

In case the enemy, by extending to their left, leave their rear open, to march rapidly for Albany.

Upon the first proposition resolved, that the situation would grow worse by delay, that the provision now in store not more than sufficient for the retreat, should impediments intervene, or a circuit of country become necessary; and as the enemy did not attack when the ground was unfortified, it is not probable they will do it now, as they have a better game to play.

The second unadvisable and desperate, there being no possibility of reconnoitering the enemy's position, and his great superiority of numbers known.

The third impracticable.

The fifth thought worthy of consideration by the Lieutenant-General, Major-General Phillips, and Brigadier-General Hamilton; but the position of the enemy yet gives no opening for it.

Resolved, that the fourth proposition is the only resource, and that to effect it, the utmost secrecy and silence is to be observed; and the troops are to be put in motion from the right in the still part of the night, without any change in the disposition.

N. B. It depended upon the delivery of six days provision in due time, and upon the return of scouts, who had been sent forward to examine by what route the army could probably move the first four miles undiscovered, whether the plan should take place on that day, or on the morrow.

The scouts on their return reported, that the enemy's position on the right was such, and they had so many small parties out, that it would be impossible to move without our march being immediately discovered.

*Minutes and Proceedings of a Council of War, consisting of all the general Officers and Field Officers, and Captains commanding Corps, on the Heights of Saratoga, October 13.*

THE Lieutenant-General having explained the situation of affairs, as in the preceding council, with the additional intelligence, that the enemy was intrenched at the fords of Fort Edward, and likewise occupied the strong position on the Pine-plains between Fort George and Fort Edward, expressed his readiness to undertake at their head any enterprise of difficulty or hazard that should appear to them within the compass of their strength or spirit. He added, that he had reason to believe a capitulation had been in the contemplation of some, perhaps of all, who knew the real situation of things; that upon a circumstance of such consequence to national and personal honour, he thought it a duty to his country, and to himself, to extend his council beyond the usual limits; that the assembly present might justly be esteemed a full representation of the army; and that he should think himself unjustifiable in taking any step in so serious a matter, without such a concurrence of sentiments as should make a treaty the act of the army, as well as that of the general.

The first question therefore he desired them to decide was, Whether an army of 5500 fighting men, and well provided with artillery, were justifiable, upon the principles of national dignity and military honour, in capitulating in any possible situation?

Resolved,