



*Col. Walter Stewart (1781) by Charles Wilson Peale; with the backdrop of a Continental Army encampment of the sort Kirkwood's company bivouacked. No known painting or drawing of Kirkwood himself is known to exist.*

## THE ORDER BOOK OF CAPTAIN ROBERT KIRKWOOD, DELAWARE LINE

*"...[W]ho are these mighty Britons; are they Gods; or Mortal men, like ourselves[?]"*  
~ Capt. Robert Kirkwood.

Diaries, journals, and book length narratives from the Revolutionary War rank and file, respecting these last such as those of Joseph Plumb Martin or John Robert Shaw, are infrequent. And while pension statements are numerous, and often contain anecdotes and hard to come by information, the preponderance of the time they tend to be terse, and are typically written with an understandable aim to please or impress. The next place to look for original documentation on what life for the ordinary soldier was like are the orderly books. Keeping orderly books started with the British; with Americans learning of and picking up on the same during the French and Indian War. Earliest American orderly books of the Revolutionary War were taken up immediately after Lexington and Concord, and the practice became standard subsequently and throughout the conflict. It has been estimated that among the Americans alone, there were something like 20,000 orderly books written up. And yet today, only some 1,000 are specifically known of, and of these less than a hundred survive.<sup>1</sup> Of those that are extant, the Society of Cincinnati, we might note, maintains a respectable holding.

These are on and off journals kept by officers of companies and regiments, and sometimes those on the general staff level, whose primary purpose was to record orders and pronouncements by an army commander to all units, or by the regimental or company commander to the specific unit. Among other things, this protected the commander from being given the excuse that the unit had not been informed of the order in case that order hadn't been obeyed or not followed through with. But depending of who maintained them, the orderly books often ended up containing much more than orders. In addition they would or might include military judicial proceedings (such as court-martials); returns and pay rolls of men and supplies; the nature of those supplies, and which might, for instance, give information on uniforms and clothing; inspection reports; layouts of camp and their arrangements; the naming of officers to certain duties; passwords of the day; and news and announcements of great and small events. Some officers who kept orderly books further used them to occasionally record their own personal thoughts and reflections, or speeches given by them to the unit. The above mentioned military proceedings reported are especially instructive and enlightening in giving us a more candid look at how some soldiers conducted themselves and how they spoke to one another; so that orderly books provide as well or better than any source the behavioral protocol, immediate sentiments felt, and verbal language used among and between enlisted men

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<sup>1</sup> "A Brief Profile of Orderly Books" by John Robertson and Bob McDonald; for which see: <http://www.revwar75.com/ob/nature.htm>

and officers. The portrait of the army that emerges is sometimes flattering; sometimes not, and every now and then, usually unintentionally, risible, amusing, or even touching.

The *Book of General Orders for the Year 1777, Kept by Captain Robert Kirkwood* is without question one of the finest specimens, arguably the finest, of American orderly books of the time still available.<sup>2</sup> Kirkwood (1746-1791) had a literary bent; is said to have been versed in the classical languages, and at the outset of the war was studying at the academy in Newark, Delaware. Like Peter Johnston of Lee's Legion, it was hoped by his father, a Presbyterian elder, that Kirkwood would follow a calling as a minister. The war, however, caused a change in such plans. Ardent for the cause, and perhaps encountering the difficulty of obtaining approval from a reluctant parent, he finally left school and enlisted, securing a commission as lieutenant in Col. John Hazlett's Delaware Regiment on December 9<sup>th</sup>, 1775. His biographer De Lany<sup>3</sup> states Kirkwood was present at the retreat from New York, Trenton and Princeton; having been promoted to captain on December 1<sup>st</sup>, 1776. After the death of Hazlett at Princeton, the Delaware regiment was briefly disbanded but later reformed and re-organized under Col. David Hall; with Kirkwood being transferred thereto in May 1777. His career from that time was as event filled and illustrious as that of any company commander of the entire war. He saw action at Brandywine, Germantown, Camden, Cowpens, Guilford Court House, the siege of Ninety-Six, Eutaw Springs; with his unit being among the corps elite of Washington's Army.

Although brevetted to the rank of major in 1783, for practically all of his career Kirkwood remained a Captain. One reason given for this was that the Delaware Regiment was so decimated at the battle of Camden, and thereby reduced to two companies, there was simply no room for advancement. And yet when joined the newly established United States Army to help fight the Miamis in Gen. Arthur St. Clair's ill-fated campaign in Ohio and the Northwest in 1791, he was still kept at a captaincy. The truth is, Kirkwood, although reliable, dutiful, and zealous in the cause, was rather a humble sort in temperament and lacked the ambition, verve, and connections, to jostle as others did for higher command. It was while serving with St. Clair that he was killed in action at the battle of Fort Recovery (near modern day Fort Wayne, Indiana.) Though often cited, it is still and only fitting to re-quote his comrade in arms Henry Lee's assessment of him: "[H]e died as he had lived, the brave, meritorious, unrewarded, Kirkwood."<sup>4</sup>

De Lany mentions that he read his (entire) Bible yearly; wrote essays, at least one of which reportedly survives on the subject of dueling; composed music and "performed most sweetly on the flute." The Kirkwood papers are housed in the Delaware Historical Society.

Despite earlier comments, orderly book entries can sometimes be dry reading. But not always, and here we have made an effort to educe from the book Kirkwood and his men, and the Continental Army, at some of their most animated and interesting moments. Indeed, taken together, these selections form something of a mini-narrative with Kirkwood's company being the central character amidst a panoply of others, both civilian and military. Editorial notations aside, spellings are left as found in his hand writing, and instances of Kirkwood's possible mis-transcriptions of, say, orders from "the General" ought not be seen as the fault the originals from whence they were derived, but simply the understandable shortcoming of receiving them orally; as was routinely the case due to the paucity of ink and paper.

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<sup>2</sup> Some other conspicuous keepers of orderly books were Otho Holland Williams: transcribed by John Beakes but faintly edited by myself, and available at: <http://archive.org/details/Col.OthoHollandWilliamsOrderBook1780-81> and Francis Marion; a valuable republication of whose, edited by North Carolina historian Patrick O'Kelley, surfaced not very long ago.

<sup>3</sup> "Biographical Sketch of Robt. Kirkwood," by P. Benson, De Lany, *Graham's Magazine*, March 1846, vol. 28, no. 3, p. 97.

<sup>4</sup> Lee, *Memoirs* (1869 edition), p. 185n.

Head Quarters, Princeton March 27th 1777  
Gen[era]l-Orders

The General<sup>5</sup> is very sorry there should be so much foundation for the frequent complaints of the sodery [soldiery], respecting their pay and cloathing, he is very sensible of these difficulties and promises them everything in his power to have them speedily redressed.

The officers of the different Corps, are for this purpose immedietely to make out their pay rolls & returns for the necessaries, and despatch them by proper persons, who will procure them without delay.<sup>6</sup>

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Genl-Orders 29th March 1777

All the Carpenters belonging to the Different Corps are to parade at Head Quarters at eight OClock to morrow morning. Additional wages will be given to good workmen.

Publick worship will be performed by the Revd. Dr. [Jonathan] Witherspoon tomorrow at the Meetinghouse, all the Troops are to attend precisely at 11 OClock. The officers to see the men parade exactly at that time, in neat & proper order and be examplary in their attendance.<sup>7</sup>

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Head Quarters Princeton 30th March 1777  
Gen-l Orders

All the Troops in Camp to Parade to morrow morning at guard Mounting. James Robinson, & Matt. Jones, under sentence of Death for Desertion are to be Executed to morrow between the hours of 10 & 11 OClock Major Larmer's Detachment from ye 3rd, 8th & 9th Virgr. Regt. & Capt. Scheirs Independant Company to hold themselves in readiness to march immediately after Execution tomorrow.<sup>8</sup>

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(March 30th 1777)

...Jno Bryan A Soldier on Suspicion of Desertion James Murphy for persuading Jno Bryan to Enlist with Ens. Carpenter knowing that he Before was Inlisted. the Court Sentence Bryan to Receive 100 Lashes & Murphy to Receive 50 Lashes.

Samuel M Murry brought before the Court for getting Drunk & Stealing 1 pair Shoes. No Evidence appears for Stealing is therefore Sentenc'd to Receive 15 Lashes for getting Drunk.

Andrew McCoy A Suttler brought before the Court for fraud & Extortion, the Court finds him guilty & Sentence him to Receive 100 Lashes & be drummed out of the Camp & never permitted to Sell any more.

The Above Sentence has been approv'd of by the Genl.<sup>9</sup>

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<sup>5</sup> Washington.

<sup>6</sup> *The Journal and Order Book of Captain Robert Kirkwood of the Delaware Regiment of the Continental line* (1910), edited by Rev. Joseph Brown Turner, p. 50. For an online copy, see: <http://archive.org/details/journalorderbook00kirk>

<sup>7</sup> *Ibid.* p. 51.

<sup>8</sup> *Ibid.* p. 51.

<sup>9</sup> *Ibid.* p. 53.

Head Quarters May 4 1777

The Genl again orders that the whole of the Troops turn out and are on the Parade at the beating of the Ravalie and the Officers Are to Maneuver them untill Sun Rise the Commanding Officers of Corps must Remember for to have all their men Provided with three Days Provision Ready Cook'd The Genl Perticularly forbids the Commanding officers of guards not to suffer any of the guards to be Absent from their guards Either day or Night untill properly Relieved it is with surprise the Genl hears it is A Common Practice when at the Advanced Posts of the Enemy...

It having been observed that no truth of Adhering to A former order, but the Contrairey some officers make A Practice of Riding Continental Horses as well as them Belonging to the Inhabitants in the Neighbourhood of the Army.

The Commander in Cheif possittively Declares that if any Off[icer], in the Returns will Dare to Presume to Ride any Horse Either Publick or Private, Without Leave first obtain'd from the proper Off, if a Publick Horse, or from the Owner if Private property; Shall Immediatly be Brought to tryal by A Genl Court Martial.<sup>10</sup>

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Head Quarters May 15th 1777

As few Vices are Attended with more pernicious Consequences in Civil life, so there are none more fatal in A Military one than that of Gaming which often brings Disgrace, & Ruin upon Offs & Injury and Punishment on Soldiers, & Reports Prevailing which it is to be feared are too well founded that this pernicious Vice has Shead its banefull influence in the Army and in perticular to the Prejudice of the Recruiting Service the Commander in Cheif in the most pointed & Explicat terms forbids all Offs & Soldiers Playing at Cards or Dice or any other games except that of Exercise for Diversions it being impossible if the practice be Allowed at all to Descriminate between Innocent play for Amusement And Criminal Gaming for Pecunary Sordid purposes.

Offs attentive to their Duty will find Abundant Employment in training and Dissipling their Men, providing for them and Seeing that they appear Neat & Clean and Soldier like, nor will any thing Redound more to their Honour, Afford more Solid Amusement or better Answer the End of their Appoinment than to devote the Vacant Moments they may have to the Study of Military Authors.

The Commanding Off. of every Corps are Strictly enjoined to have the orders frequently Read and Strongly impressed upon the minds of them under his Command, Any Off. or Soldier or other person belonging to or following the Army Whether in Camp, in Quarters, or on the Recruiting Service, or Else where presuming under any pretence to Disobey this order Shall be tryed by A Genl Court Martial...<sup>11</sup>

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Head Quarters 21st May 1777

... John Chard 2nd Maryland Reigt tried at the Same Court for Sleeping on his post Sentenced to Receive 100 Lashes well laid on, the Genl Approves the Sentence, & orders it to be executed at the head of the Reigt tomorrow morning at 8 OClock the Court Martial to Sit again to morrow morning at 9 OClock to try Such persons as may be brought before them.

Fergusson M'Clain tried at a Court of enquiry on Suspicion of being an enemy to his Country.

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<sup>10</sup> *Ibid.* pp. 57-58.

<sup>11</sup> *Ibid.* pp. 58-59.

The Court finding no evidence against him, the Genl orders his immediat Release.

A Return of the Drums & fifes wanting in the Several Reights are to be made immediately.<sup>12</sup>

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Head Quarters Princeton 11th 1777

... Mary Quin try'd by the Same Court, for acting as an Enemy to her Country, no Evidence appearing the Genl orders her to be Releas'd. Elizabeth Brewer try'd by the Same Court & found guilty of acting as a Spy in the Service of the Enemy, do Sentence her to be Confin'd During the War, the Genl Approves the Sentence & orders her to be Sent to Morrow in Company with James Cox to Philada with a Copy of her Sentence & to be there Confin'd in Such place as the Commanding off. Shall direct during the War...<sup>13</sup>

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Lincoln Mountain 2nd July. 1777

...Abram Meers of Capt. Kirkwood's Compy of S[ai]d Regt brought before the Court, for Striking and abusing A Drummer for doing his Duty Prisoner Pleads not guilty. Evidence -- Thos. Clark Drummer being duely Sworn deposeseth & Saith, that he went into the tent where the prisoner was at Breakfast with whome he mest the prisoner ask'd him if he did not want some Breakfast he Replied yes & thank him too, the Prisoner then said he did not Deserve any for whipping A man so hard & farther Said if he ever whip'd him so hard, and he met him in a bye place, he would give him A knock that he would not be aware of, & after abusing him gave the Deponent a stroake in the Side which almost Deprived him of his breath. Thomas Tool at the Request of the Prisoner being called before the Court & duly qualified, sayeth that the afores'd Thos. Clark went into the Prisoners Tent, & the Prisoner asked him if he did not want some Victuals upon which the said Clark answer'd Yes on which the Prisoner said are you not a Man that meses by your self, if so go & get your own Victuals to eat, upon which the said Clark made up of very provoking Language to the Prisoner, the Prisoner said he did not know how to whip or else he would not have abus'd the man so that he whipp'd yesterday the Drummer answer'd, he was oblig'd to do his Duty & that perhaps some day or other he might fall into his hands & then he would know whether he understood whipping or not.

Christopher Wilier, at the request of the Prisoner being brought before the Court and duely Qualified Saieth that he was imployed in cutting up meat in order to Cook, when Clark came in to the tent, & that the prisoner bantred him about his whipping & told him to be more moderate in whipping & not to whip as if he was in A passion or else he would get the ill will of the whole Compy upon which the Drummer seem'd to be angry but the Deponent says he could not Recollect the words the Drummer Said.

Charles Hamelton A Corporal in Capt. Kirkwood's Compy at the request of the Prisoner being brought before the Court & Sworn, sayeth being at the Prisoners tent doore heard the Drummer and Prisoner using Reproachfull language to each other he likewise saieth he heard the Drummer daring the Prisoner to Strike him.

The Court having Duely Considered the evidence for and against the prisoner are of opinion that he is guilty of a breach of the first Article of War, Sect. 7th & do Sentence him to ask pardon of the party offended in the Presence of his Commanding Off.

Patrick Davis a Soldier in Capt. Learmonth's Compy Confin'd by Adj. Lucas for a buseing Serjt Jordan in his duty, Pleads not guilty; Serjt Jordan Being Brought before the Court & duely Qualified deposeseth & Saieth, that the Prisoner yesterday Evening ask'd him for a Screw to Draw his Load, the Deponent told him to go to the Serjts tent where he would get one out of his Catridge box, upon which the

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<sup>12</sup> *Ibid.* pp. 63-64.

<sup>13</sup> *Ibid.* pp. 83-84.

prisoner went & ask'd for the Screw but not getting it immediety he Call'd for the Deponent to come & get it for him & abus'd him, saying if he did not come & get it for him he would fire off the Load, upon which the Sd Jordan told him if he would fire his gun off it would be nothing to him, but that the punishment would fall on himself, the Prisoner Came like wise this morning to Serjts Jordan's tent where he was making out a Provision Return, and ask'd him if he had Return'd him fit for Duty, upon which Serjt Jordan told him he had by order of Lt. MKennon the prisoner Replied if he (the Sd Jordan) had receiv'd what he had he would not be fit for duty & abused him; the Serjt Desir'd him to go off peaceably; the Prisoner threatened to Shake him, & the Adj. overhearing him ordered that he Should be Confin'd Serjt Cox of Capt. Learmonths Compy being Duely Sworn Sayeth that the prisoner having asked Serjt Jordan if he had Returned him fit for Duty the Serjt Replied Yes, upon which the Prisoner us'd Reproachfull words to him after he had Desired him to go to his tent & make no Desturbance.

The Court having Duely Considered the Evidence are of opinion that he is guilty of A Breach of the 5th Article of War 18th Sect. & do sentence him to receive 50 Lashes on the bare back well laid on with the Cat o' nine tails.

The Sentence is Approv'd off and order'd to be put in execution to morrow evening on the parade.

David Hall  
Col. D[elaware] R[egt].<sup>14</sup>

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Country Men, and fellow Soldiers.<sup>15</sup>

When I Consider the Cause, for which we have Drawn our Swords, and the Necessaty of Striking an effectual Blow, before we Sheath them again, I feel Joifull hopes arising In my mind, that in one day an opening Shall be made for the Restoration of American Liberty, and for shaking off the Infamous Yoke of British Slavery.

America is yet free, the all grasping power of Briton has not yet been Able to seize our Liberty, but it is only by Valor. As it is by Arms, that the brave Acquire Immortal fame, so it is by arms, that the sordid must defend their lives & Properties, or lose them. We are the verry men, my friends, who have hitherto set bounds to the Unmeasureable Ambition of the Britons.

In Consequence of our Inhabiting the more inaccessible parts of the Continent, to which the Shores of those Countries on the Continent are enslaved by the Britons are Invisible, We have hitherto been free from the Common Disgrace, and the Common Sufferings, We lay almost out of the Reach of fame itself. But We must not expect to enjoy this untroubled Security any longer, unless we Bestir our Selves so effectually, as to put it out of the power of the Enemy to Search out our Retreats, and Desturb our Repose. If we do not curiosity alone will Set them a Prying, and they will conclude, that there is Some what worth the Labour of Conquering, in the Interior parts of the Continent, merely because they have never Seen them. What is little known if often Coveted, because so little known. And We are not to expect, that we should escape the Ravage of the General Plunderers of mankind; by any Sentiment of Moderation in them, When Provinces, which are more Accessable, come to be Subdued, they will then force their way into those, which are harder to come at. For We See, that if A Country is thought to be powerfull in arms, the Britons attact it, Because the conquest will be Glorious; if Inconsiderable in the Military Art, Because the Victory will be easey; if Rich, they are drawn thither by the hope of plunder; if poore by the desire of fame. The East and the West, the South and the North, the face of the whole earth, is the Scene of their Military Atchievements; the World is too little for their ambition, & their Avarice. They are the only Nation ever known to be equally desirous of Conquering a poor kingdom as A Rich one. Their Supreme Joy Seems to be Ravageing, fighting, and Shedding of blood; and when they have unpeopled a Region, so that there are

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<sup>14</sup> *Ibid.* pp. 95-97.

<sup>15</sup> As no ascription is made to this speech, as there otherwise is in such instances, and it would appear to be Kirkwood's own composition.

none Left alive able to bear arms, they Say, they have given peace to that Country. Nature itself has peculiarly endeared to all men, their Wives and their Children. But it is known to you my Countrymen that here to fore Our Young Men were daily Draughted off to supply the Deficiencies in the British Army. The Wives, the Sisters, and the Daughters of the Conquered are either exposed to their Violence, or at least Corrupted by the arts of these Cruel Spoilers. The Fruits of our Industry are plundered, to make up the taxes imposed on us by oppressive Avarice. Americans Sow their fields; and the greedy Britons Reap them. Our very bodies are worn out in carrying on their Military Works; and our toils are Rewarded by them with abuse and Stripes. Those, who are born to Slavery, are bought and Maintained by their master. But this Happy Continent will pay for being enslaved, and feed those who enslave it. And our Portion of Disgrace will be the Bitterest, as the Inhabitants of America are the last, who have fallen under the galling yoke. Our native bent against tyranny is the Offence, which most sensibly irritates those Lordly Usurpers. Our Distance from the Seat of Government, and our natural Defence, by the Ocean render us obnoxious to their Suspicions; for the[y] know that the Americans are born with an instinctive love of liberty; and they Conclude, that we must be naturally led to think of taking the advantage of our Situation, to Disengage ourselves, one time or other from their oppressions.

Thus, my Countrymen and fellow Soldiers, suspected and hated, as we ever must be by the Britons, there is no prospect of our enjoying even a tolerable State of Bondage under them. Let us, then, in the name of all that is Sacred, & in defence of all that is dear to us, resolve to exert our Selves, if not for Glory, at least for Safety; if not in vindication of American honor, at least in Defence of our lives. How near were the Brigantines to shaking off the Yoke -- led on too by a Women [Boudicca]; they burnt A Roman Settlement; they attacked the Dreaded Roman Legions in their Camp had not their partial Success drawn them into a fatal security, the business was done. And shall not We, of the United States Whose territories are yet free, & whose Strength entire, Shall we not, my fellow Soldiers, attempt Some what, which may shew them foreign Ravagers, that they have more to do, than they think of, before they be masters of the whole Continent.

The Brigantines, according to Ptolemy, inhabited what is now called Yorkshire the Bishoprick of Durham, &c.

But after all, who are these mighty Britons; are they Gods; or Mortal men, like ourselves; Do we not see, that they fall into the same errors, and Weaknesses, as others; does not peace effeminate them; Does not abundance Debauch them; Does not Wantonness enervate them; Do they not even go to excess in the most unmanly vices and can you imagine, that they who are Remarkable for their Valor; What then do we Dread; Shall I tell you the verry truth, my fellow Soldiers; It is by means of our intestine Divisions, that the English have gained so great advantages over us. They turn the mismanagement of their enemies to their own praise. They boast of what they have done, & say nothing of what we might have done, had we been so wise as to Unite against them. What is this formidable British Army. Is it not Composed of a Mixture of People from Defferent Countries; some more, some less; disposed to Military Atcheivements; some more, some less Capable of bearing fatigue and Hardship. They keep to gether, while they are Successful. Attack them with Vigor Distress them; you will see them move Desunited among themselves, that we are now. Can any one Imagine that English, Irish, Hessians Hanoverians and with Shame I must add Americans, who basely lend, for a time, their limbs, and their lives, to build up a Forreign tyranny; can one imagine that these Will not be longer Enemies, than Slaves; or that Such an army is held together by Sentiments of fidelity or affection; No; the only body of union among them is fear. And whenever terror ceases to work upon the minds of that mixed Multitude, they who now fear, will then hate, their tyrannical Master, On our side there is every possible excitement to valour, the British Courage is not as ours, In flamed by the thoughts of Wives and children in danger of falling into the hands of the Enemy. They have no parents as we have to reproach them, if they Should Desert their infirm old age, They have no Country here to fight for. They are a Motley Collection of Forreigners, in a Land wholly unknown to them, cut off from their Native Country, hemmed in by the Surrounding Ocean and given I hope a prey into our hands, without all possibility of escape. Let not the Sound of the British name affright your ears. Nor let the glare of gold or silver, upon their Armour, dazzel your eyes, It is not by gold, or Silver, that men are either Wounded or Defended ; though they are Rendered a Richer Prey to the Conquerers. Let us boldly attack this desunited Rabble. We shall find among them selves a Reinforcement to our army. The Irish, who are incorporated into their forces, will through shame of their Country's Cause Deserted by them, Quickly

leave the English, and Come over to us. The Scotch Remembering their former Liberty, and that it was the English who deprived them of it, will forsake their tyrants, and join the assertors of Freedom. The Hessians who Remain in their army will follow the example of their Countrymen. And what will there then be to fear. On our Side, an Army united in the Cause of their Country, their Wives their Childres, their Aged Parents, their Liberties, their lives, at the head of this army I hope I do not offend against Modesty in Saying, there is a general Ready to exert all his Abilities, and to Hazard his life in Leading us to Victory, and to freedom.

I Conclude, my Countrymen and Fellow Soldiers, with puting you in mind, that on your Beheaviour Depends your future enjoyment of peace and liberty, or your Subjection to a Tyranical Enemy, with all its Griveous Consequences. When therefore, you Come to engage -- think of your Ancestors -- & think of your posterity.<sup>16</sup>

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30th July. Wee Struck our tents and Marched 9 Miles to A Place Called Psaic [Passaic, N.J.] falls which place afforded two great Curiosities, the one was the Cataracks or falls which fell about 100 foot from the upper part of Sd falls to the Surface of the River; the other was A Man of 23 years of age Who Lay in a Cradle from his youth his head Being the Most Remarkable, was In my opinion, Between 22 & 24 Inshes long, his forehead about 12 Inshes broad across the Eyes with out any fall on either Side, his Body of the Common Size, his arms & hands about the Size of a Child of 7 years old, having no use of his Right arm, but Could wave the other so much as to keep the flies off[f] his face, he had no use of his leges which was like a Child of the same age with the other he could talk both Low Dutch and english but in a verry low voice, Could Repeat the most of the Shorter Catachism by heart, from thence we Proceeded the Same Day 3 Miles Blow the Acquacanack Bridge on Sd. River in Essex County which Days march was 20 Miles.

N. B. This man whome I have Been Describing upon Seeing Some of our Weomen form'd a laugh and looked with the greatest earnestness at them and at the Same time I saw him put his left hand under the Cloaths But Shall write no more of what I saw...<sup>17</sup>

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Head Quarters Hanover Township Morris County [New Jersey]

5th August 1777  
Division Orders

The Court Martial Whereof Col. Price was President is Desolved, the Genl Returns them his hearty thanks for their service.

A Genl Court Martial to Sit to morrow Morning at 9 OClock, to try Ens. Farmer, for beating Thos Allen a Soldier in Col. Prices Regt also to try Adjt Edley for beating a Negro Belonging to the 3rd Maryland Regt, likewise to try Majr Mullen, Brigade Major to Genl Deborre, for Ungentleman like and unsoldier like beheaviour, and for giving Impertinent language to Genl De Borre at the Head of his troops, and for being intoxicated with Liquor, And Contemptiously tearing A Copsy of his arrest ; the Court to try such other matters as may be brought Before them, & to exist till further orders. President of the Court Lt. Col. Smith, 2 Captains & 4 Subalterns from Genl De borre's<sup>18</sup> Brigade, 3 Captains & 3 Subalterns from Col. Stones, the Brigade Major to Notify them immedietly...<sup>19</sup>

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<sup>16</sup> *Ibid.* pp. 108-113.

<sup>17</sup> *Ibid.* p. 127.

<sup>18</sup> Philippe Hubert, Chevalier de Preudhomme de Borre (1717-"unknown"), a Continental Brigadier of advanced age (he was 15 years older than George Washington); who after an undistinguished run from 1777 to 1779; due apparently to a poor rapport with the American soldiers, returned to France where he was reinstated in the French Army.

<sup>19</sup> *Ibid.* p. 131.



Hannover [Hanover, New Jersey; just north of Morristown] 13th August 1777  
Brigade Orders

... The Commandants of Regts in Genl Smallwoods Brigade, are Requested immedietly to furnish Returns of their Regts, and Render lists of Such arms & Accoutrements, Cloathing &c. as may be wanting in order that the Same may be procured, to put the Regts in the most formidable & Comfortable Situation; and as the Ground for the Encampment was yesterday Regularly laid off the Genl can't avoid observing that it would have been much more pleasing; had the officers attended to, and had their tents more Regularly pitch'd which it is expected will be better attended to in future; as it will not only contribute to the Beauty of the encampment, but also to the health and Disclipine of the Soldiers; The Adjutants are Required to Draw one Camp Colour man out of each Company in their Respective Regts, who are to act and do no other Duty for the space of one week, after which they will be Releived, and the QrMasters are Required to assemble every morning at gun firing, & direct them to Clean and Sweep the Streets of all nausances, throwing the Same into the pits and Covering the filth therein with fresh dirt every morning, all Cooking, washing, &c. are expressly forbid within the limits of the Encampment, which must be performed at A Proper Distance in front and on the Flanks thereof, & the latter to prevent trash and filth in the Encampment, & within the tents of the Soldiers. A Visiting officer from each Regt must be daily appointed to inspect within the limits of his Regiment and Direct the Removal thereof. The Brigade Compleatly Arm'd & Accoutred must Parade in front of the Encampment at troop & Retreat Beating, tis expected the Officers in General will on those occations make A point of attending in their proper posts; Officers will attend to and Direct their men to Shave & Shift twice A Week, & also inspect their Arms, Accoutriments, & Provision, & their mode of Cooking verry frequently, & that they do not load their muskets without orders, and unless the Cleaning their arms is attended to, they will be apt to bend their gun Barrels, any Soldier without leave in Writing from his officer, found Stragglng above one mile from the Encampment will be Liable to be taken up and punished as a Deserter; Sobriety, good order, & Diligence are earnestly recommended.<sup>20</sup>

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19th August 1777  
Brigade Orders

The Dailey Complaints of the Inhabitants residing adjacent to and in the Neighbourhood of our encampment sufficiently Demonstrates the Depravity of the Soldery, and I am afraid the Inattention of the Officers to restrain Such unsoldiery and infamous practices has give Rise to these Complaints Would the Soldery Consider that their Reputation, & in Some Instance I might add the Safety of a Corps is founded, And Depend not less on the Strict obedience to orders, Sobriety, Honesty, & temperance, these on Valour, and Discipline, which are both promoted and increased in a more or less Immediet Degree as those Qualifications are Cherished and Practised, they must blush for their Conduct, which must Strongly impress them with Resembling Sheep Stealers, & theives more than honest brave men fighting and Struggling for the Liberties of America, the pay & Subsistance of the Continental Army is more Liberal than the allowance made to any other Soldiers in the face of the earth, this therefore cannot be an excuse for Breaking open Peoples Houses, & Stealing their Property, burning & otherwise destroying their out houses, implements of Husbandry & Handicraft Busness, together with their fencing & Crops; The latter perhaps may Destress this verry part of the Army next Winter, as well as the poore Inhabitants who are held up as the only Sufferers, to Restrain Such horrid & Shameful Practices, Let me intreat & Conjure every officer in the Brigade, to exert collectively & individually his utmost efforts; and the Brigadier Genl most earnestly begs those honest brave Soldiers who Still have A Regard to their good name, & the Credit of the Brigade, that they will use their best endeavours to dissuade from & detect their Comrades in Such infamous practices; Its with concern the Genl finds himself oblidg'd to declare that unless such practices are Drop'd the most Rigid measures will be adopted, and Examplary punishments inflicted in every instance.<sup>21</sup>

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<sup>20</sup> *Ibid.* pp. 141-142.

<sup>21</sup> *Ibid.* pp. 150-151.

Proceedings of A Brigade Court Martial held in Camp, Hanover 19th August 1777.

...Major Powell being duely Sworn, Sayeth, last night about 10 OClock Complaint was lodg'd with me against two Soldiers who was at the house of a Mr. Dennison in this Neighbourhood, and had behav'd in a verry indecent manner In Consequence of this information, I took A Corporal & file of men and went with my informant, to Mr. Denisons, where I found the Prisoners each with a gun in his hand, upon inquiring what was the matter and their Buisness there at Such a time of night, Davis told me the man of the house had used them in a verry gross manner, had given them much abusive language, & had taken up his gun and threatened to Shoot them for Damn'd Rebels, saying also that he would get enough from Staten Island to beat our whole Brigade Mr. Denison denied the Accusation, Said they had come to his house, in a verry abrupt manner, that Davis Swore A young woman, that was nursing Denisons Wife Was his Wife, and he'd be Damn'd if he did not Sleep with her, Denison Said he offred them a bed in his Shop, & Supper if they wanted it, but that his wife was at the point of death, & that he Could not Suffer any other than his famely to sleep in his house that the Prisoners then entred his house again, Search'd it, Calld him a damn'd Tory, & took from him two guns (the Same I found them with) they were both Somewhat intoxicated, this was better than an hour after Tattoo beating.

Mr. Dennison Being duely Sworn Sayeth, that the above mentioned Prisoners came to his house just at dark, & demanded A Young Woman which he had in his house, & one of them Claimd her as his wife, which girl was up stairs at the Same time. I denied that there was any Such girl there that Blong'd to them, upon which they took two guns of my property which was behind a Door, & went out, & swore that they would Stand Sentries at my Door, for I was a Tory and fired one of the guns off.

The Court are unanimously of opinion that Serjt Cain & Patt Davis, are guilty of the Charge, & do Sentence Serjt Cain to be Reduced to the Ranks & Receive 50 Lashes and Patt Davis 100 lashes, on the bare back well laid on with the Cat oNine tails:

ROBT KIRKWOOD  
President

The above Sentence approv'd, but from having heard A favourable Character of Serjt Cain have Remitted the Latter part of the punishment, and have thought proper to Remit 50 lashes of Patt. Davis's punishment the Remainder to be inflicted at beat of Retreat.

Wm Smallwood  
B[rig.]: General<sup>22</sup>

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Head Qrtrs Wilmington 5th Septr 1777  
Genl Orders

...As Baggage Waggons at all times are A great incumberrence to an Army, & would be perticularly so in the day of Battle, they in the latter can be Driven off the Field, that the Army may not be the least incumberred by them, it is besides A measure which Common prudence dictates, & whenever an Action is expected, the QrMastr Genl will immedietly wait on the Commander in Cheif to Receive his orders Respecting them.

From every Information of the Enemys Designs<sup>23</sup> and from their Movements it is manifest their Aim is if possible to possess them Selves of Philadelphia this is their Capital object, its what they Strove to effect; but were happily disappointed, they made A Second Attempt at the opening of this Campaign, but after vast preparation & expences for the purpose they abandon'd, their Design and totally evacuated the

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<sup>22</sup> *Ibid.* pp. 151-153.

<sup>23</sup> Howe and the British army had just landed near Head of Elk [Elkton], Maryland and were on their way to take Philadelphia; Kirkwood's entry here being written six days before the battle of Brandywine, Sept. 11.

Jerseys, they are now making their last efforts; to come up the Delaware, it Seems was their first Intention but from the measure taken to annoy them in the River they Judged this enterprise that way too hazardous; at length they have landed on the Eastern Shore of Maryland and advanc'd Some little way into the Country but the Genl trusts they will be again Disappointed in their views Should they put their Designs against Philadelphia or this State their all is at Stake, they will put the Contest to the event of A Single Battle, if they are overthrown they are utterly undone, the war ended, now then is the time for our most Strenuous exertion, one bold Stroke will free the Land from Rapine, Devestation, & Burning; Famale Innocence from brutal Lust & Violence in every other Quarter the American Arms have of Late been Rapidly Successfull, great many of the Enemy have fallen in Battle, & Still greater numbers have been made prisoners; the Militia to the Northward have fought with A Resolution that would have done honour to old Soldiers, they have Bravely fought & Conquer'd & glory attend them & who can forbear to emulate their noble Spirits, who is without Ambition to Share with them the applause of their Countrymen and of all posterity, As the Defenders of their Liberty, & the procurers of peace and happiness, to millions in the present & future Generation, two years we have maintain'd the war & Strugled with difficulties Innumerable, but the prospect has brightned and our affairs put on A better face, now is the time to Reap the fruits of all our toil and Dangers if we behave like men this third Campaign will be our last, ours is the main army to us our Country looks for protection, the eyes of all america & all Urope, are turned upon us, as on those by whome the event of War is to be Determined and the Genl assures his Country men and fellow Soldiers that he believes the Critical & important moments is at hand, which demand their most Spirited exertion to the Field, Glory waits to Crown the brave & peace freedom & happiness will be the Rewards of Victory, animated by Motives like those Soldiers fighting in the Cause of Innocense humanity & Justice will never give way, but with undaunted Resolution press on to Conquest, & these the Genl assures himself is the part American forces now in Arms will act & those he will assure Success.

Genl [James] Ewings [Penn.] Brigade of Militia will releive the men of Genl [Francis] Nashes [Nash's North Carolina] Brigade now on the Little guard on the East Side of Brandewine as soon as possible and Dailey furnish it.<sup>24</sup>

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Camp near Newport [Delaware] Sepr 6th 1777.  
Regimental Orders

The Commanding officers of Companies are Requested to have their men Clean & hair powder'd to morrow at 2 OClock with their Arms & Accoutrements in good order, fit to bear Inspection by the Commander in Chief, any person appearing Contrairy to this order it will be looked on to be the officers Neglect for which they will have to Acct, any Soldier absent from the parade at the above mentioned time, Shall assuredly Suffer Agreeable to the Articles of War, unless A Reasonable excuse be given for the Same.

Chas Pope  
*Lt. Coll. D R*<sup>25</sup>

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Head Quarters Wilmington Sepr 6th 1777  
General Orders

...The Genl has no doubt but that every man who has A due Sense of the Importance of the Cause he has taken to defend And who has any Regard to his own honour & the Reputation of A Soldier, will if Called to Action will behave like one Contending for every thing valuable, but if contrary to his expectation there Shall be found any officer or Soldier so far lost to all Shame as basely to quit their posts without orders, or Shall Skulk from danger or offer to Retreat before order is given for so doing from

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<sup>24</sup> *Ibid.* pp. 159-161.

<sup>25</sup> *Ibid.* p. 161.

proper authority of a Superior Officer, they are to be instantly Shot down, as a Just punishment to themselves & for an example to others, this order those in the Rear, & the Corps of Reserve are to See duely executed, to prevent the Cowardly making a Sacrifice of the brave, & by their ill example and ground less tales circulating to Cover their own Shamefull conduct, Spreading terror as they go; that this order may be well known & strongly Impressed upon the Army; the Genl positively orders the Commanding officers of every Regt to assemble his men & have it Read to them; to prevent the plea of Ignorance.

The Genl begs the favour of the Officers to be attentive to all Strange faces & Suspicious persons, which may be discover'd in Camp & if upon examination of them no good Acct can be given why they are there to carry them to the Majr Genl of the day for further examination, this as it is only A necessary precaution is to be done in a manner least offensive...

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Monday Sepr 8th 1777 (Near Newport)

Struck tents & went to work in the lines, lay there till 3 OClock Tuesday morning the 9th then March'd about 10 miles to Chadds ford & forded over & there encamped, Wednesday ye 10 march'd to gordons ford being about 4 miles there lay all night, Thursday the eleventh about 2 OClock P. M. march'd About 1 ½ miles to the field of Action near Jeffries at Brandewine our Regt was Sent as A flanking party on the Enemys left wing, during the engagement we were Several times exposed to the fire of the enemys Cannon & Small arms. About Sun set retreated to Chester being 15 miles. Friday 12th march'd through Derby to Schuylkill being 12 miles and encamp'd near the Bridge on this the River Phlada County.<sup>26</sup>

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Head Quarters Sepr 12th 1777

General Orders

The Commanding Officer of each Brigade is immedietly to Send off as many Officers as he Shall think necessary on the Roads leading to the place of Action Yesterday & on any other Roads where the Straglers may be found & perticularly to Wilmington to pick up all Straglers from the Army and bring them on; in doing this they Should proceed as far towards the Enemy as Shall be convenient to their own Safety, and examine every house, in the main time the troops are to march on in good order through Darby, to the Bridge towards Schuylkill & Germain town & there pitch their tents, Genl Greens Division will move last & cover the Baggage Stores. A Gil of Rum or whiskey is to be Served out to each man who has not already that allowance.

Genl Smallwoods light troops will remain at Chester to Collect all the Straglers as they come and tomorrow morning follow the Army, the Directors of the Hospitals will see that all Sick and wounded are Sent to Trentown in doing this Genl Maxwell will give them all necessary assistance, the Genl expects each Regt or Officers commanding Brigades will immedietly make the most exact Returns of their killed wounded & missing...<sup>27</sup>

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Pensylvania State Head Qrtrs Germainton Sepr 13th 1777

General Orders

...The General with perticular Satisfaction thanks those Gallant Officers & Soldiers who on the 11th Inst bravely fought in their Countries Cause; if there are any whose Conduct Reflects Dishonour upon Soldiership and their names are not pointed out to him, he must for the present leave them to Reflect how much they have injured their Country, how unfaithfully they have proved to their fellow Soldiers but with

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<sup>26</sup> *Ibid.* p. 167.

<sup>27</sup> *Ibid.* pp. 168-169.

this exhortation they embrace the first opportunity which may offer to do Justice to both, & to the profession of a Soldier.

Although the event of that day from some unfortunate circumstances was not so favourable as Could be wished, the Genl has the Satisfaction to inform the Troops, that from every account that has been obtain'd the Enemies loss far exceeds, and has full Confidence that in another appeal to heaven, with the blessing of Providence, which it becomes every officer & Soldier humbly to Supplicate, we Shall prove Successfull, The Honourable Congress in Consideration of the gallant behaviour of the Troops on Thursday last, their fatague Since & from a full conviction that on every future occasion they will manifest a bravery worthy of the Cause they have undertaking to defend; have been pleased to order thirty Hogsheads of Rum to be destributed among them, in Such manner as the Commander in Cheif Should Direct, he orders the Commissary Genl of Issues to deliver to each officer & Soldier 1 Gill pr day while it lasts...<sup>28</sup>

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Head Quarters October 18th 1777  
General Orders

...To the Supreme Disposer of all Events  
who has Granted us this Signal Success [i.e., the victory at Saratoga.]

All the Chaplains of the Army to prepare Suited to the Joyful Occasion short discourses To deliver to their Respective Corps and Brigades at 5 OClock this Afternoon immediately after this Thirteen peices of Canon are to be discharg'd at the Artillary Park to be followed by a Fued of Joy with Blank Cathridges or Powder by every Brigade or Corps of the Army, beginning at the Right of the Front line and Running to the left of it and then Instantly beginning at the left of the Second line and running to the Right of it where it will end the Major of the day will Superintend and Regulate the Feu, de, Joy [feu de joie]; the Officers Commanding Brigades and Corps are to draw out their men, Excepting those on duty, every day when the weather Permits, to practice the most Necessary Manoeuvres particularly to Advance in a line, from thence to form Collumns To go through Passes & Oppening Fences, and Reducece them again To Retire in a Line and Collumn and Form again in a Word Form all Those movements which in Action in a Wooden and Close Country shall make Necessary.<sup>29</sup>

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Head Qtrrs Gulph Decembr 17th 1777<sup>30</sup>  
General Orders

...The Commander in Chief with the highest Satisfaction expresses his thanks to the Officers & Soldiers for the Fortitude & patience which they stand the fatigue of the Campaign, although in some instances we have unfortunately failed, yet upon the whole Heaven has Smiled upon our Arms & Crown'd them with Signal Success, & we may upon the best ground conclude that by a Spirited Continuance of the means Necessary for our Defence, we shall finally gain the end of the Warfare Independent Liberty & peace, these are blessings worth Contending for at every Hazard, but we Hazard nothing to power of America alone, duely exerted would have nothing to fear from the force of Great Brittan, yet we Stand not alone on our own Ground, France yields us every aid we ask & there reasons to believe the period is not very far distant when she will take A more Active part by declaring War against the British Crown, every motive therefore immediately obliges may command us to affirm a manly perseverance in our opposition to our Cruel oppressors to slight difficulties indure hardships & contemn every danger. The Genl ardently wishes it was in his power to conduct the troops into the best Winter Quarters but Where are they to be found Should we retire into the Interior parts of the States we Should find them Crowded with Virtious Citizens who Sacrifised their all left Philada & fled there for protection to their Distress humanity forbids us not to add; this is not all, we Should have vast extent of fertile Country to be Spoiled & ravaged by the

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<sup>28</sup> *Ibid.* pp. 169-170.

<sup>29</sup> *Ibid.* pp. 211-212.

<sup>30</sup> The army was within two days of setting up winters quarters at Valley Forge.

Enemy, from which they would draw large supplies, & where many of our friends would be exposed to all the miseries of insulting & wanton depredations, a train of evils might be enumerated but these will Suffice, the Consideration will make it, indispensably necessary for the Army to take Such position as will enable most effectually to prevent distress & to give the most extensive security, & an imposition we must make our Selves the Best Shelter in our power with Activity & diligence huts may be erected that may be warm & dry. In these the troops will be Compleat & more Secure against Surprise then if in Divided States and at hand to protect the Country these Cogent Reasons has determined the General to take post in the neighborhood of this Camp, & influenced by them he persuades himself, that the Officers, & Soldiers with one heart & with one mind will resolve to remount every difficulty with a fortitude & patience becoming their profession, & the Sacred cause in which they are engaged he himself will partake of the hardships & likewise of every inconveniency. To morrow being the day set apart by the Honble Congress to publick Thanksgiving & praise, duty calls us devoutly to express our gratefull acknowledgments to God for the manifold Blessings he has granted us, the Genl directs that the Army remain in its present Qrtrs that the Chaplains perform Divine Service & earnestly excites all Officers & Soldiers, whose absence is not indispensably necessary, to attend with reverence the Solemnity of the Day.<sup>31</sup>

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*For Lee's Legion on Face Book:*

<http://www.facebook.com/group.php?gid=121637007849696>

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<sup>31</sup> *Ibid.* pp. 268-270.