

July 6th 1781
 John O'Brien Esq
 of Lancaster County

For my trouble - I hope your Excellency and the
 Honble Council will take this matter into consideration
 and give some order therefor -
 If my people be a matter that be
 not so immediately concerned for, but that the
 Board of War should have the direction of it - it is
 I think at length appearing that they should make
 some appointment as early as they can a proper officer
 - and, shall be doing so.

I have the honor to be with every
 respect and esteem your obedient servant

Sm

Lancaster July 6th 1781

I have, after encountering, almost every Difficul-
 -ty (generally attending Militia,) considerable, only this day
 completed the funeral Guards, ordered by the Honble Council
 as to numbers - Arms for the whole, I have not, nor do
 I know where to get them. Searches, thro' the whole County
 for the purpose of collecting them, have been made, but
 with little success. - My apprehensions, with re-
 -spect to the County Militia, were, I find too justly -
 grounded.

To furnish 130 Men, which are barely suffi-
 -cient Guard, considering our situation & great charge at
 this place - and 120 Men for the purpose of conducting
 the Convention Troops & sailors to York & Philad. - I have
 been oblig'd, to begin with the 2^d Class, of the 15th Battalion
 who come next in course of duty, and go on in the same
 -mial order to the 3^d Class in the 8th Battalion, the
 whole of which scarcely amount to the number required
 - some Battalions, furnished but from six to twelve
 Men. - Excepting Lancaster & Lebanon Battalions, none
 exceed 25 Men. - However I have not been
 disappointed in my expectations the Season of the Year
 pleads, strongly in their favour - shall therefore think
 nothing of our extraordinary trouble - which I suppose you
 is almost beyond conception. - I have ordered the
 Sub-Lieutenants, to proceed immediately to the collecting
 of the fines - and no pains or trouble shall be wan-
 -ting on my part to expedite this necessary business.

Some Difficulties with respect to the pay
 of the Officers in Actual Service have arisen

The Law says "that all commissioned Officers, shall over and above the pay established from time to time by the Hon^{ble} Congress, receive the same bounty which a private shall receive" - the late Regulations in hard money creates the difficulty - Your Excellency & the Hon^{ble} Council, will be obliging as to let me know the daily pay of the Officers & privates, after completing their term of Duty.

Another difficulty, with respect to the trial & punishing of Officers & Privates, by court-martial, has been started by the Officers - The Law says in - Art. 37 - "that the Militia whilst in actual service of the United States, shall be subject to the same rules and Regulations of the Federal Army."

In Art. 66th & Article 9th of the Penal Code, shall be inflicted at the discretion of a court-martial, other, degrading, flogging or cashiering.

I have given my opinion - which is - that the Militia, when in the service of the United States, ought agreeable to Law - so far as relates to punishment be subject to the rules & Articles of War of the Federal Army - that the latter Article, only, would hold good were Militia, misbehaved &c. - on ^{service} ~~camp~~ & field Days, and when they are not in the actual service of the United States.

Your Excellency's Opinion in these general matters, will be highly necessary - I would also wish to know whether the Constitution of a court-martial by me as Lieutenant of the County is legal - And if so - whether in the absence of the Commander in Chief or Brigadier - I can approve or disapprove of their proceedings.

Enclosed

Enclosed, I transmit, agreeable to the Order of the Hon^{ble} Council a return of the State of the Militia - Cavalry of the County of Lancaster, a very considerable volunteers Corps of Cavalry might be raised, provided they could be furnished with the necessary Articles, and be exempt from the Clauses in which they are respectively enrolled - I should be glad Council would give me some information on this head.

On the 9th Instant - I set out for Cox's town (the place of rendezvous appointed) for the purpose of mustering & embodying the Detachment of 50 Men, drawn for Northumberland - the 9th & 10th Battalions from Harrogate and Paarlou who come next in course of Duty, for next those Men - I dread the Meeting of these people - as I have neither Arms, Ammunition nor Trappings to trust in their hands.

I am informed Major Wirtz has signed his Office as Town Mayor - that it was said, no other appointment was necessary - and that I presided in the Town and therefore might transact the business - I am ever ready to do every thing in my power to serve the public and particularly any thing that is recommended by your Excellency & the Hon^{ble} Council - At the same time I am perfectly convinced Council, would not wish to load me with a disproportion of Public business, were it can be avoided - I lay have to inform Council that the situation of this Town is such, as absolutely to demand some person to sit in that Capacity, and demand the closest attention - And if they wish I should take it upon me (at present for the want of such a person I am obliged to act, until I can hear from) I should expect some recompence

for my trouble - I hope your Excellency and the Hon^{ble} Council will take this matter into consideration and give some order thereupon -

It may perhaps be a matter that does not so immediately come before Council, but that the Board of War should have the direction of it - if so I think it highly improper that they should make some appointment as unless I have a proper appointment, shall decline acting.

I have the Honor to be with every
respect and esteem Your Obedient ob.

Ann Lee

Am. Hub. by J. H. H.

July 6th 1890
Wm Adam Dudley
J. C. Dudley
uncollected family.