



**HISTORY OF THE
ROYAL PROVINCIAL REGIMENT**

KING'S ORANGE RANGERS

1776 - 1789

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by

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1776

William Bayard of New York was a prosperous merchant and head of the company of Taylor & Bayard. Born June 1, 1729, he was of old Huguenot stock and ¹a descendent of Peter Stuyvesant and Robert Livingston, the first Governor of New York. He married Catherine McEvers with whom he had four daughters and five sons.² He was an extensive land owner and had estates at Greenwich Village in New York, at Hoboken and Weehawken, Orange County, New Jersey, at Norwalk in Connecticut³ and on the St. John River near Hampstead, New Brunswick.⁴

In the years leading to the revolution he had Whig sympathies and was associated with other like-minded men including Jay and Lewis. In 1770 he was a member of a delegation which went to England to remonstrate against the Sugar Act. Here he was received by the King and subsequently wrote that His Majesty had offered several flattering remarks to which he replied, "...that he was one of his Majesty's best Subjects, but that no favours his Majesty could confer on him, would bribe him to sell the Interest of his Country."⁵

He was well known in colonial affairs as evidenced in a journal entry by Mr. Quincy of Massachusetts who wrote on May 12th 1773: "Spent the morning in writing and roving, and dined with Colonel William Bayard at his seat on the North River". A member of the Sons of Liberty⁶ and as one of the New York Committee of Fifty, he remonstrated against Parliament's high-handed anti-American policies. The committee was greatly concerned with closure in 1774 of the Port of Boston and greatly feared New York would suffer the same fate. A letter dated

¹Virtual American Biographies, edited **Appletons Encyclopaedia** copyright 2001 Virtualology TM internet resource.

² J. Peter Mitham, *Samuel Vetch Bayard 1752-1832: A Loyalist in Transition*, **Loyalist Gazette** Vol. XXXVII, No. 1 1999 p.13.

³ The author was provided a photocopy of an original document of unspecified origin dated April 14, 1784. It states that the Selectmen of Norwalk, Connecticut were preparing an action against William Bayard for the costs associated with confiscation of his estate, but that it was discontinued when the details of the Treaty of Paris made it clear that such actions were not to be undertaken. The selectmen instead, turned to the state treasurer to recover the £5 11s spent prosecuting Bayard..

⁴ Peter J. Mitham, *Samuel Vetch Bayard (1757-1832): Loyalist and Methodist*, **Nova Scotia Historical Review**, Vol. 15, No. 1, 1995. Pp. 94.

⁵ Op. Cit. J. Peter Mitham, *Samuel Vetch Bayard (1757-1832): A Loyalist in Transition* P. 13.

⁶ Virtual American Biographies, edited **Appletons Encyclopaedia** copyright 2001 Virtualology TM internet resource.

December 5, 1774 from Bayard to General Gage asking for a Crown appointment⁷ makes it clear that he was on immediate terms with the governor. When the delegates to the Massachusetts Continental Congress visited New York in 1775, they were guests at his home. As the political atmosphere began to overheat, the committee came to be dominated by radicals thus necessitating the departure of the more found conservative members including Bayard. Once hostilities broke and radicals seized the leadership of the Continental Congress with the intention of breaking with Britain and the Crown, Bayard broke with them. With his departure he and his family became objects of radical wrath.

In February 1776 New York was occupied by rebel troops from Connecticut. Bayard fearing for the safety of his family, removed to his estates at Hoboken where he believed could count on the support of his tenants. Catherine Bayard and their children were dispatched to the relative safety of Hackensack. Bayard found Hoboken unsafe and so moved furtively from place to place to avoid capture by the rebels who were swarming about the place. Meanwhile Catherine and the children fled to the refuge provided by *HMS Phoenix*. Sabine gives a slightly different account stating that Bayard was forced to flee from his home on the Hudson and hide in the woods and thence surreptitiously to proceed through the forest to the safety of British lines at New York. His wife and younger children followed him some time later, again going cross county to avoid rebel sympathizers. According to one account, Bayard's flight to New York was capped with a run of "at least sixteen miles that night through the woods" and that his wife Catherine and children made good their escape when she was compelled "to take herself and her little children and to wade through a river to get between two hills to secure herself and them from danger".⁸ In either case the story remains essentially the same, one of a family becoming refugee in their own country and paying a high price for moderate views.⁹

Deemed a pariah by the rebels, he and other Loyalists would in 1779 be proscribed by an Act of Attainder passed by the New York Legislature. By this vindictive legislation, Bayard and others had their real and personal property confiscated. Further it was ordered that "each and every of them who shall at any time hereafter be found in any part of this State, shall be, and are hereby adjudged and declared guilty of felony, and shall suffer Death as in cases of felony, without Benefit of Clergy."¹⁰ This was not rough justice. It was no justice at all. So much for the Rule of Law.

Similarly an act was passed by the New Jersey legislature on October 4, 1776. Following is a list of estates confiscated from William Bayard in what is now Hudson County including the name of the purchaser. It should be noted that the sales did not actually occur until 1784, possibly a reflection of the shortage of cash during this time of civil war.

⁷ William Bayard to Thomas Gage, December 5, 1774, William L. Clements Library, University of Michigan, Ann Arbor.

⁸ *Where Tories Held Sway* p.79

⁹ Lorenzo Sabine, **Biographical Sketches of Loyalists of the American Revolution**, Little, Brown & Company, Boston 1864 pp. 217.

¹⁰ Thomas Jones, **History of New York during the Revolutionary War**, New York Historical Society, 1879 Vol.I I pp.270-1

564 acres in the township of Bergen at Hoboken [Castle Point] sold to John Stevens July 26, 1784 £18360

Land in North River adjoining Weehawken sold to Daniel Baldwin December 4, 1784

104 acres adjoining Hoboken Creek sold to Jacobus J. Bogart May 11, 1784

23 acres bounded west by north of lot No. 17 east by Jacobus Bogert, south by lot No. 19 township of Bergen sold to William Jackson May 1, 1784 £502

25 acres bounded northerly by the road or lot No. 10, east by lot No. 4, south by lot No. 12 ¹¹township of Bergen to William Jackson May 10, 1784 £500

41/2 acres extending from Hudson River on the east to Secaucus Commons on the west to Cornelius Huyler August 25, 1784 £702¹¹

In any event, the value of Bayard's property took a certain plunge when at both Weehawken and Hoboken, his out buildings, barns, stables and houses were burned by the rebels.¹² A few years later, William Bayard's 1722 acre estate in New Jersey was sold for £7542 to one John Jacob Astor.¹³ Sometime during the revolution he departed for the United Kingdom and died at Southampton in 1804. One son, William, remained in the United States and carried on as head of a leading New York mercantile house, Bayard, Leroy & McEvers. Through marriage his estate at Castle Point in Hoboken passed into the possession of a Bayard.¹⁴

In June or early July, Bayard was captured by troops under command of General William Alexander and held prisoner for 11 weeks. It was during the time of this captivity that the Continental Congress made the final break with Britain and signed the Declaration of Independence. Making good his escape shortly after General William Howe landed and secured New York, he made his way to that city and rejoined his family who had. He subsequently offered his services to the Crown and participated in the fighting at White Plains in October and the capture of Rhode Island in December.

In 1776 Sir William Howe accepted an offer from William Bayard of New York, to raise a battalion to be called the King's Orange Rangers.¹⁵ Bayard named one of his sons, John, to be lieutenant-colonel and another, Samuel Vetch Bayard, to be a captain¹⁶. Within four months the corps was raised to a strength of 200 and then immediately sent on service at King's Bridge, New York.¹⁷ Many of the early recruits were tenants from the Weehawken estate. At King's Bridge, the regiment suffered much from "Small Pox and other disorders in Camp...as appears in the Hospital returns &c.". On 7th January 1777, Captain Frances Hutcheson remarked to General Frederick Haldimand, "I don't [sic] Suppose we shall gain great Glory to the British

¹¹ Confiscated Estates in what is now Hudson County pursuant to Acts of the New Jersey Legislature passed October 4, 1776 - internet source.

¹² Ibid. p.308

¹³ Alexander Clarence Flick, **Loyalism in New York during the American Revolution**, Columbia University Press 1901 P. 151

¹⁴ Virtual American Biographies, edited **Appletons Encyclopaedia** copyright 2001 Virtualology TM internet resource.

¹⁵ **Winslow Papers A.D. 1776-1826**, W.O Raymond, Ed., Gregg Press, Boston 1972.

¹⁶ See Appendix A for list of officers and dates of commissions

¹⁷ A useful atlas reference is **Campaigns of the American Revolution** by Douglas Marshall and Howard H. Peckham, University of Michigan Press, Ann Arbor 1976.

Arms by these Brigades.”¹⁸

1777

Lieutenant Colonel John Bayard advertised in the **New York Gazette and Weekly Mercury** February 17, 1777 for recruits to the Kings Orange Rangers. Recruits were to repair to Mr. Mason’s near the Exchange in Little Dock Street. Each volunteer was to “receive 40 shillings advance with new cloaths *sic*, arms, and accoutrements and everything necessary to compleat *sic* a gentleman volunteer.” There seems to be general agreement that the KOR was intended to be a mounted rifle regiment which would ride to battle and then fight on foot.

Initially the King's Orange Rangers almost certainly wore the green frock coat of the Royal Provincials. About 1778 most Royal Provincials changed to red frock coats. According to Haarmann, the KOR wore a "Red Coat, bright Yellow Lapel, white button hole."¹⁹ Kutchner states that the KOR wore Red coats with orange facings. "Orange was one of the most difficult colours to dye in that period, and facings were actually any colour from yellow to dirty reddish brown".²⁰ With white lace for enlisted men's button holes, officers would have worn silver lace. Hat cords, sword hilts, gorgets all would have been silver. Sword knots would have been gold with a scarlet stripe as required in the **Clothing Warrant of 1768**. There is a KOR button in the collections of the New York Public Library. It is silver and has the letters K^OR surrounded by a laurel wreath and surmounted by a crown.

The first muster roll currently available is dated 1 July 1777. It cites the Kings Orange Rangers as including a lieutenant-colonel, a major, 3 captains, 6 lieutenants, 2 ensigns, an adjutant, a quarter master, a surgeon, a surgeon’s mate, 17 sergeants, 6 drummers and fifers, 148 rank and file. Sick in hospital were 11 rank and file. Recruiting 13 rank and file. On furlough 2 rank and file. Prisoners, 2 rank and file. Total: 17 sergeants, 8 drummers and fifers, 191 rank and file. Required to complete the “allowance” were 9 sergeants, 2 drummers and fifers, 339 rank and file. Alterations from last return: 4 "inlisted", 4 dead, 3 discharged and not recommended, 1 deserted.²¹ On the 7th the Orange Rangers were noted as being under Clinton’s command and consisting of 21 sergeants, 8 drummers, 184 rank and file and stationed at Paulus Hook.²² On the 9th Alexander Innes, Inspector General for Provincial Forces reported to the adjutant -general that he had inspected several corps at King’s Bridge and found them in a very excellent state, “Lt. Col. Bayards *sic* excepted, who the Inspector is sorry to say are in a wretched state. - He gave them notice that in the course of a few days he would Visit them again, when he hopes to find them in a better situation.”²³

¹⁸ British Library, Additional Manuscripts No. 21680, folio 168.

¹⁹ Albert W. Haarmann, "Some Notes on American Provincial Uniforms, 1776-1783", **The Loyalist Gazette**, Spring 1991, p.23.

²⁰ Philip Katcher, **Armies of the American Wars 1753-1815**, Osprey Publishing Limited, Berkshire, 1975 p. 74.

²¹ Clinton Papers 21:24

²² CO 5/94/263

²³ William L. Clements Library, Mackenzie Papers

Muster Rolls often leave the reader in suspense with respect to details - deserted, recruiting, sick, dead, discharged and so on. There is one which while short on facts, leaves no doubt respecting the soldier in question. The muster of Major DeWint's Company at Paulus Hook August 1777 says this of Daniel Curwin. "Sent up to Orange County as a Spy, taken by the Rebels & Hung."²⁴ It was indeed a dirty little civil war with summary execution regular fare. Others were more fortunate. William Mullock²⁵ who was captured August 1²⁶ was able to make good his escape and return to his regiment eleven months later, May 15, 1778.²⁷

The regiment immediately got off on a bad footing as evinced in a General Court Martial held in New York during the period March 18 to the 29th 1777. Captain James Ryan was "brought Prisoner before the Court, and accused of having forged the name of Wm. Howe as indorsements *sic* of different Bills of Exchange given in payment by him to Patrick McMaster and William Burton of the City of New York, Merchants, with an intention to defraud the said Patrick McMaster William Burton and others"²⁸

There were seven bills of exchange totalling £646, a very significant sum indeed. In his own defence, Ryan stated:

That from his youth, his inexperience in life was such as not to know the great consequence of that offence wherewith he so stands unhappily charged; That he came to this City with very good recommendations, particularly to His Excellency Sir William Howe who very soon after appointed him to a Company in the above Regim^t, and very kindly indorsed for the Defendant one bill which he drew upon his friends for thirty pounds Sterling – That having occasion for more money, and W. McMaster's telling him he could have any reasonable sum he should draw for, he sold him other bills, which he was certain would be duly paid, or he would not have drawn them or done any thing therein, as by no means intending in the least to defraud or injure W. McMaster or any other person whatsoever [That if he had premeditated any such fraud or design, he would certainly have absconded but no such thought ever occur'd to him, as that of any difficulty arising on account of the said Bills; being perfectly assured of their being duly honoured; That the defendant came to America with a resolution to serve his King to the utmost of his power and ability; that he is not now nineteen years of age, wherefore most humbly hopes this honorable Court will be of Opinion that the Defendant had no premeditated design to Commit any fraud, and throws himself entirely upon your honours humane and tender consideration to be relieved from his present most heavy distress which his great inadvertency has truly brought on him.²⁹

The Court reconvened on March 24th and found Ryan guilty as charged and "under the 2nd

²⁴ Muster Roll of Major DeWint's Company of King's Orange Rangers, Paulus Hook August 1777 National Archives of Canada, RG 8, "C" Series, Vol. 1908.

²⁵William Mullock would later be a sergeant in Captain Bethel's Company. After the war he settled at Lower La Have, Lunenburg County, Nova Scotia. In the early 1990s Mullock's house was purchased by Robert Peebles. During renovations, a Tower marked spontoon was found under the attic floor boards. It is curious that it is a spontoon and not a halberd as the latter would have befitted his rank. Later research may show him to have become an officer in the Lunenburg County militia as his companion -in-arms Sergeant Frederick Phillips would become adjutant of the Queens County Militia and which could explain the spontoon.

²⁶Ibid.

²⁷Ibid. Camp Harlem June 1778.

²⁸ PRO WO 71/83 p. 241

²⁹ Ibid. p. 244

was a small peninsula surrounded by marshy ground and connected to the mainland by a causeway which could only be traversed at low tide. It was a constant threat to rebels in Bergen County and although attacked and held briefly by the rebels August 1779, it continued under British control.

August 9th Captain Samuel Vetch Bayard was the officer commanding at Paulus Hook. That morning he was approached by the Corporal of the Barrack Guard Nicholas Tibou who reported that privates John Brooks and John Kavanaugh had deserted the evening before. According to Tibou, he posted Brooks and Kavanaugh as sentries after the 9 o'clock gun fired. When he went with the relief at 11 o'clock both were gone from their post. He immediately reported it to the Major of the Regiment (DeWint) who ordered him to acquaint the picquet, but by this time they had flown the coop. On November 12 Bayard testified at their trial that "they had in deserted between 12 and 1 o'clock in the night and had gone off with their Arms to the Rebels, that about a quarter of an hour after the Centry of the Picquet fired at them, but they got off and in the course of three or four days after they were taken up on Staten Island by an officer of Colonel Buskirk's³² Corps."³³

In their defence, Brooks and Kavanaugh claimed that they had "quitted their Post together in Order to get some apples, that they fell into a Creek and lost their Arms, and the next morning gave themselves up to Major Timpenny³⁴ at 'Staten Island.'" They denied having any intention of deserting to the rebels and that in fact, both of them had "ventured their Lives to come in from the Rebels to serve His Majesty. The court found that while they had not deserted to the enemy, they nonetheless guilty of desertion. Citing the 1st Article of the 6th Section of the Articles of War they were each sentenced to receive "Five Hundred Lashes in the usual manner".³⁵

It was while at Paulus Hook that during the night of September 11th, a detachment of the 71st and the King's Orange Rangers marched to a point opposite Passaic then near to Newark. They returned on the 17th with some cattle. There was no fighting except from the "old Villains of Jersey, from Elizabeth Town, Newark [who] opposed them."³⁶

The Rangers were still at Kings Bridge 1st November 1777 along with DeLancey's, Prince of Wales American Regiment, New Jersey Volunteers and the Nova Scotia Volunteers among others.³⁷ The King's Orange Rangers participated in the attack on Fort Washington on the Hudson (re-named Fort Mifflin after the Hessian commander). By curious co-incidence one the rebel regiments present at that event also took its name from Orange County.

While at King's Bridge there arose a sordid affair which unfortunately became something of a hallmark for the King's Orange Rangers. Its detail is laid out in a Court Martial held on

³² Lt. Col. Abraham Van Buskirk, Commanding Officer, 4th Battalion New Jersey Volunteers (Skinner's Greens)

³³ PRO WO 71/84 p.422

³⁴ Major Robert Timpenny (sometimes Timpany) 4th Battalion New Jersey Volunteers (Skinner's Greens)

³⁵ Ibid. PP. 422-423

³⁶ Kemble Papers, Vol. I, pp. 132-133

³⁷ Library of Congress, Misc. Manuscripts Collection, Alexander Innes, AC 2413.

December 1st Major Daniel Disney (38th Regiment) as President. The trial is worth some attention as it not only lays out the difficult relationships within the officer corps, it also give some insight into probable abuses and provides an allusion to family life within the KOR.³⁸

The summer and early autumn witnessed General Burgoyne wending his way through the wilderness from Quebec up the old Lake Champlain invasion route. As early success began to turn into apparent failure, Burgoyne couriered messages to New York outlining his increasingly desperate situation and seeking some sort of initiative from Clinton and Howe to try to draw off the rapidly growing rebel army which was confronting him.

Clinton was in a very tenuous position. General Howe had gone off to Philadelphia leaving him with too few troops to protect New York, let alone mount a full scale operation up the Hudson, the river was well protected and the inhabitants had demonstrated they ere less than enthusiastic in support of the Royal cause. It was impossible for Clinton to even conceive of moving on Albany and catching the rebels in a pincer between himself and Burgoyne. Quite simply, he did not have the resources. With the arrival of 1700 British and German recruits from England on September 24th, he felt confident that he at least could mount a diversion up the Hudson which might have the effect of easing Burgoyne's increasingly precarious position. On the 29th Clinton received a letter from Burgoyne dated the 21st which stated that "an attack or even the menace of one upon Fort Montgomery would be of great use to him."³⁹

Clinton however, was determined to provide some relief to Burgoyne and set about to plan an attack on Fort Montgomery and Fort Clinton, some 60 miles up river. These strategically placed fortifications were thought by the rebels to be all but impregnable. They were both located on the west bank on top of two rocky precipices and were separated from each other by a chasm through which a small stream flowed. They communicated by means of a small bridge thrown across the void separating them. They were protected in the rear by steep rough mountainous terrain through which it was believed no force of any size could penetrate. They also marked the termination of navigation for the Royal Navy and troop transports as there were two chain booms and a *chevaux-de-frise* just upstream which blocked the route to Albany. Fort Constitution was located just upstream on the east bank.

On October 3rd he began moving his army up the North River to the Hudson. The troops organized into three divisions sailed to Verplanck's Point where they disembarked October 5th. Meanwhile Sir James Wallace's galleys continued up river to contain General Putnam's boats at Peekskill. This was essential as the rebel general had some 3000 men under his command and Clinton did not want them to be able to cross the river to aid the two forts. Most of the King's Orange Rangers and the King's American Regiment under Tarleton were left at Verplanck's to deal with General Putnam, should he move south to counter Clinton.

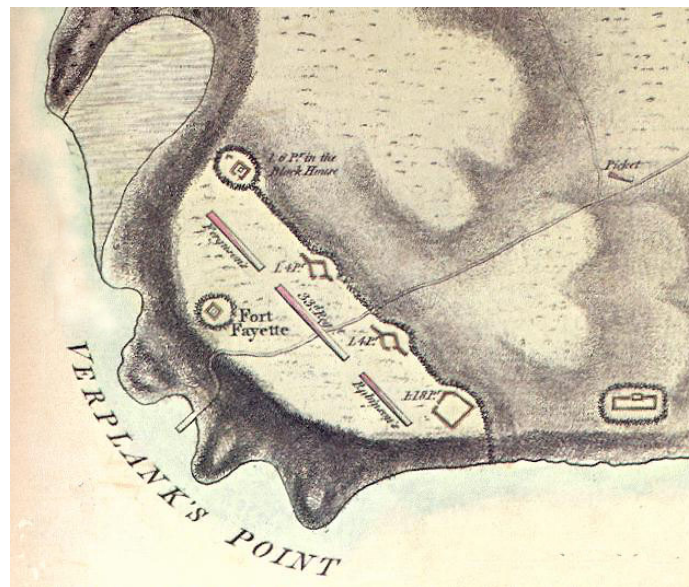
While disembarking he received another letter from Burgoyne dated September 28th advising:

³⁸ PRO WO 71/85 pp.9-24 and pp.250-261.

³⁹ Clinton, Sir Henry **The American Rebellion**, ed. William B. Willcox, Yale University Press, New Haven 1954 p. 72.

that General Burgoyne's whole army did not exceed five thousand men, having lost between five and six hundred men in the action of the 19th; that the rebel army was very strongly posted to the amount of above twelve thousand men within a mile and a half of his camp, and had besides another considerable body hanging in his rear; that his provisions would not last him longer than till the 20th of October, his communications with Canada being entirely cut off; that though he had no doubt of being able to force his way to Albany yet, being uncertain if he could subsist after he got there, he wished before he attempted it to know whether I could open a communication with that town, at what time I expected to be there, and whether I could procure supplies from New York for him afterward, and requesting that I would send him as soon as possible by triplicates my most explicit orders, either to attack the enemy in his front or to retreat across the lakes, while they were clear of ice.⁴⁰

VERPLANCK'S POINT



Clinton was shocked that Burgoyne would believe that any such effort could be made from New York as Clinton had informed him in September that he had no more than 2000 effectives at his disposal.⁴¹ He knew the very best he could do was to execute the plan he had conceived for the attacks on Montgomery and Clinton.

Clinton was set on what he termed a *coup de main*. Leaving Stony Point on October 6th, they marched north to Doodletown where Clinton divided his forces. He ordered Lieutenant Colonel Archibald Campbell with 400 regulars and Colonel Robinson with 400 Provincials to march through the back country around Bear Mountain to a pass at Thunder Hill. The pass was left to

⁴⁰ Ibid. p. 73.

⁴¹ Ibid. pp 73-74.



be secured by Major General Tryon. Campbell undertook a difficult 7 mile circuitous march around the hill and after two sharp but brief confrontations with rebel elements, he mustered his force at the rear of Fort Montgomery. Meanwhile, General Vaughan with 1200 men continued on towards Fort Montgomery along the bank of the Hudson to the south end of Hessian Lake where he awaited the signal to commence the attack on Fort Clinton.⁴²

The two The forts should have been impregnable, but Putnam had failed to take full advantage of natural defences. Additionally, Putnam had fallen for the ruse set by Clinton at Verplanck's Point. He wrongly believed that his army on the east bank of the Hudson was Clinton's objective. In spite of a brief and entirely unsuccessful rebel stand, the two forts were invested and an ultimatum to surrender sent to the defenders. The demand was refused and Clinton ordered simultaneous attacks. Fort Montgomery was assaulted by the 52nd, 57th, Loyal American Regiment, New York Volunteers and a detachment of the King's Orange Rangers under Captain John Coffin (this would later be Captain Howard's Company) and Emmerick's Chasseurs.⁴³ They were under the command of Colonel Mungo Campbell who was killed in the initial assault with command passing to Colonel Robinson.

The assault is best described by General Clinton himself in a letter to General Howe.

...the Corps intended to attack Fort Montgomery in the Rear, could not get to its Ground before five o'Clock, about which Time I ordered General Vaughns Corps... to push if possible and dislodge the Enemy from their advanced Station behind a Stone Breast Work, having in Front for half a Mile a most impenetrable Abatis, this the General by his good Disposition obliged the Enemy to quit, though supported by Cannon, got Possession of the Wall, and there waited the Motion of the cooperating Troops, when I joined him, and soon afterwards heard Lieut. Colonel Campbell begin his Attack. I chose to wait a favourable Moment before I ordered the Attack on the Side of Fort Clinton; which was a circular Height, defended by a Line for Musquetry with a Barbet Battery in the Centre of three Guns, and flanked by two Redoubts: The Approaches to it, through a continued Abatis of 400 Yards, defensive every Inch, and exposed to the Fire of Ten Pieces of Cannon. As the Night was approaching, I determined to seize the first favourable Instant. A brisk Attack on the Montgomery side: the Gallies [*Crane, Dependence* and *Spitfire*] with their Oars approaching, firing, and even striking the Fort [accompanied by *HM Brig Diligent*], the Men of War [*HMS Preston* and the frigates *Tartar* and *Mercury*] that Moment appearing, crowding all Sail to support us; the extreme Ardor of the Troops; in short all determined me to order the Attack: General Vaughans spirited Behaviour and good Conduct did the rest. Having no Time to lose, I particularly ordered that not a Shot should be fired, in this I was strictly obeyed, and both Redoubts &c were Stormed. General Tryon advanced with One Battalion to support General Baughan in case it might be necessary and he arrive in Time to join in the Cry of Victory.

Trumbach's Regiment was posted at the Stone Wall to cover our Tetreteat in case of Misfortune. The Night being dark it was near eight o'Clock before we could be certain of the Success of the

⁴² **Naval Documents of The American Revolution**, Volume 10: American Theatre: October 1, 1777-December 1, 1777. Washington, DC: Government Printing Office, 1996. Source documents: ^APRO, C.O. 5/94, 345-47 & 350.

^BPRO, Admiralty 1/488, 58. ^CPRO, C.O. 5/95, 10-11. ^Das cited. Letter from Sir Henry Clinton to Sir William Howe October 9th 1777 reporting capture of forts Montgomery and Clinton.

⁴³ Ray Palmer Baker, *War in the Revolution*, Shiver Mountain Press, Washington Depot, Connecticut 1976 pp. 120-122.

Attack against Fort Montgomery, which we found afterwards had succeeded at the same Instant that of Fort Clinton did, and that by the excellent Disposition of Lieut. Colo. Campbell, who was unfortunately killed on the first Attack, but seconded by Colonel Robinson of the Loyal American Regiment, by whose Knowledge of the Country I was much aided in forming my Plan, and to whose spirited Conduct in the Execution of it I impute on a great Measure the Success of the Enterprize. ...

About 10 o'Clock at Night the Rebels set fire to their two ships, *Mongomery* and *Congress*, some Gallies [*Lady Washington* and *Shark*] and other armed Vessels [the New York privateer sloop *Camden*] with their Cannon Stores &ca in them. ...

The Commodore [William Hotham] has assisted me with his Advice, and every effort. We sent a joint Summons to Fort Constitution, but our Flag meeting with an insolent Reception unknwn in any War, we determined to chastise, & therefore an Embarkation in Major General Tryon, and Sir James Wallace with the Gallies was ordered. They found the Fort evacuated in the greatest Confusion, the Store Houses burnt, but their Cannon were left unspiked. The Commodore immediately ordered Sir James Wallace up the River, and if it shoulc be possible to find a Pasaage through the Cheveaux de Frize, between Polypus Island [Pollepel Island] and the Main, he may probably do most essential Service. ...

PS 10 o'Clock at Night

Major General Tryon whom I detached this Morning with Emericks Chasseurs, 50 Yagers, the Royal Fuzileers & Regiment of Trumback, with two three Pounders, to destroy the Rebel Settlement called the Continental Village, has just retuned and reported to me that he has burned Barracks for 1500 Men, several Storehouses, and loaded Waggon. The expreme Badness of the Weather making it necessary to be as expeditious as possible no Account could be taken of the Stores, but I believe them to have been considerable. I need no point out to your Excellency the Consequence of destroying this Pose, as it was the only Establishment of the Rebels in that Part of the Highlands and Place from whence any neighbouring Body of Troops drew their Supplies. Fannings and Byards [Bayard's King's Orange Rangers] marched from Verplancks Point to cooperate with General Tryon, but finding he met no Opposition, they were ordered back to their Post.⁴⁴

With the rebels disbursed, the three forts and various redoubts firmly in friendly hands and the booms and chevreaux-de-frises across the Hudson removed, the way was clear to make further incursion up river. Consequently General Vaughan in cooperation with Sir James Wallace's squadron spent from the 15th to the 17th laying waste as far up river as Esophus Creek or Kingston. Two batteries were found along with an armed galley at the mouth of Esophus Creek. Vaughan was determined not to leave his back exposed to them and he sent troops ashore to destroy them. The rebels abandoned their batteries and fled into Kingston, taking refuge in several houses and firing from them as the British entered the town. It was known that after the capture of forts Montgomery and Clinton, rebel New York Governor Clinton had been given refuge there. In fact, at the time of the attack the New York State Legislature had been meeting at Kingston.

All that said, the place was notorious "for harbouring the most rebellious People in that Part of

⁴⁴ Op. Cit. **Naval Documents** etc. Sir Henry Clinto to Sir William Howe, Fort Montgomery October 9, 1777.

the Country”⁴⁵. Consequently, Vaughan did not hesitate to put it to the torch. *The New-York Gazette and The Weekly Mercury* in reporting the campaign stated that 326 houses were burned at Kingston, only that of Mr. Lefferts escaping the flames. Almost every house had a barn and they too were burned with the loss of 12 thousand barrels of flour, grains, valuable furniture and other personal effects.⁴⁶ Meanwhile other boats were dispatched from the naval vessels, went up Esopus Creek and burned two brigs, several large sloops and other craft along with all the chandlery supplies on shore.⁴⁷ The entire operation was completed in three hours.

Vaughan continued up river where he disembarked two people to carry dispatches to General Burgoyne advising him of the efforts which had been undertaken in order to relieve him at Saratoga. Needless to say, this was a most dangerous assignment. The following day a messenger arrived from Burgoyne which essentially signalled he was nearing the end of a disastrous campaign. In fact on the very day that the two forts had been taken, Gates had bested Burgoyne at the Battle of Bemis Heights. Vaughan in a letter to Clinton wrote: “From the Accounts I had received of his Situation, I found it impracticable to give him any further Assistance; And as Mr. [General Israel] Putnam had taken post with 5000men on my Right and [rebel General] Clinton or Parsons with 1500 on my Left, I determined to return to Fort Vaughan where I arrived on the 26th Inst. without anything further material happening...”⁴⁸

The entire operation was carried out with great success. The British lost 200 officers and men, the rebels more than 250. The rebels lost 70 guns and several redoubts along the Hudson were taken. Fort Constitution was captured without opposition and renamed Fort Vaughan. Still, Clinton was only half way to Albany and he knew his position was tenuous. What he thought was of little consequence anyway as he now received orders from General Howe to return to New York.

The campaign was a tactical success, but of no strategic value. Burgoyne’s independent command was speeding toward collapse. With the pending rebel victory at Saratoga, Britain’s entire situation was about to change. What had been a colonial revolt was to metamorphise into an international and global conflict in which Britain would stand alone.

On November 6, 1777 John Brooks and John Kavanaugh were tried in another Court Martial for “Deserting to the Rebels”. The two had disappeared while on sentry duty and were charged with going over to the enemy. At trial, they claimed they had “quitted their Post together in Order to get some apples, that they fell into a Creek and lost their Arms, and the next morning gave themselves up to Major Timpenny at Staten Island and deny having any intention of deserting to the Rebels and further say they ventured their Lives to come in from the Rebels to serve His Majesty”. They were found guilty of the lesser charge of desertion and sentenced to five

⁴⁵ Ibid. General John Vaughan to Sir Henry Clinton reporting the destruction of Kingston, New York no date.

⁴⁶ **The New-York Gazette and The Weekly Mercury**, New York November 3, 1777.

⁴⁷ Op. Cit. **Naval Documents** etc. Sir James Wallace RN to Commodore William Hotham RN October 17, 1777 reporting the burning of Kingston.

⁴⁸ Op. Cit. Vaughan to Clinton.

hundred lashes each “in the usual manner”.⁴⁹

Likewise on December 3rd Lieutenant John Cummings was tried for breach of orders and ungentlemanlike behaviour. When the KOR had marched from Paulus Hook to King’s Bridge on 24th September, an altercation arose at the home of Catherine Cuzine of Bloomingdale. Several of the KOR went to her house to get water and while there proceeded to steal her fruit. She objected to Lieutenant Cummings who ordered the men to stop. These were men from Captain John Coffin’s company which further complicated the affair as Cummings and Coffin had had words some time before. When Corporal Joseph Skelton⁵⁰ failed to leave as quickly as Cummings wished, Cummings grabbed him by the shoulders and “kicked him in the Private Parts so that he fell down, & upon getting up again, the Deponent said he would go & Complain to his Captain upon which the Prisoner struck him, with the flat of his Sword naked, telling him to go & carry that to his Captain...Captain Coffin when said he would teach the Prisoner better Manners.” The Court also heard from Captain Coffin, Ensign Rodney McKenzie, Sergeant Crusard for the prosecution and Jacob Cropsey and Catherine Cuzine for the defence. Cuzine’s testimony matched Cummings and he was subsequently acquitted with honour.⁵¹ There were several other Courts Martial around this time involving the Orange Rangers. Lieut. Hamilton was tried for insulting Lieutenant McDonald and for assaulting Lieutenant Colonel Bayard calling the latter a “Publick Robber”. He was found guilty but due to long service was sentenced only to being publicly reprimanded at the head of his regiment. McDonald was acquitted of quarrelling with Lieutenant Hamilton. Hamilton was ordered reprimanded at the head of his regiment. Presiding was Lieutenant Colonel James Cockburn, Lieutenant James Lamb 35th Regt., Deputy Judge Advocate. All sentences were approved by Lieutenant General Sir Henry Clinton.⁵² At this time the Orange Rangers were carrying outpost duties in the vicinity of King’s Bridge and were cantoned at Fort Knyphausen under command of Major General Tryon.⁵³

1778

1778 began inauspiciously for the King's Orange Rangers. January 7th Major DeWint and Major Burgess wrote Major General Tryon respecting an outbreak of small pox.

I have now the honor to represent to your Excellency the unhappy situation of this Regiment, with regard to the Small Pox, which Disorder is raging to a most Violent and mortal degree, and of course will spread over the whole Provincial Line unless time'ly [sic] prevented - As there are a large Number particularly in this Regiml [sic] which have not had it, and desirous of having it by Innoculation as that in al probability will decress [sic] the mortality, I beg your Excellency will direct me how to proceed as to this regiment.

The Surgeon represents to me that from their living so long on Salt provisions, their Blood must undoubtedly [sic] be in a very Corrupted state and from thence unless prepared by Innoculation the

⁴⁹ Great Britain, Public Records Office, War Office, Class 71, Vol. 84 Pp. 422-423.

⁵⁰ Deserted 8th August 1778, Muster Roll Captain Howard’s Company, KOR, Harlem 25th August, NAC RG 8, “C” Series, Vol.1908.

⁵¹ GB, PRO, WO Papers, Class 71, Volume 85, pp.25-31.

⁵² DeLancey’s Orderly Book, pp. 36-39.

⁵³ New York State Library, K13349, Box 5, f.11.

disorder must prove fatal to many [sic]. The Surgeon further adds that he can prepare them in the Barricks [sic], and send them down to the General Hospital before the Fever comes on without danger.⁵⁴

Another and more insidious disease continued to eat at the heart of the corps, that being the fractious behaviour of the officers toward one another which must have demoralized both the officers and the rank and file. No worse example is to be found than in the tragic death of Lieutenant William Bird and the consequent Court Martial of Lieutenant-Colonel Bayard. It is all laid out in the General Court Martial held at New York March 23rd 1778.⁵⁵

On March 10th Captain Rotton invited several officers of the King's Orange Rangers and other gentlemen to join him at dinner where he presided as "President of the Table". The invitation was to mark Rotton's joining the corps a day or two earlier. Included were Lieutenant-Colonel Bayard, Captain Lewis Burgess, Captain John Coffin and Lieutenant Bird. Dinner progressed normally until about seven o'clock when Bird began to get belligerent.

Bayard stated that "...Lieut. Bird, who was invited at my particular request, during the evening Lieut. Bird behaved in the most troublesome and riotous manner, which induced me to quit the room much earlier than the rest of the Company and retired to Major DeWint's where I was followed about an hour after by Capt: Rotton and Capt: Burgess. This was confirmed by Burgess who stated that "Towards Evening Mr. BIRD grew exceeding troublesome, before Seven o'Clock Col. Bayard left the room" after which Bird "made a motion to turn Capt: Rotton from the Head of his own Table, he continued that line of Conduct for some time; that in short it was the means of breaking up the Company."

This abhorrent behaviour was apparently not attributable to drunkenness as evidenced by Captain Burgess who responded to a question on that very matter at the court martial:

Q. Did it appear Mr. BIRD was affected with Liquor?

A. He might be a little elevated, but was in such a situation as to know a moral act, from an immoral one.

Whatever was troubling Bird, it appears to have begun some time prior to the dinner engagement and seems to have more to do with Bird's relationship with Bayard than with Rotton who in fact he did not know prior to the dinner party.

Bayard who was to become the instrument of Bird's demise, was to that point entirely his benefactor. By his own words the colonel iterated that the lieutenant "was particularly cared and distinguished by me...". Burgess described Bird as being obligated to Bayard for "First giving him his Ensigncy, 2d appointing him Lieutenant..., his living at Col. BAYARD's Table for a great while, and being introduced to all his Friends".

⁵⁴ Clements Library, Clinton Papers 30:6

⁵⁵ Great Britain, PRO, War Office, Class 71, Vol. 54 Pp. 155-174.

Considering the apparent obligation, Bird had earlier in the day shown significant disdain for his commanding officer. Captain Bartholomew Uniack related what in retrospect was a premonition of what was to pass the evening of the 10th. At around eleven that morning, Bird had come with Captain Coffin to the latter's hut where he spent the next few hours in the company of Coffin and Uniack. As Uniack rose to take his leave, Bird followed him, asking if he could shift himself in the former's hut which was agreed. At the captain's, Bird sat on the bed and asked if Uniack's servant might bring him a shirt which was done. Bird then picked up a book and began to read it, querying whose it was. When Uniack responded that it belonged to Colonel Bayard, Bird flew into a rage replying that "it belonged to a damn'd Rascal and a Scoundrel." Uniack countered that the lieutenant had best "Guard [his] expressions else [he] may get [his] backside whipt." He seemed to settle down and sat by the fire in conversation with his host.

As Bird rose to leave, he saw a sword hanging by the bed and asked Uniack to lend it to him. Uniack replied he wanted to use it himself, but he would lend him a bayonet. Bird replied he had one of his own and went to the bed and put it on. After another hour of fireside chat, Uniack observed it was nearing dinner time and that they should leave for the barracks to be sure to be on time. While passing by the 45th guardroom, Bird made a curious remark: "You will see what a dust I will kick up today, a Short life and a merry one, that's the life damn me." Upon reaching the barracks Uniack went inside and Bird left for an unknown destination.

Dinner went without incident. A little before sundown when Major DeWint was called outside. The major returned shortly there after and asked Bird to step outside the room which he did. DeWint subsequently returned to the table taking his place beside Captain Burgess to whom he said "I am surprized Mr. BIRD does not mind his duty better, that a complaint was made of a deficiency of wood in the Barracks, which Mr. BIRD ought to have look'd into and seen done."

About ten minutes later and shortly after the beating of the retreat, Bird returned to the table sitting to Burgess's left. By now the colonel was entertaining the room with a song to the enjoyment of the assembly. Bird place his hand on Burgess's shoulder and whispered to him that he wanted to speak with him out of the room. Burgess replied that his business was not so urgent that it couldn't wait until after the song was over. Bayard having finished, Burgess went to the far end of the room to ask Bird what he wanted to which the reply was that he wanted Burgess to lend him his sword. Burgess refused, but Bird persisted repeating the request two or three times. Burgess became concerned and asked Bird if he and the major had had words when out of the room. Bird replied that he and DeWint had not quarrelled. In any event, Burgess declined to lend his sword, remarking to Bird that he was carrying a bayonet. Bird seemed to be satisfied and returned to the table seating himself opposite Major DeWint and next to Captain Coffin. Some ten to fifteen minutes later Captain Uniack left for the room next door where he remained for about another half hour ant then went home to bed. He was later to tell the court that "from Mr. BIRD's expressions, I apprehended there might be some disturbance, and retired on that very Account". The court would later ask Burgess if Bird "was affected with liquor" to which he replied, "he might be a little elevated, but was in such a Situation as to know a moral act, from an immoral one".

It appears that Bird once again became very agitated, his behaviour so bizarre that Colonel Bayard left the room. At trial Bayard testified:

Lieut. BIRD behaved in the most troublesome and riotous manner, which induced me to quit the room much earlier than the rest of the Company and retired to Major DeWint's where I was followed about an hour after by Capt: ROTTON and Capt: BURGESS, who proposed a game of picquet or Quadril...[no game in the offing] ROTTEN began to adjust some papers he had in a little Box [and Captain Burgess] ordered his Servant to make a bowl of Sangree.

A short time later, Captain Coffin and Lieutenant Bird came into Major DeWint's room where Rotton, who by now had had quite enough of Bird's shenanigans, offered sarcastically that he "obliged him for his [Bird's] good Company, but it was the first time he ever heard a Gentleman turn'd from the head of his own Table". This threw Bird into a fury who replied, "if you think yourself ill used, I am ready to give you satisfaction". Rotton wisely responded that he did not "sport with his Life". Bayard enjoined that he "thought it a very extraordinary line of Conduct to endeavor to turn a Gentleman from the head of his own table" to which Bird "strenuously" rejoined that he had every right to do just that.

No doubt as a further jab at Bird, Rotton offered that "he was much obliged to Mr. Buskirk for his polite behaviour." Bayard poured more coals on the fire adding Buskirk "had done more duty in one week in the Battalion than Lieut. BIRD had since he belonged to it." At this, Bird contemptuously dismissed Buskirk as "not the Company for me, a fellow just from the plough".

Bayard waded in further, offering that the bad conduct of the evening was no better than that of a boy. Bird burst out, "God damn me who do you call boy". Bayard pushed aggressively, demanding of Bird, "this is very extraordinary behaviour in you, what do you meant by it? This will you come in to disturb us, for Gods sake leave us and go to your own room". This was repeated several times by Bayard, the only effect being that "BIRD then rais'd his stick with a kind of insolent defiance, and called [Bayard] a damned Rascal". At this juncture Bayard had had quite enough and ordered that Bird be put under arrest. All of this was corroborated by Coffin who undoubtedly exacerbated matters by agreeing with Bird's observation of Rotton and who observed "some high words in a very short time ensued between Col. BAYARD and Mr. BIRD" although he did not recollect them precisely. Coffin added that upon the order to arrest Bird was given by Bayard to Captain Burgess, Bird replied "if anyone attempted to take his Arms from him he would put them out of Existence". Clearly Bird had by now armed himself with the much sought after sword. The affair was becoming more than one of sticks and names.

Burgess moved quickly to Bird who yelled out to Bayard, "damn your arrest", took him by the arm and "clap'd his hand on his Arm, saying for God's sake Mr. BIRD consider what you are about, consider it's your Commanding Officer that is speaking to you". Bayard again ordered an arrest to which Bird responded, "Capt: BURGESS keep off or by God you are a dead man " as he clasped his sword and began to draw it from its scabbard. Burgess moved quickly, catching him by the shoulder of his coat, but Bird slipped away still continuing to draw his sword further out.

Bird proceeded to go round a partition in the room crying out, “by God, I’ll not be put in Arrest by any of you”. Coffin quoted Bird saying, “if any one attempted to take his Arms from him he would put them out of Existence”. Burgess lost sight of him at this moment, but swore at trial that “the Sword was within two Inches of being out of the Scabbard. Coffin was now closest to Bird and Bayard called upon him to effect the arrest. At the same time, Bayard turned to Burgess saying, “did you ever know such an Extraordinary young man as this, can you account for his behaviour? At this juncture Bird left the room with Coffin in pursuit and Bayard proceeded to take up a bowl of wine and water from the table until he heard Bird call him “a damn’d Rascal and a Scoundrel”. Again Bayard threw discretion to the wind and followed Coffin and Bird out into the hallway.

Coffin entreated Bird to surrender his sword but “he positively refused, keeping [Coffin] at the point of his hanger and walking backwards at the same time”. Bayard had stopped some distance from DeWint’s door. Coffin “watched for an opportunity & caught hold of Mr. BIRD’s arm in which he held his hanger’. Bird for the first time seemed conciliatory, for he told Coffin that “as a particular friend...I will deliver my Arms to you provided you won’t see me injured. Coffin gave his assurance, took hold of Bird with his right hand, holding the secured hanger in his left and walked with him towards Bayard.

Bayard ordered Coffin to take Bird to his room upon which Bird replies that “he should take his own time for it”. Bird pressed the issue saying “if he did not immediately go, he would send a file of men to carry him”. Predictably this only further agitated Bird who “damn’d [Bayard’s] men [and] swore by G-d he himself should not carry him”. By this time only a yard and Captain Coffin separated the antagonists. Unwisely Bayard simply could not leave well enough alone for as Coffin and Bird passed him, he “Called Mr. BIRD a little damn’d impertinent Rascal”. Bird twisted around to face Bayard, offering that “he thought him as great a Rascal as he was. Bayard now completely lost whatever composure he had and came up to Bird saying, “what Sir call me a Rascal” and proceeded to smack Bird on the cheek. Bird tore away from Coffin saying “by G-d he would not be struck by any man”. Bird stepped back and struck Bayard three severe strokes on the shoulder with his cane “the bruises of which remained several days”. Coffin stepped between the combatants and caught hold of Bird’s right arm which held the cane while at the same time fending Bayard off with his other hand which also held Bird’s surrendered hanger. In a rage, Bayard wrenched Coffin’s sword from its scabbard and ran Bird through with it. Bird yelled that Bayard had killed him. He collapsed and was carried off to Doctor Fraser’s room and Bayard retired to Major DeWint’s room. At trial Bayard claimed

...irritated to the greatest degree at the insults and blows I had received, and being totally defenceless, and having every reason to apprehend that [Bird] had still his Arms, as Capt: COFFIN had not reported to me that [Bird] had submitted to his Arrest and as from the darkness of the night it was impossible for me to distinguish to the contrary, I seized a Sword from Capt: COFFIN and made a strike at Lieut. BIRD, from which the unfortunate accident ensued, very far from my most distant intention.

Bayard’s testimony seems to be corroborated by Private Robert Booth of the King’s Orange Rangers who was called upon to testify at the trial. He related that on March 10th between eight

and nine in the evening, a Mr. Rall ordered him to go out and determine the cause of “terrible noise”. In doing so, he discovered Bayard, Coffin and Bird quarrelling and heard Bird call Bayard “several times a Rascal” and then saw Bird “strike Col. BAYARD with a Stick several times very violently”. Upon questioning by the court, Booth said he did not see Bayard strike Bird and that had he done he certainly would have been seen for there was sufficient light to see seven or eight yards and he was within seven yards of Bayard. Burgess would testify that the light was insufficient to see as far as seven yards. Booth said he saw Bayard step back as though to shield himself from further blows and then heard Bird cry out that “he was hurt very much” after which Captain Coffin took him by the arm and led him away to Doctor Fraser’s room. Bayard meanwhile retired to Major DeWint’s room.

Burgess would later testify that he had met Coffin on the Parade while on his way to the surgeon’s from Captain DeWint’s room where he had left Bayard and that Coffin had said, “BURGESS my poor dear friend BIRD is no more...for God’s sake what would you advise me to do...” Burgess asked Coffin if Bird had in fact given up his sword and submitted himself to arrest to which Coffin replied, “by God he had”. Burgess then enquired whether Bayard realized had submitted to which Coffin responded, “I believe not.” He then advised Coffin to go and make a report to the officer of the day.

Fraser, who was surgeon to the King’s Orange Rangers testified that Captain Coffin brought Bird to his room to have the wound dressed. They were joined by Captain Burgess who had rushed to the surgeon’s quarters upon hearing of the unfortunate event from none other than Colonel Bayard himself. Almost immediately Bird began vomiting. With Burgess’ assistance, the two surgeons put Bird to bed, but died within about ten minutes. Fraser stated, “I immediately searched the wound with my fingers which I found to be in a very dangerous part, close by the Liver and I conclude he died of the Effect of it”. Burgess noted that there were two swords on a chest, one of which somebody handed to him with the admonition “Capt: BURGESS as you are Commanding Officer you will take care of that Sword for that is the Sword that has done the Job”. Burgess quit the room and ordered the Serjeant Major to put two sentries over Colonel Bayard.

Bayard later reasoned his deadly assault against Bird was the result of not knowing Coffin had in fact disarmed him. In fact, he blamed Coffin for not telling him Bird was no longer in possession of a sword.

I take the liberty of submitting to this Court, whether it was possible for me to have known that Lieut. BIRD had submitted to his Arrest when I had occasion to ask for the Serjeant Major to order a file of men to enforce Lieut. BIRD’s obedience to my Orders...[this contrary to Coffin’s statement that he thought he had told Bayard that Bird was now disarmed]...it was impossible for him to have imagined that he had made such a report to me, as there could not have been the least occasion for me to have call’s for further assistance, if he had even intimated to me, that he had prevailed upon Lieut. BIRD to obey the Arrest.

He went on to heap further blame on Coffin for Bird’s death, stating that Coffin had failed in his duty as an officer to inform that Bird was disarmed, that he had not exerted himself to do so and for these reasons, it was really Coffin’s fault that Bird was killed. He further explained his

innocence:

...surely Gentlemen, if I had any malicious intention against the deceased, I should not have quitted the Room where my own Sword was, and two others upon the Table, close by where I pass'd. And go out, as I hope it will appear to this Court, totally defenceless & Mr. President and Gentlemen, can it be imagined that I would venture unarmed to give a blow to any man that I had a certainty was in possession of a Sword and a Stick, after Lieut. BIRD's having previously declared that any man that attempted to put him under an Arrest, should be put out of Existence, which is plainly proved by the testimony of Capt: Coffin...

Almost immediately after Bird was struck the fatal thrust, Bayard came into Burgess' room, clasped his hands on Burgess' shoulders and blurted, "My dear BURGESS I have killed that unhappy young man. Bayard then burst out crying, no doubt the result of shock and coming to grips with the fact that he had killed one of his own officers, one whom he had courted to join the regiment and whose interest he had promoted at every opportunity. When Burgess later returned to Major DeWint's room, he found three or four more men holding Bayard who was "in the greatest agonies, Lamenting the loss of his dear friend". As Burgess approached, Bayard seized the captain's bayonet, drew it out of its scabbard and attempted to stab himself, crying out "by God he would not live after him". Burgess and another grabbed his arm and wrested the weapon from him which Burgess believed truly "prevented his plunging it into himself".

Burgess and Captain Graham of the 45th Regiment got Bayard out of DeWint's room and into his own. He remained there all that night "in the most violent agitations of mind, constantly calling out to know whether his dear friend was dead or no, [and] complaining constantly of a violent pain in his shoulder". Burgess finally persuaded him at last to allow the surgeon to be summonsed to minister to the stricken commander. Graham stayed with the colonel talking with him for an hour and a half. Captain Uniack remained with the colonel " 'till morning and further knoweth not". Bayard was consequently put under arrest by order of Major General Jones.

At the court martial, Burgess was asked about the relationship between Colonel Bayard and Lieutenant Bird, undoubtedly in an effort to understand what could possibly have caused such a violent and in the end deadly confrontation between the two. Burgess related that sometime in the preceding January he had gone to the Coffee House with Bayard where they met Bird. Bayard said to Bird that he must immediately join the regiment to which Bird replied, "I'll be damned if I do". Taken aback at this language, Bayard told Bird that "if you do not immediately join the Regiment I shall do a thing that will be very disagreeable to you as well as myself". In response to Bird's enquiry, "what is that?", Bayard said he would send him up with a file of men. Bird retorted he had no intention of going anywhere with anybody as he had the Surgeon General's Certificate in his pocket. Burgess would later swear that although Bird told Bayard he had the certificate, he did not show it, nor did Bayard ask him to do so. With that Bird turned and left the Coffee House.

That night Bird went to the lodgings of Nathaniel Thomas where he "appeared to be very angry". A Mr. White who was also present asked why he was in such a state to which Bird replied that he had quarrelled with Colonel Bayard, that Bayard was a "damn'd Rascal" and had treated him very ill for when he produced the Surgeon General's Certificate from his pocket, Bayard

persisted in demanding he join the regiment. Bird said he wouldn't join it for Bayard or any other man. Bird added that the next time Bayard insulted him, "he would take a Cane in one hand and his Sword in the other, and Cane Col. BAYARD at the point of his Sword and then he would be forced to fight him". Thomas said that prior to this conversation, he had no idea there was a dispute between the two men let alone what the cause might be.

Sometime in February, Bird visited the house of Serjeant Frederick Phillips of the King's Orange Rangers. By this time, Bird appears to have accepted a commission in the regiment. After some preliminary discussion, Bird told Phillips that "he had repeatedly Challenged Col. BAYARD, but never could get him to give him satisfaction, and that he was determined to Cane Col. BAYARD, and oblige him to fight. Phillips added that previous to this visit, he had heard Bird repeatedly speak unfavourable of Bayard.

Despite the obvious disdain and violent language of Bird toward Bayard, the colonel appears to have done everything possible to promote the interests of this strangely behaving young man. He was clearly his unsolicited protégée. Burgess testified that Bird was in fact obligated to Colonel Bayard which is why Bird's ill language so surprised him. According to Burgess the obligations included "first giving him his Ensigny, 2d appointing him Lieutenant to [Burgess] Company, his living at Col. BAYARD's Table for a great while, and being introduced by him to all his Friends". Lt. Colonel Innes, Inspector General of the Provincial Forces testified that he did not know Bird personally, "tho' he knew him to be an Officer in Col. Bayard's Corps, and always understood he was brought into the Corps by Col. BAYARD, who seem'd to be very urgent always to further him in said Corps, and took a very active part for his promotion and Interest, Recommending him for a Lieutenancy in the last promotions which were sent to Sir William HOWE".

The Court retired and rendered its verdict on March 28th.

First question on the fact.

Is the Prisoner Guilty of the fact laid to his Charge Vizt. Wounding Lieut. BIRD of which wound he died?

The Court is of opinion on the above Question. The Prisoner Lieut. Col. Bayard is Guilty of wounding Lieut. BIRD of which wound he died.

Second Question.

Is he Guilty of Murder or Manslaughter?

The Court is of opinion, the Prisoner Is Guilty of Manslaughter only.

Third Question.

As the Law makes a distinction in Manslaughter, Viz. Voluntary Manslaughter in heat of Passion, and Manslaughter *Se defendendo*. Under which of these Predicaments does he fall?

The Court is of Opinion the Prisoner Lieut. Col. Jno. BAYARD is Guilty of Voluntary Manslaughter in heat of Passion. Therefore do Adjudge the Prisoner Lieut. Col. Jno. BAYARD to be suspended for three Months.

The court reconvened on April 28th to revise their proceedings, adjourned until the 29th and then delivered a revised sentence *to wit*:

The Judge Advocate General by Command of his *sic* Majesty, has Signified *sic* to his Excellcy. The Commander in Chief, that Altho the Prisoner Lt. Colo. Bayard, was not expressly arraigned, upon a Charge of murder, yet as the Court martial, appears Throughout the Tryal, to have had that Point Particularly in view, and has actually Declared him not Guilty of Murder, but of Manslaughter Only, the King Considers this Declaration of the Court as a Compleat *sic* Acquittal, of the Prisoner from the Crime of Murder, and His Majesty is pleased to Confirm the Said Acquittal, which Seams *sic* to be warrented *sic* by evidences, but His Majesty does not think fit to ratify the Opinion of the Court, by which the Prisoner is found guilty of manslaughter, (a Distinction Peculiar to the Common Law of England) nor the Judgement of the Court whereby the Prisoner is Sentenced to be Cashiered, but is Graciously pleased Absolutely to Remit the Same and to order the Prisoner Lt. Colo. Bayard be released from his arrest.⁵⁶

Thus ended the sorry saga of the murder of Lieutenant Bird by his own commanding officer. We do not know the nature of the relationship between Bird and Bayard. They were both young men and clearly knew each other prior to Bird's joining the regiment. For indeterminate reasons, Bayard badgered Bird into buying a commission in the King's Orange Rangers. Their relationship gives every appearance of being adversarial from the beginning. It is indeed nothing short of enigmatic.

The consequences of this incident went far beyond the court martial and had several impacts on the King's Orange Rangers. In the first instant, it surely dragged morale to even greater depths. As a further consequence, it lead to a rupture between Bayard and Coffin, each blaming the other in large measure for allowing the altercation to evolve to its violent end. Certainly it was the primary factor in causing Coffin to begin seeking opportunities outside the regiment. It may also have been one of the factors which soured Captain Lewis Burgess so terribly as evidenced by his actions relating to the posting of the regiment to Nova Scotia later in the year. However unintentional, this sordid affair further poisoned the regiment's chalice.

At Head Quarters in New York, on March 15th, Lieutenant Alexander McDonald was tried for sending Lieutenant Hamilton a challenge defaming his character. He is found not guilty of sending a challenge, but is guilty of defaming Lieutenant Hamilton's character and suspended from duty and pay for two months.⁵⁷ An advertisement was placed in the Royal Gazette on September 23rd by Lieutenant Basil Rorison for a sorrel mare lost on the road from New York to

⁵⁶ Kemble Orderly Book, New York Historical Society

⁵⁷ Delancey's Order Book pp.53-54.

King's Bridge. The KOR was at the time stationed at Harlem.⁵⁸

In spring, Captain John Coffin of the King's Orange Rangers and Captain John Howard of the New York Volunteers made an arrangement to trade commissions. Howard had raised a company of the Dutchess County Militia in 1776 and had subsequently been persuaded to take his men into the newly formed New York Volunteers by Colonel Turnbull. Sabine states that he had for a time been under command of Tarleton with whom he had had great difficulty.

From early May, Lord Rawdon had been engaged assembling his new regiment, the Volunteers of Ireland. He arranged to acquire the services of a number of regular and provincial officers of proven ability and to have detached to him men from several provincial corps including Lieutenant William Barry from Captain Lewis Freeman Burgess' Company of the King's Orange Rangers. Barry had been in Prussian Service and had come to America at the urging of General Clinton.⁵⁹ From June to August, in addition to Barry, Rawdon took the following Rangers on strength: Francis Pibur and John Swain from Captain Burgess' Company, Sergeant John Law, Thomas Downs and Richard Downie from Captain Rotton's Company, John Condon from Colonel Bayard's Company and John Jones who was discharged by Captain Samuel Bayard to Rawdon as a deserter from the latter's corps.⁶⁰ So enamoured was Clinton with Rawdon's progress that in October he wrote to Lord Germain urging that the Volunteers of Ireland be established as a Regular Regiment.⁶¹ They were subsequently put on the Irish Establishment⁶² as the 105th Regiment of Foot.⁶³

This series of mishaps is reflected in a letter from Edward Winslow to Colonel Innes on August 11th, 1778 in which he wrote,

I have in free conversation suggested my opinion to you that the Corps of King's Orange Rangers is at present in a position peculiarly alarming - Feuds & dissensions among the Officers - Mutinies & Desertions among the men. Irregularities in Reports are becoming exceedingly frequent From what excuse or concurrence of causes these circumstances arise I cannot presume to determine.

Whether the present Commandant is not sufficiently experienc'd in military matters? Or whether by any other means there is in officers and men a want of that confidence in him which is essential to order & discipline in a new Corps I know not - but from the variety of unhappy events which have of late taken place, I apprehend one or the other.

I am sensible that on days of public parade - such as Inspections & Musters - there is not a provincial Corps in his Majesty's service more capable of distinguishing itself by a performance of military exercise & manœuvres *sic* than this - nor is there a better body of men.

...on Sunday night last fourteen men, including the non-Commissioned Officers of the Guard,

⁵⁸ Royal Gazette (New York) September 23rd, 1778,

⁵⁹ University of Michigan, William L. Clements Library, Sir Henry Clinton Papers, Vol. 44, item 8.

⁶⁰ King's Orange Rangers Muster Rolls, National Archives of Canada, Ottawa RG 8, "C" Series, Volume 1908.

⁶¹ Op. Cit. University of Michigan, Clinton Papers Item 7.

⁶² Ibid. Carleton Orderly Book August 3, 1782.

⁶³ The Online Institute for Advanced Loyalist Studies, Nan Cole and Todd Braisted www.royalprovincial.com/military/musters/voi/mrvoiman.htm.

deserted to the enemy from the Ship where they were posted. Of these men the principal part were such as insisted when the corps was in its infancy & until this have continued faithful & obedient.⁶⁴

On September 14th, Sir Henry Clinton wrote to Nova Scotia Lieutenant-Governor Richard Hughes that he intended to send two battalions to Nova Scotia to replace the Marines who had done yeoman's service in the province, especially at Fort Cumberland.⁶⁵ In a letter dated October 8th, Clinton wrote to Major-General Eyre Massey who commanded the garrison in Halifax.

The Hessian regiment of Seitz and the provincial one of Bayard sent to replace marines. To issue what monies the former require for subsistence, and direct Col. Bayard's regiment to be paid as other provincial corps are according to Howe's orders of 4th April.⁶⁶

November 17th "arrived [at Halifax] all the missing transports, with the Hessians [Regt. Seitz] and Col. Bayard's corps, on board."⁶⁷ In December 1778 the strength of various regiments was returned including the Kings Orange Rangers. They included: Royal Fencible Americans, Royal Highland Emigrants (2nd Batt.), Loyal Nova Scotia Volunteers, Kings Orange Rangers (Eastern Battery in Halifax under Lt. Col. Bayard and one Captain [John Howard] and 3 subalterns at Liverpool, 2 subalterns with leave at New York, 1 sergeant in Provost Guard. "All the Privates left at New York are returns in the Column absent with leave."⁶⁸ The King's Orange Rangers were assigned duties at the Eastern Battery which in 1798 would be renamed Fort Clarence by the Duke of Kent in honour of his brother. It was located at Imperoyal in Dartmouth. According to Raymond, a detachment of the King's Orange Rangers was assigned to Lord Rawdon and saw heavy service in the Carolinas under Lord Cornwallis.⁶⁹

Upon arrival in Nova Scotia the majority of the King's Orange Rangers were assigned responsibility for security of the Eastern Battery (later fort Clarence). On December 28th, Brigadier-General Francis McLean wrote to Clinton:

The Orange Rangers except a detachment of 1 captain and 50 men, are in repaired barrack at the Eastern battery. The detachment was sent to Liverpool at the desire of the Lt.-Gov. and the Council of the Province.⁷⁰

In a return of December 1778 the Halifax establishment of the regiment showed Lieutenant Colonel John Bayard, 1 major, 7 captains, 5 lieutenants, 4 ensigns, 1 Chaplin, 1 adjutant, 1 quartermaster, 1 surgeon, 1 mate, 23 sergeants, 9 drummers, 115 rank and file. There were an additional 72 not on active duty as well as a number of non-commissioned officers. Some also had been left temporarily on

⁶⁴ **Winslow Papers**, A.D. 1776-1826, W.O Raymond, Ed., Gregg Press, Boston 1972 pp.33-4.

⁶⁵ **Report on American Manuscripts in the Royal Institution of Great Britain**, Vol. I, HM Stationary Office, London, 1904, p.800.

⁶⁶ **Ibid. p. 811.**

⁶⁷ **Royal Gazette**, No.236, January 1779.

⁶⁸ Historical Society of Pennsylvania, Dreer Collection, Misc. Mss. #9

⁶⁹ W.O. Raymond *Loyalists in Arms New Brunswick Historical Society*, Vol. 19 St. John, NB P. 219.

⁷⁰ Op. Cit. **American Manuscripts**, p. 862

EASTERN BATTERY



leave in New York.⁷¹

1779

On January 12th 1779 a return was made of the troops under Brigadier General Francis McLean's command in Nova Scotia. The KOR are shown with 1 major, 7 captains, 5 lieutenants, 3 ensigns, 1 chaplain, 1 adjutant, 1 quarter-master, 1 surgeon, 1 [surgeon's] mate, 17 sergeants, 8 drums, 159 rank and file; 1 sergeant, 12 rank and file absent with leave and recruiting; 4 sergeants, 2 drums, 36 rank and file sick; 22 sergeants, 10 drums, 207 rank and file - Total; 78 sergeants, 320 rank and file - wanting to be compleat *sic*.⁷² February 10th Brigadier-General McLean wrote Governor Haldimand at Quebec to advise of the arrival of the regiment at Halifax.

Last December two Regiments was sent to me by General Clinton, One Hessian commanded by Colonial de Zeits and the Provincial Regt. Of King's Orange Rangers commanded by Lieut.-Col. Bayard so should our Rebel Neighbours think of an attempt upon this Province, I am of the opinion they not only would be frustrated in their designs, but that we might add credit to His Majesty's Arms.⁷³

⁷¹ Ibid.

⁷² Misc. Bound Manuscripts 1/12/79 Mass. Historical Society.

⁷³ McLean to Haldimand, Haldimand Collection, PANS RG Vol. 367

On April 18th Clinton wrote to McLean ordering that a post be established at the mouth of the Penobscot River in what is now Maine. McLean was instructed to provide all necessary implements for erecting a fort as well as such ordnance and stores as were necessary for its defence. He went on to add:

I apprehend Lt.-Col. Goreham will be a proper Officer for this Command, and I wou^d *sic* recommend your sending his own Corps, the Orange Rangers, with such other Troops in addition as well make up 500 Men, which I should Suppose would be Sufficient.⁷⁴

On May 16th, McLean wrote Clinton respecting the Penobscot initiative which had been ordered the month before.

A detachment of 500 men is ready to embark for Penobacot *sic* River with such implements for constructing forts, &c. As he has ben able to procure. Observes recommendations to employ Lt.-Col. Goreham's corps and the King's Orange Rangers, but the first named is a Fort Cumberland and it would not be possible to relieve them under two months. Means that Lt.-Col. Campbell with 400 men of the 76th Regt. And 100 Of the King's Orange Rangers should form the detachment.⁷⁵

In a further letter, McLean wrote to Clinton that he could not send the King's Orange Rangers as they "could not nearly furnish the remaining 200 owing to their incompleat [*sic*], and a detachment of 50 men at Liverpool who could not be recalled in time."⁷⁶ In their stead, McLean sent 640 men including 440 from th 74th Regiment commanded by Lieutenant-Colonel Campbell and 200 from his own regiment commanded by Major Craig.⁷⁷ Baker in his work **War and Revolution**, seems to imply that some members of the KOR took part in the attack.⁷⁸ I any event, the invasion was successful and made Penobscot a rallying point for Loyalists in what is now Maine.

During the latter half of 1779, Bayard and the regiment's officers in conjunction with the 84th Regiment of Foot (Royal Highland Immigrants) made a concerted effort to find new recruits, especially in Newfoundland. Captain Robert Rotton of the KOR and Lieutenant Hector Maclean of the 2nd Battalion, 84th Regiment left Nova Scotia and arrived in Newfoundland in early October. Over the next six weeks, Maclean collected 146 recruits. The season being late and there being insufficient provisions available for over-wintering, Maclean applied to Lt. Col. Hey for permission to buy a vessel, the cost of chartering being inordinately high and then to transport the recruits to Halifax or New York. Rotton struck a bargain with Maclean that he would put up purchase money in return for a proportionate share of space for KOR recruits. Upon embarkation there were 139 84th recruits and 57 KORs consisting of 2 subalterns, 3 sergeants, 2 drummers and 55 rank and file, a total of 65 including Rotton. They sailed from St. John's on December 17, 1779 for New York. They never arrived.

⁷⁴ Op. Cit. **American Manuscripts**, p. 815

⁷⁵ Ibid. p.436.

⁷⁶ Ibid. p. 440.

⁷⁷ Op. Cit. **American Manuscripts**, p.440.

⁷⁸ Ray Palmer Baker, **War in the Revolution**, Shiver Mountain Press, Washington Depot, Connecticut 1976 p. 29

From the day of departure they were plagued by northwesterly gales which drove them far off the North American coast. The ship's officers concluded that there was little likelihood that any North American port could be reached and that there was too great a health risk in trying to make the West Indies. Additionally, there was the danger of being attacked by enemy vessels. Consequently, the ship began to make its way to the British Isles. On January 20th 1780 they made landfall on the west coast of Ireland and on the 25th came to anchor off Bophin Island, Galway. On the 27th contrary winds drove the vessel ashore on the rocks. The recruiting officers were of the view that the failure of the local people to assist assured the loss of the vessel and many lives as they were interested only in ensuring opportunity to salvage what they could from the wreck. The vessel having burnt to the waterline and a sergeant and 55 privates having died during passage or having drowned, the survivors found a hostile environment on Bophin Island. There were few provisions and the price for those available being entirely exorbitant, Rotton and Maclean applied to Lieutenant Colonel Reynolds, commanding officer of the troops in Galway, for permission to march their men to Cork or Waterford and thence embark for England. There they planned to settle their accounts, clothe their men and embark for their regiments in America with the first available convoy. The letter containing this account and request is dated Galway, February 3rd 1780.⁷⁹ In June 1783 Bayard and the officers and men involved in the shipwreck in Galway were given back pay for providing the King service.⁸⁰

This expensive initiative did pay dividends with the result that the regiment's complement had risen to 345 men by mid-1780. What a shock when they learned that a plan was underway to merge the King's Orange Rangers and the Royal Fencible Americans. Bayard immediately wrote a lengthy memorial to Brigadier General Francis McLean asking that this not be done. Not only would Bayard lose the regiment in which his family had invested so much, he would lose his command and his commission as a British Officer in the 60th Regiment of Foot. He makes four essential points in favour of maintaining the integrity of the King's Orange Rangers:

1. That in the space of four months, he and his father and friends had raised 200 men for the King's Orange Rangers and put them immediately into service and that their effectiveness had been impaired by smallpox, "other disorders in Camp at King's Bridge".
2. In response to a letter from George III dated December 25, 1778 promising establishment to corps completed to 500 men, he and the captains spent from their own pockets to engage in an aggressive recruiting campaign.
3. After receiving permission from the Commanding Officer at Halifax in July 1779, he sent officers and parties to recruit new members and were successful passing 135 men, 72 of whom joined.
4. Successful application for appointments for both officers and men had been made to England.⁸¹

⁷⁹ MacPaint of Lochbuie Muniments, Scottish Record Office, GD. 174/2154/2.

⁸⁰ PRO, Treasury, Class 64, Vol. 107, Pp. 84-5 and Vol. 113, Folio 253.

⁸¹ Op. Cit. Clements Library.

1780

This letter was followed by another dated June 22, 1780 in which many of the same arguments are put forward. There is also some other interesting detail in this letter as well. He relates “that every one of the Recruits raised in & before Jany. 80 costs twelve pounds a Man, exclusive of the Bounty allowed by Government, which heavy load of debt we all now labour under.” He goes on to make the point that Lieutenant Colonel Gorham’s Corps has only 175 effectives. He further protests that if Major Batt who commanded the Royal Fencible Americans were to be made Commanding officer of the new corps, Bayard would be in the untenable position of not only losing his battalion, but losing it to a junior officer.⁸²

This last letter clearly crossed one from Clinton dated the 5th in which Clinton wrote from his headquarters in Philipsburg responding to Bayard’s memorial through McLean.

As I find that the King’s Orange Rangers are much stronger now, than when I had the honor of sending You the Plan for a New Arrangement of the Provincial Corps at Halifax, and that the Officers of that Regiment have not only been at a considerable Expence *sic.*, but have also exerted themselves much to *compleat sic* it, I am to request that nothing further may be done in the Matter of incorporating the Royal Fencible Men and this Corps until you hear again from me.⁸³

Court cases continue to abound. On 13th January a court was convened before Lieutenant Colonel James Bruce of the 70th in Halifax to deal with Captain Lewis Freeman Burgess and Major Guert DeWint of the KOR who were charged with ungentlemanlike behaviour and assaulting each other in the street. Witnesses included the following: captains Forbes Ross McDonald, Bartholomew Uniack, Samuel Bayard and James Brace, Lieutenant and Quartermaster Robert Bethel, lieutenants John Cummins (Cummings), Edward James, Basil Rorison, ensigns Thomas Buskirk and Colin Campbell, Chaplain Ebinetus (Epenetus) Townsend, Surgeon Mate Dr. George Graham, Serjeant Andrew Roll all of the King’s Orange Rangers; privates John Burkinshaw and John Hunter Clerk of the 70th Infantry; Corporal David Lockhead and Private James Pierston of the 74th Regiment; Private John Cammeron and Private Robert Rodgers of the 82nd Regiment; inhabitants John Davis, John Ortt, John White, Surgeon John Phillips.

The matter was much more serious than the altercation on the Halifax waterfront suggests. It had its origins perhaps as far back as June 1778. Throughout the summer rumour was rampant that the regiment was to go to the West Indies. This resulted in a large number of desertions. DeWint applied to the Commander-in-Chief, Sir Henry Clinton, to have the KOR employed in a pending assault on the Jerseys. Deputy Inspector General Bridgham ordered the KOR to prepare to embark and Clinton sent a private message to DeWint that the destination was Nova Scotia. In fact, this information had been given to several of the KOR officers apparently in casual conversation at least a month before both by Lord Rawdon and General Vaughn. As late as October Burgess told Cummings while they were returning from dancing at a gentleman’s house

⁸² Op. Cit. John Bayard to Sir Henry Clinton, William L. Clements Library, Sir Henry Clinton Papers, Vol. 105 folio 47.

⁸³ Great Britain, Headquarters Papers #2886.

that the regiment was bound for Nova Scotia and “how cruel it was of Major D’Wint *sic* to keep the Officers in ignorance ...as it prevented them from providing Shoes & Clothing for such a Climate, and that Captain Burgess was determined to inform the Officers of the truth.”

Clinton gave permission to DeWint to tell such officers as he saw fit, especially those with families. Deputy Adjutant General Captain Hutcheson advised DeWint that the KOR would be used in the Jerseys prior to leaving for Nova Scotia and ordered him to New York to get ammunition and full instructions. When he returned to Harlem, he found the KOR in a state of near mutiny, the Nova Scotia destination having been revealed to the regiment by Captain Burgess. This was confirmed at trial by Captain Brace. The men declared they “would rather die than go there.”

DeWint returned to New York and reported this state of affairs to Colonel Innes and Captain Hutcheson. They gave him orders from Clinton to march the men to New York and embark them ostensibly for the Jerseys, but in fact for Nova Scotia. He was also told that if Burgess persisted he was to put him under arrest. DeWint returned to Harlem and in audible tones told the officers that they were going to the Jerseys. Burgess would not let it go and continued to insist to his fellow officers and the men that they were headed for Nova Scotia. DeWint warned Burgess to desist, but he only became more exercised saying it was no crime to speak the truth. DeWint had Burgess arrested and sent him directly to the transport *Hannah*. The following morning the regiment marched to New York. Once aboard the *Hannah*, Burgess had his arrest lifted by DeWint at the request of Lieutenant Colonel Campbell.

Additionally, Burgess may have become implicated with a number of non-commissioned officers and enlisted men in preparation of a memorial to Sir Henry Clinton appealing the decision to send the regiment to Nova Scotia. Court evidence later made it clear that the writing of such memorials had been expressly forbidden by DeWint. The memorial was prepared on the 13th November by Serjeant Andrew Rohl at the request of sergeants Thomas Dearing and Peter Alyea as well as John Ashley and several other privates of the Kings Orange Rangers who had come from “about the same part of the Country with Major DeWint and were engaged by him for the Regiment.” These men probably and wrongly, believed that like the militia, they were not required to serve outside their own province. It was delivered by Serjeant Jacob Gesner’s wife to DeWint’s servant. DeWint passed it immediately to Colonel Campbell without reading it. Campbell’s view was that since no one was to be allowed ashore from the transports, the petition could not be presented and was therefore irrelevant. The regiment embarked on transports lying in the North River where they remained for ten to fourteen days prior to departing New York for Halifax. During this time such officers as requested liberty were allowed to go ashore to buy goods for Nova Scotia. Later, Colonel Campbell came on board the *Hannah*, interrogated several of the noncommissioned officers and men and offered a reward for the name of the person who had promoted the memorial. Serjeant Andrew Rohl readily admitted to this and further stated that Major DeWint had been aware of it for some time. Campbell immediately had Rohl arrested and put in irons.

Further trouble between Burgess and DeWint erupted on the voyage to Halifax. At the trial,

Captain Uniack gave evidence that the weather being cold (it was November), Burgess proposed to give some of the seamen rum to warm them. DeWint objected saying that the wind was blowing hard and if the men were intoxicated it might be dangerous. DeWint conferred with the captain of the ship who was reported by DeWint not to want his men to have rum. Burgess persisted and said he would give them some of his own rum he had in his cabin. DeWint then ordered Burgess to his cabin again under arrest. Colonel Campbell further admonished Burgess telling him that morning before departure from Sandy Hook, a letter had arrived from Clinton by which the C-in-C took Campbell to task for lifting Burgess's arrest and further stating that if Burgess persisted in the same line of conduct, he was to be sent to New York in irons. As though all this were not enough Chaplin Townsend told the court at the trial that even while under arrest on the *Hannah*, Burgess continued to act and speak in such manner as to intentionally "throw an Odium on Major DEWINT's *sic* Conduct."

At trial, Dr. Graham gave evidence that Burgess complained greatly at the "hardships of Close Arrest which prevented him from going on deck to ease the calls of nature." DeWint overheard this and informed Burgess that he was quite free to attend such necessity. Burgess either did not hear him or chose not to. Burgess did not leave his cabin that night or the next day and "about Eleven O'Clock that day [Graham] saw Capt: Burgess, hand a Hat out of his state room, and desired his servant to empty its Contents over Board. He heard Captain Burgess say that he was Obligated to make use of his hat as a necessary *sic* from the Closeness of his Confinement." Graham reiterated that he had frequently heard other officers tell Burgess that DeWint had said he could leave his cabin to answer nature's call "prior to using his hat." Further, he testified that he himself at Burgess's request had gone to DeWint respecting his close confinement and that DeWint had said that Captain Burgess "has the liberty of the Ship" and that he brought this answer back to Burgess. Graham believed this was done as further insult to DeWint by Burgess. Later, Captain Buskirk testified that Burgess had written Captain John Howard to ask for liberty aboard ship, but that Captain Howard's response had been that he had not such authority.

In addition to those of the Orange Rangers in Halifax, a detachment was sent to Liverpool to assist in the defence of that place. This included 1 captain, 3 subalterns whose task it seems to have been to serve as an advance party for greater numbers.⁸⁴

The unsavoury relationship between DeWint and Burgess continued in Halifax and was vigorously pursued by the latter. On 22nd December, Colonel George Campbell in his own room, observed that in his opinion, Captain Burgess was no gentleman and that he was unworthy of wearing the King's commission. He said he intended to inform the Commander-in-Chief of his views and further, he did not care if it was repeated to Burgess. It was repeated to him a few days later by Ensign Buskirk to which Burgess replied that "he would call Colonel Campbell to an account for it."

On 28th December, DeWint left his quarters and happened to meet Captain Burgess near the Market. Burgess claimed that there were "nine Officers or the Orange Rangers to fight" before

⁸⁴ Ibid.

he left Halifax and that DeWint was to be the first. DeWint said the sooner the better and left Burgess at the Market. Burgess returned to his room where Captain Uniack came by to accompany him to the East Battery. Burgess told him what had transpired with DeWint. This was said in front of Lieutenant Cummings and Ensign Buskirk.

Upon reaching the Eastern Battery, Burgess told the Captain there that DeWint could not stay in the regiment and that Burgess would horse whip him at the first opportunity. This was reported back to DeWint who replied that he would have nothing to do with Burgess, that Burgess was unfit to bear a commission and that if he attempted to injure his character, he would chastise him with his cane for his insolence. Probably about the same time, Burgess sent a Hessian officer with a challenge to Major DeWint. DeWint declined the offer as he stated that “he did not look upon Burgess as a Gentleman”. He did not trust Burgess’s intentions.

Lieutenant John Cummings later testified that he and Captain Van Buskirk went to find DeWint to demand of him why he would refuse to give “the Satisfaction due to a Gentleman“. They were accompanied by a Hessian Officer although they did not know why he wanted to speak with DeWint. DeWint replied that he would furnish his response to them by noon the next day. That evening DeWint sent his servant to them who stated that he “should be glad to see them that Evening at eight O’Clock. Van Buskirk refused to meet, but Cummings did. DeWint informed him that upon further consideration, he did not intend to send his reasons the next day as he had promised. Cummings asked DeWint if he realized that the only recourse left to Captain Burgess was to seek a court martial for DeWint to which DeWint replied that yes, he did understand that.

About the 30th or 31st December, Captain Uniack, Doctor Townsend and others who had come over from Halifax to the East Battery were told by Lieut. Dawson and Ensign Campbell that DeWint had defamed Burgess publically calling him a “Rascal & Scoundrel”. Uniack went directly to Burgess’s room and acquainted him with what he had heard. Burgess was furious. He accused Van Buskirk of using him badly in that he had promised to be the first to fight DeWint and had not done so. Burgess called for a pen and ink and wrote something on a piece of paper and then asked the Regimental Clerk to copy it. Uniack advised this would make the matter too public, but Burgess insisted. Both Burgess’s original and the clerk’s copy were later introduced as evidence in the court martial. The matter came to a head on the Halifax waterfront just before noon on 5th January 1779.

Captain Forbes Ross McDonald and Major DeWint were walking towards the Market Place (Cheapside) when they saw the boat belonging to the Eastern Battery land at the Slip. Passengers included Captain Burgess, the Quarter Master Bethel and regimental chaplain, Epenetus Townsend. Burgess walked up the Governor’s Slip towards DeWint and “some sort of Words” passed between them. Several witnesses both civilian and military were present as the event further unfolded.

DeWint hit Burgess with his cane which then slipped out of his hand and went flying across the street. Both men drew their swords, some saying DeWint drew first, others saying it was Burgess. Burgess was wearing his great coat which hampered him so he endeavoured to remove

it. Again there was a difference of opinion whether or not DeWint made any thrusts at him while he was momentarily disabled, but the most credible witnesses favoured DeWint. Several people watched the little affair from the Market House including John White and a Halifax surgeon, Mr. John Phillips. The latter called out to the sentry, one James Pierston of the 74th Regiment, to stop the affair. To this point Pierston had not taken the matter seriously, stating that “he did not think the Gentlemen were in Earnest”. The sentry now stepped forward and put his bayonet to Captain Burgess’s chest and ordered both met to put up their swords which they did, surrendering them to McDonald and Bethel. DeWint left the scene accompanied by McDonald and Bethel. Burgess remained at the scene and went into Captain White’s to get the names of the sentries and other soldiers who had witnessed the affair as witnesses

John White’s testimony was at some variance with the others. He claimed that Burgess had gone to his house to buy some rabbit snares and that a few minutes after he left his wife called to him that some people were fighting in the street. He went to see who it was and encountered Burgess and DeWint duelling, “their swords crossed each other within a few Inches of the Points”. He claimed that after the two were separated by the sentry that he heard DeWint say, “Damn him, if I had not miss’d him, I wou’d have done his Jobb for him”. White claimed also that Burgess lay on the ground some time after DeWint left, but he is the only witness to say so. At trial, both McDonald and Bethel state unequivocally that they were walking very close to DeWint and that he did not say as White testified and that if he had they certainly would have heard him.

The court martial concluded 3rd February after Burgess made a rambling and relatively incoherent defence of himself. The court made two rulings. It found that Major DeWint was not guilty and was acquitted. It further ruled that the captain was “Guilty of the Crimes laid to his Charge in breach of the 23rd Article of the 15 Section and also of the Second Article of the Seventh Section of the Articles of War and does therefore Sentence him to be Cashier’d”⁸⁵

On June 13, 1780 another court martial opened which involved a KOR officer. Lieutenant Alexander McDonald had been arrested by Lieutenant-Colonel Bayard and stood accused of “Repeated disobedience of orders and propagating a false report, to the prejudice of his [Bayard’s] character.”⁸⁶

The Muster Master & Deputy Inspector General for Nova Scotia reported on the King’s Orange Rangers on June 20th 1780. It consisted of the following:

Lieutenant Colonel’s Company

1 Lieutenant Colonel, 1 Captain, 1 Ensign, 1 Chaplain, 1 Adjutant, 1 Quarter Master, 1 Surgeon 1 Mate, 3 Sergeants, 1 Drummer, 45 Rank & File Effective; 1 Drummer, 51 Rank & File Non Effective; 3 Sergeants, 2 Drummers, 96 Rank & File Total.

Major’s Company

1 Major, 1 Ensign, 3 Sergeants, 1 Drummer, 38 Rank & File Effective; 1 Drummer, 28 Rank &

⁸⁵ PRO, WO, Class 71, Volume 88, pp.167-220.

⁸⁶ PRO, WO, Class 71, Volume 92, p. 115-6.

File Non Effective; 3 Sergeants, 2 Drummers, 66 Rank & File Total.

Captain Brace's Company

1 Captain, 1 Lieutenant, 1 Ensign, 2 Sergeants, 1 Drummer, 45 Rank & File Effective; 30 rank & File Non Effective; 2 Sergeants, 1 drummer, 75 rank & file Total.

Captain Bayard's Company

1 Captain 2 Lieutenants, 3 Sergeants, 1 Drummer, 37 Rank & File Effective; 53 Rank & File Non Effective; 3 Sergeants, 1 Drummer, 90 Rank & File Total.

Captain McDonald's Company

1 Captain, 1 Lieutenant, 1 Sergeant, 1 Drummer, 2 Rank & File Effective; 5 Rank & File Non Effective; 1 Sergeant, 1 Drummer, 7 Rank & File Total.

Late Captain Burgess Company

1 Lieutenant, 1 Ensign, 3 Sergeants, 1 Drummer, 37 Rank & File Effective; 56 Rank & File Non Effective; 3 Sergeants, 76 Rank & file Total.

Late Captain Barclay's Company

1 Lieutenant, 3 Sergeants, 1 Drummer, 20 Rank & File Effective; 28 Rank & File Non Effective; 3 Sergeants, 76 Rank & File Total.

Captain Rotton's Company

1 Captain, 1 Lieutenant, 3 Sergeants, 1 Drummer, 38 Rank & File Effective; 33 Rank & File Non Effective; 3 Sergeants, 1 Drummer, 71 Rank & File Total.

Captain Howard's Company

1 Captain, 1 Lieutenant, 1 Ensign, 2 Sergeants, 1 Drummer, 41 Rank & File Effective; 28 Rank & File Non Effective; 2 Sergeants, 1 Drummer, 80 Rank & File Total.

Captain Buskirk's Company

1 Captain, 1 Ensign, 3 Sergeants, 1 Drummer, 39 rank & File Effective; 24 Rank & File Non Effective; 3 Sergeants, 1 Drummer, 63 Rank & File Total.

Total

1 Lieutenant Colonel, 1 Major, 7 Captains, 8 Lieutenants, 6 Ensigns, 1 Chaplin, 1 Adjutant, 1 Quarter Master, 1 Surgeon, 1 Mate, 26 Sergeants, 9 Drummers, 325 Rank & File Effective; 2 Drummers, 347 Rank & File Non Effective; 26 Sergeants, 11 Drummers, 672 Rank & File Total.

Over Raised

1 Drummer, 142 Rank & File.

John Bayard
Lt. Col, Commandt.
KOR

I hereby Certify that the above list of Effectives & Non Effectives KOR as taken from attested Muster & Inspection Rolls of the Regimt. *sic*, signed by the Muster Master & Dy. Inspr. Genl. Of this Province.⁸⁷

⁸⁷ William L. Clements, Op. Cit.

The autumn continued to find various of the King's Orange Rangers in difficulty of one form or another. It was advertised in the **Nova Scotia Gazette** and the **Weekly Chronicle** 12th September 1780 that "The Creditors of the late Capt. Barclay of the King's Orange Rangers are desired to meet at the House of Mr. John O'Brien on Friday the 15th Instant at Seven O'Clock in the Evening."⁸⁸

1781

February 9th 1781, Samuel Bayard was promoted to the rank of major. In the spring he led a detachment of King's Orange Rangers to Cornwallis to bring to heel the pre-Loyalist Planter community there. It seems that they had become so infatuated with things revolutionary that they were preparing to erect a liberty pole in the community. Marching from Halifax to Fort Sackville then through St. Croix to Windsor, they went on to Horton and forded the Cornwallis River near Port Williams. There they were ordered to fix bayonets and "with bright weapons glittering, colours flying and drums beating, they marched up Church Street and back to Town Plot, where the barracks stood"⁸⁹. At least some of the KOR remained at Cornwallis based at Fort Hughes.⁹⁰ This display of force did the trick and after a brief stay and their mission accomplished, they returned to the Eastern Battery in Halifax.

Bayard did return to the Annapolis Valley from time to time and began to take a personal interest in the area. After the Revolution, he chose to stay in Nova Scotia rather than follow the rest of the regiment which was scheduled to be settled on lands at Quaco, New Brunswick for which he had applied on their behalf. He and his wife Catherine (née Van Horne) who had been married in New York April 24th 1778 chose to build their new home at Wilmot Mountain in Annapolis County. The bell and church plate of Holy Trinity Church in Cornwallis were given by William Bayard and Samuel's brother Stephen, respectively. The estate where he built his substantial home consisted of a grant of 4,730 acres.⁹¹

Returns of strength of British provincial forces in Nova Scotia in October and December 1781 show the King's Orange Rangers to have 262⁹² and 245 Rank and File respectively.⁹³ In September 1782 Bayard got in trouble with Lieutenant Governor Sir Andrew Snape Hamond when he enlisted several seamen from government transports. "...Major Bayard not only refuses to give them up to the Transports they belong to, but persists that he has a right to enlist any seamen that does not belong to any of His Majesty's Ships..."⁹⁴

1782

⁸⁸ **Nova Scotia Gazette and the Weekly Chronicle**, Halifax, NS. September 12, 1780.

⁸⁹ A.W.H. Eaton, **The History of King's County**, The Salem Press, Salem, Massachusetts 1910, p.432.

⁹⁰ Robert S. Allen, Ed. **The Loyal Americans**, National Museums of Man, Ottawa 1983 p.68.

⁹¹ Peter J. Mitham, *Op Cit.*, Pp.96-101.

⁹² Huntington Library, American Loyalists Papers HM 15230.

⁹³ *Ibid.* HM 15229.

⁹⁴ University of Virginia Library, Sir Andrew Snape Hamond Papers, Vol. VII, pp. 126-7.

The state of the Provincial Corps in Nova Scotia returned 24th October 1782 named the officers of the King's Orange Rangers and provides some information about many of them.⁹⁵ Lieutenant Colonel Bayard had obtained permission to go to Newfoundland to recruit and was at the time of the return believed to be in England.⁹⁶ The recruiters were successful in Newfoundland, but they were blown off course and were ship wrecked in Ireland and eventually made their way to England. An abstract of pay was made available by Mackenzie to Brigadier-General H. E. Fox in Nova Scotia.⁹⁷

1783

According to Benjamin Marston in an entry in his diary dated April 28, 1783, he and William Morris stopped in Lunenburg on their way from Shelburne to Halifax. There they "dined onshore with Captain Robert Bethel who was stationed there with a detachment of the King's Orange Rangers."⁹⁸ A detachment of the regiment had been sent to Lunenburg as early as 1780. In May of that year, Lieutenant-Colonel Bayard had written complaining of the reception his men had received from the community they had been sent to help protect:

Lt. Col. Bayard Commanding the Orange Rangers has complained to General McLean that the Detachment of that corps at Lunenburg have been repeatedly insulted by the people there and told that they wanted no British Troops for that they were able to defend themselves.⁹⁹

It appears the detachment consisted of fewer than a dozen men for when the settlement was attacked by American privateers on July 1, 1782, there were a corporal and six "regulars" - probably King's Orange Rangers there.¹⁰⁰

Captain Bethel's Company was dispatched to Lunenburg subsequent to capture and partial burning of that place by the rebels, arriving on October 27, 1782. Bethel had previously been quartermaster to the corps. Quartered at the Windmill Battery¹⁰¹, a return of January 1783 lists the Lunenburg detachment at 37 men of all ranks augmented by one man from the Royal Fencible American Regiment.¹⁰²

⁹⁵ Samuel Bayard was the company major. Captains were Ross McDonald, Robert Rotten, John Howard, Abraham Buskirk who was at the time in New York, Philip DeMeyern who was in England, Charles McDonald, Robert Bethel who was Quarter Master and Captain Lieut. Bartholomew Uniack. Lieutenants were Donald McLeod, Neal Stewart, Basil Rorison who was in New York, Edward James and William Bell. Ensigns were Samuel Buskirk, James Grandidier "a Lad with his Father in the West Indies", Colin Campbell "Unhappily deprived of reason and sent to his family in Scotland", John Cameron, William Jackson Adjutant, Richard Kennion, and James Field. The Chaplain was Wingate Weeks, Surgeon John Fraser, [Surgeon's] Mate Stephen Thomas.

⁹⁶ Op. Cit. P. 337

⁹⁷ Op. Cit. **American Manuscripts**, p. 382.

⁹⁸ W. O. Raymond, "The Marston Diaries", **Collections of the New Brunswick Historical Society**, March 18, 1909.

⁹⁹ William Russell, Manuscript Report #216, National Historic Parks and Sites 1975-1977

¹⁰⁰ Ibid.

¹⁰¹ Mather Byles Desbrisay, **History of the County of Lunenburg**, William Briggs, Toronto 1895 P.68.

¹⁰² Op. Cit. William Russell

Major Bayard's Company was to be found at Fort Hughes¹⁰³ in Cornwallis at what is in 2000, known as the Planters Barracks and which serves as a bed and breakfast. It may have been men from this company which spent some time in the Annapolis Valley, who subsequently took up grants in Aylesford and Parrsborough, neither of which is far from the site of Fort Hughes. The former is near the headwaters of the Cornwallis River and the latter just across Minas Basin. Major Bayard would later establish his residence in the Annapolis Valley as well.

The various companies and detachments of the King's Orange Rangers were ordered into Halifax during the summer of 1783. In late August the regiment's nine companies took over in Halifax from the Royal Nova Scotia Regiment. Two companies were ordered to the Eastern Battery, five to George's Island, one to Point Pleasant and the Grenadier Company in Halifax town.¹⁰⁴ On October 12th it was ordered that "the Arms of the Noncommissioned Officers and private men of the 60th Regiment Royal Garrison Battalion and the Orange Rangers who are discharged in this Province, but who do not avail themselves of the Lands allotted them by His Excellency the Governor will be delivered to the Ordinance Store-Keeper."¹⁰⁵ On the 16th it was ordered that "the Officers and men of the King's Orange Rangers that have given in their Names to embark for the Lands allotted them are to embark tomorrow morning on the Transport provided for them - which will be at the wharf at Governor's Island."¹⁰⁶ The regiment was disbanded October 29th.¹⁰⁷

Those determined to find their future in British North America were dispersed throughout the Maritimes. Lieutenant Cameron went to Sydney. Lieutenant McLeod, Serjeant Frederick "Fadey" Phillips, his brother Serjeant Jesse Phillips and a few other others remained in the Liverpool area. Major Samuel Vetch Bayard went to Annapolis County where he established a large estate at Wilmot. Captain John Howard went to Saint John and then to Quaco where the Crown had set aside land for the King's Orange Rangers. He eventually ended in Hampton, New Brunswick where he is buried in the Anglican Churchyard. A few went to Prince Edward Island where three are listed as receiving provisions in 1784¹⁰⁸ and another few went to Passamaquoddy Bay in New Brunswick. Some sought a new start in what today is the Bay of Quinte Region, Ontario. Among these were:

1. Matthew Benson, enlisted 20 Nov. 1777, mustered at Paulus Hook 28 Aug. 1777, Captain Lawrence VanBuskirk's Company
2. Sgt. James (Jacobus) Demorest enlisted 11 Dec. 1776 mustered at Paulus Hook 28 Aug. 1777 Captain Andrew Barclay's Company
3. Sgt. Peter Frederick, enlisted?, mustered Oct. 1777 Captain Andrew Barclay's Company
4. James Johnson, enlisted?, mustered? Oct. 1777 Captain Lawrence VanBuskirk's Company

¹⁰³ **The Loyal Americans**, Canadian War Museum, Ottawa

¹⁰⁴ Headquarters, Halifax Orderly Book, 20 April-26 September 1783, American Antiquarian Society, Worcester, Massachusetts.

¹⁰⁵ British Army HQ MG 12 HQ 1-2 Provincial Archives of Nova Scotia P. 91

¹⁰⁶ Ibid. P.99

¹⁰⁷ Ibid.

¹⁰⁸ Op. Cit. **The Loyal Americans**

5. Sgt. Ebenezer Jones, enlisted 3 Mar. 1777, mustered at Paulus Hook 28 Aug. 1777, Captain Samuel Vetch Bayard's Company
6. Frederick Post, enlisted 3 Jan. 1777, mustered at Paulus Hook Aug. 1777, Major Geurt DeWint's Company
7. Matthew Howell, enlisted 13 Oct. 1777, mustered at Harlem 25 Aug. 1778, Captain John Howard's Company¹⁰⁹

Most simply disappeared from written record. Many likely drifted home to the new republic hoping that they would be able to meld into the new country and rebuild their lives among their former enemies.

KING'S ORANGE RANGERS IN LIVERPOOL

Liverpool like so many Nova Scotia communities was regularly harassed by New England privateers. Property was stolen, vessels taken and people taken prisoner and often held hostage and threatened with their lives. The depredations of these marauders operating under letters of marque from the Continental Congress did much to harden attitudes toward the rebels. In the beginning they had been in much favour. As the war ground on, George the king began to look more a benefactor than George Washington. After several unsuccessful attempts to have arms, artillery, and personnel sent from Halifax, Perkins was finally able to prevail on the authorities and a detachment of the King's Orange Rangers was sent to Liverpool from Halifax.

1778

On November 25th Enoch Godfrey arrived from Halifax with a letter from Secretary Bulkley to the Liverpool magistrates stating that 50 soldiers with officers were to be sent to Liverpool for the protection of the inhabitants. The local magistrates were required to provide suitable quarters. "They are said to be rangers, and Americans".¹¹⁰

Next day the magistrates met at Mrs. Ford's and agreed to quarter the "Officers & their Servants, in ye House late Esq. Freeman's, the Men in a House of myne, where Raphael Wheeler Now Lives, & the store occupied by Mr. Johnstone, or Mrs. McDonald for a store". It was unclear whether the expense of fuel and rent was to be borne by the community or Halifax and a letter was sent there asking for clarification.¹¹¹

The transport *Hannah*, Captain George Campbell, arrived in Liverpool on December 13th, 1778 carrying a detachment of the King's Orange Rangers. They were commanded by Captain John Howard. Lieutenants Donald McLeod¹¹² and Neal Stewart¹¹³ and Ensign John Cameron were

¹⁰⁹ Bill Lamb. Address: 24 Princess Margaret Blvd, Etobicoke ON, M9A 1Z4. Phone: (416) 231-5317.

¹¹⁰ **The Diary of Simeon Perkins 1766-1780**, Harold A. Innes, Ed. The Champlain Society, Toronto, Vol. XXIX 1948 p.225.

¹¹¹ Ibid.

¹¹² In 1778 McLeod had been in Captain James Brace's Company. Ibid. NAC , RG8, "C" Series, Vol. 1908.

the other officers. There were three serjeants, two or three corporals and forty -eight privates. In addition there were a number of camp followers, both women and children.¹¹⁴ Letters from the Provincial Secretary and Colonel Goold commended Captain Howard to Perkins.¹¹⁵ The two men met for the first time on December 14th to see the buildings which had been appropriated for the use of the King's Orange Rangers. The last entry in the diary for the year 1778 states in part: "A General Harmony is kept up between the Inhabitants & the Officers of the Army, Stationed here."¹¹⁶

1779

It was not long before the Rangers began to demonstrate the unreliability which had dogged them virtually from the time of their establishment. On February 9, 1779, 6 of the 7 of Captain Howard's men on "Point Guard" [Fort Point] deserted. Only the corporal remained at his post. They stole a boat belonging to Sheriff Joseph Tinkham and made for Port Mouton. Howard sent Ensign John Cameron and 7 men after them by land. Lieutenant Neal Stewart and 7 other men went in George Briggs's boat by water. The wind "breeses at S.W., & snows. the boat returns without getting out of the Harbour." That evening Simeon and Abigail Perkins, Joseph Tinkham, Rev. Israel and Bethiah Cheever dined with Captain Howard.¹¹⁷

On February 11 Lt. Stewart returned from Port Mouton with some of his men having left Ensign Cameron there with his and two of Stewart's men in order to pursue the deserters. They were believed to be in Port Joli as the six had been sighted on the 9th going past Port Mouton with "a man in a Blue Dress in the Boat." On the 16th Captain Howard and Perkins discuss sending provisions to Cameron. They settle on using a boat owned by Mrs. McLearn. The following day Cameron arrived in Liverpool in Mr. Arnold's shallop with five of the deserters as well as one of the men from *HMS Hunter* who had deserted from her when she had been in Liverpool the preceding December.¹¹⁸ The sixth deserter was reported sighted in the Yarmouth area on March by Peter Collins, who provided the information while delivering potatoes from Yarmouth to Perkins on March 31st.¹¹⁹

In the meantime the first of what were to be many altercations had arisen between town and crown. On the night of February 14 Samuel Doliver and Serjeant Frederick "Fadey" Phillips¹²⁰

¹¹³ In 1778 Stewart had been in Captain Forbes Ross McDonald's Company. Ibid.

¹¹⁴ Elizabeth Mencke, *Comparative Study of Liverpool and Machias* MA Thesis, Public Archives of Nova Scotia, Fiche M268

¹¹⁵ Ibid. pp.225-6.

¹¹⁶ Ibid. p. 226

¹¹⁷ Ibid. pp. 226-7.

¹¹⁸ Ibid. pp. 227-228.

¹¹⁹ Ibid. p. 232.

¹²⁰ Phillips was the son of Matthew Phillips of Newark, New Jersey. He remained in Liverpool after the American Revolution and took over his father-in-law's tavern business. He and his wife Rebecca Lewin had three children all of whom died before reaching maturity. His tavern was the site of many events including the wax-works exhibition which T H Raddall turned into the short story . Philip's tavern for many years served as a garage and was located behind the Seth Bartling house on Main Street. It was torn down in the 1940s. His brother, Jesse who was a corporal in the King's Orange Rangers, also settled in Liverpool after the Revolution.

had a dispute. Captain Howard took Doliver into custody. Doliver was later examined by Perkins and the magistrates who subsequently dismiss him.¹²¹ A more serious situation arose on the 17th.

During the evening Lieutenant Stewart and a party of officers went to the house of Thomas Pierce and accused him of assisting deserters and buying clothing from them. Pierce, his wife, a Mrs. Giffin and the Pierce children, Amy and Elsie were put in jail. This information was given to Perkins on the morning of February 18 by Seth Drew. Perkins met with Captain Howard who agreed to discharge the two girls and put in a complaint to Sheriff Samuel Hunt against the Pierces and Mrs. Giffin. A warrant was issued and the adults were released on their own recognizance with an order to appear before the magistrates at 10 AM the next day. On the 19th the accused appeared before Hunt and Perkins and were found guilty. Pierce and his wife were fined £5/5s. and Mrs. Giffin the same amount. This would have been a very substantial sum.¹²²

On February 22nd Captain George Young of the privateer schooner *Liverpool* was informed by a certain John Moody that Samuel Winslow was fleeing to New England and that he had hidden a number of deserted seamen. He was taken from his shallop at La Have, confined on board the *Liverpool* and taken to Liverpool. Here he requested Captain Howard to confine Winslow, but Howard refused unless there was an oath against him. The next day Young brought Winslow on shore to be examined. Both Perkins and Howard heard the matter at Mrs. Snow's and were satisfied that the complaint was vexatious and Winslow was dismissed. Young was not happy with the certificate of release offered by Perkins and after Perkins and Howard left, "his people were very riotous, & Abused Mrs. Snow in Language, and he spoke very Disrespectful" of Perkins.¹²³

On March 17 Perkins noted in his diary: "St. Patrick's day. The Soldiers get Drunk, fight & make a Great Disturbance. Capt. Howard puts a number of them in jail." On the 22nd Mr. Hunt and Perkins dealt with another complaint by Captain Howard regarding purchase of soldiers' clothing. Benjamin Godfrey, Stephen Page and Raphael Wheeler were charged with buying clothing and furniture from the soldiers. Godfrey and Page confessed to each buying "a Pattern for a shirt". Wheeler was cleared of taking a pair of shoes. Godfrey and Page were fined £5 each. Two thirds of the fine went to cover the cost of prosecution while the balance was shared by Capt. Howard and the "complainer". Howard forgave Page saying that he was a poor man, did not understand the matter well and had previously employed a number of soldiers and had paid them honestly. He further cautioned the people of Liverpool that they should avoid such practises for he would not hesitate to prosecute anyone. He further offered that anyone who had purchased articles to that point would be forgiven if they were returned to him.¹²⁴

Perhaps in order to reduce tensions between the King's Orange Rangers and the community they had been sent to protect, Howard on April 15th, approached Perkins with suggestions for

¹²¹ Ibid. p. 227.

¹²² Ibid. P. 228.

¹²³ Ibid. P. 229.

¹²⁴ Ibid. p. 232.

alternate quartering arrangements. He appealed for a house at the Point to be used as barracks for the soldiers. He proposed that he would live at Mrs. Dexter's tavern and the other officers would live at Mr. Robert Stevenson's. Perkins clearly saw the wisdom in this plan and on the 20th Captain Howard moved the King's Orange Rangers from the barracks in town to Jonathon Barss's house at the Point. Howard moved into a room at Dexter's and the officers into the Stevenson house.¹²⁵

Through early May the Rangers settled into their new quarters and into a better camp routine. Two Frenchmen belonging to them deserted. Corporal Robert Dickson¹²⁶ went as far as Petite Riviere to look for them, but returned on the 5th empty handed. They were later returned for Perkins noted in his diary on May 20th "two Frenchmen¹²⁷ belonging to Capt. Howard's Detachment, Recd 100 for misdemeanor *sic*. One or two others forgiven"¹²⁸. On the 20th Perkins was again present to witness punishment. This time a soldier named Thomas Dudgeon *sic*¹²⁹ was found guilty of being drunk and sleeping while on sentry duty. He was sentenced to 500 lashes, but this reduced to 400. Another named Higgins was sentenced to 250 for being drunk on sentry duty, but had his punishment commuted as he had been particularly helpful in taking deserters.¹³⁰

A party of armed men appeared in Herring Cove demanding information on vessel movements from John MacLeod. He reported this to Howard who sent a party toward Western Head to look for the intruders, but found no one.¹³¹ Such alarms were fairly routine and the King's Orange Rangers were frequently called out on what became wild goose chases.

On May 7th good news came that the Government at Halifax was sending a ship with officers and men and 4 - 12 pounders and one of the train. The transport was to be accompanied by a Man of War. On the 8th Captain Silva of the *North* and Captain MacDonald and Lieutenant Rorison of the King's Orange Rangers came ashore to meet Captain Howard and arrange for unloading the cannons. On the 10th Captain Howard and his men landed the cannons at the Point. On the 11th one of the guns was on the ground where the battery was to be erected and it was loaded and fired. Perkins notes that one of Howard's men named George Briggs, "appears to be Disordered in his senses *sic*."¹³² As colonel of the Queens County Militia, Perkins convened a meeting of his officers and it was agreed that assistance would be rendered the Rangers in construction of the new battery. Half Captain West's Company was to begin on the 14th and the other half on the 15th. Half Captain Freeman's Company was to continue on the 17th and the other half on the 18th. The Light Infantry Company was to complete the task on May 19th. It was also agreed to have a general muster on the 31st of May. The militia and the

¹²⁵ Ibid. p. 235

¹²⁶ On August 25, 1778 Cpl. Dickson was mustered in Captain Rotton's Company at Harlem. Op .Cit. NAC.

¹²⁷ Possibly Francis Pigot (François?) And William Gannon (Gagnon?) Ibid.

¹²⁸ Ibid. p. 240

¹²⁹ On February 27, 1778, Thomas Dudgeon was mustered in Captain Andrew D. Barclay's Company at Fort Knyphausen Op. Cit. NAC.

¹³⁰ Ibid. p. 242.

¹³¹ Ibid. p. 237-8.

¹³² Ibid. pp. 238-9.



King's Orange Rangers worked together preparing the site and cutting fascines. On the 17th most of the front work was raised to the height of the platform. By May 21st the embrasures were all raised to the height of the fascines and almost all backfilled. The end by the gate was not yet begun. On June 1st the 4 cannons were mounted in the battery. On the 2nd the parade was cleared and "towards night, the Battery being Completed *sic*, Mrs. Perkins fired the first Gun, being a 12 pounder, well Loaded, & shotted. The Party of Troops were under Arms, & went thro the Exercice *sic*. Many Spectators attending. Mrs. Perkins did not Appear in the Least Daunted, but held the match in her hand, & did not Drop it."¹³³

June 4th heralded the birthday of King George III. With the King's Orange Rangers now stationed in Liverpool, the Government having shown faith in the community by sending the cannons and the militia and the soldiers having found grounds for cooperation in constructing the battery at the Point, it was decided for the first time in several years to celebrate the king's natal day. The militia gathered in response to an order from Colonel Perkins, made a very respectable appearance and fired a volley of small arms at the Point. Rev. Israel Cheever preached a sermon in the open field employing as his text Hebrews 11:34: "Quenched the violence of fire, escaped the edge of the sword, out of weakness were made strong, waxed valiant in fight, turned to flight the armies of the aliens." They then marched to back to the Point to join in the Royal Salute with the King's Orange Rangers. They then marched back to town where the officers of the King's Orange Rangers, the justices and Capt. Cobb dined at Capt. West's tavern.¹³⁴ The day was marred by a scuffle during the evening a the Point near or in Mrs. Dexter's. Two of the Rangers, George Briggs and Henry Poole quarrelled. Robert Doliver somehow became involved and was stabbed through his arm and into his side by Lt. Stewart with a bayonet.¹³⁵

Captain John Howard was intent on putting his detachment to good use. He undoubtedly realized that it was far better for the men under his command to be taking offensives wherever possible. Consequently, Howard proposed going out in a vessel with his soldiers to try to

¹³³ Ibid. pp. 239-42.

¹³⁴ Ibid. pp. 242-3.

¹³⁵ Ibid. p. 243

capture a privateer which had been reported in the Liverpool area. Captain Bradford agreed to take his schooner and serve as sailing master. In addition to the crew, some forty of the King's Orange Rangers embarked for the chase. The vessel got out of the harbour slowly, but was rewarded by soon seeing a schooner which was believed to be the rebel privateer. The following morning rumours were flying around Liverpool that there had been an engagement between the KOR and the rebel. Around 10 AM the Rangers' schooner beat up the harbour. They had attacked the rebel schooner, captured its boat and lieutenant and two men and killed a number of rebels. The prisoners including the lieutenant and brothers Thomas and George Thomas were given their parole on promise that they would not leave town and would report every twenty-four hours.¹³⁶

On July 17th there was another desertion. This time three of the Rangers who were being held prisoner and their sentry slipped of into the night stealing George Briggs' sailboat and him in the bargain. They were Sgt. John¹³⁷ Humble, John Crag and Patrick¹³⁸ Galbraith. The sentry was Higgins. Lieutenant MacLeod took Peleg Dexter's new boat to pursue them. They had a 4 or 5 hour head start.¹³⁹

On August 2 Perkins went to his store at the end of what is now Wentworth Street only to discover there had been a break in and that a number of goods had been stolen. Towards night Serjeant Phillips informed Perkins that he had found some rum in one of the soldier's huts. Perkins returned to his store, sounded his rum barrel and concluding it had been broached, took a sample to Captain Howard for comparison. It compared favourably. Some rum was found at Hulane's¹⁴⁰ which it was claimed came from Wheeler's. Capt. Howard went there and charged Wheeler with buying shoes and other goods. Wheeler's wife insulted and assaulted him. He knocked her down and then did the same to Wheeler who gave up the shoes. Howard consequently confined him to jail.¹⁴¹

On September 5th Snow Parker sailed from Liverpool to Halifax and carried as passengers two officers of the King's Orange Rangers, Lieutenant Rorison and Ensign Cameron.¹⁴² At the mouth of Halifax Harbour the vessel was hit by a gale of wind which knocked her on her beam ends and almost caused her to founder. Assuming the worst, Rorison and Cameron "threw their Chest overboard, but it Came on Shore afterwards".¹⁴³

On the 9th Perkins records that "Sergeant Fady Phillips. Of the King's Orange Rangers, Married

¹³⁶ Ibid. p. 245

¹³⁷ On August 25, 1778 Sgt. John Humble was mustered in Captain Lewis Freeman Burgess' Company at Harlem. Op. Cit. NAC.

¹³⁸ There was a Patrick Gilbreath mustered in Captain Rotten's Company August 25, 1778 at Harlem. Op. Cit. NAC.

¹³⁹ Ibid. p. 245.

¹⁴⁰ There was a Sgt. Thomas Hulance mustered in Captain Howard's Company on August 25, 1778 at Harlem. Op. Cit. NAC

¹⁴¹ Ibid. p. 247.

¹⁴² Ibid. p. 252.

¹⁴³ Ibid. p. 253.

to Rebecca Lewin, of this Town.”¹⁴⁴ On the 10th he notes that “Capt. Howard makes an Entertainment for a Large Company on account of the Marriage of Sergeant Phillips.”¹⁴⁵ Rebecca was the daughter of John and Sarah Lewin of New London, Connecticut. Lewin was apparently the first tavern keeper in Liverpool.¹⁴⁶ This was the first of a number of marriages between King’s Orange Rangers and local women. On the 23rd a soldier named Wicks (John Weeks)¹⁴⁷ married Betley Patterson. “The Soldiers rode Mr. Wicks...on their Shoulders with a Large pair of Horns over his Head, which is said to be a Custom with them, After one of their Comrades are Married”, wrote Perkins.¹⁴⁸

On October 2nd, Captain Cobb and Peter Collins made there way into Liverpool having come from Port Medway. They reported that a Congress privateer came into the harbour and seized their vessels and took them out to sea. Cobb’s in fact belonged to Joseph Tinkham. Elkanah Freeman was taken away in the Tinkham schooner and Thomas Cook in Collins’ smaller schooner. In likelihood they would serve as “davvy men” when the vessels were condemned as prizes of war.¹⁴⁹

On the 3rd, Captain Howard with a party of King’s Orange Rangers joined Tinkham, Collins and others in three boats in order to try to retake the lost Liverpool vessels. They returned that evening not having found any sign of them. Later in the day Snow Parker arrived in Liverpool and related that both James Knowles and Joseph Verge were captured near Green Island. The cargo included King’s provisions and “Considerable Goods for Hallet Collins, & James McDonald, & Rum for Capt. Wm. Freeman”.¹⁵⁰

The next day Snow Parker’s shallop was fitted out to go in search of Knowles. Several of the town’s prominent citizens went in her. Capt. Howard also fitted out John Hopkins’ shallop and manned it with Lieutenant McLeod and Lieutenant Stewart as well as several King’s Orange Rangers. They returned the following day without success. This pattern continued through the autumn when Howard with 20 King’s Orange Rangers and 10 of the Queens County Militia and others went to Port Medway in order to try to capture another privateer.¹⁵¹

The most significant result of these events lay in the decision born of frustration with losses by the citizens’ own countrymen. On October 6th Perkins writes, “We meet again to conclude about a Privateer, & agree so far as to raise £300, & Petition Government to Lend us some Guns,

¹⁴⁴ Ibid. p. 252.

¹⁴⁵ Ibid. p. 253

¹⁴⁶ **Diary of Simeon Perkins 1780-1789**, Bruce Ferguson, Ed., Champlain Society, Toronto 1958 Vol. XXXVI, p.3.

¹⁴⁷ Probably John Weeks who was mustered in Captain Barclay’s company on April 25, 1778 at Fort Knyphausen and who was one of the conspirators who assisted Captain Cole in the capture of Fort Point in June 1780. Op. Cit. NAC.

¹⁴⁸ Ibid. p. 255

¹⁴⁹ Ibid.

¹⁵⁰ Ibid. p. 255-6.

¹⁵¹ Ibid. p. 261.

& Provide us with Ammunition.”¹⁵² On November 29th a meeting was held at Mrs. Snows to discuss further the arming of a Liverpool vessel as a privateer. Those attending included Perkins, Capt. Collins, Capt. Howard, Mr. Tinkham, Captain William Freeman, Captain Bradford, Mr. McDonald and Capt. Howard. They agree to outfit the schooner *Lucy* as the first of the Liverpool privateers.¹⁵³ On December 8th a further meeting was held at Mrs. Snow’s respecting the privateer *Lucy* that again included Captain Howard. A number of candidates were considered as captain, the final choice falling on Captain Bartlett Bradford.¹⁵⁴ On the 13th it was settled that there would be 14 shareholders in the *Lucy* including Captain Howard with two shares.¹⁵⁵

On the afternoon of November 24th a ship and two schooners came into Liverpool Harbour. Captain Howard mustered his men only to find they were short of cartridges so that time was lost while they made them. The vessels continued to work up the harbour. Perkins ordered the militia to arms and in the evening put them at critical points in the community. The Light Infantry Company was stationed at Perkins’ house with a sentry at the Moose Harbour Road. Captain Freeman’s Company was sent to Captain Drew’s and sentries were ordered to the back of the meeting house and in the vicinity of the gallows. Several other militiamen were divided into parties and set to patrolling the town’s streets. Perkins stayed up to 10 o’clock, the night proving uneventful.¹⁵⁶

1780

February 5th 1780 the *Lucy* arrived in Liverpool with two prizes. They were the sloop *Sally*, Benjamin Cole, Master and the schooner *Little Joe*, Giles Latham, Master.¹⁵⁷ Upon examining Cole’s mate, a Mr. Brown, it is discovered that he was bound for the states which makes her a legitimate prize. The next day all parties appear before Samuel Hunt in order for testimony to be heard regarding the captured vessels. Cole has several of his crew appear on his behalf supporting his statement that he was on legitimate business and was not providing assistance to the rebels. Cole’s mate tells a very different story.¹⁵⁸ The prizes were sent to Halifax and condemned by the Court of Vice-Admiralty, notification reaching Liverpool on March 18th.¹⁵⁹

Throughout the winter months the King’s Orange Rangers continued to provide security along the Queens County coast frequenting both Port Medway and Port Mouton. In early march Howard and a party of soldiers went to the westward with a warrant from Perkins to “Defend & Swear the Inhabitants”.¹⁶⁰ Captain Howard took the opportunity to invest further in the *Lucy*.¹⁶¹

¹⁵² Ibid. p. 256.

¹⁵³ Ibid. p. 265.

¹⁵⁴ Ibid. p. 266. Bradford’s house at 16 Main Street in 2000 is owned by Mrs. Norma William Lenco RN.

¹⁵⁵ Ibid. p. 267.

¹⁵⁶ Ibid. pp. 264-5.

¹⁵⁷ Ibid. p. 278.

¹⁵⁸ Ibid. p. 273.

¹⁵⁹ Ibid. p.278.

¹⁶⁰ Ibid. p. 276.

¹⁶¹ Ibid. p. 278.

She was sold at auction in Liverpool for £395 on March 21st, but continued her life as a privateer with a different mix of owners.¹⁶² On the 26th *Lucy* sailed for Halifax with Captain Howard on board.¹⁶³

Congress privateers continued to plague Nova Scotia's coastal communities. The *Lucy* was graced in mid-April preparing her for another cruise. On the 27th three vessels, a brig and two schooners, passed Liverpool which were taken to be privateers. They were headed towards Port Mouton. Perkins consulted with the officers of the KOR and the militia. It was agreed that a party of troops would be sent to Port Mouton comprised of 20 KOR and 15 militia. Joseph Tinkham was to command the militia and Ensign John Cameron¹⁶⁴ the KOR. They left on foot on the 28th meeting Samuel Hunt on the way who told them that there were no privateers in Port Mouton so they returned to Liverpool. Another officer who was involved in various affairs at this time was Lieutenant Donald McLeod who came from Harris in the western Hebrides. On November 1, 1781 he married Mrs. Betsey Lee, "relict" (widow) of Michael Lee.¹⁶⁵

Reports of privateers continued to keep the community in a state of readiness. May 24th Perkins wrote to the lieutenant-governor and council in Halifax, requesting "Some Cannon for a Block House & 2 more for the Low point where the Soldiers Huts are, & and Also to represent that we are Desirous of having the Troops remain here."¹⁶⁶ On June 4th, the King's birthday was celebrated. Some of the KOR under Lieutenant McLeod fire volleys and, it being Sunday, they attended church service in the afternoon. In the evening the officers of the KOR invited Perkins to join them at Mr. West's to drink the King's health.¹⁶⁷

On June 7th the *Lucy* went over the bar at the mouth of the Mersey and anchored off Fort Point.¹⁶⁸ At dinner time it was reported that two schooners, possibly privateers, had gone in behind Coffins Island. Lieutenant Stewart and a dozen KORs went out in her, but found no enemy vessels. On the 24th Perkins dined with the officers of the KOR in "their Tower in Mr. Cameron's Garden".¹⁶⁹ In the evening, Perkins, Captain Howard and Joseph Tinkham went to view a piece of ground which was being cleared for a turnip yard for the KOR. It was about 2 acres and was located in the Second Thirty Acre Lot in Letter A. Perkins remarked, "In time [it] may come to Something, but I do not Expect it will mutch *sic* of it Answer for Turnips."¹⁷⁰

On June 27th, Snow Parker arrived with a prize which had been taken by the *Lucy*. She was a

¹⁶² Ibid. p. 279.

¹⁶³ Ibid.

¹⁶⁴ Cameron was a native of Fort William, Scotland. On April 13, 1782 he married Lucy Godfrey of Liverpool. She was the daughter of Benjamin and Bethiah Godfrey. He later lived in Sydney for a number of years and then finally in Grand Manan where he died about 1830. **The Diary of Simeon Perkins 1781-1789**, C. Bruce Ferguson, Ed. The Champlain Society, Toronto, Vol. XXX IX 1961. P. 9-10

¹⁶⁵ Vol P. 19.

¹⁶⁶ Ibid. P. 17.

¹⁶⁷ Ibid. P. 19.

¹⁶⁸ Ibid.

¹⁶⁹ Ibid. Pp. 22-3.

¹⁷⁰ Ibid.

schooner of about 40 tonnes “on the New Model and sails very fast”.¹⁷¹ She had been launched only two weeks before and hailed from Plymouth. Three other prizes were captured by the *Lucy* on the same cruise. The arrival of the prize proved timely. John Doggett came to town from Port Mouton saying that a privateer shallop had taken his shallop as well as Mr. Arnold’s and also a vessel belonging to a man from Argyle. The prize was quickly readied for sea and Captain Howard put 25 KORs under command of Lieutenant McLeod on board. Snow Parker, four other privateersmen, Perkins’ son Roger and Edward Howard¹⁷² also went on board.

Next day the armed schooner returned with the *Lucy*’s prize retaken. Four of the recaptured prize’s crew were soldiers of Captain Solomon’s company of marines. The prisoners were put ashore and the militia ordered to place them under guard. Meanwhile, the armed schooner returned to sea with 20 KORs under Lt. McLeod.

Perkins ran into some difficulty with some of the militia in that they refused to guard the prisoners. Captain Howard refused a request to have KORs provide guards as he had no spare men left fit for duty. On July 1st Howard requested that Colonel Perkins provide a guard for the deserted prisoners through the night. Perkins finds he cannot comply so they determine to allow the deserters their liberty during the day under security of a sentry of the KOR and to stay in jail at Benjamin Cole’s jail house over night.

It appears that some of the KORs were able to supplement their soldier’s income from time to time by working for towns people. On July 9th Perkins noted that he had sent Corporal Francis Finley¹⁷³ of the KOR and 3 other soldiers to the new mill at the Falls to work on cutting the mill timber and also for the flume. They returned the next day and on the third day they cleared for the foundation of the mill and flume. For some time Francis Finley stayed at Perkins’ home as a boarder.

Early on the morning of July 30th word reached Perkins that the *Delight* which had been lying at Perkins’ wharf, had been taken through the night. Captain Joseph Barss’s privateer *Dispatch* was sent in pursuit with Captain Howard putting 20 of the KORs on board. The only immediate result was the discovery of Harrington’s shallop which was disabled. A skiff belonging to the *Lucy* came in and reported that the culprit was Captain Cole whose own vessel the *Sally* had been taken by *Lucy* earlier in the year. Cole’s privateer was said to be armed with 5 iron and 5 wooden guns. The *Lucy* was made ready for sea and Captain Howard and 20 KORs went on board with the intention of hunting Cole down, but no one would go as crew. “It appears a great Shame upon the Place...” notes Perkins.¹⁷⁴ Perhaps as a consequence of frustration, Captain Howard became involved in an unseemly incident. A man named George Watson from La Have was injudicious in his language saying that the privateers would “come in & take your Hats of

¹⁷¹ Ibid.

¹⁷² According to Perkins, Edward Howard may have been a KOR, possibly a relative or even son of Captain Howard. Ibid. P. 24.

¹⁷³ Cpl. Francis Fanley *sic* was mustered in Captain Lewis Freeman Burgess’ Company April 25, 1778 at Fort Knyphausen. He was promoted corporal February 5, 1778. Op. Cit.. NAC.

¹⁷⁴ Ibid. P. 31.

your Heads &c...” A Mr. Stevenson who arranged for Watson’s release so affronted Howard that he struck and abused him, following him from Mrs. Dexter’s tavern at Fort Point to his own home and there striking Stevenson down with his wife begging and screaming for Howard to stop. Watson was released the next day.¹⁷⁵

On August 28th, one of the KOR, Thomas Dudgeon¹⁷⁶, approached Perkins requesting that he intercede with Captain Howard as he was under sentence for sleeping at his post. Perkins and Howard agree that there will be no punishment unless the offence reoccurred.

On the same evening Captain Howard and Lieutenants Stewart and McLeod came to Perkins’ house. They complained that John Lewin Jr.¹⁷⁷, Hugh McLearn and some other former privateersmen were stirring up trouble against KOR soldiers near Dexter’s tavern. Howard had gone out to quiet them and was attacked by them with Lewin striking him. Lewin was consequently confined. Perkins agrees that in the morning he will issue a warrant for their arrest. On the 29th, a warrant was issued for the arrest of John Lewin Jr., Hugh McLearn, William Grearson and James Stevens. Perkins then the justices to appear at Dexter’s where the evidence was heard. Lewin was ordered to appear at the next General Sessions and to keep the peace. Stevens was ordered to keep the peace while he remained in Queens County and until the sessions. Captain Howard was “very Angry that the Court was not more Severe”.¹⁷⁸

September 13th 1780 was the day the Yankee privateers came to town with the intention of laying it waste. Shortly after midnight Captain Benjamin Cole in his privateer *Surprize* and with the consort *Delight* which had only a short while before been taken from Liverpool, slipped into Ballast Cove and sent most of their 70 men ashore. By 4:00 AM they had overpowered the sentries and were in possession of Fort Point. “At Four O’Clock in the morning, three of the Officers, all the Soldiers but Six, the Fort & Ammunition, the Gunner, and Some of the Inhabitants, with a Number of the Militia Arms, were in Possession of Capt, Cole” wrote Perkins¹⁷⁹. Captain Howard, the other captured KOR officers and Sheriff Joseph Tinkham who had also been captured, were taken to Cole’s schooner and place under guard.

Perkins was awakened at about 3:00 AM by Prince Snow and advised that the fort had been captured along with most of the officers and that the towns people living at the Point were also captive. Lieutenant McLeod and Ensign Cameron soon appeared at Perkins house and confirmed the alarming state of affairs. One of the KOR had deserted to the privateers and spread the rumour among the townsfolk that the enemy numbered 500 or more, that there were several ships in the harbour and that all the KOR had joined them.

Perkins dispatched his son Roger to town to raise the alarm and to get Captain West and Captain Freeman and all others he could and get them under arms. Roger returned in short measure to

¹⁷⁵ Ibid. P. 38.

¹⁷⁶ Dudgeon appears from time to time to have worked for Perkins as a hired hand.

¹⁷⁷ He would be a brother-in-law of Sgt. Fadey Phillips.

¹⁷⁸ Ibid. P. 37.

¹⁷⁹ Ibid. P.42.

report that the people were disheartened and were not inclined to make any resistance and they believed their situation to be desperate. They believed the best thing to do was simply be quiet.

Prince Snow, Roger Perkins and Ensign Cameron were active in reconnoitring and as dawn approached, they assured Perkins that there were in fact only two schooners in the harbour. Perkins rightly conjectured that this meant the real number of privateers on shore at the Fort was more likely in the range of 40-50. He also concluded that the commander was Captain Cole who had been seen so frequently in the area in recent weeks.

After disarming the soldiers and the inhabitants at the Fort, Cole began to move up the road from the Fort which lead past Perkins house to the town. On the way he encountered Perkins' "man", John Heater whom he disarmed and took prisoner. Cole was furious with Captain Bartlett Bradford who as captain of the Liverpool privateer *Lucy*, had captured Cole's schooner *Sally* eight months before.

Meanwhile, Perkins was advised by Benajah Collins, Hallet Collins and Captain Ross to try to take Cole prisoner before he got to the town. By this time the town people were beginning to take some courage and show indications of the will to fight the invaders.

Consequently, Perkins ordered Ensign Cameron, Prince Snow, Roger Perkins, John Campbell and John Lewin Jr. to proceed down the road to the Fort and to apprehend Cole and his men. They lay in wait for them at Snow Parker's gate, surprised and disarmed them in short order. Captain Ross took Cole as his prisoner and marched him off to be interrogated by Perkins. More of Cole's men came up the road as far as the Widow (Abigail) Collins (wife of Joseph Collins who had died January 12, 1772). There they saw a number of Perkins men, opened fire on them and beat a hasty retreat towards the Fort.

Captain Ross took Cole to Perkins house where he was asked by the colonel if he had any terms to propose respecting an accommodation. Perkins now dispatched Benajah Collins to the Fort with a letter from Cole advising his men that he was a prisoner and to propose that a one hour cease fire be observed while terms of accommodation were worked out. Captain Lane who was in charge of the Fort sent a man under a flag of truce to determine if in fact the letter Collins carried was in Cole's handwriting. This confirmed, negotiations were opened.

Cole opened the negotiations saying that if Lane was in agreement, he would leave Liverpool if he was given the King's stores and was paid for the loss of the *Sally*. Perkins, knowing that Cole's bargaining power was pretty slim countered. He offered that Captain Howard, Lieutenant McLeod and Lieutenant Stewart should be exchanged for Captain Cole, that there should be mutual exchange of all prisoners, all property should be restored and the King's stores left in tact. Further, Perkins offered to give the privateers 24 hours to get away from Liverpool before any chase was given. Additionally, by now the townspeople had found their backbone and Cole was advised that the militia was armed and prepared for a fight. Cole agreed and a letter was sent to Captain Lane outlining the proposal.

Lane returned with the flag of truce and tried to present an alternate proposal, but to no avail. As Perkins wrote in his diary, “he endeavoured to persuade me to other terms, but to no purpose. I found by this time that the militia were many of them under Arms & Determined to fight, & even to Storm the Fort, if Necessary.”

Lane finally complied and he and Captain Joseph Freeman departed for the Fort with the article of convention as agreed upon. The captured KORs were released and Captain Howard, the other captured officers of the KOR and Joseph Tinkham were brought on shore from Cole’s schooner. Captain Lane evacuated the Fort and the militia marched in. In a final negotiation, Cole and Lane agreed to a 25 guinea ransom for Captain Dean’s brig which they had captured during the night.

The privateers got under way and beat out the harbour. When they reached about Moose Harbour, a small Halifax privateer commanded by Captain Hill and armed with three carriage guns and a swivel hove in sight. Immediately the Americans broke their agreement and commenced firing on the smaller vessel. In return, the guns at the Fort were loaded and fired towards the enemy privateers although they were too far off to do any damage. The plucky Halifax privateer stood the enemy fire. The Americans came along side her and called for boarding, but it never happened. They broke off the action heading to the eastward and leaving one of Hill’s crew dead and two wounded. A few days later it was confirmed that after the action Cole and Lane had limped into Port Medway to lick his wounds. Hill had bested him for the Americans had three killed and two wounded.¹⁸⁰ Both Captain Dean’s brig and the Halifax privateer came into the river for greater safety.¹⁸¹

Over the next few days Liverpool’s community leaders met to discuss how they could better protect themselves against marauders like Cole. On the 15th they convened at the Fort where they concluded that at the very least they should build a picket fence and perhaps build a block house and a barrack within the pickets. They agree that the £50 granted by the Assembly for the Militia should be put towards a block house.¹⁸²

On September 17th a patrol of KORs under Lieutenant Edward James¹⁸³ arrived overland from Port Medway. They had been on route from Petite Riviere when they were driven into Port Medway by two American privateers, probably Cole and Lane. Next day James was involved in an altercation at Captain West’s tavern with a Henry Bingham who had come to Liverpool in Captain Dean’s brig. Having come to blows, James called for the KOR guard, but Dean was able to smooth matters. Perkins was called to the tavern and arrived only to find that all was quiet and that Bingham had gone to his quarters.¹⁸⁴ This however, was not to be the end of the affair.

¹⁸⁰ Ibid. P.43.

¹⁸¹ Ibid. Pp. 41-2.

¹⁸² Ibid. P. 43.

¹⁸³ Edward James was mustered in Captain Andrew D. Barclay’s Company in August 1778 at Harlem. Op. Cit.

NAC, RG 8, “C” Series, Vol. 1908.

¹⁸⁴ Ibid. P. 44.

On the 19th or 20th of September, Bingham sent James a challenge. James declined saying that Bingham was unknown to him and therefore may not have been an opponent of equal social standing. He then went further and defined Bingham as no gentleman at all. James then set several soldiers of the KOR on him and they beat him badly and tore his clothing while James stood by with his sword drawn so that no one would interfere. Bingham came to Perkins with Captain Dean seeking a warrant for James' arrest. Perkins advised him to go to Samuel Hunt which he did and got his warrant. Captain Howard came to Perkins at his store to discuss the matter "and Seems Concerned & uneasy with his Situation". On the 21st Timothy Burbank, the town constable, was given a warrant from William Johnstone against Lieutenant Edward James for a "Breach of the Peace Committed on the Body of Mr. Bingham. James response was to refuse to deliver himself up and instead he went to Malagash."¹⁸⁵

James had an interesting career. Born in Southampton in 1757, he had joined the Royal Navy and had served in the *Dunkirk*, *Resolution*, *Centaur* and *Roebuck* on both the West Indies and American stations. After being severely wounded, he left the navy to join the army and obtained a commission in the KOR. He was at the capture of Fort Washington and Fort Lee. He later went to Halifax with the British troops serving with Sir Henry Clinton. After the Revolution he went to Lunenburg where he married Sarah Knaut whose father Philip had been a moving force in the settlement of that place. From 1793-1800 from 1806-1812 and again from 1818-1820, he served Lunenburg in the Legislative Assembly. He was also a justice of the peace and *Custos Rotulorum*.¹⁸⁶

September 26th a new gunner came to Liverpool. John Lawson of the Royal Artillery who had been in town since the arrival of the KOR had been promoted to bombardier and reassigned to new duties in Halifax. His replacement was a Mr. Reed.¹⁸⁷ From time to time Lawson had been hired to do work on Perkins' property and with another KOR, John McGee, had constructed a wall "in front of my House Lot. I have it made exactly in the line of the Highway...".¹⁸⁸

October 3rd, Captain Howard requested that Perkins attend a Court of Enquiry which had been established to determine the roles played by several of the KOR who had assisted Cole and Lane when they had captured the Fort and nearly taken Liverpool the previous month. They included KORs John Weeks, Henry Pool¹⁸⁹, John Willis¹⁹⁰, Thomas Dudgeon, Francis Pibard¹⁹¹ and Peter Granada. The enquiry lasted two days.

¹⁸⁵ Ibid. P. 45.

¹⁸⁶ Ibid. Pp. 43-4.

¹⁸⁷ Ibid. P. 46.

¹⁸⁸ Ibid. P. 20.

¹⁸⁹ Henry Pool had been mustered in Captain Howard's Company at Harlem on August 25, 1778. Op. Cit. NAC.

¹⁹⁰ John Willis was mustered in Captain Lewis Freeman Burgess' Company at Harlem June 27, 1778 as a "Public Employ". Ibid.

¹⁹¹ In 1787 Francis Pibard was living in Ragged Harbour (Lockeport) and was head of a family. Op. Cit. Perkins Diary P.47. This could be the Francis Pibur who was mustered with Captain Lewis Freeman Burgess' Company at Harlem August 25, 1778. Op. Cit. NAC.

On the 19th and 20th of October difficulties again arose with Henry Bingham. Captain Howard apprehended him and confined him to the Guard House over this two day period. On the morning of the 20th Howard met with Perkins and requested that Bingham be examined and that Perkins “Lay him under Bonds”. Perkins went to Dexter’s Tavern to respond to Howard’s request, but Bingham asked that Perkins wait until Captain Dean returned from the Falls in the evening. Perkins agreed and returned to the tavern that night. Dean and Howard have “hot words and a Quarrel” such that Perkins adjourned the matter to the next day with the assistance of Captain Kirkpatrick who agreed to act as Bingham’s security for good behaviour and to assure Bingham’s appearance until 11:00 AM the next day. On the 21st Bingham appeared with Captain Kirkpatrick and Captain Dean and entered into a £200 Recognizance whereby he promised to keep the peace and not be guilty of any unlawful practice with the enemy for 3 months or during the course of his stay in Nova Scotia.¹⁹²

November 6th further work was commenced respecting the construction of a proper barracks for the KOR. Captain Benajah Collins, Joseph Tinkham and Hucking Crosby made an appraisal of the house currently being used for a barrack valuing it at £7.10/. It belonged to the heirs of Robert Plaiseway or the creditors of Benjamin Leigh. As the intention was to build a new barrack inside the picket fence at the Fort, Perkins and others were afraid the soldiers would destroy their old quarters. It is agreed to demolish it which Joseph Tinkham undertakes the next day. As the owner could reasonably have expected to rent it to the time of demolition, he was paid up to the time it was torn down.¹⁹³

November 14th Captain John Howard appeared before the Grand Jury and was charged with a breach of the peace for assaulting James McDonald and Robert Stevenson. He was ordered to appear the following Friday to answer to the charges. On Friday the 17th Howard appeared and confessed to the charges. He was fined 20s/ for each of the breaches with 11s/ costs for each.¹⁹⁴

Thursday November 16th Col. Perkins received a letter from Hon. Arthur Goold, who was colonel of the Militia for Queens County and the Township of Clare. Goold offered “Congratulations on the behaviour of the Militia on the Occasion *sic* of the Enemy Surprising the Fort &c.& the Militia relieving it. He says the General [Francis McLean] & Lieutenant Governor [Richard Hughes] Desire him to return thanks to the Militia. He also proposes making up a Uniform for us, & requests me to make a return of the Militia of Liverpool.”¹⁹⁵

November 29th Perkins’ store was broken into at 2:00AM. Roger Perkins and his father were suspicious that there might be a break in as some pork had been stolen a few nights before. Roger rigged an alarm and waited in the store counting room. The robbers turned out to be Peter Mitchell¹⁹⁶ and Thomas Halaan¹⁹⁷, both of the KOR. Roger ordered them to stand but they ran

¹⁹² Ibid. P. 50.

¹⁹³ Ibid. P. 51.

¹⁹⁴ Ibid. P. 53.

¹⁹⁵ Ibid. P. 54.

¹⁹⁶ Peter Mitchell was mustered in Captain John Coffin’s Company in December 1777. NAC, Ward Chipman Papers, MG 23, D 1, Series I, Volume 25, Pp. 59-60.

at him and knocked him down. He pursued them to Captain Hopkins' gate where Mitchell fell down. Roger put his fire lock against Mitchell's chest and told him not to move or he would fire. Mitchell resisted and Roger struck him twice on the head with the butt of his gun. Halaan ran off at this point. Roger persisted and chased Mitchell as far as the Stone Bridge where Mitchell picked up a large stone and threatened to throw it at him. At this point Roger called for help and was answered by Prince Snow and Warner, a soldier in the KOR. Mitchell's condition had worsened and he was dragged to Perkins' house where "He Lay at the door as if Dead". Roger went to call out the guard who were already mustered as they had heard the disturbance in the street. Lieutenant Cameron came to Perkins' house and ordered Mitchell to be taken to the Guard House. Perkins meanwhile went to the Point and searched Hulan's (Hulance) "Hut", but found nothing other than a cap of long lawn that Mrs. Hulan was making for Mrs. William Foot. William Foot, also with the KOR, died in Liverpool on April 24, 1782.¹⁹⁸ On December 15th Hulan (Hulance) and Mitchell were tried and sentenced for breaking into Perkins' store. They were each sentenced to 900 lashes. Hulan (Hulance) received 450 the same day, Mitchell 150 and being faint was taken down and received another 300 in the morning.¹⁹⁹

December 18th a rumour reached Perkins that one of the KOR, Christian Rumble, had sold some long lawn to Mrs. William Foot. At Perkins' request, Captain Howard had the hut searched where Rumble and another KOR, George M. Findel lived. Nothing was found. Serjeant Fadey Phillips told Roger Perkins and Ensign Cameron that Mrs. Foot did indeed have the material and when confronted, Humble confessed that he and Mitchell had stolen it from Perkins' store. Part had gone to Mrs. Foot, the remainder taken to La Have by another KOR, George Michael Findel, where he sold it for potatoes. Findel was put under peace bonds and ordered to appear before the next General Sessions of the Peace.²⁰⁰ Christian Rumble was placed in jail, but escaped on December 26th. A search warrant was issued to search Jacob and John Peach's house for him, but to no avail.²⁰¹

December 7th Captain Lieutenant Uniack of the KOR came to Liverpool from Halifax. He had been sent to relieve Captain Howard who had to go to Halifax as a witness in the trial of the KOR soldiers who had joined the American privateers on September 13th.²⁰² On December 21st Captain John Howard married Hannah Tinkham, the widow of Dr. Perez Tinkham.²⁰³

1781

February 13th 1781 Perkins was written by the communities agents in Halifax that General McLean was determined to move the KOR from Liverpool. Perkins immediately wrote to Major Freeman asking him to come to town as well as a number of other gentlemen in order to frame a

¹⁹⁷ Probably Corporal Thomas Hulance who was mustered in Captain John Coffin's Company August 28, 1777 at paulus Hook. Op. Cit. NAC, RG 8, "C" Series, Vol. 1908.

¹⁹⁸ Ibid. Pp.56-7.

¹⁹⁹ Ibid. P. 59.

²⁰⁰ Ibid. 59-60.

²⁰¹ Ibid. P. 61.

²⁰² Ibid. P. 58.

²⁰³ Ibid. P. 60.

reply to Thomas Cochran, Member of the Legislative Assembly representing Liverpool Township. On February 14th they convened at West's Tavern and concluded that the troops must remain in Liverpool to ensure security. Perkins was instructed to write both Cochran and Colonel Goold and also a memorial to the Governor and Council as well as General McLean. Once written, the memorials were circulated around town in order to collect signatures of prominent "Gentl.". On the 15th the memorial was entrusted to Captain John Strickland who took them to Halifax.²⁰⁴ On the 27th welcome word was received that the KOR or some other troops would remain in Liverpool.²⁰⁵ An entry in Perkins diary dated March 17th 1781 seems less sure. Captain Knowles upon return from Halifax brought a letter from Cochran which stated that as yet there has been no answer to the Liverpool memorials, but he is sure the troops will remain.²⁰⁶ Finally on April 2nd Perkins received a letter from Colonel Goold which stated that the KOR were to remain in Liverpool.²⁰⁷

On March 20th a small Halifax privateer was chased into Liverpool by a Congress privateer under command of Captain Leitch who by now was well known along the coast. The American fired a gun in the direction of the Fort and then anchored off Eastern Head inside Coffins Island. Captain Howard prepared to send the KOR in Captain Freeman's privateer and in Mr. Knowles' shallop to take her, but contrary winds prevented the expedition from proceeding.²⁰⁸

April 28th Perkins called a meeting of the officers of the Militia and they "Made a Calculation about Building a Block House."²⁰⁹ At this point there were about 80 men under arms.²¹⁰

May 14th a rumour reached Liverpool that there was a privateer driven onshore at Western Head. Captain Howard put a party of KOR in a boat to reconnoitre and Lieutenant McLeod was sent by land with another party for the same purpose. Joseph Tinkham and several of the Militia formed a third party to go by land with the KOR. There they found that two small American privateers had taken a brig at the mouth of the Harbour and carried it off Western Head where they were becalmed. Captain Howard and Joseph Tinkham got the *Dispatch* and John Doliver's shallop ready to go out after them. They were not able to get out until the 15th by which time neither the brig nor the privateers were to be seen.²¹¹

June 27th the armed schooner *Buckram* arrived in Liverpool carrying orders for Captain Howard to embark his detachment on board for Halifax. Perkins remarks this "puts he Inhabitants into Great Consternation. The Gentlemen Meet & Conclude to Memorial Government & also Colo. Bruce, Commanding officer at Halifax, Praying that the Troops may remain here. An urgent dispatch is sent in the whale boat *Shaving Mill* with Mr. Tinkham and six others."²¹² On July 3rd,

²⁰⁴ Ibid. P. 66.

²⁰⁵ Ibid. P. 67.

²⁰⁶ Ibid. P. 68.

²⁰⁷ Ibid. P. 72.

²⁰⁸ Ibid. P. 70.

²⁰⁹ Ibid. P. 75.

²¹⁰ Ibid. P. 76.

²¹¹ Ibid. Pp. 76-7.

²¹² Ibid. P. 81.

Perkins settled his accounts for wood sold to the KOR with Captain Howard. He gave them to Ensign Cameron and Lieutenant McLeod for transmittal. He also settled accounts perhaps for his store or for work done by the soldiers, with them. On July 4th the express boat returns from Halifax with the news that Secretary Bulkley had agreed to leave 20 KORs in Liverpool. Lieutenant McLeod was the officer ordered to stay. The non-commissioned officers who remain are Serjeant Robert Dickson and Corporal Ball²¹³. On July 9th, “Capt. Howard & Lady, with some of the Soldiers, embark in the *Buckram*, Mr. Cameron & Some Soldiers in the *Liverpool*” and get away around sunset. Perkins writes, “I went of board the *Buckram* to bid them Good by.” Clearly Perkins and Howard had become friends during the latter’s two and a half year posting in Liverpool.²¹⁴ Howard returned to Liverpool Friday August 3rd.²¹⁵

On October 15th 1781 a report reached Liverpool that privateersmen were at Herring Cove [Brooklyn]. Lt. McLeod and some KORs along with Prince Snow, Elkanah Freeman and Roger Parker went over about 10:00 AM to apprehend them. They brought several men back and put them in one of the soldier’s huts at the Fort. One of them was recognized as one Wescott who had previously been taken by the *Lucy* from a New London schooner.²¹⁶ One of them, John Frost the captain of a shallop, on October 20th asked Lieutenant McLeod to take him to see Perkins. He introduced himself as son of John Frost who was a member of the Massachusetts Legislature and related to the Pepperell family of Kittery, Maine. Perkins agreed and invited him for tea and determines that “he is Come of a Good Family”.²¹⁷ On the 28th of October, Lieutenant McLeod and Perkins paroled John Frost, John Wescott and Benjamin Hayes, the three privateersmen taken at Herring Cove. They in turn promised to return two soldiers of the KOR who were taken from Liverpool by a privateer providing they had not entered into American service. The two soldiers were Robert Hopkins and Stephen Warren, both described by Perkins as “Servants”.²¹⁸

On October 19th John Hopkins Jr., Thomas Harrington and Joseph Verge arrived from Halifax with sufficient provisions to keep the KOR for six to eight months.²¹⁹ On November 1st 1781 Lieutenant Donald McLeod was married to Betsey Lee, widow of the late Michael Lee of Liverpool. They were married under a licence from Halifax by Rev. Israel Cheever.²²⁰ McLeod had relations in LaHave. In October Mordow McLeod asked Perkins to draw up a will for him which name Lieutenant McLeod as his heir.²²¹

²¹³ John Ball was mustered in Captain John Bayard’s Cp,[amu pm February 26, 1778 at Fort Knyphausen. Op. Cit.NAC.

²¹⁴ Ibid. P. 83.

²¹⁵ Ibid. P. 86.

²¹⁶ Ibid. P. 95.

²¹⁷ Ibid. P. 96.

²¹⁸ Ibid. P. 97.

²¹⁹ Ibid. P. 96.

²²⁰ Ibid. P. 98.

²²¹ Ibid. P. 97.

1782

February 10th 1782 at about 8:00 PM, Lieutenant McLeod called on Perkins to say that William Smith, a soldier of the KOR appeared to be dying as the result of a head wound rendered some time before by John Lewin who was also Serjeant Fadey Phillips' brother-in-law. McLeod had secured Lewin in the Guard House. Next morning Perkins went to see Smith and found him better than the previous night, but still very low. Perkins went to the Guard House to see Lewin and to tell him that due to Smith's condition, Lewin could not be discharged, but that he would remove him from the Guard House if he chose. Lewin chose to remain incarcerated. Both Captain Howard and Joseph Tinkham the sheriff were there at the time. Mr. Hunt went in the evening to see Smith in the evening and render his opinion.

On February 13th Perkins noted that "Old Smith, the Soldier, remains Very Low". Captain Benajah Collins, Samuel Hunt, Captain Bartlett Bradford and Hallet Collins called on Perkins and recommended that John Lewin be called from the Guard House and examined before the Magistrates. Perkins agreed to make the arrangements in the morning. On February 14th John Lewin was brought before Perkins, and the other Justices, Nathan Tupper, William Johnston and Samuel Hunt, examined and evidence taken. He was then put on a bail bond of £500 sterling and ordered to appear on any day to March 14th for further examination. Bartlett Bradford, Timothy Burbanks and Joshua Boomer were his bondsmen.²²² April 14th 1782 the case finally came to court. Lewin was found guilty of assault and battery and Smith awarded 5s. Plus costs. Smith was dissatisfied and appealed.²²³

February 20th Joshua Boomer laid a complaint against Ensign John Cameron for striking him at Captain Bradford's.²²⁴ On March 26th Perkins went to Mrs. Snow's at the request of Captain Howard who wanted to make a deposition respecting an assault charge brought against him by James McDonald.²²⁵ On April 14th Captain John Howard was married to Miss Mariah West. She died of small pox in Halifax on June 30th 1782. Ensign John Cameron at the night before was married to Lucy Godfrey.²²⁶

On April 11th, the Sessions decided to "Establish a Ferry for the Insuing *sic* Year"²²⁷. Perkins notes, "Capt. Bradford undertakes at /3d a person for once Crossing the River, for one Year, or till ye 15th of April."²²⁸

April 18th Three shallops arrived from Halifax. One of them captained by one Boolman, had been seized by six soldiers who had deserted from Sambro. John Hopkins in another shallop gave chase and ran them ashore at Petite Riviere. Lieutenant McLeod sent a party of KOR to

²²² Ibid . P. 115.

²²³ Ibid. P. 127.

²²⁴ Ibid. P. 115. Bartlett Bradford's house in 2000 is owned by Mrs. Norma Lenco RN and is located at 16 Main St., Liverpool.

²²⁵ Ibid. P. 124.

²²⁶ Ibid. P. 128.

²²⁷ Ibid. P. 182.

²²⁸ Ibid. P. 129.

Beach meadows to intercept them.²²⁹ On April 24th William Foot, a soldier of the KOR died of consumption and was buried with military honours.²³⁰ He left behind a wife to mourn him in a strange land far from the place of her birth.

On April 16th, a cartel schooner arrived from Cape Ann. They had newspapers announcing the exchange of preliminary articles of peace between Great Britain and France, Spain, Holland and the United States of America.²³¹ On the 27th of April, Perkins received a letter from Robert Callaghan at Halifax who wrote that Parliament had requested the King to make peace. On the 23rd Perkins received a number of American prisoners who had been captured by Liverpool privateers. He and Captain Howard conferred on their future and in view of the news of peace having recently arrived, they determined to release them.²³² On the 25th Perkins received a letter from the Secretary of the Executive Council that peace had been agreed upon.²³³

May 5th Captain Ephraim Dean got into Liverpool after having been captured by a Congress privateer and set ashore at La Have. Two of Foster Sherlock's vessels and one of Mr. Callaghan's were also taken. Several Liverpool people suffered heavily from this loss including Captain John Howard who lost £50 in sundries he had purchased for his wife.²³⁴

On the May 22nd provisions for the soldiers were running short so Lieutenant Donald McLeod and William Morestock²³⁵ and Henry Pine (two soldiers of the KOR) and several Liverpool seamen set off for Halifax in the *Shaving Mill*. On June 1st Perkins notes that he hears the government in Halifax will allow rations and pay for the Militia on duty, but that Lieutenant McLeod has not yet returned from the capital.²³⁶

June 4th being the King's birthday and Lt. McLeod still being absent in Halifax, Sheriff Tinkham and Colonel Perkins concluded to fire eleven guns. The Militia officers appeared at the Fort in their regimentals. In the evening Lieutenant McLeod arrived in the *Shaving Mill*. He brought letters for Perkins from Secretary Bulkley and Colonel Goold. Approval was given for decisions taken by Perkins concerning the Militia and for pay and King's rations. Also McLeod carried a copy of John Lewin's complaint against himself with instructions to Perkins to inquire into it and make a return to the Secretary's Office.²³⁷ The inquiry was conducted on June 10th by Perkins, Mr. Freeman and Samuel Hunt and "was very Tedious & Long".²³⁸ Perkins finished writing the complaint on June 14th.

The Sixth Article in the Complaint being as follows, viz: Mr. Mcleod came with a file of men and

²²⁹ Ibid. P. 129.

²³⁰ Ibid. P. 130.

²³¹ Ibid. P. 183.

²³² Ibid. P. 183.

²³³ Ibid. P. 184.

²³⁴ Ibid. Pp. 131-2.

²³⁵ Ibid. P. 134. In 1787 he was head of a family of four in Liverpool.

²³⁶ Ibid. P. 136.

²³⁷ Ibid. P. 137.

²³⁸ Ibid. P. 138.

put him in Confinement near one week. It was Necessary for me to Answer that my Self. The Answer is as follows, viz: The Sixth Article in John Lewin's complaint, Answered by my Self, viz: about Eight of the Clock in the evening of Sunday, Feby. 10th, 1782, Lieut. Donald Mcleod called upon me and acquainted me that he Looked upon Smith, one of his Soldiers, to be Dying, and that the wound he received from John Lewin was the Cause of his Illness, and further told me he had confined Said Lewin and came to acquaint me directly that I might do what I should think proper with him. To which I answered that it was So late in the evening it was Difficult to do anything with him that night and told him he might remain at the Guard House untill Morning. In the morning I saw the Soldier and found him in a low State, to Appearance more like to dye than live, but opinions being So various respecting the Cause of his Illness, I was unwilling to proceed to an Examination of Lewin until there might be Some alteration in the sick man that might make the matter more Certain. I then went to the Guard House and told Mt Lewin that the charge against him and the Situation of Smith was Such that I could not discharge him, but if he chose to be removed from that place to the Hail, I would Immediately order him removed, and at Same time told him that I chose to defer his Examination for their reasons above mentioned, to which he Answered, if he must be confined, he chose to remain there. I then told him whenever he chose to be brought out for examination to Send me word and I would Immediately Send for him. He remained there untill th e fourteenth, in which time I repeatedly visited Smith, as did Some other Magistrates. I then gave a warrant to the constable [Timothy Burbank] who brought Lewin before me and three more Magistrates for Examination, when a Number of Evidences were examined and the whole matter Investigated, as far as Circumstances would Admit. Smith Still remaining very Ill and the Cause of his Illness Still Doubtfull, Lewin was Laid under Bonds of Five Hundred pounds to Appear for further Examination whenever Called thereto, within one month, in which time Smith recovered and the Bond was Discharged.

Simeon Perkins, Jus. Peace

Later that day he showed Mr. Millard the proceedings between Lieutenant McLeod and John Lewin. Next day, June 15th, he read the proceedings to John Lewin.²³⁹

July 5th unwelcome news arrived that Mariah Howard, wife of Captain John Howard had died of smallpox. She had been inoculated against the dreaded disease and the inoculation had turned into full blown smallpox.

News had reached Liverpool on July 4th confirming that Congress privateers had raided Lunenburg, captured and plundered it, had taken away several prominent citizens and held them for ransom and then demanded a ransom for not putting the entire town to the torch. This certainly confirmed to the people of Liverpool the wisdom of the stand they had taken against Captain Cole. It also drove home that Liverpool's defences required further strengthening.

On July 6th the work began at the Battery. Lieutenant McLeod employed all his men who were not on guard duty. Perkins ordered the Militia, about twelve a day under Joseph Tinkham, to work alongside the soldiers. The Fort had fallen into "a ruinous condition, the Fachines [fascines] all rotten. We Build it up a new with Sods, and the Inside with Slabs. The work in fact continued on for several days. Work was finished on one of the narrow parapets on the 16th. Perkins himself had worked so hard that he strained his back badly.²⁴⁰ On the 30th Perkins

²³⁹ Ibid. Pp. 139-40.

²⁴⁰ Ibid. Pp.145-6.

walked to Fort Point to see the new flagpole raised. It is 76 feet tall and must have been readily visible by any vessel approaching the Liverpool Bay entrance between Coffins Island and Western Head.²⁴¹ On August 6th the Militia began keeping a regular guard at Moose Harbour in order to keep the entrance to the bay under close scrutiny.²⁴²

September 26th James Lacy of the KOR deserted. A Party of soldiers went to Port Mouton to seek him. Sherif Tinkham and Hallet Collins went to Moose Harbour to look for him. Both parties return empty handed. Captain Collins and Perkins offered rewards of \$10 each and Lieutenant McLeod a further reward of 2 guineas to anyone who would go to Port Mouton, Great River [Broad River] and bring him in. Stephen Page and James Gorham took up the offer. Early on the morning of September 29th Captain Jabez Cobb brought Lacy to Perkins' house. He had found him, not at Port Mouton, but rather at the Mill Brook on the edge of town. Lacy asked Perkins to intercede with Lieutenant McLeod on his behalf which he agreed to do. On the 30th Lacy was tied up to be flogged. Joseph Tinkham and Perkins both interceded on his behalf and he was forgiven by Lieutenant McLeod. In fact McLeod may actually have been gone when the reprieve was given as he left that day with Captain Dean to go to Barrington to assist a number of Liverpool seamen who had been set upon by Congress privateers. One, Ephraim Dean, had taken a severe body wound. In McLeod's absence, Perkins and Tinkham were left in charge of the KOR.²⁴³

On October 3rd Joseph Tinkham made a complaint to Perkins that Samuel Wood of the KOR had sold a spade which Tinkham had lost. Wood alleged that he, Thom and Fowler of the KOR had found it and had sold it publically. Perkins believes them and orders that the spade be returned to Tinkham and that the money for the sale be returned to Mr. Thomas who had purchased it.²⁴⁴

On October 5th Captain Joseph Freeman arrived from Ragged Harbour and reported that the previous night a Congress privateer had taken Elisha Hopkins' shallop into Port Medway. Captain Robert Callahan and seven of the Militia along with two KORs and Elisha Hopkins Jr. determine to go after them. Snow Parker, his mother and all the passengers that were bound to Halifax in the captured vessel came into Liverpool in a shallop the privateers gave him. On October 6th, Callahan's party returned from Port Medway by land. They had captured John Leonard Hammon, sailing master of the Congress privateer *Race Horse* and Stover, the commander who they captured at Lodowick Smith's house. They were impeded by William Cahoon whom they arrest for obstructing their work. Mrs. Smith hid the privateersmen and denied that he was in her house. She also spirited away copies of Perkins' orders to Callahan and later took copies of them and threatened to hang as many of them on trees as there are "Irishmen in Newfoundland". The matter is resolved with appropriate abject apologies.²⁴⁵

October 9th two soldiers of the KOR Clark and Gallagher, were confined for dereliction of duty.

²⁴¹ Ibid. Pp. 147-8.

²⁴² Ibid. P. 150.

²⁴³ Ibid. Pp. 158-9.

²⁴⁴ Ibid. P. 160.

²⁴⁵ Ibid. Pp. 160-1.

Upon application by them, Perkins forgave them.²⁴⁶

On October 27th the *Lugger* Privateer from Halifax arrived in Liverpool. On board were Captain Howard, Lieutenant Bell, Dr. Stephen Thomas²⁴⁷ and thirty-five no commissioned officers and privates of the KOR. They were in addition to Lieutenant McLeod's detachment.²⁴⁸ With the arrival of the new soldiers, work was commenced on building a proper barrack to house them. On November 8th the frame is raised. On the 9th Mr. Boomer, Peter Malone worked on it. Meanwhile Perkins, John Day,²⁴⁹ Samuel Wood, Benjamin Fowler and one Kean all of the KOR worked carrying up boards for the walls. The barrack chimney was worked on next. After attending a church service where Henry Alline preached on November 21st, the soldiers in spite of wet weather continued to work on the chimney.²⁵⁰

1783

On April 15th 1783, John Limau of the King's Orange Rangers died. There had been sickness throughout the community during much of March. It appears the young and the old were hardest hit.²⁵¹

As early as May 12th Perkins noted that Captain Howard, Joseph Tinkham and others from Liverpool had been to Port Roseway.

They Say that there is a great number of people arrived. They have Laid out the Town at the Head of the Harbour on the Easterly Side, 9 miles above the present Inhabitants. They are Building a Fort for 50 Cannon some Miles below, and have begun to Clear the Woods for the Streets.²⁵²

On June 4th the King's Birthday was celebrated and a 21 gun salute fired from the Fort Battery. On the 12th Perkins hired a number of soldiers to make a wall and fence his pasture.²⁵³

On June 21st Captain Howard ordered a survey of the King's Stores in Liverpool. It was conducted by Joseph Tinkham, John Thomas and Samuel Hunt. On the same date, Owen Warley a jailed soldier of the KOR was brought before Perkins for interrogation. He was suspected of having broken into Perkins' store as he had been found selling goods which had originated there. He continued to express innocence saying that he had found the articles near the pickets around the Fort. He is returned to the gaol.²⁵⁴ On the 24th Dennis O'Brien of the KOR went for a swim

²⁴⁶ Ibid. P. 162.

²⁴⁷ Dr. Stephen Thomas was a surgeon in Captain Howard's company. On February 20th 1784 he married Barbara Ross, the daughter of Thomas and Barbara Ross. In March 1784 he sailed to Britain where he completed his studies in surgery. He returned to Liverpool in 1785 to pursue the practice of medicine. Ibid. P. 165n.

²⁴⁸ Ibid. P. 165.

²⁴⁹ Day was a carpenter. October 27th he married Phoebe, daughter of Zepheniah and Phoebe Eldridge of Liverpool. Ibid. P. 167 n.

²⁵⁰ Ibid. Pp.168-9.

²⁵¹ Ibid. Pp.180-1.

²⁵² Ibid. P. 186.

²⁵³ Ibid. P. 189.

²⁵⁴ Ibid. P. 190.

in Ballast Cove and was drowned.²⁵⁵

On August 11th orders came to remove the detachment of artillery from Liverpool to Halifax. On the 12th, Perkins, his wife and children were invited by Captain Howard and Dr. Stephen Thomas²⁵⁶ to dinner. The invitation was declined as several in the family were exhibiting symptoms of whooping cough.²⁵⁷

On the 15th Captain Howard was busy getting the guns and related equipment on board the *Brandywine* for shipment to Halifax.²⁵⁸ On the 15th Perkins settled all the business he had with Captain Howard and his detachment.²⁵⁹ On Friday 22nd, the “Troops from here [KOR], was Arrived, & the Troops to be Landed at the Battery ...”.²⁶⁰ On September 14th Prince Snow sailed for Halifax. His passengers included Dr. Thomas, John Thomas and Lieutenant McLeod of the KOR.²⁶¹ On October 18th “ Serjeant Phillips & Corporal Ball, being a Gunning at the Ponds at the head of the Mill Brook [Bar Pond], found the Body of a Dead man, Naked except his woolen drawers. He is Supposed to be one [David] Sloan...”.²⁶² On October 10th the first of several vessels carrying the British (Tarleton’s) Legion arrived at Port Mouton.²⁶³

1784

Upon disbanding, the King’s Orange Rangers dispersed over a fairly wide area. A few, like Fadey Philips, remained in Liverpool where he was joined by his brother Jesse who had served in another company of the KOR.²⁶⁴ Others went to Quaco, now St. Martins near Saint John. Some went to the Island of St. John (Prince Edward Island), a handful took up grants in the Parrsborough area²⁶⁵ a few went to Cape Breton, and to Passamaquoddy. Lieutenant John Cameron was one of the founders of Sydney, the capital of the new colony of Cape Breton which was separated from Nova Scotia in 1785. Others simply drifted back to the new republic to try to rebuild their lives there.

The evening of May 18th, Perkins became alarmed that one of his servants and a former King’s Orange Ranger, Benjamin Fowler, was missing. He had been working alone building the wall at the field Perkins had acquired from Isaac Cuffe when he had been sent to fetch Perkins’ cow. When he failed to return, Perkins had someone go to the field where they find his coat hanging there. Neighbours went to search him out where he used to go, but he was no where to be found.

²⁵⁵ Ibid.

²⁵⁶ Ibid. P. 106 Note. Dr. Stephen Thomas was surgeon to the KOR in Liverpool. He married Barbara Ross of Liverpool whose father Thomas was a privateer captain.

²⁵⁷ Ibid. P. 194.

²⁵⁸ Ibid.

²⁵⁹ Ibid. P. 195.

²⁶⁰ Ibid.

²⁶¹ Ibid. P. 196.

²⁶² Ibid. P.201.

²⁶³ Ibid. P. 201-2.

²⁶⁴ Op. Cit. Perkins.

²⁶⁵ Op. Cit. Edwards p.71.

They fired guns to signal their failure. All the next day people searched for him with no results. On Sunday the 16th of May Perkins mustered a considerable number of people to search for Fowler and at about 10:00 AM, James Ball and Jonathon Barss found him hanging on a tree, suspended by his silk “handkerchief” of scarf. Samuel Hunt, the coroner, was called in and ruled the death “Self Murder”. Perkins went to the site himself and remarked that Fowler:

Went very deliberately to work and Choose a very convenient place, Near a Place old Mr. [Joseph] Collins fenced in Some years ago, Directly back of the old House. He is Buried in the Road that Leads towards Moose Harbour, the Sotherly *sic* Side of the first hill after we pass over the Bridge from the School House. This unfortunate young man was a Soldier in the Battalion of the Kings Orange Rangers, Stationed in this place & had a Very Good Character, has parents in Good Circumstances Near Kings Bridge at New York. Since he has been missing, I understand by Sergt. Jesse Phillips²⁶⁶ *sic* that he was Insane, So as to be Chained three months before he was in the Army. We have never perceived any Signs of Insanity, but for Some days before his exit he was rather dull and not so full of Discourse as usual, but never expressed any uneasiness on any particular account, except wanting to See his Friends.²⁶⁷

Despondency surely attended many such Loyalists who had lost all for King and Country and who could not return to the land of their birth.

Perkins continued to look after the affairs of Captain Howard in Liverpool. On September 6th 1784, Perkins had Howard’s oxen sold at auction for £15 to Captain Benajah Collins. November 26th Perkins notes that “the Provisions of the Orange Rangers is Obtained & Coming by Nickerson & Collins”²⁶⁸. The meaning is unclear. On December 22nd an execution was delivered against a Mr. Lillie of Halifax against Captain Howard and levied against his house.²⁶⁹ This would today be deemed a lien. What is interesting is that Captain Howard had his own house. The location is unknown.

1785

On May 27th 1785, Ensign John Cameron arrived from Spanish River (Sydney, Cape Breton) in a South Carolina vessel.²⁷⁰ June 15th Captain Howard arrived from the United States via Saint John and Shelburne with Lewis Alline.²⁷¹ June 22nd Perkins was busy writing bills and certificates with McLeod and Cameron.²⁷² On June 28th, John Cameron was put in jail for a debt owed to Benajah Collins. The next day Perkins took Cameron’s bill for 47s., Mr. McLeod’s for £20 and Dr. Smith’s for £13.7.8 and sent them all to Samuel T. Waddington on account. He then borrowed £14.3.4 from Mr. Hopkins to pay Captain Collins for the demand he had on Ensign Cameron and paid Collins £14.0.1. Cameron was them ”Bailed out of Gaol by a Number

²⁶⁶ Op. Cit. NAC Corporal Jesse Phillips was mustered in Captain Forbes Ross McDonald’s Company in August 1778. He was a brother of Sergeant Frederick “Fadey” Phillips.

²⁶⁷ Ibid. Pp. 230-1.

²⁶⁸ Ibid. P. 253.

²⁶⁹ Ibid. P. 256.

²⁷⁰ Ibid. P. 275.

²⁷¹ Ibid. P.277

²⁷² Ibid.

of Gentlemen & Settled with Capt. Collins by Giving him his Bill payable next June.”²⁷³ The next day, June 26th Cameron and his family embarked with Prince Snow in order to commence their move to Spanish River.²⁷⁴

On July 23rd 1785, Perkins requested Lt. McLeod to arbitrate a matter between himself and Captain Howard. This concerned money drawn by the KOR Paymaster, Captain McDonald for men mustered in McLeod’s Liverpool detachment. The men against whom it was drawn in fact were not in McLeod’s detachment so he did not receive the money. Also Captain Howard did not receive it as he was on leave of absence at the time and no muster was made in his name. Perkins asked Dr. Smith to join with him in the arbitration. The final conclusion was that the money was officially considered to be lost as to require either McLeod or Howard to pay it would have “Some hardship in fastning *sic* it on either.”²⁷⁵

1787

On September 3rd, Lieutenant Donald McLeod was helping Lemuel Drew to raise a small frame for a building. Without warning the side McLeod was holding let go and fell on him, killing him instantly. “He Never Spoke a word, only fetched two or three deep Sighs or Gasps. Some Suppose he was taken in a fit, which he had been Subject to, & held on by the Timber & halled *sic* it down, but how it was we Cannot Say.” On the following day a service was held at the Meeting House, the body waked and a sermon preached by Mr. Jessop. McLeod was buried in the town cemetery.

September 6th Captain Howard’s oxen were sold at auction to Captain Benajah Collins for £15.²⁷⁶

1789

April 17th 1789 Perkins received a letter from Captain John Howard who had gone to Saint John and then Quaco (now St. Martin’s, NB) where the KOR had been given a land grant after the American Revolution. In the letter dated December 18th 1788, Howard tells Perkins that he “is doing very well, has raised 70 Bushel Wheat, 40 Bush. Buck Wheat, 500 Bushel potatoes, 50 Bushel Turnips, & has hogs, of 800 wt., the Last Year.”²⁷⁷

1790

The first of several entries in Perkins Diary referring to John Day, late of the King’s Orange Rangers and husband of Phoebe Eldridge appears June 10th 1790 when he was working on a

²⁷³ Ibid. P. 278.

²⁷⁴ Ibid.

²⁷⁵ Ibid. P.282.

²⁷⁶ Ibid. P. 244

²⁷⁷ Ibid. P. 472.

vessel which Perkins was building.²⁷⁸ He is mentioned several times during the decade and clearly became a person of some note in Liverpool. In July 1796 he cut his foot so badly he could not work and Perkins and others took up a subscription to assist him financially.²⁷⁹

1791

John Howard certainly was a man of dogged determination. This has already been seen through his Liverpool command and in disputes with neighbours in St. Martins. On September 13th 1791, he swore a statement claiming that now General John Coffin, had breached the agreement of 1778 by which they had exchanged commissions and in fact had defrauded him of 175 guineas.

According to Howard, Coffin agreed to transfer thirty-six men from Howard's Company of the New York Volunteers to the King's Orange Rangers. At the time of the agreement, Howard's NYV company had a strength of ninety-seven privates, whereas Coffin's KOR company had a more modest strength of eighteen. Additionally, Howard stated that the agreement included promise of a payment of 175 guineas to him by Coffin. Further, he claimed that the onus to seek the approbation of Sir Henry Clinton for this arrangement, rested with Coffin. Howard later complained that Coffin had in fact received Clinton's permission, but never complied with the rest of the agreement. In fact, Howard went on to claim that Coffin had actually lied and stated (presumably after the war), that Clinton had never agreed to the exchange or to the other terms of the agreement.

In support of his claim, Howard stated that about the 29th of July, 1778, Clinton's headquarters did in fact issue an order authorizing and directing an exchange of the respective companies. Further to this, Howard went on to claim that throughout the summer, he memorialized the Commander-in-Chief to require Coffin to pay up. Howard states that in October, Coffin did pay him 100 guineas and provided him with an order drawn in favour of Howard's wife, Lucy. Prior to embarking for Nova Scotia where she intended to meet her husband, Lucy Howard obtained an order from Sir Henry Clinton requiring Coffin to pay the remaining 75 guineas. Howard claims that Coffin evaded payment and that Lucy Howard left New York for Halifax with the order in her possession. Tragically, Lucy Howard never reached her destination. On route the vessel in which she was a passenger foundered and she and seven of her children drowned. Also lost, was the proof of the unrealized order.

The statement of claim makes it clear that while Coffin claimed he had paid the outstanding balance to Lucy Howard, that he in fact never had and that it was still owing. Additionally, he claims that Coffin never did transfer the agreed upon thirty-six men from the New Jersey Volunteers to the King's Orange Rangers. Consequently, Howard states that he had been "put to great trouble and fatigue and obliged to disburse and pay several large sums of money in order to obtain Recruits for [his]... Company in the King's Orange Rangers", this in order to prevent the

²⁷⁸ **Diary of Simeon Perkins 1790-1796**, Bruce Ferguson, Ed., Champlain Society, Toronto 1961 Vol. XXXIX p.

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²⁷⁹ *Ibid.* p.415

company in 1780, from being drafted into Colonel Joseph Gorham's Royal Fencible Americans and to avoid Howard thereby being reduced to half pay.

The situation was further confused by Coffin's claim that when he took command of the New York Volunteers company, that Howard had left him holding the bag for pay arrears of £39 15s. Howard in his statement of claim is unequivocal that not only did he not leave his old company with any arrears owing, he does not believe that Coffin paid them the amount he claimed was owing.

1792

There is a certain mythology that widows of British and Provincial Officers were cast aside upon the death of their husbands. Certainly that was not the case with Elizabeth McLeod, widow of Lieutenant Donald McLeod. July 3rd 1792 Perkins "received a Letter from David Thomas, paymaster of the Orange Rangers, desiring me to find the Residence of the Widw. Of the Late Lieut. Donald McLeod, that She may Send him a Certificate of her Husband's Death, & he will pay her a ballance *sic* of his pay due - the Letter Dated paym General's Office , May 12, 1792."²⁸⁰ The army it seems, did pay its debts to its veterans' widows and indeed went to some trouble and time to do so.

²⁸⁰ Ibid. p. 169.

APPENDIX A

KING'S ORANGE RANGERS OFFICERS

NAME & COMMISSION RANK	DATE OF COMMISSION	HIGHEST RANK
Bayard, John: Lt.-Col.	December 25, 1776	Lieutenant-Colonel
Cummings, John: Lt.	December 28, 1776	
Hamilton, Joshua: Lt.	December 29, 1776	
Brace, James:	December 30, 1776	Captain
DeWint, Guert Spt.: Major	December 31, 1776	Major
Barclay, Henry: Lt.	1776*	
Grenadidier, James: Ensign 1776		
James, Russelet: Ensign	1776	
McKenzie, Roderick: Ensign 1776		
VanBuskirk, Thomas: Ensign 1776		
Thompson, George: Lt.	January 1, 1777	
McDonald, Alexander: Lt.	January 2, 1777	
Bayard, Samuel Vetch: Capt.	January 15, 1777	Major
McDonald, Forbes Ross: Capt.	January 16, 1777	Captain
Barclay, Andrew Drier: Capt.	January 17, 1777	Captain
Coffin, John: Capt.**	January 19, 1777	Captain
Uniack, Bartholomew: Capt.-Lt.	April 2, 1777	Captain
James, William: Ensign	June 12, 1777	
Howard, John: Capt.***	1777	Captain
Kennion, Richard	1777	
Rotton, Robert: Capt.	1777	
Stewart, Niel: Lt.	1777	
VanBuskirk, Lawrence: Capt.	1777	Captain
James, Edward: Ensign	August 1778	Lieutenant
Dawson, George: Capt.****	1781	
VanBuskirk, Abraham: Capt. nd		Captain
VanBuskirk, Abraham Jr.: Lt.nd		
Burgess, Lewis Freeman: Capt.	nd	Captain
McMillan, Alexander: Capt. nd		
Barry, William: Lt.*****	nd	
Bethel, Robert: Lt.*****	nd	Captain
Bird, William: Lt.*****	nd	Lieutenant
Bell, William: Lt.	nd	
Jackson, John*****		
McLeod, Donald: Lt.*****	nd	

Rorison, Basil: Lt.	nd	Captain
Cameron, John: Ensign	nd	
Field, James: Ensign	nd	
Jackson, William	nd	

* Resigned June 1778
 ** Exchanged commissions with John Howard and went to New York Volunteers July 1778
 *** Originally New York Volunteers
 **** To British Legion August 25, 1782
 ***** Prussian Army prior to KOR, then Volunteers of Ireland and Loyal Foresters April 1781
 ***** Quarter-Master
 ***** Killed by Lt.-Col. Bayard February 1778.
 ***** Adjutant
 ***** Settled in Liverpool after the war

KING'S ORANGE RANGERS CHAPLAINS

Townshend, Rev. Epenetus
 Weeks, Rev. J. Wingate 1783

KING'S ORANGE RANGERS SURGEONS

Fraser, John
 Thomas, Stephen*

* Settled in Liverpool after the war

KING'S ORANGE RANGERS SURGEON-MATES

Graham, George

Appendix A is taken from W. O. Raymond, "Loyalists in Arms", **Collections of the New Brunswick Historical Society**, Saint John, New Brunswick nd Pp. 228- 271.

According to Philip Ranlet (**The New York Loyalists**, University of Tennessee Press, Knoxville P. 116), of the King's Orange Rangers officers, 11 were born in America one of whom was a former regular and 16 were born in Europe, 4 of whom were former regulars

APPENDIX B

NON-COMMISSIONED OFFICERS SERVING IN LIVERPOOL

Sergeant Frederick Phillips*
 Sergeant Jesse Phillips**
 Sergeant John Humble
 Sergeant Thomas Hulance

Corporal Robert Dickenson
 Corporal Francis Finley
 Corporal James(?) Ball
 Drummer Henry Kier

*Settled in Liverpool after the war

**Captain Ross Forbes McDonald's Coy.

Settled in Liverpool after the war

APPENDIX C

ENLISTED MEN SERVING IN LIVERPOOL

John (?) Clark
 John Craig**
 John Day*
 Thomas Dudgeon
 George M. Findle
 William Foot (died)
 Patrick Galbraith**
 ? Gallagher
 Peter Grenada
 George Michael Feindel
 Benjamin Fowler (died)*
 George Higgins**
 Humble***
 Robert Hopkins
 James (?) Keane
 James Lacy
 John Limau (died)

Peter Malone
 John McGee
 Peter Mitchell
 William Morestock*
 Dennis O'Brien
 Francis Pibard****
 Henry Pine*
 Henry Poole
 Christian Rumble
 William Smith
 ? Thom
 Owen Warley
 Stephen (?) Warner
 Stephen Warren
 John Weeks*
 John Willis
 Samuel Wood

* Settled at Liverpool after the war

** Deserted at Liverpool. Head of a family of five at Sable River 1787

*** Deserted while in Liverpool

**** Head of a family at Ragged Islands (Lockeport) 1787

APPENDIX E

KOR MARRIAGES IN LIVERPOOL

Captain John Howard to: 1. Lucy ? Who drowned with all but son Edward on her way to Nova Scotia from New York to meet her husband 2. Hannah Tinkham December 21, 1780, widow of Dr. Perez Tinkham who died of unknown cause 3. Mariah West April 14, 1782 who died of smallpox June 30, 1782 4. Patience Howard (1st husband named William Howard was from Dutchess County, New York.

Lieutenant Donald McLeod to the widow Betley Lee November 1, 1781

Ensign John Cameron to Lucy Godfrey

Dr. Stephen Thomas to Barbara Ross February 20, 1784

Serjeant Frederick 'Fadey' Phillips to Rebecca Lewin September 9, 1779

Private John Weeks to Betley Patterson September 23, 1779

Private John Day to Phoebe Eldridge October 7, 1785

Private William Foot to unnamed woman nd.