7 : 9	
		1177 : 12 : 11½
To Balance received in full of old Arrears,	- - -	137 : 12 : 2½
To Support of Government received for the Year 1775, <i>viz.</i>		
<i>Effex,</i> - - -	£. 144 : 18 : 6½	
<i>Bergen,</i> - - -	232 : 11 : 0	
<i>Somerſet,</i> - - -	13 : 17 : 0	
		391 : 6 : 6½
To Cash received on Bond for Deficiency of <i>S. Skinner,</i>		2920 : 0 : 6
		£. 25177 : 6 : 1½

Mr. *Fell*, from the Committee appointed on the 12th of *September* last to join a Committee of the House of Assembly to settle the Accounts of *John Smyth*, *Joseph Smith*, *Samuel Tucker* and *John Dennis*, Esquires, late Treasurers of this State, reported, that the said Committees had met according to Order, and stated and settled the respective Accounts of the said Treasurers, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Fell* read the said Accounts in his Place, and delivered them in at the Table.

And the said Accounts being again read, were approved by the House.

Ordered,

That a Summary of the said Accounts be entered on the Journals of this House as follows, *viz.*

rent with the Province of <i>New-Jersey</i> ,		CR.
	By Bond of <i>Stephen Skinner</i> for Deficiency, -	£. 5334 : 12 : 10
	By fundry Vouchers produced, endorsed and allowed,	4374 : 15 : 6
	By Balance of sinking Fund, - - -	7556 : 14 : 9
1776, July 13.	By Cash paid Messieurs <i>Mehelm</i> and <i>Sergeant</i> , a Committee appointed by the Provincial Congress, as by Receipt,	4944 : 19 : 6
24.	By ditto as by Receipt,	436 : 10 : 0
30.	By ditto <i>Elmer</i> as by Receipt,	719 : 12 : 6
		6101 : 2 : 0
	By ditto in Treasury Chest as by Mr. <i>Stevens's</i> Receipt of July 1, 1776, - - -	933 : 12 : 6
	By Amount of private Account, - - -	68 : 11 : 1
		24369 : 8 : 8
	By Balance due, - - - -	807 : 17 : 5
		£. 25177 : 6 : 1

Princeton, September 28, 1776.

John Smith, Treasurer.

HAVING examined the foregoing Accounts and the Vouchers thereto, do find a Balance due to the State of *New-Jersey*, of Eight Hundred and Seven Pounds Seventeen Shillings and Five-Pence.

Errors excepted,

Per Order of the Committees,

JOHN FELL,
JOHN COMBS.

DR.

Province of *New-Jersey*,

GENERAL ACCOUNT.

To Balance brought from Account for Support of Government, £. 2799 : 9 : 5½
 Balance due to the Province carried below, - - - 6195 : 13 : 9

£. 8995 : 3 : 2½

To my Salary as Treasurer, from *June 1* to *September 15*, } £. 11 : 13 : 4
 at £. 40 per Annum, - }
 To signing £. 41556 : 15 : 0 of the Loan-Office Money, - 26 : 13 : 4
 To exchanging £. 435 : 18 : 10, at *Six-pence* per Pound, - 10 : 17 : 11

Balance due to the Publick, - - - 49 : 4 : 7
 - - - 6146 : 9 : 2

£. 6195 : 13 : 9

DR.

SAMUEL TUCKER, Treasurer, in Ac—

1776.
Sept. 18. To Balance in my Hands, - - - £. 7571 : 16 : 9

to JOSEPH SMITH, CR.

By Balance of Account of Money struck for exchanging ragged and torn Bills,	}	£. 6520 : 2 : 0
By Balance of Sinking Fund Account,		2475 : 1 : 2½
		<u>£. 8995 : 3 : 2½</u>

Balance brought from above, £. 6195 : 13 : 9
Errors excepted, September 19, 1776.
 JOSEPH SMITH.

Princeton, September 19, 1776.

HAVING examined the foregoing Accounts and the Vouchers thereto, do find a Balance due from *Joseph Smith* to the State of *New-Jersey* of *Six Thousand One Hundred and Forty-six Pounds Nine Shillings and Two-pence.*

JOHN FELL,
 JOHN COMBS.

count with the State of *New-Jersey*. CR.

1776.		
Sept. 18.	By Cash paid <i>John Mehelm</i> , Esq.	£. 17 : 14 : 0
	Ditto paid <i>Peter Tallman</i> , Esq.	1 : 16 : 0
	Ditto paid <i>Thomas Hendry</i> , Bounty,	7 : 8 : 0
		<u>26 : 18 : 0</u>
	Balance,	7544 : 18 : 9
	<i>Errors excepted,</i>	£. 7571 : 16 : 9
		18th September 1776.

SAMUEL TUCKER, Treasurer.

Princeton, Sept. 18, 1776.

HAVING examined the foregoing Accounts and Vouchers thereto, do find a Balance of *Seven Thousand Five Hundred and Forty-four Pounds Eighteen Shillings and Nine-pence,* due from *Samuel Tucker* to the State of *New-Jersey.*

JOHN FELL,
 JOHN COMBS.

N. B. There yet remains in the Hands of *John Hart* and *Samuel How*, Esquires, two of the Signers, or one of them, £. 115 : 14 : 6, to make up the Western Share of the £. 50,000 : 5, being £. 25,000 : 2 : 6.

DR.

DR.

JOHN DENNIS, Treasurer, in Ac—

1776.
 Sept. 18. To fundries from the other Side, - £. 5455 : 8 : 9

Mr. *Woodhull* and Mr. *Newbold*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to empower Constables now in Office to execute the same under the present Government ; and for appointing others in case of their Death, Refusal or Disability ;* which Bill was read the first Time, and ordered a second Reading.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President resumed the Chair.

The Vice-President reported, that the Council and Assembly had met in the Old Meeting-house.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, November 30, 1776.

The House met.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President resumed the Chair.

Mr. *Scudder* reported, that the Council and Assembly had met in the Old Meeting-house.

The House took into Consideration the Security given by the Honourable *Richard Smith*, as Treasurer, by the Bond sent up from the House of Assembly on the 19th Instant ; and, on the Question,

Resolved,

That this House do approve the said Security.

Ordered,

That Mr. *Sinnickson* acquaint the House of Assembly therewith.

Mr. *Sinnickson* reported, that he had obeyed the Order of the House.

The House adjourned till the 22d of *January* next, then to meet at *Pitts-Town*.

PITTS-TOWN, Wednesday, January 22, 1777.

Pursuant to a Notification from the Speaker of the House of Assembly that the General Assembly were summoned to meet at *Pitts-Town* on this Day,

The House met.

The House adjourned till To-morrow.

Thursday,

count with the State of *New-Jersey*,

CR.

^{1776.}
 Sept. 18. By the Amount of Monies disbursed, as appeared by fundry
 Vouchers examined and approved, £. 2752 : 8 : 2
 By Balance due from *John Dennis* to the State of *New-Jersey*, 2703 : 0 : 7
 £. 5455 : 8 : 9

Princeton, Sept. 18, 1776.

HAVING examined the foregoing Accounts and the Vouchers thereto, do find a Balance of *Two Thousand Seven Hundred and Three Pounds and Seven-pence*, due from *John Dennis*, Esq. Treasurer, to the State of *New-Jersey*.

JOHN FELL,
 JOHN COMBS.

Thursday, January 23, 1777.

The House met.

The House adjourned till To-morrow.

Friday, January 24, 1777.

The House met.

The House adjourned till *Wednesday* next, then to meet at *Haddonfield* in the County of *Gloucester*.

HADDONFIELD, January 29, 1777.

The House met pursuant to Adjournment.

The House adjourned till To-morrow Morning.

Thursday, January 30, 1777.

The House met.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The House adjourned till To-morrow Morning.

Friday, January 31, 1777.

The House met.

A Message was received from the House of Assembly in the Words following :

' This House having received Information from Colonel *Potter* that a Number of Men have enlisted into his Battalion who have not furnished themselves with Arms agreeable to the Act of Assembly, and that it is not in their Power to procure them, and in consequence thereof cannot be reviewed by the Commissioners appointed for that Purpose: And the House being desirous to promote the Service at this critical Juncture, do resolve to furnish the said Men with Arms, and therefore desire *Thomas Denny*, Esq. to muster the said Men that they may be immediately sent into Service; and also do appoint him a Commissioner to purchase the said Arms, and draw on the Treasurer for Money for that Purpose.

' *Ordered,*

M

' That

‘ That Mr. *Bowen* and Mr. *Camp* do wait on the Council and desire their Concurrence to the said Resolution.’

The Council, having taken the said Message into Consideration,

Resolved,

That this House doth concur in the Resolution contained therein.

Ordered,

That Mr. *Scudder* do acquaint the Assembly therewith.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Scudder* reported, that he had obeyed the Order of the House.

Mr. *Cooper*, with Leave of the House, brought in a Bill, intituled, *An Act for more effectually preventing disaffected and evil-minded Persons destroying the Credit and Circulation of the Continental Bills of Credit, and the Bills of Credit emitted by the late Congress of this State*; which was read the first Time, and ordered a second Reading.

The House adjourned till Nine o’Clock To-morrow Morning.

Saturday, February 1, 1777.

The House met.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and Mr. *Scudder* reported that the Council and Assembly had met at the House of *Thomas Smith*.

The House adjourned till Ten o’Clock on *Monday* next.

Monday, February 3, 1777.

The House met.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and Mr. *Scudder* reported that the two Houses had met at the House of *Thomas Smith*.

The House adjourned till Nine o’Clock To-morrow Morning.

Tuesday, February 4, 1777.

The House met.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and Mr. *Scudder* reported that the two Houses had met at the House of *Thomas Smith*.

The House adjourned till Nine o’Clock To-morrow Morning.

Wednesday, February 5, 1777.

The House met.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and Mr. *Scudder* reported that the two Houses had met at the House of *Thomas Smith*.

The House adjourned till Nine o’Clock To-morrow Morning.

Thursday,

Thursday, February 6, 1777.

The House met.

A Message was received from the House of Assembly by Mr. *Wetherby* and Mr. *Eldridge*, in the Words following:

'The House, taking into Consideration the Situation of the Cloathing purchased for the Continental Army by the respective Members of the Legislature,

'*Resolved*,

'That for the better Conveniency and Security thereof, *Thomas Denny* of Gloucester County, *Moore Furman* of Hunterdon County, and *Benjamin Halsey* of Morris County, be appointed to receive the said Cloathing, and deliver them out as they may receive Orders from the Legislature, or any Officer appointed for that Purpose: And that the Receipts of the Persons above-named, or either of them, be a sufficient Voucher and Discharge to the said Members for the Cloathing by them delivered.

'*Ordered*,

'That Mr. *Wetherby* and Mr. *Eldridge* do carry the above Resolution to the Council, and desire their Concurrence therein.'

The Council, having taken the said Message into Consideration,

Resolved,

That the House doth concur in the Resolution therein contained.

Ordered,

That Mr. *Condict* do acquaint the House of Assembly therewith.

The Bill, intituled, *An Act for more effectually preventing disaffected and evil-minded Persons destroying the Credit and Circulation of the Continental Bills of Credit, and the Bills of Credit emitted by the late Congress of this State*, was read the second Time, and committed to Mr. *Paterfon* and Mr. *Scudder*.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and Mr. *Scudder* reported that the two Houses had met at the House of *Thomas Smith*.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, February 7, 1777.

The House met.

The House withdrew to attend a Joint-Meeting of the two Houses.

After some Time the House returned, and the Vice-President resumed the Chair.

Mr. *Scudder* reported, that the Council and Assembly had met at the House of *Thomas Smith*.

On Motion made,

Ordered,

That a Bill be brought in for pardoning certain Fugitives of the State of *New-Jersey*.

Ordered,

That Mr. *Scudder* and Mr. *Condict* be a Committee to prepare and bring in the said Bill.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, February 8, 1777.

The House met.

Mr. *Paterfon*, from the Committee to whom was referred the Bill, intituled, *An Act for more effectually preventing disaffected and evil-minded Persons destroying the Credit and Circulation of the Continental Bills of Credit, and the Bills of Credit emitted by the late Congress of this State*, reported that the said Committee had gone through the said Bill, and made sundry Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Paterfon* read the said Amendments in his Place, and delivered them in at the Table: And the said Amendments being again read were agreed to by the House.

Ordered,

That the said Bill as amended be engrossed.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The Engrossed Bill, intituled, *An Act for more effectually preventing disaffected and evil-minded Persons destroying the Credit and Circulation of the Continental Bills of Credit, and the Bills of Credit emitted by the late Congress of this State*, was read and compared; and, on the Question,

Resolved,

That the said Bill do pass.

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Condict* do carry the said Bill to the House of Assembly for their Concurrence:

A Message was received from the House of Assembly by Mr. *Camp* and Mr. *Board*, in the Words following:

Ordered,

‘ That Mr. *Brown*, Mr. *Drake*, Mr. *Harris*, Mr. *Price* and Mr. *Mott*, or any three of them, be a Committee to join a Committee of the Council to settle the Accounts of such of the Members of the Legislature as have purchased Cloathing for the Continental Army, and make Report to the House.

Ordered,

‘ That Mr. *Camp* and Mr. *Board* do wait on the Council and desire them to appoint a Committee for that Purpose.

The Council, having taken the said Message into Consideration,

Ordered,

That Mr. *Fell* and Mr. *Cooper* be a Committee to join the Committee of the House of Assembly to settle the Accounts of such of the Members of the Legislature as have purchased Cloathing for the Continental Army, and that Mr. *Condict* do acquaint the House of Assembly therewith.

The House adjourned till *Monday* next.

Monday, February 10, 1777.

The House met.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

Mr.

Mr. *Condict* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, February 11, 1777.

The House met.

Mr. *Price* and Mr. *Mickle*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to empower certain Persons within the State of New-Jersey to take in Protections, and to administer the State Oaths*, which was read the first Time, and ordered a second Reading.

Mr. *Basset* and Mr. *Eldridge* from the House of Assembly brought back to this House the Bill, intituled, *An Act for more effectually preventing disaffected and evil-minded Persons destroying the Credit and Circulation of the Continental Bills of Credit, and the Bills of Credit emitted by the late Congress of this State*, being agreed to and passed by the House of Assembly.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

The House resumed the Consideration of the Bill, intituled, *An Act for regulating Elections*, which was read Paragraph by Paragraph, and, after sundry Amendments, was agreed to by the House.

Ordered,

That the said Bill be engrossed.

Mr. *Wetherby* and Mr. *Camp*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to prevent the counterfeiting or forging the Tickets of the United States Lottery*, which was read the first Time, and committed to Mr. *Paterfon*.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, February 12, 1777.

The House met.

Mr. *Mehelm* and Mr. *Woodhull*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to prohibit the Exportation of Provisions and other Articles therein mentioned*; which was read the first Time, and ordered a second Reading.

The Bill, intituled, *An Act to prevent the counterfeiting or forging the Tickets of the United States Lottery*, was read the second Time, and committed to Mr. *Paterfon*.

Mr. *Smith*, one of the Members of this House, having absented himself without Leave:

On Motion,

Ordered,

That Mr. *Smith* be desired immediately to attend, and take his Seat in the House; that the Sergeant at Arms be sent with this Order, and that Mr. *Smith* pay the Expence thereof.

Mr. *Scudder*, pursuant to Order, brought in a Bill, intituled, *An Act for pardoning certain Fugitives of the State of New-Jersey*, which was read the first Time, and ordered a second Reading.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Paterfon*, to whom was committed the Bill, intituled, *An Act to prevent the counterfeiting or forging the Tickets of the United States Lottery*, reported that he had gone through the said Bill, and made sundry Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Paterfon* read the said Amendments in his Place, and delivered them in at the Table; and, on the Question,

Resolved,

That the said Bill as amended do pass.

Ordered,

That the President do sign the said Bill and Amendments.

Ordered,

That Mr. *Scudder* do carry the said Bill to the House of Assembly, and desire their Concurrence in the said Amendments.

Mr. *Scudder* reported, that he had obeyed the Order of the House.

Mr. *Bowen* and Mr. *Newbold*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to prevent Desertion from the Army of the United American States, and for other Purposes therein mentioned*; which was read the first Time, and ordered a second Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, February 13, 1777.

The House met.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President resumed the Chair.

Mr. *Scudder* reported, that the Council and Assembly had met at the House of *Thomas Smith*.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Mehelm* and Mr. *Hathorne*, from the House of Assembly, brought back the Bill, intituled, *An Act to obviate Doubts with Respect to the Authority of Counsellors*, with sundry Amendments, and desired the Concurrence of this House in the said Amendments.

Mr. *Mehelm* and Mr. *Hathorne*, from the House of Assembly, brought back from thence the Bill re-engrossed with the Amendments of this House and passed by that House, intituled, *An Act to prevent the Counterfeiting or forging the Tickets of the United States Lottery*, which re-engrossed Bill having been read and compared,

Resolved,

That the same do pass.

Ordered,

That the President do sign the same.

A Message was received from the House of Assembly by Mr. *Mehelm* and Mr. *Hathorne*, in the Words following:

Ordered,

Ordered,

That Mr. *Price*, Mr. *Holmes* and Mr. *Woodbull* be a Committee to join a Committee of the Council in a Conference respecting the sending for the Prisoners confined at *Frederick-Town* in *Maryland*, and conveying them into this State for Trial; and that Mr. *Mebelm* and Mr. *Hathorne* do wait on the Council and desire they will appoint a Committee for that Purpose, with Time and Place of Meeting.

The Council, having taken the said Message into Consideration,

Ordered,

That Mr. *Elmer* and Mr. *Hand* be a Committee to meet a Committee of the House of Assembly in a Conference respecting the sending for the Prisoners confined at *Frederick-Town* in *Maryland*, and conveying them into this State for Trial; and that the said Committees meet To-morrow Morning at Eight o'Clock at the House of *Samuel Kinnard*.

Ordered,

That Mr. *Condict* do acquaint the House of Assembly therewith.

The Bill, intituled, *An Act for pardoning certain Fugitives of the State of New-Jersey, and for other Purposes therein mentioned*, was read the second Time, and committed to Mr. *Sinnickson* and Mr. *Symmes*.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, February 14, 1777.

The House met.

Mr. *Condict*, with Leave of the House, brought in a Bill, intituled, *An Act to confiscate the Estates of certain inimical Persons*; which was read the first Time, and ordered a second Reading.

Mr. *Cooper*, with Leave of the House; brought in a Bill, intituled, *An Act for recovering the Arrearages of the Ten Thousand Pounds Tax, and for other Purposes therein mentioned*; which was read the first Time and ordered a second Reading.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

The House took into Consideration the Amendments made by the House of Assembly to the Bill, intituled, *An Act to obviate Doubts with Respect to the Authority of Counsellors*, and, after some Time spent therein,

Resolved,

That this House doth agree to the first and second of the said Amendments, and as to the third and last of the said Amendments,

Resolved,

That the House doth not agree to the said third Amendment, but in that Part adhere to the Bill.

Ordered,

That Mr. *Paterfon* do carry the said Bill and Amendments to the House of Assembly, and acquaint them with the foregoing Resolutions.

Mr. *Paterfon* reported, that he had obeyed the Order of the House.

Mr. *Basset* and Mr. *Newbold*, from the House of Assembly, brought back the Bill, intituled, *An Act to obviate Doubts with Respect to the Authority of Counsellors*, with the Amendments thereto annexed, and acquainted this House that the House of Assembly adhere to all the Amendments made by them to the said Bill.

The Bill, intituled, *An Act to empower certain Persons within the State of New-Jersey to take in Protections, and to administer the State Oaths*; was read a second Time,

Time, and, on the Question, whether the same be ordered a third Reading? It was carried in the Negative.

Ordered,

That the said Bill do lie on the Table.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, February 15, 1777.

The House met.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and Mr. *Scudder* reported that the two Houses had met at the House of *Thomas Smith*.

The House adjourned till *Monday* next Three o'Clock, *P. M.*

Monday, February 17, 1777.

The House met.

The House adjourned till To-morrow Morning.

Tuesday, February 18, 1777.

The House met.

Mr. *Mehelm* and Mr. *Drake*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to repeal Part of an Act, intituled, An Act for raising four Battalions*; which was read the first Time, and ordered a second Reading.

The Bill, intituled, *An Act to prevent Desertion from the Army of the United American States, and for other Purposes therein mentioned*, was read the second Time, and committed to Mr. *Symmes* and Mr. *Condict*.

The Bill, intituled, *An Act to repeal the eighth Section of an Act, intituled, An Act for the raising of four Battalions*, was read the second Time, and ordered a third Reading.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and Mr. *Fell* reported that the Council and Assembly had met at the House of *Thomas Smith*.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, February 19, 1777.

The House met.

The Bill, intituled, *An Act to repeal the eighth Section of an Act, intituled, An Act for the raising of four Battalions*; was read the third Time, and, on the Question,

Resolved,

That the same do pass.

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Elmer* do acquaint the House of Assembly therewith.

Mr.

Mr. *Elmer* reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act to confiscate the Estates of certain inimical Persons*, was read the second Time, and committed to Mr. *Paterfon* and Mr. *Symmes*.

The Bill, intituled, *An Act to prevent the Exportation of Provisions, and other Articles therein mentioned*, was read the second Time, and ordered a third Reading.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

The Engrossed Bill, intituled, *An Act for regulating Elections*, was read and compared; and, on the Question, whether the said Bill do pass? It passed in the Affirmative.

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Condiēt* do carry the said Bill to the House of Assembly, and desire their Concurrence therein.

Mr. *Condiēt* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, February 20, 1777.

The House met.

The Bill, intituled, *An Act to prohibit the Exportation of Provisions and other Articles therein mentioned*, was read the third Time, and, on the Question, whether the said Bill do pass? It passed in the Affirmative.

Ordered,

That the President do sign the said Bill.

Ordered,

That Mr. *Symmes* do acquaint the House of Assembly that the said Bill is passed in this House without any Amendments.

Mr. *Symmes* reported, that he had obeyed the Order of the House.

The Council, having taken into Consideration the Proclamation of His Excellency General *Washington*, of the 25th of *January* last, whereby it appears that certain of the Inhabitants of this State are required to repair to Head-Quarters, or to the Quarters of the nearest General Officer of the Continental Arms or Militia, and take the Oath of Allegiance to the United States of *America*.

Resolved,

That His Excellency the Governor be requested to write to His Excellency General *Washington* to know whether by the Oath above-mentioned is to be understood the Oath of Allegiance prescribed by an Act of the General Assembly of this State; and if not, that they request to be furnished with a Copy of the Oath administered by Virtue of the said Proclamation.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, February 21, 1777.

The House met.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and Mr. *Fell* reported that the Council and Assembly had met at the House of *Thomas Smith*.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, February 22, 1777.

The House met.

Mr. *Symmes*, from the Committee to whom was referred the Bill, intituled, *An Act to prevent Desertions from the Army of the United American States, and other Purposes therein mentioned*, reported, that the Committee had gone through the said Bill, and made sundry Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Symmes* read the said Report in his Place, and delivered it in at the Table.

And the said Amendments being again read, were agreed to by the House, and ordered to be engrossed.

The Bill, intituled, *An Act to prevent Desertions, &c.* was read the third Time with the Amendments in their Places; and, on the Question, whether the said Bill as amended do pass? It passed in the Affirmative.

Ordered,

That the President do sign the said Bill and Amendments.

Ordered,

That Mr. *Condict* do carry the said Bill and Amendments to the House of Assembly, and desire their Concurrence in the said Amendments.

Mr. *Condict* reported, that he had obeyed the Order of the House.

Mr. *Tallman* and Mr. *Coxe*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for better regulating the Militia*, which was read the first Time, and ordered a second Reading.

The House adjourned till Nine o'Clock Monday Morning.

Monday, February 24, 1777.

The House met.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, February 25, 1777.

The House met.

Mr. *Combs*, Mr. *Vandike*, Mr. *Wetherby*, Mr. *Coxe* and Mr. *Somers*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for Support of Government of the State of New-Jersey, to commence the twenty-seventh Day of August One Thousand Seven Hundred and Seventy-six, and to end the second Tuesday in October One Thousand Seven Hundred and Seventy-seven, and to discharge the publick Debts and contingent Charges thereof*, which was read the first Time, and ordered a second Reading.

The

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The Bill, intituled, *An Act for better regulating the Militia*, was read the second Time, and committed to a Committee of the whole House.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, February 26, 1777.

The House met.

Mr. *Price* and Mr. *Eldridge*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to empower the Marshal of the Court of Admiralty to secure and sell the Prize Vessel or Brigantine called The Defiance, lately taken by the Militia of this State*; which was read the first Time, and ordered a second Reading.

Mr. *Mehelm* and Mr. *Dick*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to empower the Inhabitants of Lower-Penn's-Neck, in the County of Salem, to rebuild and keep in repair the Bridge and Causeway in the Road leading from Stony-Island, through the Township of Marnington, to the Salem Great Road*; which was read the first Time, and ordered a second Reading.

Mr. *Buck* and Mr. *Newbold*, from the House of Assembly, brought back from the House of Assembly the Bill re-engrossed with the Amendments made by this House and passed by the House of Assembly, intituled, *An Act to prevent Desertion from the Army of the United States of America, and for other Purposes therein mentioned*; which Re-engrossed Bill having been read and compared,

Ordered,

That the President do sign the same.

Mr. *Fell*, from the Committee of the whole House on the Bill, intituled, *An Act for regulating the Militia*, reported that the said Committee had made some Progress in the Business to them committed, and requested Leave to sit again.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President reported that the Council and Assembly had met at the House of *Thomas Smith*.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, February 27, 1777.

The House met.

The Bill, intituled, *An Act for the Support of the Government of this State, &c.* was read the second Time, and ordered a third Reading.

The Bill, intituled, *An Act to enable the Inhabitants of Lower-Penn's-Neck, in the County of Salem, to rebuild and keep in repair the Bridge and Causeway, &c.* was read the second Time, and ordered a third Reading.

The Bill, intituled, *An Act to empower the Marshal of the Court of Admiralty to secure and sell the Prize Vessel, &c.* was read the second Time, and ordered a third Reading.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The House went into a Committee of the Whole on the Bill, intituled, *An Act for better regulating the Militia*, and, after some Time spent therein, the President resumed the Chair, and Mr. *Fell* reported, that the Committee had made some farther Progress in the said Bill, and desired Leave to sit again.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, February 28, 1777.

The House met.

The House went into a Committee of the Whole on the Bill, intituled, *An Act for better regulating the Militia*; after some Time spent therein, the President resumed the Chair, and Mr. *Fell* reported, that the said Committee had made some farther Progress in the said Bill, and desired Leave to sit again.

The Bill, intituled, *An Act to empower the Marshal of the Court of Admiralty to secure and sell the Prize Vessel or Brigantine called The Defiance, lately taken by the Militia of this State*, was read the third Time, and, on the Question,

Resolved,

That the same do pass.

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Condict* do acquaint the House of Assembly therewith.

Mr. *Condict* reported, that he had obeyed the Order of the House.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The House went into a Committee of the Whole on the Bill, intituled, *An Act for better regulating the Militia*; and, after some Time spent therein, the Vice-President resumed the Chair, and Mr. *Fell* reported, that the said Committee had made some farther Progress therein, and desired Leave to sit again.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President reported, that the Council and Assembly had met at the House of *Thomas Smith*.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, March 1, 1777.

The House met.

The House went into a Committee of the Whole on the Bill, intituled, *An Act for better regulating the Militia*; after some Time the Vice-President resumed the Chair, and Mr. *Fell* reported that the said Committee had made some farther Progress in the said Bill, and made fundry Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Fell* read the said Amendments in his Place, and delivered them in at the Table.

Mr. *Fell*, with Leave of the House, farther reported, that with Respect to some Amendments proposed to the said Bill, the Committee find some Difficulties which they apprehend make a Conference with the House of Assembly requisite, and therefore recommend it to the House to propose such Conference.

The

The House, having taken the said Report into Consideration, and being of Opinion that the Conference proposed is necessary,

Ordered,

That Mr. *Condict*, Mr. *Scudder*, Mr. *Elmer*, Mr. *Symmes* and Mr. *Paterfon*, and such other Members at choose to attend, be a Committee to meet with a Committee of the House of Assembly in a free Conference on the subject Matter of the Bill, intituled, *An Act for regulating the Militia*; and that the Vice-President be requested to assist in the said Conference; that the said Committees meet at the House of *Thomas Smith* at three o'Clock this Afternoon, and that Mr. *Fell* do acquaint the House of Assembly therewith, and desire they will appoint a Committee for that Purpose.

Ordered,

That Mr. *Sinnickson* have Leave of Absence for a few Days on extraordinary Business.

Mr. *Fell* reported, that he had obeyed the Order of the House.

A Message was received from the House of Assembly by Mr. *Eldridge* in the Words following, *viz.*

Ordered,

'That Mr. *Tallman*, Mr. *Dick*, Mr. *Holmes*, Mr. *Coxe*, Mr. *Price*, Mr. *Mehelm*, Mr. *Bogart*, Mr. *Harris*, Mr. *Camp* and Mr. *Somers*, and such other Members as choose to attend, be a Committee to meet with a Committee of the Council in a free Conference on the subject Matter of the Bill, intituled, *An Act for better regulating the Militia*; and that the Speaker be requested to assist in the said Conference; and that Mr. *Eldridge* do acquaint the Council therewith; and that the Committee of this House will attend at the Time and Place appointed by the Council.'

The House adjourned till Monday Morning Nine o'Clock.

Monday, March 3, 1777.

The House met.

The Bill, intituled, *An Act to empower the Inhabitants of Lower-Penn's-Neck, in the County of Salem, to rebuild and keep in repair the Bridge and Causeway in the Road leading from Stony-Island, through the Township of Manington, to the Salem Great Road*, was read the third Time, and, on the Question,

Resolved,

That the same do pass.

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Symmes* do acquaint the House of Assembly therewith.

A Message was received from the House of Assembly by Mr. *Bowen* and Mr. *Manning*, in the Words following:

Ordered,

'That Mr. *Combs*, Mr. *Dick*, Mr. *Tallman*, Mr. *Eldridge* and Mr. *Newbold*, or any three of them, be a Committee to join a Committee of the Council to settle the Accounts of *Richard Smith*, Esq. late Treasurer of this State, and burn the cancelled Money in his Hands, and make Report to the House; and that Mr. *Bowen* and Mr. *Manning* acquaint the Council therewith, and desire they will appoint a Committee for that Purpose, with Time and Place of Meeting.'

The Council, having taken the said Message into Consideration,
Ordered,

That Mr. *Fell*, Mr. *Cooper* and Mr. *Elmer*, or any two of them, be a Committee to join with the Committee of the House of Assembly to settle the Accounts of *Richard Smith*, Esq. late Treasurer of this State, and burn the cancelled Money in his Hands, and make Report of their Proceedings to this House; that the said Committees meet for that Purpose at the House of *Samuel Kinnard* at five o'Clock this Afternoon; and that Mr. *Symmes* do acquaint the House of Assembly therewith.

Mr. *Symmes* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, March 4, 1777.

The House met.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and Mr. *Scudder* reported that the Council and Assembly had met at the House of *Thomas Smith*.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, March 5, 1777.

The House met.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and Mr. *Scudder* reported that the Council and Assembly had met at the House of *Thomas Smith*.

To-

DR.	RICHARD SMITH, late Treasurer, in Ac—
<i>September 28.</i> Balance of <i>John Smyth</i> , Esq. late Eastern Treasurer's Account, 1776. settled by the Committees of both Houses,	£. 807 : 17 : 6
<i>November 23.</i> Received of <i>John Holmes</i> , Esq. Chairman of the County Committee of <i>Monmouth</i> , by the Hands of <i>Joseph Holmes</i> , Esq. being Militia Fines,	17 : 8 : 0
<i>December 2.</i> Received of Governor <i>Livingston</i> , being Part of the Money paid by <i>John Dennis</i> , Esq. late Treasurer, to him as Brigadier-General of Militia,	347 : 5 : 0
Received of <i>Eli Eldridge</i> , Esq. being the <i>Cape-May</i> Quota of the Sinking Fund for the present Year,	250 : 7 : 0
<i>December 3.</i> Received of <i>Joseph Smith</i> , Esq. late Treasurer, being the Balance due from him as settled by the Committees of Council and Assembly,	6146 : 9 : 2
<i>December 8.</i> Received of <i>Samuel Tucker</i> , Esq. late Treasurer,	1504 : 4 : 0
	£. 9073 : 10 : 8

To-morrow being the Day appointed by His Excellency's Proclamation for a publick Fast;

The House adjourned till Nine o'Clock *Friday* Morning.

Friday, March 7, 1777.

The House met.

Mr. *Fell*, from the Committee appointed to join with a Committee of the House of Assembly to settle the Accounts of *Richard Smith*, Esq. late Treasurer of this State, and burn the cancelled Money in his Hands, reported, that the said Committees had met according to Order, and settled the said Accounts, and burned the cancelled Money in the Hands of the said late Treasurer, and that he was ready to make Report thereof when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Fell* read the said Report in his Place and delivered it in at the Table; by which it appears that there is a Balance due to the State from the said late Treasurer of *Four Thousand Two Hundred and Fifty-five Pounds Five Shillings and Seven-pence*; and that the cancelled Money found in the Hands of the said late Treasurer, and burned by the said Committees, amounted to *Six Thousand Two Hundred and Fifty-four Pounds Eight Shillings*. And the said Report being again read, on the Question, whether the House approve thereof? It was carried in the Negative.

A Message was received from the House of Assembly by Mr. *Coxe* and Mr. *Tallman*, in the Words following:

' Mr. *Combs*, from the Committee appointed to join a Committee of the Council to settle the Account of *Richard Smith*, Esq. late Treasurer, made report of the same as follows:

count with the State of *New-Jersey*, per Contra,

CR.

March 4. By fundry Vouchers from No. 1, to No. 100,			
1777. inclusive,		£. 4693 : 5 : 1	
By six Months Service as Treasurer,		125 : 0 : 0	
		—————	£. 4818 : 5 : 1
Balance due to the State,	-	-	4255 : 5 : 7

£. 9073 : 10 : 8

Haddonfield, March 4, 1777.

HAVING examined the above Account and the Vouchers thereto, do find a Balance due to the State of *New-Jersey* of *Four Thousand Two Hundred and Fifty-five Pounds Five Shillings and Seven-pence*.

Signed by Order of the Committee,

JOHN FELL,
JOHN COMBS,
SAMUEL DICK,
THEOPHILUS ELMER,
ELI ELDRIDGE.

' Which

‘ Which being read and agreed to by the House,

‘ *Ordered,*

‘ That *Richard Smith*, Esq. do pay the Balance of the said Account into the Hands of the Honourable *John Stevens*, Esq. for the Treasurer, and that thereupon Mr. Secretary *Pettit* do deliver up Mr. *Smith's* Bond. Mr. *Combs* further reported, that the Committees had burned the cancelled Money in Mr. *Smith's* Hands, amounting to *Six Thousand Two Hundred and Fifty-four Pounds Eight Shillings*.

‘ *Ordered,*

‘ That Mr. *Coxe* and Mr. *Tallman* do desire the Concurrence of the Council therewith.’

Mr. *Scudder*, from the Committee appointed on the first Instant, to meet with a Committee of the House of Assembly in a free Conference on the subject Matter of the Bill, intituled, *An Act for regulating the Militia*, reported, that the said Committees had met in Conference according to Order, and had agreed upon sundry Articles to be recommended to their respective Houses, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Scudder* read the said Articles agreed upon in his Place, and delivered them in at the Table.

And the same being again read, were agreed to by the House, and are as follow:

YOUR Committee appointed to confer with a Committee of the Honourable House of Assembly respecting the subject Matter of the Bill, intituled, *An Act for better regulating the Militia*, beg Leave to report,

1st. As it is highly reasonable that the Burden of the publick Service should be laid as equal as possible on all the Inhabitants; and as every Principle of Justice and civil Society requires, that all such as may be exempted from actual Service in the Militia should, in a pecuniary Way, contribute their just Proportion towards the Defence and Preservation of the Government under which they claim, and are entitled to receive, Protection: The Conferees are of Opinion, and do accordingly recommend, that such Persons as are of the Age of fifty and upwards, and are exempted from military Service on the Score of Age; and such as are between the Ages of sixteen and fifty, and are exempted on the Score of Inability of Body; and such as are exempted on the Score of Profession or Office; should be taxed in Lieu of, and by Way of Equivalent for their Exemption. The Exempts, taken in one collective Point of View, compose the most opulent Part of the Community, and, during the present interesting Contest, many of them have been unprofitable, if not wholly useles.

2dly. That on all Exempts there should be assessed, besides other Taxes, a Rate or Tax to the same Amount, and in the same Proportion, as they would pay in such Year when the Sum of *Fifteen Thousand Pounds* was directed to be raised.

3dly. That every Person exempted as aforesaid from actual Service in the Militia, who shall, at his own Expence, fit out any one or more Son or Sons, under Age and living in his Service, Apprentice or Apprentices, Servant or Servants, and keep him or them properly equipped and accoutred as by Law is required, shall, for every Son, Apprentice, or Servant so kept equipped and accoutred as aforesaid, be entitled to a Deduction of one third Part of the said Tax: And if he shall so fit out and keep equipped and accoutred three or more Sons, Apprentices and Servants, he shall not be subject to the Payment of any such Tax.

4thly.

4thly. That the Money arising from the Taxation of Exempts shall be deposited in the State Treasury, and be set apart and appropriated as a Fund for the Relief and Benefit of such as may be wounded, and of the Widows and Children of such as may die in the Service of the State, in Proportion to their respective Necessities.—This sound Policy, and Justice, and Humanity, and the Faith of this State plighted by the late Convention, most clearly demand.

5thly. As light Horse are extremely useful and necessary, that there be three Companies of Horse raised in this State; that each Company consist of thirty-three Privates, and be officered by a Captain, Lieutenant and Cornet, who shall be considered as of equal Rank with the Captains, first Lieutenants and Ensigns, of Foot Militia.

6thly. That the Horse Militia, when in actual Employ, shall, as a Compensation for their personal Service, have the same Pay, Rations and Allowance, as the Horse of the United States of *America*; and, as the Horsemen furnish themselves with Horses, they shall, when in actual Service, be allowed at the Rate of *One Shilling and Six-pence* a Day, over and besides the Continental Pay, as a Compensation for the Use of their Horses.

7thly. That the Commander in Chief for the Time being, with the Advice of the Legislature, or in its Recess with the Advice of the Privy Council, in case the Militia of this State shall be requested by the Honourable Congress to assist the Continental Army in this State, or any of the neighbouring States, be empowered to call into actual Service, the Whole or such Part of the Militia as he shall deem necessary.

8thly. That, in order to enforce Men to give personal Service, every non-commissioned Officer or Soldier, who shall neglect or refuse to march when called upon on an Invasion or Alarm, or who, when the Company to which he belongs shall be convened for the Purpose of raising Levies or detaching the Whole or Part of the Militia for the Defence of this State, or any of the neighbouring States, shall neglect or refuse to march when detached in his turn, or to provide a fit Person to march in his Stead, shall, for each Offence, be fined in any Sum not less than *Five Pounds*, nor more than *Thirty Pounds*, to be deposited in the State Treasury, and appropriated in such Manner as the Legislature shall direct.

9thly. That there be an Appeal from the Assessment of Fines.

10thly. That when any Part of the Militia is called out, the Commission-Officers be authorised to make the Detachment from the Companies which they command, and to determine who shall go, paying proper Attention to the Course or Routine of Duty.

11thly. That, in order to furnish with Arms such as may be detached, but are not properly equipped, the Commission-Officers be empowered to take, under proper Regulations, the Arms of those who remain.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, March 8, 1777.

The House met.

The House resumed the Consideration of the Report on the late Treasurer's Account, and, after some Time spent therein,

Resolved,

That the Sum of *One Hundred and Twenty-five Pounds*, passed to the Credit of *Richard Smith*, Esq. late Treasurer of this State, in the Account reported by the Committees appointed to settle the said late Treasurer's Account for 'six Months Services as Treasurer,' is not warranted by Law, nor by any Vote or Resolution concurred in by this House.

That as to the Sum of *Eight Hundred Pounds*, passed to the Credit of the said late Treasurer in the said Account, as paid to *Thomas Denny*, Esq. on the 19th of *February* last, it does not appear to this House by what Authority, nor for what Purpose, the same was disbursed by the said late Treasurer.

Ordered,

That Mr. *Scudder* do wait on the House of Assembly, and, in answer to their Message of Yesterday, desiring the Concurrence of this House in their Resolution 'that *Richard Smith*, Esq. do pay the Balance of his Account as late Treasurer 'into the Hands of the Honourable *John Stevens*, Esq. for the Treasurer, and 'that thereupon Mr. Secretary *Pettit* do deliver up Mr. *Smith's* Bond,'—acquaint them that this House cannot at present concur in the said Resolution, having not yet approved the Report of their Committee appointed to join with a Committee of the House of Assembly to settle the Account of the said *Richard Smith*, Esq. late Treasurer ; but have come to the foregoing Resolution thereon.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Scudder* reported, that he had obeyed the Order of the House.

A Message was received from the House of Assembly by Mr. *Mebelm* and Mr. *Board*, in the Words following :

' *Ordered,*

' That Mr. *Mebelm* and Mr. *Board* wait upon the Council, and, in answer to ' their Message of this Day, inform them that the *One Hundred and Twenty-five* ' *Pounds* allowed to *Richard Smith*, Esq. late Treasurer, was in Consideration of ' a Promise made him by the Assembly at *Burlington*, upon his taking upon him ' the Execution of the Office, and was stipulated to be in Lieu of all Perquisites ' allowed former Treasurers. That the *Eight Hundred Pounds* passed to the Credit ' of Mr. *Smith's* Account, was Money advanced to *Thomas Denny*, Esq. pursuant ' to a Resolution of the Assembly, to which the Concurrence of the Council was ' obtained, to be laid out in purchasing Arms for the Use of this State, for ' which Mr. *Denny* is accountable.'

A Message was received from the House of Assembly by Mr. *Camp* and Mr. *Drake*, in the Words following, *viz.*

' *Resolved,*

' That the Commissioners appointed by a Joint-Meeting of the Council and Assembly of this State to meet at *York-Town*, to confer with the other Commissioners ' from the States of *New-York*, *Pennsylvania*, *Delaware*, *Maryland* and *Virginia*, ' on the Subject of adopting such a System of Regulation as may be most suitable to those States, be allowed and paid the Sum of *Twenty-five Shillings* a Day ' each, for the Time they shall be employed in that Service.

' *Ordered,*

' That Mr. *Camp* and Mr. *Drake* do wait on the Council and desire their Concurrence to the said Resolution.'

The House, having taken the said Message into Consideration,

Resolved,

That this House doth concur in the Resolution therein contained.

Ordered,

That Mr. *Symmes* do acquaint the House of Assembly therewith.

On a Motion made,

Resolved unanimously,

That on every Question for the finally passing a Bill in this House, the Names of the Members present, with the Yeas and Nays on such Question, be entered on

on the Journals of the House: And that the like Entry be made on every other Question, if the same shall be moved for by any Member, and the Motion be seconded.

Mr. *Symmes* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o'Clock *Monday* Morning.

Monday, March 10, 1777.

The House met.

The House resumed the Consideration of the Message from the House of Assembly of *Friday* last respecting the Payment of the Balance of the late Treasurer's Account, and the delivering up Mr. *Smith's* Bond; and the Message of *Saturday* last respecting the said late Treasurer's Account; and, after some Time spent therein,

Ordered,

That Mr. *Scudder* do wait on the House of Assembly and acquaint them that it is Matter of great Concern to this House to be under a Necessity of denying their Assent to any Request of the House of Assembly: But they conceive the publick Money cannot legally be drawn out of the Treasury, nor appropriated, without a Law for the Purpose; or the Assent of the Legislature signified in some other Way. They would, with the utmost Care, avoid any Act that might have the least Tendency to infringe the Rights of the House of Assembly, and they think themselves bound to guard their own Rights with equal Caution. The placing *One Hundred and Twenty-five Pounds* to the Credit of the late Treasurer for 'six Months Service' as Treasurer, in the Account reported from the Joint Committees of both Houses, and approved by the House of Assembly, is an Appropriation to which the Assent of this House was never given, nor even asked. The House is, indeed, informed by the Message from the Assembly of *Saturday* last, that this Sum allowed to the late Treasurer 'was in Consideration of a Promise made him by the Assembly at *Burlington*, upon his taking upon him the Execution of the Office, and was stipulated to be in Lieu of all Perquisites allowed former Treasurers.' How far it was proper for the Assembly to make such a Promise, without the Assent of the Council, is submitted to their Consideration. The accustomed Salaries to Treasurers of this State have not exceeded *Forty Pounds* per Annum to each when there were two; and the Salary given in the Support Bill for the present Year, when there is but one, is *Fifty Pounds*. What Sum may be due to the late Treasurer for extraordinary Services, and in Lieu of Perquisites, the House have had no Opportunity of judging with any Degree of Precision, not having had the Circumstances laid before them: And it is worthy of Remark, that neither this Promise, nor the Stipulation upon which it was made, was ever intimated to this House till after the Account of the said late Treasurer was stated, reported and approved by the House of Assembly; and then was communicated in a Manner that seemed to imply that the Concurrence of this House was not necessary, or that it must follow of Course without their Agency. But as they are the Representatives of the People, and the Guardians of the Rights and Privileges of their Constituents, in equal Degree with the House of Assembly, and in all Respects a free and Independent Branch of the Legislature, they apprehend it is not only their Right, but their indispensable Duty to guard against the Appropriation of any of the publick Money till they shall be fully satisfied of the Propriety and Utility of such Appropriation: They cannot therefore concur in the Order for delivering up the said late Treasurer's Bond, till sufficient Reasons shall appear to convince them that the Allowance of *One Hundred and Twenty-five Pounds* for

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the short Time he held the Treasury, will be a proper Appropriation of so much of the publick Money.

That as to the *Eight Hundred Pounds*, paid to Mr. *Denny* by the late Treasurer, the House may possibly have misconceived the Matter. But as the Resolution in which they concurred, for paying Money to Mr. *Denny*, respected only the purchasing Arms for a Number of Men enlisted in Colonel *Potter's* Battalion, which Order they supposed to be satisfied by a preceding Article in the said Treasurer's Account; and as this Charge of *Eight Hundred Pounds* is of some Weeks later Date than the Marching of Colonel *Potter's* Battalion, the House conceived it to be a proper Object of Inquiry; and would submit to the Consideration of the House of Assembly, the Propriety of reducing Resolutions for Grants of so important a Nature, to Laws, as soon as it can conveniently be done.

Mr. *Scudder* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, March 11, 1777.

The House met.

Mr. *Bowen* and Mr. *Buck*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for Preservation of the publick Records of the State of New-Jersey*; which Bill was read the first Time, and ordered a second Reading.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Eldridge* and Mr. *Moore*s, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for establishing Magazines of Arms, Ammunition and Warlike Stores, in the several Counties of this State; and to postpone the sinking of so much of the Quotas of the Sinking Fund Tax for the Years One Thousand Seven Hundred and Seventy-six, and One Thousand Seven Hundred and Seventy-seven, as may be necessary for defraying the Expence thereof*; which was read the first Time, and ordered a second Reading.

A Message was received from the House of Assembly by Mr. *Mehelm* and Mr. *Newbold*, in the Words following:

' *Ordered,*

' That Mr. *Mehelm* and Mr. *Newbold* do wait on the Council, and, in answer to their Message of Yesterday, acquaint them,

' That this House is fully sensible of the Necessity of the Concurrence of their House at all Times, in order to a legal Disposition of the publick Money, and would doubtless have applied to the Council in the Case referred to in their Message had it been in their Power: But being informed that there was not a sufficient Number in Town to do Business at that Time, the House was under the Necessity of making the best Bargain they could with the late Treasurer, especially as they understood that the Council had not accepted his Security, which of Course left the late Treasurer at Liberty with Respect to his Acceptance of the Office, and which he positively refused upon any lower Conditions than the Sum mentioned in the Account.

' The Danger of leaving an Office of such Importance vacant, and the publick Money thereby exposed, at a Time when the Enemy were marching thro' the State, will, we hope, justify the Measure not only in the Opinion of the good People we represent, but also in the Opinion of the Council themselves,

' when

‘ when fully informed, and sufficiently exculpate this House from the implied
‘ Censure of a Design of infringing on the Rights of Council.

‘ That the Application to Council since the Meeting of the Legislature at this
‘ Place was omitted, has not been owing to Design, but to Want of Recollection
‘ only.

‘ The Council has misconceived the Matter as to the Payment of the *Eight*
‘ *Hundred Pounds* to Mr. *Denny*, for although the Resolution in which they con-
‘ curred for paying the Money is of an earlier Date than the Marching of a Part
‘ of Colonel *Potter*’s Battalion, yet a very considerable Part of that Battalion un-
‘ der Major *Taylor*, marched at or about the Time said Charge is dated ; and the
‘ preceding Article referred to by the Council in their Message, was a Sum drawn
‘ for paying the Bounties, &c. to the Men enlisted for four Months, or until the
‘ first of *April* ; but on Account of the late Treasurer’s Resignation, Mr. *Denny*
‘ doubted whether he would pay it, although authorised by Law, unless by ex-
‘ press Order of the House.’

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and Mr. *Scudder* reported, that the Coun-
cil and Assembly had met at the House of *Thomas Smith*.

The House adjourned till Nine o’Clock To-morrow Morning.

Wednesday, March 12, 1777.

The House met.

Mr. *Manning* and Mr. *Board*, from the House of Assembly, presented, for the
Concurrence of this House, a Bill, intituled, *An Act for the Relief of Insolvent*
Debtors ; which was read the first Time, and ordered a second Reading.

A Message was received from the House of Assembly by Mr. *Wetherby* and Mr.
Peterfon, in the Words following :

‘ His Excellency’s Message of Yesterday recommending it to this House “ in
“ Conjunction with the other Branch of the Legislature to appoint a President, or
“ in his Absence a Vice-President, with a Council consisting of twelve, five of
“ whom to be a Quorum, with certain Powers and Authorities in the said Message
“ mentioned, or such others as the Legislature may think necessary for the salu-
“ tary Purposes thereby intended,” &c. was read the second Time,

‘ Ordered,

‘ That Mr. *Wetherby* and Mr. *Peterfon* do wait on the Council and acquaint
‘ them, that this House desire a free Conference with the Council on the subject
‘ Matter of the said Message, and desire them to appoint the Time and Place of
‘ Meeting.’

Mr. *Wetherby* and Mr. *Peterfon* also handed to the House His Excellency’s Mes-
sage referred to in the above Message.

The Council, having taken the said Message from the House of Assembly, to-
gether with His Excellency’s Message therein referred to, into Consideration,

Ordered,

That Mr. *Scudder*, Mr. *Symmes*, Mr. *Paterfon* and Mr. *Cooper*, together with
such other Members as shall choose to attend, be a Committee to meet with a
Committee of the House of Assembly in a free Conference on the subject Matter
of their Message of this Morning ; and that the Vice-President be requested to
assist in the said Conference : That the said Committees meet at the House of
Thomas Smith at twelve o’Clock this Day ; and that Mr. *Fell* do acquaint the House
of Assembly therewith, and desire them to appoint a Committee for that Purpose.

Mr. *Fell* reported, that he had obeyed the Order of the House.

The House resumed the Consideration of the Bill, intituled, *An Act for better regulating the Militia*, and, having made an Amendment thereto, the said Amendment was read and agreed to by the House.

The Bill, intituled, *An Act for better regulating the Militia*, was read the third Time with the Amendment in it's Place; and, on the Question, Whether the said Bill as amended do pass? It passed in the Affirmative *nemine contradicente*.

Ordered,

That the President do sign the said Bill and Amendment.

Ordered,

That Mr. *Paterfon* do carry the said Bill and Amendment to the House of Assembly, and desire their Concurrence in the said Amendment.

A Message was received from the House of Assembly by Mr. *Eldridge* and Mr. *Newbold*, in the Words following:

Ordered,

‘ That Mr. *Combs*, Mr. *Bogart*, Mr. *Price*, Mr. *Vandike*, Mr. *Coxe*, Mr. *Harris*, Mr. *Wetherby* and Mr. *Mehelm*, and such other Members as shall choose to attend, be a Committee, to meet with a Committee of the Council in a free Conference on the subject Matter of the Message of this House to the Council of this Morning, and His Excellency the Governor's Message of Yesterday; and that the Speaker be requested to assist in the said Conference; and that Mr. *Eldridge* and Mr. *Newbold* do wait on the Council and acquaint them therewith; and that the Committee of this House will attend at the Time and Place appointed by the Council.’

Mr. *Paterfon* reported, that he had obeyed the Order of the House.

Mr. *Cooper*, with Leave of the House, brought in a Bill, intituled, *An Act for the Regulation of Constables*; which was read the first Time, and ordered a second Reading.

The Bill, intituled, *An Act for the Preservation of the publick Records of the State of New-Jersey*, was read the second Time, and ordered a third Reading.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The Bill, intituled, *An Act for establishing Magazines of Arms, &c.* was read the second Time, and ordered a third Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, March 13, 1777.

The House met.

Mr. *Sinnickson*, with Leave of the House, brought in a Bill, intituled, *A supplementary Act to an Act, entitled, An Act to erect and establish Courts in the several Counties in this Colony for the Trial of small Causes, and to repeal the former Act for that Purpose*; which was read the first Time, and ordered a second Reading.

A Message was received from the House of Assembly by Mr. *Brown* and Mr. *Hathorne*, in the Words following:

Ordered,

‘ That Mr. *Brown* and Mr. *Hathorne* do carry to the Council the Bill, intituled, *An Act for better regulating the Militia*, and inform them that this House do agree to all the Amendments made thereto by the Council, except that Part of
‘ the

‘ the 54th Section in the said Act, beginning at the Word *And* in the 15th Line
 ‘ of said 54th Section to the End thereof, which Part is rejected by this House.
 ‘ And also that this House have made two Amendments to the Bill, which are
 ‘ annexed thereto, to which they desire the Concurrence of the Council.’

Mr. *Camp* and Mr. *Buck*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to prevent the distilling of Wheat, Rye and other Grain*, which was read the first Time, and ordered a second Reading.

The House having taken into Consideration the Message from the House of Assembly of this Morning respecting the Bill, intituled, *An Act for the better regulating the Militia*; on the Question, whether the House recede from that Part of their Amendment which the House of Assembly have rejected? It passed in the Affirmative *nemine contradicente*.

On the Question, whether the House agree to the two Amendments made to the said Bill by the House of Assembly? It passed in the Affirmative, *nem. con.*

Ordered,

That Mr. *Fell* do carry the Bill, intituled, *An Act for the better regulating the Militia*, with the Amendments thereto annexed, to the House of Assembly, and acquaint them that this House has receded from that Part of their Amendment to the said Bill, which was rejected by the House of Assembly: And that this House has agreed to the two Amendments made by the House of Assembly to the Amendment of this House.

Mr. *Stevens*, from the Committee appointed to meet with a Committee of the House of Assembly in a free Conference on the subject Matter of the Message from the House of Assembly of Yesterday, and of the Governor's Message to them therein referred to, reported, that the said Committees had met in a free Conference according to Order, and that he was ready to report the Proceedings of the said Committees when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Stevens* read the said Report in his Place, and delivered it in at the Table.

And the said Report being again read, was agreed to by the House, and is as follows, *viz.*

‘ YOUR Committee appointed to confer with a Committee of the Honourable
 ‘ House of Assembly on the subject Matter of His Excellency's Message of the
 ‘ 11th Instant, to the House of Assembly, beg Leave to report,

‘ 1st. That the Conferees are unanimously of Opinion that, in the present Situation of publick Affairs, it is highly expedient and necessary to invest, by Law, His Excellency the Governor, and a Council consisting of twelve, five of whom to be a Quorum, with the Authority and Powers expressed in His Excellency's Message, to be exercised for the Space of six Months, unless sooner revoked by the Legislature, and no longer.

‘ 2d. That such Council should be composed of Persons selected out of the Council and Assembly.

‘ JOHN STEVENS, *Chairman.*

‘ JOHN COMBS.’

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The Bill, intituled, *An Act for the regulating of Constables*, was read the second Time, and ordered a third Reading.

The Bill, intituled, *An Act to prevent the distilling of Wheat, Rye and other Grain*, was read the second Time, and sundry Amendments made thereto.

The Bill, intituled, *A supplementary Act to an Act, intituled, An Act to erect and establish Courts in the several Counties in this Colony for the Trial of small Causes, and to repeal the former Act for that Purpose*; was read the second Time, and ordered a third Reading.

Mr. *Scudder*, with Leave of the House, brought in a Bill, intituled, *An Act to amend an Act, intituled, An Act for the Security of the Government of New-Jersey*; which was read the first Time, and ordered a second Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, March 14, 1777.

The House met.

The Bill, intituled, *An Act to prevent the distilling of Wheat, Rye and other Grain*, was read the third Time with the Amendments in their Places; and, on the Question, whether the said Bill as amended do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President to sign the said Bill and Amendments.

Ordered,

That Mr. *Symmes* do carry the said Bill and Amendments to the House of Assembly, and desire their Concurrence in the said Amendments.

Mr. *Symmes* reported, that he had obeyed the Order of the House.

A Message was received from the House of Assembly by Mr. *Camp* and Mr. *Board*, in the Words following:

'The House being of Opinion that the Loan-Office Money lately removed from this State to *Baltimore* in *Maryland*, should be sent for, in order that the same may be signed and delivered to the Loan-Officers in such Counties as have not received their Quota of the said Money,

'*Resolved,*

'That *John Stevens, jun. Esq.* the present Treasurer of this State, do employ some suitable Person or Persons to bring the said Money into the State, to be lodged in the Treasury till the same can be signed, and that this House will provide for the Payment, as well of the Expence of carrying the said Money to *Baltimore*, as for bringing the same back to this State,

'*Ordered,*

'That Mr. *Camp* and Mr. *Board* do wait on the Council and desire their Concurrence in the said Resolution.'

The House, having taken the said Message into Consideration,

Resolved,

That the House doth concur in the Resolution contained in the said Message.

Ordered,

That Mr. *Fell* do acquaint the House of Assembly therewith.

Mr. *Newbold* and Mr. *Holmes*, from the House of Assembly, brought back to this House the Bill re-engrossed with the Amendments of this House, intituled, *An Act to prevent the distilling of Wheat, Rye and other Grain*.

Which Re-engrossed Bill having been read and compared,

Ordered,

That the President do sign the same.

Mr. *Fell* reported, that he had obeyed the above Order of the House.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

Mr. Manning and Mr. Drake, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for investing the Governor and a Council consisting of twelve, with certain Powers therein mentioned for a certain limited Time*; which was read the first Time, and ordered a second Reading.

Mr. Manning and Mr. Drake, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to exempt ten Men to be employed at the Union Salt-Works in this State from Service in the Militia*; which Bill was read the first Time, and ordered a second Reading.

The Bill, intituled, *An Act for the regulating of Constables*, was read the third Time; and, on the Question, whether the said Bill do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. Cooper do carry the said Bill to the House of Assembly for their Concurrence.

Mr. Cooper reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act to amend an Act, intituled, An Act for the Security of the Government of New-Jersey*, was read the second Time; and, on the Question, whether the said Bill be ordered a third Reading? It passed in the Negative.

The Bill, intituled, *An Act for Support of Government of the State of New-Jersey, to commence the twenty-seventh Day of August One Thousand Seven Hundred and Seventy-six, and to end the second Tuesday in October One Thousand Seven Hundred and Seventy-seven, and to discharge the publick Debts and contingent Charges thereof*, was read the third Time; and, on the Question, whether the said Bill do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. Symmes do acquaint the House of Assembly therewith.

Mr. Symmes reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act for the Preservation of the publick Records of the State of New-Jersey*, was read the third Time; and, on the Question, whether the said Bill do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. Symmes do acquaint the House of Assembly therewith.

Mr. Symmes reported, that he had obeyed the Order of the House.

A Message was received from the House of Assembly by Mr. Bowen and Mr. Wetherby, in the Words following:

' It having been represented to the House, that Major Hall and Lieutenant Keen, with two Sergeants and twenty-four Privates of the first Battalion of Salem County Militia, have been ordered by General Putnam as a Guard to convey several Tory Prisoners from Princeton to Haddonfield; and that the said Service has necessarily detained such Party three Days longer than the Time for which they had drawn either Pay or Rations; and the Officers having prayed an Allowance of Pay and Rations for said Time,

‘ *Resolved,*

‘ That the Treasurer of this State pay to *Nicholas Keen* the Sum of *Twenty Pounds* for the Use of said Party, whose Receipt shall discharge the Treasurer for so much of the publick Money in his Hands.

‘ *Ordered,*

‘ That Mr. *Bowen* and Mr. *Wetherby* do wait on the Council, and request their Concurrence with the said Resolution.’

The Council, having taken the said Resolution into Consideration,

Resolved,

That the House doth concur therein.

Ordered,

That Mr. *Hand* do acquaint the House of Assembly therewith.

The Bill, intituled, *An Act for investing the Governor and a Council consisting of twelve, with certain Powers therein mentioned for a limited Time*; was read the second Time, and ordered a third Reading.

Mr. *Hand* reported, that he had obeyed the above Order of the House.

A Message was received from the House of Assembly by Mr. *Bowen* and Mr. *Wetherby*, in the Words following :

‘ *Resolved,*

‘ That the Treasurer of this State pay to Colonel *John Cleves Symmes*, for the Use of *Benjamin Halfey*, Pay-Master to the Battalions ordered to be raised in the four Months Service, the Sum of *One Hundred and Forty-six Pounds Five Shillings*, being for the Bounty paid to sixty-four Men enlisted in Captain *James Broderick’s* Company; and that the Receipt of the said *John Cleves Symmes* or *Benjamin Halfey* shall be a sufficient Voucher for Payment thereof.

‘ *Ordered,*

‘ That Mr. *Bowen* and Mr. *Wetherby* do wait on the Council and desire their Concurrence to the said Resolution.’

The Council, having taken the said Message into Consideration,

Resolved,

That the House doth concur in the Resolution contained therein.

Ordered,

That Mr. *Elmer* do acquaint the House of Assembly therewith.

The House adjourned till Nine o’Clock To-morrow Morning.

Saturday, March 15, 1777.

The House met.

Mr. *Drake* and Mr. *Brown*, from the House of Assembly, brought back the Bill, intituled, *An Act for the regulating of Constables*, being passed by the House of Assembly without Amendment.

Mr. *Mebelm* and Mr. *Harris*, from the House of Assembly, brought back the Bill re-engrossed, with the Amendments agreed upon by both Houses, intituled, *An Act for better regulating the Militia*; which Re-engrossed Bill having been read and compared,

Ordered,

That the President do sign the same.

Mr. *Mebelm* and Mr. *Manning*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to authorize the present Treasurer to sign such of the unsigned Bills of Credit of this State as were directed by*

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Law to be signed by the late Treasurers, and for other Purposes therein mentioned ; which was read the first Time, and ordered a second Reading.

Mr. *Coxe* and Mr. *Bowen*, from the House of Assembly, brought back to this House the Bill, intituled, *An Act for regulating Elections*, with sundry Amendments made thereto by the House of Assembly, to which Amendments they desired the Concurrence of this House.

The House adjourned till half past Two o'Clock, P. M.

The House met pursuant to Adjournment.

A Message was received from the House of Assembly by Mr. *Basset* and Mr. *Moores*, in the Words following :

' The Letter from the Governor, enclosing a Letter from the Vice-President of the Committee of Safety at *Philadelphia*, was read the second Time, whereupon,
' *Resolved*,

' That it is the Opinion of this House that His Excellency the Governor be requested to afford such Aid to the Committee of Safety of *Pennsylvania*, as the Situation of the Affairs of this State will admit of, towards completing the Fortification erecting at *Billingport*, on the Conditions proposed by the said Committee.

' *Ordered*,

' That Mr. *Basset* and Mr. *Moores* do wait on the Council and desire their Concurrence with this Resolution.'

The Council, having taken the said Message into Consideration,

Resolved,

That this House doth concur therein.

Ordered,

That Mr. *Symmes* do acquaint the House of Assembly therewith.

Mr. *Symmes* reported, that he had obeyed the Order of the House.

A Message was received from the House of Assembly by Mr. *Hathorne* and Mr. *Buck*, in the Words following :

' *Resolved*,

' That Mr. *Coxe* and Mr. *Mehelm* be a Committee to join a Committee of the Council to burn the cancelled Money in the Treasurer's Hands, and make Report to the House.

' *Ordered*,

' That Mr. *Hathorne* and Mr. *Buck* do wait on the Council and desire they will appoint a Committee for that Purpose, with the Time and Place of Meeting.'

The Council, having taken the said Message into Consideration,

Ordered,

That Mr. *Fell* and Mr. *Paterfon*, or either of them, be a Committee to join with a Committee of the House of Assembly to burn the cancelled Money in the Treasurer's Hands, and make Report thereof to this House ; and that the said Committees meet for that Purpose at six o'Clock this Evening at the House of *Hugh Creighton*.

Ordered,

That Mr. *Hand* do acquaint the House of Assembly therewith.

Mr. *Hand* reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act to exempt ten Men to be employed at the Union Salt-Works in this State, from Service in the Militia* ; was read the second Time, and ordered a third Reading.

The Bill, intituled, *An Act for establishing Magazines of Arms, Ammunition and Warlike Stores in the several Counties of this State, and to postpone the sinking of so much of the Quotas of the sinking Fund Tax for the Years One Thousand Seven Hundred and Seventy-six, and One Thousand Seven Hundred and Seventy-seven, as may be necessary for defraying the Expence thereof*, was read the third Time; and, on the Question, whether the said Bill do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Symmes* do acquaint the House of Assembly therewith.

Mr. *Symmes* reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act for investing the Governor and a Council consisting of twelve, with certain Powers therein mentioned for a limited Time*, was read the third Time; and, on the Question, whether the same do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the said Bill.

Ordered,

That Mr. *Cooper* do acquaint the House of Assembly therewith.

Mr. *Cooper* reported, that he had obeyed the Order of the House.

Mr. *Coxe* and Mr. *Manning*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for granting an annual Salary to the Secretary of this State, in Lieu of his Fees on the Commissions of Justices, Coroners and Militia Officers*; which Bill was read the first Time, and ordered a second Reading.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and Mr. *Scudder* reported that the Council and Assembly had met at the House of *Thomas Smith*.

The House adjourned till Nine o'Clock Monday Morning.

Monday, March 17, 1777.

The House met.

A Message was received from the House of Assembly by Mr. *Camp* and Mr. *Board*, containing a Resolution of the 28th of *February*, in the Words following:

' *Samuel Miller, jun.* having produced Receipts for the Sale of one Thousand and one Pounds of Salt-Petre, manufactured within this State, and his Affidavit that he has not received any Part of the Bounty ordered to be paid by the Congresses of this State,

' *Resolved,*

' That the Treasurer pay to the said *Samuel Miller, jun.* or his Order, the Sum of *Fifty Pounds One Shilling*, as a Bounty, agreeable to an Ordinance of the said Congress.

' *Ordered,*

' That Mr. *Camp* and Mr. *Board* do wait on the Council, and desire their Concurrence with this Resolution.'

The Council, having taken the said Message into Consideration,

Resolved,

That the House doth concur therein.

Ordered,

That Mr. *Symmes* acquaint the House of Assembly therewith.

Mr.

Mr. *Symmes* reported, that he had obeyed the Order of the House.

Mr. *Combs* and Mr. *Manning*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for defraying sundry Incidental Charges*; which was read the first Time, and ordered a second Reading.

The Bill, intituled, *An Act to exempt ten Men to be employed at the Union Salt-Works in this State, from Service in the Militia*, was read the third Time; and, on the Question, whether the said Bill do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the said Bill.

Ordered,

That Mr. *Fell* do acquaint the House of Assembly therewith.

The Bill, intituled, *An Act for granting an annual Salary to the Secretary of this State, in Lieu of his Fees on the Commissions of Justices, Coroners and Militia Officers*; was read the second Time, and ordered a third Reading.

Mr. *Fell* reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act to authorize the present Treasurer to sign such of the unsigned Bills of Credit of this State as were directed by Law to be signed by the late Treasurers, and for other Purposes therein mentioned*; was read the second Time, and ordered a third Reading.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

The Bill, intituled, *An Act to authorize the present Treasurer to sign such of the unsigned Bills of Credit of this State as were directed by Law to be signed by the late Treasurers, and for other Purposes therein mentioned*, was read the third Time; and, on the Question, whether the said Bill do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the said Bill.

Ordered,

That Mr. *Scudder* do acquaint the House of Assembly therewith.

The Bill, intituled, *An Act for defraying sundry Incidental Charges*, was read the second Time, and ordered a third Reading.

A Message was received from the House of Assembly by Mr. *Vandike* and Mr. *Peterfon*, in the Words following:

‘Ordered,

‘That Mr. *Tallman*, Mr. *Buck*, Mr. *Dick*, Mr. *Bogart*, Mr. *Mehelm*, Mr. *Camp* and Mr. *Price*, and such other Members as choose to attend, be a Committee to join with a Committee of the Council in a free Conference on forming and agreeing upon such Resolutions as may be thought proper to be carried into Effect by the Governor and Council of Safety lately established in this State in the Recess of the Legislature; and also on the subject Matter of General *Maxwell's* Letter respecting the Pay of the Men in the four Months Service; and that Mr. Speaker be requested to assist in the said Conference.

‘Ordered,

‘That Mr. *Vandike* and Mr. *Peterfon* do wait on the Council and desire them to appoint a Committee for the Purposes aforesaid, with Time and Place of Meeting.’

Mr. *Scudder* reported, that he had obeyed the Order of the House.

The Council, having taken the foregoing Message from the House of Assembly into Consideration,

Ordered,

That Mr. *Sinnickson*, Mr. *Cooper*, Mr. *Hand* and Mr. *Symmes*, or any two of them, and such other Members as choose to attend, be a Committee to meet with a Committee of the House of Assembly in a free Conference on forming and agreeing upon such Resolutions as may be thought proper to be carried into Effect in the Recess of the Legislature, by the Governor and a Council of Safety lately established in this State : And also on the subject Matter of General *Maxwell's* Letter respecting the Pay of the Men in the four Months Service ; that the Vice-President be requested to assist in the said Conference, and that the said Conference be held at the House of *Thomas Smith* at seven o'Clock this Evening.

Ordered,

That Mr. *Fell* acquaint the House of Assembly therewith.

The Bill, intituled, *An Act for granting an annual Salary to the Secretary of this State, in Lieu of his Fees on the Commissions of Justices, Coroners and Militia Officers*, was read the third Time ; and, on the Question, whether the said Bill do pass ? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the said Bill.

Ordered,

That Mr. *Symmes* do acquaint the House of Assembly therewith.

The Bill, intituled, *An Act for defraying sundry Incidental Charges*, was read the third Time ; and, on the Question, whether the said Bill do pass ? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the said Bill.

Ordered,

That Mr. *Symmes* acquaint the House of Assembly therewith.

A Message was received from the House of Assembly by Mr. *Eldridge* and Mr. *Buck*, in the Words following :

Ordered,

' That Mr. *Eldridge* and Mr. *Buck* do wait on the Council and desire to know ' if they have any further Business before them, if not, that this House intends to ' adjourn this Evening.'

Ordered,

That Mr. *Scudder* do wait on the House of Assembly, and acquaint them that the Council, having no farther Business before them which they apprehend requires immediate Dispatch, have no Objection to an Adjournment this Evening.

Mr. *Symmes* reported, that he had obeyed the Order of the House.

Mr. *Scudder* reported, that he had obeyed the Order of the House.

Mr. *Sinnickson*, from the Committee appointed to meet with a Committee of the House of Assembly in a free Conference on the subject Matter of General *Maxwell's* Letter respecting the Pay of the Men in the four Months Service, reported, that the said Committees had met in a free Conference according to Order, and had agreed upon a Resolution to be submitted to the Consideration of the House, which he was ready to report when the House would be pleased to receive the same ; whereupon Mr. *Sinnickson* read the said Resolution in his Place, and delivered

delivered it in at the Table ; and the same being again read, was agreed to by the House, and is as follows :

THE Committee, taking into Consideration General *Maxwell's* pressing Application for the Pay of the four Months Men and Militia of this State, and finding it impracticable, from the present State of the Treasury, to discharge the Arrears due to the Men,

Resolved,

That His Excellency the Governor be desired to apply to Congress on the Subject, and to urge the Necessity of their pointing out an Expedient for satisfying the Demands of the Soldiery, and allaying the Clamours at present subsisting among them for Want of their Pay.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, March 18, 1777.

The House met.

A Message was received from the House of Assembly by Mr. *Newbold* and Mr. *Manning*, in the Words following:

Resolved,

' That the Treasurer of this State pay to the Honourable *John Witherspoon*, *Abraham Clark*, *Jonathan Dickinson Sergeant* and *Jonathan Elmer*, Esquires, Delegates in Congress, the Sums due to each of them severally, for their Attendance in Congress to the 13th Instant, as certified per Bill from each of those Gentlemen, allowed by the Vice-President of the Council, or Speaker of the House of Assembly, and that the Treasurer take Receipts for the same, which shall be sufficient Vouchers to account with the Legislature of this State for the Money so paid.'

Ordered,

' That Mr. *Newbold* and Mr. *Manning* do wait on the Council and desire their Concurrence in this Resolution.'

The Council, having taken the said Message into Consideration,

Resolved,

That this House doth concur in the Resolution therein contained.

Ordered,

That Mr. *Fell* acquaint the House of Assembly therewith.

A Message was received from the House of Assembly by Mr. *Newbold* and Mr. *Manning*, in the Words following :

' Large Sums of Money being due to the Militia of *New-Jersey*, who now are, and for some Time past have been in the Continental Service, from the United States of *America* ;

Resolved,

' That the Delegates of this State in the Honourable the Congress, be desired to obtain from the Congress the Sum of *One Hundred Thousand Dollars* for discharging the same ; and that the said Delegates pay the Money by them to be received, in the Manner following, *to wit*, To the Speaker of this House *Twenty Thousand Dollars* for paying the Militia of the Counties of *Hunterdon*, *Burlington*, *Somerset*, *Monmouth* and *Middlesex* ; to Colonel *Caleb Camp* *Thirty Thousand Dollars* for paying the Militia enlisted in the four Months Service of this State ; to the Honourable *Andrew Sinnickson*, Esq. *Ten Thousand Dollars* for paying the Militia of *Gloucester*, *Salem* and *Cumberland* ; to *Jacob Drake*, Esq. *Ten Thousand Dollars* for paying the Militia of *Suffex*, *Essex*, *Morris* and *Bergen* ; and to the

' Treasurer

‘ Treasurer of this State the remaining *Thirty Thousand Dollars* ; whose respective
 ‘ Receipts for the said Sums so by them respectively to be received, shall be to
 ‘ the said Delegates a full Discharge for the same : And in case any Deficiency shall
 ‘ happen in any of the Sums so allotted for the Payment of the said Militia and Men
 ‘ enlisted in the four Months Service, in the Hands of either of the Persons ap-
 ‘ pointed to pay the same, such Person be hereby authorized to draw on the Trea-
 ‘ surer of this State for the Sum so deficient, provided any such Draught does
 ‘ not exceed the said *Thirty Thousand Dollars* paid into the Treasury as aforesaid ;
 ‘ and that the Receipt of such Person be to the said Treasurer a full Discharge
 ‘ for the same.

‘ *Ordered,*

‘ That Mr. *Newbold* and Mr. *Manning* do carry the said Resolution to the Coun-
 ‘ cil for their Concurrence.

The Council, having taken the said Message into Consideration,

Resolved,

That this House doth concur in the Resolution therein contained.

Ordered,

That Mr. *Fell* do acquaint the House of Assembly therewith.

Mr. *Fell* reported, that he had obeyed the two foregoing Orders of the House.

His Excellency the Governor was pleased to acquaint the House that the Speaker
 of the House of Assembly had informed him that the House of Assembly was ad-
 journed till the 21st Day of *May* next, to meet at *Haddonfield*.

HADDONFIELD, May 7, 1777.

Pursuant to a Notification from His Excellency the Governor, the House met.

The House adjourned till Nine o’Clock To-morrow Morning.

Thursday, May 8, 1777.

The House met.

The House adjourned till Nine o’Clock To-morrow Morning.

Friday, May 9, 1777.

The House met.

The House adjourned till Nine o’Clock To-morrow Morning.

Saturday, May 10, 1777.

The House met.

A Message was received from the House of Assembly by Mr. *Newbold* and
 Mr. *Wetherby*, in the Words following, *viz.*

‘ His Excellency’s Message of Yesterday, with a Letter from the Honourable
 ‘ *John Hancock*, Esq. of the 16th of *April* last, enclosing Resolves of Congress,
 ‘ recommending it to the Legislatures of the respective States to complete their
 ‘ Battalions, were read the second Time, and the House having considered the
 ‘ same, and conceiving it a Matter of great Importance to the States, that the
 ‘ Battalions of this State should be speedily completed,

‘ *Ordered,*

‘ That Mr. *Mebelm*, Mr. *Combs*, Mr. *Price*, Mr. *Camp*, Mr. *Dick*, Mr. *Tallman*,
 ‘ Mr. *Mott*, Mr. *Drake* and Mr. *Harris*, and such other Members as shall choose

‘ to

‘ to attend, be a Committee to join a Committee of the Council in a free Conference on the subject Matter of the said Message and Resolves ; that the Speaker be requested to assist in the said Conference ; and that Mr. *Newbold* and Mr. *Wetherby* do wait on the Council and acquaint them therewith, and desire they will appoint a Committee for that Purpose, with the Time and Place of Meeting.’

The House, having taken the said Message into Consideration,

Ordered,

That Mr. *Scudder*, Mr. *Symmes*, Mr. *Condict* and Mr. *Paterfon*, or any three of them, and such other Members as shall choose to attend, be a Committee to join with a Committee of the House of Assembly in a free Conference on the subject Matter of the Governor’s Message to the House of Assembly of Yesterday, with a Letter from the Honourable *John Hancock*, Esq. of the 16th of *April* last, and the Resolves of Congress recommending it to the Legislatures of the respective States to complete their Battalions ; that the Vice-President be requested to assist in the said Conference ; and that the said Committees do meet in Conference at the House of *Thomas Smith* at two o’Clock this Afternoon.

Ordered,

That Mr. *Sinnickson* do acquaint the House of Assembly therewith.

Mr. *Sinnickson* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o’Clock *Monday* Morning.

Monday, May 12, 1777.

The House met.

Mr. *Manning* and Mr. *Hobnes*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to revive and continue several Courts of Justice in this State* ; which was read the first Time, and ordered a second Reading.

The Bill, intituled, *An Act to revive and continue several Courts of Justice in this State*, was read the second Time, and sundry Amendments made thereto.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

The Bill, intituled, *An Act to revive and continue several Courts of Justice in this State*, was read the third Time with the Amendments in their Places ; and, on the Question, whether the said Bill as amended do pass ? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the said Bill and Amendments.

Ordered,

That Mr. *Scudder* do carry the said Bill and Amendments to the House of Assembly, and desire their Concurrence in the said Amendments.

Mr. *Scudder* reported, that he had obeyed the Order of the House.

Mr. *Wetherby* and Mr. *Newbold*, from the House of Assembly, brought back the Bill, intituled, *An Act to revive and continue several Courts of Justice in this State*, re-engrossed, with the Amendments of this House ; which Re-engrossed Bill having been read and compared,

Ordered,

That the President do sign the same.

Mr. *Scudder*, from the Committee appointed on *Saturday* last to meet a Committee from the House of Assembly in a free Conference on the subject Matter of the

the Governor's Message, &c. reported, that the said Committees had met in Conference according to Order, and come to sundry Resolutions, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Scudder* read the said Report in his Place, and delivered it in at the Table.

And the said Report having been again read, was agreed to by the House, and is as follows, *viz.*

YOUR Committee appointed to meet in Joint Conference with a Committee of the Honourable House of Assembly on the subject Matter of the Resolutions of Congress dated the 14th Day of *April* last, beg Leave to report,

1st. That it is the Opinion of said Committees that the first two Articles recommended by Congress in said Resolutions, do not come properly under the Consideration of the Legislative Department of this State, and ought therefore to be referred wholly to the executive Branch.

2d. That the third Article in said Resolutions, whereby it is recommended that any two of the Militia, who shall enlist one Recruit for the Continental Service, be exempted from actual Service in the Militia during the Term of such Enlistment, ought to be complied with; provided that their Freedom from actual Service shall not be construed to extend to an Exemption from a punctual Attendance upon monthly and general Trainings, or from being embodied and doing Duty (in case of Alarm) within their own Counties respectively, under all the Regulations of the Militia Law. This will appear at first View necessary, if it be considered that, at so interesting a Period as the present, the most fatal Consequences might arise from a general Neglect, of military Discipline: As, in case of an Invasion, to which this State is peculiarly liable, and to which the Enemy, being acquainted with such Neglect, would be proportionably the more inclined, we should in a great Measure be deprived of that Capacity of Defence, which we now so eminently possess—add to which, that, as we abound with Enemies within our own Borders, even a partial Relaxation in military Discipline might prove destructive to us.

3d. That if any two Exempts shall enlist one Recruit for the Continental Service, they shall be free from the Payment of the Tax which they are at present by Law, in Consequence of their Exemption, subjected to, also from actual Service in the Militia (should the Cause of Exemption cease) during the Term of Enlistment of such Recruit.

4th. That the Officers of the four Battalions only, which compose the Quota of this State in the Continental Army, may be authorized to enlist any white Servants or Apprentices within the same, upon the following Conditions, *viz.* that for such as are enlisted upon the Continental Bounty only, their Masters or Mistresses shall respectively receive from the Publick, and for such as shall be entered as Substitutes, they shall be paid by the Persons engaging them, any Sum not exceeding *Twenty Pounds* for each.

5th. That the imprisoning or otherwise restraining the Soldiers in the Continental Service, be prohibited for any Debt not exceeding *Fifty Dollars*.

May 12, 1777.

NATHANIEL SCUDDER, *Chairman*.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, May 13, 1777.

The House met.

Mr.

Mr. *Symmes* and Mr. *Paterfon* had Leave of Absence to attend the Supreme Court at *Burlington*.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, May 14, 1777.

The House met.

A Message was received from the House of Assembly, bearing Date the 13th Instant, by Mr. *Drake* and Mr. *Mott*, in the Words following :

' His Excellency's Message of the 9th Instant was read the second Time, recommending it to the House " in Conjunction with the Council to consent by Resolution that the Council of Safety do forthwith cause to be apprehended and imprisoned such and so many of the nominal Council of his *Britannick* Majesty within this State, and disaffected to it, or as many other disaffected Persons as they may think sufficient to induce the Enemy to release the Honourable *John Fell*, Esq. lately taken in this State and carried to *New-York*."

' *Ordered,*

' That Mr. *Dey*, Mr. *Shaffer*, Mr. *Newbold*, Mr. *Mickle*, Mr. *Vandike*, Mr. *Cook*, Mr. *Holmes* and Mr. *Moore*s, and such other Members as choose to attend, be a Committee to join a Committee of the Council in a free Conference on the subject Matter of said Message ; and also on the present State of the Government ; that the Speaker be requested to assist in the said Conference ; and that Mr. *Drake* and Mr. *Mott* do wait on the Council and acquaint them therewith, and desire them to appoint a Committee for that Purpose, with Time and Place of Meeting.'

The House, having taken the said Message into Consideration,

Ordered,

That Mr. *Simickson*, Mr. *Cooper*, Mr. *Scudder* and Mr. *Hand*, or any three of them, and such other Members as shall choose to attend, be a Committee to meet with a Committee of the House of Assembly in a free Conference on the subject Matter of His Excellency's Message of the 9th Instant to the House of Assembly, as mentioned in their Message of Yesterday, and also on the present State of the Government ; that the Vice-President be requested to assist in the said Conference ; and that the said Committees do meet in Conference at the House of *Thomas Smith* at eleven o'Clock To-morrow Morning.

Ordered,

That Mr. *Condict* do acquaint the House of Assembly therewith.

Mr. *Condict* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, May 15, 1777.

The House met.

A Message was received from the House of Assembly by Mr. *Holmes* and Mr. *Cook*, in the Words following :

' His Excellency's Message of the 21st of *February* last being read the second Time,

' *Resolved,*

' That the Speaker do apply to the Speakers of Assembly in the Sister States, to be furnished as soon as conveniently may be after the End of every Session, with a Copy of the Acts passed during that Session, engaging to provide them
' with

‘ with an Impression of ours in like Manner, and that the Legislature will provide
‘ for Payment of the necessary Expence.

‘ *Ordered,*

‘ That Mr. *Holmes* and Mr. *Cook* do wait on the Council and desire their Con-
‘ currence in the said Resolution.’

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and Mr. *Scudder* reported that the Council
and Assembly had met at the House of *Thomas Smith*.

The House adjourned till Nine o’Clock To-morrow Morning.

Friday, May 16, 1777.

The House met.

The House took into Consideration the Message from the House of Assembly of
Yesterday, relative to the exchanging Impressions of the Laws with the Legislatures
of the neighbouring States,

Resolved,

That this House doth concur in the Resolution contained in the said Message.

Ordered,

That Mr. *Elmer* do acquaint the House of Assembly therewith.

Mr. *Elmer* reported, that he had obeyed the Order of the House.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

The House adjourned till Nine o’Clock To-morrow Morning.

Saturday, May 17, 1777.

The House met.

The Honourable *Richard Smith*, Esq. one of the Members of this House, hav-
ing not attended at this Sitting of the Legislature, pursuant to Notice sent to him
by His Excellency the Governor; but in answer to the said Notification hath,
by Letter to His Excellency, tendered a Resignation of his Seat in Council;
which Letter was laid before the House by His Excellency: And the House hav-
ing taken the said Letter into Consideration;

Resolved,

That the House do not conceive themselves authorised by the Constitution to
accept the Resignation of any of its Members.

Ordered,

That the Clerk of the House do transmit a Copy of the foregoing Resolution
to the said *Richard Smith*, Esq. together with a Requisition that he immediately
attend his Duty in his Place in Council in *Haddonfield*.

Ordered,

That the said Requisition be transmitted by the Sergeant at Arms; and that
Mr. *Smith* do pay the Expence thereof.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

A Message was received from the House of Assembly by Mr. *Newbold* and Mr. *Peterfon*, in the Words following :

‘ *Resolved*,

‘ That *Thomas Denny*, Esq. do deliver such of the Arms as are in his Care belonging to the State, to the Commanding Officers of such Detachments of the Militia as are, or may be ordered out in actual Service, and take the Commanding Officer’s Receipt for the same, to be returned to Mr. *Denny* at the Expiration of the Time the Detachments are to serve ; and if any of the said Arms are embezzled or negligently lost in the Service, that so much of the Wages of the Men losing them, be stopped by the Officer as will make good the Loss.

‘ *Ordered*,

‘ That Mr. *Newbold* and Mr. *Peterfon* do carry the said Resolution to the Council for their Concurrence.’

The Council, having taken the said Message into Consideration,

Resolved,

That this House doth concur in the Resolution therein contained.

Ordered,

That Mr. *Cooper* do acquaint the House of Assembly therewith.

A Message was received from the House of Assembly by Mr. *Cook* and Mr. *Hathorne*, in the Words following:

‘ *Resolved*,

‘ That Mr. *Tallman*, Mr. *Mott* and Mr. *Brown*, be a Committee to join a Committee of the Council to collect all the Accounts relative to Prisoners, and furnish Mr. *Boudinot* therewith, to enable him to settle with General *Howe*, whenever it may be necessary ; and to collect and adjust all the publick Accounts with the Continental Congress, the States of *Pennsylvania* and *New-York*, and lay them before the Legislature at the next Sitting of Assembly, in order that a general Settlement with the Congress may be gone into relative to this State : And that the Legislature will allow a reasonable Compensation for the Trouble of transacting the said Business.

‘ *Ordered*,

‘ That Mr. *Cook* and Mr. *Hathorne* do wait on the Council, and desire they will appoint a Committee for the above Purposes.’

The House, having taken the said Message into Consideration,

Ordered,

That Mr. *Symmes* be a Committee to join with a Committee of the House of Assembly to collect all the Accounts relative to Prisoners, and furnish Mr. *Boudinot* therewith ; and also to collect and adjust all the publick Accounts with the Continental Congress, and the States of *Pennsylvania* and *New-York*, and lay them before the Legislature at the next Sitting of Assembly, in order that a general Settlement may be made with the Congress.

Resolved,

That this House will agree that the Legislature allow a reasonable Compensation for the Trouble of transacting the said Business.

Ordered,

That Mr. *Cooper* do acquaint the House of Assembly with the foregoing Order and Resolution.

Mr. *Cooper* reported, that he had obeyed the Order of the House.

The House adjourned till *Monday* Morning Nine o’Clock.

Monday, May 19, 1777.

The House met.

The Honourable *Richard Smith*, Esq. one of the Members of this House, having not attended at this Sitting of the Legislature pursuant to Notice sent him by His Excellency the Governor; but in answer thereto by Letter to His Excellency tendered a Resignation of his Seat in Council; and the House having taken the said Letter into Consideration did, on *Saturday* last, resolve that they did not conceive themselves authorised by the Constitution to accept the Resignation of any of their Members; and did thereupon order that the Clerk of the House transmit to the said *Richard Smith*, Esq. by the Sergeant at Arms, at the Expence of the said Mr. *Smith*, a Copy of the said Resolution, together with a Requisition that he immediately attend his Duty in his Place in Council at *Haddonfield*: And the Clerk having informed the House that he had obeyed the said Order, and that he had received a Letter from the said Mr. *Smith*, in answer to the aforesaid Requisition, which, with Leave, he laid before the House: The said Letter was read, and is in the Words following, *viz.*

‘ Sir,

‘ I RECEIVED Yours of this Day. I have no Doubt that I had, as every Member has, a Right to resign, consequently I cannot deem myself now a Member of Council, nor attend as such; and I believe that an Order for my paying Fees is not warranted by any Law.

‘ I am, with Esteem, Sir,

‘ your most humble Servant,

‘ RICHARD SMITH.

‘ *Charles Pettit*, Esq.

Burlington, May 17, 1777.’

The House having taken the said Letter into Consideration and deliberated thereon, and having also taken into Consideration the Conduct of the said Mr. *Smith* as a Counsellor, for some Time past,

Resolved,

That it is the Duty of every Member of this House to attend in his Place in Council on being duly summoned thereto by His Excellency the Governor.

That the said *Richard Smith*, Esq. hath evidently neglected and refused to perform the Duties of his Station as a Member of this House, in divers Instances, and particularly by contumaciously withholding his Attendance in the same at this Sitting, though duly and repeatedly summoned.

Resolved,

That the said *Richard Smith*, Esq. be expelled, and he is hereby expelled from his Seat in this House.

Mr. *Moore* and Mr. *Bowen*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for completing the four Battalions of this State in the Continental Service*; which was read the first Time, and ordered a second Reading.

The House adjourned till Three o’Clock, P. M.

The House met pursuant to Adjournment.

The Bill, intituled, *An Act for completing the four Battalions of this State in the Continental Service*, was read the second Time, and committed to Mr. *Symmes* and Mr. *Condict*.

The House adjourned till Nine o’Clock To-morrow Morning.

Tuesday,

Tuesday, May 20, 1777.

The House met.

Mr. *Symmes*, from the Committee to whom was referred the Bill, intituled, *An Act for completing the four Battalions of this State in the Continental Service*, reported, that the Committee had gone through the said Bill, and made sundry Amendments thereto, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Symmes* read the said Report in his Place, and delivered it in at the Table.

And the said Amendments being again read, were agreed to by the House, and ordered to be engrossed.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The Bill, intituled, *An Act for completing the four Battalions of this State in the Continental Service*, was read the third Time, with the Amendments in their Places; and, on the Question, whether the said Bill as amended do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the said Bill and Amendments.

Ordered,

That Mr. *Paterfon* do carry the said Bill and Amendments to the House of Assembly, and desire their Concurrence in the said Amendments.

Mr. *Paterfon* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, May 21, 1777.

The House met.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Mehelm* and Mr. *Manning*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *A supplementary Act to an Act, intituled, An Act for the better regulating the Militia*; which was read the first Time, and ordered a second Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, May 22, 1777.

The House met.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, May 23, 1777.

The House met.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, May 24, 1777.

The House met.

Mr. *Mebelm* and Mr. *Peterfon*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to enable the Governor or Commander in Chief for the Time being to cause a Vessel of War to be fitted out at the Expence of this State*; which was read the first Time, and ordered a second Reading.

Mr. *Woodhull* and Mr. *Bowen*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to exempt a Number of Men to be employed at the Iron-Works at Batsto and Mountholly, in the County of Burlington, from actual Service in the Militia, under the Restrictions and Regulations therein mentioned*; which was read the first Time, and ordered a second Reading.

The House adjourned till Nine o'Clock Monday Morning.

Monday, May 26, 1777.

The House met.

A Petition from fundry Militia Officers in the County of *Monmouth*, proposing, for the Reasons therein set forth, some Amendments to the Militia Law, respecting the levying and collecting Fines.

The Bill, intituled, *A supplementary Act to an Act, intituled, An Act for the better regulating the Militia*; was read the second Time, and ordered a third Reading.

The House resumed the Consideration of the Bill, intituled, *An Act for regulating Elections*, with the Amendments made thereto by the House of Assembly, and, after some Time spent therein,

Resolved,

That this House agree to the first, third, fourth, fifth, ninth, tenth and twelfth Amendments made to the said Bill, and disagree to all the Rest of the said Amendments.

Ordered,

That Mr. *Condiēt* do acquaint the House of Assembly therewith, and that the Council request a free Conference with the House of Assembly on the subject Matter of the said Bill and Amendments.

Ordered,

That Mr. *Cooper*, Mr. *Elmer*, Mr. *Condiēt*, Mr. *Hand*, Mr. *Scudder* and Mr. *Sinnickson*, or any four of them, be a Committee to meet with a Committee of the House of Assembly in a free Conference on the subject Matter of the said Bill and Amendments, and that Mr. Vice-President be requested to assist in the said Conference; that Mr. *Condiēt* do wait on the House of Assembly and acquaint them therewith, and request them to appoint a Committee for that Purpose; and that the said Committees meet at the House of *Thomas Smith* at nine o'Clock on *Wednesday* Morning next, if agreeable to the House of Assembly.

Mr. *Condiēt* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, May 27, 1777.

The House met.

A Message

A Message was received from the House of Assembly by Mr. *Camp* and Mr. *Wetherby*, in the Words following :

‘ *Ordered,*

‘ That Mr. *Combs*, Mr. *Mehelm*, Mr. *Drake*, Mr. *Mickle*, Mr. *Mott*, Mr. *Moores*, Mr. *Dey*, Mr. *Cook*, Mr. *Coxe*, Mr. *Manning*, Mr. *Bowen* and Mr. *Brown*, and such other Members as choose to attend, be a Committee to meet with a Committee of the Council in a free Conference on the subject Matter of the Bill for regulating Elections, and Amendments thereto ; and that the Speaker be requested to assist in the said Conference ; and that the Committee of this House will attend at the Time and Place appointed by the Council.

‘ *Ordered,*

‘ That Mr. *Camp* and Mr. *Wetherby* do wait on the Council and acquaint them therewith.’

The Bill, intituled, *An Act to exempt a Number of Men to be employed at the Iron-Works at Batsto and Mountholly, in the County of Burlington, from actual Service in the Militia, under the Restrictions and Regulations therein mentioned*, was read the second Time, and sundry Amendments made thereto.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

The House withdrew to attend a Joint-Meeting of the Council and Assembly.

After some Time the House returned, and Mr. *Scudder* reported that the Council and Assembly had met at the House of *Thomas Smith*.

The House adjourned till Nine o’Clock To-morrow Morning.

Wednesday, May 28, 1777.

The House met.

Mr. *Combs* and Mr. *Manning*, from the House of Assembly, brought back to this House the Bill, intituled, *An Act for completing the four Battalions of this State in the Continental Service*, re-engrossed with the Amendments made by this House, and passed by the Assembly.

Which Re-engrossed Bill having been read and compared,

Ordered,

That the President do sign the same.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

The House adjourned till Nine o’Clock To-morrow Morning.

Thursday, May 29, 1777.

The House met.

There not being a sufficient Number to do Business,

The House adjourned till Nine o’Clock To-morrow Morning.

Friday, May 30, 1777.

The House met.

A Message was received from the House of Assembly by Mr. *Somers* and Mr. *Vandike*, in the Words following :

‘ Ordered,

‘ That Mr. *Brown* and Mr. *Wetherby* be a Committee to join a Committee of the Council to settle the Accounts of the Expenditure of the *One Hundred Thousand Dollars* drawn from Congress for Payment of the Militia and Men enlisted in the four Months Service of this State, and make Report to the House.

‘ Ordered,

‘ That Mr. *Somers* and Mr. *Vandike* do wait on the Council, and desire they will appoint a Committee for that Purpose, with Time and Place of Meeting.’

The House, having taken the said Message into Consideration,

Ordered,

That Mr. *Condict* and Mr. *Sinnickson*, or any one of them, be a Committee to join with a Committee of the House of Assembly, to settle the Accounts of the Expenditure of the *One Hundred Thousand Dollars* drawn from Congress for Payment of the Militia and Men enlisted in the four Months Service of this State, and to make Report to this House.

Ordered,

That Mr. *Scudder* do acquaint the House of Assembly therewith; and that the said Committees do meet at the House of *Samuel Kinnard* at eight o’Clock this Evening.

Mr. *Scudder* reported, that he had obeyed the Order of the House.

It appearing to the House that Mr. *Fell* and Mr. *Paterfon*, or either of them, were appointed on the 15th of *March* last, as a Committee to join with a Committee of the House of Assembly to burn the cancelled Money in the Treasurer’s Hands, and to make Report thereof to this House: And it also appearing to the House that Mr. *Fell*, who attended as the Committee from this House for the said Purpose, hath since been taken, and is now detained as a Prisoner by the Enemy; and that Mr. *Paterfon*, the other Gentleman appointed on the said Committee, did not attend the said Business.

Mr. *Coxe* and Mr. *Mehelm*, who were the Committee of the House of Assembly for the said Purpose, by Request of the House attended and informed the House that the said Committees had met according to Order, and had burned the cancelled Money in the Hands of the Treasurer, amounting to *Fifteen Thousand Five Hundred and Thirty-four Pounds Ten Shillings and Nine-pence*, being two Parcels certified by the Board of Justices and Freeholders of the County of *Middlesex*, to have been cancelled in the Years 1775 and 1776, as by two Certificates in the Words following, viz.

‘ At a Meeting of the Justices and Freeholders of the County of *Middlesex*, at *Perth-Amboy*, June 20, 1775.

‘ These are to certify that *John Smyth*, Esq. Treasurer of the Eastern Division of *New-Jersey*, laid before this Board the Sum of £. 303 : 16 : 0 in Bills of Credit of said Province, being the Amount of the Sinking Fund for the Year 1771. And also the further Sum of £. 6220 : 7 : 0, being in full of the Sinking Fund for the Year 1772. As also the further Sum of £. 4191 : 2 : 0 in Part of the Sinking Fund for the Year 1773, which said Bills were counted and cancelled, and the Pieces burnt as the Law directs, and bundled and sealed up in a Bag, and marked No. 1, making in the Whole the Sum of *Ten Thousand Seven Hundred and Fifteen Pounds Five Shillings*, Proclamation Money.’

‘ At a Meeting of the Justices and Freeholders of the County of *Middlesex* at *Perth-Amboy*, on *Wednesday* the 8th Day of *May*, 1776.

‘ These are to certify that *John Smyth*, Esq. Treasurer of the Eastern Division of *New-Jersey*, this Day laid before the Board of Justices and Freeholders of the County of *Middlesex*, the Sum of *Four Thousand Eight Hundred and Nineteen Pounds*

‘ *Pounds Five Shillings and Nine-pence*, Proclamation Money, in ragged and torn
 ‘ Bills of Credit of said Province; which said Bills were counted and cancelled,
 ‘ and the Pieces burnt as the Law directs, being put up in a Bag, sealed and
 ‘ marked No. 2.’

The Vice-President farther informed the House that the said Money was burnt at his House and in his Presence.

The House, having taken the foregoing Information into Consideration,
Resolved,

That the same be admitted instead of a regular Report from the said Committee.

Ordered,

That the same be entered accordingly.

The House adjourned till Nine o’Clock To-morrow Morning.

Saturday, May 31, 1777.

The House met.

Mr. *Sinnickson*, from the Committee appointed on the 14th Instant to meet with a Committee of the House of Assembly in a free Conference on the subject Matter of His Excellency’s Message of the 9th Instant to the House of Assembly; and also on the present State of the Government, reported, that the said Committees had met in Conference according to Order, and had come to sundry Resolutions, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Sinnickson* read the said Report in his Place, and delivered it in at the Table.

And the said Report having been again read, was agreed to by the House, and is in the Words following:

YOUR Committee appointed to meet the Committee of the House of Assembly in a free Conference on the present State of this Government, beg Leave to report that the Joint-Committees are of Opinion,

1. That an Act be passed to invest the Governor and a Council of Safety of this State, with Power forthwith to apprehend and imprison such and so many Persons disaffected to the State as they shall think sufficient to induce the Enemy to release such of the Subjects of this Government as have been kidnapped and carried off to them and there detained.

2. To send within the Enemy’s Lines such of the Wives and Children of Persons who have gone to the Enemy, as they shall think necessary.

3. To direct the cleansing of such of the Towns in this State, where Soldiers have been quartered, as they shall think necessary to prevent infectious Diseases.

4. To appoint a Justice or Justices of the Peace in any County where they shall find it necessary, subject to be superseded by the Joint-Meeting at the next Sitting of the General Assembly.

5. To imprison suspicious Persons until the next Court of Quarter-Sessions, who refuse to take the Oaths of Fidelity to the State.

6. To permit Persons suspected or under Prosecution for Felonies, to enlist on Board any of the Ships of War of the United States, or confine them for Trial, as they shall think fit.

7. That they be empowered to carry all their lawful Orders and Directions into Execution by any such Detachments of the Troops of the United States, which they may be able to procure for that Purpose, at the Expence of the said States.

S. That

8. That any House in which the Governor and Council of Safety shall confine or imprison any Person, shall be deemed a Gaol.

9. That the Governor and Council of Safety, where four only of the Council are present, may call in any one Justice of the Peace, or Judge of the Court of Common Pleas, to make up the Quorum of the said Council.

10. That it be Enacted, that when the Governor and Privy Council shall call a Court of Oyer and Terminer, said Court be empowered to try Persons in any County of this State by a Jury of such County, although the Offence may have been committed in any other County.

11. That the Judges shall postpone the Execution of Persons convicted of certain Felonies until the Advice or Direction of the Governor and Council of Safety may be had, who may at their Discretion, either suffer the Persons so convicted to be executed agreeable to said Sentence, or send them on Board any of the Ships of War belonging to any of the United States.

12. And that the Governor and Council of Safety be invested with Power to regulate Passports; and to cause to be apprehended and detained such suspected Persons as shall travel without them.

The Bill, intituled, *An Act to enable the Governor or Commander in Chief for the Time being, to cause a Vessel of War to be fitted out at the Expence of this State*; was read the second Time, and ordered a third Reading.

The House adjourned till Nine o'Clock *Monday* Morning.

Monday, June 2, 1777.

The House met.

Mr. *Cooper*, from the Committee appointed on *Monday* last to meet with a Committee of the House of Assembly in a free Conference on the subject Matter of the Bill, intituled, *An Act for regulating Elections*, and the Amendments made thereto by the House of Assembly, reported, that the said Committees had met according to Order, and that he was ready to make Report of their Proceedings when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Cooper* read the said Report in his Place, and delivered it in at the Table.

And the said Report having been again read, was agreed to by the House, and is in the Words following:

YOUR Committee appointed on *Monday* last to meet with a Committee of the House of Assembly in a free Conference on the subject Matter of the Bill, intituled, *An Act for regulating Elections*, and the Amendments, beg Leave to report,

That the said Committees have met according to Order, and, after some Time spent in Conference,

Resolved,

That it be recommended to the House of Assembly to recede from such of the said Amendments as were disagreed to by the Council.

Mr. *Dey* and Mr. *Bowen*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to pardon such Offenders against the State as shall claim the Benefit thereof*; which was read the first Time, and ordered a second Reading.

A Message was received from the House of Assembly by Mr. *Price* and Mr. *Brown*, in the Words following:

Ordered,

‘ *Ordered,*

‘ That Mr. *Price* and Mr. *Brown* do wait on the Council and inform them that the House of Assembly do recede from such of their Amendments to the Bill, intitled, *An Act for regulating Elections*, as were disagreed to by the Council.’

Ordered,

That the said Bill as amended be engrossed.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

The Bill, intitled, *An Act to pardon such Offenders against the State as shall claim the Benefit thereof*; was read the second Time, and committed to Mr. *Condict* and Mr. *Sinnickson*.

The House adjourned till Nine o’Clock To-morrow Morning.

Tuesday, June 3, 1777.

The House met.

Mr. *Condict*, from the Committee to whom was referred the Bill, intitled, *An Act to pardon such Offenders against the State as shall claim the Benefit thereof*, reported, that the said Committee had gone through the said Bill, and made sundry Amendments thereto, and an Amendment to the Title thereof, which he was ready to report when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately.

Whereupon Mr. *Condict* read the said Amendments in his Place, and delivered them in at the Table.

And the said Amendments being again read, were agreed to by the House, and ordered to be engrossed.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

The Bill, intitled, *An Act to pardon such Offenders against the State as shall claim the Benefit thereof*, was read the third Time, with the Amendments in their Places, and, on the Question, whether the said Bill as amended do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the said Bill and Amendments.

Ordered,

That Mr. *Hand* do carry the said Bill and Amendments to the House of Assembly, and desire their Concurrence in the said Amendments.

Mr. *Hand* reported, that he had obeyed the Order of the House.

The Bill, first read on the 14th of *February* last, intitled, *An Act for recovering the Arrearages of the Ten Thousand Pounds Tax, and for other Purposes therein mentioned*, was read the second Time, and some Amendments having been made therein,

Ordered,

That the said Bill be engrossed.

A Message was received from the House of Assembly by Mr. *Wetherby* and Mr. *Bowen*, in the Words following :

‘ *Ordered,*

‘ That the Treasurer of this State do pay to Captain *Joseph Lewis*, the Sum of *Sixty-two Pounds Seven Shillings and Eleven-pence*, in full of his Account for Expences in bringing up thirty-six Prisoners from *Frederick-Town* to *Salem*.

‘ *Ordered,*

‘ That Mr. *Wetherby* and Mr. *Bowen* do wait on the Council and request their Concurrence therein.’

The House, taking the above Message into Consideration, do concur in the Order therein contained.

Ordered,

That Mr. *Elmer* do acquaint the House of Assembly therewith.

Mr. *Elmer* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o’Clock To-morrow Morning.

Wednesday, June 4, 1777.

The House met.

Mr. *Sinnickson*, with Leave of the House, brought in a Bill, intituled, *An Act to ascertain the Duty of Commissioners of Appeal*; which was read the first Time, and ordered a second Reading.

Mr. *Holmes* and Mr. *Mickle*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *A Supplement to an Act, intituled, An Act to punish Traitors and disaffected Persons*; which Bill was read the first Time, and ordered a second Reading.

Mr. *Dick* and Mr. *Tallman*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for rendering more effectual two certain Acts therein mentioned*; which was read the first Time, and ordered a second Reading.

Mr. *Dick* and Mr. *Tallman*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to suspend the Operation of an Act, intituled, An Act to prevent the distilling Wheat, Rye and other Grain, passed at Haddonfield the 14th Day of March 1777*; which was read the first Time, and ordered a second Reading.

The Bill, re-engrossed, with the Amendments agreed upon by the Council and Assembly, intituled, *An Act for regulating the Election of the Members of the Legislative-Council and Assembly, Sheriffs and Coroners of the State of New-Jersey*, was read and compared; and, on the Question, whether the said Bill do pass? It passed in the Negative, *nem. con.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Condict* do carry the said Bill, together with the former Bill and Amendments, to the House of Assembly.

Mr. *Condict* reported, that he had obeyed the Order of the House.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

A Message was received from the House of Assembly by Mr. *Newbold* and Mr. *Vandike*, in the Words following:

‘ *Ordered,*

‘ That Mr. *Newbold* and Mr. *Vandike* do carry the Bill re-engrossed with the Amendments agreed upon by both Houses, intituled, *An Act for regulating the Election of Members of the Legislative-Council and Assembly, Sheriffs and Coroners of the State of New-Jersey*, to the Council, and acquaint them that the same is passed by this House.’

The Bill, intituled, *An Act for rendering more effectual two certain Acts therein mentioned*, was read the second Time, and ordered a third Reading.

The Bill, intituled, *An Act to ascertain the Duty of Commissioners of Appeal*, was read the second Time, and some Amendments made thereto in the House,

Ordered,

That the said Bill be engrossed.

The Bill, intituled, *An Act for rendering more effectual two certain Acts therein mentioned*, was read the third Time; and, on the Question, whether the said Bill do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the said Bill.

Ordered,

That Mr. Scudder do acquaint the House of Assembly that the said Bill is passed by this House without any Amendments.

Mr. Scudder reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act to suspend the Operation of an Act, intituled, An Act to prevent the distilling of Wheat, Rye and other Grain*, passed at Haddonfield the 14th of March 1777; was read the second Time, and ordered a third Reading.

The Bill, intituled, *A Supplement to an Act, intituled, An Act to punish Traitors and disaffected Persons*; was read the second Time, and ordered a third Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, June 5, 1777.

The House met.

The Bill, intituled, *An Act to exempt a Number of Men to be employed at the Iron-Works at Batsto and Mountholly, in the County of Burlington, from actual Service in the Militia, under the Restrictions and Regulations therein mentioned*, was read the third Time; and, on the Question, whether the same do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. Condict do acquaint the House of Assembly that the said Bill is passed by this House without any Amendments.

Mr. Condict reported, that he had obeyed the Order of the House.

The Engrossed Bill, intituled, *An Act to ascertain the Duty of Commissioners of Appeal*, was read and compared; and, on the Question, whether the said Bill do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. Condict do present the said Bill to the House of Assembly for their Concurrence.

Mr. Condict reported, that he had obeyed the Order of the House.

Mr. Woodhull and Mr. Cook, from the House of Assembly, brought back to this House the Bill re-engrossed with the Amendments made by the Council, intituled, *An Act of free and general Pardon, and for other Purposes therein mentioned*, and passed by the House of Assembly; which Re-engrossed Bill was read and compared,

Ordered,

That

That the President do sign the same.

The Engrossed Bill, intituled, *An Act for recovering the Arrearages of the Ten Thousand Pounds Tax, and for other Purposes therein mentioned*, was read and compared; and, on the Question, whether the said Bill do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Cooper* do present the said Bill to the House of Assembly for their Concurrence.

Mr. *Cooper* reported, that he had obeyed the Order of the House.

The Bill, intituled, *A supplemental Act to an Act, intituled, An Act for the better regulating the Militia*, was read the third Time; and, on the Question, whether the same do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Symmes* do acquaint the House of Assembly therewith.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Symmes* reported, that he had obeyed the Order of the House of this Morning.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, June 6, 1777.

The House met.

A Message was received from the House of Assembly by Mr. *Dick* and Mr. *Cook*, in the Words following, *viz.*

'The Memorial of *George Mac Farland*, an Ensign in the five Months Levies, being taken under Consideration,

Resolved,

'That the Sum of *Twenty Pounds* be granted him for his present Support, to be paid out of the Treasury, and replaced by a like Sum from "the Fund for the Relief and Benefit of such Soldiers as may be wounded or disabled, and of the Widows and Children of such as may lose their Lives in the Service of this State;" and that the further Consideration of said Memorial be referred to the next Sitting of Assembly.

Ordered,

'That Mr. *Dick* and Mr. *Cook* do wait on the Council, and request their Concurrence with this Resolution.'

The House, having taken the said Message into Consideration,

Resolved,

That this House doth concur in the Resolution therein contained.

Ordered,

That Mr. *Condict* do acquaint the House of Assembly therewith.

Mr. *Condict* reported, that he had obeyed the Order of the House.

Mr. *Dick* and Mr. *Cook*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to regulate the impressing Carriages, Horses and other Necessaries for the Use of the Army in this State*; which was read the first Time, and ordered a second Reading.

The

The Bill, intituled, *An Act to suspend the Operation of an Act, intituled, An Act to prevent the distilling of Wheat, Rye and other Grain*, was read the third Time; and, on the Question, whether the said Bill do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Scudder* do acquaint the House of Assembly that the said Bill is passed by this House without any Amendments.

Mr. *Scudder* reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act to enable the Governor or Commander in Chief for the Time being, to cause a Vessel of War to be fitted out at the Expence of this State*, was read the third Time; and, on the Question, whether the said Bill do pass? The Votes were as follows, *viz.*

Yeas.

Mr. *Scudder*,
Mr. *Hand*,
Mr. *Elmer*,

Yeas.

Mr. *Symmes*,
Mr. *Sinnickson*.

Nays.

Mr. *Cooper*,
Mr. *Condict*.

By which it appears that a Majority of all the Members of the Council were not personally present and agreeing to the said Bill; therefore the same did not pass into a Law.

A Message was received from the House of Assembly by Mr. *Moores* and Mr. *Somers*, in the Words following, *viz.*

‘ On Motion,

‘ *Resolved,*

‘ That such of the Members of the Legislature as have received Money for the Purpose of purchasing Cloathing for the Use of the Army, and have not laid out the Whole thereof, do immediately pay what is remaining in their Hands to the Treasurer of this State, to remain in the Treasury until drawn out by the Direction of the Legislature: And that *Thomas Denny*, *Moore Furman* and *Benjamin Halfey*, do, and are hereby directed to deliver the Cloathing that already hath, or hereafter shall be deposited in their Hands, in Consequence of an Order of both Houses at their last Sitting, to the Clothier-General of the Army of the United States, or to his Order, whose Receipt shall be a sufficient Discharge.

‘ *Ordered,*

‘ That Mr. *Moores* and Mr. *Somers* do wait on the Council and desire their Concurrence in this Resolution.’

The Council, having taken the said Message into Consideration,

Resolved,

That the House doth concur in the Resolutions therein contained.

Ordered,

That Mr. *Condict* do acquaint the House of Assembly therewith.

Mr. *Condict* reported, that he had obeyed the Order of the House.

The House adjourned till Nine o’Clock To-morrow Morning.

Saturday, June 7, 1777.

The House met.

Mr. *Condict*, from the Committee appointed on the 30th of May last to join with a Committee of the House of Assembly to settle the Accounts of the Expenditure of the *One Hundred Thousand Dollars* drawn from Congress for Payment of the

Militia and Men enlisted in the four Months Service of this State, reported, that the said Committees had met according to Order, and settled the said Accounts.

A Message was received from the House of Assembly by Mr. *Mebelm* and Mr. *Woodhull*, in the Words following, *viz.*

‘ *Resolved,*

‘ That the Secretary of this State deliver up to the Honourable *John Stevens*, Esq. a Bond given by *John Smyth*, late Treasurer, and his Securities, for the due Execution of his Office as Treasurer; and that, nevertheless, the said *John Smyth*, and his Securities, are to stand in the same Situation with Respect to the Balance due on a certain Bond given by *Stephen Skinner* and *James Parker*, Esquires, to the said *John Smyth*, agreeable to a Writing already signed by two of them for that Purpose; and that the Bond given by the said *Skinner* and *Parker* be delivered to the Attorney-General of this State, who is hereby directed to prosecute the same, if the Balance due thereon be not paid to the Treasurer on Demand.

‘ *Ordered,*

‘ That Mr. *Mebelm* and Mr. *Woodhull* do wait on the Council and request their Concurrence in the said Resolution.’

The Council, having taken the said Resolution into Consideration,

Resolved,

That the House doth concur in the Resolution therein contained.

Ordered,

That Mr. *Symmes* do acquaint the House of Assembly therewith.

The Bill, intituled, *A Supplement to an Act, intituled, An Act to punish Traitors and disaffected Persons*, was read the third Time; and, on the Question, whether the said Bill do pass? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Symmes* do acquaint the House of Assembly therewith.

Mr. *Symmes* reported, that he had obeyed the two foregoing Orders of the House.

The House, having on the 19th of *May* last, passed a Resolution expelling the Honourable *Richard Smith*, Esq. from his Seat in this House;

Resolved,

That an Order be issued to the Sheriff of the County of *Burlington* for the Election of a Member of the Council, in the Room of the said *Richard Smith*.

Mr. *Tallman* and Mr. *Moore*s, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for defraying sundry Incidental Charges*; which was read the first Time, and ordered a second Reading.

A Message was received from the House of Assembly by Mr. *Tallman* and Mr. *Moore*s, in the Words following, *viz.*

‘ The Money drawn from Congress for the Payment of the Militia of this State, being expended,

‘ *Resolved,*

‘ That the Delegates in Congress for this State be requested to apply to Congress for a further Sum of *One Hundred Thousand Dollars* for discharging what is now due, and soon will become due to the said Militia: And that the said Delegates pay the Money by them to be received, in Manner following, *to wit,*

‘ To the Honourable *Andrew Sinnickson*, Esq. *Twenty-five Thousand Dollars* for paying the Militia of the Counties of *Gloucester*, *Salem*, *Cumberland* and *Cape-*

‘ *May*;

‘ May ; to *John Hart*, Esq. *Twenty-five Thousand Dollars* for paying the Militia of the Counties of *Hunterdon*, *Monmouth* and *Burlington* ; to *Jacob Drake*, Esq. *Twenty-five Thousand Dollars* for paying the Militia of the Counties of *Morris*, *Bergen* and *Suffex* ; and to *Caleb Camp*, Esq. *Twenty-five Thousand Dollars* for paying the Militia of the Counties of *Essex*, *Middlesex* and *Somerset* ; whose respective Receipts for the said Sums so by them respectively to be received, shall be to the said Delegates a full Discharge for the same.

‘ *Ordered*,

‘ That *Mr. Tallman* and *Mr. Moores* do wait on the Council and request their Concurrence in the said Resolution.’

The Council, having taken the said Message into Consideration,

Resolved,

That this House doth concur in the Resolution contained in the said Message.

Ordered,

That *Mr. Hand* do acquaint the House of Assembly therewith.

Mr. Hand reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act to regulate the impressing Carriages, Horses, and other Necessaries for the Use of the Army in this State*, was read the second Time, and committed to *Mr. Symmes*, *Mr. Scudder* and *Mr. Condict*.

Mr. Tallman, from the House of Assembly, delivered a verbal Message to the Effect following :

‘ I am directed by the Assembly to wait upon the Council and acquaint them that the House of Assembly, having little or no Business of Importance before them, propose to rise this Evening.’

The Bill, intituled, *An Act for defraying sundry Incidental Charges* ; was read the second Time, and ordered a third Reading.

Ordered,

That *Mr. Condict* do wait on the House of Assembly and acquaint them, that the Council having appointed a Committee to consider of, and amend, the Bill, intituled, *An Act to regulate the impressing Carriages, Horses, and other Necessaries for the Use of the Army in this State*, cannot, considering the great Importance of the said Bill, without manifestly neglecting their Duty to their Constituents, forbear requesting the farther Sitting of the Assembly until the Council receive the Report of their Committee on the said Bill.

Mr. Condict reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act for defraying sundry Incidental Charges*, was read the third Time ; and, on the Question, whether the said Bill do pass ? It passed in the Affirmative, *nem. con.*

Ordered,

That the President do sign the same.

Ordered,

That *Mr. Scudder* do acquaint the House of Assembly therewith.

Mr. Scudder reported, that he had obeyed the Order of the House.

The Speaker of the House of Assembly informed His Excellency the Governor in Council, that the House of Assembly were adjourned to *Wednesday* the third Day of *September* next, then to meet at *Haddonfield*.

The House adjourned till *Wednesday* the third Day of *September* next, then to meet at *Haddonfield*, unless, &c.

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Maskell Covington Junr

JOURNAL

OF THE

PROCEEDINGS

OF THE

LEGISLATIVE-COUNCIL

OF THE

STATE

OF

NEW-JERSEY,

At a SESSION of the GENERAL ASSEMBLY begun at PRINCETON on the 27th Day of *August*, 1776, and continued by Adjournments until the 11th of *October*, 1777.

BEING THE LAST SITTING OF THEIR FIRST SESSION.

TRENTON:

Printed by ISAAC COLLINS, M.DCC.LXXIX.

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MEMBERS OF THE LEGISLATIVE-COUNCIL.

<i>Middlesex,</i>	The Honourable	John Wetherill,	} Esquires.
<i>Monmouth,</i>		Nathaniel Scudder,	
<i>Effex,</i>		Stephen Crane,	
<i>Somerset,</i>		William Paterfon,	
<i>Bergen,</i>		John Fell,	
<i>Burlington,</i>		Richard Smith,	
<i>Gloucester,</i>		John Cooper,	
<i>Salem,</i>		Andrew Sinnickfon,	
<i>Cumberland,</i>		Theophilus Elmer,	
<i>Cape-May,</i>		Jonathan Hand,	
<i>Hunterdon,</i>		John Stevens, <i>Vice-President,</i>	
<i>Morris,</i>		Silas Condict,	
<i>Suffex,</i>		John Cleves Symmes,	

MEMBERS OF THE ASSEMBLY.

<i>Middlesex,</i>	{	John Combs, Daniel Moores, Benjamin Manning,	} Esquires.
<i>Monmouth,</i>	{	John Covenhoven, Joseph Holmes, jun. James Mott, jun.	} Esquires.
<i>Effex,</i>	{	Abraham Clark, Caleb Camp, Henry Garritse,	} Esquires.
<i>Somerset,</i>	{	Jacob Bogart, Alexander Mac Eowen, Reoloff Vandike,	} Esquires.
<i>Bergen,</i>	{	Peter Zabriskie, Theunis Dey, David Board,	} Esquires.
<i>Burlington,</i>	{	Peter Tallman, Caleb Shreve, Joseph Newbold,	} Esquires.
<i>Gloucester,</i>	{	Richard Somers, Robert F. Price, Isaac Mickle,	} Esquires.
<i>Salem,</i>	{	Edmund Wetherby, Samuel Dick, Elisha Bassett, jun.	} Esquires.
<i>Cumberland,</i>	{	Ephraim Harris, Jonathan Bowen, John Buck,	} Esquires.
<i>Cape-May,</i>	{	Eli Eldredge, Joseph Savage, Hugh Hathorne,	} Esquires.
<i>Hunterdon,</i>	{	John Hart, <i>Speaker,</i> John Mehelm, Charles Coxe,	} Esquires.
<i>Morris,</i>	{	Jacob Drake, Ellis Cook, William Woodhull,	} Esquires.
<i>Suffex,</i>	{	Caspar Shaffar, Abia Brown, Thomas Peterfon,	} Esquires.



JOURNAL

OF THE

PROCEEDINGS

OF THE

LEGISLATIVE-COUNCIL

OF THE

STATE of NEW-JERSEY.

HADDONFIELD, September 3, 1777.

Pursuant to an Adjournment made on the 7th Day of June last,

The House met.

PRESENT,

His Excellency the GOVERNOR,

ANDREW SINNICKSON, Esq.

JONATHAN HAND, Esq.

SILAS CONDUCT, Esq.

JOHN COOPER, Esq.

JOHN CLEVES SYMMES, Esq.

The House adjourned till To-morrow.

Thursday, September 4, 1777.

The House met.

PRESENT,

His Excellency the GOVERNOR,

The VICE-PRESIDENT,

Mr. SINNICKSON,

Mr. SYMMES,

Mr. CONDUCT,

Mr. HAND.

Mr. COOPER,

The House adjourned till To-morrow.

Friday, September 5, 1777.

The House met.

B b

PRESENT,

P R E S E N T,

His Excellency the G O V E R N O R,

The V I C E - P R E S I D E N T,

Mr. COOPER,

Mr. PATERSON,

Mr. SCUDDER,

Mr. HAND,

Mr. SINNICKSON,

Mr. CONDUCT.

Mr. SYMMES,

Mr. *Scudder* had Leave of Absence on Business of Importance.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, September 6, 1777.

The House met.

Present as before except Mr. *Scudder*.

The House adjourned till Three o'Clock P. M.

The House met pursuant to Adjournment.

P R E S E N T,

The V I C E - P R E S I D E N T,

Mr. COOPER,

Mr. PATERSON,

Mr. SINNICKSON,

Mr. CONDUCT,

Mr. SYMMES,

Mr. HAND.

The House withdrew to attend a Joint-Meeting of both Houses.

After some time the House returned, and the Vice-President reported that the Council and Assembly had met at the House of *Thomas Smith*.The House adjourned till Nine o'Clock, on *Monday* Morning.*Monday, September 8, 1777.*

The House met.

Present as before.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment

The House adjourned till Nine o'Clock, To-morrow Morning.

Tuesday, September 9, 1777.

The House met.

Present as before.

The House being informed that *John Cox*, Esq. was attending at the Door, and desirous of being admitted,*Ordered,*That the said Mr. *Cox* be introduced into the House :Whereupon the said Mr. *Cox* presented to the President a Certificate that he had been duly elected to represent the County of *Burlington*, as a Member of this House; and having taken the Oaths, and made and subscribed the Declaration as prescribed by the Act for regulating Elections, took his Seat in Council.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President resumed the Chair.

The Vice-President reported, that the Council and Assembly had met in the House of *Thomas Smith*.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, September 10, 1777.

The House met.

Present as before.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The House adjourned till Nine o'Clock, To-morrow Morning.

Thursday, September 11, 1777.

The House met.

Present as before.

Mr. *Sinnickson*, with Leave of the House, brought in a Bill, intituled, *A Supplementary Act, to an Act, intituled, An Act for the Security of the Government of New-Jersey*, which was read the first Time, and ordered a second Reading.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The House adjourned till Nine o'Clock, To-morrow Morning.

Friday, September 12, 1777.

The House met.

Present as before.

A Message was received from the House of Assembly, by Mr. *Dick* and Mr. *Eldridge*, in the Words following, *viz.*

Resolved,

THAT *Silas Condict*, *Jacob Drake* and *Ellis Cook*, Esqrs. be, and they or any of them, are hereby empowered to receive of the Executors of *Jacob Ford*, jun. the Quantity of Powder mentioned in the Condition of a certain Bond, given by him and his Securities to the Treasurers of the Provincial Congress, dated the 24th Day of *May*, 1776, or any Part thereof; and that the Receipt of the said *Silas Condict*, *Jacob Drake*, and *Ellis Cook*, or either of them, shall be a full Discharge for the Quantity of Powder so to be received; and that in case the Powder cannot be furnished pursuant to the Condition of the said Bond, that the said Executors pay the Money specified in the said Bond, to the Treasurer for the Use of the State; and that the said Bond be delivered to the Treasurer, in order that he may receive the same.

Ordered,

That Mr. *Dick* and Mr. *Eldridge*, do wait on the Council, and desire their Concurrence in the said Resolution.

The Council having taken the said Message into Consideration,

Resolved,

That the House concur in the Resolutions contained in the said Message.

Ordered,

That Mr. *Symmes* acquaint the House of Assembly therewith.

Mr. *Symmes* reported, that he had obeyed the Order of the House.

His Excellency the Governor laid before the House a Letter of this Day, from the Honourable *John Hancock*, Esq. President of the Congress, informing His Excellency that it is the earnest Desire of Congress, that he will immediately order out four thousand of the *Fersey* Militia, to reinforce the Army under General *Washington*, with all possible Expedition; and that if His Excellency should not be able to call out that Number, it is the Request of Congress, that he will call out as many as possible in this critical State of our Affairs.

The

The House having taken the said Request of Congress into Consideration, and also considering the present critical State of Affairs in *Pennsylvania*,

Resolved,

That His Excellency the Governour be advised forthwith to order out all the Militia, not now on Duty, of the Counties of *Hunterdon, Somerset, Sussex, Burlington, Gloucester, Salem, Cumberland* and *Cape-May*, to rendezvous at such Places as His Excellency shall think proper, so as to be ready to act as Occasion shall require; and that His Excellency be advised to order any Part of the said Militia, not exceeding four thousand Men, to join the Army under General *Washington* in *Pennsylvania* as he shall think expedient.

Ordered,

That Mr. *Cox* wait on the House of Assembly with the foregoing Resolution, and request their Concurrence therein.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

A Message was received from the House of Assembly by Mr. *Manning* and Mr. *Ver Bryck*, in the Words following, *viz.*

‘ THE Message from the Council of this Afternoon being read and considered,

‘ *Resolved,*

‘ That this House do concur in the said Resolution, that His Excellency be advised to order any Number not exceeding four thousand of the Militia of this State into *Pennsylvania*, to join the Army under General *Washington*.

‘ *Ordered,*

‘ That Mr. *Manning* and Mr. *Ver Bryck*, do wait on the Council and acquaint them therewith.’

A Message was received from the House of Assembly, by Mr. *Manning* and Mr. *Ver Bryck*, in the Words following, *viz.*

‘ *Resolved,*

‘ THAT the Sum of *Two Pounds Ten Shillings* per Month as a Bounty, over and above the Continental Pay, shall be allowed to every non-commissioned Officer and Private of the Militia of this State now on military Duty within the same, to commence from this Date, and also to those who shall hereafter be called into actual Service, and so in Proportion for the Time they are in Service, until it shall be otherwise directed by Act of the Legislature.

‘ *Ordered,*

‘ That Mr. *Manning* and Mr. *Ver Bryck*, do wait on the Council and desire their Concurrence to the said Resolution.’

The House adjourned till Nine o'Clock, To-morrow Morning.

Saturday, September 13, 1777.

The House met.

Present as before.

Mr. *Mebelm* and Mr. *Manning*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to revive and continue several Courts of Law; and for other Purposes therein mentioned.* And,

A Bill, intituled, *An Act to empower the Inhabitants to elect Town Officers, in such Townships or Precincts where the same has been neglected, at the usual Time of holding their Town-Meetings, and for other Purposes therein mentioned.*

Which Bills were severally read the first Time, and ordered a second Reading.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The House adjourned till Nine o'Clock *Monday* Morning.

Monday, September 15, 1777.

The House met.

Present as before.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

A Message was received from the House of Assembly, by Mr. *Cox* and Mr. *Sebring*, in the Words following, *viz.*

‘ *Resolved,*

‘ **T**HAT Colonel *Edward Fleming* and *Thomas Denny*, Esq. or either of
 ‘ them, be empowered to apply to Congress for fifty thousand Cartridges,
 ‘ or Powder and Lead in Proportion, for supplying the Militia of this State on
 ‘ the present Emergency; and in case a Supply cannot be procured from Con-
 ‘ gress, that then Colonel *Fleming* and *Thomas Denny*, or either of them, be
 ‘ authorized to purchase the same elsewhere, to the Amount of *Five Hundred*
 ‘ *Pounds*, and draw on the Treasurer for the Money to defray the Cost and
 ‘ Expences that may accrue thereon, whose Receipt shall discharge the Treasurer
 ‘ for so much Money as he shall pay in Consequence of this Resolution.

‘ *Ordered,*

‘ That Mr. *Cox* and Mr. *Sebring* do wait on the Council, and desire their
 ‘ Concurrence in this Resolution.’

The Council having taken the said Message into Consideration,

Resolved,

That the House concur in the Resolution therein contained.

Ordered,

That Mr. *Cox* acquaint the House of Assembly therewith.

Mr. *Cox* reported that he had obeyed the Order of the House.

The House resumed the Consideration of the Message from the House of Assembly, received on *Friday* last, respecting the Allowance of *Two Pounds Ten Shillings* per Month, per Man, to such of the Militia of this State as shall be called into actual Service.

Resolved,

That the House concur in the Resolution contained in the said Message.

Ordered,

That Mr. *Cooper* acquaint the House of Assembly therewith.

A Message was received from the House of Assembly, by Mr. *Drake* and Mr. *Shreve*, in the Words following, *viz.*

‘ **T**HE Bond given by *John Stevens*, jun. Esq. the present Treasurer of
 ‘ this State, and the Honourable *John Stevens*, Esq. his Surety, for
 ‘ the due Execution of the said Office of Treasurer, was laid before the House
 ‘ for Approbation;

‘ Whereupon the House being satisfied with the Security contained in the said
 ‘ Bond,

‘ *Resolved,*

‘ That this House do approve thereof; and that the said Bond, together with
 ‘ a Certificate signed by *John Stevens* and *Jonathan Deare*, respecting a Bond
 ‘ of *John Smith*, Esq. late Treasurer, and his Securities, be delivered to the Se-
 ‘ cretary of this State, to be by him kept for the Use of the State.

‘ *Ordered,*

‘ That Mr. *Drake* and Mr. *Shreve* do wait on the Council, and desire their
 ‘ Concurrence to the said Resolution.’

The Council having taken the said Message into Consideration,

Resolved,

That the House concur in the Resolution therein contained.

Ordered,

That Mr. *Cooper* acquaint the House of Assembly therewith.

Mr. *Cooper* reported, that he had obeyed the two foregoing Orders of the House.

A Message was received from the House of Assembly by Mr. *Tallman* and Mr. *Bowen*, in the Words following, *viz.*

‘ WHEREAS at this Time there is an absolute Necessity for conveying
‘ Ammunition immediately to the Militia, at or near *Elizabeth-Town*;
‘ therefore,

‘ Resolved,

‘ That Colonel *Edward Fleming*, and *Thomas Denny*, Esq. or either of them,
‘ have Power to impress Horses or Waggon, if they find it necessary for the
‘ expediting the said Ammunition to the Place aforesaid, they allowing the con-
‘ tinental Pay for such Horses or Waggon, and not detaining them more than
‘ eight Days in Service.

‘ Ordered,

‘ That Mr. *Tallman* and Mr. *Bowen* do wait on the Council, and desire their
‘ Concurrence to the said Resolution.’

The Council having taken the said Message into Consideration,

Resolved,

That the House concur in the Resolution therein contained.

Ordered,

That Mr. *Symmes* acquaint the House of Assembly therewith.

Mr. *Symmes* reported, that he had obeyed the Order of the House.

A Message was received from the House of Assembly by Mr. *Mott* and Mr. *Cook*, in the Words following, *viz.*

‘ CONGRESS having requested that the Inhabitants of the Western Divi-
‘ sion of this State, be called upon to furnish as many Blankets as can be
‘ spared to supply the Soldiers in General *Washington*’s Army, many of whom
‘ have lost their Blankets in the late Action of the *Brandywine*;

‘ Resolved,

‘ That *Benjamin Stites*, in the County of *Cape-May*, *Ephraim Seely*, in the
‘ County of *Cumberland*, *John Holme*, in the County of *Salem*, *Thomas Denny*,
‘ in the County of *Gloucester*, *Anthony Taylor*, in the County of *Burlington*,
‘ *Jared Sexton*, in the County of *Hunterdon*, and *Robert Maxwell*, in the
‘ County of *Suffex*, be, and they are hereby appointed Commissioners to
‘ purchase Blankets for the Use of the said Army; and that any one of the
‘ Members, or the Commissioner for each respective County before-mentio-
‘ ned, be empowered to draw on the Treasury for any Sum not exceeding
‘ Two Hundred and Fifty Pounds, for the Purpose aforesaid, whose Receipt
‘ shall be a Discharge to the Treasurer for the Money by him paid; and that the
‘ several Commissioners may employ Persons under them to purchase in each
‘ Township of their respective Counties; that the Blankets be delivered to Con-
‘ gress or their Order; and that five per Cent be allowed to the Commissioners
‘ respectively for their Trouble, besides all reasonable Expences of Carriage.

‘ Ordered,

‘ That Mr. *Mott* and Mr. *Cook* do wait on the Council, and desire their Con-
‘ currence to the said Resolution.’

The House adjourned till Nine o’Clock, To-morrow Morning.

Tuesday, September 16, 1777.

The House met.

Present as before.

The Council resumed the Consideration of the Message from the House of Assembly of Yesterday, respecting the Appointment of Commissioners to purchase Blankets for the Use of the Army under General *Washington*, and thereupon,

Resolved,

Resolved,

That the House concur in the Resolution contained in the said Message.

Ordered,

That Mr. *Symmes* acquaint the House of Assembly therewith.

Mr. *Symmes* reported that he had obeyed the Order of the House.

The House withdrew to attend a Joint-Meeting of both Houses.

After some Time the House returned, and the Vice-President resumed the Chair.

The Vice-President reported, that the Council and Assembly had met at the House of *Thomas Smith*.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The House adjourned till Nine o'Clock, To-morrow Morning.

Wednesday, September 17, 1777.

The House met.

Present as before.

Mr. *Holmes* and Mr. *Ver Bryck*, from the House of Assembly, presented for the Concurrence of this House, a Bill, intituled, *An Act to restrain the Exportation of Pitch, Tar, Turpentine and other Naval Stores from the State of New-Jersey.* And

A Bill, intituled, *An Act to revive and continue an Act, intituled, An Act for regulating Roads and Bridges,* which Bills were read the first Time, and severally ordered a second Reading.

The Bill, intituled, *An Act to revive and continue several Courts of Law; and for other Purposes therein mentioned,* was read the second Time, and some Amendments made therein;

Ordered,

That the said Bill, as amended, be read the third Time.

The Bill, intituled, *An Act to empower the Inhabitants to elect Town Officers in such Townships or Precincts where the same has been neglected at the usual Time of holding their Town-Meetings, and for other Purposes therein mentioned;* was read the second Time, and ordered a third Reading.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

The Bill, intituled, *An Act to revive and continue several Courts of Law, and for other Purposes therein mentioned,* was read the third Time, with the Amendments in their Places; and, on the Question, Whether the said Bill, as amended, do pass? It passed in the Affirmative, *N. C. D.*

Ordered,

That the President do sign the said Bill and Amendments.

Ordered,

That Mr. *Condiel* carry the same to the House of Assembly, and desire their Concurrence in the said Amendments.

Mr. *Condiel* reported, that he had obeyed the Order of the House.

Mr. *Paterfon*, by Leave of the House, brought in a Bill, intituled, *An Act to ascertain the Punishment for High Treason, and to establish the Word State, instead of Colony, in Commissions, Writs and other Procefs, and for other Purposes therein mentioned,* which was read the first Time, and ordered a second Reading.

The Bill, intituled, *An Act to restrain the Exportation of Pitch, Tar, Turpentine and other Naval Stores from the State of New-Jersey,* was read the second Time, and ordered a third Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday,

Thursday, September 18, 1777.

The House met.

Present as before.

The Bill, intituled, *An Act to ascertain the Punishment for High Treason, and to establish the Word State, instead of Colony, in Commissions, Writs and other Procefs, and for other Purposes therein mentioned*, was read the second Time, and some Amendments made therein.

Ordered,

That the same be engrossed.

Ordered,

That Mr. *Cox* be added to the Committee appointed on the 8th of *February* last, to join the Committee of the House of Assembly, to settle the Accounts of such of the Members of the Legislature as have purchased Cloathing for the Continental Army.

Ordered,

That Mr. *Hand* acquaint the House of Assembly therewith.

Mr. *Hand* reported, that he had obeyed the Order of the House.

A Message was received from the House of Assembly by Mr. *Tallman* and Mr. *Vandike*, in the Words following, *viz.*

Ordered,

‘ THAT Mr. *Drake* and Mr. *Brown* be a Committee to join a Committee of the Council, to settle the Accounts of sundry Persons in the County of *Suffex*, respecting a Guard ordered to be kept at the Courthouse in the said County, and Support of Prisoners, and make Report to the House.

‘ Ordered,

‘ That Mr. *Tallman* and Mr. *Vandike* do wait on the Council, and desire they will appoint a Committee for that Purpose, with the Time and Place of Meeting.’

The Council having taken the same into Consideration,

Ordered,

That Mr. *Symmes* and Mr. *Condict*, or either of them, be a Committee to join with a Committee of the House of Assembly, to settle the Accounts of sundry Persons in the County of *Suffex*, respecting a Guard ordered to be kept at the Courthouse in the said County, and the Support of Prisoners, and make Report thereof to this House; and that the said Committees meet for that Purpose at the House of *Hugh Creighton* at four o’Clock this Afternoon.

Ordered,

That Mr. *Sinnickson* acquaint the House of Assembly therewith.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

The engrossed Bill, intituled, *An Act to ascertain the Punishment for High Treason, and to establish the Word State instead of Colony in Commissions, Writs, and other Procefs, and for other Purposes therein mentioned*, was read the third Time, and, on the Question, Whether the said Bill do pass? It passed in the Affirmative, *N. C. D.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Condict* carry the said Bill to the House of Assembly, and desire their Concurrence therein.

Mr. *Sinnickson* reported, that he had obeyed the Order of the House of this Morning.

Mr. *Condict* reported, that he had obeyed the Order of the House.

Mr. *Paterfon*, by Leave of the House, brought in a Bill, intituled, *An Act for the more easy and expeditious Recovery of Penalties on forfeited Recognizances, and*
for

for the Appropriation of the Monies arising from the same, and from Fines and Amercements; and for other Purposes therein mentioned; which was read the first Time, and ordered a second Reading.

Mr. *Condict*, from the Committee appointed this Morning to join with a Committee of the House of Assembly, 'to settle the Accounts of sundry Persons in the County of *Suffex*, respecting a Guard ordered to be kept at the Courthouse in the said County, and the Support of Prisoners,' reported that the said Committee had met according to Order, and had inspected and settled the Accounts and Pay-Rolls of the Guard stationed at the Courthouse in *Suffex* County, for the Security of Continental Prisoners; and that they find due thereon to *Conrad Guntryman*, *John Peppenger*, *William Perrine* and *Philip Dudder*, the Sum of *Five Hundred and Thirty-nine Pounds Eight Shillings*; which report was agreed to, and ordered to be entered.

The House adjourned till Nine o'Clock, To-morrow Morning.

Friday, September 19, 1777.

The House met.

Present as before.

A Message was received from the House of Assembly, by Mr. *Camp* and Mr. *Harris*, in the Words following, *viz.*

'THE Committee appointed Yesterday, to join a Committee of the Council to settle the Accounts of sundry Persons in the County of *Suffex*, respecting a Guard ordered to be kept at the Courthouse in the said County, and Support of Prisoners, having reported that the said Committees had met and settled the said Accounts according to Order; and that they find due thereon to Captain *Conrad Guntryman*, and Captain *John Peppenger*, and their respective Companies, for Guarding Continental Prisoners, *Four Hundred and Fifty-four Pounds One Shilling and Eleven-pence*; and to *William Perrine* and *Philip Dudder*, Esqrs. for their Time and Expences, in supporting the said Continental Prisoners, the Sum of *Eighty-five Pounds Six Shillings and One Penny*, making in the Whole, *Five Hundred and Thirty-nine Pounds Eight Shillings*; and the House having taken the said Report into Consideration, and approved thereof;

'Resolved,

'That the Treasurer pay the said Sum of *Five Hundred and Thirty-nine Pounds Eight Shillings*, to the said *Philip Dudder*, Esq. for the Use of himself and the other Persons above-named, to whom the same is found due.

'Ordered,

'That Mr. *Camp* and Mr. *Harris* do wait on the Council, and request their Concurrence to this Resolution.'

The Council having taken the same into Consideration,

Resolved,

That the House concur in the Resolution contained in the said Message.

Ordered,

That Mr. *Sinnickson* acquaint the House of Assembly therewith.

Mr. *Sinnickson* reported that he had obeyed the Order of the House.

Mr. *Mehelm* and Mr. *Tallman*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intitled, *An Act for constituting a Council of Safety*, which was read the first Time, and ordered a second Reading.

A Message was received from the House of Assembly, by Mr. *Drake* and Mr. *Holmes*, in the Words following, *viz.*

'WHEREAS, by a Letter from *Charles Stewart*, Esq. Commissary-General of Issues, it appears there is an absolute Necessity that a Number of Teams should be impressed with all possible Expedition, to assist in re-

‘ moving the Stores in the Commissary Department from the City of *Philadelphia*, in order to prevent their falling into the Hands of the Enemy.

‘ *Resolved*,

‘ That Colonel *Joseph Ellis*, and the Officers of his Battalion of Militia, and each and every of them, have Power to impress such and so many Waggons, Horses or Oxen, as shall be sufficient and necessary to assist the said Commissary in removing the said Stores as aforesaid: That the Owners of the said Teams be intitled to receive the Continental Pay for the Time they shall be in Service; and that the Teams as fast as they are impressed, be forwarded to *Cooper's Ferry* for the Purpose aforesaid.

‘ *Ordered*,

‘ That Mr. *Drake* and Mr. *Holmes* do wait on the Council, and desire their Concurrence in the said Resolution.’

The Council having taken the same into Consideration,

Resolved,

That the House concur in the Resolution contained in the said Message.

Ordered,

‘ That Mr. *Cooper* acquaint the House of Assembly therewith.

A Message was received from the House of Assembly, by Mr. *Drake* and Mr. *Holmes*, in the Words following, *viz.*

‘ THE Minutes of the Proceedings of the Council of Safety being laid before the House,

‘ *Ordered*,

‘ That Mr. *Ver Bryck* and Mr. *Eldridge* be a Committee to join a Committee of the Council to inspect the said Minutes, so far as relates to the Expenditure of the Money drawn from the Treasury, and make Report thereof to the House.

‘ *Ordered*,

‘ That Mr. *Drake* and Mr. *Holmes* do wait on the Council, and desire they will appoint a Committee for that Purpose, with the Time and Place of Meeting.’

The Council having taken the said Message into Consideration,

Ordered,

That Mr. *Hand* be a Committee to join with the Committee of the House of Assembly, to inspect the Minutes of the Proceedings of the Council of Safety, so far as relates to the Expenditure of the Money drawn from the Treasury, and make Report thereof to the House; and that the said Committees meet for that Purpose at the House of *Samuel Kinnard*, at Three o’Clock this Afternoon.

Ordered,

That Mr. *Cooper* acquaint the House of Assembly therewith.

The House adjourned till Three o’Clock, *P. M.*

The House met pursuant to Adjournment.

Mr. *Cooper* reported that he had obeyed the two Orders of the House of this Morning.

The Bill, intituled, *An Act for constituting a Council of Safety*, was read the second Time, and ordered a third Reading.

The House adjourned till Nine o’Clock, To-morrow Morning.

Saturday, September 20, 1777.

The House met.

Present as before.

The Bill, intituled, *An Act to restrain the Exportation of Pitch, Tar, Turpentine and other Naval Stores from the State of New-Jersey*, was read the third Time; and, on the Question, Whether the same do pass? It passed in the Affirmative. *N. C. D.*

Ordered,

Ordered,

That the President sign the said Bill.

Ordered,

That Mr. *Condict* acquaint the House of Assembly therewith.

The Bill, intituled, *An Act for the more easy and expeditious Recovery of Penalties on forfeited Recognizances, and for the Appropriation of the Monies arising from the same, and from Fines and Amercements, and for other Purposes therein mentioned*, was read the second Time, agreed to, and ordered to be engrossed for a third Reading.

A Message was received from the House of Assembly, by Mr. *Combs* and Mr. *Peterfon*, in the Words following, *viz.*

‘ **A** General Abstract of Pay for Prisoners, taken on the 13th of *February* last, to the 13th of *September*, Instant, made out by General *Forman*, was laid before the House, on which the Opinion of the House was requested by the Paymasters of the Militia of this State, whether they are at Liberty to pay the Wages of Prisoners? &c.

‘ Resolved,

‘ That it is the Opinion of this House, that the Paymasters be directed to pay the Wages of Prisoners that have been taken by the Enemy, from the Time they were taken until the Time they respectively deceased, or returned Home; the Time being properly ascertained by any Officer, or other Person in whose Power it is or may be to certify the same.

‘ Ordered,

‘ That Mr. *Combs* and Mr. *Peterfon* do wait on the Council, and desire their Concurrence to this Resolution.’

The Council having taken the same into Consideration,

Resolved,

That the House concur in the Resolution therein contained.

Ordered,

That Mr. *Condict* acquaint the House of Assembly therewith.

A Message was received from the House of Assembly, by Mr. *Keasby* and Mr. *Hathorne*, in the Words following, *viz.*

‘ **A** Memorial from *Elijah Clark* and *Richard Wescott*, Esqrs. was read, setting forth, “ That they had erected, at their own Expence, a small Fort at the *Foxburrows*, near the Port of *Little-Eggbarbour*; and had purchased a Number of Cannon for the Defence of the said Port; relying on the Publick for Payment of the Expence on that Occasion: That they had disbursed a Sum of Money, an Account whereof is annexed to the said Memorial, and praying a Re-imbursment of the Monies so advanced.” Whereupon the House having taken the same into Consideration,

‘ Resolved,

‘ That the Treasurer pay the Balance due to the said *Elijah Clark* and *Richard Wescott*, being *Four Hundred and Thirty Pounds One Shilling and Three-pence*; and that their Receipt, or the Receipt of either of them, be a Discharge to the Treasurer for Payment thereof: That they be empowered and directed to sell such Stores as are not useful, and pay the Amount into the Treasury, and to take Charge of the said Cannon and necessary Stores for the Use of the State.

‘ Ordered,

‘ That Mr. *Keasby* and Mr. *Hathorne* do wait on the Council, and desire their Concurrence to this Resolution.’

The Council having taken the same into Consideration,

Resolved,

That the House concur in the Resolutions contained in the said Message.

Ordered,

That Mr. *Condict* acquaint the House of Assembly therewith.

The House adjourned till Three o’Clock, P. M.

The House met pursuant to Adjournment.

Mr. *Condict* reported, that he had obeyed the several Orders of the House of this Morning.

The engrossed Bill, intituled, *An Act for the more easy and expeditious Recovery of Penalties on forfeited Recognizances, and for the Appropriation of the Monies arising from the same, and from Fines and Amercements; and for other Purposes therein mentioned*, was read the third Time; and, on the Question, Whether the said Bill do pass? It passed in the Affirmative, *N. C. D.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Cooper* carry the said Bill to the House of Assembly, and desire their Concurrence therein.

Mr. *Cooper* reported that he had obeyed the Order of the House.

Mr. *Ver Bryck* and Mr. *Camp* brought back from the House of Assembly the Bill, intituled, *An Act to ascertain the Punishment for High Treason, and to establish the Word State instead of Colony, in Commissions, Writs and other Procefs, and for other Purposes therein mentioned*, being passed by that House.

Mr. *Ver Bryck* and Mr. *Camp* also brought back from the House of Assembly, the Bill, intituled, *An Act to revive and continue several Courts of Law; and for other Purposes therein mentioned*; re-engrossed with the Amendments made by this House, and passed by the House of Assembly.

Which re-engrossed Bill, having been read and compared,

Ordered,

That the President sign the same.

Mr. *Mebelm* and Mr. *Drake*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to explain and amend an Act, intituled, An Act for better regulating the Militia, and the Supplemental Act thereto*, which was read the first Time, and ordered a second Reading.

The Bill, intituled, *An Act for constituting a Council of Safety*, was read the third Time; and, on the Question, Whether the said Bill do pass? It passed in the Affirmative, *N. C. D.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Hand* acquaint the House of Assembly therewith.

Mr. *Condict*, by Leave of the House, brought in a Bill, intituled, *An Act to oblige certain Persons therein described, to take the Oaths of Abjuration and Allegiance*, which was read the first Time, and ordered a second Reading.

The House adjourned till Nine o'Clock, on *Monday* Morning.

Monday, September 22, 1777.

The House met.

PRESENT,

The VICE-PRESIDENT,

Mr. SINNICKSON,

Mr. CONDUCT,

Mr. COOPER,

Mr. PATERSON,

Mr. HAND,

Mr. SYMMES.

Mr. *Eldridge* and Mr. *Peterson* brought back from the House of Assembly the Bill, intituled, *An Act for the more easy and expeditious Recovery of Penalties on forfeited Recognizances, and for the Appropriation of the Monies arising from the same, and from Fines and Amercements, and for other Purposes therein mentioned*, being passed by the House of Assembly.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment

Mr. *Dick*

Mr. Dick and Mr. Keasby, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to raise a Company of Artillery out of the Militia of the State of New-Jersey.* And,

A Bill, intituled, *An Act to enable the Owners and Possessors of Meadows, lying between Fishing-Island and Mud-Creek, bounding on Salein-Creek, in the County of Salem, to erect and keep in Repair, the Dams, Banks, Sluices and other Water-Works; to open and keep clear the necessary Water-Courses, and to make such Line Ditches as are therein described lawful Fences;* which Bills were read the first Time, and ordered a second Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, September 23, 1777.

The House met.

Present as before.

The Bill, intituled, *An Act to explain and amend an Act, intituled, An Act for the better regulating the Militia, and the Supplemental Act thereto,* was read the second Time, and ordered a third Reading.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

PRESENT,

The VICE-PRESIDENT,

Mr. COOPER,

Mr. CONDUCT,

Mr. HAND,

Mr. COX,

Mr. PATERSON,

Mr. SINNICKSON.

Mr. Cox and Mr. Board, from the House of Assembly, brought back to this House the Bill, intituled, *An Act for recovering the Arrearages of the Ten Thousand Pounds Tax, and for other Purposes therein mentioned,* being passed by the House of Assembly.

The Bill, intituled, *An Act to explain and amend an Act, intituled, An Act for the better regulating the Militia, and the Supplemental Act thereto,* was read the third Time; and, on the Question, Whether the same do pass? It passed in the Affirmative, N. C. D.

Ordered,

That the President do sign the said Bill.

Ordered,

That Mr. Condiēt acquaint the House of Assembly therewith.

A Message was received from the House of Assembly, by Mr. Combs and Mr. Sebring, in the Words following, viz.

‘ A Memorial having been presented by General *Newcomb*, setting forth
‘ that there are several Horses belonging to the Militia under his Com-
‘ mand stationed at *Woodbury*, necessarily employed in the Service, and no Person
‘ authorized to provide Forage for the said Horses, and requesting to be em-
‘ powered to appoint some Person for that Purpose.

‘ Resolved,

‘ That General *Newcomb* be empowered to appoint a proper Person for the
‘ Purpose aforesaid,

‘ Ordered,

‘ That Mr. *Combs* and Mr. *Sebring* do wait on the Council, and desire
‘ their Concurrence to this Resolution.’

The Council having taken the said Message into Consideration,

Resolved,

That the House concur in the Resolution therein contained.

Ordered,

That Mr. *Condiēt* acquaint the House of Assembly therewith.

Mr. *Condiēt* reported, that he had obeyed the two foregoing Orders of the House.

The Bill, intituled *An Act to revive and continue an Act, intituled, An Act for regulating Roads and Bridges*, was read the second Time, and ordered a third Reading.

The Bill, intituled, *An Act to enable the Owners and Possessors of Meadows lying between Fishing-Island and Mud-Creek, &c.* was read the second Time, and ordered a third Reading.

The Bill, intituled, *An Act to raise a Company of Artillery out of the Militia of the State of New-Jersey*, was read the second Time, and ordered a third Reading.

The Bill, intituled, *An Act to empower the Inhabitants to elect Town Officers in such Townships or Precincts where the same has been neglected at their usual Time of holding their Town-Meetings, and for other Purposes therein mentioned*, was read the third Time; and, on the Question, Whether the said Bill do pass? It passed in the Affirmative, *N. C. D.*

Ordered,

That the President do sign the same.

Ordered,

That Mr. *Hand* acquaint the House of Assembly therewith.

The Bill, intituled, *An Act to oblige certain Persons therein described, to take the Oaths of Allegiance*, was read the second Time, and ordered a third Reading.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, September 24, 1777.

The House met.

Present as before.

A Message was received from the House of Assembly, by Mr. *Holmes* and Mr. *Drake*, in the Words following, *viz.*

Ordered,

‘ **T**HAT Mr. *Coxe*, Mr. *Camp*, Mr. *Combs*, Mr. *Cook*, Mr. *Mott*, Mr. *Sebring*, Mr. *Shreve*, Mr. *Tallman* and Mr. *Eldridge*, and such other Members as shall choose to attend, be a Committee to join a Committee of the Council, in a free Conference on the Subject Matter of dividing the State into Districts, and appointing Persons in each District to recruit Men for the Continental Service.

Ordered,

‘ That Mr. *Holmes* and Mr. *Drake* do wait on the Council, and desire they will appoint a Committee for that Purpose, with the Time and Place of Meeting.’

The Council having taken the said Message into Consideration,

Ordered,

That Mr. *Condict*, Mr. *Cox* and Mr. *Sinnickson*, or any two of them, and such other Members as shall choose to attend, be a Committee to join with a Committee of the House of Assembly, in a free Conference on the Subject Matter of dividing the State into Districts, and appointing Persons in each District to recruit Men for the Continental Service; and that the said Committees meet for the Purposes aforesaid, at the House of *Hugh Creighton*, at eleven o'Clock this Morning.

Ordered,

That Mr. *Hand* acquaint the House of Assembly therewith.

Mr. *Hand* reported, that he had obeyed the Orders of the House of yesterday Afternoon, and of this Morning.

The Bill, intituled, *An Act to revive and continue an Act, intituled, An Act for regulating Roads and Bridges*, was read the third Time; and, on the Question, Whether the same do pass? It passed in the Affirmative, *N. C. D.*

Ordered,

That the President sign the said Bill.

The

The Bill, intituled, *An Act to enable the Owners and Possessors of Meadows lying between Fishing-Island and Mud-Creek, bounding on Salem-Creek, in the County of Salem, to erect and keep in Repair the Dams, Banks, Sluices and other Water-Works; to open and keep clear the necessary Water-Courses; and to make such Line Ditches as are therein described lawful Fences*, was read the third Time; and, on the Question, Whether the same do pass? It passed in the Affirmative, N. C. D.

Ordered,

That the President sign the said Bill.

Ordered,

That Mr. *Condict* acquaint the House of Assembly, that the two last mentioned Bills, are passed by this House without any Amendments.

The Bill, intituled, *An Act to raise a Company of Artillery, out of the Militia of the State of New-Jersey*, was read the third Time; and, on the Question, Whether the same do pass? It passed in the Affirmative, N. C. D.

Ordered,

That the President sign the said Bill.

Ordered,

That Mr. *Condict* acquaint the House of Assembly therewith.

The Bill, intituled, *An Act to oblige certain Persons therein described, to take the Oaths of Abjuration and Allegiance*, was read the third Time; and, on the Question, Whether the same do pass? It passed in the Affirmative, N. C. D.

Ordered,

That the President sign the said Bill.

Ordered,

That Mr. *Condict* carry the said Bill to the House of Assembly, and desire their Concurrence therein.

The Speaker of the House of Assembly, having informed His Excellency the Governor, in Council, that the House of Assembly had adjourned till *Monday* next, then to meet at *Princeton*,

The House adjourned till *Monday* next, then to meet at *Princeton*.

PRINCETON, *Monday, September 29, 1777.*

The House met.

PRESENT,

His Excellency the GOVERNOR,

The VICE-PRESIDENT,

Mr. CONDUCT,

Mr. PATERSON,

Mr. SYMMES,

Mr. ELMER.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, September 30, 1777.

The House met.

Present as before.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, October 1, 1777.

The House met.

Present as before.

The House adjourned till Nine o'Clock To-morrow Morning.

Thursday, October 2, 1777.

The House met.

PRESENT,

PRESENT,
The VICE-PRESIDENT,
Mr. CONDUCT, Mr. ELMER,
Mr. SYMMES, Mr. SCUDDER.
Mr. PATERSON,

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, October 3, 1777.

The House met.
Present as before.

Mr. *Condict* reported, that he had obeyed the several Orders of the House, of the 24th of *September* last.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, October 4, 1777.

The House met.
Present as before.

The House adjourned till Nine o'Clock on *Monday* Morning.

Monday, October 6, 1777.

The House met.
PRESENT,
The VICE-PRESIDENT,
Mr. ELMER, Mr. SYMMES,
Mr. CONDUCT, Mr. SCUDDER,
Mr. PATERSON, Mr. COX.

A Message was received from the House of Assembly, by Mr. *Coxe* and Mr. *Mott*, in the Words following, *viz.*

‘ WHEREAS the State of *New-Jersey* remains liable to continual
‘ Incurfions of the Enemy, and, upon Enquiry, is found to be greatly
‘ deficient in fuch Supplies of Ammunition as may be necessary for our com-
‘ mon Defence; it is therefore

‘ *Resolved,*

‘ That His Excellency *William Livingston*, Esq. or the President of the
‘ Council of Safety for the Time being, be, and is hereby authorized and
‘ empowered to appoint proper Persons to purchase fuch Supplies of Powder
‘ and Lead for the Use of this State, as may be procured or found sufficient for
‘ the Defence thereof, and to lodge the same in fuch Parts of this State, with
‘ fuch Orders for distributing the same among the Militia, in fuch Times and in
‘ fuch Manner as the faid *William Livingston*, or the President of the Council of
‘ Safety shall think proper. And the Treasurer of this State is hereby required
‘ to pay the faid *William Livingston*, or the President of the Council of Safety,
‘ or Order or Orders, all fuch Sum and Sums of Money as may be found ne-
‘ cessary for the above Purposes; which Order or Orders, with Receipts there-
‘ on, when produced, shall discharge the faid Treasurer, his Executors and
‘ Administrators, for the Sums therein expressed.

‘ *Ordered,*

‘ That Mr. *Coxe* and Mr. *Mott* do wait on the Council, and desire their
‘ Concurrence in the faid Resolution.’

Mr. *Brown* and Mr. *Tallman*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act to exempt a Number of Men to be employed at Mount-Hope Furnace, and the Forges thereunto belonging, and the Hibernia Furnace, all in the County of Morris, from actual Service in the Militia, under the Restrictions and Regulations therein mentioned.* And

A Bill,

A Bill, intituled, *An Act to encourage the making of Salt at the Pennsylvania Salt-Works, in the State of New-Jersey.*

And also a Bill, intituled, *An Act to incorporate the Battalions of Newark and Aquakanonk, in the County of Essex, into one Battalion:* Which three Bills were read the first Time, and severally ordered a second Reading.

Mr. *Brown* and Mr. *Tallman*, from the House of Assembly, brought back to this House, the Bill, intituled, *An Act to oblige certain Persons therein described, to take the Oaths of Abjuration and Allegiance,* being passed by the House of Assembly.

The House adjourned till Nine o'Clock To-morrow Morning.

Tuesday, October 7, 1777.

The House met.

Present as before.

Mr. *Paterfon*, by Leave of the House, brought in a Bill, intituled, *An Act to explain the Law and Constitution of the State of New-Jersey, as to the quartering of, and furnishing of Carriages for the Army in the Service of the United States of North-America; and for making some further Provision for the same;* which was read the first Time, and ordered a second Reading.

The House resumed the Consideration of the Message from the House of Assembly of Yesterday, respecting the purchasing a Supply of Ammunition, and distributing the same;

Resolved,

That the House concur in the Resolution contained in the said Message.

Ordered,

That Mr. *Scudder* acquaint the House of Assembly therewith.

Mr. *Scudder* reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act to encourage the making of Salt at the Pennsylvania Salt-Works, in the State of New-Jersey,* was read the second Time, and ordered a third Reading.

The Bill, intituled, *An Act to incorporate the Battalions of Newark and Aquakanonk, in the County of Essex, into one Battalion;* was read the second Time, and ordered a third Reading.

The Bill, intituled, *An Act to exempt a Number of Men to be employed at Mount-Hope Furnace and the Forges thereunto belonging, and the Hibernia Furnace, all in the County of Morris, from actual Service in the Militia, under the Restrictions and Regulations therein mentioned,* was read the second Time, and ordered a third Reading.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

The Bill, intituled, *An Act to explain the Law and Constitution of the State of New-Jersey, as to the quartering of, and furnishing of Carriages for the Army in the Service of the United States of North-America; and for making some further Provision for the same;* was read the second Time, and ordered a third Reading.

Mr. *Mebelm* and Mr. *Board*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for erecting Salt-Works, and manufacturing Salt within the State of New-Jersey:* A Bill, intituled, *A Supplemental Act, to an Act, intituled, An Act of free and general Pardon, and for other Purposes therein mentioned;* and a Bill, intituled, *An Act to exempt twelve Men to be employed at the Sharpsborough Iron-Works, in the County of Sussex, from actual Service in the Militia, under the Restrictions and Regulations therein mentioned;* which three Bills, were read the first Time, and severally ordered a second Reading.

The Bill, intituled, *An Act to encourage the making of Salt at the Pennsylvania*

Salt-Works, in the State of New-Jersey, was read the third Time; and, on the Question, Whether the said Bill do pass? It passed in the Affirmative, N. C. D.

Ordered,

That the President sign the said Bill.

The Bill, intituled, *An Act to exempt a Number of Men to be employed at Mount-Hope Furnace, and the Forges thereunto belonging, and the Hibernia Furnace, all in the County of Morris, from actual Service in the Militia, under the Restrictions and Regulations therein mentioned*, was read the third Time; and, on the Question, Whether the same do pass? It passed in the Affirmative, N. C. D.

Ordered,

That the President sign the said Bill.

The Bill, intituled, *An Act to incorporate the Battalions of Newark and Aquakanonk, in the County of Essex, into one Battalion*, was read the third Time; and, on the Question, Whether the same do pass? It passed in the Affirmative, N. C. D.

Ordered,

That the President sign the said Bill.

Ordered,

That Mr. *Symmes* acquaint the House of Assembly, that the three last mentioned Bills, are passed by this House without any Amendment.

The House adjourned till Nine o'Clock To-morrow Morning.

Wednesday, October 8, 1777.

The House met.

Present as before.

Mr. *Symmes* reported, that he had obeyed the Order of the House of yesterday Afternoon.

General *Washington* having permitted Brigadier General *Forman* to discharge the Brigade of *Jersey* Militia, which lately joined the Army in *Pennsylvania*; and at the same Time requested that another Brigade of the Militia may be sent as speedily as possible to join the said Army;

Resolved,

That His Excellency the Governor be advised to order any Number of the Militia of this State, not exceeding two thousand Men, under the Command of Brigadier General *Forman*, to join the Army under the Command of General *Washington* in *Pennsylvania*.

Ordered,

That Mr. *Cox* wait on the House of Assembly, with the foregoing Resolution, and desire their Concurrence therein.

Mr. *Cox* reported, that he had obeyed the Order of the House.

A Message was received from the House of Assembly, by Mr. *Moore*s and Mr. *Peter*son, in the Words following, viz.

Ordered,

THAT Mr. *Combs*, Mr. *Camp*, Mr. *Harris*, Mr. *Mott* and Mr. *Sebring*, or any three of them, be a Committee to join a Committee of the Council to settle the Accounts of the present Treasurer of this State, and make Report thereof to the House.

Ordered,

That Mr. *Moore*s and Mr. *Peter*son do wait on the Council, and desire they will appoint a Committee for that Purpose, with Time and Place of Meeting.

The Council having taken the said Message into Consideration,

Ordered,

That Mr. *Symmes*, Mr. *Condict* and Mr. *Cox*, or any two of them, be a Committee to join with the Committee of the House of Assembly to settle the Accounts of the Treasurer of this State, and make Report to the House: That

the

the said Committees meet for the Purpose aforesaid, at the House of Mr. *Bergen*, in *Princeton*, at six o'Clock this Evening; and that Mr. *Elmer* acquaint the House of Assembly therewith.

The Bill, intituled, *An Act for erecting Salt-Works, and manufacturing Salt within the State of New-Jersey*, was read the second Time, and ordered a third Reading.

The Bill, intituled, *An Act to exempt twelve Men to be employed at the Sharpsborough Iron-Works, in the County of Sussex, from actual Service in the Militia, under the Restrictions and Regulations therein mentioned*, was read the second Time, and ordered a third Reading.

A Message was received from the House of Assembly by Mr. *Manning* and Mr. *Cook*, in the Words following, *viz.*

‘ Ordered,

‘ **T**H A T Mr. *Brown* and Mr. *Ver Bryck* be a Committee, to join a Committee of the Council, to settle the Expenditure of the last *One Hundred Thousand Dallars*, drawn from Congress for the Payment of the Militia of this State, and make Report to the House.

‘ Ordered,

‘ That Mr. *Manning* and Mr. *Cook* do wait on the Council, and desire they will appoint a Committee for that Purpose, with Time and Place of Meeting.’

The House having taken the said Message into Consideration,

Ordered,

That Mr. *Condiēt* be a Committee to join the Committee of the House of Assembly to settle the Account of the Expenditure of the last *One Hundred Thousand Dollars*, drawn from the Congress for the Payment of the Militia of this State, and make Report to the House; that the said Committees meet for that Purpose at the House of Mrs. *Lott*, in *Princeton*, at Seven o'Clock To-morrow Morning; and that Mr. *Symmes* acquaint the House of Assembly therewith.

The House adjourned till Three o'Clock, *P. M.*

The House met pursuant to Adjournment.

A Message was received from the House of Assembly, by Mr. *Mott* and Mr. *Cook*, in the Words following, *viz.*

‘ **H**IS Excellency's Message of the third Instant, being read the second Time,

‘ Resolved,

‘ That the President and Council of Safety be empowered to order the Removal of any Cattle in this State that may be in Danger of being carried off by, or falling into the Hands of the Enemy, to Places of greater Safety, on the Owner or Owners of such Cattle neglecting or refusing, after Notice, to remove the same.

‘ Ordered,

‘ That Mr. *Mott* and Mr. *Cook* do wait on the Council, and desire their Concurrence in the said Resolution.’

The Council having taken the said Message into Consideration,

Resolved,

That the House concur in the Resolution therein contained.

Ordered,

That Mr. *Symmes* acquaint the House of Assembly therewith.

Mr. *Symmes* reported, that he had obeyed the Order of the House.

A Message was received from the House of Assembly, by Mr. *Mebelm* and Mr. *Ver Bryck*, in the Words following, *viz.*

‘ Ordered,

‘ **T**H A T Mr. *Mebelm* and Mr. *Ver Bryck*, do acquaint the Council that this House have concurred in the Resolution contained in their Message of this Morning: That His Excellency the Governor be advised to order any Number of the Militia of this State, not exceeding two thousand Men.

‘ under

‘ under the Command of Brigadier General *Forman*, to join the Army under
 ‘ the Command of General *Washington* in *Pennsylvania*.’

Mr. *Clark* and Mr. *Mott*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for raising several Companies of Artillery, and two Companies of Horse, in Addition to the three Companies heretofore embodied in this State*, which was read the first Time, and ordered a second Reading.

A Message was received from the House of Assembly, by Mr. *Clark* and Mr. *Mott*, in the Words following, *viz.*

‘ *Ordered,*

‘ **T**HAT Mr. *Clark* and Mr. *Mott* do wait upon the Council, and desire to
 ‘ be informed, whether the Council have passed the Bill, intituled, *An Act*
 ‘ *to oblige the Treasurer of the State of New-Jersey to give Security for the due Ex-*
 ‘ *ecution of his Office*, sent up to them for Concurrence on the eighth Day of
 ‘ *October*, 1776, as this House hath not heard of said Bill since that Time.’

The House adjourned till Nine o’Clock To-morrow Morning.

Thursday, October 9, 1777.

The House met.

Present as before.

Mr. *Camp* and Mr. *Dcy*, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *A Supplement to an Act, intituled, An Act for regulating the Election of Members of the Legislative Council and General Assembly, Sheriffs and Coroners of the State of New-Jersey*; which was read the first Time, and ordered a second Reading.

Mr. *Paterfon*, by Leave of the House, brought in a Bill, intituled, *An Act to oblige the Treasurer of the State of New-Jersey to give Security for the due Execution of his Office, and to prescribe the Mode in which the same Security shall be taken*; which was read the first Time, and ordered a second Reading.

The House adjourned till Three o’Clock, P. M.

The House met pursuant to Adjournment.

The House resumed the Consideration of the Message received from the House of Assembly respecting the Bill, intituled, *An Act to oblige the Treasurer of the State of New Jersey to give Security for the due Execution of his Office*; and thereupon

Ordered,

That Mr. *Scudder* wait on the House of Assembly, and in Answer to their Message of Yesterday acquaint them, that a Bill, intituled as in their Message is expressed, has not been received by this House; but the Council find by their Minutes, that a Bill, intituled, *An Act to oblige the Treasurer of the State of New-Jersey to give Security for the due Execution of his Office, and to prescribe the Mode in which the same Security shall be taken*, was presented for their Concurrence in the Afternoon of the eighth Day of *October*, 1776, which Bill was read and ordered a second Reading; but as the House of Assembly thought proper on the same Day to close the Sitting of the Legislature, the Council could not possibly give the Bill the necessary Consideration to pass it into a Law at that Sitting: And through the Hurry and Confusion which happened shortly afterwards, the Bill was mislaid or lost. That the Attention of the Council has not been withheld from the said Bill through any Dislike to the Subject and Design of it; on the Contrary, the Council think it highly expedient such a Law should be passed, and would long since have prepared a Bill for the Purpose had not Business more immediately pressing constantly demanded their Attention at every Sitting of the Legislature. In the mean time, the Council conceived that the Publick would not be injured, nor its Interests endangered by the Delay, as both the late and present Treasurer have given Security for the due Execution of the Office, to the Satisfaction of both Houses.

Mr. *Scudder* reported, that he had obeyed the Order of the House.

The

The Bill, intituled, *A Supplement to an Act, intituled, An Act for regulating the Election of Members of the Legislative-Council and Assembly, Sheriffs and Coroners of the State of New-Jersey*, was read the second Time, and committed to Mr. Scudder.

The Bill, intituled, *An Act to oblige the Treasurer of the State of New-Jersey, to give Security for the due Execution of his Office, and to prescribe the Mode in which the same Security shall be taken*, was read the second Time, and ordered a third Reading.

A Message was received from the House of Assembly, by Mr. Camp and Mr. Manning, in the Words following, *viz.*

Ordered,

THAT Mr. Cook be added to the Committee appointed on the 19th of September last, to join a Committee of the Council to inspect the Minutes of the Council of Safety, so far as relates to the Expenditure of the Money drawn from the Treasurer; and that Mr. Camp and Mr. Manning, do wait on the Council and acquaint them therewith, and desire they will add to their Committee appointed for that Purpose, and appoint the Time and Place of Meeting.

The House having taken the same into Consideration,

Ordered,

That Mr. Cox be added to the Committee appointed the 19th of September last, to join the Committee of the House of Assembly to inspect the Minutes of the Council of Safety, so far as relates to the Expenditure of the Money drawn from the Treasury: That the said Committees meet for that Purpose at the House of Mr. Bergen, at six o'Clock this Evening; and that Mr. Condict acquaint the House of Assembly therewith.

The House adjourned till Nine o'Clock To-morrow Morning.

Friday, October 10, 1777.

The House met.

Present as before.

Mr. Condict reported, that he had obeyed the Order of the House, of last Evening.

The Bill, intituled, *An Act to oblige the Treasurer of the State of New-Jersey, to give Security for the due Execution of his Office, and to prescribe the Mode in which the same Security shall be taken*, was read the third Time; and, on the Question, Whether the same do pass? It passed in the Affirmative, *N. C. D.*

Ordered,

That the President sign the said Bill.

Ordered,

That Mr. Scudder carry the said Bill to the House of Assembly, for their Concurrence.

Mr. Scudder reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act for raising several Companies of Artillery, and two Companies of Horse, in Addition to the three Companies heretofore embodied in this State*, was read the second Time, and ordered a third Reading.

Mr. Cox, from the Committee appointed to join with a Committee of the House of Assembly, to inspect the Minutes of the Council of Safety, &c. made Report of the Proceedings of the said Committees, which was agreed to by the House, and is as follows, *viz.*

YOUR Committee appointed to inspect the Minutes of the Council of Safety, touching the Expenditure of the Money drawn from the Treasury, beg Leave to report that your Committee find said Council have expended, as per Account and Vouchers to your Committee exhibited, the Sum of *Three Hundred and Sixty-seven Pounds and Two-pence*; and that there remains a Balance

lance of *Thirty-two Pounds Nineteen Shillings and Ten-pence*, due from *Caleb Camp*, Esq. on Account of the Money draw from the Treasury.

His Excellency General *Washington*, having requested that as many of the Militia of this State as can be spared, may be immediately ordered to join the Army under the Command of General *Putnam* in the State of *New-York*;

Resolved,

That His Excellency the Governor be advised to order any Number of the Militia of this State, not exceeding One Thousand Men, to be forthwith raised, in Addition to the Two Thousand lately advised to be sent to *Pennsylvania*; and that His Excellency be advised to order the said Three Thousand Men or any Part of them to join the Grand Army in the State of *Pennsylvania*, or the Army under the Command of General *Putnam* in the State of *New-York*, as the Exigency of Affairs may require.

Ordered,

That Mr. *Condict* wait on the House of Assembly with the foregoing Resolution, and desire their Concurrence therein.

Mr. *Condict* reported, that he had obeyed the Order of the House.

Mr. *Scudder*, to whom was referred the Bill, intituled, *a Supplement to an Act, intituled, An Act for regulating the Election of the Members of the Legislative-Council and Assembly, Sheriffs and Coroners of the State of New-Jersey*, reported that he had gone through the said Bill, and made fundry Amendments thereto, which he was ready to report when the House would be pleased to receive the same;

Ordered,

That the said Report be made immediately:

Whereupon Mr. *Scudder* read the said Amendments in his Place, and delivered them in at the Table.

And the said Amendments being again read, were agreed to by the House.

The Bill, intituled, *A Supplement to an Act, intituled, An Act for regulating the Election of Members of the Legislative-Council and Assembly, Sheriffs and Coroners of the State of New-Jersey*, was read the third Time, with the Amendments in their Places; and, on the Question, Whether the same as amended, do pass? It passed in the Affirmative, *N. C. D.*

Ordered,

That the President sign the said Bill and Amendments.

Ordered,

That Mr. *Elmer* carry the said Bill and Amendments to the House of Assembly, and desire their Concurrence in the said Amendments.

The Bill, intituled, *An Act to explain the Law and Constitution of the State of New-Jersey, as to the quartering of, and furnishing Carriages for the Army in the Service of the United States of North-America; and for making some further Provision for the same*; was read the third Time; and, on the Question, Whether the same do pass? It passed in the Affirmative, *N. C. D.*

Ordered,

That the President do sign the said Bill.

Ordered,

That Mr. *Elmer* carry the said Bill to the House of Assembly, and desire their Concurrence therein.

Mr. *Elmer* reported, that he had obeyed the two foregoing Orders of the House.

Mr. *Condict*, from the Committee appointed on the 24th of *September* last, to join with a Committee of the House of Assembly, in a free Conference on the Subject Matter of dividing the State into Districts, and appointing Persons in each District to recruit Men for the Continental Service, reported, that the said Committees had met according to Order and agreed, that the several Counties in this State be deemed Districts for the Purposes aforesaid; and that the Persons herein after named, be appointed in the several Districts to recruit Men for the Continental Service, *to wit,*

For the County of

Morris,	{	Alexander Carmichael, William Youngs,	}	To rendezvous at <i>Morris</i> <i>Town.</i>
Burlington,	{	John Lake, Capt. Joseph Weaver, Capt. Joseph Quigley,	}	<i>Mount-Holly.</i>
Capc-May,	{	John Hand, James Willets,	}	At Capt. <i>James Willets.</i>
Cumberland,	{	Azel Pierfon, James Ewing, George M'Glaughlin	}	<i>Bridgetown.</i>
Bergen,	{	David Marinus, Cornelius Erwin,	}	<i>Pompton.</i>
Monmouth,	{	Kenneth Anderson, Gilbert Longstreet,	}	<i>Monmouth Courthouse,</i>
Somerset,	{	John Baird, Joseph Carterlin, Jacob Flagg,	}	<i>Somerset Courthouse.</i>
Suffex,	{	Isaac Martin, Benjamin Kuy Kendal, Capt. Emanuel Hover, Willian Carr,	}	<i>Suffex Courthouse.</i>
Gloucester,	{	Joseph Estell, William Price; Còl. Josiah Hillman, James Tallman,	}	<i>Woodbury.</i>
Salem,	{	James Sterling, Capt. John Kelly, Major Anthony Sharp,	}	<i>Town of Salem.</i>
Effex.	{	David Rofs, James Hedden, Abraham Spier,	}	<i>Newark.</i>
Middlesex,	{	Robert Nixon, John Webster,	}	<i>Brunswick.</i>
Hunterdon,	{	Jesse Hart, Richard Corwine, Jacob Anderson, <i>Lebanon.</i> Samuel Groenendike,	}	<i>Fleming-Town,</i>

To which Report the House agreed.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

The Bill, intituled, *An Act to exempt twelve Men to be employed at the Sharpsborough Iron-Works, in the County of Suffex, from actual Service in the Militia, under the Restrictions and Regulations therein mentioned,* was read the third Time; and, on the Question, Whether the said Bill do pass? It passed in the Affirmative, N. C. D.

Ordered,

That the President sign the same.

Ordered,

That Mr. Symmes acquaint the House of Assembly therewith.

The Bill, intituled, *An Act for raising several Companies of Artillery, and also two Companies of Horse in Addition to the three Companies heretofore embodied in this State,* was read the third Time; and, on the Question, Whether the said Bill do pass? It passed in the Affirmative, N. C. D.

Ordered,

That the President do sign the same.

Ordered,

Ordered,

That Mr. *Symmes* acquaint the House of Assembly therewith.

The Bill, intituled, *An Act for erecting Salt-Works and manufacturing Salt within the State of New-Jersey*, was read the third Time; and, on the Question, Whether the said Bill do pass? It passed in the Affirmative, *N. C. D.*

Ordered,

That the President sign the same.

Ordered,

That Mr. *Symmes* acquaint the House of Assembly therewith.

A Message was received from the House of Assembly by Mr. *Mebelm* and Mr. *Mott*, in the Words following, *viz.*

Ordered,

THAT Mr. *Mebelm* and Mr. *Mott* do carry the Bill, intituled, *A Supplement to an Act, intituled, An Act for regulating the Election of the Members of the Legislative-Council and Assembly, Sheriffs and Coronors of the State of New-Jersey*, to the Council, and acquaint them that this House do agree to all the Amendments made by the Council to the said Bill, except that in the 31st Line of the second Page of the said Bill, which this House doth reject, and in that Part adhere to the Bill.

The Council having taken the said Message into Consideration,

Resolved,

That the House recede from the Amendment rejected by the House of Assembly.

Ordered,

That Mr. *Condict* carry back the Bill, intituled, *A Supplement to an Act, intituled, An Act for regulating the Election of the Members of the Legislative-Council, &c.* with the Amendments thereto annexed, to the House of Assembly, and acquaint them that the Council have receded from the Amendment made to the thirty-first Line of the second Page of the said Bill, which was rejected by the House of Assembly.

Mr. *Condict* reported, that he had obeyed the Order of the House.

Mr. *Symmes* reported, that he had obeyed the three Orders of the House of this Day.

A Message was received from the House of Assembly by Mr. *Mebelm* and Mr. *Ver Bryck*, in the Words following, *viz.*

Ordered,

THAT Mr. *Mebelm* and Mr. *Ver Bryck* do wait on the Council, and acquaint them that this House have concurred in the Resolution contained in their Message of this Day.

That His Excellency the Governor be advised to order any Number of the Militia of this State, not exceeding One Thousand Men, to be forthwith raised, in Addition to the Two Thousand lately advised to be sent to *Pennsylvania*; and that His Excellency be advised to order the said Three Thousand Men, or any Part of them, to join the Grand Army in the State of *Pennsylvania*, or the Army under the Command of General *Putnam* in the State of *New-York*, as the Exigency of Affairs may require.

The House adjourned till Nine o'Clock To-morrow Morning.

Saturday, October 11, 1777.

The House met.

Present as before.

Mr. *Brown* and Mr. *Manning*, from the House of Assembly, brought back to this House the Bill, intituled, *An Act to oblige the Treasurer of the State of New-Jersey to give Security for the due Execution of his Office, and to prescribe the Mode in which the same Security shall be taken: And the Bill; intituled, An Act to explain the Law and Constitution of the State of New-Jersey, as to the quartering of, and furnishing Carriages for the Army in the Service of the United States of North-*

North-America; and for making some further Provision for the same; which Bills are passed by the House of Assembly.

Mr. Tallman and Mr. Bowen, from the House of Assembly, brought back to this House, the Bill, re-engrossed with the Amendments agreed to by both Houses, intituled, *A Supplement to an Act, intituled, An Act for regulating the Election of the Members of the Legislative-Council and Assembly, Sheriffs and Coroners of the State of New-Jersey*: Which re-engrossed Bill, having been read and compared,

Ordered,

That the President sign the same.

The House adjourned till Three o'Clock, P. M.

The House met pursuant to Adjournment.

Mr. Vandike and Mr. Buck, from the House of Assembly, presented, for the Concurrence of this House, a Bill, intituled, *An Act for defraying sundry incidental Charges*, which was read the first Time, and ordered a second Reading.

A Message was received from the House of Assembly, by Mr. Moores and Mr. Peterson, in the Words following, viz.

‘ I T being near the Close of this Session, and the House not having Time to go through a Bill, for the Relief of such Officers and Privates of the Militia as have been wounded or disabled in the Service of the State, and the Widows of such of them as have lost their Lives in the said Service :

‘ Resolved,

‘ That the President and Council of Safety of this State be empowered, on Application, to give such temporary Relief to the Persons above-mentioned, as they shall find equitable and necessary, and draw on the Treasury for Money for that Purpose, and lay the Accounts of their Disbursements before the next Assembly.

‘ Ordered,

‘ That Mr. Moores and Mr. Peterson do wait on the Council, and desire their Concurrence in the said Resolution.’

The Council having taken the said Message into Consideration,

Reso'vcd,

That the House concur in the Resolution therein contained.

Ordered,

That Mr. Scudder acquaint the House of Assembly therewith.

The Bill, intituled, *An Act for defraying sundry incidental Charges*, was read the second Time, and ordered a third Reading.

Mr. Scudder reported, that he had obeyed the Order of the House.

The Bill, intituled, *An Act for defraying sundry incidental Charges*, was read the third Time; and, on the Question, Whether the said Bill do pass? It passed in the Affirmative, N. C. D.

Ordered,

That the President sign the same.

Ordered,

That Mr. Symmes acquaint the House of Assembly therewith.

Mr. Symmes reported, that he had obeyed the Order of the House.

A Message was received from the House of Assembly, by Mr. Holmes and Mr. Mehelm, in the Words following, viz.

‘ Resolved,

‘ T H A T the Treasurer of this State be directed to call in the Arrearages due from the several Counties, and that the sinking the same be deferred, and the Money applied to the Exigencies of the State, and that the Treasurer be allowed the same Fees on all the Sinking-Fund Tax by him received and paid out, as he would be intituled to if the same was sunk as heretofore.

‘ Ordered,

‘ That Mr. Holmes and Mr. Mehelm wait on the Council, and desire their Concurrence in the said Resolution.’

The Council having taken the said Message into Consideration,

Resolved,

That the House concur in the Resolution therein contained.

Ordered,

That Mr. *Elmer* acquaint the House of Assembly therewith.

Mr. *Elmer* reported, that he had obeyed the Order of the House.

Mr. *Cox*, from the Committee appointed to join with the Committee of the House of Assembly to settle the Accounts of the present Treasurer of this State, reported, that the said Committees had met according to order and settled the Accounts of the said Treasurer, and that he was ready to make Report thereof when the House would be pleased to receive the same.

Ordered,

That the said Report be made immediately :

Whereupon Mr. *Cox* exhibited the Account of the said Treasurer, as settled by the said Committees, with a Certificate thereunder written in the Words following :

“ **W** E the Committee of the Council and Assembly appointed to settle the
 “ Accounts of the present Treasurer of this State, and make Report
 “ thereof to the Houses, having examined the several Debts and Credits con-
 “ tained in the foregoing Ten Sheets of Paper, commencing in *March 1777*,
 “ and ending in *September* following, and the Vouchers from N^o. 1. to N^o. 195.
 “ inclusive, relative thereto, and being fully satisfied therewith, do find the Ba-
 “ lance above stated, of *Twelve Thousand Two Hundred and Twelve Pounds Three*
 “ *Shillings and Two-pence*, remaining in the Hands of the said Treasurer on the
 “ said Account. *October 11, 1777.*

JOHN CLEVES SYMMES,
 SILAS CONDUCT,
 JOHN COX,

CALEB CAMP,
 JAMES MOTT, jun.
 ROELOFF SEBRING.

Which Account and Certificate having been examined,

Resolved,

That the House approve the said Report.







