

“The pleasure of their number”
1778: Crisis, Conscription, and Revolutionary Soldiers’ Recollections
(A Preliminary Study)

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Part I.

“Filling the Regiments by drafts from the Militia.”
The 1778 Recruiting Acts

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*“There is only one thing, I should have been happy the Committee had thought proper to take up on a larger scale. I mean the supply of Men by Draught ... The Mode by Draught is, I am persuaded the only efficacious one to obtain men ...” Gen. George Washington to a Congressional Committee, 25 May 1780<sup>1</sup>*  
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Eugene C. Murdock in his book *One Million Men* claimed that the “Civil War draft [1863-1865] broke new ground. There had never been a draft before because troop needs had never been so great before. In the Revolutionary War, War of 1812, and the Mexican War ... state militiamen and volunteers had always been sufficient.” Mr. Murdock was mistaken, and while he did write thirty-five years ago, there seems to have been nothing written during that time to correct his claim. In addition, the 1778 draft is ignored or given short shrift in studies of Valley Forge and the ensuing campaigns.²

Revolutionary American military forces drafted men throughout that conflict. At the most elementary level, state militias divided their men into classes of from fifteen to twenty men, then called out (drafted) one or several of a county’s classes for service ranging from weeks to months. Having served the allotted time the men returned to their homes. Similarly, Continental regiments were often augmented with state militia drafts, usually each county class providing a volunteer, draft, or substitute in place of a drafted man. The men thus gained then served as Continental soldiers for the term of their service. This treatise examines state efforts resulting from the first authorized widespread United States army draft, the effect on troop strength, levy statistics, and old soldiers’ recollections of their short-term service, with New Jersey as lead example.

So, why the need to draft men from the militia? While American forces were first organized as a Continental army in autumn/winter 1775, the real impetus for widespread conscription option in 1778 began with the autumn 1776 eighty-eight battalion resolve when Congress increased the number of Continental regiments to be raised. Beginning in January 1777 most states’ units were reorganized and reenlisted, others formed anew. Each state had a unit quota, apportioned according to population (see below). All enlistments spanned three years or the war’s duration, in what became known as the Continental Army Second Establishment. There were several exceptions, including six North Carolina and nine Virginia regiments, all formed in 1776 with enlistments expiring in 1778 or early 1779. Besides these units there were organizations like the 1st and 2nd Canadian Regiments, and the German Battalion, the latter formed in 1776 of three-year soldiers in companies enlisted in either Maryland or Pennsylvania. When Maryland drafted levies in 1778 only Pennsylvania companies did not receive a share. Also included in the eighty-eight battalion resolve were sixteen Additional regiments, only thirteen of which

were actually formed, with varying success. Though recruited wholly or partially in regions comprising one or several states these units had no official state affiliation, and when the 1778 draft laws went into effect they, too, received no levies.

1777 State Quotas³

| States Authorized for 1778 Draft | (Infantry Regiments Actually Raised) | |
|-------------------------------------|--------------------------------------|-------------------------------------------------|
| | <u>Regular</u> | <u>Additional</u> (not included in state quota) |
| New Hampshire | 3 | 0 |
| Massachusetts | 15 | 3 |
| Rhode Island | 2 | ½ |
| Connecticut | 8 | 1 ½ |
| New York | 5 (quota was 4) | ½ |
| New Jersey | 4 | 2 |
| Pennsylvania | 13 (quota was 12) | 2 ½ (plus half of German Battalion) |
| Delaware | 1 | 0 |
| Maryland | 7 (quota was 8) | (half of German Battalion) |
| Virginia | 15 | 3 |
| North Carolina | 9 | 1 |

As early as January 1777 Washington was recommending a draft, writing Governor Cooke of Rhode Island, “Sir ... You must be sensible the Season is fast approaching, when a new Campaign will open ... It is of the last importance to the interest of America, that the New Regiments be speedily levied ... I hope the Powers of Government are such, as to Compleat the New Levies by draught, if they cannot be fill'd Seasonably by Voluntary inlistments. Necessity obliges me to Call upon you, as I shall upon every other State, in the most pressing terms, to compleat without delay your proportion of the Eighty Eight Battalions.”⁴

Armies are always under-strength, with men hors de combat for a number of reasons. Elements of the Continental Army never had their full complement of men from the first. Second New Jersey Regiment Colonel Israel Shreve enumerated his difficulties gathering new men, including “coming home [in December 1776] through the state of New York, [where] several of our recruits for the war deserted,” then when “the flying camp [militia] broke up, [and] the men [were] discharged ... many ... were enlisted by my recruiting officers, [were] sworn, received their bounties and went off.” Shreve continued, “Another thing at that very time [late 1776, that] encouraged desertion was the enemy having possession of part of our state. Many that were enlisted deserted and enlisted in the enemys [Loyalist] New Levie Regts. The whole of these disadvantages caused great numbers to desert that never did duty in the Regt. after they enlisted.” Colonel Shreve provided this accounting:⁵

2nd New Jersey Regiment Enlistment Statistics, 1777

| <u>Company</u> | <u>Mustered</u> <u>1 Jan</u> <u>1777</u> | <u>Joined</u> <u>after 1 Jan</u> <u>1777</u> | <u>Total</u> | <u>Never</u> <u>joined or</u> <u>mustered</u> | <u>Left the</u> <u>Regt after</u> <u>1 June 1777</u> | <u>Total</u> <u>Never Joined or</u> <u>Left the Regiment</u> |
|----------------|------------------------------------------------|----------------------------------------------------|--------------|-----------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------------------|
| Hollinsheads | 64 | 2 | 66 | 21 | 15 | 36 |
| Cummings | 90 | 7 | 97 | 31 | 21 | 52 |
| Dillons | 64 | 3 | 67 | 33 | 7 | 40 |
| Maxwells | 57 | | 57 | 33 | 6 | 39 |
| Lauries | 30 | 1 | 31 | 4 | 6 | 10 |
| Andersons | 57 | | 57 | 31 | 1 | 32 |
| Luses | 74 | 8 | 82 | 30 | 21 | 51 |
| Yards | 44 | | 44 | 19 | 5 | 24 |
| Stouts | <u>65</u> | <u> </u> | <u>65</u> | <u>25</u> | <u>7</u> | <u>32</u> |
| Total | 545 | 21 | 566 | 227 | 89 | 316 |

In May 1777 the 2nd New Jersey Regiment contained 247 men. Optimum enlisted strength for a 1777 Continental regiment was 640 privates and corporals (rank and file), 32 sergeants, and 16 musicians; 688 total.⁶

The rigorous 1777 campaigns reduced the army yet further. In October Washington wrote the President of Congress about “the general defective state of the Regiments which compose our armies ... they do not amount to near half their just complement ... it is certain every idea of voluntary enlistments seems to be at an end.” Nine days after arriving at Valley Forge the general voiced his concern to Virginia Governor Patrick Henry, “I really do not know what plans will be most likely to succeed for filling your Battalions or those of the other States. It is an Object of infinite, indeed of the last importance, and must be effected if possible.”⁷ In January 1778 the commander in chief reported to a Congressional Conference Committee on “completing the regiments and altering their establishment,”

Voluntary inlistments seem to be totally out of the question; all the allurements of the most exorbitant bounties and every other inducement ... have been tried in vain ... We may fairly infer, that the country has been already pretty well drained of that class of Men, whose tempers, attachments and circumstances disposed them to enter permanently, or for a length of time, into the army; and that the residue of such men, who from different motives, have kept out of the army, if collected, would not augment our general strength in any proportion to what we require. If experience has demonstrated, that little more can be done by voluntary inlistments, some other mode must be concerted, and no other presents itself, than that of filling the Regiments by drafts from the Militia. This is a disagreeable alternative, but it is an unavoidable one.

Washington went on to discuss reenlistment incentives and future prospects.

As drafting for the war, or for a term of years, would probably be disgusting and dangerous, perhaps impracticable, I would propose an annual draft of men, without officers, to serve 'till the first day of January, in each year; That on or

before the first day of October preceeding, these drafted Men should be called upon to reinlist for the succeeding year; and as an incitement to doing it, those being much better and less expensive than raw recruits, a bounty of twenty five dollars should be offered ... upon ascertaining ... the number of men, willing to re-engage, exact returns should be made to Congress of the deficiency in each regiment, and transmitted by them to the respective states, in order that they may have their several quotas immediately furnished, and sent on to Camp ... so as to arrive by ... the first day of January.

This method, though not so good as that of obtaining Men for the war, is perhaps the best our circumstances will allow; and as we shall always have an established corps of experienced officers, may answer tolerably well. It is the only mode, I can think of, for completing our batalions in time, that promises the least prospect of success; the accomplishment of which is an object of the last importance; and it has this advantage, that the minds of the people being once reconciled to the experiment, it would prove a source of continual supplies hereafter.⁸

General Washington also spoke against state bounties and the use of substitutes, measures included in most 1778 levy laws. (In light of Washington's comments, it is interesting to note that the Revolutionary draft system had much in common with 1860's Union Army conscription. Both endeavors enjoyed a large proportion of volunteers or substitutes over drafted men, achieved by enlistment bounties, penalties apportioned to individuals or their local governments, and varying degrees of community will. One source notes that the 1863 law was used "to force volunteering," a perhaps unintended outcome of the 1778 legislation, too.)⁹

Thus was conceived the first and possibly most successful Continental Army draft measure. On 26 February the Continental Congress resolved to require eleven states, South Carolina and Georgia excepted, "to fill up by drafts from their militia, (or in any other way that shall be effectual,) their respective battalions of continental troops... That all persons drafted, shall serve in the continental battalions of their respective states for the space of nine months ..." During spring and summer 1778 many states put into effect recruiting laws with varying degrees of success, some containing provisions for a draft. In this manner hundreds of men were added to army infantry regiments, many in time to take part in the June Monmouth campaign and battle.¹⁰

The **New Jersey** "Act for the speedy and effectual recruiting of the four New-Jersey Regiments in the Service of the United States," passed by the General Assembly on 3 April, was typical of other states' levy legislation. The law's mainstay lay in procuring volunteers, drafts, or substitutes from the state militia to serve in New Jersey's Continental regiments. In order to effect this militia regiments were divided "into Classes of eighteen Persons in each..." Any class that did not furnish a volunteer was "to detach by Lot one Person ... who shall, on his being mustered and approved, be entitled to the Bounty of Money and Cloaths ... specified." Only men involved in "the making of Salt at the Pennsylvania Salt-Works" were exempted, and any person drafted to serve could procure a substitute "within five Days from the said Allotment." New Jersey levies served a "Term of nine Months, unless sooner discharged, the said Term to be computed from the Date of his joining the Army." Additionally "the Pay of every Person enlisted or detached as

aforesaid, shall commence from the Day of Enlistment or Allotment... and he shall receive One Third of a Dollar by the Day as Subsistence Money, until he shall be mustered and marched to join his Regiment; and further, may enter into any Company of any one of the four Regiments of this State at his Choice, provided such Company be not complete."¹¹



New Jersey levies drafted from the militia to serve for nine months in the state's Continental regiments were issued hunting shirts, breeches, and some trousers, unless they provided their own clothing. Maryland, New Jersey, and New York had substantial numbers of levies with their regiments at the Battle of Monmouth, 28 June 1778. Illustration by Peter F. Copeland. Courtesy of the artist.

Three states' 1778 draft laws stipulated a clothing allotment. Maryland stipulated their levies "shall be entitled to a full suit of cloaths." New Jersey militiamen who volunteered within ten days of mustering were to be given a bounty of "Forty Dollars, together with the following Articles of Cloathing, that is to say, a Blanket, a Hunting Frock, a Pair of Cloth Breeches, a Hat, a Shirt, a Pair of Stockings and a Pair of Shoes; and on the first Day of October next, if not sooner discharged, a regimental Coat, a Shirt, a Pair of Stockings and a Pair of Shoes"; in another example, North Carolina levies were to receive "from the commanding Officer of the County [of origin] a Pair of Shoes and Stockings, two Shirts, a

Hunting Shirt, Waistcoat with Sleeves, a Pair of Breeches and Trousers, a Hat and a Blanket, and Five Yards of Tent Cloth ..."¹²

New Jersey regiments greatly needed men and that state's draft particularly proved its worth. Never before during the war, except a brief period in 1776, were regimental strengths so high. At the end of the 1776 campaign, when the state's three-regiment contingent was briefly united at Ticonderoga, it comprised 1,355 soldiers; being late in the campaigning year the regiments were undoubtedly larger the preceding spring. With the onset of 1777, the number of Jersey regiments was increased from three to four. New Jersey brigade strength from May 1777 to July 1779 was as follows (nine-month levy numbers are included in the June 1778 to February 1779 returns):¹³

| <u>New Jersey Continental Line</u> | | | |
|-------------------------------------------|-----------------|-------------------------|---------------------------|
| | Brigade | | Brigade |
| <u>Month & Year</u> | <u>Strength</u> | <u>Month & Year</u> | <u>Strength</u> |
| May 1777 | 1,259 | September 1778 | 1,683 |
| October 1777 | 1,142 | October 1778 | 1,678 |
| November 1777 | 1,148 | November 1778 | 1,690 |
| December 1777 | 1,085 | December 1778 | 1,772 |
| January 1778 | 1,144 | January 1779 | 1,658 |
| May 1778 | 1,059 | February 1779 | 1,624 -- Quota Reduced to |
| June 1778 | 1,691 | March 1779 | 1,114 3 Regiments |
| August 1778 | 1,692 | April 1779 | 1,082 |
| | | July 1779 | 1,075 |

It must be remembered these figures include men absent due to desertion, sickness, or detached duty. According to Brigadier General William Maxwell his New Jersey brigade strength at the Monmouth battle (28 June 1778) was nine hundred, much less than the 1,691 shown on the June muster rolls. (The July 4th return reveals 208 men sick, plus 88 on detached duty.)

The efficacy of New Jersey's 1778 levy is most evident when compared with later years. In March 1779 487 nine-month men were discharged. Post-1778 returns show a marked decline in New Jersey regiment troop numbers; total strength for each of the last four years was only slightly more than half the number of troops serving in August 1778. Just prior to the June 1783 dissolution New Jersey unit strengths fell to their lowest point.

| <u>New Jersey Continental Line</u> | | |
|-------------------------------------------|-----------------|--------------------------------|
| <u>Month & Year</u> | <u>Strength</u> | |
| June 1780 | 920 | Three regiments |
| June 1781 | 852 | Two regiments |
| June 1782 | 885 | Two regiments |
| May 1783 | 832 | One regiment and one battalion |

April through August 1778 New Jersey troop returns show an increase of 633 soldiers, still leaving shortfall of 1,271 men. A more detailed accounting taken directly from muster reveals shows 670 levies serving, an almost forty percent increase in the New Jersey brigade field strength.

1778: Number of Levies in the New Jersey Regiments¹⁴

| <u>Regiment</u> | <u>Total Number of Enlisted Men *</u> | <u>Number of Levies</u> | <u>Levies in Proportion to the Whole</u> |
|-----------------|---------------------------------------|-------------------------|------------------------------------------|
| 1st Jersey | 501 | 257 | 51.3% |
| 2nd Jersey | 476 | 218 | 46.0% |
| 3rd Jersey | 369 | 118 | 32.0% |
| 4th Jersey | 325 | 77 | 23.5% |

Total N.J. Levies: 670 (39.7% of the whole)

Just how effective was the Jersey effort when compared to other states during the same period? As before stated, eleven states were required "to fill up by drafts from their militia, (or in any other way that shall be effectual,) their respective battalions of continental troops..." An examination of available records shows that while some states took advantage of the draft, enjoying much the same success as New Jersey, others, for various reasons, failed to gather any appreciable number of new recruits through a levy or alternate method. First, let us look at levy proportions in other Continental brigades, after which we will examine 1778 recruiting efforts state by state. The following numbers were extracted from a "Return of Number of Men whose term of service will expire between the 27 October 1778 and the Spring":

Proportion of Nine-Month Levies in Eight Continental Brigades, October 1778¹⁵

| | | |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------|------|
| Maryland | 1 st . Brigade and 2d. Brigade [3558 men in 2 brigades, incl. 426 levies: 12 % of whole] | |
| New Jersey | [N.J. Brigade: 1690 men, incl. 670 levies; 39.7 %] | |
| New York | Clinton's Brigade [Clintons Brigade: 1130 men, incl. 313 levies; 27.8 %] | |
| Connecticut | Parson's Brigade [1877 men, incl. 204 levies; 39.7 %] | |
| Massachusetts | Nixon's, Patterson's, and Learned's Brigades (minus Wood's Levy Regt.) [4566 men in 3 brigades, incl. 1172 levies: 26 %] | |
| Woods Regt of Massachusetts | 9 Mo. Men | 349* |
| Poors do. | do. do. | 352* |

* Serving as state militia, not Continental troops.

Here we can see that levy proportions ranged from a high of 39.7 % for the Connecticut and New Jersey brigades, to 12 % for the Maryland division. Brig. Gen. James Clinton's

New York brigade and the three Massachusetts brigades show healthy proportions of 26 and 27 % respectively.

Four of the eleven states failed to enact special recruiting legislation, instead relying on the 1776-77 acts enlisting men for three years or the war. While Pennsylvania, Delaware, Connecticut, and New Hampshire were all similar in this respect they differed in other ways. **Pennsylvania** experienced severe recruiting shortfalls in 1778, so much so that during the summer three regiments from the state were disbanded and incorporated into senior units. In May 1778 General Washington mistakenly mentioned the presence in camp of a number of "the Levies of ... Pennsylvania." On 18 April 1778 Maj. Gen. John Armstrong informed the Pennsylvania State Council President, "The Drafting of our Militia, in order to fill up the regular Regiments of the State however laudable that measure may be ... is liable to the additional obstruction arising from the absence of a part of that Body which is to be drafted; I mean the Militia necessarily in the field ..." This obstacle was never overcome, and a 27 October 1778 "Return of the Number of Men whose term of Service will expire between this time and the Spring" correctly noted of the state, "All her troops inlisted for the War." In a similar manner the single regiment from **Delaware** remained under-strength in 1778, gathering only a few new men. All Delaware's soldiers were "inlisted for 3 Years or the War." (Note: The 27 October 1778 document hereafter will be referred to as the "Term of Service" return.)¹⁶

Many **Connecticut** regiments were also undersize, and several combined for 1778 field service. Beginning the year with a two thousand-man shortfall, the state relied on a 1777 statute that set recruiting quotas for selected towns, met by "detaching" (drafting) men from the local militia to serve ten months as Continental soldiers. Unfortunately, even with the threat of a draft, only 484 men enlisted in 1778, plus 248 detached militia, disappointing numbers compared to 1777, when a total of 4,019 men enlisted. The October 1778 return reflects the detachees, noting 212 short-term soldiers in two Connecticut brigades.¹⁷

New Hampshire is the final state for which no special recruiting legislation can be found, though a study of the 1st Regiment muster rolls brings to light a puzzle. August 1778 returns for eight 1st New Hampshire companies reveal a solitary nine-month man. It is possible returns for the rest of the 1st Regiment's companies or the state's other regiments may contain more short-term men, though in the absence of any known draft legislation their presence would be hard to explain. Whatever the case, the October "Term of Service" return notes 27 New Hampshire soldiers due for discharge before spring 1779.¹⁸

Two states, Rhode Island and Virginia, passed special recruiting measures in 1778 but relied largely on laws outside the aegis of the February Continental Congress resolution. **Rhode Island's** Continental recruiting legislation (passed 28 May or shortly thereafter) made no mention of the enlistment term but did impose a levy of 839 men. This levy was apportioned to twenty-four towns in accordance with a computation that took into account taxes assessed on each and the number of "fencible" men (i.e., suitable for military service) in their population. Any towns deficient in raising the required number were liable to a thirty pound penalty for each man less than their allotment. Few, if any, recruits were gathered by this method, but an earlier recruiting law gained some success. That measure, enacted in February 1778, called for enlistment of "Negro, Mulatto or Indian" slaves in the state's Continental forces; any slaves so accepted received their freedom. Unpopular with many residents, in early May the legislature set a 10 June 1778 cutoff date for slave recruiting. Approximately 200 slaves joined the 1st Rhode Island Regiment, which, beginning in

summer 1778, was composed almost entirely of black rank and file, led by white sergeants and officers.¹⁹

Virginia, too, desperately needed men. Approximately half the state's soldiers' service expired before summer 1778, and many were granted early discharges to encourage reenlistments. Historian John Sellers notes that beginning "on January 21, the older veterans left the army literally by companies. Near the end of February, more than 1,350 ... had returned to their homes, [with] ... 400 more ... expected to follow." Initially Virginia relied on an earlier draft law to fill its 1778 troop quota. Enacted in October 1777, the measure called for the counties to provide an allotment of one-year levies from the militia, the draft lottery to be held in February 1778, and the chosen men to travel north by the last day of March. A second law, passed in the May 4th 1778 session, called for 2,000 volunteers formed into four battalions "who are to join the commander in chief of the *American* army when ordered by his Excellency the Governour ..." Enlistments were to be accepted until August 1st and men were to serve to 1 January 1779. No record has been found of these units serving under General Washington.²⁰

The Virginia regiments did gain a number of levies, though not enough to fully satisfy needs. A 23 May 1778 "Return of Draughts and Substitutes from the State of Virginia," lists 799 men, including 42 deserters, and 41 "left upon the Road." In an attached note General Washington informed Governor Henry, "None of the drafts made under the first [1776] Law are comprehended in the present return, nor can I ascertain what number of them ever reached Camp. I believe it was very inconsiderable and trifling ... It pains me much to trouble you upon so disagreeable a subject, and nothing but duty and the necessity of the case, could have induced me to do it. There is certainly something wrong, the drafts do not come on, and our condition is but very little better, from any new aids we have received, than it was before." On June 10th Washington complained to his brother John, "Out of your first and Secd. draught by which we ought to have had upwards of 3500 Men for the Regiments ... we have received only 1242 in all." At month's end the general "received information, that the State of Virginia has determined to fill up her Regiments by Recruits," directing two field officers to return to Virginia "to superintend the recruiting Service." The October "Term of Service" return shows 796 men whose enlistments would expire by spring 1779 in three Virginia brigades. During 1778 the Virginia regiments were so reduced in troop strength several were amalgamated to compensate. The downward trend continued into 1779, when in May understrength regiments were combined again.²¹

Five of the eleven states authorized to enact a draft did in fact do so, being New Jersey, Massachusetts, Maryland, New York, and North Carolina (these states also continued to enlist men under the 1776-77 recruiting legislation). **Massachusetts** likely enjoyed the greatest success in sheer numbers of levies procured. The 20 April 1778 Massachusetts law called for raising two thousand levies, some serving in their own battalions, the remainder to augment the state's Continental regiments. Each county was to furnish a specific quota of new recruits; each "town or plantation" would pay a one hundred pound fine for every man under their allotted number. One document titled "A List of the Men Raised... in the State of the Massachusetts Bay... for the Term of Nine Months..." provides names and descriptions of every man drafted in eleven of twelve counties. Out of the 1,477 men listed only sixteen are noted as discharged, rejected, or never appeared, leaving a shortfall of slightly more than five hundred under the number called for. The

October "Term of Service" document lists 1,172 levies in three Massachusetts Continental brigades, plus Wood's and Poor's (militia) levy regiments, 796 men strong, "inlisted for 9 M[onth]s." Colonel Ezra Wood's levies served with Nixon's Massachusetts Continental brigade from July 1778 to January 1779, mostly in the Hudson highlands, while Colonel Thomas Poor's levy regiment, sent to West Point in July, also ended its tour of duty with Nixon's brigade.²²

The **Maryland** draft law was another success, General Washington remarking on 10 June, "I should do injustice to the States of Maryland and New Jersey, were I not to add, that they are likely to get their Regiments nearly compleated." While the data is incomplete the proportion of levies to long-term soldiers (possibly as high as 38 percent) rivals the New Jersey numbers. The "Act to procure troops for the American army," passed in late March 1778, called for raising 2,742 men, the numbers to be apportioned among the state's eighteen counties. Among those drafted were "Vagrants," defined as "every idle person above eighteen years of age, who is able bodied and hath no fixed habitation, nor family, nor any visible means of getting an honest livelihood." These men were given the choice of serving for nine months or receiving a bounty and enlisting for three years or during the war. Like New Jersey the levies were to be first supplied by volunteers (or vagrants) after which a draft was to be implemented. Included under this law was the German Battalion, composed of companies from Pennsylvania and Maryland, but wholly assigned to Maryland's establishment in 1778. Records show 88 levy substitutes joining the German Battalion between May 20th and June 9th; they seem to have been apportioned only to the Maryland companies. While several September regimental returns indicate a small proportion of levies, the documents did not include 189 men of the 3rd Regiment "detaind at Philadelphia," a detachment likely including new levies. The October "Term of Service" return shows 426 levies in the two Maryland brigades.²³

**State of the 1st, 3rd and 5th Maryland Regiments
(At White Plains, New York, September 1778)**

| <u>Regiment</u> | Number of N.C.O.'s, <u>Rank and File</u> | Number of <u>Levies</u> | Proportion <u>of Levies</u> |
|-----------------|------------------------------------------------|----------------------------|--------------------------------|
| 1st | 353 | 57 | 16.2% |
| 5th | 384 | 73 | 19.0% |
| 3rd | 502 | 34 | 6.8% |

New York enacted its draft legislation on 1 April 1778. In a manner similar to New Jersey, New York militia regiments were divided into fifteen man classes, each of which was to supply one man to serve for nine months in the state's Continental regiments, and, like Massachusetts, Maryland, and New Jersey, the New York effort was relatively successful. An examination of the September 1778 2nd Regiment muster rolls reveal 367 non-commissioned officers and rank and file in eight companies; this figure includes 164 nine-month levies, 44.7 percent of the regiment's enlisted strength. The October "Term of Service" list shows 313 nine-month levies in Brigadier General James Clinton's New York brigade. Some New York levies remained to serve in their home state, Washington informing New York recruiting commissioner Jonathan Lawrence on 6 June, "What Men

are now upon their way to Easton may be sent from thence to join their Regiments now here. Those that remain in the State may, as you advise, be delivered as they are collected to Colo. Dubois's [5th] Regiment. That Regiment was much reduced by the loss it sustained at the Storm of Fort Montgomery and Col Gansevoort's [3rd Regiment] which is at Fort Schuyler is very full."²⁴

The **North Carolina** draft also gathered large numbers of men, though the state's Continental regiments remaining in the north benefited little. North Carolina units serving in Pennsylvania experienced such a lack of men that at Valley Forge in June 1778 eight regiments were disbanded and the men dispersed to the two remaining regiments. At the same time large numbers of men were being gathered in North Carolina, where the 14 April draft legislation had called for the raising of 2,648 new levies "to complete the continental Battalions belonging to this State." These new recruits were not added to the existing Continental regiments but served in their own separate organizations. The 3rd North Carolina Regiment, raised in 1776, had been disbanded in early June at Valley Forge, and Colonels James Hogun and Thomas Polk sent south to recruit new regiments. In July Colonel Hogun returned with a reconstituted 3rd North Carolina comprised solely of levies. After the men were inoculated for smallpox at Carlisle, Pennsylvania, the regiment joined the main army in New York in early autumn, and put to work on fortifications at West Point. In January 1779, after leaving a small detachment at Trenton, New Jersey, the 3rd Regiment joined the Philadelphia garrison. They remained in the city until 20 April 1779 when enlistments for most of the men expired.²⁵

The October 1778 "Return of the Number of Men whose term of Service will expire between this time and the Spring," lists 733 North Carolina soldiers; besides numbers of two and a half, and three year enlistees whose time was almost up, that total included 529 3rd Regiment nine-month men.²⁶

3rd North Carolina Regiment (Levies)²⁷

(West Point, New York)

| <u>Month</u> | <u>NCO's, Rank and File</u> | <u>Detached Duty,</u> | <u>Sick, etc.</u> | <u>Total</u> | <u>Date of Return</u> |
|----------------|-----------------------------|-----------------------|-------------------|--------------|-----------------------|
| September 1778 | 424 | | 117 | 541 | (1 October) |
| October 1778: | 354 | | 175 | 529 | (1 November) |
| November 1778: | 316 | | 196 | 512 | |

In early December 1778 about 200 nine-month levies remaining in North Carolina, ill-armed and poorly equipped, marched south to join the army then commanded by Major-General Robert Howe (later superseded by Major-General Benjamin Lincoln). The detachment was still some distance from Savannah, Georgia, when they learned of its fall on 29 December. After this setback furloughs for all levies remaining in North Carolina were cancelled, and the men assembled to reinforce Lincoln's troops. By February 1779 the North Carolina New Levies commanded by Colonel John Ashe had 438 men in camp at Purysburg, South Carolina. Late in February many men demanded they be allowed to return home as their period of service was near termination. As a result, the American force that moved into Georgia included only 200 levies serving as light infantry. After some maneuvering the Americans were defeated on 3 March at Briar Creek, the levies taking no part in the action. In late March Brigadier-General Jethro Sumner joined Lincoln's forces at

Black Swamp with 759 nine-month men returned from furlough. These men were organized into two regiments, the 4th and 5th North Carolina, participating in efforts to oust the British from South Carolina during summer 1779. At the indecisive Battle of Stono River on 20 June the North Carolina levies suffered ten killed and thirty-one wounded. The remainder of their term was spent harassing British forces in the area. On 3 July 1779 the first detachment of levies, comprised of 202 "sick and weak" men, left for home; the remaining nine-month men followed on July 10th.²⁸

During the war there were two views of short-term state levies serving in Continental units. One view was consistent with what we know of the 1778 drafted men, who augmented the army at the beginning of what promised to be a crucial campaign. In this case we hear from New Jersey General William Maxwell in early June 78 when his brigade was on the front lines in Jersey, "There is about 450 of the new Leveys come in ... [they] are coming in dayly & what adds greatly to the pleasure of their number, they are fine, likely, tractable men." On the other hand, in a garrison or winter camp when food was scarce and matters less pressing, the prospect of having short-term men galled many commanders. In March 1780, Mass. Gen. John Paterson wrote of the poor state of the army, "Our officers [are] resigning by dozens, our men [enlisted] for during the War [are] at home waiting ... for Justice, what remains are mostly composed of nine months abortions, sent here with bounties which ten times exceed those given for the war, naked, lifeless, and dead, who never saw action, [and] are now counting [the] days, hours, and minutes, they have to tarry in service." Despite such disparate views, the levies who served for short periods in Continental regiments were called on again and again, and played an important role in augmenting the army and gaining the independence of these United States.²⁹

While General George Washington's vision of an army filled by yearly drafts never materialized, the 1778 levy was an important factor in augmenting Continental forces opposing enemy troops in Rhode Island, New York, New Jersey, South Carolina, and Georgia. There were later efforts to augment the army, perhaps none as successful as the 1778 measures. The next large-scale attempt occurred in 1780. Initially the Board of War echoed Washington's 1778 long-range draft suggestion, proposing "That each State during the continuance of the present war ... be called upon to furnish by draughts, or otherwise, men for its [troop] complement ... as Congress may from time to time judge necessary ... That the men to be so furnished, join the army by the first day of January in each year, and serve until the first day of January in the next succeeding year, unless sooner discharged." Less ambitious legislation was enacted, the outcome being a six-month (seven months for Pennsylvania) draft that produced relatively large numbers of men for several states, lackluster results in others. A precursory study into records for later years reveals that draft laws continued to be passed, and in varying degrees implemented, from 1779 to 1782, gathering hundreds of additional short-term men for Continental regiments. Despite those efforts state Continental troop quotas were steadily reduced to the war's end.³⁰

In the next installments of this monograph we will look at New Jersey levies' service and personal data, as well as pension accounts by several state's short-term soldiers.

Appendix 1.

Definitions of Draft and Levy

draft – “to draw, select, detach.”

levy – “act of raising money or troops.”

Noah Webster, *A Dictionary of the English Language Abridged From the American Dictionary ...* (New York: Published by N.&J. White, 1836)

draft – “The drawing off, detachment, or selection of a party from a larger body for some special duty or purpose; spec. in military use.”

levy – “The action of enrolling or collecting men for war or other purposes.” “A body of men enrolled.”

The Compact Edition of the Oxford English Dictionary (Glasgow, New York, Toronto: Oxford University Press, 1971), 795, 1610.

draft – Etymology: Middle English *draught*, act of drawing or pulling, from Old English **draeht*; akin to *dragan*, to draw.

levy - Etymology: Middle English *levien*, from *leve*, levy, tax, from Old French *levee*, from feminine past participle of *lever*, to raise.

The American Heritage Dictionary of the English Language, Fourth Edition (Boston, New York, Toronto: Houghton Mifflin Company, 2000)

See also:

levy - noun (pl. levies) 1 the imposition of a tax, fee, fine, or subscription. 2 a sum of money raised by a levy. 3 **archaic a body of enlisted troops.**

verb (levies, levied) 1 impose or seize as a levy. 2 **archaic enlist for military service.** 3 archaic begin to wage (war).

draft - noun 1 a preliminary version of a piece of writing. 2 a plan or sketch. 3 a written order to pay a specified sum. 4 **(the draft) chiefly US compulsory recruitment for military service.**

verb 1 prepare a preliminary version of (a text). 2 **select (a person or group) and bring them somewhere for a purpose.** 3 **US conscript for military service.**

Oxford Dictionaries online (World Wide Web) <http://www.askoxford.com/?view=uk>

Appendix 2.

1778 Congressional Recruiting Resolution

[26 February 1778]

“Resolved, That the several states hereafter named be required forthwith to fill up by drafts from their militia, [or in any other way that shall be effectual,]¹ their respective batallions of continental troops, according to the following arrangement, viz.

New Hampshire ... 3

Massachusetts bay ... 15

Rhode Island and Providence Plantations ... 1

Connecticut ... 8

New York ... 5

New Jersey ... 4

Pensylvania ... 10

Delaware ... 1

Maryland ... [including the German batallion.] 8

Virginia ... 15

North Carolina ... 9

That all persons drafted, shall serve in the continental batallions of their respective states for the space of nine months, from the time they shall respectively appear at the several places of rendezvous hereafter mentioned, unless sooner discharged:

That it be recommended to the several states to appoint officers to superintend the making and forwarding the said drafts, and to direct such superintendents to procure complete lists of the men drafted, with a description of their persons, their age, stature, the places of their abode, and the regiment and company from which they shall have been drafted, and to forward the same to the commissioners hereafter mentioned, who shall transmit an exact copy thereof to the Commander in Chief.

And to the end, the commissioners may be enabled the better to execute their business, and the men drafted as aforesaid, may be sent to the said places of rendezvous with the greater safety and expedition:

Resolved, That it be recommended to the several states to require their several militia officers, by whom any men shall have been drafted, to deliver to the said superintendents such descriptive lists of the men by them respectively drafted for the purpose aforesaid; and further, to direct the said superintendents to make similar lists of the men by them, from time to time, sent to the said places of rendezvous, and take receipts for such men upon the said lists from such officers as they shall appoint to conduct them as aforesaid, and forward copies of such lists and receipts to the said commissioners:

That it be recommended to each of the said states to appoint one or more commissioners, to reside at the said places of rendezvous, for the purpose of receiving the drafts of their respective states, and delivering them over to the continental officers, who may be appointed by the Commander in Chief, there to receive them; and further, to direct their respective commissioners to give receipts for such drafted men as shall be delivered to them, and make out such descriptive lists, as aforesaid, of the men by them, from time to time, delivered over to such continental officers, and take receipts thereon from them, and transmit copies of such lists and receipts to the Commander in Chief:

That it be recommended to the several states to make provision for their drafted men upon their march to the said places of rendezvous, and that the states be allowed, for such subsistence, one twenty-fourth part of a dollar per mile for each man actually marching to the said places of rendezvous, and no more.

Resolved, That all the drafts from the New England states shall rendezvous at Fish Kill, on Hudson's river; those of New York, at Easton, in the State of Pennsylvania; those of New Jersey, Pennsylvania, Delaware, and Maryland, at camp; those of Virginia, at Alexandria and Sheppard's town, in the same State; and those of North Carolina, at Pittsylvania court house and Petersburg, in Virginia; unless otherwise directed by the Commander in Chief.

Resolved, That every person drafted as aforesaid, who shall supply himself with a good firelock and bayonet, a cartouch box, haversack, or blanket, and shall, at the expiration of the term of his service, produce, to the proper pay master, a certificate from his captain, or other commanding officer of his company, that he hath been constantly provided therewith, shall receive, for the use of his firelock, bayonet, and cartouch box, two dollars, and for the use of his blanket, four dollars, and in a like proportion for any or either of them. And in case any of the said articles shall be lost or rendered useless in the service, without the negligence or fault of the proprietor, he shall be paid the value thereof.

Resolved, That it be earnestly recommended to the several States to forbear giving any public bounty whatever to the men Agreed to be expunged. who shall be drafted from the respective militia in pursuance of the foregoing resolutions.

Resolved, That on the First Day of October next, an exact return shall be made to Congress of the deficiencies of men in the Continental army, to the end, that such deficiencies may be supplied (by an equitable draft from the militia of the several States) according to the proportions

heretofore established in Congress, and such other circumstances as may arise in the course of the campaign.

Resolved, That all persons, in whatever way procured, for supplying the deficiencies in the continental battalions, unless inlisted for three years, or during the war, be considered as drafts; and that it be recommended to the several states to exert themselves to procure recruits for their respective continental battalions by inlistments for three years, or during the war, and that the drafts from the respective states be discharged in proportion as such recruits from the said states shall join the army.

And, whereas, experience hath proved that no confidence can be placed in prisoners of war or deserters from the enemy, who inlist into the continental army; but many losses and great mischiefs have frequently happened by them; therefore,

Resolved, That no prisoners of war or deserters from the enemy be inlisted, drafted, or returned to serve in the continental army.”

Worthington Chauncey Ford, ed., *Journals of the Continental Congress 1774-1789*, vol. X, 1778 (Washington: Government Printing Office, 1908), 199-203.

Appendix 3.

Levies and Drafts, Militia versus Continental The 1778 Massachusetts and North Carolina Levy Regiments

Men were drafted to serve the cause of Independence throughout the War of the American Revolution. The best-known and most common use of the draft was to select male civilians, county by county, for state militia service. Drafts could also refer to men chosen by lottery to serve in the Continental Army under the auspices of the numerous enlistment acts passed by the Continental Congress and state legislative bodies. Thus, care must be taken when using source material in distinguishing between militia and Continental Army drafts.

Similarly, levies could mean men drafted (levied) to serve in special militia battalions or regiments, or men levied as volunteers, drafts, or substitutes to serve short-term stints in Continental regiments. The first use during the war of levy regiments comprised wholly of men drafted from the standing militia to serve for several months occurred in summer 1776 to assist in repelling Crown forces threatening New York and New Jersey; a smaller number were also slated for service in Canada. That spring the Continental Congress called on Connecticut, New Jersey, and New York to raise militia regiments to serve until the end of 1776 (New York alone was to raise 3,750 levies, 750 of which were to head north to Canada). Though not named as such they were levy regiments based on a set number of men apportioned to each state. The men were still considered to be serving in the state militia, though in this particular case they were paid and in part supplied by Continental authorities. During the winter of 1776-77, when troops were sorely needed, General George Washington repeatedly urged the states to quickly raise “new levies” to reinforce his dwindling army. In that case the levies were militia soldiers serving in their own units rather than short-term Continental troops.¹

Militia levy companies and regiments continued to be raised by the states to the war’s end, one example being Colonel Albert Pawling’s Independent Corps of (New York) Levies, which served on the frontier from 1779 to 1781. Another case was “Capt James Bonnel’s Company of Jersey Levies Raisd for the Defence of the County of Sussex Against Savages & Tories &c For the Campaign of 1782.” Bonnel was a former Continental Army officer who had retired in January 1781 after five years service. Like Pawling’s men, Bonnel’s 1782 company was a state, not a Continental, unit.²

There were at least four units comprised wholly of levies in 1778 that help show the delineation between levies in state and Continental service: Poor’s and Wood’s Massachusetts

Regiments, Lytle's Regiment of North Carolina Levies, and the 3rd North Carolina Regiment. Returns for Thomas Poor's and Ezra Wood's regiments describe those units as "Massachusetts Bay Militia in the service of the United States of America." Those appellations tend to muddy the waters in determining whether those units were in state or Continental service. A more telling detail evinced by the records is that both of those levy regiments were commanded by militia officers, a primary indication they were, in fact, state levies.³

By contrast, the two North Carolina levy regiments were both commanded by officers with regular army commissions, all still in Continental service. A roster of Lieutenant Colonel William Lee Davidson's (Davidson was transferred to the 3rd Regiment on 1 June 1778) company of the 3rd North Carolina Regiment, dated 23 April 1779, lists 1st Lieutenant Edward Yarbrough, who had been with the 3rd N.C since 8 May 1776, and 2nd lieutenant Reuben Wilkinson; Wilkinson was with the 4th North Carolina until 1 June 1778. The three sergeants (Isaac Rowel, John Godwin, John Horton), three corporals (Dempsey Johnson, Jesse Baggett, James Tharp), and perhaps the drummer and fifer (Barnaby Murrell and Council Bass) may have also have been long-term soldiers. Another document, headed "Names of commissioned and non-commissioned officers belonging to the 3d N.C. Battalion," noted to have been "copied from the orderly book of Sergt. Isaac Rowel of North Carolina," further emphasizes a Continental command structure for the unit.⁴

A "Payroll of the New Levies of Caswell County County Carolina now in the service of the United States Colonel Archibald Lytle taken to the first Day of december 1778" provides similar findings. Archibald Lytle was lieutenant colonel of the 6th North Carolina Regiment, later wounded at Stono Ferry on 20 June 1779. Capt. Robert Moore was listed as company commander. Moore had been with the 9th Regiment since 28 November 1776. Moore had no junior commissioned officers, only two sergeants, Lancelot Johnston and John Price, who may have been long-term soldiers. The remaining men in Moore's company were nine-month levies, including, it seems, two corporals and one fifer. Terms of service are noted to have begun in late May 1778 (most dates being 26 May, with a few men joining 16, 18, 20 and 30 May). Patrick J. O'Kelley, author of *Nothing but Blood and Slaughter: The War In the Carolinas*, adds that notes, that Major John Faucheraud Grimke's 1779 order book "tells of that the N[orth] C[arolina] light infantry, under the command of Lytle, was made up of two companies of riflemen drafted from [Brigadier] General [Richard] Richardson's [South] Carolina [Militia] Brigade, three companies of riflemen from [Brigadier] General [Griffith] Rutherford's North Carolina [Militia] Brigade, and some 9-month North Carolina Continentals [levied from the militia] from western North Carolina. They were outfitted with stores from South Carolina."⁵

Two other units, the 4th and 5th North Carolina Regiments, saw service in 1779 and both seem to have contained contingents of nine-month levies. Mr. O'Kelley notes that "these units are not the actual 4th and 5th North Carolina Regiments, but are instead are temporary units made up to stop the British invasion of 1779 ... These North Carolina Continentals were soldiers furloughed from Washington's Army, Continentals [actually militia levies] who enlisted for 9 months service, officer's on recruiting duty and militia who were enrolled for sixteen months' service in the 10th North Carolina Regiment ... [The command structure of the 4th Regiment] ... were actually officers in the ... 4th North Carolina [Regiment] ... The officers of the "5th N[orth] C[arolina]" were officers from the 1st, 3rd, 5th, 6th, 8th and 10th regiments."⁶

That leaves us with state militia levy regiments and companies, standing Continental regiments absorbing short-term militia levies to fill out their ranks during the campaign season, reconstituted Continental regiments with rank and file composed solely of short-term levies, and reconstituted Continental units filled with short-term levies and a mish-mash of long-term soldiers. And so much more to learn ...

Notes

1. The New York law for raising the 1776 levy regiments:

Proceedings of the Provincial Congress. DIE VENUES, 4ta HO. P. M. JUNE 7th, 1776.

The Report of a Committee was then read and agreed to & is in the words and figures following to wit:

In provincial Congress *New York*, June 7th 1776.

Tour Committee appointed for that purpose having deliberately considered the Resolves of Continental Congress of the 1st, 3^d & 4th Inst. for raising a Body of Militia for the defence of the Colonies in the present Campaign, do Report, that we have extracted from the said Resolves such parts thereof as immediately relate to this Colony, which are in substance as follows to wit: It appears, that 13,800 Militia from the different Colonies are destined to reinforce the Army at *New York*; That 750 of the Militia of this Colony are to be levied for the *Canada* Service and that 3000 is the proportion allotted to this Colony of the 13800, who are to reinforce the Army at *New York* — That the Militia are to be engaged to the first of December next, unless sooner discharged by the Continental Congress; their pay to begin from the day of their marching with the Allowance of one penny lawful money per mile for their subsistence in lieu of Rations and one days pay for every twenty miles between home and rendezvous going and returning. That one Brigadier Genl, be appointed by this Congress.

That this Congress take particular Care, that the Militia come well provided with arms, accoutrements & Camp kettles. Of the 3000 Militia of this Colony destined to reinforce the Army at *New York* your Committee are of Opinion, that the following quotas be levied out the several Counties to wit:

The City and County of *New York* 1200

Those to consist of the 2 Independent Battalions to be filled up to the Compliment of 2 Battalions by 300 men Officers included from the quotas of the other Counties— The field Officers to be nominated out of the City and County of *New York* and the present Officers of the said 2 Battalions or such Officers of the City and County of *New York* under the degree of Field Officers as are necessary to be provided for in the proportion of 12 to 3.

Richmond 57

Kings 58

Queen 175

Suffolk 200

Westchester 300

Dutches 335

Orange 200

Ulster. - 300

Albany, 600

Tryon 75

Charlotte 50

Cumberland 125

Gloucester 75

Total. 3750

Proceedings of the New York Provincial Congress, 7 June 1776, *Journals of the Provincial Congress, Provincial Convention, Committee of Safety, and Council of Safety of the State of New York, 1775, 1776, 1777* (Albany: Printed by Thurlow Weed, Printer to the State, 1842)

Continental pay and equipment for the 1776 state levies:

“General Orders Head Quarters, New York, July 2, 1776 ... Col [Philip Van] Cortland of the New-Jersey Brigade is to send over five-hundred of the Militia under his command to reinforce General Greene's Brigade; these troops are to be distinguished from the old Militia in future by being called New-**Levies** -- The Quarter Master General to furnish them with Tents: The detachment from General Spencers Brigade to return when these get over. The Militia not under the immediate Command of [Brigadier] General [Nathaniel] Heard are to be under that of Genl. Mercer until the arrival of their own General Officer.”

General orders, 2 July 1776, John C. Fitzpatrick, ed., *The Writings of George Washington from the Original Manuscript Sources 1745-1799*, vol. 5 (Washington: GPO, 1932), 211.

General Washington notified the New York Assembly on 11 August 1776, “Gentn.: In Answer to your favor of the 9th., with which I have been honored; I beg leave to inform you, that I neither wish or expect any

thing more, than that the **Levies** raised by you, will be in Continental Pay, from the time they were called into Service. That Troops employed in a General Cause, should be supported at the General Expense, is so evidently just, that I cannot see any objection to it.

It is true, when the proceedings of your Honble. Body for raising these **Levies**, were first Communicated to me, and it was mentioned by the Committee who brought them, that it was expected they would be paid by the States; I did not think myself Authorised to take into Service so large a Number of Men, and therefore could not say the States would pay them. But the Situation of our affairs being much changed and requiring their Service, I cannot but consider them as much Intitled to Continental Pay as any Troops in this Army. In this light I am persuaded Congress will View them, It is so obvious and so equitable, that no application from me can be necessary. The Bounty I imagine, as you yourselves do, will be the expence of the State, for which Indemnification will not be made by the Public. My Letter of the 8th was not meant to Comprehend this Subject; It was particularly design'd to explain my Ideas of the authority from whence Genl. Clinton's powers were derived.

I have requested Mr. Trumbull, to take the directions of the Commissaries and to see that the **Levies** are properly supplied with Provisions. I am extremely Concerned that the Quotas of Men to be furnished by the Neighbouring States, have proved so deficient. The busy Season and Harvest, to which it has been ascribed, being now over in a great degree; I flatter myself from the zeal they have heretofore Manifested, they will afford every possible Assistance, they are well apprized of the Importance of this State, in the present Contest and the Necessity of maintaining it against the attempts of the Enemy.”

Washington to the New York Legislature, 11 August 1776, John C. Fitzpatrick, ed., *The Writings of George Washington from the Original Manuscript Sources 1745-1799*, vol. 5 (Washington: GPO, 1932), 413-414.

In autumn and winter of 1776 General Washington began calling on the states to levy new forces to replace those whose terms were soon to expire.

Washington to the Massachusetts Legislature, 6 November 1776:

“Gentn: The Situation of our affairs is critical and truly alarming; the dissolution of our Army is fast approaching and but little, if any, prospect of **levying** a New One, in a reasonable time; A large part of it, under the denomination of new **Levies**, are now on the eve of their departure, and this at a time when the Enemy have a very numerous and formadable force, watching an opportunity to execute their plans and to spread ruin and devastation among us. Impressed with the importance of these Matters, I this day laid them before a Council of Genl. Officers, with a view of Obtaining their opinion upon the same; and of the Measures, which in their judgment, should be immediately adopted; The result was, that I should apply to several of the States for supplies of Militia, and that your Honble. Assembly, should be requested to furnish, as soon as possible, 4,000. as their Quota, to be properly accoutred and equipped with every necessary, to supply the place of those, who are now here under General Lincoln, and who, I fear, will not be prevail'd upon to stay longer than the time they engaged for, at first. The hope and probability of raising a New Army, within a convenient time, are so little, and the consequences so evidently alarming, if a Sufficient force is not kept up to counteract the designs of the Enemy in the mean time; that the Council and myself have unanimously agreed, that the Militia should be engaged, if possible, to continue till the first of March, unless their Return can be sooner dispensed with. We flatter ourselves by that time, if not long before, such an Army will be **levyed**, as to render any future claims upon them, unless in cases of the most pressing emergency, altogether unnecessary.”

Washington to the Massachusetts Legislature, 6 November 1776, John C. Fitzpatrick, ed., *The Writings of George Washington from the Original Manuscript Sources 1745-1799*, vol. 6 (Washington: GPO, 1932), 247-248.

Washington to John Hancock, President of the Continental Congress, 11 November 1776, “Sir: I have only time to acknowledge the honor of your Letter of the 5th. Inst. and its Several Inclosures, and to inform you, that agreeable to the Resolves of Congress I shall use every Measure in my Power, that the moving and present confused State of the Army, will admit of, for to appoint Officers for recruiting. You will have been advised before this, of the arrival of Commissioners from the Massachusetts. Others have come from Connecticut, but from the present appearance of things we seem but little, if any nearer **levying** an Army. I had anticipated the Resolve respecting the Militia, by writing to the Eastern States and to the Jerseys, by the advice of my Genl. Officers, and from a consciousness of the necessity of getting in a number of Men, if possible, to keep up the appearance of an Army. How my applications will succeed, the event must determine. I have little or no reason to expect, that the Militia now here will remain a day longer than the time they first engaged for. I have recommended their stay and requested it in General Orders. General

Lincoln and the Massachusetts Commissioners, are using their Interest with those from that State, but as far as I can judge, we cannot rely on their staying.

The Assemblies of Massachusetts and Connecticut, to induce their Men more readily to engage in the Service, have voted an Advance pay of Twenty Shillings pr Month in addition to that allowed by Congress to privates. It may perhaps be the means of their **levying** the Quotas exacted from them, sooner than they could otherwise be raised, but I am of Opinion a more fatal and mistaken policy could not have entered their Councils, or one more detrimental to the General Cause. The Influence of the Vote will become Continental and materially affect the other States in making up their **Levies**. If they could do it, I am certain when the Troops come to act together, that Jealousy, impatience and mutiny would necessarily arise. -- A different pay cannot exist in the same Army. The reasons are obvious and experience has proved their force, in the case of the Eastern and Southern Troops last Spring. Sensible of this, and of the pernicious consequences that would inevitably result from the advance, I have prevented the Commissioners from proceeding or publishing their Terms, till they could obtain the sense of Congress upon the Subject and remonstrated against It, in a Letter to Governor Trumbull. I am not Singular in opinion, I have the concurrence of all the General Officers, of its fatal tendency.”

Washington to the President of Congress, 11 November 1776, John C. Fitzpatrick, ed., *The Writings of George Washington from the Original Manuscript Sources 1745-1799*, vol. 6 (Washington: GPO, 1932), 271-273.

Washington to John Hancock, 9 December 1776, “Sir: I did myself the honor of writing to you yesterday and informing you that I had removed the Troops to this Side of the Delaware; soon after, the Enemy made their Appearance, and their Van entered, just as our Rear Guard quitted. We had removed all our Stores, except a few Boards. From the best Information, they are in two Bodies, one, at and near Trenton, the other some miles higher up, and inclining towards Delaware; but whether with intent to cross there, or to throw themselves between General Lee and me, is yet uncertain. ... If something of this kind is not done, the Enemy might, in case any Misfortune should befall us; march directly in and take possession [of Philadelphia]. We have ever found, that Lines however Slight, are very formidable to them, they would at least give a Check till people could recover of the Fright and Consternation that naturally attends the first Appearance of an Enemy.

In the mean time, every step should be taken to collect Force not only from Pennsylvania but from the most neighbourly States; if we can keep the Enemy from entering Philadelphia and keep the Communication by Water open, for Supplies, we may yet make a stand, if the Country will come to our Assistance, till our New **Levies** can be collected.”

Washington to the President of Congress, 9 December 1776, John C. Fitzpatrick, ed., *The Writings of George Washington from the Original Manuscript Sources 1745-1799*, vol. 6 (Washington: GPO, 1932), 338-340. Washington to Connecticut Major General Joseph Spencer on 17 January 1777, General Washington informed him, “By accounts just received by a person who came out of New York a few days ago, and other corroborating Circumstances, it looks as if the Enemy intended to withdraw their force from Rhode Island again, and make a junction of their whole Army, in this province. If this event should happen, you will probably find an Opportunity of falling upon their Rear in their Embarkation, which is an advantage that should be improved to the utmost.

Should the Enemy evacuate Rhode Island and fall down the Sound towards New York, you will lose no time in marching immediately, with such of the Troops as were before intended to join this Army, and as many more as you can possibly collect, and join Genl. Heath, who you will in all probability find in the province of New York. But should any alteration of Circumstances, have made it Necessary for him to have passed over into Jersey, you shall have Notice where and how to follow. If Business or Accident should delay you, Genl. Arnold can, in that case, take the Command of and conduct the Troops. If the Enemy make this new Junction of their Army, it is undoubtedly with an intent to make a Grand push at us, before we get our New **Levies** into the field; you, therefore, see the Necessity there is, of opposing them with as great a force as possible, and I hope you and Genl. Arnold will exert yourselves, in bringing forward as many men as you possibly can, and as speedily as you can. The Enemy, by being drove back from most part of the province of Jersey, on which they depended for Subsistence, are much distressed for Provision and Forage, and unless they make a push to extricate themselves, they must in a Manner perish this Winter. This is another reason for making me believe, that they will certainly make some great Effort to make up their late losses. I therefore again press it to you, to follow them as expeditiously as possible, should they leave Rhode Island.”

Washington to Joseph Spencer, 17 January 1777, John C. Fitzpatrick, ed., *The Writings of George Washington from the Original Manuscript Sources 1745-1799*, vol. 7 (Washington: GPO, 1932), 25-26.

2. "Register of Commissioned & Non Commissioned Officers and Privates of Capt James Bonnel's Company of Jersey Levies Raisd for the Defence of the County of Sussex Against Savages & Tories &c For the Campaign of 1782"

James Bonnel was likely the same man who had served as a lieutenant in Spencer's Additional Regt. from February 1777 to 1 January 1781. This company served under the auspices of the State of New Jersey and was not on the Continental contingent.

Revolutionary War Rolls, National Archives Microfilm Publication M246, Record Group 93, reel 63.

Levy Muster Rolls in the National Archives' Collections

(Revolutionary War Rolls, National Archives Microfilm Publication M246, Record Group 93)

Connecticut:

Douglas' Regiment of Levies, 1776

Massachusetts:

Rand's Regiment of Levies, 1776

Poor's Regiment of Militia, 1778

Wood's Regiment of Militia, 1778- 79

New Jersey:

Forman's Regiment of Militia, 1776

Martin's Regiment of Militia, 1776

Newcomb's Regiment of Foot, 1776

Summer's Battalion of Militia, 1776

Van Courtlandt's Battalion, 1776

Bonnel's Company of Levies, 1782

New York:

2d Regiment of Levies, 1776

Humphrey's Regiment of Militia, 1776

Nicholson's Regiment, 1776

Nicoll's Regiment of Levies, 1776

Palmer's Regiment of Militia, 1776

Rudd's Detachment of Militia, 1776

Strait's Detachment of Militia, 1776

Swartwout's Regiment of Militia, 1776

Van Brunt's Regiment of Militia, 1776

Woodhull's Regiment, 1776

Pawling's Regiment of Militia, 1776-77

Van Schaick's Battalion, 1776

Van Cortlandt's Regiment of Militia, 1777

Cantine's Regiment of Militia Levies, 1778-79

McCrea's Regiment of Levies, 1779

Pawling's Regiment of Levies and Militia, 1779-81

DuBois' Regiment of Levies, 1780

1st Regiment of Levies, 1780-81

3d Regiment of Levies, 1780-83

Weissenfels' Regiment of Levies, 1781-82

Willett's Regiment of Levies, 1781-83

North Carolina:

Lytle's Regiment of Levies (Caswell County), 1778 (Continental)

3. Colonel Thomas Poor had served as a Continental officer from May 1775 to the end of December 1776; by 1778 he was a colonel in the Massachusetts militia. Ezra Wood, on the other hand, was a militia officer through his entire career. Francis B. Heitman, *Historical Register of Officers of the Continental Army During the War of the Revolution - April 1775 to December 1783* Washington, D.C.: The Rare Book Publishing Shop, Inc., 1914).

“A General Pay Roll of Collo. Thomas Poors Regt. of Massachusetts Bay Militia in the service of the United States of America for the Month of Octor. 1778”

Col. Thomas Poor

Lt. Col. Abijah Brown

Major Seth Turner

Poor's regiment contained ten companies. All companies but one listed on these rolls were stationed at Fort Clinton as of 16 November 1778. The remaining single company was at West Point.

Revolutionary War Rolls, National Archives Microfilm Publication M246, Record Group 93, reel 41.

“A Pay Abstract of the Massachusetts Militia in the Service of the United States Commanded by Col. Ezra Wood made up for Part of May and the Month of June 1778”

Col. Ezra Wood

Lt. Col. Jonathan Stale

Maj. Seth Cushing

According to this document Wood's regiment had nine companies.

Revolutionary War Rolls, National Archives Microfilm Publication M246, Record Group 93, reel 41.

“The Account of Capt. James Harlows Pay Rolls for June & July ... 1778,” Wood's Massachusetts Militia Regiment, Revolutionary War Rolls, National Archives Microfilm Publication M246, Record Group 93, reel 41.

4. “Roll of Lieut. Col. W.L. Davidson's company on the 23d April 1779; copied from the orderly book of Sergt. Isaac Rowel,” 3rd North Carolina Regiment, nine months levies.

Revolutionary War Rolls, National Archives Microfilm Publication M246, Record Group 93, reel 79.

James Hogun, colonel (formerly 7th NC)

W.L. Davidson, lieutenant colonel (formerly 5th NC)

Thomas Hogg, major (formerly 5th NC)

Anthony Hart, adjutant (1st lieutenant, with 3rd NC since 16 April 1777)

Francis Graves, quartermaster (2nd lieutenant, formerly 10th NC)

Jonathan Lumos, surgeon (with 3rd NC 26 November 1776 to 1 January 1783)

John Baker, surgeon's mate (mate in 3rd NC, 1777 and 1778)

Captains

Blount (Reading, 2nd NC;

William, paymaster, 3 NC)

Kedar Ballard, 3rd NC

Baker, possibly John Baker,
capt., 7th NC Regt.

Francis Child, transferred

from 6th NC, as of 1 June 1778

Hart (Samuel, 9th NC?)

Joseph Montford, 3rd NC

Quinn (Michael, 8th NC?)

Subalterns

Edward Yarbrough, 1st Lt., 3rd NC

Mackney (?)

Thomas Allen, 1st Lt., 3rd NC

Couniel, possibly Robert Council, 2nd Lt., 1st NC Regt.

Campbell, possibly John Campbell,

1st Lt., 4th NC Regt.

John Clendenin, 1st Lt., 3rd NC, as of 23 December 1777

William Fawn, 1st lieutenant, 3rd NC, 4 October 1777

John Ford, ensign, 3rd NC, as of 11 November 1778

Francis Graves, transferred from 10th NC to 3rd NC

1 June 1778.

Varner (?), Robert, ensign 1st NC, cashiered 1 October 1779)

James Wallace (Wallis), ensign 3rd NC

James Powers, 1st Lt., transferred from 7th NC to

3rd NC 1 June 1778.

Reuben Wilkinson, ensign, 3rd NC as of 1 May 1779,

possibly the same man retired from 4th NC 1 June 1778.

“Names of commissioned and non-commissioned officers belonging to the 3d N.C. Battalion; copied from the orderly book of Sergt. Isaac Rowel of North Carolina,” Revolutionary War Rolls, National Archives Microfilm Publication M246, Record Group 93, reel 79.

Roster of Lt. Col. William Lee Davidson's (Davidson became Lt. col. of the 3rd NC 1 June 1778) company of the 3rd North Carolina Regiment, 23 April 1779, lists Edward Yarbrough (with 3rd NC from 8 May 1776 to 1 January 1783), 1st lieutenant, and Reuben Wilkinson, 2nd lieutenant (formerly with the 4th NC until 1 June 1778). Also notes eight men left at the hospital at Trenton, and a number of men dead, viz.: eight men died at New Windsor Hospital, one died at West Point, two dead at "Roberdsons Hospital," and eight men dead at the Philadelphia hospital. All the privates listed were nine months levies. The three sergeants (Isaac Rowel, John Godwin, John Horton), three corporals (Dempsey Johnson, Jesse Baggett, James Tharp), and perhaps the drummer and fifer (Barnaby Murrell and Council Bass) may have been long-term soldiers.

5. "Payroll of the New Levies of Caswell County Carolina now in the service of the United States Colonel Archibald Lytle taken to the first Day of december 1778" [Archibald Lytle, Lt. col. 6th NC Regiment, wounded at Stono Ferry, 20 June 1779.]

Capt. Robert Moore's company (Robert Moore, ensign 9th NC Regt. 28 November 1776.

Moore had no junior commissioned officers, only two sergeants, Lancelot Johnston and John Price (these two men may have been long-term soldiers). The remainder of the men in Moore's company were nine-month levies, including, it seems, two corporals and one fifer. Terms of service are noted to have begun in late May 1778 (most dates being 26 May, with a few men joining 16, 18, 20 and 30 May), Revolutionary War Rolls, National Archives Microfilm Publication M246, Record Group 93, reel 79.

Patrick J. O'Kelley, Wednesday, 30 April 2003, 17:29:15 -0400, RevList Posting, Yahoo Groups (World Wide Web), <http://groups.yahoo.com/group/Revlist/>

"Order Book of John Faucheraud Grimke. August 1778 to May 1780." *South Carolina Historical and Genealogical Magazine*, 13 (1912), pp. 42-55, 89-123, 146-153, 205-212; 14 (1913), pp. 44-57, 98-111, 160-170, 219-224; 15 (1914), pp. 51-59, 82-90, 124-132, 166-170,; 16 (1915), pp. 39-48, 80-85, 123-128, 178-183; 17 (1916), pp. 26-33, 82-86, 116-120, 167-174,; 18 (1917), pp. 78-84, 149-153, 175-179; 19 (1918), pp. 101-104, 181-188.

6. Patrick J. O'Kelley, Wednesday, 30 April 2003, 17:29:15 -0400, RevList Posting, Yahoo Groups (World Wide Web), <http://groups.yahoo.com/group/Revlist/>

Appendix 4.

“Return of Number of Men whose term of service will expire between the 27 October 1778 and the Spring.”

| | | | |
|-----------------------------|-----------------------------------|-----|------------|
| North Carolina | | | 733 |
| Virginia | Woodford | 324 | |
| | Scott | 188 | |
| | Muhlenberg | 284 | 796 |
| Maryland | 1 st . Brigade | 213 | |
| | 2d. Brigade | 213 | 426 |
| Pennsylvania | All enlisted for the War | | |
| Delaware | do. for 3 years or do. | | |
| New Jersey | No Return [Total N.J. levies 670] | | |
| New York | Clintons Brigade | | 313 |
| Connecticut | Parsons | 204 | |
| | Huntingdons | 8 | 212 |
| Massachusetts | Nixons | 357 | |
| | Pattersons | 504 | |
| | Learns | 311 | |
| | Glovers at Rhode | | |
| | Island. no return | | 1172 |
| Rhode Island | No Return | | |
| New Hampshire | Poors Brigade | | <u>27</u> |
| | | | 3679 |
| Woods Regt of Massachusetts | 9 Mo. Men | | 349 |
| Poors do. | do. | do. | <u>352</u> |
| | | | 4380 |

[The North Carolina and Virginia numbers include men enlisted for 2 ½ or 3 years whose terms were soon to end.]

“Head Qrs. Fredericksb.g 27:th Octobr. 1778 Return of the Number of Men whose term of Service will expire between this time and the Spring,” The Papers of the Continental Congress 1774-1789, National Archives Microfilm Publications M247 (Washington, DC, 1958), reel 168, p. 431

Appendix 5.

Washington's Main Army Strength, March to September 1778 (Infantry only)

Month Return Date

(Note: Levies began joining the army May 1778)

March 1778 (30 March)

Grand total: 20,722 (minus 424 dead, 207 deserted, 268 discharged)

314 enlisted/joined

Including 69 Continental regiments/battalions, 2 militia battalions, and Armand's Corps of 58 men.

April 1778 (2 May)

Grand total: 21,561 (minus 407 dead, 295 deserted, 131 discharged)

1,506 enlisted/joined

Including 70 Continental regiments/battalions and Armand's Corps of 60 men.

May 1778 (30 May)

Grand total: 22,882 (minus 388 dead, 272 deserted, 190 discharged)

1,040 enlisted/joined

Including 72 Continental regiments/battalions and Selin's 46 man Independent Company.

June 1778 (4 July)

Grand total: 23,451 (minus 233 dead, 118 deserted, 66 discharged)

1,156 enlisted/joined

Including 65 Continental regiments/battalions and Selin's 49 man Independent Company.

July 1778 (late July/early August)

Grand total: 27,067 (minus 172 dead, 224 deserted, 72 discharged)

1,242 enlisted/joined

Including 61 Continental regiments/battalions, Wood's and Poor's Mass. Levy Regiment, 4 militia battalions, and Selin's 49 man Independent Company.

August 1778 (29 August)

Grand total: 27,858 (minus 201 dead, 244 deserted, 230 discharged)

1,585 enlisted/joined

Including 61 Continental regiments/battalions, Wood's and Poor's Mass. Levy Regiment, 4 militia battalions, Armand's Corps of 156 men, and Selin's 47 man Independent Company of 47 men.

September 1778 (1 October)

Grand total: 34,624 (minus 133 dead, 111 deserted, 125 discharged)

259 enlisted/joined

Including 71 Continental regiments/battalions, 3 state regiments, Wood's and Poor's Mass. Levy Regiment, 6 militia battalions, 1 militia brigade, and the Fort Schuyler garrison.

(Charles H. Lesser, *Sinews of Independence: Monthly Strength Reports of the Continental Army* (Chicago, IL and London, 1976), 60-62, 64-66, 68-70, 72-74, 76-78, 80-82, 84-86.)

Appendix 6.

1778 Levy Ages, New Jersey, North Carolina and Massachusetts

New Jersey Levy Age

Sample: 472 men

(70.5 % of 670 levies)

185 men 16 to 20 years (39 % of sample)

140 men 21 to 25 years (29 %)

87 men 26 to 35 years (18 %)

60 men 36 to 53 years (12.5 %)

North Carolina Levy Age

Sample: 68 men

36 men 16 to 20 years (53.8 % of sample)

21 men 21 to 25 years (31.4 %)

8 men 26 to 33 years (12 %)

3 men 40 to 44 years (4.5 %)

1778, Ages of Levies in the New Jersey Brigade (472 of 670 levies)

| <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> |
|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| 16 | 18 | 24 | 14 | 32 | 7 | 40 | 9 | 48 | 1 | 56 | - |
| 17 | 43 | 25 | 17 | 33 | 7 | 41 | 2 | 49 | 5 | 57 | - |
| 18 | 43 | 26 | 13 | 34 | 9 | 42 | 6 | 50 | 6 | 58 | 2 |
| 19 | 42 | 27 | 14 | 35 | 5 | 43 | 3 | 51 | 1 | 59 | 1 |
| 20 | 39 | 28 | 9 | 36 | 6 | 44 | 1 | 52 | 2 | 60 | 1 |
| 21 | 37 | 29 | - | 37 | 13 | 45 | 1 | 53 | 1 | | |
| 22 | 36 | 30 | 16 | 38 | 7 | 46 | - | 54 | - | | |
| 23 | 36 | 31 | 7 | 39 | 1 | 47 | 4 | 55 | 2 | | |

Total: 472 men

Average age: 24.5 years

1. 1778, Ages of North Carolina Levies (84 levies)

| <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> |
|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| 16 | 7 | 24 | 2 | 32 | 1 | 40 | 1 | 48 | 1 | 56 | - |
| 17 | 9 | 25 | 2 | 33 | - | 41 | - | 49 | - | 57 | - |
| 18 | 7 | 26 | 5 | 34 | 1 | 42 | - | 50 | 1 | 58 | - |
| 19 | 9 | 27 | 4 | 35 | 3 | 43 | - | 51 | 1 | 59 | - |
| 20 | 9 | 28 | 1 | 36 | 2 | 44 | - | 52 | - | 60 | - |
| 21 | 7 | 29 | 1 | 37 | - | 45 | - | 53 | - | | |
| 22 | 6 | 30 | - | 38 | - | 46 | - | 54 | - | | |
| 23 | 3 | 31 | - | 39 | - | 47 | 1 | 55 | - | | |

Total: 84 men

Average age: 23.4 years

Taken from:

Roster of 17 levies, "State of No Carolina Carlisle County Halifax Septr. 3rd 1778," North Carolina State Archives, Raleigh, N.C..

Roster of 68 levies, "Halifax Septr. Ye 3rd. 1778 State of No Carolina Bute County," North Carolina State Archives, Raleigh, N.C..

2. 1778, Ages of North Carolina Levies (68 levies)

| <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | |
|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|---|
| 16 | 6 | 24 | 3 | 32 | - | 40 | 1 | 48 | - | 56 | - |
| 17 | 12 | 25 | 5 | 33 | 2 | 41 | 1 | 49 | - | 57 | - |
| 18 | 7 | 26 | 1 | 34 | - | 42 | - | 50 | - | 58 | - |
| 19 | 4 | 27 | 1 | 35 | - | 43 | - | 51 | - | 59 | - |
| 20 | 7 | 28 | - | 36 | - | 44 | 1 | 52 | - | 60 | - |
| 21 | 8 | 29 | 1 | 37 | - | 45 | - | 53 | - | | |
| 22 | 3 | 30 | 3 | 38 | - | 46 | - | 54 | - | | |
| 23 | 2 | 31 | - | 39 | - | 47 | - | 55 | - | | |

Total: 68 men

Average age: 21.8 years

Taken from:

“A Descriptive List of the ... men raised under the Present Act of Assembly in ... Company” (fifteen sheets), Granville County, N.C., 25 May 1778, Military Collection, War of the Revolution, North Carolina State Archives (Raleigh), Box 4, Continental Line, 1775-1778, Folder 40.

Combined average for North Carolina Levy age statistics (**1. and 2.**)

N.C. Combined Average age: 22.7 years

Descriptive lists of Continental nine months men from all the towns at Fishkill, 1778, Massachusetts State Archives (Courtesy of John Hannigan) 1778, “A List of the Men Procured from the County of Worcester ... for the term of Nine Months from the time of their Arrival at Fish Kill”; this document also includes levies from Counties of York, Cumberland, Berkshire, Lincoln, Plymouth, Suffolk, Hampshire, Bristol, and Middlesex (10 counties)

| <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | <u>Age</u> | |
|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|---|
| 16 | 55 | 24 | 40 | 32 | 16 | 40 | 19 | 48 | 7 | 56 | - |
| 17 | 69 | 25 | 29 | 33 | 12 | 41 | 8 | 49 | 4 | 57 | - |
| 18 | 99 | 26 | 35 | 34 | 15 | 42 | 6 | 50 | 6 | 58 | 2 |
| 19 | 86 | 27 | 18 | 35 | 13 | 43 | 3 | 51 | 2 | 59 | 1 |
| 20 | 82 | 28 | 25 | 36 | 19 | 44 | 8 | 52 | 1 | 60 | 1 |
| 21 | 78 | 29 | 20 | 37 | 3 | 45 | 11 | 53 | 2 | | |
| 22 | 63 | 30 | 24 | 38 | 10 | 46 | 3 | 54 | - | | |
| 23 | 59 | 31 | 19 | 39 | 6 | 47 | 2 | 55 | 2 | | |

Total: 983 men

Average age: 25 years

Included in this list are: 2 Indians, 4 Negroes, 2 men with freckled complexions, and 2 men who were “Pox Pitted.”

1778 Massachusetts (continued)

“Roll of Names and Descriptions of Men Raised in the County of Suffolk to Compleat the fifteen Battalions of Continental Troops Directed to be Raised in the State of Massachusetts Bay agreeable to a Resolve of the General Court of the 20th. of April ... Taken May 29th. 1778” (Courtesy of John Hannigan); this document lists age, height, hair and eye color, “Nation,” trade, town, county, state, and “From where Procured” (militia regiment, company, and town). Of 103 men listed, details are as follows:

Nationality or race

77 Americans (trades given for all but four)
20 Germans (no trades given)
2 Irish (both husbandmen)
2 Negroes (both husbandmen)
1 English (husbandman)
1 Indian (ship’s cooper)

Trade

64 husbandmen
24 unknown
4 cordwainers
2 weavers
2 coopers
2 housewrights
1 ship’s cooper
1 blacksmith
1 clothier
1 hatter

| <u>Age</u> | | <u>Age</u> | | <u>Age</u> | | <u>Age</u> | | <u>Age</u> | | <u>Age</u> | |
|------------|----|------------|---|------------|---|------------|---|------------|---|------------|---|
| 16 | 1 | 24 | 3 | 32 | - | 40 | 2 | 48 | - | 56 | - |
| 17 | 4 | 25 | 3 | 33 | - | 41 | 1 | 49 | - | 57 | - |
| 18 | 10 | 26 | 2 | 34 | - | 42 | - | 50 | - | 58 | - |
| 19 | 8 | 27 | 4 | 35 | 1 | 43 | 1 | 51 | 1 | 59 | - |
| 20 | 10 | 28 | 6 | 36 | 2 | 44 | 1 | 52 | - | 60 | - |
| 21 | 10 | 29 | 5 | 37 | - | 45 | 2 | 53 | - | | |
| 22 | 7 | 30 | - | 38 | 2 | 46 | 2 | 54 | - | | |
| 23 | 7 | 31 | 4 | 39 | - | 47 | 1 | 55 | 1 | | |

Total: 103 men

Average Age: 26 years

1779 Levy Ages, Massachusetts

Massachusetts State Archives (Courtesy of John Hannigan)
 "Continental Town and County Rolls, 1779."

| <u>Age</u> | | <u>Age</u> | | <u>Age</u> | | <u>Age</u> | | <u>Age</u> | | <u>Age</u> | |
|------------|-----|------------|----|------------|----|------------|----|------------|---|------------|---|
| 15 | 2 | 24 | 42 | 32 | 15 | 40 | 22 | 48 | 8 | 56 | 2 |
| 16 | 109 | 25 | 32 | 33 | 16 | 41 | 6 | 49 | 4 | 57 | 2 |
| 17 | 175 | 26 | 28 | 34 | 14 | 42 | 11 | 50 | 4 | 58 | - |
| 18 | 146 | 27 | 23 | 35 | 10 | 43 | 9 | 51 | 3 | 59 | - |
| 19 | 98 | 28 | 24 | 36 | 8 | 44 | 6 | 52 | - | 60 | 2 |
| 20 | 68 | 29 | 11 | 37 | 10 | 45 | 7 | 53 | 2 | | |
| 21 | 69 | 30 | 22 | 38 | 9 | 46 | 3 | 54 | 1 | | |
| 22 | 57 | 31 | 9 | 39 | 8 | 47 | 4 | 55 | 2 | | |
| 23 | 39 | | | | | | | | | | |

Total: 1,142 men

Average age: 23.5 years

Included in this list are: 24 Negroes, 3 Indians, and 3 mulattoes.

1780 Levy Ages, Massachusetts

| <u>Age</u> | | <u>Age</u> | | <u>Age</u> | | <u>Age</u> | | <u>Age</u> | | <u>Age</u> | |
|------------|----|------------|---|------------|---|------------|---|------------|---|------------|---|
| 15 | - | 24 | 6 | 32 | - | 40 | 3 | 48 | - | 56 | - |
| 16 | 33 | 25 | - | 33 | 2 | 41 | - | 49 | 1 | 57 | - |
| 17 | 56 | 26 | 5 | 34 | 2 | 42 | - | 50 | - | 58 | - |
| 18 | 58 | 27 | 6 | 35 | - | 43 | 1 | 51 | - | 59 | 1 |
| 19 | 41 | 28 | 2 | 36 | 1 | 44 | - | 52 | - | 60 | - |
| 20 | 26 | 29 | 2 | 37 | 1 | 45 | - | 53 | - | | |
| 21 | 14 | 30 | 3 | 38 | - | 46 | 1 | 54 | - | | |
| 22 | 11 | 31 | - | 39 | - | 47 | 1 | 55 | - | | |
| 23 | 13 | | | | | | | | | | |

Total: 288 men

Average age: 20.5 years

Included in list no. 1 are: 2 men are listed as "Black"; named Scipio Witt and Henry Kileroy.

Gleaned from:

List No. 1: "List of ye first Division of six months men marched with Ensn Miller July 1 1780 174 men"

"Springfield July ye 1st 1780 Received of Justin Ely Esqr. Commissioner for the State of Massachusetts Bay the Men Mentioned on Within Lists being raised for six Months to reinforce the Continental Army agreeable to a Resolve of the General Court of said state of the fifth of June last and forwarded said men together [with] Descriptive Lists thereof under the Command of Ensign Joseph Miller [13th Mass. Regiment] Peter Harwood Majr. 6 Mass"

List No. 2: “List of ye 2d Division of 6 Months Men marched from Springfield With Capt [Phineas] Parker of the Artificers [see below*] July ye 2d 1780 130 men”
 “Springfield 2d of July 1780 Received of Justin Ely Esqr. Commissioner for the State of Massachusetts Bay the men mentioned on the within Lists (Together with Descriptive Lists of the same) said men being raised for six Months to reinforce the Continental Army Agreeable to a Resolve of the General Court of said state of the fifth of June Last past And forwarded said Men to the Army with the Lists under the Command of Capt Parker Peter Harwood Majr. 6 Mass Regt”
 * Baldwin’s Artillery Artificer Regiment

Endnotes

1. Washington to the Committee of Cooperation, 25 May 1780, John C. Fitzpatrick, ed., *The Writings of George Washington from the Original Manuscript Sources 1745-1799*, vol. 18 (Washington: GPO, 1937), 417-418.
2. Eugene C. Murdock, *One Million Men: The Civil War Draft in the North* (Madison: The State Historical Society of Wisconsin, 1971), 5-7 (hereafter cited as Murdock, *One Million Men: The Civil War Draft*).
3. Robert K. Wright, Jr., *The Continental Army* (Washington: GPO, 1984), 93 (hereafter cited as Wright, *Continental Army*).
4. Washington to Nicholas Cooke, 20 January 1777, Fitzpatrick, *The Writings of George Washington*, 7 (1932), 42-43.
5. Israel Shreve to Congress, 30 December 1786 (regarding funds for recruiting the 2nd Jersey Regiment in 1777), Revolutionary War Rolls, National Archives Microfilm Publication M246, Record Group 93, reel 57, section 23 (hereafter cited as Revolutionary War Rolls, Natl. Archives). Wright, *The Continental Army*, 47.
6. "Arrangement, & present Strength of the Army in Jersey 20 May 1777," Fitzpatrick, *The Writings of George Washington*, 8 (1933), page facing 170.
7. George Washington to John Hancock, 13 October 1777, *ibid.*, vol. 9 (1933), 366-367. Washington to Patrick Henry, 27 December 1777, *ibid.*, vol. 10 (1933), 208-209.
8. Washington to Continental Congress Conference Committee, 29 January 1778, *ibid.*, vol. 10 (1933), 362-402.
9. In *Conscription and America* Edward A. Fitzpatrick, First World War Wisconsin Draft Administrator (1917-19), claimed. “The personal service of [Civil War] draftees accounted for less than 2 % of the total Union forces.” He also noted “The most unfortunate provision of the Civil War conscription laws was the one permitting a draftee to furnish an acceptable substitute or pay \$300 to procure a substitute,” and that in modern conscription both substitutes and bounties be forbidden. The \$300 payment, known as “commutation,” led to the slogan “rich man’s war, poor man’s fight”; public protest led to its July 1864 repeal. Edward A. Fitzpatrick, *Conscription and America: A Study of Conscription in a Democracy* (Milwaukee: Richard Publishing Co., 1940), 21, 25, 27. Murdock, *One Million Men: The Civil War Draft*, 6.
10. Worthington Chauncey Ford, ed., *Journals of the Continental Congress 1774-1789*, vol. X, 1778 (Washington: GPO, 1908), 199-203 (hereafter cited as Ford, *Journals of Congress*).

11. "Acts of the General Assembly of the State of New-Jersey ... begun at Trenton on the 28th Day of October 1777 ...," (Burlington, N.J., 1778), 64-71, William Sumner Jenkins, ed., *Records of the States of the United States of America: A Microfilm Compilation*, (Washington: Library of Congress, 1949), A.3, reel 1, 1775-1776, (hereafter cited as Jenkins, *State Records*).

12. "Acts of the General Assembly of the State of New-Jersey ... begun at Trenton on the 28th Day of October 1777 ...," *ibid.*, 64-71. "Laws of Maryland Made and Passed at a Session of Assembly, Begun and held ... on the seventeenth of March [1778]," *ibid.*, Session Laws, vol. B2, chapter V. "Acts of Assembly of the State of North Carolina ...," held 14 April 1778, *ibid.*, Session Laws, vol. B2, 3-5.

13. Continental Army returns, 1776-1783, Charles H. Lesser, *Sinews of Independence: Monthly Strength Reports of the Continental Army* (Chicago, Il. and London, 1976).

14. Sources for the 1778 New Jersey levy numbers and wartime regimental strength may be found in: John U. Rees, "'The new Leveys are coming in dayly ...': The Nine Month Draft in the Second New Jersey Regiment and Maxwell's New Jersey Brigade" (including a study of "The Use and Effect of the Nine-Month Draft in the Other Brigades of Washington's Army"), appendix in Rees, "'I Expect to be stationed in Jersey sometime...': An Account of the Services of the Second New Jersey Regiment, December 1777 to June 1778" (1994, unpublished TMs: copy held in the collections of the David Library of the American Revolution, Washington Crossing, Pa.), and, Rees, "'One of the best in the army.': An Overview of the 2nd New Jersey Regiment and General William Maxwell's Jersey Brigade," *The Continental Soldier*, vol. XI, no. 2 (Spring 1998), 45-53. (World Wide Web, <http://revwar75.com/library/rees/njbrigade.htm>.)

As an example of the need for men, Captain William Helms' company, 2nd New Jersey Regiment, was in need of even more men than the rest of the companies in the regiment. Helms' Company May 1778 muster roll shows 3 commissioned officers, 2 sergeants, 1 drum and 18 rank and file (corporals and privates). Of the enlisted men, 1 sergeant and 4 privates were "On Command" (detached service), 4 privates were prisoners of the British, and 1 private had been killed in action the previous month. Thus the actual strength of the company was only 16 enlisted men, including men on detached duty. The strength of a company with its full complement of personnel according to the 1776 organization (then still in use) should have been 4 sergeants, 4 corporals, 1 fifer, 1 drummer and 76 privates making a total of 86 enlisted men. The 1776 organization continued until a new structure was instituted in early 1779.

By way of comparison, at the end of February 1778 the German Regiment, enlisted in late summer/autumn 1776, had "only 73 fit men out of 308." Returns show 52 men lacking sufficient clothing for service, 48 sick, 106 on detached duty, and 29 on furlough. The same month there were 1 desertion, 2 discharges, and 5 deaths in the unit. "Muster Roll of Capt. Wm. Helm's Company 2d Jersey Regt ... for the Month of May 1778," Revolutionary War Rolls, Natl. Archives, reel 59, section 32-1. Wright, *The Continental Army*, 47, 127. Henry J. Retzer, *The German Regiment of Maryland and Pennsylvania in the Continental Army, 1776-1781* (Westminster, Md.: Family Line Publications, 1991), 22 (hereafter cited as Retzer, *German Regiment*).

15. "Head Qrs. Fredericksb.g 27:th Octobr. 1778 Return of the Number of Men whose term of Service will expire between this time and the Spring," The Papers of the

Continental Congress 1774-1789, National Archives Microfilm Publications M247 (Washington, DC, 1958), reel 168, p. 431

16. Washington to Horatio Gates, 26 May 1778, Fitzpatrick, *Writings of Washington*, vol. 11 (1934), 459. 2nd Pennsylvania Regiment September 1778 returns (nine companies) September 1778, Revolutionary War Rolls, Natl. Archives, reel 80. Delaware Regiment returns, *ibid.*, reels 29-31. Samuel Hazard, ed., *Pennsylvania Archives*, vol. VI (Philadelphia: Joseph Severns & Co., 1853), 412-413. "Head Qrs. Fredericksb.g 27:th Octobr. 1778 Return of the Number of Men whose term of Service will expire between this time and the Spring," The Papers of the Continental Congress 1774-1789, National Archives Microfilm Publications M247 (Washington, DC, 1958), reel 168, p. 431 (hereafter cited as October 1778 "Term of Service" Return, PCC, Natl. Archives).

17. Richard Buel, Jr., *Dear Liberty: Connecticut's Mobilization for the Revolutionary War* (Middletown, Ct.: Wesleyan University Press, 1980), 172-175. October 1778 "Term of Service" Return, PCC, Natl. Archives.

18. 1st New Hampshire Regt. September 1778 returns, Revolutionary War Rolls, Natl. Archives, reels 43, 44. Jonathan Smith, "How New Hampshire Raised Her Armies for the Revolution," *The Granite Monthly: New Hampshire State Magazine*, vol. LIV (1922), 7-18. October 1778 "Term of Service" Return, PCC, Natl. Archives.

19. "At the General Assembly ... of the State of Rhode-Island ... begun on the Second Monday in February," 1778, Jenkins, *State Records*, Session Laws, vol. B.2, reel 4, 14-17. "At the General Assembly ... of the State of Rhode-Island ...," begun 28 May 1778, *ibid.*, 3-5. "At the General Assembly ... of the State of Rhode-Island ...," begun 6 May 1778, *ibid.*, 15. Gary Alexander Puckrein, *The Black Regiment in the American Revolution* (Providence: Rhode Island Black Heritage Society, 1978), 27-28. Lorenzo J. Greene, "Some Observations of the Black Regiment of Rhode Island in the American Revolution," *Journal of Negro History* vol. 37 (1952), 142.

20. John R. Sellers, *The Virginia Continental Line* (Williamsburg: Virginia Independence Bicentennial Commission, 1978), 42-43, 48-49. "At a General Assembly ... in the City of Williamsburg, on Monday the twentieth Day of October" 1777, Jenkins, *State Records*, Session Laws, vol. B.2, reel 3, 1-5, 7. "At a General Assembly ... in the City of Williamsburg, on Monday the Fourth Day of May" 1778, *ibid.*, Session Laws, vol. B2, 3-5.

21. "Return of Draughts and Substitutes from the State of Virginia," 23 May 1778, George Washington Papers, Presidential Papers Microfilm (Washington, DC, 1961), series 4, reel 49 (hereafter cited as GW Papers). Washington to Patrick Henry, Governor of Virginia, 23 May 1778, Fitzpatrick, *Writings of Washington*, vol. 11(1934), 438-439. Washington to John A. Washington, 10 June 1778; Washington to Holt Richardson and Ralph Faulkner, 1 July 1778, *ibid.*, vol. 12 (1934), 42-43, 139. October 1778 "Term of Service" Return, PCC, Natl. Archives.

22. "Resolves of the General Assembly ... of the State of Massachusetts ... being the sixth sitting of said Assembly," 20 April 1778, Jenkins, *State Records*, Session Laws, vol. B2, 16-21. "A List of the Men Raised... in the State of the Massachusetts Bay... for the Term of Nine Months ..." (The levies from the County of Barnstable are apparently missing from this list), Massachusetts Various Organizations, Revolutionary War Rolls, natl. Archives, reel 42, section 91-3. General Orders, 22 July 1778, Fitzpatrick, *Writings of Washington*, vol. 12 (1934), 217-218. Charles H. Lesser, *Sinews of Independence: Monthly Strength Reports of the Continental Army* (Chicago, Il. and London, 1976), 84-86, 88-90, 92-94

(hereafter cited as Lesser, *Sinews of Independence*). October 1778 "Term of Service" Return, PCC, Natl. Archives.

23. George Washington to John A. Washington, 10 June 1778, Fitzpatrick, *Writings of Washington*, vol. 12 (1934), 42-43. "Laws of Maryland Made and Passed at a Session of Assembly, Begun and held ... on the seventeenth of March [1778]," Jenkins, *State Records*, Session Laws, vol. B2, chapter V. 1st, 3rd, and 5th Maryland Regiment September 1778 returns, Revolutionary War Rolls, Natl. Archives, reels 33, 34. German Regiment returns, *ibid.*, reels 130, 131, 132. Arthur J. Alexander, "How Maryland Tried to Raise Her Continental Quotas," *Maryland Historical Magazine*, vol. 42 (1977), 184-196. Retzer, *German Regiment*, 23. October 1778 "Term of Service" Return, PCC, Natl. Archives.

24. "Laws of the State of New-York, Passed in the first Session of the Senate and Assembly ... ending with the last Day of June, 1778," Jenkins, *State Records*, Session Laws, vol. B2, 26-28. 2nd New York Regiment September 1778 returns, Revolutionary War Rolls, Natl. Archives, reels 67-68. October 1778 "Term of Service" Return, PCC, Natl. Archives. Washington to Jonathan Lawrence, 6 June 1778, Fitzpatrick, *Writings of Washington*, vol. 12 (1934), 26.

25. "Acts of Assembly of the State of North Carolina ...," held 14 April 1778, Jenkins, *State Records*, Session Laws, vol. B2, 3-5. Agreeable to the 26 February 1778 Continental Congress resolution the North Carolina levies were to be collected at two locations; those men raised "in the Districts of Halifax, Edenton, Newbern, and Wilmington, shall march ... to Petersburg in Virginia, and those who shall be raised in the Districts of Hillsborough and Salisbury, shall rendezvous at Peytonsbury in Pittsylvania [Virginia]." Hugh F. Rankin, *The North Carolina Continentals* (Chapel Hill: University of North Carolina Press, 1971), 146-47, reduction in the North Carolina Line Regiments; 162-163, 164-166, new levies; 178-181, 183-184; institution of the nine month draft. Rankin's work is invaluable in any study of the North Carolina regiments, but he incorrectly names Hogun's 1778 northern levy unit as the 7th North Carolina Regiment, when it was in fact the reconstituted 3rd Regiment (hereafter cited as Rankin, *North Carolina Continentals*).

26. October 1778 "Term of Service" Return, PCC, Natl. Archives.

27. Lesser, *Sinews of Independence*, 84-86, 88-90, 92-94.

28. Rankin, *North Carolina Continentals*, 186-209.

29. William Maxwell to Washington, 5 June 1778, GW Papers, series 4, reel 49. John Paterson to William Heath, 31 March 1780, William Heath Papers, 1774-1872 (Microfilm edition, Massachusetts Historical Society, Boston, 1974), reel 15-2 (vol. 15, part 2) (See also *The Heath Papers*, III, Mass Hist. Soc. *Colls.*, 7th serie, vol. V [Boston, 1905], 44).

30. Washington told a Congressional Committee in May 1780, "There is only one thing, I should have been happy the Committee had thought proper to take up on a larger scale. I mean the supply of Men by Draught ... The Mode by Draught is, I am persuaded the only efficacious one to obtain men ...," Washington to the Committee of Cooperation, 25 May 1780, Fitzpatrick, *Writings of Washington*, vol. 18 (1937), 417-418. Congressional resolutions concerning a yearly draft and abolishment of substitutes and bounties (the resolutions were referred to the Board of War for consideration), 24 January 1780; Board of War report supporting a yearly draft, 8 February 1780, Ford, *Journals of the Continental Congress*, vol. XVI, 1780 (1910), 81-82, 248-250. The 1780 Connecticut act

called for immediately raising 1,500 recruits “to join the Connecticut Battalions in the Continental Army, to serve until the last day of December next, unless sooner discharged ...” 1,274 of the men were intended for the infantry battalions. A six pound bounty was offered to encourage volunteers, and “detached” (drafted) men who volunteered or provided a substitute within three days of their detachment were given a four pound premium. “An Act for filling up the Connecticut Battalions in the Continental Army,” passed “At a General Assembly of the Governor and Company of the State of Connecticut, holden at Hartford on the second Thursday of May, 1780,” PCC, Natl. Archives, reel 46, p. 471. See also: Jonathan Smith, “How Massachusetts Raised Her Troops in the Revolution,” *Massachusetts Historical Society: Proceedings*, vol. LV (October, 1921-June, 1922), 354, 1780 draft. Mark Edward Lender, “The Conscripted Line: The Draft in Revolutionary New Jersey,” *New Jersey History*, 102 (1986), 1778 draft, 26-35; 37-38, 1780 draft. John R. Van Atta, “Conscription in Revolutionary Virginia: The Case of Culpeper County, 1780-1781,” *Virginia Magazine of History and Biography*, vol. 92, no. 3 (July 1984), 263-281.