

present Regulations will ever render them contemptible in the Field.

Captain Cox acted as brigade major in Col. John Hoskins Stone's regiment at the Battle of Brandywine. Despite Smallwood's praise for Cox and his men, other troops under the command of Stone apparently were far less disciplined, as the governor learned by a letter from Samuel Chase, writing from Congress on October 10. Chase reported that he had submitted a petition to Congress that day describing the damages done by the 4th Georgia batalion during its march through Maryland. His petition for redress had received a favorable respose from the members of Congress, who adopted a resolution ordering Col. John White, the commander of the Georgia regiment to prevent future irregularities and dispatched a request to Governor Johnson asking him to appoint someone to evaluate the destruction perpetrated by White's men in Maryland. Chase continued his report to Johnson by adding that after he had introduced his petition against the Georgia regiment, "a similar one was prayed by Dr. John Wetherspoone (sic) for some Damage Done by Colonel Stones Regiment. This produced an universal Complaining against our Troops. It is referred to the Board of War to consider of some general Regulation."

The extent and nature of depredations the Marylanders had committed in New Jersey, the state John Witherspoon represented, are not specified in Chase's letter, but on October 12, Christopher Lowndes, of Bladensburg, wrote Governor Johnson that on the 7th, while bringing much needed hemp down from Frederick County, troops returning from Pennsylvania to the Carolinas had stolen his wagon. Such larceny, when committed by Marylanders or troops from other states, was usually occasioned by their lack of sufficient food, clothing, and other essentials. Thus, when the Council informed Lowndes on October 24 that because Congress had empowered the governor to appoint commissioners to hear complaints about damages done by troops marching through the state, adding that "We believe that your Waggon, when on such Business, will not again be taken," they were expressing a vain hope that the confiscation of private property by American troops in need would end.

One final problem confronting the governor and Council during October 1777 was the petition of Francis Birkhead of Anne Arundel County. In the petition, Birkhead admitted that he had killed a slave owned by his brother, and that to his "great Surprize" a coroner's jury, after hearing his confession, had "brought in their Verdict--Willful Murder." Birkhead added that being "conscious of the Innocence of his