The Road to Revolution

LARRY R. GERLACH
NEW JERSEY'S REVOLUTIONARY EXPERIENCE

Larry R. Gerlach, Editor

This series of publications is dedicated to the memory of Alfred E. Driscoll, governor of New Jersey from 1947 to 1954, in grateful tribute to his lifelong support of the study and teaching of the history of New Jersey and the United States. He was a member of the New Jersey Historical Commission from 1970 until his death on March 9, 1975.
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SUMMARY: Traces the development of the independence movement in New Jersey from
1763 to the general breakout of hostilities in 1776.

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Foreword

New Jersey’s Revolutionary Experience is a Bicentennial pamphlet series published by the New Jersey Historical Commission with a grant from the New Jersey Bicentennial Commission. The twenty-six numbers and two teachers’ guides are intended to acquaint secondary school students and the general public with the state’s history during the era of the American Revolution. Some titles treat aspects of the Revolution in New Jersey, while others show how important themes of the colonial period developed during the revolutionary years; some bring together the results of existing scholarship, while others present the findings of original research; some are written by professional historians, and others by laymen whose investigations of Jersey history exceed avocation. Because the series is directed to a general audience, the pamphlets have no footnotes but contain bibliographical essays which offer suggestions for further reading.

New Jersey’s Revolutionary Experience is the product of a cooperative venture by numerous individuals and agencies. On my behalf and that of the pamphlets’ readers, I accord recognition and appreciation to the individual authors for their contributions to New Jersey history, to the New Jersey American Revolution Bicentennial Celebration Commission and the New Jersey Historical Commission for their support of the project, to Hank Simon, president, Trentypo, Inc., for his invaluable suggestions and cooperation in producing the series, and to the staff of the Historical Commission: Richard Waldron, Public Programs Coordinator, who as project director supervised the series from commencement to completion; Peggy Lewis, Chief of Publications and Information, and Lee R. Parks, Assistant Editor, who edited and designed each number; and William C. Wright, Associate Director, who contributed valuable suggestions at every stage of production.

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King George III on the Coronation Throne. This image of the young monarch reflects the power of the British empire faced by rebellious Americans. Portrait by Sir Joshua Reynolds. Courtesy Royal Academy of Arts.
On July 4, 1776, Abraham Clark, delegate from New Jersey, took time out from the debate in the Continental Congress to write to a close friend. He informed Elias Dayton that Richard Henry Lee's resolution "to Declare the United Colonies Free and independent States" had been adopted on July 2 and that the formal declaration of American independence, written by another Virginian, Thomas Jefferson, "will this day pass Congress" and "be Proclaimed with all the State and Solemnity circumstances will admit." How was it that Clark, surveyor-landowner and sometime sheriff from Essex County, found himself at age fifty in Philadelphia launching the first anticolonial war for independence in modern history? How had Dayton, a thirty-nine-year-old Elizabethtown (modern Elizabeth) merchant who had fought for Great Britain during the French and Indian War, come to direct military operations against the British army in northern New York as a colonel in the Third Battalion of New Jersey militia? Why did the recent course of imperial events make it necessary for Jerseymen to dissolve political ties with the mother country that had endured for more than a century? What were the "repeated injuries and usurpations" that prompted them to take up arms against George III? For what were they risking their "lives, fortunes, and sacred honor?"

In New Jersey, as elsewhere, the transition from dependent colony to independent state took place on two levels. First and foremost, Clark and like-minded Jerseymen willingly "embarked on a most Tempestuous Sea" with "Life very uncertain" and "danger Scattered thick Around" for the same reasons that their counterparts in other colonies chose independence instead of
empire in the summer of 1776. During the past decade Americans from New Hampshire to Georgia, sharing common grievances against the British government and similar aspirations for a future experiment in republicanism, had forged a united front. But Clark and his cohorts in New Jersey were more than supporting actors in the general drama of the coming of the Revolution. The colonies were not equally rebellious, dissatisfied with the imperial system for the same reasons, or identical in the manner of replacing the provincial government with a republican regime. Because the American Revolution was a product of thirteen individual rebellions as well as a general revolt against British authority, the role of New Jersey during the prerevolutionary era is both distinctive and representative of the experience of other colonies. Thus the origins of the American Revolution cannot be understood adequately without examining the peculiar nature of the protest-turned-rebellion in each colony in the context of the larger intercolonial independence movement.

On the eve of the American Revolution, New Jersey was a most unlikely candidate for rebellion. Though prosperous and stable, it was a small, dependent province. Ranking ninth in population (140,000 inhabitants) and tenth in territory (7,800 square miles) among the twelve mainland colonies and the Pennsylvania counties known as “Delaware,” possessing little commercial manufacturing and scant direct import-export trade with Europe and other American provinces, and boasting no special cash crop such as timber or tobacco, New Jersey had little influence on intercolonial or imperial affairs. On the contrary, the well-being of the colony turned upon the British empire and neighboring colonies, especially New York and Pennsylvania. Moreover, the province lacked internal unity and integration. The diffuse, markedly rural population was rent by ethnic and religious disputes; the maintenance of two capitals, Burlington and Perth Amboy, and of regional balance in the provincial government were only the more obvious manifestations of the sectionalism that persisted after East and West Jersey merged into a single royal colony in 1702; the magnetic attraction of New York City and Philadelphia tended to divide the society between the Hudson and Delaware rivers; the absence of newspapers or province-wide political organizations compounded the prevailing localism; and the fact that
Elizabethtown, with approximately twelve hundred residents, was the largest community in the colony meant that there was no urban area to serve as the hub of social, economic, political, and cultural activities. Finally, apart from recurring squabbles over land, there were few sources of serious discontent in New Jersey. The imperial commercial codes had little impact on Jersey’s agrarian economy. Ethnic and religious contentions existed primarily between West European Protestants, and except for the enslaved black Africans, who constituted 10-12 percent of the population, social and economic class lines were flexible. Additionally, a social structure dominated by generally prosperous middle-class yeoman farmers, the rural nature of everyday life, the sizable Quaker element in the southwestern counties, and the inadequate transportation and communication facilities contributed to a conservative order.

All in all, Jerseymen in 1763 had every reason to look with confidence to future imperial harmony and domestic tranquility. In that year the signing of the Treaty of Paris formalized the victory of Great Britain over France in a war that had raged since 1756 for empire in North America: the French were driven from the continent, and the acquisition of Canada and the territory east of the Mississippi River more than doubled the extent of British possessions in America. The arrival of William Franklin, son of Benjamin Franklin, as the new royal governor promised to end the recent succession of ineffective chief executives. Moreover, wartime inflation had brought unprecedented prosperity to New Jersey. As exemplified by the staging of a musical performance entitled “The Military Glory of Great Britain” at the 1762 commencement exercises of the College of New Jersey (later Princeton University), the identification of Jerseymen as proud members of the British empire had never been greater. In England the twenty-five-year-old King George III, who had assumed the throne in 1760, showed every sign of living up to the ideal of the Patriot King and becoming the first of the Hanoverian line to be a Briton instead of a German. All was well in this best of all possible empires. Few if any Jerseymen could have predicted a serious confrontation with the mother country over the authority of Parliament in two years, let alone the outbreak of a war of independence a decade later.

But a series of administrative decisions made in London...
during the years 1763-1765 ended Anglo-American accord and set in motion a chain of events that eventually led to the destruction of the First British Empire in 1776. In addition to creating new administrative problems for Great Britain in America, the French and Indian War spotlighted long-standing deficiencies in the imperial system. To deal with the problems arising from the acquisition of a western frontier that extended to the Mississippi, the British government created two departments of Indian affairs to supervise relations between natives and settlers, issued the Proclamation of 1763 to halt western expansion temporarily at the crest of the Appalachian Mountains pending negotiation of formal treaties with the Indians, and dispatched seventy-five hundred soldiers to posts in the west to provide for the defense of the frontier as well as to occupy the newly conquered territory. Because rampant American smuggling reached new heights during the war (Jersey trade with enemy was so flagrant that the British navy blockaded the colony in 1758), reforms were instituted to assist collection of customs duties and enforcement of imperial commercial codes. The Currency Act of 1764, which extended the 1751 regulation prohibiting the New England colonies from issuing paper money designated legal tender to the rest of America, countered wartime inflation and stabilized the exchange rate between colonial currency and British pounds sterling.

Finance was central to the new program for America. British ministers found it easy to devise ways of improving imperial administration but difficult to fund the measures. Great Britain emerged from the long and costly contest with France with the largest national debt in its history—some £130 million in January 1764 with an annual interest of £5 million. Moreover, Parliament had appropriated approximately £1 million as partial reimbursement to the American colonies for expenses incurred in supporting the war effort. Given the staggering national debt and an already overtaxed citizenry at home, along with the generous parliamentary grants and the modest fiscal obligations of the colonies, it is not surprising that the ministry of George Grenville, chancellor of the exchequer and chief minister of the British government, looked across the Atlantic for an additional source of income.

The decision to raise an American revenue stemmed from the
assumption that the colonials ought to bear a portion of the economic burdens arising from a war fought primarily for North America. Since the population of Great Britain was three times that of the American colonies, it was determined that the provincials should defray one-third of the estimated £350,000 yearly expenditure required to finance the peacetime army in the west, operate the northern and southern Indian departments, and underwrite the civil governments of three mainland colonies with resources inadequate to sustain them (Georgia and the new colonies of Florida and Nova Scotia). Toward that end Parliament passed the Sugar Act of April 1764. It was clear from the beginning that the tax law, which reduced the duty on molasses imported from the French West Indies from six to three pence per gallon to discourage smuggling and thus increase the taxable trade in the staple of the rum industry, would produce insufficient revenue to reduce the cost of “defending, protecting, and securing the British colonies and plantations in America.” An additional, more reliable and substantial source of revenue was required. The result was the Stamp Act of March 1765, which imposed duties by the use of stamps or stamped paper on a wide variety of legal and commercial documents, publications ranging from newspapers to pamphlets and almanacs, and even college diplomas, playing cards, and dice.

While Americans were not expected to embrace the postwar imperial program enthusiastically in whole or in part, no one on either side of the Atlantic could have predicted the vehemence of the opposition that ensued. By and large Jerseymen left protest of the Sugar Act and revisions in the customs service to the mercantile colonies directly affected by the measures. But as the wartime inflation turned into peacetime recession and the opposition to the imperial measures grew in other provinces, discontent increased in New Jersey. Pennsylvania Chief Justice William Allen spoke for many New Jersey merchants and farmers when he complained about the “intollerable” commercial regulations that threatened to disrupt trade between the two colonies. Merchant Charles Pettit was not alone in denouncing the “Imposts & Duties with which we are loaded.” And many residents shared the fears of Burlington attorney Daniel Coxe that the British government planned “to send over Among Us a lott of Rascals for Duty Officers, who will knaw upon our Vitals, by depriving Us of our Substance.” Even Governor
Franklin worried that imperial taxes would compound a traditional problem by increasing the degree to which "the Gold and Silver brought into the Country was being constantly remitted to England to answer the Ballance due from America." And as issues of paper money were retired from circulation as required by law, the prohibition on legal tender became more threatening to the Jersey economy. As Coxe put it, unless the colonies were "allow'd a paper Currency without severe restrictions" the British "need not send Tax gatherers, for they can gather nothing—never was Money so very Scarce as now."

Discontent heightened in the spring of 1765 when Jerseymen learned of the likelihood of increased public expenditures in the near future because of the Mutiny Act. To provide for the governance and maintenance of the royal troops now stationed in America, Parliament in 1765 made the provisions of the English Mutiny Act applicable to North America. The law required each province to pay the cost of housing and supplying forces stationed within its borders. Strategically located New Jersey was sure to host—more or less permanently—sizable contingents of bivouaking soldiers en route to and from western garrisons. Then, amid general discontent over recent imperial measures and growing apprehension about the new administrative spirit permeating British governmental circles, Jerseymen learned of the implications of the Stamp Act. It was the Stamp Act, scheduled to become operative on November 1, that transformed general dissatisfaction into organized resistance.

Opposition to the Stamp Act developed slowly in New Jersey. Meeting in June 1765, the General Assembly made no official notice of the measure and declined to adopt either the protest resolutions sponsored by Patrick Henry in the Virginia House of Burgesses on May 29-31 or the declaration of rights and grievances issued by the Massachusetts House of Representatives on June 6. Nor did the assemblymen accept the June 8 invitation of the Massachusetts legislature to send delegates to an intercolonial conference to be held in New York City in early October to discuss the recent revenue acts. Speaker of the House Robert Ogden informed his Massachusetts counterpart that while the New Jersey legislators were "not without a just Sensibility respecting the late Acts of Parliament," after "deliberate Consideration" they were
“unanimously against Connecting on the Present Occasion” because they felt “whatever reasons may be thought Proper to be urged against them may be Better received after some Time elapse” and because the colony’s trade was “insignificant in Comparison of others.” Nonetheless, they wished those colonies that thought it proper to be active every success that they could “Loyally and reasonably Desire.”

The response of the assembly mirrored the position of the province as a whole. New Jersey had traditionally proceeded with caution in intercolonial matters until the sentiments and actions of the more powerful colonies, especially New York and Pennsylvania, were known. Certainly Jerseymen would not act rashly or take the lead in challenging British authority. Besides, the new tax would have minor economic impact in New Jersey. Although printer James Parker abandoned plans to establish what would have been the first newspaper in the province and considered dropping “all the Business entire” because he feared “the fatal Black-Act” would “render printing of very little Consequence,” the colony had relatively few lawyers, merchants, and printers—the ones who would bear the brunt of the new tax. And while the frugal Jacob Spicer, longtime assemblyman from Cape May, complained that the people were now “Loaded with Duties, Scarcely ever heard of till late” and predicted “the Deepest Distress” for the economy, most residents would have agreed in early July with the Reverend Thomas Bradbury Chandler of Elizabethtown that the “general Discontent” with recent Parliamentary legislation would not have “any considerable Effects” in the colony.

But during the summer of 1765 the faint rumblings of opposition grew louder and rose to a crescendo of protest by early fall. Not at the forefront of the movement to challenge the Stamp Act, Jerseymen nonetheless conspicuously registered their opposition to the statute. Although as late as August 24, William Coxe, the provincial stamp distributor, had encountered “no spirit of undutifulness or disrespect,” landlords were reportedly unwilling to rent him quarters unless he would “insure the House from being pulled down, or damaged.” Coxe, who owed his appointment to the influence of William and Benjamin Franklin, got the message and resigned his commission on September 2. The next day’s *New York Gazette* carried the first public commentary on the Stamp Act
controversy written by a resident of New Jersey. Denouncing the "unrighteous taskmasters" who had accepted the office of stamp distributor and endorsing the concept of an intercolonial conference to discuss the Stamp Act, the author called upon his fellow Jerseymen to "act like Freemen, like Englishmen, who know the limits of their freedom" rather than accept the "unconstitutional exaction" with "silence, or slavish submission." James Parker contributed his talent, his printing press, or both to the publication of the Constitutional Courant. Appearing on September 21, the one and only issue of the paper carried strongly worded essays—probably written by William Goddard of New York—vehemently castigating the Stamp Act and those "vile minions of tyranny" responsible for its enactment. The essays also leveled dire threats against stamp distributors, justified violence as a means of resisting the law, and endorsed the impending congress at New York. The senior class of the College of New Jersey in Princeton, out of the "spirit of liberty and tender regard for their suffering country" and to the "inexpressible pleasure" of those in attendance, showed up at annual graduation exercises dressed in "American cloth" instead of imported finery. They also departed from the traditional commencement bill of fare to deliver orations on such contemporary topics as "Patriotism" and "Liberty." On September 19-20 lawyers from all parts of the province met in Perth Amboy and condemned both the Stamp Act and "all indecent and riotous behavior" perpetrated in the name of opposition to the measure. During a two-day session in which they pledged to work for the repeal of the offensive statute with "quiet methods," the lawyers unanimously resolved not to use stamps "for any Purpose, or under any Circumstances what ever" in conducting legal transactions. Attorneys throughout the colonies subsequently adopted the course of passive resistance charted by the lawyers as one of the most effective means of countering the Stamp Act.

As determination to resist the Stamp Act increased, the intercolonial congress proposed by Massachusetts seemed less remote from the interests of New Jersey. Jerseymen, particularly those in East Jersey, became increasingly vocal in expressing displeasure at the failure of the assembly to appoint delegates. By September all of the neighboring provinces had arranged to participate in the conference. In urging Speaker Robert Ogden to
ask Governor Franklin to call a special session of the legislature so that the assembly could “reconsider the propriety of sending deputies to New York,” Richard Stockton, prominent Princeton attorney, voiced the sentiments of most people: unless New Jersey participated in the discussions of the Stamp Act “we shall not only look like a speckled bird among our sister Colonies, but we shall say implicitly that we think it no oppression.” At the last moment, Ogden summoned the assemblymen to Robert Sproul’s tavern in Perth Amboy. About a dozen representatives attended the extralegal meeting on October 3 which dispatched Ogden, Hendrick Fisher, and Joseph Borden, Jr., to New York City.

For more than two weeks (October 7-24), the trio labored with twenty-four delegates from seven other colonies and Delaware to express the collective opinion of America on recent imperial measures and to determine a means of obtaining repeal of offending statutes, the Stamp Act in particular. (New Hampshire refused to participate; Virginia, North Carolina, and Georgia made no arrangements to send representatives.) The principal accomplishment of the congress—which also sent an address to the king, a memorial to the House of Lords, and a petition to the House of Commons—was the adoption on October 19 of thirteen resolutions setting forth “the most Essential Rights and Liberties of the Colonists, and of the Grievances under which they labour, by Reason of several late Acts of Parliament.” More important than the economic objections raised against recent duties was the constitutional challenge to parliamentary taxation. Since Americans, as British subjects, could not be taxed except “by their own consent, given personally or by their representatives” and since they were not “and from their local circumstances cannot be, represented in the House of Commons in Great Britain,” the delegates declared that “no taxes ever have been, or can be constitutionally imposed on them, but by their respective legislatures.”

The Stamp Act Congress was a major turning point in Anglo-American history. For the first time Americans had gathered together to discuss common imperial problems and acted in concert to oppose alleged infringements of their freedoms. And while the congress lacked authority to do more than issue statements of rights and grievances, in stressing the concepts of “no taxation without representation” it set the terms of the debate
over the proper constitutional relationship between Great Britain and the American colonies that led to the destruction of the empire and the creation of a new nation.

The congress also signaled an abrupt change in the nature of protest activity in New Jersey. Opposition to the stamp tax, once private and restrained, became public and more radical. With a just sense of irony, residents of Essex County gathered in Elizabethtown on October 25, the anniversary of George III's accession to the throne, to denounce the Stamp Act as unconstitutional and to vow to "discountenance and discourage" its implementation "by all lawful Measures." Indicative of the increasingly ugly mood of public opinion, the crowd agreed to "detest, abhor, and hold in the utmost Contempt" and "have no Communication with ... all and every Stamp Pimp, Informer, Favourer, and Encourager" of the measure. The initial act of civil disturbance followed four days after the first public protest against the law. Early in the morning of October 29 an effigy was hanged in New Brunswick. The "corpse" hung until evening, when it was carried to a funeral pyre on the town commons and "reduced to ashes, amidst the acclamations of the beholders" by "true sons of freedom" to show "that neither the dirty insinuation of pimps and pandars, nor the frowns of power, have been as yet, able to extinguish the spirit of liberty in the province of New Jersey." Presumably the effigy represented Robert Ogden who, because of his refusal to sign the proceedings of the Stamp Act Congress on the grounds that appeals from the individual colonies would be more effective than a collective effort, had been "burnt in Effigy in almost all the Towns of East Jersey." Shortly thereafter, in early November, the first incident of public coercion took place. Aroused by rumors that John Hatton, the customs collector for the port of Salem and Cohansey, was seeking appointment to the vacant post of stamp collector, angry residents of Salem County sent a delegation to obtain Hatton's assurance neither to solicit the post nor to execute the act in performing his duties as revenue officer. Even Governor Franklin, alarmed that "a great Part of the Inhabitants of this Colony are now become actuated with the same kind of spirit which before raged so furiously in the neighbouring Provinces," for a time had premonitions of being burned in effigy and having his home and property destroyed by mob violence. Although Jerseymen had not "proceeded the
same Length in Acts of Riot & Violence” as elsewhere, Franklin admitted that “the most prudent Management has been, & still is, necessary to prevent them.”

Amid the rising tide of popular protest, the General Assembly convened in Burlington on November 26. The action of the legislators, to whom most residents looked for leadership in time of crisis, came as no surprise. The assemblymen accepted the resignation of Speaker of the House Robert Ogden, unanimously endorsed the proceedings of the Stamp Act Congress, and on November 30 adopted their own declaration of rights and grievances. Although six of the eleven resolves are identical with those of the Stamp Act Congress and incorporate its views on parliamentary taxation, the New Jersey assembly went beyond the congress in flatly declaring the Stamp Act to be “unconstitutional.” And, strange as it may seem for a colony with neither a newspaper nor flourishing printing profession, New Jersey was the only province to criticize the statute as an infringement upon freedom of the press because of its financial burdens upon publishers. The Jersey resolves also differed significantly from the congressional declarations in omitting any mention of economic objections to the tax.

The determined action of the assembly did much to lessen political tensions, but it was already apparent that the Stamp Act was a dead issue in New Jersey. November 1, the day the statute was to become operative, came and went with no attempt to impose the detested duties. Since the office of stamp distributor was “very obnoxious to the People,” Governor Franklin could find no replacement for William Coxe. Nor could he call upon the provincial militia or British regulars to maintain order and enforce the law, for the former included the protesters themselves and the appearance of the latter would surely provoke “nothing less than a Civil War.” The first shipment of Jersey stamps, which had arrived in early October, had been transferred to a British warship in Delaware Bay for safekeeping. There the controversial cargo remained. By mid-November Franklin saw that he had no alternative but to “go on with Business in the usual Way, as much as if the Stamps had never been sent, or had been lost at Sea.”

But business as usual could not continue as long as the Stamp Act remained on the books and the spectre of enforcement
haunted Americans. The winter of 1765-1766 was a trying time for the people of New Jersey. First of all, the tactics designed to force Great Britain to repeal the law proved double-edged. The suspension of all private and most public legal activities—because of the voluntary agreement of the lawyers to shun and the refusal of the citizenry to suffer the use of stamps or stamped paper—effectively prevented implementation of the statute. But at the same time it prevented the collection of debts, enforcement of contracts, clearance of vessels from port, and performance of routine governmental services. (Only criminal courts, which were exempt from the use of stamps, remained open.) Similarly, the general boycott of British manufactured goods instituted in the fall hurt colonial consumers as well as British businessmen. Pressures from within and without New Jersey resulted in the general clearance of vessels for intercolonial commerce in December and the resumption of legal proceedings in isolated areas after the first of the year. On the whole, however, Jerseymen held firm, thanks in part to the activities of the Sons of Liberty, who became effectively organized during February and March at the urging of the New York City chapter. The members of that vigilante organization, some of whom pledged to oppose "that detestable Thing called the Stamp Act" with their "Lives and Fortunes, if the glorious Cause of Liberty requires it," played an important role in steeling the will of the citizenry to continue their resistance by issuing spirited denunciations, sharing information and coordinating activities with Liberty Boys in other communities, and providing leadership at the local level.

In their attitudes and actions the Jersey Sons of Liberty accurately reflected the nature of the Stamp Act protest in the colony. They organized considerably later than their counterparts elsewhere, and then mainly because of external influences. While they were determined to resist the parliamentary tax, their rhetoric was far more radical than their deeds. Public protest rather than extremist acts marked the protest movement in New Jersey. This was so for several reasons. First, the offensive statute would little affect the province. In addition, there were no newspapers to spread inflammatory sentiments. There were no popular leaders of the stature of Sam Adams to organize resistance. Finally, New Jersey had no large merchant class to invoke stringent boycotts, no urban area to serve as the center of radical activity, no
sizable group of artisans and laborers to form the core of mobs and protest demonstrations, and no well-organized political factions to exploit the imperial issue for partisan purposes. But most important, Jerseymen exhibited restraint because they never had to face a serious attempt to enforce the Stamp Act and because they believed the British government would ultimately rescind the object of contention.

The long-awaited repeal of the Stamp Act came in March 1766. Throughout the province Jerseymen celebrated the welcome news. In Woodbridge, the quiet morning of June 4 was shattered by "the Beat of Drum, and Sound of Trumpet" as citizens gathered to celebrate both George III's birthday and the repeal of the Stamp Act. After decorating the "Liberty Oak" and displaying the king's colors, the crowd, estimated at "many Hundreds," feasted on roast oxen, plum puddings and cakes, and various liquors "in great plenty." Later that evening a roaring bonfire was the scene of no less than eighteen toasts offered to commemorate successful opposition to the stamp tax. But the Jerseymen might well have tempered their joy had they appreciated the qualified nature of their victory. In justifying withdrawal of the Stamp Act on economic grounds, the British government completely ignored the important constitutional principles that formed the basis of the American protest. And in coupling repeal with the passage of the so-called Declaratory Act, which clearly asserted the authority of Parliament over the colonies "in all cases whatsoever," Parliament set the stage for a future confrontation over the nature and extent of imperial control in America.

The uneasy political calm that settled over a troubled British empire lasted only until the spring of 1767, when Charles Townshend, chancellor of the exchequer, introduced legislation designed to raise revenue and tighten imperial controls in North America. By focusing on external rather than internal taxes, Townshend had hoped to devise a program to answer the same ends as the Stamp Act — "defraying the Expenses of protecting, and securing the said Dominions"—without renewing the controversy of 1765-1766. He failed. Colonials who had balked earlier at the stamp taxes were now unwilling to pay duties on a variety of imports including glass, lead, paints, paper, and tea. Merchants who were accustomed to a freewheeling brand of
commerce that included extensive smuggling in normal business enterprise resented the closer enforcement of imperial trade laws that would result from the search warrants known as writs of assistance and the establishment of an American Board of Customs Commissioners in Boston. (Their resentment would increase after March 1768 when three new vice-admiralty courts, which operated without a jury and had jurisdiction over maritime cases, were established to supplement the original tribunal at Halifax, Nova Scotia.) Politicians, accustomed to making use of purse strings to control royally appointed officials, were disturbed by the provision that imperial revenue could be used to pay the salaries of civil servants "in such Provinces where it shall be found necessary."

Opposition to the Townshend Acts of June 1767 developed slowly in New Jersey. Residents did not like the new parliamentary laws, but the generally self-sufficient farmers who comprised the bulk of the population regarded the duties as of small consequence, and the handful of merchants worried less about the tightened controls over import trade than shippers elsewhere. However, as in 1765, external pressures soon sparked spirited opposition to the Townshend duties in New Jersey. John Dickinson's "Letters from a Farmer in Pennsylvania," which appeared in the Pennsylvania Chronicle from December 1767 to February 1768 and then were promptly reprinted in pamphlet form, had a profound impact east of the Delaware River. Labeled "a great Rascal" by Thomas Bradbury Chandler, the archconservative rector of St. John's Anglican Church in Elizabethtown, Dickinson was popularly hailed as the champion of colonial liberties for his eloquent denials of the right of Parliament to levy any taxes—internal or external—on Americans. Where the Pennsylvanian supplied the theoretical basis for opposition to the Townshend duties, Bostonians provided the practical tactics calculated to secure their repeal. Throughout 1768 and 1769 Americans joined the New Englanders in instituting a sweeping boycott of British imports and petitioning the crown for a redress of grievances.

Jerseymen responded to the latest imperial dispute in a manner reminiscent of their conduct during the Stamp Act crisis. On May 6, 1768, the assembly sent an address to George III condemning the import duties as a violation of the constitutional principal of "no taxation without representation." On October 18 of
the following year it formally thanked the "Merchants and Traders" of New Jersey and the adjoining provinces "for their disinterested and public spirited Conduct in withholding their Importations of British Merchandise, until certain Acts of Parliament, laying Restrictions on American Commerce, for the express Purpose of raising a Revenue in America, be repealed." It might also have acknowledged the sacrifices and dedication of the people in producing their own clothes and household goods instead of purchasing imports that were often cheaper and of better quality. As before, Princeton students used commencement as a forum for political action, appearing for graduation dressed in "homespun" and delivering speeches on such timely topics as natural and civil liberty, patriotism, free trade, and the state of political affairs. Once again, members of the Society of Friends (especially numerous in West Jersey) became involved in the protest movement and received further warnings from their leaders not "to contend for liberty by any methods or agreements contrary to the peaceable spirit and temper of the Gospel." It was an angry William Franklin who reported to superiors in London that passage of the Townshend duties had "rekindled the Flame that had subsided from the Time of the Stamp Act, and has occasioned as general Dissatisfaction and Uneasiness as ever prevailed among any People." He did not mince words: "Mens Minds are sour'd, a sullen Discontent prevails, and, in my Opinion, no Force on Earth is sufficient to make the Assemblies acknowledge ... that the Parliament has a Right to impose Taxes on America." Nonetheless, Jerseymen, in part because of the near universal opposition to parliamentary taxation, displayed moderation and restraint in protesting against the Townshend duties.

Ironically, the protest movement in New Jersey took a more radical, even violent, turn after the substantial repeal of the Townshend duties. Beset with serious political and economic problems at home and colonial opposition abroad, the British government, realizing that the cost of collecting the excise taxes would exceed the income produced, removed in April 1770 all the duties except the tax on tea which remained as a symbol of parliamentary authority. Those colonies most seriously threatened by the tax and adversely affected by the boycott subsequently abandoned both the nonimportation agreements and the protest.
A DECLARATION BY THE REPRESENTATIVES OF THE UNITED STATES OF AMERICA, IN CONGRESS ASSEMBLED.

When in the Course of human events, it becomes necessary for one People to dissolve the political bands which have united them with another, and to assume among the Powers of the Earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them; a decent respect to the opinions of mankind requires that they should declare the causes which impel them to separation.

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the consent of the governed.

That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness.

We, therefore, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the World for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of right ought to be free and independent States; that they are absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great-Britain, is and ought to be totally dissolved; and that as free and independent States, they have full Power to levy War, contract Alliances, carry on War, and conclude Peace, on Terms most advantageous to themselves.

And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

Signed in Behalf of the Congress:
JOHN HANCOCK, President.

Dunlap's Pennsylvania Packet or The General Advertiser for Monday, July 8, 1776. The left
But Jerseymen, who had suffered more inconvenience than hardship during the past three years, held the line and insisted that resistance continue pending total repeal. Throughout the province residents pledged that “not one Inch of Ground should be yeilded,” charged popular committees with ensuring continuation of the boycott, and denounced those “who have so perfidiously deserted . . . this glorious Struggle.” They backed up their words with deeds. On July 13 students of the College of New Jersey intercepted a letter from New York merchants informing their Philadelphia counterparts of the decision to abandon the boycott. Donning black academic gowns, the sons of Nassau Hall “at the tolling of the College Bell went in Procession to a Place fronting the College, and burnt the Letter by the Hands of a Hangman, hired for the Purpose.” New York importers who appeared in New Brunswick in August were “treated so roughly, that they judged it not safe to appear publickly.” Shortly thereafter the people of Woodbridge, who kept in “Readiness . . . a sufficient Quantity of Tar and Feathers” to bedeck those who violated the embargo, “heartily duck’d” a New Yorker at “Execution Dock” for trying to sell imported goods in the town. Despite their spirited resistance, New Jerseyans were waging a losing battle. One by one the colonies returned to business as usual, and by the fall of 1770 the Townshend duties controversy was over.

For the next three years a semblance of accord characterized Anglo-American relations. Although such potentially explosive events as the clash between soldiers and civilians known as the Boston Massacre (May 5, 1770) and the destruction of the British revenue schooner Gaspee by irate Rhode Islanders (June 9, 1772) failed to arouse Jerseymen, a series of local problems furthered their alienation from the empire. The Provincial Council (the upper house of the colonial legislature) repeatedly and unreasonably refused to permit the assembly to authorize much-needed issues of paper currency to bolster a sagging economy. Furthermore, the outrageous exploits of John Hatton, customs collector of Salem and Cohansey, in his private conduct and official capacity, and the burden of maintaining proportionally a greater number of royal troops than any other colony, convinced many citizens that the British government was either insensitive to or unconcerned about their needs and interests.
Moreover, the legacies of the past lingered. The people of New Jersey remained embittered by the recent attempts by "Enemies of our happy constitution" in England to "enslave this Country" and destroy the "very Essence of our Liberties both Civil and Political." Opposition to the Stamp Act and Townshend duties had forged an unprecedented degree of unity among Americans and created the will as well as the means to resist similar efforts in the future. On February 8, 1774, imitating action taken by the Virginia House of Burgesses the previous March, the New Jersey assembly created a standing committee "to keep up a Correspondence and Communication" with the other colonies regarding "all Acts and Resolutions of the Parliament of Great Britain, or the Proceedings of Administration that may have any Relation to, or may affect the Liberties and Privileges" of Americans. Little did they realize that the intercolonial communications system would be tested within the year by the outbreak of new, more serious imperial problems.

The Boston Tea Party not only renewed the contest between Britain and America but also raised the dispute to a new and more dangerous level. The Tea Act of May 1773, by granting marketing privileges that enabled the East India Company to undersell its competition in the colonies, presented Americans with the prospect of complying with the tea tax of 1767. Opposition erupted in Boston on December 16, 1773, when a band of angry men disguised as Indians boarded three merchant vessels and dumped some ninety thousand pounds of tea into the harbor. In destroying the property of the East India Company, the "Mohawks" had also violently defied the authority of the British government.

New Jerseyans also viewed tea as a symbol of British oppression. In late January 1774 a group of students from the college in Princeton gathered the steward’s store of tea, built a bonfire on the grounds of the campus and "burnt near a dozen pound, tolled the bell, and made many spirited resolves." (They also tossed an effigy of Massachusetts Governor Thomas Hutchinson with "a Tea cannister tyed about his Neck" into the flames.) In June the collegians sought to impose on the townspeople their agreement to abstain from drinking the now unpatriotic brew by destroying the tea belonging to a local resident. And on the evening of December 22, a shipment of tea that had been secretly landed in
the Cumberland County hamlet of Greenwich earlier that month, was taken to the village green and "consumed with fire" by a number of persons in disguise.

In the long run the mimicry of Boston's braves in opposing the Tea Act had less significance than the response of the people of New Jersey to the provocative action the British government subsequently took against the Bay Colony. In the spring of 1774 Parliament closed the port of Boston until the town made restitution for the £9,000 worth of destroyed tea, revised the Massachusetts charter to conform more closely with the charters of the other royal colonies, and altered several governmental and judicial procedures to inhibit the growing radicalism in the province. In a related action that specifically applied to Boston (the movement of soldiers into the city) but carried implications for the other colonies, Parliament authorized governors to requisition special quarters for troops in the event that barracks were either unavailable or inadequate. Intended to prevent the repeated challenges to British authority, the Massachusetts Acts were roundly denounced as "intolerable" or "coercive" and regarded as tangible expressions of British tyranny.

Amid talk of reinstituting economic sanctions against Britain and calls for a general congress of the colonies, a series of grassroots gatherings were held throughout New Jersey during June and July to register opposition to the Massachusetts acts, pledge support for the Massachusetts martyrs and raise cash and commodities for their relief, and select county committees of correspondence. The popular meetings and the resultant committees were of great importance in defining the character of the protest movement in New Jersey. Men who had previously been excluded by law from engaging in political affairs now participated actively in the extralegal activities, and the formation of a communications system made possible an unprecedented degree of political integration and unity.

To coordinate colonywide activities, seventy-two representatives from the various county committees met in New Brunswick on July 21. During the three-day convention the delegates issued resolutions of American rights and grievances, took charge of the campaign already underway, to provide relief for the beleaguered Bostonians "now suffering in the common cause," condemned the
Massachusetts acts, and created a standing provincial committee of correspondence. Most important of all was the appointment of five men—James Kinsey, William Livingston, John De Hart, Stephen Crane, and Richard Smith—to represent New Jersey in the Continental Congress scheduled to convene in Philadelphia in September.

The people of New Jersey looked forward to the convening of the Continental Congress with anticipation tinged with anxiety. “B.N.” voiced the apprehensions of most of his fellow Jerseymen in the August 4 edition of the New York Journal:

“The contest between Britain and the colonies runs high, Matters are now come to a crisis. Something must be done by America: And nothing considerable can be done till there is a general Congress. The eyes of all America will be on this Assembly. The provinces are ripe for doing something: They want to know what. How much depends upon the wisdom and integrity of these delegates! How fatal to us all, if by any means they give a wrong turn to our affairs!”

But there agreement ended. Thomas Bradbury Chandler, already the object of popular scorn for his pamphleteering on behalf of the appointment of an Anglican bishop in America, penned The American Querist in which he declared that those who challenged the “supreme legislative authority” of Parliament were “in the high road to open rebellion.” At the opposite end of the political spectrum, the Reverend John Witherspoon, president of the College of New Jersey, who considered the Congress to be “representative of the great body of the people of North America,” urged the delegates “to unite the colonies, and make them as one body, in any measure of self-defence, to assure the people of Great Britain that we will not submit voluntarily, and convince them that it would be either impossible or unprofitable for them to compel us by open violence.” Most residents probably agreed with the unidentified Jerseyman who felt that “both sides are wrong; the Parliament is carrying their authority of right of taxation farther than is consistent with the rights of the colonists; the colonists too far in denying all authority of Parliament.” While firmly opposed to what they considered to be violations of their constitutional rights, they hoped the Congress would devise a means to solve the current dispute peacefully and prevent future altercations with the mother country.
But instead of resolving Anglo-American differences, the First Continental Congress, which met in Philadelphia from September 5 to October 26, compounded them and created a serious division in New Jersey over the nature and course of the protest movement. What divided Jerseymen was not the comprehensive list of colonial grievances known as the “Declaration and Resolves,” or the endorsement of the inflammatory Suffolk Resolves from Massachusetts instead of Joseph Galloway’s conciliatory “Plan of Union,” or the haughty and condescending petitions and addresses to the king, Parliament, and people of Great Britain. Rather, it was the adoption of the Continental Association, which called for the institution of a total boycott of British goods and the formation of special committees “in every county, city, and town ... whose business it shall be attentively to observe the conduct of all persons touching this Association.” The association created a crisis of allegiance, confronting Americans with the decision between obeying the orders of the duly constituted government or those of the extralegal organization.

In New Jersey support for the Congress was clear but far from overwhelming. As steps were taken to implement the congressional program in late 1774 and early 1775, conservatives and defenders of the crown joined forces to launch a counterprotest through pamphlets and newspaper essays. Arguing that the Congress did not represent “a very great part” of the American people, they decried the “highly illegal,” (not to mention “rude, insolent and absurd”) resolves of the Congress that only “made bad worse” by diminishing the prospects of reconciliation with the mother country and called upon “all lovers of good order and government” to repudiate the schemes of “hairbrained fanatics” who really wanted to create “an independent American republic.” Members of the Society of Friends, too, were alarmed by the increased militancy of the resistance to imperial authority. Although some Quakers participated actively in the protest movement, most adhered to their religious convictions that forbade involvement in extralegal activities. To protect Friends from increasing pressure from local committeemen who often interpreted noninvolvement as opposition, the Society in January 1774 issued The Testimony of the People Called Quakers, in essence a declaration of neutrality based upon conscientious objection to
measures which "appear likely to produce Violence & Bloodshed, & threaten the Subversion of the constitutional Government, & Liberty of Conscience."

While some communities, and even counties, failed to appoint committees of inspection and observation, the congressional program was instituted with relative ease in most parts of the province. According to William Franklin, some who disliked the association went along with its provisions lest they become "Objects of popular Resentment, from which it is not in the power of Government here to protect them." As Stephen Skinner noted: "unless you Join the Generall Cry you are deemed an Enemy to your Country." The few who dared challenge the Congress and its measures openly were vilified, abused and ostracized; East Jersey committeeemen were especially zealous in publicly burning opposition literature and blacklisting James Rivington's Royalist-oriented New York Gazetteer. Yet acts of coercion were few. Residents either supported the Congress enthusiastically or gave tacit approval to its measures as the only viable course of action available. Keeping abreast of public sentiment, the assembly on January 24 ratified the proceedings of the Congress and on February 13 sent a petition to the king modeled after the congressional "Declaration and Resolves." Determined to stand firm against British encroachments, most Jerseymen participated voluntarily in the protest movement and granted extensive authority over their lives to popularly elected extralegal committees. Although their objective was reconciliation with the mother country, their mode of resistance led them to the brink of rebellion.

Perceptive people on either side of the Atlantic realized as much. For that much maligned monarch, George III, who in September 1774 had declared that "The dye is now cast, the colonies must either submit or triumph," the moment of truth arrived with news of the results of the intercolonial congress: "the New England Governments are in a State of Rebellion, blows must decide whether they are to be subject to this Country or independent." But the ministry of Lord North persisted in the fiction that a difference of opinion over taxation had caused the difficulties between Britain and America. As a result, Parliament in February 1775 adopted North's plan of reconciliation, through which Britain would not impose imperial taxes if Americans would agree to raise
required revenue on their own and acknowledge the supremacy of Parliament. However, as North realized, if the dispute “goes to the whole of our authority, we can enter into no negotiation, we can meet no compromise.” Events occurring in America clearly demonstrated that what had begun slightly more than a year before as an attempt to challenge the tea tax had become by the spring of 1775 a contest over the issue of sovereignty.

As the protest movement took on attributes of a revolutionary movement, talk of impending warfare became alarmingly frequent. Indeed, military preparations were already underway in both Britain and America during the early months of 1775. Even while announcing his plan of accommodation, Lord North ordered army and naval reinforcements to America. For their part, Jerseymen began to form special volunteer companies to obtain military training and to attend routine militia drills with more seriousness of purpose than usual. After accompanying her father to training day, Jemima Condict, a young, poorly educated farm girl from the Newark Mountains, confided to her diary:

“I thought It Would be a mourmfull Sight to see if they had Been fighting in earnest & how soon they will be Called forth to the field of war we Cannot tell for by What we Can hear the Quarels are not like to be made up Without bloodshed I have jest Now heard Say that All hopes of Conciliation Between Briten & her Colonies are at an end for Both the King & his Parliament have announced our Destruction; fleet and armies are Prepareing with utmost diligence for that Purpose.”

Ironmaster Robert Erskine of Ringwood voiced the fears of many of his fellow citizens:

“Lord have mercy on Britain & this Country too. The Oliverian Spirit in New England is effectually roused and defuses over the whole Continent which though it is now pent up within bounds yet a few drops of blood let run would make it break out into a torrent which 40,000 men could not stem.”

The event dreaded by most Americans occurred on April 19, 1775, when British regulars and Massachusetts militia exchanged musketfire at Lexington and Concord. When express riders bearing news of the skirmishes reached New Jersey five days later, every village and farm in the province responded to the alarm. Immediately alive with the martial spirit, Jerseymen prepared to
meet any military contingency. In Newark the town militia held weekly drills and every able-bodied male between sixteen and sixty was encouraged "to learn the military exercise." Daily drills were the orders of the day in Somerset and Cumberland counties. Residents of Upper Freehold in Monmouth County were advised to "be prepared to march at a minute's warning." Even the conservative Dutchmen of Bergen County, who "till now hardly thought anything of the matter," joined ranks and began stockpiling gunpowder. And some fifty undergraduates of the College of New Jersey formed a collegiate company distinct from the Princeton unit. Student Charles Clinton Beatty summed up the situation well: "All around is war and bloodshed, you need not speak here without it is about Liberty—Every man handles his Musket and hastens in his preparations for war." To Governor Franklin the outbreak of hostilities had "occasioned such an Alarm and excited so much Uneasiness among the People" that "an amicable Accomodation will be with Difficulty, if at all, effected at this time." "All legal Authority and Government seems to be drawing to an End here," he lamented, "and that of Congresses, Conventions, and Committees establishing in their Place."

While the rank and file took up arms, popular leaders moved to deal with the political problems caused by the escalation of the imperial contest from peaceful protest to armed conflict. The assembly, which had met in special session from May 15-20 and had refused to take definite action on the North plan, for obvious reasons could no longer exercise direction of what was now an incipient rebellion. Therefore, a call went out for a colonywide convention to deal with the current crisis. Although the imperial dispute was clearly "of such a nature, and had arrived to such a crisis" that a general conference was "absolutely necessary, in order to provide such ways and means for the security of the Province, as the exigencies of the time require," the eighty-five delegates representing the thirteen counties at the opening of the First Provincial Congress in Trenton on May 23 were uncertain of their authority and of the proper course of action. Lacking procedural guidelines because there had never before been a meeting of this nature and reluctant to adopt "any measure of consequence" that might contradict actions of the Continental Congress in Philadelphia, the delegates nonetheless took action of
far-reaching importance. The Provincial Association of May 31, committing its signers "personally, and as far as our influence extends, to endeavor to support and carry into execution whatever measures may be recommended by the Continental and our Provincial Congress, for defending our Constitution," was an important device in forging a united front in New Jersey. The adoption of a comprehensive plan to organize and train the militia went far toward putting the province on a wartime footing. When the Provincial Congress imposed a tax of £10,000 apportioned among the counties to equip the militia, it assumed an important function of government. And the appointment of a Provincial Committee of Correspondence authorized to deal with emergencies on its own or to reconvene the Provincial Congress at any time gave the popular front maximum flexibility in dealing with the military crisis. The Provincial Congress, the capstone of the extralegal political hierarchy that had been erected in stages during the previous decade, was an emergency, not a revolutionary body. Its purpose was to prepare for an anticipated clash with the British army, not to launch a war of rebellion.

But events on the battlefield and in the halls of government necessitated a shift in military preparations from defensive to offensive warfare. Learning of the American capture of British garrisons at Fort Ticonderoga and Crown Point on May 10-11, Lord North realized that "the War is now grown to such a height, that it must be treated as a foreign war, & that every expedient which would be used in the latter case should be applied in the former." Shortly after the pitched battle between British and American forces on Breed's Hill (the battle of Bunker Hill) on June 17, King George III issued a formal proclamation calling for the suppression of the North American rebellion. Colonial leaders were now also of a more warlike mind. In devising a program for intercolonial military preparedness, the Continental Congress in June ordered volunteers called "continental soldiers" to Boston a week after the misnamed battle of Bunker Hill, appointed George Washington commander of a fifteen thousand-man army, and put some two million dollars into circulation to finance military operations. And while on July 6 the congressmen issued a declaration which emphasized that they had raised an army only "in the defense of the freedom that is our birthright" and not "with
ambitious designs of ... establishing Independent States,” their subsequent rejection of Lord North’s “unreasonable and insidious” offer for reconciliation testified to their belief that a military decision would have to precede a political resolution of the Anglo-American dispute.

The sudden transformation of the intercolonial movement from resistance to rebellion weighed heavily on the minds of New Jerseyans. “Public affairs Realy weare a maloncoly aspect,” remarked rebel leader Samuel Tucker; “no humain Creature Can Possebly Tell where these Terrible Calamaties will End.” But as Charles Pettit, whose sympathies lay with the rebels in spite of his privileged position as clerk of the council and secretary to Governor Franklin, observed: “We have now proceeded so far in the present Mode of Opposition, that it appeares to me that we cannot look back but to certain Destruction—and tho’ we may not all thoroughly approve every Measure of our Leaders, we must of necessity go forward with them.” The American challenge of Great Britain had indeed passed the point of no return and, like Pettit, the people of New Jersey could now “look forward to certain Events as probable, which some Months ago appeared ... as visionary as Fairy Tales.”

The action of the Provincial Congress reflected the changes in the nature and course of the popular movement. Reconvening in Trenton on August 2, after a recess of over two months, the First Provincial Congress promptly served notice that it intended to replace the General Assembly as the effective legislative authority in New Jersey. This assumption of governmental powers was more important than the adoption of a comprehensive militia ordinance greatly improving the military posture of the province. During the twelve-day session the delegates appointed a provincial treasurer, instructed local collectors to gather taxes, created an eleven-member Committee of Safety to act when the congress was not in session, and established a colonywide electoral system which set suffrage qualifications and provided for annual elections in September. As if to underscore the permanency of the extralegal organization, the congressmen authorized Isaac Collins, the government printer, to publish the minutes of the congress and the Committee of Safety. The newly elected Second Provincial Congress, which convened on October 3, continued and expanded
the programs of its predecessor by issuing £30,000 in bills of credit. It also authorized the confiscation and sale of the property of citizens who failed to comply with congressional taxes, took punitive action against those who defied its authority or refused to sign the association, and even compensated its members for their service.

Increased militancy among the people at large accompanied the resolute action of the Provincial Congress. Although most Jerseymen hoped that the future would bring about reconciliation with the mother country rather than revolution, they busily prepared themselves for the latter. Throughout the colony men who had once been loyal to the king now obeyed the directives of the Provincial Congress, signed the association, paid funds to support the rebellion, formed militia units to fight the Royal Army, and selected new local committees of correspondence and safety. Individually and in groups, citizens took advantage of every opportunity to testify to their support of the rebellion—whether by publicly professing solidarity or wearing American-made clothes.

Military training proceeded apace. The view that the doctrines of “Passive Obedience and Non-Resistance” were now held only by “a few Tories” was essentially correct. Countless men like John Conway of Woodbridge were willing, “at the hazard of my life” to take to the field in defense of their “just and natural Rights and Liberties.” By September 1, the Essex County communities of Elizabethtown and Newark alone had 950 and 800 men respectively under arms. New Jersey had taken on the appearance of an armed camp. The situation in Cumberland and Salem counties, vividly described by the young Presbyterian pastor, Philip Vickers Fithian, was typical:

“Battalions of Militia & Minute-Men embodying—Drums & Fife rattling—Military Language in every Mouth—Numbers who a few Days ago were plain Countrymen have now clothed themselves in martial Forms . . . Swords on their Thighs & stem in the Art of War—Resolved, in steady manly Firmness, to support & establish American Liberty, or die in Battle!”

Not everyone boarded the bandwagon of insurrection. As preparations for rebellion and war intensified, Royalists and advocates of civil order increasingly spoke out, defending the established government and criticizing the rebels. Alarmed by the “Madness and Phrensy” spawned by “the present infatuated
Temper of the Times,” conservatives like Daniel Coxe wondered what would happen to those who were “known to differ in sentiment from the generality.” They quickly found out. Residents of Bergen who refused to join the militia were banned from the county. The names of those who refused to sign the association were forwarded by local committeemen to the Provincial Congress for punitive action, and direct action was taken against anyone who dared “Asperse any of the friends of Liberty” or “Speak Contemptuously or Disrespectfully of the Continental or Provincial Congress or any of the Committees . . . or any Measures Adopted or Appointed to be pursued by the Congress or Committees for the Public good & Safety.” Richard Cayford, Bridgeton innkeeper, was declared “an enemy to the rights of America,” ostracized, and subjected to an economic boycott for acting “in opposition to the general measures pursued by the united American colonies,” endeavoring “to instill into others his own pernicious principles,” and calling those who took up arms against the king “with the epithets of rebels, rascals, &c. &c.” For similar offenses Thomas Randolph, a barrelmaker of Quibble Town (now New Market), was “stripped naked, well coated with tar and feathers and carried in a waggon publickly around the town.” Randolph, like numerous others abused in the name of liberty, “soon became duly sensible of his offence,” and “promised to atone . . . by a contrary behavior for the future.” Most often, dissenters could be restored to good standing in the community by publicly confessing political sins and professing belief in the popular program. Staunch Loyalists such as the Reverend Thomas Bradbury Chandler had to pay the heavy price of exile. While the threat of intimidation and abuse were ever present, however, actual instances of overt coercion or violence were few; whether because of conviction or prudence, most Jerseymen supported the measures of the congresses and committees.

The relative ease with which the rebels implemented their programs indicated not only the strength of their appeal but also the weakness of the royal regime. By December of 1775 William Franklin was the only royal governor who remained the nominal head of his province, and it was apparent that the crown authority in New Jersey was drawing to an end. Because of the success of the radical political organization, Franklin had to admit that “all
government is nearly laid prostrate” and public officials “from the highest to the lowest” were “little more than Cyphers.” Unless the imperial dispute was resolved soon, he was certain that the Continental Congress would “in open and formal Manner, assume the sole Government of these Colonies” and that the inhabitants in general would “implicitly follow the Continental Congress in all their Extravagancies.” Since he could not detect “the least Symptoms of a Disposition to promote conciliatory Measures” among the rebel leaders, he feared the worst. Franklin was not alone in finding it “difficult to determine” just “what Step is best to take in this critical Situation.”

The winter of 1775-1776 was the season that tried the political consciences of the people of New Jersey. It was evident that the Provincial Congress had replaced the General Assembly as the effective governing body in the province and that a war for independence was imminent. As the rebellion progressed, the chasm dividing residents over the means and ends of the resistance movement widened. According to Governor Franklin few Jerseymen were willing to “draw their Swords in Support of Taxation by Parliament,” but there were “Thousands who would risk the loss of their Lives” to “fight to preserve the Supremacy of Parliament in other respects, and their Connexcion with Great Britain.” While Franklin overstated the case, there is no doubt that “a Dread ... that some of the Leaders of the People are aiming to establish a Republic” caused numerous defections from the popular cause. Men of Loyalist leanings signed pledges to take up arms “to maintain and support their just rights and the constitution of the Province against any power and all persons who shall attempt to alter or infringe the same” and to “use their best endeavors to restore peace and harmony between the colonies and the parent state upon principles of equity and justice.” William Alexander, the self-styled “Lord Stirling,” sourly noted in December that “Tories have of late assumed fresh Courage, and talk very daringly.” And as the prospect of “a long and bloody civil war” increased, cautious citizens on both sides began to waver in their commitment. To some rebels there were people who were even “worse than Tories, viz. those that when they have on their Regimentals, are pretended Whigs; but as soon as they put them off are detestable Tories; and are therefore Hypocrites.”
Although thoughts of independence were foremost in the minds of politically conscious Jerseymen, hardly anyone dared discuss the momentous issue openly. The debate on secession was muted because neither side dared broach the issue. Royalists were silent lest they incur the wrath of the popular movement; rebels avoided the subject to avoid frightening the uncommitted or provoking the Loyalists. Besides, even at this late date the majority of the population preferred reconciliation to revolution, and New Jersey would not be in the vanguard of a movement to overthrow British authority. In November 1775 the assembly instructed the New Jersey delegates to the Continental Congress "to use their utmost Endeavours for the obtaining a Redress of American Grievances, and for restoring the Union between the Colonies and Great Britain upon constitutional Principles" and "utterly to reject all Propositions ... that may separate this Colony from the Mother Country, or Change the Form of Government thereof." And in December "Lycurgus," New Jersey's first public advocate of independence, made his point by indirectly suggesting rather than straightforwardly advocating secession from the empire. Not even the publication of Thomas Paine's enormously popular Common Sense in January 1776 prompted any open debate in New Jersey.

But the deeds of the rebels left no doubt about the course of the insurrection. Local committeemen routinely rifled the mail and confiscated the arms of admitted or suspected Loyalists, inspected shipments of goods and produce entering or leaving the colony, and confiscated cargoes destined for the British in Boston or needed by the rebels. They also stockpiled war matériel ranging from arms and ammunition to clothing and supplies. In an effort to maintain tight control over an explosive situation the Shrewsbury committee even took a census of all residents in the township who possessed arms and prohibited the "meeting together of Servants, Negroes and other Disorderly Persons at Unlicensed Taverns and other Bad Houses." Rebel militiamen conducted massive "Tory hunts" in several counties; the objects of their intensive searches were either forced to recant and support the popular front or, in the case of the more vocal Tories such as Attorney General Cortlandt Skinner, leave the province. An armed detachment of militia under Colonel William Alexander surrounded the governor's mansion in Perth Amboy in early January and, had it not been for the
intercession of Chief Justice Frederick Smyth, would have taken the once-popular William Franklin into custody. The Provincial Congress moved to consolidate its position by replacing royal officials who remained loyal to the crown with rebel partisans. Elaborate steps were taken to shore up coastal defenses and bolster provincial military forces in anticipation of an all-out confrontation with the British army. In February, to culminate its assumption of the direction of the Jersey rebellion, the Provincial Congress took control from the assembly over the appointment of the delegates to the Continental Congress.

By the spring of 1776 Jerseymen could no longer avoid facing the issue of independence. But the political ties with Great Britain could not be severed abruptly. As Charles Pettit confided to his brother-in-law and former Jerseyman, Joseph Reed: “however right and necessary the Measure [independence] may be the People at large must individually see and feel the necessity and Propriety of it before they will give it such an Acquiescence as is necessary to ensure its success.” While the bulk of the population was determined to resist British violations of American liberties, even to the point of taking up arms, they recoiled at the thought of leaving the empire. But many realized that the events of the past year had “visibly reduced” the viable options “to the alternative of Independenc or Submission.” Throughout April and May in private conversations, public discussions, and newspaper and pamphlet productions, Jerseymen waged a war of words over the merits of empire versus independence.

Ultimately practical considerations took precedence over philosophical arguments in winning men’s minds. How could they continue to pledge allegiance to George III while participating in a revolt against his authority? How could they be governed by both an extralegal political organization and the royal government? For what were they fighting in the field as far away as Canada? For what were they preparing to repel a British army’s imminent invasion of New York under General Sir William Howe? Could they ignore the May 15 resolution of the Continental Congress which requested all colonies that had not already done so to replace crown authority with an independent regime? How could they remain uncommitted when all of the New England and most of the southern colonies had already established revolutionary governments and favored a
formal declaration of independence? Jerseymen answered these and other questions when they went to the polls in late May to elect the members of the Third Provincial Congress.

That the general election was in reality a referendum on independence is clear from the composition and action of the third congress. Fittingly, the men who would preside over the creation of the independent state of New Jersey assembled in one of the provincial capitals, Burlington, at the same time the General Assembly was scheduled to convene in the other seat of royal government, Perth Amboy. The delegates, nearly half of whom were making their initial appearance in the congress, moved quickly to effect the transformation from colony to state. At the head of the congressional agenda was the problem posed by William Franklin, who now literally embodied crown authority in New Jersey. In a last-ditch effort to stem the tide of independence, on May 30 the governor had summoned the General Assembly to meet in Perth Amboy on June 20. On June 14 the congressmen resolved that the summons “ought not to be obeyed”; the next day they declared Franklin “an enemy to the liberties of this country.” When the resolute royalist “absolutely refused” the offer of a pardon providing for voluntary confinement “with that contempt such an insult deserved from one who has the honor to represent his Majesty,” he was arrested, brought before the Provincial Congress and, with the concurrence of the Continental Congress, sent to confinement in Connecticut.

With the demise of the royal regime, it was voted on June 21 to establish a new government conforming with the Continental Congress resolution of May 15. Having thus committed New Jersey to the severance of political ties with Great Britain, the representatives later that day sent a new congressional delegation—Richard Stockton, Abraham Clark, John Hart, Francis Hopkinson, and John Witherspoon—to Philadelphia. They were to join delegates from the other colonies in “declaring the United Colonies independent of Great Britain, entering into a confederacy for union and defence, making such treaties with foreign nations for commerce and assistance” and adopting “such other measures as . . . may appear necessary for these great ends.” And on June 24 a committee was named to draft a state constitution; on July 2, the very day that the delegates in Philadelphia adopted Richard Henry Lee’s motion
that the American colonies “are, and, of right, ought to be, Free and Independent States,” the new state legislature adopted the Constitution of the State of New Jersey. On July 8 the congressmen, undoubtedly with a mixed feeling of relief, joy, and anticipation, joined the “large concourse” of citizens who gathered in Trenton to stage, with Philadelphia, the first public celebration of Thomas Jefferson’s immortal Declaration of American Independence.

It would, of course, take more than a stroke of a pen and a few “huzzas” to establish the independence of the United States. The future held many events that would try the souls of Jerseymen. With the onset of independence, residents (estimated at more than one-third of the population) who had supported resistance and were willing to defend their liberties, but recoiled at revolution and treason, rallied to the banner of their king and country. The seemingly impossible contest against the world’s greatest military power would be accompanied by a bitter civil war between New Jerseyans of differing political persuasions. Moreover, the experiment in independence would place great demands upon a people to whom the notion of a democratic republic, where the people were sovereign and government derived its authority from the consent of the governed had been but a vision only a few years before. “I feel the danger we are in, I am far from exulting in our imaginary happiness,” Abraham Clark, who had voted for the Declaration of Independence, confided to Elias Dayton: “As to my Title—I know not yet whether it will be honourable or dishonourable, the issue of the War must Settle it. Perhaps our Congress will be Exalted on a high Gallows.”

Whatever the uncertainties of the times, the old colonial order had given way to an experiment in independence. New Jersey had been a reluctant rebel, its citizens overwhelmingly preferring reconciliation with Great Britain and a redress of imperial grievances to secession from the empire and the ravages of a revolutionary war. But as the correspondent who reported the July 8 celebration of independence in Trenton noted:

“The people are now convinced of what we ought long since to have known, that our enemies have left us no middle way between perfect freedom and abject slavery. In the field we hope, as well as in Council, the inhabitants of New Jersey will
be found ever ready to support the Freedom and Independence of America."

And yet if most New Jerseyans broke from the past with hesitation, many looked to the future with enthusiasm. It was widely believed, as Ebenezer Elmer remarked, that "with the independency of the American states a new era in politics has commenced" and that "no people under heaven, were ever favored with a fairer opportunity, of laying a sure foundation for future grandeur and happiness than we." It was such optimism, fired by the determination to establish a republican government in which "all men are created equal" and guaranteed "certain unalienable Rights including "Life, Liberty and the pursuit of Happiness," that made possible the creation of the American republic.

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Larry R. Gerlach, Editor

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