

THE PAPERS OF
William Livingston

EDITED BY CARL E. PRINCE, MARY LOU LUSTIG,
DENNIS P. RYAN, AND BRENDA PARNES



VOLUME 3: JANUARY 1779–JUNE 1780

THE PAPERS OF WILLIAM LIVINGSTON

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VOLUME 3

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For Donald A. Sinclair

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EDITORIAL METHOD

POSITION

Documents appear in chronological order when their dates are certain; otherwise they appear where they are contextually appropriate. Documents with the same date appear in alphabetical order according to the last names of Livingston's correspondents, except when some other placement is historically more appropriate.

SELECTION AMONG MULTIPLE VERSIONS

When multiple copies of a manuscript exist, the following priority system determines which version is to be published: (1) autograph letters or other documents, (2) broadsides and printed contemporary documents, (3) contemporary newspapers, (4) drafts, (5) letterbook copies, (6) later printed copies.

Since Livingston probably used his letterbooks to draft letters and messages prior to sending signed copies to his correspondents, documents in the Lyon letterbooks are designated drafts rather than letterbook copies. In fact, some of them were never sent to the intended recipients.

REPRODUCTION OF TEXT

The place and date appear at the top right of each document, no matter where they appear on the manuscript. If they do not appear on the manuscript but derive from the body of the letter, from its cover, or from editorial research, they are placed in brackets. Editorially supplied place-names for these documents and for all summaries receive the spellings most frequently employed by Livingston and his correspondents. Peculiarities of capitalization and spelling are retained throughout, except that each sentence begins with a capital letter. When we cannot tell whether a capital is intended, we employ modern

usage. Missing or indecipherable words are represented by ellipsis points enclosed in square brackets. In general, where there are square brackets with a blank space between, the document is mutilated. Missing letters in a word, when known, are silently inserted. Missing words for which there is a firm or reasonable conjecture appear in square brackets. Missing words that we can reasonably surmise, though without firm evidence, also appear in square brackets, followed by question marks. Portions of the document not in the hand of the author or scribe are placed in angle brackets (< >). Strikeouts by the writer that either indicate changes of thought or offer insight into the development of ideas are presented verbatim in footnotes. Inconsequential deletions, common in Livingston's drafts, are not noted. Interlineations and insertions have been silently placed in the text. Obvious errors, such as the repetition of a word, have been silently corrected. Superscript words or letters have been lowered to the line of print. The complimentary closes are run continuously with the last lines of the text. Original punctuation has been retained, except for certain dashes; those that end sentences have been replaced by periods, and those that are slips of the pen have been silently removed. Abbreviations still in use have been retained, with the appropriate punctuation inserted where necessary. Archaic abbreviations and symbols that are clearly not individual spelling peculiarities have been expanded. The ampersand has been retained, except in the form "&c," which has been expanded to "etc." Contractions of proper names and places remain as written.

Printed material is reproduced exactly, with all capitals, small capitals, and italics, with the following exceptions: first, when the initial letter, word, or phrase of a paragraph begins with oversized type, it is reproduced in capitals; second, all signatures are set in capitals and small capitals.

ANNOTATION

Each document or summary is followed by an unnumbered note containing (1) the description of the document, (2) the Library of Congress symbol identifying the repository, (3) a note on the physical condition of the document, if significant, (4) the name of the scribe, other than the correspondent, if known. The word *see* is used to cite documents that may be found in one of the published volumes of this edition, un-

less the document is accurately cited in the text and may be easily found by the reader. Livingston documents referred to by terms other than *see* are identified by source or repository and will appear in the microfilm edition. Definitions of legal terms, unless otherwise cited, are from Henry Campbell Black, *Black's Law Dictionary: Definition of the Terms and Phrases of American and English Jurisprudence, Ancient and Modern*, 4th ed. rev. (St. Paul, Minn., 1968). Military terms are defined in accordance with William Duane, *A Military Dictionary* (Philadelphia, 1810). Other archaic definitions, unless otherwise cited, are from *The Compact Edition of the Oxford English Dictionary*, 2 vols. (New York, 1971).

GUIDE TO EDITORIAL APPARATUS

1. SYMBOLS USED TO DESCRIBE MANUSCRIPTS

ADf	Autograph Draft
ADfS	Autograph Draft Signed
ADS	Autograph Document Signed
AL	Autograph Letter
ALS	Autograph Letter Signed
D	Document
Df	Draft
DfS	Draft Signed
DS	Document Signed
LBC	Letterbook Copy
Lcy	Copy of a Letter
LS	Letter Signed

2. LOCATION SYMBOLS

Ct	Connecticut State Library, Hartford, CT
CtHi	Connecticut Historical Society, Hartford, CT
CtY	Yale University, New Haven, CT
DDar	Daughters of the American Revolution, Washington, DC
DLC	Library of Congress, Washington, DC
DNA	National Archives, Washington, DC
ICHi	Chicago Historical Society, Chicago, IL
M	Massachusetts State Library, Boston, MA
MB	Boston Public Library, Boston, MA
MH	Harvard University, Cambridge, MA

MHi	Massachusetts Historical Society, Boston, MA
MWA	American Antiquarian Society, Worcester, MA
MdA	Maryland Hall of Records, Annapolis, MD
MeHi	Maine Historical Society, Portland, ME
MiU-C	University of Michigan, Ann Arbor, MI
NhHi	New Hampshire Historical Society, Concord, NH
Nj	Archives Section, Division of Archives and Records Management, New Jersey Department of State, Trenton, NJ
NjFlCoC	Hunterdon County Clerk, Flemington, NJ
NjFrHi	Monmouth County Historical Association, Freehold, NJ
NjHi	New Jersey Historical Society, Newark, NJ
NjMoHp	Morristown National Historical Park, Morristown, NJ
NjP	Princeton University, Princeton, NJ
NjR	Rutgers, The State University, New Brunswick, NJ
NjWdHi	Gloucester County Historical Society, Woodbury, NJ
N	New York State Library, Albany, NY
NCooSHi	New York State Historical Association, Cooperstown, NY
NHi	New-York Historical Society, New York, NY
NN	New York Public Library, New York, NY
NNC	Columbia University, New York, NY
NNPM	Pierpont Morgan Library, New York, NY
PGerC	Cliveden, Germantown, PA
PHC	Haverford College, Haverford, PA
PHarH	Pennsylvania Historical and Museum Commission, Harrisburg, PA
PHi	Historical Society of Pennsylvania, Philadelphia, PA
PPAmP	American Philosophical Society, Philadelphia, PA
PRO	Public Record Office, London, England
PWacD	David Library of the American Revolution, Washington Crossing, PA
RHi	Rhode Island Historical Society, Providence, RI
ScHi	South Carolina Historical Society, Charleston, SC
TxHU	University of Houston, Houston, TX
ViU	University of Virginia, Charlottesville, VA

3. SHORT TITLES AND ABBREVIATIONS

<i>Acts</i>	<i>Acts of the General Assembly of the State of New-Jersey</i>
<i>American Museum</i>	<i>The American Museum or Repository of Ancient and Modern Fugitive Pieces</i> . . . (January 1787–December 1788); <i>The American Museum, or, Universal Magazine</i> . . . (January 1789–December 1792)
Boyd, <i>Fundamental Laws and Constitutions</i>	Julian P. Boyd, ed., <i>Fundamental Laws and Constitutions of New Jersey, 1664–1964</i> (Princeton, 1964)
Burnett, <i>Letters</i>	Edmund C. Burnett, ed., <i>Letters of Members of the Continental Congress</i> (8 vols.; Washington, D.C., 1921–1936)
<i>Correspondence of the Executive</i>	<i>Selections from the Correspondence of the Executive of New Jersey, from 1776 to 1787</i> (Newark, N.J., 1848)
<i>Council of Safety</i>	<i>Minutes of the Council of Safety of the State of New Jersey</i> (Jersey City, 1872)
Davies, <i>Documents</i>	K.G. Davies, ed., <i>Documents of the American Revolution 1770–1783</i> (20 vols. to date; Shannon, Ireland, 1972–)
DLC:GW	Library of Congress: Papers of George Washington
DNA:PCC	National Archives: Papers of the Continental Congress
Evans	Charles Evans et al., <i>American Bibliography</i> (14 vols.; Chicago, 1903–1959)
Fitzpatrick, <i>Writings of Washington</i>	John C. Fitzpatrick, ed., <i>The Writings of George Washington from the Original Manuscript Sources, 1745–1799</i> (39 vols.; Washington, D.C., 1931–1944)
Force, <i>American Archives</i>	Peter Force, comp., <i>American Archives</i> . . . , Fourth and Fifth Se-

- ries (9 vols.; Washington, D.C., 1837–1853)
- General Assembly* *Votes and Proceedings of the General Assembly of the State of New-Jersey*
- Hansard, *Parliamentary History* T. C. Hansard, printer, *The Parliamentary History of England, from the Earliest Period to the Year 1803* (36 vols.; London, 1806–1820)
- JCC* Worthington C. Ford et al., eds., *Journals of the Continental Congress, 1774–1789* (34 vols.; Washington, D.C., 1904–1937)
- Joint Meeting* *Minutes and Proceedings of the Council and General Assembly of the State of New-Jersey in Joint-Meeting* (August 30, 1776–March 17, 1780)
- Legislative Council* *Journal of the Proceedings of the Legislative-Council of the State of New-Jersey*
- Livingston Papers* Carl E. Prince, Dennis P. Ryan, eds., *The Papers of William Livingston, June 1774–June 1777; July 1777–December 1778* (2 vols.; Trenton, 1979, 1980)
- Morris, *Unpublished Papers of John Jay* Richard B. Morris, ed., *John Jay, The Making of a Revolutionary: Unpublished Papers, 1745–1784* (2 vols.; New York, 1975, 1980)
- NJA* William A. Whitehead et al., eds., *Archives of the State of New Jersey, First and Second Series* (48 vols.; Newark and elsewhere, 1880–1949)
- NJA (Privy Council)* David A. Bernstein, ed., *Minutes of the Governor's Privy Council, 1777–1789, New Jersey Archives, Third Series, 1* (Trenton, 1974)
- N.J. Gazette* *The New-Jersey Gazette* (Burlington and Trenton)
- N.J. Journal* *New-Jersey Journal* (Chatham)
- NN:Lyon* William Livingston Draft Letter-books at the New York Public Library

- N.Y. Gazette & Weekly Mercury* *The New-York Gazette; and the Weekly Mercury* (New York and Newark)
- Pa. Archives* Samuel Hagand et al., eds., *Pennsylvania Archives*, First through Ninth Series (119 vols.; Harrisburg, 1852–1935)
- Pa. Evening Post* *The Pennsylvania Evening Post* (Philadelphia)
- Pa. Gazette* *The Pennsylvania Gazette* (Philadelphia and York)
- Pa. Ledger* *The Pennsylvania Ledger: or the Weekly Advertiser* (October 10–December 2, 1777); *The Pennsylvania Ledger: or the Philadelphia Market-Day Advertiser* (December 3, 1777–May 23, 1778) (Philadelphia)
- Pa. Packet* *Dunlap's Pennsylvania Packet or the General Advertiser* (Philadelphia and Lancaster)
- Prov. Congress* *Minutes of the Provincial Congress and the Council of Safety of the State of New Jersey* (Trenton, 1879)
- Public Papers of George Clinton* Hugh Hastings and J. A. Holding, eds., *Public Papers of George Clinton, First Governor of New York, 1777–1795, 1801–1804* (10 vols.; New York and Albany, 1899–1914)
- Royal Gazette* *Rivington's New-York Gazetteer* (April 22, 1773–November 23, 1775); *Rivington's New-York Gazette* (October 4–11, 1777); *Rivington's New York Loyal Gazette* (October 18–December 6, 1777); *The Royal Gazette* (December 13, 1777–November 19, 1783) (New York)
- Royal Pa. Gazette* *Royal Pennsylvania Gazette* (Philadelphia)
- Sedgwick, Livingston* Theodore Sedgwick, Jr., *A Memoir of the Life of William Livingston* (New York, 1833)
- Simcoe, Operations of the Queen's Rangers* John Graves Simcoe, *A Journal of the Operations of the Queen's Rangers* (New York, 1844)

Stevens's Facsimiles

B. F. Stevens's Facsimiles of Manuscripts in European Archives Relating to America (25 vols.; Wilmington, 1970)

U.S. Magazine

The United States Magazine: A Repository of History, Politics and Literature (Philadelphia, 1779)

Wharton, Revolutionary Diplomatic Correspondence

Francis Wharton, ed., *The Revolutionary Diplomatic Correspondence of the United States* (8 vols.; Washington, D.C., 1921–1936)

CHRONOLOGY

The chronology includes significant dates and places, omitting stops in transit or short side trips from places WL was staying. Dates of sessions of the legislature and other bodies are used when we cannot determine the exact dates WL attended during their deliberations.

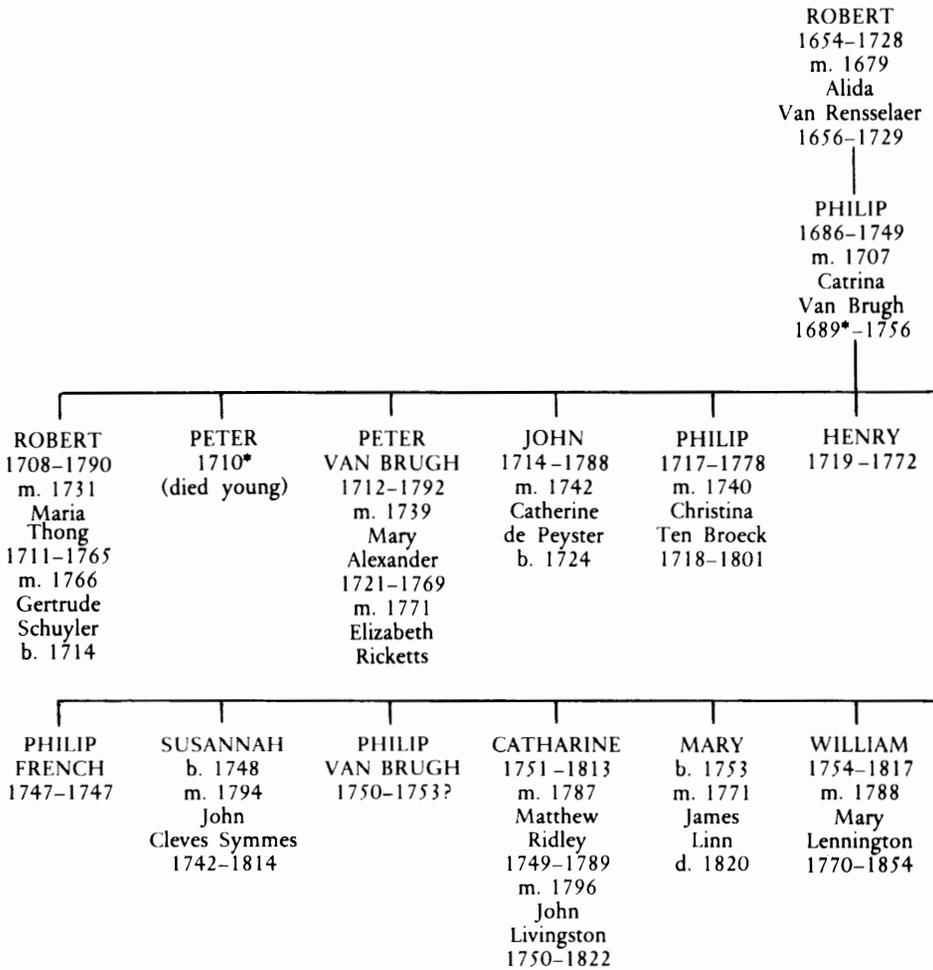
1779

January 1–12	In Elizabethtown
January 13	Met with Privy Council in Princeton
January 15	Met with Privy Council in Princeton
January 16–21	In New Brunswick
January 21–30	In Elizabethtown
January 30–February 2	In Morristown .
February 3	Met with Privy Council in Springfield
February 4–17	In Elizabethtown
February 17–March 9	In Morristown
March 9–17	In Raritan
March 17–30	In Morristown
March 30	In Parsippany
March 30–April 9	In Morristown
April 9	Met with Privy Council in Princeton
April 9–12	In Morristown
April 12–15	In Raritan
April 15–20	In Parsippany
April 20–June 12	Met with legislature in Trenton
May 1	Met with Privy Council in Trenton
May 8	In Princeton
May 19	Met with Privy Council in Trenton

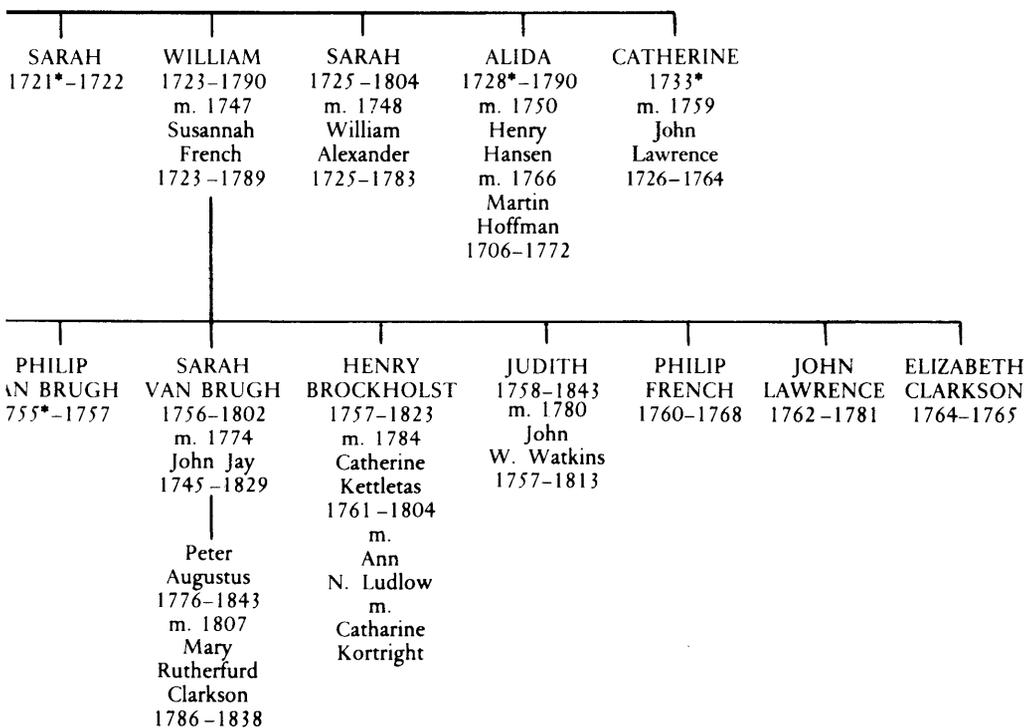
May 25–26	Met with Privy Council in Trenton
June 7	In Bordentown
June 7	Met with Privy Council in Trenton
June 11	Met with Privy Council in Trenton
June 17	In Middlebrook
June 17	In Raritan
June 21	Met with Privy Council in Somerset
June 21–July 1	In Raritan
July 1–12	In Chatham
July 12–21	In Raritan
July 21	Met with Privy Council at Bridgewater
July 21–September 16	In Raritan
August 17	Met with Privy Council in Raritan
September 16–October 7	Met with legislature in Trenton
September 21	Met with Privy Council in Trenton
October 7	Met with Privy Council in Trenton
October 7–12	In Trenton
October 12–15	In Princeton
October 15–27	In Raritan
October 27–29	In Princeton
October 29–November 7	In Trenton
October 30	Reelected governor by Joint Meeting
November 1–5	Met with legislature in Trenton
November 2	Met with Privy Council in Trenton
November 8	Met with Privy Council in Mount Holly
November 9–December 26	Met with legislature in Mount Holly
November 15	Met with Privy Council in Mount Holly
November 20	Met with Privy Council in Mount Holly
December 7	Met with Privy Council in Mount Holly
December 21	Met with Privy Council in Mount Holly
December 23	Met with Privy Council in Mount Holly
December 26	Met with Privy Council in Mount Holly

December 28–31	In Bristol
December 31	In Rocky Hill
December 31	In Princeton
	1780
January 1–11	In Princeton
January 11–13	In Parsippany
January 13–28	In Morristown
January 28	Met with Privy Council in Elizabeth- town
January 28–February 3	In Morristown
February 3	Met with Privy Council in Elizabeth- town
February 3–21	In Morristown
February 21–March 21	Met with legislature in Trenton
March 6	Met with Privy Council in Trenton
March 13	Met with Privy Council in Trenton
March 19	Met with Privy Council in Trenton
March 25	Met with Privy Council in Trenton
March 25–May 10	In Morristown
April 3	Met with Privy Council in Morristown
April 27	Met with Privy Council in Morristown
May 10–June 19	Met with legislature in Trenton
May 13	Met with Privy Council in Trenton
May 17	Met with Privy Council in Trenton
May 23	Met with Privy Council in Trenton
May 29	Met with Privy Council in Trenton
May 31	Met with Privy Council in Trenton
June 1	Met with Privy Council in Trenton
June 13–16	Met with Privy Council in Trenton
June 19	Met with Privy Council in Trenton
June 19–30	In Trenton

GENEALOGY



*date of baptism



THE PAPERS OF WILLIAM LIVINGSTON

INTRODUCTION

VOLUME THREE of *The Papers of William Livingston* spans the period January 1779 to June 1780. The format of this volume differs from that of volumes one and two in that this volume has a single comprehensive introduction. The editors divided the two earlier volumes into sections, each section preceded by an overview. This was useful because during the early stages of the Revolution, William Livingston's activities could be divided effectively to provide greater insight into the documents. Substantial gaps in the documents, moreover, required greater explanation. In this volume Livingston deals with several continuing issues at once in a way that defies strict thematic organization. The format change is mandated as much by a change in the nature of the documents as by changes in Livingston's duties and activities. There appears at this stage deeper day-to-day documentation, largely the result of Lester H. Lyon's discovery of two of Livingston's long-missing draft letterbooks covering most of the period December 1778–June 1780.* Livingston kept letterbooks for virtually the entire course of the war. He left those no longer in use with trusted friends throughout the state to secure them against British and Loyalist raids.

Of six known letterbooks, four have survived. Two are in the collections of the Massachusetts Historical Society; the New York Public Library recently purchased the letterbooks discovered by Lester H. Lyon. These letterbooks have made available to the Livingston staff a continuous series of Livingston letters spanning the period of this volume. The Lyon letterbooks thus greatly augment our detailed knowledge of Livingston's varied involvements and provide a vivid illustration of how Livingston coped with the administration of the nascent state government during the chaos of war.

The new letterbooks illustrate in particular Livingston's relationship with the Continental Congress, his role as a member of the New Jersey

*See introduction to volume two.

Legislative Council and the Privy Council, his responsibilities as commander in chief of the state militia, and his complex personal relationships with his family. That Livingston corresponded so widely beyond New Jersey is a reflection of the complexity of his mind, the range of interests he had always maintained, and the perpetuation of long-standing intellectual habits developed during his New York years. In particular, examine correspondence in this volume with Samuel Allinson, Hugh Brackenridge, Baron van der Capellen, Henry Laurens, and Nathaniel Scudder.

The British, stationed in New York City and on Staten Island, presented a constant threat to New Jersey's northeastern shore counties. Frequent British and Loyalist raiding parties from Staten Island destroyed homes and barns, seized crops, and kidnapped militia and private citizens who supported the revolutionary cause. As governor, Livingston persisted in his efforts to steer New Jersey through these crises. A staunch Whig, he was aware of the tension that existed between Whig ideology and the exigencies of the war effort. A basic tenet of Livingston's ideology held that the right of society to exist free of tyranny could be secured only through the sovereignty of representative institutions over all forms of executive and military power. He believed wartime conditions required strong executive and military leadership, and his commitment to republicanism never interfered with his exercise of personal authority.

As governor of the state and commander in chief of the militia, Livingston attempted to resolve this paradox by maintaining a sharp distinction between use of civil and military authority. He met frequently with the legislature and the Privy Council, which sat when the legislature was not in session, to make the decisions necessary to carry on the war. A zealous administrator, Livingston remained in constant communication with both the Continental Congress and General Washington regarding military preparations and movements within the state. He interceded as well in matters of troop enlistment and provisioning of the Continental army and the state militia, prisoner exchanges, hospital conditions, and requests for passes through or out of New Jersey from people anxious to return to family and property in New York City. The legislature, meanwhile, carefully guarded its prerogatives against any encroachment by the executive. Comparison of legislative response to Livingston's executive messages in this volume with those in volumes

one and two shows that the prolonged conflict had hardened the resistance of the legislature against executive, military, and Continental authority by 1779–1780.

Livingston also continued his correspondence with the Dutch patriot Baron van der Capellen, begun in 1778. This correspondence among Livingston, Connecticut governor Jonathan Trumbull, and van der Capellen was significant because it laid the groundwork for both the establishment of Dutch-American relations in the 1780s in general and the Dutch loan to the United States in 1783.

Livingston paid a high personal price as a Revolutionary leader. Inflation consumed his private fortune, and he lived in constant danger of British retaliation against himself and his family. Several unsuccessful British attempts to kidnap him in 1779 forced Livingston to remain constantly on the move. What the British perceived as cowardice was, in fact, a prudent response eminently justified by threats Livingston daily faced.

The documents in volume three illustrate the cost of the war effort to New Jersey in human and material terms. The presence of the British in New York City meant that the Continental army had to camp in the state during the winters of 1778–1779 and 1779–1780. The pervasive presence of Washington's troops and active militia units placed a heavy burden on the farmers and freeholders of the state, who were expected to supply the soldiers with lodging and provisions. The Continental army and state militia were chronically shorthanded; enlistments never matched quotas. British propaganda efforts, the presence in New Jersey of virtually unassailable Loyalist strongholds, inadequate army pay, and deficient food, clothing, and shelter provoked frequent desertions. By the spring of 1779, indeed, the New Jersey Line had become so disgruntled there was danger of mutiny. Removal to Virginia of the British convention troops captured at Saratoga also taxed New Jersey's resources as these prisoners were escorted through the state during the winter of 1778–1779.

The state's economy suffered. The British encouraged farmers to trade illicitly with them by paying for goods in specie. Trade between the British and New Jersey residents drained the state of its resources and threatened both military and civil security. To discourage this trade and prevent the British from gaining American military information, the state legislature restricted travel between New Jersey and New York

only to those who were able to obtain passes from Livingston or Washington. Both limited passes either to persons who would not be permitted to return from New York or to wives of men captured by the British who were being held prisoner in the city. Livingston uniformly rejected requests for passes from both members of his family and his friends. The legislature also passed and renewed a series of acts prohibiting exporting provisions from the state, concealing livestock, monopolizing goods, and artificially manipulating prices.

Goods, however, remained scarce, and prices continued to rise. Rampant inflation pushed down the value of the Continental and state currency. Enemy-induced counterfeiting exacerbated the problem. By 1779, depreciation of currency was so bad it jeopardized the army purchasing system. By the winter of 1780 the Quartermaster Department was compelled to pay farmers in worthless commissary certificates. In March 1780 Congress, in an attempt to resolve the financial crisis, decided to call in its former currencies, which were to be replaced with a new issue at greatly reduced value. New Jersey, which had absorbed a large percentage of the commissary certificates, resisted implementing this resolution until Congress had passed another resolution accepting the certificates in payment of Continental taxes.

New Jersey's resources were further strained in May 1780, when Chevalier de La Luzerne, the French minister to the United States, informed Congress that Count de Rochambeau was en route to America with an expeditionary force of 5000 troops, escorted by a French fleet under the command of Admiral Ternay. La Luzerne requested that America furnish provisions and accommodations to the French army. Congress, already in the throes of preparing the Continental army for the spring campaign, took the extraordinary measure of appointing a special committee to prepare for the arrival of the French. Although Americans perceived the landing of the French force as a boost to the war effort, the burden of supplying the allies fell heavily on New Jersey and its hard-pressed citizenry.

Prisoner exchange was an ongoing problem during this period. The British refused to come to terms with the American negotiators because to do so would imply recognition of the United States. Treatment of prisoners became a major problem when the British persisted in holding some captured Americans in close quarters and irons. The Americans adopted a policy of retaliation against British prisoners in hope of

forcing the enemy to improve the conditions of captured Americans. The capture and confinement of Colonel John Simcoe in New Jersey and the prolonged incarceration of such respected Whigs as Nathaniel FitzRandolph both exacerbated feelings and symbolized the difficulties facing prisoners of war on both sides.

The last major British raid into New Jersey took place in June 1780, when Baron von Knyphausen led several thousand troops to Elizabethtown Point, where they encamped for two weeks, raiding the interior sporadically. On June 23, the British made a final effort to destroy Washington's army at Morristown, but a combined New Jersey and Pennsylvania militia unit and the Continental army repulsed the enemy at Springfield, which the British and Hessians razed before returning to Staten Island. The volume ends with the last British evacuation of New Jersey; the state's citizens, along with Americans from Virginia to New England, then turned to preparations necessary to accommodate their French allies.

To Chauncey Whittelsey

Elizabeth Town 1 January 1779

Dear Sir

I have received your kind Letter of the 10th of last month¹ accompanying a Copy of your Election Sermon for which I return my hearty thanks,² & upon which I set a particular value as well on account of my freindship for the author, as the intrinsic merit of the composition itself. Happy Sir, thrice happy should I be to have my administration answer your devout wish expressed in the sublime Language of your text! It is indeed a *critical time*, & it requires uncommon abilities and address to discharge an office of such importance & so great confidence, with proper activity & prudence, Much greater beyond question than I can pretend to be master of. But I have in so remarkable a manner been supported from above through a more laborious Scene of business than my constitution was equal to in the prime & vigour of my life; & been preserved from so many dangers both from intestine & foreign Enemies to which my Station, & the opinion they were pleased to entertain of my consequence to our Cause, constantly exposed me, that I should think myself worse than an Infidel not to acknowledge the conspicuous finger of heaven, or to be unimpressed with a deep sense of God's gracious assistance & superintending Providence. I have been enabled to dispatch more business for the two years last past than ever I did before in double the time with the advantage of all the strength & vivacity of youth (when yet I did not think myself an indolent man) & that without a moments bodily indisposition or lassitude, & with an almost uninterrupted flow of Spirits; and all this amidst the deprivation of a thousand of those comforts & conveniences which long habit had taught me to consider as the necessaries of life, without being in the least affected with the loss. But it is high time Sir, to apologize for so much Egotism

which I assure you nothing could have extorted from me but the strong obligations I feel of recounting upon all proper occasions such manifest proofs of the divine goodness, & the pleasure which I presume from our former connection,³ (& I hope our present friendship) you will participate with me in the grateful recollection.

I hope the Scoundrels will not pester us with another campaign; but if they are incorrigibly determined by continuing to war against us, to war against common Sense & every maxim of sound policy, until they plunge themselves into irremediable ruin, *fiat*.⁴ I believe the Spirit of America is as inflexible, & her aversion to British tyranny as irreconcilable as ever; & I doubt not the same strong hand & out-stretched arm that hath conducted us thus far, will lead us to compleat & final triumph. They have from very probable accounts taken 30 dutch Vessels bound to the west Indies with french manufactures which I hope will inspire their High mightynesses with too much resentment to be douceured with english compliments or stifled by three pair of dutch breeches.⁵

I wish you my Dear Sir many happy years, & a most successful ministry. I shall always be glad to hear of your welfare, and am not a little proud of being honoured with your correspondence, & am with the most sincere respect

ADf, NN:Lyon.

1. Letter not found.

2. Enclosure was probably *The Importance of Religion in the Civil Ruler, Considered. A sermon preached before the General Assembly of the State of Connecticut, at Hartford, on the day of the anniversary election, May 14, 1778* (Evans, no. 16170).

3. WL and Chauncey Whittelsey attended Yale at the same time. Whittelsey graduated a year after WL arrived in 1737 but stayed on as a student and tutor for six years. Refer to Chauncey Whittelsey to WL, November 9, 1786 (MHi), and WL to Chauncey Whittelsey, February 20, 1787 (MHi).

4. *fiat*: let it be done.

5. For a discussion of the capture of these vessels, see *Livingston Papers*, 2:518–20.

To Walter Livingston

Elizabeth Town, 2d January 1779

Dear Sir

It is but a few day's since I had the pleasure of receiving yours of the 20th of November.¹

At the close of the last sitting of our Assembly (which is very recently adjourned)² our Legislature passed an Act on the Subject you mention. The particulars I cannot recollect, but it is very comprehensive, & sufficiently severe.³ The Act not being yet in print, & I at present at a considerable distance from the original deprives me of the pleasure of transmitting to you a Copy which As soon as it is struck off, I shall chearfully do.

Should the passing a Law of the like import by your State be attended with the consequences you seem to apprehend, it would doubtless be most adviseable to defer the measure, but of the probability of such an event I do not pretend to be a competent judge.⁴ The Scoundrels have however shown themselves capable of actions still more atrocious & infernal. For our Act, at least for the substance of it, I was an advocate.⁵ But the circumstances of the two States are not altogether similar. In the instance you mention, in which⁶ you are certainly exposed to peculiar destruction they greatly differ. But to give any explicit opinion on the Subject, I have particular reasons for declining, or I should do it with great alacrity.

Remember me very affectionately to your good father,⁷ & tell him that I was most inexpressibly rejoiced to hear that he so manfully resisted the solicitations of some of his pretended friends who from the influence which they flattered themselves they had over him, attempted to take the advantage of his declining years, & seduce him into a compliance with the terms of the British proclamation for which they deserve to have their throats cut.⁸ Had they succeeded in their infamous manoeuvre such an inglorious dereliction of the common cause by the head of the family, would have pierced me to the heart; & distressed me more than any disaster that ever befel me.

I hope the thieves will evacuate New York before next Spring, & not protract their unconscionable incivility of debarring one from a dish of fried oysters. With my compliments to Cozin Livingston,⁹ I am

ADf, NN:Lyon.

1. Letter not found.

2. The legislature had adjourned December 12, 1778.

3. Walter Livingston, speaker of the New York Assembly, probably had written WL about pending Loyalist legislation in his state. WL refers to an act passed by the legislature December 11, 1778, authorizing New Jersey to confiscate and sell both the land and personal property of Loyalists who had either fled or been convicted of treason by a court trial (*Acts* [November 20–December 12, 1778], 31–40).

4. The proposed legislation in New York would have given the state power to confiscate and sell the real and personal estates of Loyalists. Previously, houses and lands of people accused of loyalism were seized and held in trust; revenues from rents and produce sold went into the state treasury. On March 1, 1779, New York failed to pass a bill entitled, "An Act for the Forfeitures and Confiscations, and for declaring the Sovereignty of the People of this State, in Respect to Property within the Same." An amended version of this bill was not passed until October 22, 1779 (New York State, *Votes and Proceedings of the Assembly* [August 9–October 25, 1779], [Fishkill, N.Y., 1779], 83, 98, 103, 106).

5. As early as February 1777 WL had requested legislation to confiscate Loyalist property (*Livingston Papers*, 1:341–43). Once more, in December 1777, and again in February 1778 WL had urged confiscation legislation. On April 18 the legislature finally passed a bill authorizing the seizure of Loyalist estates, the sale of personal property, and the leasing of real property (*Livingston Papers*, 2:227–28). A stronger version became law on December 11, 1778. That bill had been introduced in the Legislative Council through the work of a three-man committee rather than by WL, but his sustained support for such legislation over time was evident in the result (*Legislative Council* [October 27, 1778–October 9, 1779], 9).

6. After "which" and before "they" WL wrote then crossed out "it is in the Enemy's power to do you very signal mischief."

7. Robert Livingston, third lord of Livingston Manor and WL's brother.

8. A reference to the Manifesto and Proclamation of the Carlisle Commission. For a discussion of this peace effort, see *Livingston Papers*, 2:458–59. Although Robert took no active political role in the American Revolution, his extant letters to Peter V. B. Livingston and WL spanning 1780–1782 establish his passive support for American independence (Edwin Brockholst Livingston, *The Livingstons of Callendar, and Their Principal Cadets: A Family History* [Edinburgh, 1887–1892], 412–15).

9. WL is probably referring to Walter Livingston's wife, Cornelia Schuyler Livingston.

From John Cleves Symmes

Morristown, January 7, 1779.

SIR, ———

I beg leave to lay before your Excellency, and the honorable gentlemen of the Council, the business of the state that came before me in the late Circuit, in the counties of Hunterdon and Cumberland, which was capital; recommending to the clemency and grace of your honor those miserable subjects who are under sentence of death.¹

In the county of Gloucester there is Jonathan Chew condemned for high treason; he was convicted by jury.² I take it that he was disaffected from the beginning of the troubles, and joined the enemy at their coming to Billingsport, and acted as a captain among them. The charges laid against him in the indictment of levying war and adhering to the enemies of the state was well supported, and I cannot think there is any

equitable circumstance in his favor, either as matter of law or fact. But the following considerations may perhaps plead for him with your honors for a pardon.

1. He is a very weak man in his understanding.
2. He has a family of twelve children, that must be objects of charity if their friend is taken away, and they have no property left.
3. It appeared in the Court that he was humane, and inclined to distress the inhabitants that were in his power as little as possible, in person or property.
4. He left the enemy after they had retreated through Jersey, and came home and threw himself in the way of justice.

Harrison Wells, who traversed his indictment for levying war against the states, and adhering to its enemies, and convicted thereon. I believe that Mr. Wells was a Whig at the beginning; he was in the militia and behaved well. But I cannot say there was any equitable circumstance appeared (touching law or fact) on his trial that can operate in his favor; but perhaps the following considerations may incline your honors to pardon him:³

1. He was undoubtedly over-persuaded by Mr. John Hinchman,⁴ who had been his guardian, to go and join the enemy, which at length he did with some reluctance, being partly in compliance to Mr. Hinchman's advice, and partly because he was threatened by the militia.
2. When with the enemy he was offered a Lieutenant's Commission, which he refused.
3. It appeared that he early wished to make his peace with his country by desiring to surrender himself, but found the popular clamor so much against him that he dare not do it; and his house was contiguous to the enemy.
4. When the enemy left Philadelphia, he surrendered himself at Haddonfield, to the law, refusing to march with the enemy. He appears very penitent.

Besides Chew and Wells, there are fifteen others⁵ condemned for high treason against the state; viz: William Hammet, John Dilks, John Franklin, James Birch, Joseph Pratt, Joseph Dill, Abraham Fennimore, Joshua Dilks, Christopher String, Daniel Fussman, Lawrence Cox, David Lloyd, Thomas Nightingale, Paterson Cook, and Isaac Lord;⁶ who, after having proper time allowed them to consider of a plea, severally pleaded guilty to their indictments, which has prevented the Court from having their causes investigated before them; and I must

own that as to by far the greater part of them, I know nothing of the nature of their guilt, or what favorable circumstances there may be in their cases, only as they were charged in their indictments and pleaded guilty; but as to William Hammet, I believe there is as little to be said in his favor as to any of them. I should be exceeding happy, were your honors of opinion there was no occasion of farther examples in cases of high treason; that our laws and government were sufficiently established, and that nothing remained but to forgive. But as I think these things matters of some doubt, I hope your honors will not receive it ill of me if I proceed to say, that were the question put to me, Who shall die? I should be inclined to say, William Hammet.⁷ My reasons are, First. because he was formerly apprehended and sent to your Excellency and the Council of Safety, charged with similar offences against his country, and notwithstanding the Honorable Council of Safety were pleased to suffer him to return home, he went immediately and joined the enemy. Secondly, he was a daring offender while with the enemy, and may be so again. Thirdly, he was taken while in the service of the enemy, and has at no time since, (if I am rightly instructed,) expressed himself a friend to the state, as most of the others have; but he has frequently wished to be sent to the enemy again; and I think the probability is against him that he joins them if discharged. Fourthly, he has no family that must suffer by his death, as many of the others have; and in making up my mind on this subject, I think I am warranted in some measure by the opinion of Judge Blackstone, where he speaks of the necessity of human punishments.⁸

There is also one [. . .] convicted in Gloucester county for burglary and robbery. I believe he thought the person whom he robbed, a *tory*, and that by the custom of the times, conceived he had a perfect right to plunder him. He appears very penitent, and has been a brave soldier in the American army.⁹ In the county of Cumberland there is one capital conviction, and that is [. . .] for an highway robbery. He was convicted by jury. There is an appearance of equity in this man's case. The party robbed, who was the principle witness against him, was proved to be a tory, and a person of very ill fame; but I must own I am inclined to think the man was actually robbed. The court have, however, thought proper to recommend him for pardon, as your honors will see by the petition in his favor.¹⁰

I have the honor to inclose to your Excellency and the gentlemen of

the Council, all the papers relative to the prisoners that have fallen into my hands.¹¹ I hope they will not prove altogether useless. I was not present at Salem when any capital case came before the Court. I hope his honor the Chief Justice¹² will point out to your honors those matters in which I am deficient, as he presided at Gloucester, during the trials of Chew and Wells, and was alone at Salem when the capital trials came on there. I have the honor to be, honorable gentlemen, with great esteem, your humble servant,

JOHN CLEVES SYMMES.

Correspondence of the Executive, 135–39.

1. John Cleves Symmes had served as a justice of the Supreme Court since February 1777, with authority to try suspected Loyalists. As governor, WL had been closely involved in this matter as well. See *Livingston Papers*, 1:206, 316, 339–41. For a record of part of the court proceedings and trials, refer to the Minutes of the Gloucester County Court of Oyer and Terminer, November 21–December 5, 1778 (Nj). The Privy Council acted on John Cleves Symmes's recommendations at its January 13 meeting (*NJA* [Privy Council], 3d ser., 1:109–10). For WL's orders to pardon many of the convicted men, see WL to Bowes Reed, January 14, 1779.

2. Jonathan Chew had been indicted for high treason by the Gloucester County Court of Oyer and Terminer on November 20, 1778, and had pleaded not guilty. On November 26 he was convicted and nine days later sentenced to be hanged on January 29, 1779. For the conditions of Chew's pardon, see Pardon of Jonathan Chew, January 14, 1779.

3. Harrison Wells had been indicted for high treason by the Gloucester County Court of Oyer and Terminer on November 21, 1778, and had pleaded not guilty. Judged guilty on November 27 and sentenced to be hanged on January 29, 1779, he was pardoned by WL on condition that he leave New Jersey in two months and the United States in six months.

4. John Hinchman had taken refuge with the British in 1777.

5. There were actually sixteen. This letter omits the name of Gideon Urine (*NJA* [Privy Council], 3d ser., 1:109).

6. These men, all indicted for high treason by the Gloucester County Court of Oyer and Terminer in November 1778, had pleaded guilty and had been sentenced to be hanged on January 29, 1779. With the exception of William Hammet, all were unconditionally pardoned. Refer to Pardons signed by WL, January 14, 1779 (NjWdHi).

7. William Hammet (Hammill) had taken the oaths of allegiance before the Council of Safety on July 30, 1777 (*Council of Safety*, 107). On March 18, 1778, the *Pa. Ledger* had reprinted the story of the capture of two American officers by Hammet in a raid on Benjamin Vanleer's house in New Jersey. Hammet was hanged January 29, 1779 (*Pennsylvania Magazine of History and Biography*, 27:507–8).

8. Sir William Blackstone, *Commentaries on the Laws of England*, 7th ed. (Oxford, 1775), 4:6–10.

9. The deleted name in the printed text is presumably Benjamin Bartholomew, who had been indicted for burglary and had pleaded not guilty on November 24, 1778. He too had been sentenced to be hanged on January 29, 1779, but was pardoned by WL on condition that he either leave New Jersey in two months and the United States in six months

or enlist with the New Jersey Brigade of the Continental army. There is no record that he served with the New Jersey Brigade.

10. The name deleted in the printed text may have been that of either George Gibson or Elphinston Thomson, both of whom had been convicted of highway robbery and sentenced to death by the Cumberland County Court of Oyer and Terminer. They were pardoned on the condition that they leave New Jersey within two months and the United States within six months.

11. Enclosures not found.

12. Robert Morris.

To Alexander Carmichael

Elizabeth Town 9 January 1779

Sir

I wish you could forward the inclosed¹ to Judge Symmes as soon as possible, as it contains an affidavit against two men in Sussex County² who persuaded about thirty of the convention troops to desert from us, & harboured & assisted them for several days in their march.

I have desired General Washington to order those of them who are confined in Morris Town to a place of greater safety, except the two who have sworn to the above villainy. I am

ADf, NN:Lyon.

1. Refer to WL to John Cleves Symmes, January 9, 1779 (NN:Lyon).

2. Affidavit not found. Presumably it contained the sworn statements of John Ward and James Gibson.

To William Maxwell

Elizabeth Town 9 January 1779

Sir

Colonel Thomas being solicitous to be tried by a Court martial upon the charges upon which he has been put under arrest, I could wish you to call a court for that purpose, to try him upon the Charges of cowardice & neglect of Duty.¹ I think he was at the time in the continental pay with our Militia; & will for that reason have no objection against submitting his cause to continental Court martial.² You will please to advertise him of this my request to you, & give him a pretty long day for the tryal, that there may be sufficient time to summon the witnesses against him, as well as for him to summon his own.³

ADf, NN:Lyon.

1. Edward Thomas, a New Jersey militia colonel, had been charged in the winter of 1776–1777. During his trial, Thomas became ill, and proceedings were postponed. On June 24, 1777, he unsuccessfully petitioned WL for a new trial (Nj). In December 1778, WL, in response to another request from Thomas, offered to cancel the arrest order unless Thomas insisted on a trial to clear himself of the charges. Refer to WL to Edward Thomas, December 24, 1778 (NN:Lyon).

2. On this same date, WL notified Edward Thomas that he had requested that Brig. Gen. William Maxwell “call a court martial for your trial.” Refer to WL to Edward Thomas, January 9, 1779 (NN:Lyon).

3. WL had forgotten the identity of the persons who had originally pressed charges against Thomas and sought witnesses to appear at the trial. Refer to WL to William Bott, February 23, 1779 (NN:Lyon). On March 9 a court of Continental and militia officers convened. For the result of Thomas’s trial, see *Court-Martial of Edward Thomas*, May 20, 1779. For a description of court-martial procedures, see *Livingston Papers*, 2:438.

To George Washington

Elizabeth Town 9 January 1779

Dear Sir

While the Magistrates had the charges against Hatfield under consideration, he made his escape from the guard;¹ and unless his treason (of which I have no doubt) could be more clearly proved than I imagine it would have been upon his tryal, it is perhaps best for the public, that he has been thus driven to take sanctuary with the Enemy where I believe he can do us less mischief, than [. . .]² his late commodious situation to betray his [country]³

Thirty odd of the Convention troops⁴ have deserted in a Body at Andover. Near twenty of them have been retaken, and confined at Morris Town.⁵ Five of those, having made their escape from Morris Town, have been retaken near Newark, three by one of our Inhabitants, & two by The New Jersey troops. Two of these five very materially depose against two of the Inhabitants of Sussex, who induced them to desert at Andover, and aided supported and piloted them part of the way in their intended march to New York. General Maxwell purposes to send the five back to Morris Town. But as none of those prisoners are by any means secure under the care of our militia guard,⁶ I could wish your Excellency would be pleased to order them all to be conducted to a place of greater safety, & more remote from the Enemys lines. I mean all of them except the two, who have deposed against the men who assisted them in their desertion, whom I would fain keep for witnesses to

convict those villains. Their names are John Ward, & James Gibson.⁷ I have the honour to be With the greatest respect Dear Sir Your Excellency's most humble servant

WIL: LIVINGSTON

ALS, DLC:GW. Mutilated.

1. For the details of Cornelius Hatfield, Jr.'s, capture and detainment, see *Livingston Papers*, 2:520–21, 524–26.

2. WL wrote "in" in an ADF (NN:Lyon).

3. In an ADF (NN:Lyon), WL wrote "Country."

4. Reference to the soldiers of Lt. Gen. John Burgoyne's army who had surrendered at Saratoga in October 1777. In October 1778, the Continental Congress resolved that the troops who had been quartered in Massachusetts under the terms of the Saratoga Convention be moved to Charlottesville, Virginia, after Sir Henry Clinton had refused to continue paying for their subsistence. Congress instructed George Washington to direct the march of the 4000 troops south, where supplies were more plentiful (*JCC*, 12:901–2, 1016–17). The first of six British and Hessian divisions had crossed into New Jersey by December 5. The troops had arrived in Charlottesville by January 17, 1779. The British Foreign Office and Sir Henry Clinton, meanwhile, were placing enormous pressure on the Americans strictly to observe the convention agreement (*N.J. Gazette*, October 21, November 11, 1778, January 6, 1779).

5. Col. Thomas Clark had written to Washington from Paramus on December 18, 1778, that "28 men (out of 34) that lately deserted from the Convention troops, were brought to me yesterday, taken up by the Inhabitants & Guards. I purpose sending them to Morris Town Goal tomorrow" (Thomas Clark to George Washington, December 18, 1778 [DLC:GW]).

6. Washington had arranged that each state through which the convention troops marched would furnish an escort of militia to the border of the next state. Refer to George Washington to Theodorick Bland, November 8 and November 17, 1778 (Fitzpatrick, *Writings of Washington*, 13:218–19, 273).

7. In his reply of January 31, 1779, Washington urged WL to take additional measures to secure the prisoners until they could be moved. He sanctioned the detention of the two witnesses to ensure their testimony against civilians who had helped the troops desert (MHi).

To Hugh Brackenridge

Princeton 13 January 1779

Dear Sir

Your favour of december 6th¹ I never received till last evening. I am happy to hear that my Letter to Mr. Chase² was of any advantage to you.

Not having for some Weeks past seen the News papers, Occasioned by the want of a Post from Philadelphia to Elizabeth Town (where I have resided for some time)³ I cannot form a Judgment concerning the

plan of your Magazine, but If it is in my power to facilitate the undertaking, or to contribute towards its continuance, my inclination will not be wanting. But as I always make it a rule not to disappoint, I would not have you place any great dependance upon my assistance, My time is generally so engrossed by public Business, that it is a very small portion of it indeed that I can devote to literary productions; & the din of war, and the winter of age have long since drown'd the soft whisperings of the Muses; & frozen up all the Springs of [Castalia],⁴ But what I can, I will. Such a work may be made exceedingly useful & entertaining & I have it much at heart.

You speak in too elevated terms of Hortentius⁵—And if any thing should be published by the same Author, I suppose he will be obliged to change his Signature,⁶ as he has been faulted by some of the Legislature for publishing Essays in the News.⁷ I should think myself happy was it for want of any other fault. I am

ADf, NN:Lyon.

1. Letter not found.
2. Probably Samuel Chase, with whom Hugh Brackenridge studied law in Annapolis, Maryland, in 1780.
3. WL was in Elizabethtown from December 21, 1778, to January 10, 1779.
4. Castalia, a spring on Mt. Parnassus sacred to the Muses.
5. In the January 1779 issue of the *U.S. Magazine*, the following appeared in a piece by Hugh Brackenridge entitled "Letter to the Poets, Philosophers, Orators, Statesmen and Heroes of Antiquity": "Hortensius is a Whig, and a writer of the first magnitude, he has drawn his pen with a fine vein of wit and humour in the controversy with the tyrant. His pieces published in Collins' Gazette of New-Jersey are admirable. . . . We shall be happy in the correspondence of Hortensius."
6. Frances Bailey published the magazine in Philadelphia from January to December 1779.
7. WL wrote at least two articles for the *U.S. Magazine* under "Hortentius" (spelled "Hortensius"). The first was a brief introduction to an essay entitled "Continental Currency" in the March issue. The second was "A Morning Hymn," May 7, 1779.
7. For WL's views on criticism of "Hortentius" expressed at the Joint Meeting, see WL to Isaac Collins, February 22, 1779.

Pardon of Jonathan Chew

Princeton, January 14, 1779

The State of New Jersey

To all to whom these presents shall come Greeting Whereas Jonathan Chew¹ hath lately been Indicted and Convicted at a Court of Oyer and Terminer and General Gaol Delivery held in the County of Gloucester

of the Crime of High Treason, for which he hath been adjudged and sentenced by the said Court to suffer death And Whereas the said Jonathan Chew hath been recommended by the said Court to his Excellency William Livingston Esq. Governor and Commander in Chief of the State of New Jersey in Council as proper to be pardoned, and the Council (seven whereof being present) did advise his Excellency to Grant the said Pardon on the Conditions hereafter to be mentioned² Know ye therefore that the said Jonathan Chew is hereby pardoned released and discharged of and from the Crime aforesaid, and of and from the said Judgment or Sentence and from any Execution thereof Provided Always and it is the Express Condition on which this pardoned is granted that the said Jonathan Chew do leave this State in Two Months and the United States of America in six Months from the date hereof:³ On failure whereof this pardon and every Clause Matter and thing herein contained to be Void, and the aforesaid Judgment or Sentence of the said Court to be carried into Execution. Of all which the High Sheriff of the County of Gloucester and all others whom it may Concern are to take Notice and Govern themselves accordingly.

In Testimony whereof the Great Seal of the State is hereto affixed. Witness William Livingston Esquire Governor, Captain General, and Commander in Chief in and over the State of New Jersey and Territories thereunto belonging Chancellor and Ordinary in the same, in Council at Princeton the fourteenth day of January in the Year of our Lord One thousand seven hundred and seventy nine. By His Excellency's Command

WIL: LIVINGSTON

DS, Nj.

1. See John Cleves Symmes to WL, January 7, 1779.
2. *NJA* (Privy Council), 3d ser., 1:109–10.
3. Jonathan Chew's house in Deptford and lands in Greenwich and Deptford townships were confiscated and sold at auction in March 1779 (*N.J. Gazette*, March 10 and September 1, 1779).

Proclamation

[Princeton, January 14, 1779]

BY HIS EXCELLENCY WILLIAM LIVINGSTON, Esquire, *Governor, Captain-General and Commander in Chief in and over the State of New-Jersey,*

and the Territories thereunto belonging, Chancellor and Ordinary in the same;

PROCLAMATION.

WHEREAS application has been made to me in Council for the aid and advice of the Board, for drawing forth all the forage that can be spared in this State, for the use of the army, now quartered therein.—I have therefore thought fit, by and with the advice of the Honourable the Privy Council of this State, to issue this Proclamation,¹ hereby requiring all Justices of the Peace of this State to be attentive to the application of the several persons employed in collecting forage for the troops, and vigorously to exert themselves in executing the law for that purpose made and provided.² And I do hereby recommend it to the said Magistrates to pay due regard, in the execution of their duty in the premises, to the wants of the inhabitants, and not to exact more grain or other forage in any district than the neighbourhood can safely spare, due consideration being had to all the inhabitants of such district.

GIVEN *under my hand and seal at arms at Princeton, the fourteenth day of January, in the year of our Lord one thousand seven hundred and seventy-nine.*

WIL. LIVINGSTON.

By His Excellency's command,
Wm. Livingston, jun. D. Sec.

GOD SAVE THE PEOPLE

N.J. Gazette, January 20, 1779.

1. On January 14, 1779, Col. Clement Biddle, commissary general of forage, sent WL copies of the November 30, 1778, congressional resolves requesting the states to aid in securing forage for Continental troops when commissaries could not purchase adequate supplies at reasonable prices (*JCC*, 12:1177). Biddle had informed WL that forage could not be shipped to New Jersey while the Delaware River was frozen. Even though 2000 horses had been ordered out of the state to ease the situation, Biddle feared that the remaining horses would not survive the winter. In an appearance before the Privy Council, he urged WL and the council to recommend that magistrates impress forage in every part of the state (*NJA* [Privy Council], 3d ser., 1:108–9; refer to Clement Biddle to WL, January 14, 1779 [*Correspondence of the Executive*, 139–40]).

2. "An Act for the Better regulating the Quartering of Soldiers, and furnishing of Carriages, Horses, and Necessaries for the Army" had become law on March 24, 1778. It empowered justices of the peace to order seizure of provisions that they believed could be spared for the use of troops. The justices were also to set prices for the impressed articles (*Acts* [February 21–April 18, 1778], 32). Refer also to the *N.J. Gazette*, December 31, 1778, which reprinted relevant parts of the March 24, 1778, act to remind New Jersey civilians that requisitions of grain and other necessities required by the military were lawful and necessary. For a discussion of parts of this act that relate to quartering of troops and impressment of horses, see *Livingston Papers*, 2:230–31.

To Bowes Reed

Princeton, January 14, 1779. WL orders Reed to complete commissions for associate justices of Bergen, Essex, and Monmouth courts of oyer and terminer.¹ He also instructs Reed to draw up pardons for twenty-four men convicted of treason and burglary by courts in Gloucester, Salem, and Cumberland counties.²

ADf, NN:Lyon.

1. For an example of this commission form, see *Livingston Papers*, 1:339–41.

2. WL acted on advice of the Privy Council at its January 13 meeting (*NJA* [Privy Council], 3d ser., 1:108). He had summoned the council on January 1 (NN:Lyon). Reed was dilatory in executing the pardons, and WL so informed Reed in a letter of January 21 (NN:Lyon). On January 22 WL finally bypassed Reed and instructed county sheriffs “that all prisoners except William Hammet had been pardoned but that they were to remain in custody until their pardons were forwarded” (NN:Lyon).

To George Washington

Princeton 15 January 1779

Dear Sir

On the application of Cols. Biddle & Furman to the governor in Council, the Council advised me to issue a Proclamation requiring the Magistrates to be attentive to the application of the persons employed in collecting forage for the troops & in executing the Law of the State for that purpose made.¹ At the same time desiring me to represent to your Excellency, the general scarcity of grain & other forage in the State, & that there is a probability that the Inhabitants & their live stock will suffer for want, before the Spring supplies come in; & to request your Excellency to order out of New Jersey all the dragoon draught & officers horses, that are not absolutely necessary during the winter.² I have the honour to be with the highest esteem your Excellencys most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Moore Furman had joined Clement Biddle in making an urgent appeal at the Privy Council meeting of January 13 for New Jersey’s aid in supplying grain and forage for the Continental troops (*NJA* [Privy Council], 3d ser., 1:108–9).

2. Before reading WL's letter, Washington had already ordered Count Casimir Pulaski to remove his cavalry to Delaware on January 19 (DLC:GW). In his reply to WL on January 31, Washington explained that all horses not essential for the army's winter needs had been sent out of the state and only Maj. Henry Lee's cavalry corps remained (DLC:GW). Lee's troops, stationed originally in Burlington, were probably ordered to Woodbury because of a "great scarcity of forage." Refer to Henry Lee to Tench Tilghman, December 30, 1778 (DLC:GW).

To Charles Lee

Brunswick 16 January 1779

Sir

I am honoured with your favour of the 13th,¹ & can assure you that of the merit or demerit of your Conduct in the affair of Monmouth on the 28 of June,² I have not to this day framed any opinion.³ I have so little leisure to attend to the military operations of America,⁴ & am so incompetent a judge of the qualifications necessary to constitute the Character of a General, that I make no Judgment at all—But

Without admitting or denying that "you have made much greater sacrifices in the cause of american freedom than any one officer of our whole army without a single exception, & that it is not less certain that you have saved our whole army more than once from destruction" (the proofs of which are not in my possession) I can assure you that I heartily disapprove of all publications containing personal reflections on the Character of any Gentleman, & especially on those of your rank in the American Army. And if what was presented to the publick as a meer republication of a paper formerly printed by a Virginian⁵ Tory has been (as you say) republished with many malicious alterations & additions, it is still the more inexcusable⁶ because all such alterations & additions besides their particular malignity against you, (for which alone I [should] condemn them) are⁷ an imposition upon the world; & must be considered by every man of honour be the legal construction what it will as a downright forgery. I can farther assure you that I cannot but disapprove of Mr. Collins's inserting the paper you refer to in his Gazette,⁸ not only because no Printer ought to make his press a vehicle for personal Slander; but because he set out with a professed declaration against diverting⁹ his paper to such purposes; & has so tenaciously adhered to that maxim (Till the publication in question)¹⁰ as to reject (if my information be true) several pieces on account of the personal reflec-

tions they contained on Gentlemen in the Service of the Enemy; & which the Law of retaliation would clearly have warranted him to insert. And I must declare in justice to him & from what I personally know of his humane disposition, & his disinclination to convey through the channel of his Press any thing injurious to the reputation of others that I firmly believe he has taken the paper presented to him as a Copy of a publication in Virginia for a true Copy. And it is generally supposed by virtue of what law I know not (but perhaps by one as rational as that of deciding controversies by private combat in civil communities which reprobate that mode of decision)¹¹ that a printer by that base republication of a paper is not presumed to adopt the Sentiments & that by disclosing to the party aggrieved, at whose instance it was republished, he always averts the indignation of the Sufferer from himself to that person. I should however be very sorry to find any of our printers imitating the practice of the British subjects in New York, who whether they exceed us in military discipline & courage or not, have to my certain knowledge hitherto surpassed us in printed calumny & detraction.¹²

From these my Sentiments respecting the Printers of defamatory papers, I hope Sir you will not question my disapprobation both of the original authors, & the¹³ secondary propagators of Slander. But neither Mr. Boudinots appointment to, nor deposition from, his office as Commissary of our State Prisoners,¹⁴ being in my department, it is not in my power to do you the Justice which you seem to expect in that line. Nor is there any authority in this state by which he can be cashiered till the next meeting of our Assembly which stands adjourned to the nineteenth of May. But the Law of the State is always at every ones Service, & in the case of libels if we are to credit the British Lawyers, so peculiarly favourable to the prosecutor, that the scandal is not the less penal for being true, than if it was utterly false which I think is giving a man as great a chance & as can reasonably be desired. And perhaps if you thought proper to publish your Letter to me on the Subject under consideration, it would be as ample satisfaction against Mr. Boudinot as the nature of the offence requires; but that I entirely submit to your better Judgment. In a word Sir whenever it shall be pointed out to me in what manner I can with any propriety interfere in the matter either as Governor of the State, or as a private Gentleman, I shall not hesitate a moment to do you all the Justice which I conceive you deserve. In the

mean time I embrace this opportunity to re-acknowledge¹⁵ my grateful Sense of your friendly Intimations some time since of the Enemy's¹⁶ peculiar resentment against me & your kind concern for my personal Safety upon that account. I must however take the Liberty to say as a man entirely detached from all party, & wholly devoted to what he thinks the true interest of his Country, that I should be extremely unhappy in having reason to believe what is frequently & perhaps injurious [when] reported of you that you indeavoured to lessen the estimation in which G. Washington is held by the most virtuous Citizens of¹⁷ America; (& which estimation not Sir from a blind attachment to men of high rank, or any self-interested motive whatever but from a full conviction of his great personal merit, & public importance) I deem it my duty to my Country to use my utmost influence to support. I am with all due Respect

ADf, NN:Lyon.

1. Letter not found.
2. Lee wrote an article published in the December 3 *Pa. Packet* defending his actions at Monmouth. Although not directly attacking George Washington, in that piece Lee failed to mention Trenton and Princeton among American military victories. He did comment on the American defeat at Long Island and the loss of New York City, stating that the "fault could not have been in the men, or the common bulk of officers."
3. WL, however, had written an unsigned factual report of the battle of Monmouth. See *Livingston Papers*, 2:375-79. The *N.J. Gazette* of December 31, 1778, had reprinted an attack on Lee that was published originally in the *Virginia Gazette* (Williamsburg). A communication defending Lee appeared in the January 27, 1779, issue of the *N.J. Gazette*.
4. After "America" and before "&" WL wrote then crossed out "& those operations are generally so differently represented."
5. Between "Virginian" and the parenthesis WL wrote then crossed out "paper, was published."
6. After "inexcusable" and before "because" WL wrote then crossed out "proportionately. I cannot hesitate to increase my aversion to such a publication in proportion to the alterations and additions with which it was attended on the public."
7. After "are" and before "an" WL wrote then crossed out "undoubtedly attended with the aggravated guilt of."
8. On December 31, 1778, the *N.J. Gazette* had printed an article by "Scourge" that supposedly had appeared in the *Virginia Gazette* of 1775. It vilified an unnamed officer, calling him "MERCENARY" and "void of principle," and used canine allusions to describe his countenance. A cover letter by "A.B." had introduced the article, declaring that a recently court-martialed general was trying "to raise a party in his favour, by calling in question the abilities not only of our illustrious Commander in Chief, but that of all our General Officers" (*N.J. Gazette*, December 31, 1778).
9. After "diverting" and before "his" WL wrote then crossed out "prostitution."
10. After the parenthesis and before "as" WL wrote then crossed out "which you justly take offense."

11. Lee had fought a duel with John Laurens on December 24, 1778.
12. After the period WL wrote but later crossed out "But according to the english Law against libels as it is [presently?] understood all written slander & all defamatory publications true or false are punishable on a prosecution in the name of the State, which is as great a [chance] as an innocent man could wish to have & a much greater than a guilty one ought to have."
13. After "the" and before "secondary" WL wrote then crossed out ["officials"].
14. Elisha Boudinot.
15. After "re-acknowledge" and before "my" WL wrote then crossed out "(of what I hope I shall never be destitute)."
16. After "Enemy's" and before "peculiar" WL wrote then crossed out "intentions against my personal Safety, Designs."
17. WL had originally written another concluding section of this letter but crossed it out. In that original draft he made so many internal corrections that much of this section is unintelligible. The final version, however, from a reading of the crossed-out section, embodies the sense of the first draft.

To Gouverneur Morris and William Whipple

Morris Town 30 January 1779

Gentlemen

I am honoured with your Letter of the 19th instant,¹ inclosing a Copy of Mr. Wadsworths Letter to you of the 18th,² and feel myself deeply affected with the alarming prospect of the danger which threatens our army in the articles of Wheat & flour. But considering the full efficacy of our Law³ to draw from the farmers all the Supplies that can be spared; & the scantiness of our crops last year (occasioned principally by the military duty to which our husband men were perpetually called) & the quantity already supplied I cannot avoid concluding that the difficulty with which the Commissary General of purchases has to struggle to procure in this State the articles mentioned does actually arise from their scarcity & not from the Spirit of extortion, tho' that Spirit to our great reproach, is but too predominant amongst us to admit of any palliation.

To stimulate our Magistrates to the more vigorous execution of our Law on the subject in question (it having been represented to me by the military that some of them were suspected of being rather too remiss in that branch of their duty) I lately issued a proclamation which is the ne plus ultra of authority in my department. But were I to be furnished with proper proof that any part of the difficulty arose from their delin-

quency in their office, I should think it my farther duty, to direct a prosecution against them by the Attorney General. But being convinced that it has its true Source in actual Scarcity (excepting what may be concealed by some disaffected or extortious individuals for a still higher market) it is really beyond the Compass of my abilities to concert any measures for preventing the evils apprehended, & 'tis my inviolable rule never to give encouragement beyond the apparent probability of Success. If however any expedient can be pointed out that is within the Bounds of my authority the honourable Committee may rest assured that the utmost efforts will be chearfully exerted by thier most humble Servant

P.S. Notwithstanding any thing above alledged respecting the general Scarcity of Country produce in this State, I have but too much reason to believe that great quantities are carried into the Enemys lines from the Counties of Bergen & Monmouth which not being in my power to prevent I have represented the matter both to Congress and General Washington.⁴

ADf, NN:Lyon.

1. Refer to Gouverneur Morris and William Whipple to WL, January 19, 1779 (Nj).

2. Commissary Gen. Jeremiah Wadsworth had written to Morris, Whipple, and Nathaniel Scudder informing them that it was not possible to buy wheat and flour for the army (Jeremiah Wadsworth to a Committee of Congress, January 18, 1779, copy in *Pa. Archives*, 1st ser., 7:159).

3. *Acts* (February 21–April 18, 1778), 30–34. See Proclamation, [January 14, 1779], for a discussion of the enforcement powers of the March 24, 1778, law.

4. For WL's earlier letters to the Continental Congress and George Washington on illicit trade in Bergen and Monmouth counties, see *Livingston Papers*, 2:423, 474–75, 510, 512.

To Lord Stirling

Morris Town 30 January 1779

My Lord

Of the twenty odd convention Troops who deserted on their march thro this State & were Committed to Morris Gaol, there are but thirteen left.¹ As they constantly escape,² I fear they will soon be all at New York unless they are removed from hence.³

ADf, NN:Lyon.

1. In the ADf WL wrote then crossed out “the Gaol being in very bad order, & still only guarded by” after “left.”

2. For an account of the prior desertion and recapture of these troops, see WL to George Washington, January 9, 1779. On January 30 WL ordered Brig. Gen. William Wins to furnish a guard for the prisoners in the Morristown jail (NN:Lyon). George Washington on February 20 ordered Brig. Gen. William Maxwell to send all deserting convention troops to Morristown, “where the Guard has been strengthened for their security” (Fitzpatrick, *Writings of Washington*, 14:134–35).

3. Apparently there were other instances of desertions. On January 11, 1779, Sir Henry Clinton had written to Lord Germain about the movement of the convention troops southward: “As a proof that we have many friends in the country . . . 30 men of these troops were conducted in a body eighty miles through the rebel cantonments and brought safe within our posts” (Davies, *Documents*, 17:28). According to a muster roll of February 17, 1779, 626 officers and enlisted men of the British and Hessian troops had deserted from the convention force by the time it arrived in Charlottesville, Virginia (DLC:GW).

To Thomas Clark

Elizabeth Town 4 february 1779

Sir

I am informed that some of the Magistrates of the County of Bergen make a practice of granting permissions to the Inhabitants to go into the Enemy's lines; & that you, naturally supposing them to be thereto authorized by our Law, suffers the bearers of such permissions to pass accordingly. As this practice of the Justices is not only contrary to, but very penal by, the Laws of this State,¹ I shall be obliged to you for stopping in future all the bearers of such passes, & to transmit the passes themselves to me, that I may be enabled to direct prosecution against the Magistrates who presume to grant them. I am

ADf, NN:Lyon.

1. Acts of October 8 and December 11, 1778, had forbidden magistrates to grant passes and imposed fines of from £50 to £2000 for violation of the laws (*Acts* [September 24–October 8, 1778], 42; [November 20–December 12, 1778], 105). For a discussion of the second act see *Livingston Papers*, 2:518–20.

To John Mead

Elizabeth Town 5th february 1779

Sir

I have directed Colonel Dey to order from his Battalion as many classes as will make one hundred men to be stationd at the Liberty pole under your command.¹ If volunteers can be procured it will be best, & in that case the deficiency only of the number wanted is to be called out, & I desire you to consult Colonel Dey on that Subject. The Guard is to be relieved monthly till farther orders.

Tho' I would have the main body of the Guard stationed at the Liberty Pole, I think it will be necessary to place a small detachment of them at Monunacuk Ferry, & another at Monacki Woods.²

As you have been recommended to me as a proper officer to command the guard, I hope you will not disappoint my expectations & I Expect you to be particularly careful to suppress all intercourse with New York unless the persons can produce a pass from General Washington or myself, & to seize whatever they carry to or bring out of the Enemy's lines, which our Act of Assembly now gives to the persons who seize it, after it has been condemned by a Justice of the peace.³ But I would by no means have you suffer your men to go out in parties without the proper officer a practice that has heretofore occasioned great depredations upon the Inhabitants contrary to Law & which I hope you will strictly forbid, & if any of your men should presume to plunder you will send them to a Magistrate to be proceeded against according to Law.

As discipline is essentially necessary to preserve order & subordination I hope you will in this respect also conduct yourself as a good officer; & you are to give me a narrative once a week (if you meet with an opportunity) of your proceedings, of all occurrences that are worth transmitting. I am

ADf, NN:Lyon.

1. Refer to WL to Theunis Dey, February 5, 1779 (NN:Lyon). Inhabitants of Hackensack, Bergen County, had petitioned that a militia guard be stationed at the liberty pole in the town. Petition not found. The Privy Council and WL agreed on February 3 and drafted orders to Col. Theunis Dey at that time (*NJA* [Privy Council], 3d ser., 1:113).

2. WL believed these two locations to be “most used by the disaffected” in the illegal trade with New York. Refer to WL to Peter Wilson, February 4, 1779 (NN:Lyon).

3. The procedure for seizure of goods, established in an October 8 act, had remained unchanged. In addition to forfeiting the goods seized, however, offenders became liable for the value of the seizures if a suit was brought against them under an act passed December 11. The cash value of the goods was to be divided evenly between the person bringing suit and the state (*Acts* [September 24–October 8, 1778], 104–6; [November 20–December 12, 1778], 41–42).

To Moore Furman

Elizabeth Town 7 February 1779

Sir

Sometime last month¹ Capt. Benjamin Dennis who lately killed the infamous Robber Fagan² with a party of his militia, went in pursuit of three of the most noted of the pine-banditti, & was so fortunate as to fall in with them, & kill them on the Spot.³ This signal piece of Service was affected through the instrumentality of one John Vankirk who was prevailed upon to associate with them on purpose to discover their practices, & to lead them into our hands. He conducted himself with so much address that the robbers looked upon him as one of their body; & especially the three above mentioned who were the leading villains, kept him constantly with them, and entrusted him with all their designs. Vankirk at proper seasons gave intelligence of their movements to Capt. Dennis who conducted himself accordingly. They were on the Eve of setting off for New York to make Sale of their plunder, when Vankirk informed Capt. Dennis of the day of their intended departure, & of the course they would take to their boat. In consequence of this the Capt. & a party of his Militia planted themselves in the road, & shot them in the manner above related. We were in hopes at first of keeping Vankirk under the rose⁴ but the secret is out, & of course he must flee the county. The Tories are so highly exasperated against him that death will certainly be his fate unless he speedily quits Monmouth. He has formerly been in the forage & wagon department, & is desirous of returning into the same line of life. All the well affected in that County wish that he may be able to get employment in that department,⁵ & to say nothing of my own disposition to reward such a man,⁶ it is at their request chiefly that I take the Liberty to recommend him to you for business in the way of life that he is desirous of following. I am

ADf, NN:Lyon.

1. The *U.S. Magazine* reported that the incident had occurred on January 27 (*U.S. Magazine* [Philadelphia], February 1779, 51). An account of the event in the *N.J. Gazette* of February 3, 1779, notes that it took place on the evening of January 26.

2. For an account of Jacob Fagan's death see *Livingston Papers*, 2:487–88.

3. The Loyalists killed were Stephen Burke (alias Emmans), Stephen West, and Ezekiel Williams.

4. Most of this section of the letter is taken verbatim from a letter of January 29 “from Monmouth Court-house” that appeared in the February 3, 1779, *N.J. Gazette*. There is insufficient evidence to conclude that WL was the author of that newspaper article.

5. There is no record of Van Kirk being hired by Moore Furman. WL did employ Van Kirk, however, in August and September 1779 as an express rider (Nj).

6. Van Kirk petitioned the legislature unsuccessfully in April 1779 for compensation for his efforts. In an October 5, 1778, proclamation, WL had offered a \$500 reward for capturing Fagan and others, but there was no provision for a reward for his death (*General Assembly* [April 20–June 12, 1779], 72; *Legislative Council* [October 27, 1778–October 9, 1779], 56; *Livingston Papers*, 2:454–55).

To Jeremiah Powell

Elizabeth Town 7th February 1779.

Sir

I find myself honoured with your favor of the 14th Instant¹ signed in the Name & behalf of the General Court & heartily sympathize with you on the melancholy Prospect of the approaching scarcity of Grain with which your State is threatened.²

I should be happy to have it in my Power by recommending agreeable to your request the suspension of our Embargo Law³ as far as it relates to the exportation of grain to the Eastern States,⁴ to furnish you with the most incontestible Proof of my disinclination to resent by a similarity of Conduct the unsisterly behaviour of some of those States in withholding from us many of the comforts of Life imported by our own Merchants into their Ports when we had no access to the Ocean by the means of our own. But the great scarcity [of all] Produce in this State, occasioned by our Farmers having been so frequently called out to Military Duty, & the immense Quantities already supplied to our Army (a great part of which has taken up its Winter Quarters with us, & is not a little distressed for Grain) disables me from convincing you of my Superiority to all such kind of requitals. Our Assembly stands adjourned⁵ to the 19th of May, & whenever they meet (as perhaps upon some unforeseen Emergency, they may convene sooner) I shall think it

my duty to submit your application to the House;⁶ & any recommendation from the Congress will undoubtedly have its due weight with us,⁷ of which we afforded a striking instance in a very self-denying Law for the regulation of the prices of Provisions, with which very unfortunately for us, some of the united States could not be induced to comply.⁸ I have the honour to be with great respect Sir your most humble Servant

WIL: LIVINGSTON

LS, M. In the hand of Susannah Livingston. Mutilated.

1. Letter to WL not found. Similar letters had been sent to Gov. George Clinton of New York (January 16) and Pres. Joseph Reed of Pennsylvania (January 14). Refer to *Public Papers of George Clinton*, 5:489–90, and *Pa. Archives*, 1st ser., 7:231.

2. Powell, president of the Council of Massachusetts Bay, had informed Clinton of the causes of the “alarming scarcity.” The problems included the feeding of the captive convention army, severe drought, and blight (*Public Papers of George Clinton*, 4:489).

3. “An Act to prohibit the Exportation of Provisions from the State of New Jersey,” passed June 20, 1778, and renewed November 26, 1778, forbade until June 12, 1779, the exportation of “Wheat, Flour, Rye, Indian-Corn, Rice . . . and other Provisions” (*Acts* [June 17–22, 1778], 88–89; *Acts* [November 20–December 12, 1778], 4).

4. On an ADF (NN:Lyon) WL wrote and crossed out “shew my superiority” between “to” and “furnish.”

5. In the ADF, between “stands” and “to” WL wrote then crossed out “prorogued.”

6. No record of a WL message on this subject has been found in the legislative journals or WL’s letterbooks.

7. The Continental Congress on April 14 resolved to recommend that the executives of the Middle Atlantic states and Virginia allow flour and grain to be sold to Massachusetts (*JCC*, 13:449). John Jay wrote a circular letter to the state executives on April 18 enclosing the resolution (DNA:PCC, 14). Letter to WL not found.

8. For background on the March 31, 1778, act regulating prices and its subsequent suspension see *Livingston Papers*, 2:363–64. A December 3, 1778, act continued the first suspension until other states “adjacent to, or bordering upon” New Jersey had taken action to regulate prices (*N.J. Gazette*, April 23, 1778; *Acts* [November 20–December 12, 1778], 8).

To Lord Stirling

Elizabeth Town 7 february 1779

My Lord

I received your Lordships Letter of the 1st instant¹ respecting the convention prisoners confined in Morris Town. Their not being ordered from thence because they will be equally troublesome any where else, may be urged with equal propriety for burdening that place

with all the villains in the Country. If they would give exactly the same trouble elsewhere, they ought still to be removed, that other places may have their proportion of the trouble. The orders however which your Lordship has given concerning them,² will I hope effectually secure them & that was my principal concern.

Your Lordships Letter & duplicate concerning Cornelius Hetfield & Arrow Smith³ I received the same day, & immediately sent an answer,⁴ which was in substance that Hetfield has made his escape from the guard, & that I thought Arrow Smith ought to be delivered over to the civil Magistrate. I am

ADf, NN:Lyon.

1. Letter not found.
2. Orders not found.
3. Letter not found.
4. Refer to WL to Lord Stirling, January 15, 1779 (NN:Lyon).

To John Jay

Elizabeth Town 8 february 1779

Sir

I have received your Letter of the [20] of January¹ inclosing a resolution of Congress of the 5 January for the several States raising by taxes their respective quotas of the 15 millions of Dollars for the year 1779,² which shall be laid before our Legislature for that purpose, & another of the 1 January recommending it to the several states to adopt such measures as may be effectual for detecting persons employed in making counterfeit bills or passing the same knowing them to be such,³ for which our Legislature has already made provision.⁴ I am with great Respect your Excellencys

ADf, NN:Lyon.

1. Letter not found. Jay's letterbook contains a notation of a January 10 circular letter enclosing resolves of January 1, 2, and 5 (DNA:PCC, 14).
2. New Jersey's quota was \$800,000 (*JCC*, 13:28). For legislative action on this matter see WL to the Assembly, April 22, 1779.
3. The resolve of January 1, 1779, had directed the Committee of the Treasury to relay information to the states about recent counterfeiting. It also asked the states to adopt measures "effectual for detecting persons employed in making counterfeit bills, or passing the same, knowing them to be such" (*JCC*, 13:11). For related congressional resolves on the counterfeiting of Continental currency see WL to Caleb Camp, February 15, 1779.

For prior incidents of counterfeiting see *Livingston Papers*, 2:30, 32, 34, 54, 56, 105–6, 167–68.

4. An act of September 20, 1776, had established the death penalty for those convicted of counterfeiting bills of credit issued by the colonial or state legislatures, provincial governmental bodies, and the Continental Congress (*Acts* [September 13, 1776–March 17, 1777], 3–4).

To George Washington

Elizabeth Town 8 February 1779

Dear Sir

I have just received your Excellencys favor of the 31st January; & am much obliged to your Excellency for ordering the Party under Col. North into Monmouth County.¹ Could you form any guess concerning the time of their continuance there, it might regulate me in dismissing the additional Militia I lately ordered into that from the Neighbouring Counties;² or at least (since their Month will soon expire) in countermanding my Orders for their relief.

Lord Stirling (to whom I applied in your Excellencys Absence from Camp)³ has given such Orders respecting the Deserters from the Convention Troops confined in Morris,⁴ as I doubt not will prevent their farther desertion from thence, which was my principal uneasiness; tho from the Inconvenience of the numbers in that Goal. I am perswaded your Excellency will order their removal whenever They can be conveniently disposed of. I have the honour to be with the greatest regard Dear Sir your Excellencys, Most obedient Servant.

ADf, NN:Lyon. In the hand of Susannah Livingston.

1. Refer to George Washington to WL, January 31, 1779 (MHi). Lt. Col. Caleb North's Pennsylvania troops had been ordered into Monmouth County on January 8 to stop illegal trade with New York City. Refer to George Washington to Lord Stirling, January 8, 1779 (DLC:GW).

2. On January 15 WL had applied to the Privy Council for additional militia to be stationed in Monmouth County. The council had advised WL to call out part of the militia from Burlington, Hunterdon, Middlesex, and Monmouth counties to serve under the command of Col. Asher Holmes (*NJA* [Privy Council], 3d ser., 1:112–13).

3. Washington appointed Lord Stirling on December 21 as interim commander of the wintering Continental troops at Middlebrook. He then journeyed to Philadelphia on December 22, 1778, and returned to Middlebrook by February 5, 1779 (*JCC*, 12:1230; George Washington to Lord Stirling, December 21, 1778, in Fitzpatrick, *Writings of Washington*, 13:388–91, 443).

4. See WL to Lord Stirling, January 30, 1779.

To Caleb Camp

Morris Town February 15. 1779

Sir

I find numbers of people complaining of the difficulty & expense to which they are exposed in changing the Bills of the [two] Emissions called by Congress out of circulation,¹ & who earnestly wish for the interposition of the Legislature in the Matter before the time to which the Assembly stands adjourned.² But as this is a matter entirely confided to your discretion, I pretend not to interpose any farther than to acquaint you that if it would be any satisfaction to you to know the Sentiments of a privy council upon the Subject not as authoritative to you, but for your private satisfaction, I would upon a line from you to that effect cheerfully call one.³ I am

ADf, NN:Lyon.

1. In an attempt to impede British counterfeiting of Continental currency, particularly the emissions of May 20, 1777, and April 11, 1778, the Continental Congress resolved on January 2 to take the bills from those two issues out of circulation by June 1, 1779. Those possessing the bills could either use them to pay taxes and debts or exchange them at the Continental loan offices for other bills (*JCC*, 13:21–22). This resolve was printed and distributed to the states (Evans, no. 16564).

2. The General Assembly was called into an early session, but not because of counterfeiting or currency matters. See WL to Caleb Camp, March 20, 1779.

3. The surviving Privy Council minutes do not record a meeting on this subject.

To Nathanael Greene

Morris Town 17 February 1779

Sir:

I have received your favour of the 14th instant with the inclosures,¹ and am sorry to hear that any of our Magistrates should furnish any matter of complaint either for delinquency in duty, or excess of authority; in both which respects I have reason to believe that some of them have rendered themselves culpable. For while some are remiss in assisting the army according to the true spirit of the Law;² others have been oppressive in granting warrants for cutting wood without sum-

moning the owner to try his disaffection, or any proof of his refusal, & that by the acre instead of the cord. Certain it is that for every breach of duty, they are amenable to the Law; but that I have any particular authority to exercise over them, in consequence of their conduct is far from being evident. I shall however take occasion to lay the papers before the privy Council;³ & it would give me real pleasure to be instrumental in the execution of the Law for supplying the army according to its wants, & in proportion to the stock people have in hand, & the necessities of their Neighbours that have none at all. I am with great Esteem Sir your most humble servant

WIL: LIVINGSTON

ALS, PPAmp.

1. Refer to Nathanael Greene to WL, February 14, 1779 (DNA:PCC, 173). The four enclosures were letters and documents from Monmouth County supporting Greene's allegations of "the Wickedness and Villainy of some Magistrates." A farmer, forced to sell his grain to the army, applied to a local justice, who reversed the decision of another magistrate to compel the sale. Furthermore, Greene had asserted, the local justices, under pretense of feeding the poor, were setting high prices to prevent public sales (DNA:PCC, 173).

2. For a discussion of this act, see WL Proclamation, [January 14, 1779].

3. The surviving Privy Council minutes do not record a meeting on this subject.

To Joseph Reed

Morris Town 17 February 1779

Sir

I am honoured with your Excellencys circular Letter of the 6 instant¹ inclosing certain resolves of the Council of your State of the 3d respecting Major General Arnold² which I shall communicate to the Legislature of this State agreeably to your desire.³

I am exceedingly sorry that Major General Arnold should by any part of his conduct have given umbrage to the Government of Pennsylvania by any military encroachment upon the civil authority; & hope that every oppressive Measure against the Citizens of any the united States will be duly attended to & [made] a common Cause by the whole Union.⁴ I have the honour to be with great respect

ADf, NN:Lyon.

1. Letter to WL not found. For the text of the letter, refer to Pennsylvania Supreme Executive Council to the States, February 6, 1779 (*Pa. Archives*, 1st ser., 7:183–84).

2. Maj. Gen. Benedict Arnold had assumed command of Philadelphia on June 19, 1778. On February 6, 1779, the Pennsylvania Supreme Executive Council, writing to the other state executives, enclosed a list of eight resolves passed February 3 about Arnold's conduct as city commander. The resolves had claimed that Arnold used his public position to private advantage and, through his official actions, abused both the citizens of the Philadelphia area and the state militia. For the full charges refer to *Pa. Packet*, February 9, 1779.

3. For legislative action see WL to the Assembly, April 22, 1779.

4. Reed had also written to the Continental Congress. On January 26 Reed's letter of January 25 was referred to a committee. On March 27, after Arnold had resigned his command (March 19), the committee reported to the whole Congress. On March 29 a new committee was formed to confer with the Pennsylvania government. Congress on April 3 agreed with its committee's findings that several of the charges be sent to George Washington "in order for trial" (*JCC*, 13:115, 188, 247–50, 263, 324–26, 338, 361, 379–80, 390, 414). For information on Arnold's court-martial see WL to Benedict Arnold, April 17, 1780.

To George Washington

Morris Town 18 february 1779

Dear Sir

I take the Liberty to transmit to your Excellency the affidavit of John Britton concerning certain insults on his person & violations of his property by Major Call,¹ & a party of dragoons of Colonel Blands² regiment under his command another of John Dunham proving upon Major Call the like trespassing committed against him. Another of Elisha Ayres proving the like [outrages] upon him; by Henry Heath of the same Regiment, & countenanced by the said Major Call, attended with the aggravating circumstance of Call's protecting the offender against the process of the civil Magistrate. Another affidavit of the same Ayres, proving sundry personal abuses upon himself & family, & the destruction of his property by a company of light horse men commanded by Bartholomas Van Herz—³ And another affidavit of James Ford proving a robbery committed upon the property of Jonathan Dickerson by James Skinner a Lieut in the seventh Maryland Regiment with a detachment under his command,⁴ & also the imprisonment of the said Dickerson by a guard of Skinners for attempting to take him by civil process for the Depredations he had made on Dickersons property, & of Colonel Adams's declaration that he would protect Skinner against it.⁵

These Sir are such invasions of the rights of our citizens & such contempts of the civil authority of this State as I am confident will meet with your Excellency's highest disapprobation and as with respect to

some of the offenders the Law has in vain been attempted to be executed, & wantonly resisted, & the others are not [easily] to be come at by the officers of Justice, I hope that by your Excellency's interposition, they may be induced to make the parties injured all reasonable satisfaction without farther trouble. Having kept no copies of the affidavits, I shall be glad to have them returned after your Excellency has no farther occasion for them & am

P.S. I had forgot to mention the affidavits of Walter [Moppot] & Jonathan Dickerson, which I also inclose.

ADf, NN:Lyon.

1. Maj. Richard Call. The *N.J. Gazette* of February 17, 1779, carried a story indicating that Washington had thanked Lord Stirling "for his endeavours to preserve . . . the property of the farmers in the vicinity of the camp [Middlebrook]."

2. Col. Theodoric Bland.

3. WL is referring to Bartholomew Von Heer.

4. All of the affidavits cited by WL to this point are not found.

5. Dickerson had signed a deposition on December 31, 1778, that accused Lt. James Skinner of forcibly seizing grain from his mill on December 19 and refusing to obey the laws of the state (DLC:GW). For further information see WL to George Washington, April 12, 1779.

To Isaac Collins

Morris Town 22d February 1779

Friend Collins

I received yours of the 17th¹ and find that you have been misinformed respecting my being at Camp at the late Exhibition of the fireworks.² Had I been at head Quarters that luminous night, I should cheerfully have given you a description of³ their sulphureous manifestations, for a paragraph in the *New Jersey Gazette*.

I can assure you that the blaze of our *Eastern Comet* "the *New Jersey Journal*" has not diverted my attention from the *western light* the *Gazette* which I heartily wish will continue to shine with its primitive lustre. And indeed from the faint sparkles of the said comet at its first appearance & the numerous [. . .] in its Body I shrewdly mistrust, it will shortly go out like a meteor while the other luminary increases in strength & splendor.⁴ To drop the metaphor, I was earnestly solicited to patronize the *Journal*, but answered that without any personal attach-

ments to either Printer I thought myself bound particularly to patronize your paper as published by the Printer of the State, & can therefore only countenance the other as a Subscriber.

With respect to the late silence of Hortentius, would you believe it that among the weighty charges exhibited against me at the joint meeting to prevent my Reelection as Governor one was that I had published pieces in your papers under the signature of Hortentius?⁵ I am sorry that the objection was made by one of the friends, tho' I don't suppose that the friends are answerable either for his malice or his nonsense.⁶

I inclose you a little catch & am

ADf, NN:Lyon.

1. Letter not found.
2. A fireworks display had highlighted the French alliance anniversary celebration at Pluckemin, New Jersey, February 18. George Washington and other officers and their wives attended a ball there. A brief notice of the event appeared in the February 24 *N.J. Gazette*, followed by a more extended description in the March 3 issue.
3. After "of" and before "their" WL wrote then crossed out "that artificial day & how far the works of art."
4. The first issue of the *New-Jersey Journal* carried the dateline of February 16, 1779. The newspaper was published in Chatham by Shepard Kollock.
5. The minutes of the Joint Meeting do not mention "Hortentius." They record that WL received thirty-one votes and Philemon Dickinson six (*Joint Meeting*, 28). The last "Hortentius" writing prior to this date had appeared in the October 21, 1778, *N.J. Gazette*. See *Livingston Papers*, 2:464-66.
6. A reference to John Cooper, one of the six who voted for Philemon Dickinson.

"Jack Ketch"

February 18, 1779 [February 24, 1779]

An ingenious young Lady having had a print of a certain General given her, in order to take off a likeness, and she delaying to do it, occasioned the following lines.

Address'd to Miss P—— P——
 WHAT perverse things most girls prove
 Either in FRIENDSHIP or in LOVE!
 Tho' oft they please they oft'ner vex,
 As all must know who knows the sex.
 When *Lovers* plead, you'll oft be sure
 To disobey, to show your pow'r,

And think if you prove kind at last
 It will atone for foibles past:
 But should a *friend* a favour ask
 To grant it seems a mighty task;
 Thus I, above a month ago
 Gave you a print of Gen'ral H——e,¹
 That your fine hand with care might trace
 Each feature of his martial face,
 Preserve a likeness, yet impart
 Beauties above th' engraver's art;
 (And manly charms he has it's plain
 For which ev'n beauty's sigh'd in vain*)
 Well knowing what you do is neat,
 Or rather, like yourself—compleat:
 That you, I say, might draw with care
 His graceful military air,
 Such as is lov'd by all the fair;
 Who ogle more a hat that's lac'd
 Than parson in a pulpit plac'd.
 But hold—methinks I hear you say,
 “The Gen'ral may be bold and gay,
 But yet, good Sir, I'd have you know
 He still is but my Country's Foe;
 While such, he'll be to me, indeed,
 An object, not of *love*, but *dread*;
 And therefore, tho' it may seem rough,
 JACK KETCH,² for me, may *take him off*.”

Trenton, February 18, 1779.

**See the history of his amours prefix'd to the Town and Country Magazine.*

N.J. Gazette, February 24, 1779.

1. Gen. William Howe, a handsome, popular man, was famous for fast living while commanding the British army at Philadelphia.
2. Jack Ketch: hangman, executioner.

To Militia Colonels of Burlington, Hunterdon, and Middlesex Counties

Morris Town 1 March 1779

Sir

I find by the return of the men of your Battalion who come ordered as a Guard for the County of Monmouth by my Letter to you of the 15 of January last,¹ so great a deficiency in the complement required as really reflects disgrace upon the County. I hope that in procuring the reliefs, your utmost efforts will be exerted, that whatever disgrace may be due to the men for their backwardness in assisting a neighbouring County more peculiarly exposed to the Enemy the officers may not be involved in the dishonour, but manifest a proper Zeal in the Cause of thier Country by using their utmost Endeavours to procure the full compliment required.

ADf, NN:Lyon.

1. For Privy Council action on this matter see WL to George Washington, February 8, 1779. WL had written to Cols. Joseph Phillips, William Scudder, Joseph Haight, and William Shreve on January 15, ordering them to detach one class of militia from their battalions for service in Monmouth County (NN:Lyon).

To George Washington

Raritan 9 March 1779

Dear Sir

I am honoured with your Excellency's favour of the 3d instant inclosing the depositions which I had the honour some time since to transmit you. As I cannot answer it, without seeing the parties, I must postpone it, till I have an opportunity to consult them on your Excellencys proposals which are equally just & honourable.¹

I am just now applyed to by Mr. Van Nest a Son of one of our Council, & of a very respectable family. The causes of complaint are reduced to writing in the inclosed affidavits.² General Waine & Major Fishurn I find are both absent from Camp. If they could be ordered here by the latter end of this month, so that the parties aggrieved could have an op-

portunity to issue process against them returnable the beginning of April, when the Court for this County sits, I suppose it would satisfy the complainants.³ I intend that Mr. Van Nest shall himself wait on your Excellency with this Letter, as he may be able to give you farther particulars than are contained in the Depositions. I have the honour to be with the greatest respect your Excellencys most humble Servant⁴

WIL: LIVINGSTON

ALS, DLC:GW.

1. For a discussion of this subject see WL to George Washington, February 18, 1779, and refer to George Washington to WL, March 3, 1779 (DLC:GW). George Washington reported in his March 3 letter that Maj. Richard Call and Henry Heath, two of the men against whom complaints were lodged, were in Virginia; they would be ordered to New Jersey if WL insisted. Capt. Bartholomew Von Heer was, however, at Middlebrook. Washington wrote that he wanted a speedy trial either in civil court or via courts-martial.

2. Enclosures included a deposition of Peter Davis, a constable of Somerset County, taken on March 9 (DLC:GW). Davis had accused Maj. Gen. Anthony Wayne of obstructing his efforts to serve a warrant on two Continental army officers, Maj. Benjamin Fishburn and Samuel Wright. He claimed that in late January he was forcibly detained by Wayne's men at the home of Abraham Van Nest, Sr., where Wayne, Fishburn, Wright, and Abraham Van Nest, Jr., were lodging. The warrant charged Fishburn and Wright with breaking down the door to a room they shared with the younger Van Nest. It was also asserted that Van Nest then threatened the two officers and was subsequently struck by Fishburn.

3. On March 16 Washington wrote to Wayne for information about the controversy and enclosed an extract of WL's letter. In a letter to WL of March 23, Washington wrote that he had requested that Fishburn and Wayne return to camp (NjP). On March 23 Wayne replied to Washington's March 16 letter and enclosed a deposition of H. W. Archer, who had been present during the January incident. Archer stated that Peter Davis "acknowledged having exceeded his duty, was sorry that he had acted wrong." Wayne defended his detention of Davis because he had refused to show his warrant and was "exceedingly rude & Insolent." Wayne wrote that his refusal to turn the two officers over to Davis was appropriate and concluded, "I believe that his Excellency Governor Livingston would have done the same." Depositions and letters to and from Wayne on this matter are at DLC:GW.

4. Wayne wrote on March 23 that he was too heavily engaged in public business to attend but that he ordered Fishburn to return to New Jersey to resolve the matter (DLC:GW). No further action is recorded on this dispute.

To British Prisoners

Morris Town 17 March 1779

Gentlemen

As it was with reluctance that we resolved to imitate the rigour with which the Enemy treated our Prisoners; it is with pleasure that we have

been informed of their lately assuming a different line of conduct, which I have some reason for ascribing rather to the resolution of this State to retaliate on their people whom the fortune of war should throw into our hands, the like severities as they exercised on our particular citizens, than to any alteration in the temper of their minds.¹ But tho' they have lately been more indulgent than formerly to those whom they have taken in arms; I have not learnt that they treat our peaceable Citizens whom they have surprized upon their farms, with more lenity than heretofore.² It was nevertheless for the sake of those particularly, and in order to procure them that humane useage to which all prisoners of war are intitled, that you were intended to be kept, or exchanged, or treated in a similar manner during your captivity. And although inhumanity to prisoners is extremely odious & unwarrantable in the aggressor, I have no doubt of it's being perfectly justifiable in the party retaliating. As therefore on the one hand, I sincerely pity you as innocent unfortunate individuals whom the conduct of your nation necessitates us to treat contrary to the natural disposition of Americans; so on the other hand you must expect such measures towards you, as our duty to our country shall oblige us to adopt for the release of those for whom you are proposed to be exchanged. But as I do not know what negotiations in particular, Mr. Boudinot³ our commissary of Prisoners has hitherto carried on with the Enemy respecting you, it is impossible for me to judge of the propriety of your proposal. I would therefore advise you to make your applications to him, being confident that he will not render your captivity more disagriable, than the conduct of the Enemy, and his duty to the State, absolutely require. I am your humble Servant

WIL: LIVINGSTON

ALS, NjMoHP. Letter was addressed to Richard Puller, Thomas Reid, John Meldrum, and John Rorie.

1. An act passed December 12, 1778, had authorized the newly appointed state commissary of prisoners reciprocally to match the conditions imposed on New Jersey captives when dealing with British prisoners. See *Livingston Papers*, 2:512.

2. A recent example was the seizure of Charles Jackson from his Woodbridge home during a Loyalist raid the night of February 8, 1779. It was reported in the *N.J. Gazette* February 17 and the *N.Y. Gazette & Weekly Mercury* February 15.

3. Elisha Boudinot.

To Caleb Camp

Morris Town 20 March 1779

Sir

You being vested with the power of convening the Assembly at any time before the day to which they stand adjourned in case the public exigency shall render it necessary,¹ I herewith transmit to you a Letter from the President of Congress of the 12 instant² with a resolution of the 9th recommending it to the several States to complete their respective battalions to their full complement without delay.³ Whether sufficient provision has been already made for this purpose, or whether it is necessary to call the assembly upon that account, you are to determine.⁴ The papers you will please to return me any time before the assembly meets.⁵

ADf, NN:Lyon.

1. This authority had been given to the Speaker of the General Assembly in section 5 of the New Jersey Constitution of 1776 (Boyd, *Fundamental Laws and Constitutions*, 158).

2. Refer to John Jay to WL and Others, March 12, 1779 (DNA:PCC, 14). Copy sent to WL not found. WL acknowledged receipt of Jay's letter on March 20 (NN:Lyon).

3. *JCC*, 13:298–99. New Jersey had great difficulty filling its quota in the Continental army. For background see *Livingston Papers*, 2:265–67. The drafting of militiamen into the New Jersey Brigade for nine months (based on an April 3, 1778, act) temporarily filled the ranks. By March 1779, however, 487 of these draftees were discharged from the three regiments. An April return of the brigade showed that the units were 365 men below their full complement of 1659 noncommissioned officers and privates (Charles H. Lesser, ed., *The Sinews of Independence: Monthly Strength Reports of the Continental Army* [Chicago, 1976], 108; Richard Peters to WL and Caleb Camp, May 22, 1779 [Nj]).

4. On April 7 the *N.J. Gazette* published Camp's summons to the General Assembly to meet on April 20 at Trenton. The Legislative Council also met on that date "pursuant to a notice from His Excellency the Governor" (*Legislative Council* [October 27, 1778–October 9, 1779], 35).

5. By April 22 the two houses had named a joint committee to confer on the issue of completing the quota of men in the New Jersey Brigade. Several resolves were proposed on April 24, and a "Representation and Petition" to the Continental Congress had been promulgated by May 19. In its letter of that date, the legislature complained that there were New Jersey soldiers in other Continental units who should have been credited to the state's quota. The representation also requested specific information on the exact quota for New Jersey (DNA:PCC, 68). Each house appointed a member to deliver the remonstrance to Congress so as to encourage an early reply. On May 21 the Continental Congress referred the letter to the Board of War (*JCC*, 14:623). The following day Richard Peters, of that board, relayed to WL and Caleb Camp information on the number of men

needed to complete the regiments (Nj). A bill introduced in the Assembly on May 29 passed both houses on June 10 (*General Assembly* [April 20–June 12, 1779], 70, 72, 102–3, 118, 125, 138; *Legislative Council* [October 27, 1778–October 9, 1779], 36–37, 53–54, 64, 69, 73, 75).

The act (officially printed with the date of June 9) provided for an additional 365 men for the duration of the war “as far as the embarrassed and difficult Condition thereof, in Respect of the Seat and Operations of the War, will permit.” Recruiting officers were to be paid \$20 for each recruit, and the new enlistees were to receive \$250 bounty from the state in addition to the \$200 and other inducements offered by the Continental Congress (*Acts* [May 22–June 12, 1779], 86–88).

To Henry Laurens

Morris Town 20th March 1779

Dear Sir

I hope you don't think that I lately courted your acquaintance as head of the Congress. It was Mr. Laurens the man, & the gentleman; & not Mr. Laurens the President; upon whose friendship & correspondence, I valued, & shall always value, myself. Pray let me hear from you. When is the grand bugget to be opened?¹ The people are impatient for the news. I hope it will not prove with the great Council of the nation, as some think it is with the Free Masons, that their secret consists in having no secret at all. I hope things go smoothly in Congress; & that you are all patriots in the antient, & none of you politicians in the modern, sense of the word.² But if you will give me leave to quote Scripture, I will conclude with a passage of one of St. Paul's Epistles, *I hear that there are divisions amongst you, & I partly believe it.*³ With the greatest Sincerity & Esteem I am Dear Sir your most humble Servant.

WIL: LIVINGSTON

ALS, ScHi.

1. To open one's budget: to speak one's mind.

2. A politician in eighteenth-century terms was often considered a sinister, shrewd schemer.

3. 1 Cor. 11:18. Several disputes in the Continental Congress in the winter of 1778–1779 had prompted this remark. For a brief discussion of the origins of the most prominent of these factional controversies—the Silas Deane–Lee family feud—see *Livingston Papers*, 2:507–10. Essays written by Deane, Francis Lightfoot Lee, and Thomas Paine that had originally been printed in the *Pa. Packet* were reprinted in the December issues of the *N.J. Gazette*. Reacting to these public expressions of political controversy, “An Impartial American” wrote, “If these States are threatened, it is by internal divisions,” and urged New Jersey citizens “to support the dignity of our Congress” (*N.J. Gazette*, December 23, 1778).

To Henry Brockholst Livingston

Morris Town 20 March 1779

Dear Brockholst

I hope you will embrace every leisure moment to improve yourself in french. As for a master, the loss can very well be dispensed with.¹ If you have a good grammar, with a few proper books to make yourself master of the language, you will imperceptibly acquire the pronunciation by the french which you will occasionally hear spoken in Philadelphia.²

Please to deliver the inclosed³ to Mr. Brackenridge, or the publisher of the Magazine,⁴ & return him my thanks for the present of the last magazine. I am yours etc.

ADf, NN:Lyon.

1. In a letter to Susannah Livingston of December 10, 1778, Henry Brockholst had written that he had hired a French instructor (MHi).
2. WL had also begun to study French in 1779. His letterbook contains numerous vocabulary entries with their English equivalents (NN:Lyon).
3. Enclosure not found.
4. See WL to Hugh Brackenridge, January 13, 1779.

To Gerard G. Beekman, Jr.

Morris Town 23d March 1779. WL acknowledges Beekman's letter of March 16¹ and informs him that New Jersey laws do not warrant confiscation of Beekman's father's estate² but that it would be improper for WL to intervene. WL suggests that Beekman hire an attorney to represent his claim before his father's estate is sold.³

ADf, NN:Lyon.

1. Letter not found.
2. The *N.J. Gazette* of February 24, 1779, had listed "Garnadus Beekman of New-York" as a Loyalist whose Shrewsbury property was to be sold beginning on March 29 by the Monmouth commissioners pursuant to the December 11, 1778, confiscation law. This law applied to nonresident property owners as well as New Jersey inhabitants (*Acts* [November 20–December 12, 1778], 31–40).
3. The law allowed those who protested the commissioner's actions to apply to the legislature for reimbursement for the sold property. The new owner was exempted from personal liability for any state action, however, and the property would not be returned to the original owner even if the legislative claim was upheld (*Acts* [November 20–December 12, 1778], 36).

From John Fell

Philadelphia March 25. 1779

Dear Sir

I cannot help complaining to your Excellency of the behaviour of some of the Delegates from our State, Which is not only disgracefull to the State, but in my humble Opinion treating me with the greatest unpoliteness, they take upon them to leave Congress when they please & without leave, by which the State in course is not Represented.¹ Last Saturday Dr. Wetherspoon went home without ever saying one word to me on the Occasion,² and this day Colonel Freelinghuysen went a way in the same manner.³

No Man has the Service of this Country more at heart then I have, but then I should choose to be treated in such manner as I think I have a right to, as a Gentlemen: And I am certain such treatment from my Coleagues can not be deem'd in that line. Therefore I request it as a favour, that I may not be treated in like manner in future, to make my stay hear so exceeding disagreeable.

I Received a Letter this Week from Honorable Mr. Scudder dated 13th Instant.⁴ He wrote me he expected to be hear in about 6 Weeks from that date. When Dr. Scudder comes I hope Your Excellency will have no Objection to my paying a Visit to my family for a short time; As I have engaged to serve the State for the time of my appointment, I undoubtedly shall do it, to the best of my power and ability. However I hope the Honorable Assembly will pay some Regard to the increase of pay for my Service as every kind of Expence has advanced in this City upwards of 50 P Cent since my Appointment.⁵ It is with great Reluctance I am under the disagreeable necessity to mention a circumstance of this kind, but my private fortune has Sufferd so much, from the great Losses I have met with, as well as my long cruel Captivity that I shall not be able to Support the extraordinary Expence long.⁶

I am certain there is no Member in Congress does more Duty then I do. Every morning at the Commercial Committee, afterward at Congress, and three stated Nights in a Week at the Marine Committee besides Occasional Committees, in short there has been very few nights this Winter that I have not been engaged in Business.⁷ And not to be

able to live, in the manner I have ever been used to, without spending my Own Money, as well as time, is rather too unreasonable for the Public to desire of an Individual.

I was exceeding happy to hear you was from home, when the Enemy came to pay you a Visit. As I am certain you are not one of those Gentlemen, who they have the greatest Regard for. I should imagine Princeton or Trenton would be a much more Eligeable place for Your Residence then Elizabethtown. Your being taken, besides the many disagreeable circumstances of being a Prisoner, would be of the utmost bad Consequence as I know of no person in Our possession that you could be Exchanged for, however this object is too melancholy to dwell on. I have the Honor to be With great Respect Your Excellencys Most Humble Servant

JOHN FELL

ALS, Nj.

1. John Fell, John Witherspoon, Nathaniel Scudder, and Frederick Frelinghuysen had been elected New Jersey delegates to the Continental Congress at the legislature's Joint Meeting of November 6, 1778. Because of declinations, one position remained unfilled at the time this letter was written. On December 12 the Joint Meeting elected Col. Elias Dayton to fill the last position. Any two of the delegates were empowered to vote in behalf of the state. Three of the delegates, however, were expected to be in attendance at Congress constantly, unless prevented by sickness or accident (*Joint Meeting*, 29).

2. John Witherspoon wrote to an acquaintance in Scotland in March 1780: "At the end of the year 1778, I gave notice to our legislature that they must either not chuse me at all, or leave me at full liberty to attend only when I could conveniently. They chose me, however, and I made a good deal of use of that liberty in the year 1779" (Burnett, *Letters*, 4:118).

3. Col. Frederick Frelinghuysen resigned as a delegate on April 29. He and Dayton were replaced by Abraham Clark and William Churchill Houston at the Joint Meeting on May 25, 1779 (*Joint Meeting*, 30).

4. Letter not found.

5. In his letter of resignation of April 29, Frederick Frelinghuysen also cited "the amazing expense of attending Congress, and my inability to support it" (Frederick Frelinghuysen to the Speaker of the New Jersey Assembly, April 29, 1779 [Burnett, *Letters*, 4:185–86]).

6. For information on John Fell's capture and imprisonment see *Livingston Papers*, 1:317–18, 326–27, 331; 2:49–50, 185–87.

7. John Fell's committee assignments can be followed in *JCC*, 12:1201, 1217, 1255; 13:10, 16, 63, 94, 247.

To Sir Henry Clinton

Elizabethtown 29 March 1779

Sir

After having apologized for my delaying your & Mr. Franklin's¹ dinner by being accidentally abroad when you did me the honor a few days ago to send Colonel Stirling to wait upon me to New York, I beg leave to acquaint you that I am possessed of the most authentic proofs of a General officer under your command having offered a large sum of money to an inhabitant of this State to assassinate me, in case he could not take me alive;² This Sir is so repugnant to the Character which I have hitherto formed of Sir Henry Clinton that I think it highly improbable you should either countenance Connive at, or be privy to, a design so sanguinary and disgraceful. Taking it however for granted that you are a Gentleman of too much Spirit to disown anything that you think proper to abet, I give you this opportunity for disavowing such dark proceedings if undertaken without your approbation,³ assuring you at the same time that if countenanced by you, Your person⁴ is more in my power than I have reason to think you imagine.⁵ I have the honor to be with all due respect⁶

ADf, NN:Lyon.

1. William Franklin had written that he had applied to Sir Henry Clinton on February 3, 1779, for arms and ammunition to equip a group of New Jersey Loyalists who had proposed "to bring off a number of Committee men and other rebels to keep as hostages for their own security and in case any of their body should happen to be taken prisoners." Refer to William Franklin to Lord George Germain, February 5, 1779, in Davies, *Documents*, 17:53.

2. After "alive" WL wrote and crossed out "& of good evidence of several others, [having?] been tampered with for the like purpose by." There is no evidence in the extant British correspondence to confirm this statement.

3. WL substituted "approbation" for "privity" in the ADf.

4. WL crossed out "life" and inserted "person" in the ADf.

5. This letter was published in several New York newspapers April 14–19, 1779. It also appeared in the *N.J. Gazette* April 28, 1779. Sir Henry Clinton had ordered a raid "to beat up some of the neighbouring Quarters of the Enemy" (Sir Henry Clinton to Lord George Germain, March 2, 1779 [PRO, C.O. 5/97]). On February 25, a thousand-man British force from New York, commanded by Lt. Col. Thomas Sterling, had made a night landing in Bergen County. The force had hoped to surprise Brig. Gen. William

Maxwell's brigade in its Elizabethtown barracks and to capture WL. Maxwell's forces retreated toward Amboy. Sterling reported that "the Rebel Governor Livingston had notice sent him & left his House before we got there" (Thomas Sterling to Sir Henry Clinton, February 26, 1779 [PRO, C.O. 5/97]). According to newspaper accounts the British surrounded "Liberty Hall" and demanded that WL's daughters, Catharine and Susannah, surrender their father's papers. Susannah concealed WL's public and private letters and documents and gave the British papers that they took to be significant. Before retreating, they burned the barracks and seized cattle. For accounts of this episode refer to *U.S. Magazine*, March 1779; *N.J. Gazette*, March 3, 1779; *Royal Gazette*, March 10, 1779. See John Fell to WL, March 25, 1779.

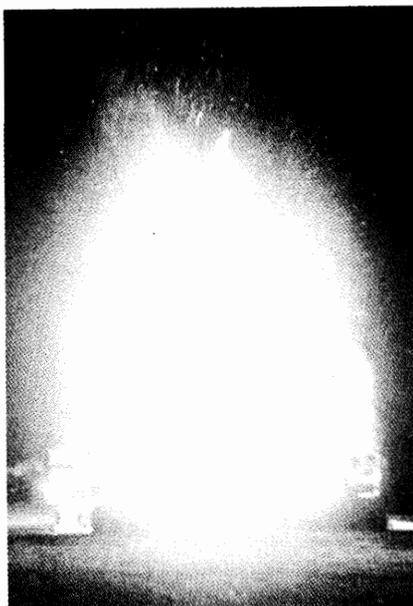
6. The following note in a hand other than WL's was found on an Lcy (MiU-C): "Has given proofs for I firmly believe he [. . .] my servants to poison me in August 80, the Ridicule with which I treated this letter [. . .] more than anything else." According to William B. Willcox, biographer and editor of Clinton's papers, this endorsement is in Clinton's hand and refers to his conviction that WL engineered an attempt on Clinton's life in August 1780. Refer to William Bradford Willcox, *Portrait of a General: Sir Henry Clinton in the War of Independence* (New York, 1964), 331, and William Bradford Willcox, ed., *The American Rebellion: Sir Henry Clinton's Narrative of His Campaigns, 1775–1782* (New Haven, 1954), 203.

To Abraham Clark

Morris Town 30 March 1779

Sir

General Washington proposes for the better repelling the next Incur-sion of the Enemy in this State, to erect a number of Beacons for the more speedy collecting the Militia. Part of them he has already ordered to be made by his men. The rest he leaves to me to have fixt up, at the places he mentions.¹ As I have no right to put the State to that Expence I cannot think of doing it without advice of Council; and tho' that would not strictly authorize the doing it, yet I think it a matter of too great consequence to be neglected; nor can I doubt that the Legislature would approve of it, if done by the advice of Council. As you have attended two privy councils successively, I should think it unreasonable to expect your attendance at this, & have accordingly summoned a sufficient number to make a Quorum without you.² But as the Enemy in making another attempt into this State, will probably land in Essex, and as you are particularly well acquainted with the most proper eminences in that County for the purpose, you will probably chuse to at-



Beacons. Photographed by James T. Raleigh, who constructed and fired the exhibit. During the American Revolution, similar structures constituted a statewide warning system. Courtesy of James T. Raleigh.

tend for that reason. And for the same reason if your domestic concerns will permit it, your advice would be very agreeable to me.³ I have two other matters to lay before the Council,⁴ the placing a guard near wood-bridge pursuant to a petition of that part of Middlesex County,⁵ & a proclamation of Congress for a fast.⁶ The place & time of meeting is on thursday the 8 of April next about noon. I am

ADf, NN:Lyon.

1. Washington had authorized construction of some eleven beacons in and near the Continental army camp at Middlebrook. In his letter to WL of March 23, Washington enclosed a request for additional beacons to be built by the militia in Essex, Bergen, and Hunterdon counties (DLC:GW).

2. Refer to WL to Members of the Privy Council, March 30, 1779 (NN:Lyon).

3. Clark did not attend the Privy Council meeting of April 9. The council advised that Maj. Gen. Philemon Dickinson implement Washington's plans for beacons and rendezvous places, keeping an account of expenses incurred (*NJA* [Privy Council], 3d ser., 1:111-12).

4. After the comma and before "the" WL wrote then crossed out "in one of which cannot be done without their con."

5. Petition not found. The Privy Council advised WL to order two classes of Middlesex militia to guard Woodbridge for one month (*NJA* [Privy Council], 3d ser., 1:112).

6. On March 20 the Continental Congress had proclaimed May 6 as a day of fasting, humiliation, and prayer (*JCC*, 13:342–44). This resolve had been enclosed in a circular letter to the states from Pres. John Jay (DNA:PCC, 14). The copy of the letter to WL has not been found.

To George Washington

Persippeny 30 March 1779

Dear Sir

I had the honour of your Excellency's favour of the 23d instant on the subject of fixing signals, and appointing convenient posts for the militia to assemble at for orders.¹ If my approbation of the plan pointed out by your Excellency, could impart to it any additional weight or importance, I do most heartily approve it. But having no authority since the expiration of the Council-of-Safety-Act,² to order the former, I intend to advise on the Subject with the privy Council, which I have called for that & some other purposes. Not that their consent will render it legal, or entitle me, either to draw upon the Treasurer for the expences attending it, or warrant the occupying the lands, or cutting the woods of the Proprietors.³ But the thing being so manifestly for the public safety, and the expeditious collecting of the Militia of so great moment, as all the success that the Enemy can promise themselves must depend upon the rapidity of their progress, that *with* such consent, I shall chearfully risque the matter.

Our Generals at present are, Major General Dickinson, And Brigadiers Winds & Heard. General Dickinson I believe stately resides in Maryland, but has expressed his readiness to repair to this State upon the first intelligence of its being invaded. General Winds lives at Rock-away in the County of Morris; and General Heard at Rocky-hill in Sommerset. I have the honour to be with the highest esteem & respect, & the warmest wishes for your happiness & success Dear Sir your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington to WL, March 23, 1779 (NjP). On instructions from Washington, Lord Stirling had met with militia officers of Somerset and Middlesex counties both to coordinate their defensive positions and to fix the proper locations for beacons. The beacons, pyramid-shaped log towers filled with brush, would be fired to signal a British attack in New Jersey. Stirling wrote Washington on March 20, describing the locations chosen for the beacons (DLC:GW). Two days later, Stirling again wrote, suggesting that WL be sent a list of the signal locations. Washington's reply on March 23 ordered Stirling with the militia to commence construction. Similar orders were issued to other Continental commanders (DLC:GW). Militia were enjoined to "pay the greatest attention to signals" (*N.J. Gazette*, April 14, 1779).

2. The Council of Safety Act of September 20, 1777, had given the council power "to erect and fix Beacons and Alarm-Posts in such Places . . . as they shall judge most proper." This act, renewed June 20, 1778, had expired October 8, 1778 (*Acts* [September 20–October 11, 1777], 90; [June 17–22, 1778], 87–88).

3. Reference is to unimproved lands owned by the East Jersey Proprietors.

From John Jay

Philadelphia 7th April 1779

Sir,

Herewith enclosed are Copies of two Acts of Congress,¹—one of the 23rd Ultimo, for regulating the Cloathing Department. The other of the 5th Instant, providing for the Pay of the Officers employed in it.²

You will perceive that the first refers the appointment of the Sub, or State-Cloathiers to the different States, & that the Second leaves their Salaries to be ascertained & paid by the States appointing them.

Such has long been the deranged State of this Department & such is the Importance of immediately carrying the present System into Execution, that Congress hope it will meet with the earliest Attention.³ I have the Honor to be With great Respect your Excellencys Most Obedient Servant

JOHN JAY

LS, Nj. In the hand of Henry Brockholst Livingston.

1. The two resolves had been passed in Congress March 23, 1779. They listed the responsibilities of both the clothier general and state and regimental clothiers. The clothier general, subject to the orders of the Board of War and George Washington, was to estimate and make returns of supplies wanted for the army, receive all supplies, and redistribute them to state clothiers, keeping regular accounts. The state clothiers were to reside "with or near the army" and receive clothing supplied by the clothier general and clothing purchased by state agents. They were also to issue all clothing they received to regimental clothiers. If a state clothier was unable to supply state troops, he was to make a

return of articles needed and present it to the state executive (*JCC*, 13:353–57).

2. On April 5, 1779, Congress had resolved that the states should individually determine and pay the salary for the state clothiers. The state clothiers were to receive two rations and forage for one horse per day while in actual service. The resolve set the salaries of the clothier general and a daily allowance for the regimental clothiers (*JCC*, 13:422).

3. For legislative action see WL to the Assembly, April 22, 1779.

From Sir Henry Clinton

New York April 10th 1779

Sir,

As you address me on a grave subject, no less than life and death, and your own person concerned I Condescend to answer you, but must not be troubled with any further correspondence with Mr. Livingston.

Had I a soul capable of harbouring so infamous an Idea as assassination, you, Sir, at least would have nothing to fear; for be assured I should not blacken myself with so foul a crime to obtain so trifling an end.

Sensible of the power you boast of being able to dispose of my life, by means of intimates of yours ready to murder at your command, I can only Congratulate you on your amiable connections, and acknowledge myself Your most humble Servant,¹

H. CLINTON.

ALS, MiU-C.

1. This letter was published in Rivington's *Royal Gazette* April 14, 1779, and *N.Y. Gazette & Weekly Mercury* April 19, 1779.

To George Washington

Raritan 12 April 1779

Dear Sir

I have the honour of your Excellency's Letter of this day¹ inclosing Colonel Adams's state of the Case between Skinner & Dickerson.² As far as this representation relates to Colonel Adams himself, I doubt not it is a full State of the matter, but respecting Mr. Skinners behaviour, I suspect the Colonel was not present at what passed between him &

Dickerson, since compared with the affidavit of the latter, his State of facts is extremely defective.

Your Excellency may remember that I chose to have the matter compromised by the parties to prevent farther trouble, to which you rather seemed averse, acquainting me by your Letter of the 3d of march, "that you wished the several charges might be fully investigated that the officers might if they were found guilty be dealt with according to Law civil or military."³ Dickerson having accordingly brought his private suit,⁴ in which I cannot authoritatively interpose, I am embarrassed what measures to take to effect my equal wishes with those of your Excellency to satisfy the man without the farther prosecution of his action. But if I have opportunity, & can persuade him so to do, it will give me particular pleasure to be the instrument of peace between them. I inclose Mr. Dickerson's affidavit⁵ to remind your Excellency of the very offensive Language made use of by Mr. Skinner concerning the Magistracy for which there could be no occasion, whatever necessity there might be of impressing the grain.

I am very sensible that many of our Inhabitants instead of cheerfully supplying the army out of their superfluity, hoard it up for an higher market, & I could wish that our Laws were more adequate to wrest it out of their misarily clutches; but Dickerson positively swears that he had no more than a sufficiency for his own family; & what a [stated?] officer at Suckesinny for the purpose of providing forage for the troops can offer in his own vindication for being utterly destitute of forage, is a matter worthy of enquiry. I have the honour to be with the greatest respect your Excellency's most humble Servant

WL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington to WL, April 12, 1779 (DLC:GW).
2. Enclosure not found. Col. Peter Adams had prepared a statement for Washington explaining that it had been necessary to impress Jonathan Dickerson's grain and that an offer of payment had been made. In a subsequent letter to Washington, Adams reiterated his position. Refer to George Washington to WL, April 12, 1779, and Peter Adams to George Washington, May 25, 1779 (DLC:GW). For details of Dickerson's charges against Lt. James Skinner see WL to George Washington, February 18, 1779.
3. Refer to George Washington to WL, March 3, 1779 (DLC:GW).
4. In his letter of the same day, Washington informed WL that a writ had been served on Skinner for impressing a small quantity of Dickerson's grain. Although all details of the subsequent litigation are not known, Adams reported on May 25 that Skinner had

been in the custody of the sheriff of Morris County and was ordered to pay a fine and court costs (refer to Peter Adams to George Washington, May 25, 1779 [DLC:GW]).

5. Refer to Jonathan Dickerson deposition, December 31, 1778 (DLC:GW).

To Sir Henry Clinton

Elizabeth Town 15 April 1779

Sir

I received your Excellencys Letter of the 10 instant this afternoon, & had an opportunity about an hour thereafter, to see a Copy of it in the New York American Gazette' together with mine of the 29th of March which occasioned it. Your Excellency by these publications, compared with a certain passage in your Letter, seems determined to close our correspondence, by precluding me from a reply. But by the Laws of England Sir, (the best of which we intend to adopt, leaving the rest to our old Friends of the realm) he who opens a cause hath the privilege of concluding it.

It is the observation of Foreigners, that America has shewn her superiority to Great Britain, no less in the decency of her writings, than in the success of her arms. I have too great a respect for my native Country, whatever I ought to have for Sir Henry Clinton, to furnish an instance in contradiction of so honourable a remark.

Perhaps Sir, you entertain too exalted an opinion of your own importance in deeming it a *condescension* in you to answer a Letter informing you, in the most inoffensive terms, of an overture made by one of your General officers, to have me assassinated. Alas how many a hopeful Gentleman has been made giddy by a Star & Garter!² It has doubtless redounded more to your honour, and afforded a stronger argument of your abhorring such infamous measures, to have called upon me for the proofs, and manifested a proper resentment against the criminal, than to flourish about the *capability of your Soul*, and to betray a want of politeness so unusual in persons of your rank & breeding; & that without any other provocation than my complaining to you of the conduct of one under your command, so repugnant to the Law of arms, & the sentiments of humanity.

That *you have a Soul capable of harbouring so infamous an Idea as assassination*, I was so far from intimating that I told you, *I thought it highly im-*

probable you should either countenance, connive at, or be privy to, a design so sanguinary & disgraceful. And I remember that when I used the word *improbable*, I had like to have said *impossible*; but that I was dittered in recollecting numerous instances, by the extreme difficulty of precisely ascertaining the utmost *possibility* of British cruelty. Whatever your Soul may be *capable* of, I should have ventured before the receipt of your Letter, to have pronounced it impossible for you, to be capable of opprobrious language. How far Sir, I am now to believe this impossibility, I leave you, in your cooler moments to determine.

How trifling an end soever you may suppose would be obtained by my assassination, you certainly thought my capture, not long since, important enough to make me a principal object, of what was in a literal sense, a very dirty expedition.

What could induce you to say that *I boasted of the power of being able to dispose of your life by means of intimates of mine, ready to murder at my command*, I am at a loss to guess. Is there a word in my letter either about your *life* or about *murder*? Or is your Excellency so haunted with the thoughts of murder, from a consciousness of British barbarity, that you cannot write three paragraphs without being startled at the shocking spectre? And if there are any *Intimates* in the case, how do you know but that they are Intimates of *your own*? I told you *that your person was more in my power than I had reason to think you imagined*. But is there no such thing as one person's being in the power of another without *murder*? Indeed Sir, from the Specimen of your inductions, you ought to be a much better General than you appear to be a Logician, or America need be under no apprehensions about her Independence during *your Administration*.

As to your *must not be troubled with any farther correspondence with Mr. Livingston*—believe me Sir that I have not the least passion for interrupting your more useful correspondence with the British Ministry, by which the Nation will doubtless be greatly edified, and which will probably furnish materials for the most authentic history of the present war; and that you cannot be less ambitious of my correspondence than I am of yours; because whatever improvement I might hope to receive from you in the art of war, & especially in the particular branches of conducting (a) *moon-lights retreats*, & planning (b) *secret expeditions*; I should not expect from our correspondence, any considerable edification or refinement in the *epistolary way*. I am therefore extremely willing to terminate it, by

wishing you a safe voyage across the Atlantic, with the singular glory of having attempted to reduce to bondage a people determined to be free & independent. I am Sir, your Excellencys humble Servant

WIL. LIVINGSTON

(a) Sir Henry informed the Ministry that in his retreat at Monmouth, he took the advantage of the *moon-light*; when in reality he did not begin his retreat, till some hours after the moon was set.³

(b) It is remarkable that of all the *secret Expeditions* planned by this Gentleman, since he had the chief command of the British Army; (and those Expeditions have been multifarious) not one of them has succeeded. It is therefore to be presumed that Great Britain proposes to obtain, by his Generalship, a most *untrifling End*.⁴

ADf, NN:Lyon.

1. The April 15 issue of *New York Royal American Gazette*, published by Alexander and James Robertson.

2. WL is referring to insignias of two orders of knighthood.

3. After the battle of Monmouth, Clinton had written: "I took the advantage of the moonlight to rejoin Lieutenant-General Knyphausen" (Sir Henry Clinton to Lord George Germain, July 5, 1778 [Davies, *Documents*, 15:162]).

4. These addenda appeared in the *N.Y. Gazette & Weekly Mercury*, April 26, 1779, and the *Royal Gazette*, April 24 and May 8, 1779. They did not appear in the *Pa. Evening Post*, April 30, 1779, the *Pa. Packet*, May 15, 1779, and the *N.J. Gazette*, April 28, 1779.

From Henry Laurens

[Philadelphia] 16th: April [1779]

Governor Livingston

Conscious of delinquency on my part in the correspondence which your Excellency had been pleased to honor me with, I had entertained hopes of waiting on you in my late journey into N. Jersey and of obtaining your Excellencys Forgiveness by making a candid acknowledgment of my trespasses; I was exceedingly mortified by a disappointment, I learned from your Excellencys dearest connexions that you were gone abroad but your locality not to be fixed.¹

At my return to this City I took up my Pen to make a long apology and promise better behavior and this I attempted more than once, the same *mauvais hont*² which had duped me into Silence before I went into the Country continued its influence to my disgrace.

I will now open a Letter which has been staring me in the face some seven or eight days,¹ if I find your Excellency has not totally discarded me I will not again expose myself to my own censure, the keenest of all the class of reproaches, if you have, honor and duty will oblige me to trouble you with one more address acknowledging the justice of the Sentence and in order to assure your Excellency that I shall nevertheless continue with the highest Esteem and affection

H.L.

LBC, ScHi.

1. Laurens is referring to his attendance at the French alliance anniversary celebration held at Princeton, New Jersey, February 18. WL's children, Catharine and John Lawrence, were there. WL was at Morristown (Morris, *Unpublished Papers of John Jay*, 1:560).

2. *Mauvais bonte*: embarrassment.

3. See WL to Henry Laurens, March 20, 1779.

From "Pluto"

Infernal Regions, April 17, 1779.

To Mr. WILLIAM LIVINGSTON, titular Governor of New-Jersey.

Sir,

YOUR extraordinary conduct has once more excited my attention; let me entreat you, my dear Livy,¹ to pay no attention to the limited criticisms of short-sighted mortals; they envy you because they dread your importance; leave them then to themselves, and permit me to assure you, that notwithstanding the respect due to my infernal rank, I mean to constitute you President of the Council in my dominions; though possessed of every malignant quality that pervades and corrodes the heart, and esteemed and courted as a Daemon of the first magnitude, I am ready to retract certain erroneous opinions concerning you, advanced in my former letter,² as ghosts of every denomination now admire your subtlety, and eagerly anticipate your arrival. I am sensible it will cost you many a pang to part with your amiable companions, but where my precious child of darkness can you compose your mind, your agility in New-Jersey is become proverbial, they call you the invisible Governor; but conscience, the awful scourger of distinguished guilt, in spite of every turn and doubling will find you out. The British General,³ invariably attached to the dignity of his Prince and the honour of his country, abhors perfidy, and with one smooth dash of elegant and finished satire

has portrayed the meanest of mankind.⁴ Since then you bear so foul a character on earth, you merit an honourable reception here. It shall be granted, Sir, I will send the Usher of the Black Rod⁵ to require your attendance before my throne, and proclaim your entrance to the shades in the following terms: "He comes, he comes, the mighty Livingston comes." I am, with every mark of diabolical respect, Your cordial and sincere friend,

PLUTO.

Royal Gazette, April 21, 1779.

1. Livy: Roman historian (59 B.C.–A.D. 17).
2. See *Livingston Papers*, 2:497–99.
3. Sir Henry Clinton.
4. See Sir Henry Clinton to WL, April 10, 1779.
5. Usher of the Black Rod: in Great Britain, the chief gentleman usher of the lord chamberlain's department, the House of Lords, and the Chapter of the Garter.

From Henry Laurens

[Philadelphia] 19th April [1779]

Dear Sir

Your Excellency's favor of the 20th Ultimo I had not dared to open until my late penitential Address of the 16th. Instant had been dispatched, speaks your kindness and even partiality to poor-me, and demands my most humble acknowledgments. No, my dear Sir, I had never the vanity to believe you had courted either the President, or the Mr. Laurens. I could very exactly trace out my late fault from its origin, in the beginning I was not so much to blame but when I reflect upon the whole progress, shame covers me, and especially at this moment when your friendly Letter above mentioned lies in my view. I must say as we used to say, some forty or fifty years ago, "Indeed Sir I will never do so again."

"I hear there are divisions amongst you and I partly believe it."¹ True pretty true Sir. Did Your Excellency ever know it otherwise amongst Men who were not all of one Mind? And yet 'tis that plaguy thing being all of one mind which produces the division. Your Lawyer-Apostle Sir, and we know that even in this pure age that pious tribe, meaning no offense to anybody, undertake by the same chain of reasoning to prove right and wrong. I say Sir your Author also tells us "for all seek their

own.”² Is not this being all of one mind? but any how as they say in this Country, if Your Excellency will not affirm this sophistry to be good Logic, you will at least understand me. If I thought it were possible to be otherwise I would give another Scrap from Holy writ “Loaves and Fishes”³ should this fail, I would add in plain terms, but it should be said in Your Excellency’s ear and to remain there a few days longer, that a certain Man pressing upon his Masters the necessity of employing him again in a Public character, attempting to shew in one view his desire and his pretended abilities for obtaining a large sum of Money on Loan, was at the same time engaged in co-partnership with no less than five of his said Masters within the Walls, and with other Persons of power and influence within a small circumjacent circle.⁴ Trading Houses were, and for aught I know to the contrary, are to be established on both sides the Atlantic in various parts forming in the whole a magnitude far exceeding any thing known in the annals of American Commerce. This is saying the least. Would not the full execution of this project be both safe and honorable to the thirteen United States of America? Can I meanly, tamely look on such proceedings? No! why then Sir, divisions follow—I have neither Ambition nor avarice to gratify. One third part of my Estate is absorbed—the remainder is in very great jeopardy, and here I continue contentedly drudging without sleeping one wink the less from apprehensions of what is passing in Carolina, but notwithstanding this quietude of mind under losses and accidents inevitable and irresistible⁵ I hate and oppose Knaves, those more especially who had persuaded me to believe them honest. Sometimes with Mercutio I say “a pox o’ both their houses,”⁶ and when they vex me very much, I exclaim in the language of honest Othello, “Let their own Gods damn them.”⁷ The cursed business which is alluded to, has employed your Servants in doing nothing several Months.

The contents of the “Budget” as far as I am acquainted with them have been from time to time retailed in the Newspapers by some diligent hand, well acquainted with the whole subject—the difficulty will be to collect and arrange the several parts do this, and the whole story will be seen in a string.

But to be more serious. Indeed Sir I do not think all the present Attornies nearly equal to a right discharge of the momentous business at this instant committed to them. Ask, who’s incompetent? I will honestly and unostentatiously answer I, and yet my Country will keep me

here. More ample abilities stay at home to save and to make money, and to kiss their Wives.

But let us turn Sir to Congress where you “hope things go on smoothly and that all are patriots in the ancient sense of the words.” Upon my honor Sir, scarce as such jewels are, I believe that taking into consideration numbers and circumstances of wealth, real or imaginary, there are as many patriots now on this Land as History can shew to have been in any Country, at any one period of time. Reduce us all to poverty and cut off or wisely restrict that bane of patriotism, Commerce, and we shall soon become Patriots—but how hard is it for a rich, or covetous Man to enter heartily into the Kingdom of Patriotism?

As to the “smoothly” I may reply, we are sliding downwards, in which there is no great difficulty. We have learnt to depreciate the value of our Paper by Financceering. One thing may save us. This can only be accomplished by our Constituents. Order the doors to be opened that every Citizen may know what his servant is doing,⁸ particular cases excepted, or clamour until the Journals are printed and published weekly.⁹

Our Chaplain had so long prayed to God to bless Congress whom he had set *over* so great a People, as perhaps had intoxicated some of us into an opinion of being actually set over the People, But I gave the Doctor¹⁰ a hint t’other day, and he now prays, “for whose service they are appointed.”

Sir I dare not say all to you that I wish, but I dare say, and dare cry aloud that these States are in very great danger of a most violent convulsion.

I will say no more at present but to thank you again Sir for your kindness, and to repeat that I am, with the highest Esteem, etc.

HL.

It is said the Room is not large enough to admit of open doors—an excellent reason lose the States in preference to building a proper Room

LBC, ScHi.

1. 1 Cor. 11:18.

2. Phil. 2:21.

3. Matt. 14:15–21.

4. Laurens is referring to Silas Deane, who was sent to France in 1776 to secure financial aid for the United States. Deane had contracted with Pierre-Augustin Caron de Beaumarchais to send six million livres tournois of munitions and supplies that would be shipped under the fictitious merchant company of Rodrigue Hortalez and Company. The Lee brothers and other members of Congress later questioned Deane’s unilateral contract

with Beaumarchais and asserted that the shipments should be deemed a gift of the French government. By the first months of 1779, Congress had neither settled Deane's accounts for the payment of the French shipments nor disavowed his financial transactions. For more on Laurens's involvement with this issue see *Livingston Papers*, 2:507–9.

5. Laurens had already learned by letters and newspaper accounts that the United States had been defeated at Savannah on December 29, 1778, and suffered a further setback at Briar Creek, Georgia, on March 3, 1779. These losses left South Carolina vulnerable, defended only by a depleted force of militia and Continental soldiers under Maj. Gen. Benjamin Lincoln (*Pa. Packet*, April 13, April 17, 1779). For further information see Henry Laurens to WL, July 10, 1779.

6. An inaccurate quotation from Shakespeare's *Romeo and Juliet*, act 3, scene 1.

7. This quotation does not appear in Shakespeare's *Othello* or in his other works.

8. On April 21 a motion had been made to open the doors of Congress. After "some very severe remarks on the impropriety of the motion," it had been referred to a committee that included Laurens. No final committee action was reported (*JCC*, 13:488–89; Burnett, *Letters*, 4:172).

9. On March 31 Congress resolved to hire a printer to begin weekly publication of its journals. Before January 1779 those proceedings had not been printed until at least the following year (*JCC*, 13:395; Evans, nos. 15683–15685, 16138, 16585–16624).

10. Rev. William White and Rev. George Duffield were the chaplains of Congress in 1779.

To the Assembly

Trenton 22 April 1779¹

Gentlemen

I herewith lay before your honourable house a Resolution of Congress of the 23d of March for regulating the cloathing department; & another of the 5th instant providing for the pay of the officers employed in it, with a Letter from the President of the 7th instant which accompanied them.²

I also transmit certain Resolutions of the supreme executive Council of the commonwealth of Pennsylvania of the 3d of February last, which his Excellency the President of that State by his circular Letter of the 6th of February desires me to communicate to the Legislature of this State.³

You have likewise with this Message a Resolution of Congress of the 1 January recommending it to the several States forthwith to adopt such measures as may be effectual for detecting persons employed in making counterfeit Bills or passing the same knowing them to be such—with another of the 2d of January respecting the redemption of the continental Bills of Credit.⁴

I also submit to your consideration a Letter I received from the honourable Meshech Weare Esqr. President of the State of New Hampshire (inclosing an Act of the Legislature of that State for banishing all those who have joined the Enemy) desiring the favour of me to transmit to the assembly of that State a List of all persons who have left our State & joined the Enemies of the united States, in order that such persons may be prevented from residing in that State, & that our Secretary would send him Copies of such Acts or Resolves as we have passed relative to those matters.⁵

As it will be of little consequence to the united States, & a trifling punishment to the Criminals themselves to suffer them after being banished from one of the States to settle in another, the above request of New Hampshire to be furnished with a List of our refugees seems highly reasonable; & as it is not in my power without the assistance of your house under whose direction are the Commiss[ioners] who can make up such a List to comply with this application I hope you will enable me to gratify that part of the request of a Sister State, & also that the Secretary or your clerk may be directed to make or procure Copies of the acts & resolves referred to.⁶

I farther lay before your house a Letter from the board of War of the 13th instant, which covered a Resolution of Congress of the 2d of March herewith also transmitted, desiring me to give the necessary orders to the Clothiers & other persons in this State who have supplied cloathing to any of the continental Troops on account of the united States for the year 1777 that they make returns of the same according to the resolve; & urging that the returns may be forwarded with all possible dispatch, & that the payment of Arrearages due to the Troops on cloathing Bounty account for the year 1777, must be totally suspended, until the Returns in question can be collected.⁷

You have also herewith the resolution of Congress of the 5 January last for the several States to raise by taxes their quotas of the 15 millions of dollars for the year 1779.⁸

I also transmit to you a Letter from the Committee of Congress on the Commissary and Quarter Masters department of the 19 of January on the Subject of Engrossing; with the letter from the Commissary General of the 18 of January therein referred to, on the alarming effects of that growing Evil.⁹

Herewith will be laid before you a Letter from Francis Hopkinson Esquire of the 2d of January¹⁰ by which it appears that there is still due

to him on account of the great Seal of this State, ten silver dollars or the value in gold.¹¹

ADf, NN:Lyon.

1. The message was received by the General Assembly on April 24.

2. For a discussion of the two resolves and the letter see John Jay to WL, April 7, 1779. A clothing bill had been discussed in the November–December 1778 session of the Legislative Council and was postponed December 9, 1778. On June 4, 1779, the council referred it to a committee. An amended bill became law on June 11. This act repealed two previous acts on the requisition of clothing for the New Jersey Brigade. It established the position of state clothier to purchase clothing with public funds. The Joint Meeting appointed Enos Kelsey to the post on June 12; his duties were spelled out in a March 23 congressional resolve (*General Assembly* [April 20–June 12, 1779], 138, 142; *Legislative Council* [October 27, 1778–October 9, 1779], 27, 65, 72, 75; *Joint Meeting* [August 30, 1776–March 17, 1780], 31; *Acts* [May 22–June 12, 1779], 100–102).

3. See WL to Joseph Reed, February 17, 1779, for background on the resolution and letter. The General Assembly took no action on this matter involving charges against Maj. Gen. Benedict Arnold.

4. For a discussion of the two resolves see WL to John Jay, February 8, 1779. On April 30 the General Assembly agreed that only the bills of credit received by state officials for debts and taxes would be accepted by the state treasurer as bona fide currency, and only if such payments were received before May 20. The treasurer would then exchange those bills at the Continental Loan Office. Bills remaining in the hands of state collectors after May 20 would be exchanged at the Continental Loan Office but not allowed for payment of debts or taxes. This resolution was intended to relieve the distress of those who received counterfeit bills as official payment and were then refused credit for this bogus money by the state treasurer (*General Assembly* [April 20–June 12, 1779], 81; *Legislative Council* [October 27, 1778–October 9, 1779], 39–40). WL had requested that the assembly meet earlier than June to deal with this situation. See WL to Caleb Camp, February 15, 1779.

5. Refer to Meshech Weare to WL, December 24, 1778 (Nj). Weare had enclosed a broadside of a New Hampshire act of November 19, 1778, that had listed the names of Loyalists who would face death if they returned to that state without official permission (Evans, no. 15923).

6. The General Assembly resolved on May 11 to transmit to other states information on the legal proceedings against New Jersey Loyalists (*General Assembly*, [April 20–June 12, 1779], 94).

7. At the bottom of the page in his letterbook, WL wrote, “That the returns may be sent to me at Camp recommended to the care of Royal Flint Esquire assistant Commissary general at Head Quarters—signed Ralph Pomeroy Commissioner of cloathing accounts.” For the full text of the Board of War letter refer to Ralph Pomeroy to WL, April 13, 1779 (Nj). On March 2 Congress had appointed Pomeroy to pay all clothing arrearages for 1777 (*JCC*, 13:266–68). On May 11 a two-member assembly committee was appointed to compile returns from both Continental army officers and state clothiers and their agents (*General Assembly* [April 20–June 12, 1779], 94).

8. See WL to John Jay, February 8, 1779. On April 30 the assembly considered a tax bill for 1779. Resolutions were passed and a committee formed on May 3 to write a bill. After extended discussion and several readings of the bill, the assembly received a new message from WL on May 31 enclosing a May 21 congressional resolve calling for additional taxes of \$2,400,000 above the original £1,000,000 quota for New Jersey (NN):

Lyon). The assembly thereafter voted not to appropriate the additional taxes, voting only the original amount. That tax bill finally became law on June 8 (*General Assembly* [April 20–June 12, 1779], 80, 82, 86, 105, 108, 112–20, 124, 133; *Legislative Council* [October 27, 1778–October 9, 1779], 64–65, 68; *Acts* [May 22–June 12, 1779], 68–83; *JCC*, 14:626). The new act included rates of assessment and lists of certainties similar to previous tax legislation. New items taxed included a levy on the commissaries and quartermasters and their teams and wagons.

9. For a discussion of the two letters see WL to Gouverneur Morris and William Whipple, January 30, 1779. No legislative action was taken in the April–June 1779 sitting of the legislature either to pass new legislation to prevent engrossing or to procure flour for the army.

10. Letter not found. Refer to WL to Francis Hopkinson, February 7, 1779, for WL's comments on Hopkinson's letter (NN:Lyon).

11. After "gold" WL wrote then crossed out "Which being a debt of honour &." A clause was inserted in an act of June 12 "for defraying sundry Incidental Charges" to pay Hopkinson seventy-five pounds for materials used in making the seal (*Acts* [May 22–June 12, 1779], 123). For a discussion of the creation of the state seal see *Livingston Papers*, 1:328.

To John Jay

Trenton 23d April 1779

Sir

Thinking that the inclosed Letter,¹ (which lately fell into my hands),² may perhaps be of some use to³ Congress, as a most convincing proof of what has been so often denied by our Enemies, that⁴ the British Court endeavoured to procure both our domestic Slaves, & the Savages of the Wilderness to destroy us; & that at so early a period of the contest as the year 1775, I do myself the Honour to transmit it to Congress,⁵ & am with great Esteem Sir your Excellency's most obedient humble Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. After "Letter" and before "which" WL had written and then crossed out "from the pious Dartmouth to the humane Dunmore," in an ADF (NN:Lyon).

2. The enclosure was an official copy of a letter to Lord Dunmore of August 2, 1775 (DNA:PCC, 68). Lord Dartmouth had acknowledged a letter in which Dunmore had requested troops and arms to lead and equip a force of Indians, blacks, and others, which he believed he could raise in Virginia to "reduce the refractory people of this colony to obedience." Dunmore did not receive Dartmouth's letter until December 20. In the interim, Dunmore issued a proclamation on November 7 encouraging slaves to join the British forces. This intercepted letter was not previously published in Virginia newspapers, although its contents were known to contemporaries. Refer to Lord Dunmore to Lord

Dartmouth, May 1, 1775 (PRO, C.O. 5/1353, 137); and H[enry] R. McIlwaine and John Pendleton Kennedy, eds., *Journals of the Houses of Burgesses*, 13 vols. (Richmond, 1905), 1 [1773–1776]: xviii. For Dunmore's receipt of Dartmouth's letter, refer to Lord Dunmore to Lord Dartmouth, December 6, 1775–February 18, 1776 (PRO, C.O. 5/1353, 321).

3. In an ADf (NN:Lyon), WL had written “file among the papers of” after “to” and before “Congress.”

4. WL had originally written and then crossed out “they began this iniquitous war inten attempted” after “that” and before “to” in an ADf (NN:Lyon).

5. WL's letter was read in Congress on April 26, 1779, and referred to the Committee of Intelligence (*JCC*, 14:511–12). The letters were printed in the April 1779 issue of *U.S. Magazine* and the April 27, 1779, *Pa. Packet* with the notice “by order of Congress.” The journals of Congress do not record the order for the printing.

To Henry Laurens

Trenton 23d April 1779

Dear Sir

I received your agreeable favour of the 19th, since I came to this Town; & that of the 16 this very day. Had I had the least Intimation of your Intention to be at the late Exhibition at Pluckhimen, you may depend upon it, *Foi d'honnête homme*,¹ that I should have been one of the party; & that Lord North might have had all the trout which I went to kill, sooner that they should have deprived me of your Company.

I am extremely concerned to find, not from Tories but from our fastest friends, that Congress is really declining in the estimation of the People. As their weight & importance chiefly consists in their popularity, this is really a melancholy consideration. I see by the papers, that their journals are to be published weekly. This will I doubt not have a good effect. But I wish the other expedient of open doors had been also adopted. And I am certain it would be a very popular measure for them to change their present seat of residence, & leave that theatre of Toryism, extortion, party spirit, & stinking fish, Philadelphia.

I expect to be here for some time with the General Assembly, and hope to hear from you as often as possible. In my turn, I endeavour not to be delinquent. Be assured that I am with the highest Esteem & affection Dear Sir

WIL: LIVINGSTON

ADf, NN:Lyon.

1. *Foi d'honnête homme*: on the honor of a gentleman.

From George Washington

Head Quarters Middle Brook 2[3]d April 1779

Dear Sir,

The inclosed¹ is a letter to you in your official character; this you will be pleased to receive as private and confidential to explain, for your own satisfaction the reasons which will oblige me to draw off Maxwells brigade from its present position and will prevent my replacing them by other troops.

I have for a long time past been preparing for a decisive expedition against the six nations, which is now approaching fast to the period fixed for its execution.² The short term of service for which the militia can be drawn out by the laws of the different states concurring with other obvious reasons has determined me to employ on this service, almost wholly Continental troops. The force of the savages with the aid they may derive from the British garrisons on the lakes, make it necessary to give a sufficient probability of success to the undertaking, to detach so considerable a force from this quarter as will leave the main army rather in a delicate situation. To provide for its security as far as possible, I shall be under a necessity of keeping it in a collected state; and this will of course oblige me to afford less cover to the country, than has been done for some time past, 'till our numbers can be rendered more respectable by the accession of the levies, which I hope will be raised in the different states towards completing their batalions.³ It is very disagreeable to me to throw any burthen upon the Militia at this season of the year, but you will readily perceive my dear Sir, that it is not in my power to avoid it.

You will also perceive that I mean to withdraw the Monmouth Detachment.⁴ An additional motive for it is that the enemy appear to have a number of active emissaries in that part of the country who have been very successful in corrupting our men. An alarming spirit of mutiny and desertion has shown itself upon several occasions, and there is no saying how extensively the infection might spread.⁵

Sensible as you will be of the importance of keeping our true situation a profound secret to the enemy, I am persuaded you will make a

cautious use of what I now communicate. With very great esteem & regard I am dear Sir Your most Obedient Servant.

Df, DLC:GW.

1. Refer to George Washington to WL, April 23, 1779 (DLC:GW).
2. In consultation with the Continental Congress, Washington had decided by January 1779 to "carry the War into the Indian Country next Spring" (George Washington to Lachlan McIntosh, January 31, 1779 [Fitzpatrick, *Writings of Washington*, 14:58–62]). In March, Maj. Gen. John Sullivan was appointed commanding officer after Maj. Gen. Horatio Gates declined. On March 24 Washington informed Brig. Gen. Edward Hand that most of his brigade would be withdrawn from the Minisink region to the Wyoming area of Pennsylvania (Fitzpatrick, *Writings of Washington*, 14:286–89). Washington wrote WL on April 5 about the movement of Hand's force but did not then inform him of the strategic reason for such a movement (DLC:GW).
3. For WL's efforts to get legislative action on Continental army recruitment, see WL to Caleb Camp, March 20, 1779.
4. For the dispatch of Continental forces to Monmouth County, see WL to George Washington, February 8, 1779.
5. For Washington's concern in early 1779 about desertion, refer to George Washington to WL, January 31, 1779 (MHi), and to William Maxwell, April 18, 1779 (Fitzpatrick, *Writings of Washington*, 14:403–4).

To the Assembly

Trenton 24 April 1779

Gentlemen

His Excellency General Washington informs me that he will be very soon under the necessity of removing the troops at present at & in the neighbourhood of the Minisink Settlement;¹ & that some operations of the Army which are in contemplation will oblige him before the 10th of next month to withdraw General Maxwells Brigade from its present position, & that it will not be in his power to replace it by other Troops;² He further acquaints me that he will be obliged to recall the detachment from Monmouth, And that he thinks it necessary to give me this early notice, that I may take such measures as I shall judge expedient to give Security to those parts of the Country which those troops are now posted to cover.

In consequence of this intelligence the Council will probably advise me to supply these stations by detachments from the militia as soon as the continental Troops shall abandon them. But I have great reason to think that the Militia will not obey the next call without an augmenta-

tion of their pay; especially after that of our troops in the Service of the united States has been so recently meliorated.³ And any Act of the Legislature for that purpose, will require too much time for them to be able to occupy those posts by the day limited for their evacuation by our regular forces. I therefore submit it to your Consideration whether it would not be best for the two houses by resolve to declare their Sense respecting the increase of the pay of the Militia, that no time may be lost, but that we may be ready to give security to those parts of the Country, as soon as they shall be left by the troops now posted to cover them.⁴

I hope the honourable house will see the necessity of resolving me in this particular, with all convenient dispatch.

ADf, NN:Lyon

1. WL is referring to George Washington's letter to him of April 5 (DLC:GW).
2. From the ampersand to the semicolon WL is paraphrasing a section of Washington's public letter to him of April 23 (DLC:GW).
3. A March 1 Continental Congress resolution had granted a bounty of \$200 to each Continental recruit. For a discussion see WL to Caleb Camp, March 20, 1779.
4. WL's message was read in the General Assembly April 26. On the same day a committee of both houses was established to find a "means of defending the Frontiers." Not until April 30 was a committee formed to deal with the "Subsistence of the Militia" (*General Assembly* [April 20–June 12, 1779], 75–76, 82; *Legislative Council* [October 27, 1778–October 9, 1779], 37). For further action, refer to WL to the Assembly, April 30, 1779 (NN:Lyon). For a discussion of the legislative action taken to defend the state after the Continental troops had departed, see WL to Jacob Morris, May 19, 1779.

To George Washington

Trenton 24 April 1779

Dear Sir

I received your Excellency's favour of yesterday's date,¹ respecting your intentions of removing the Troops from Elizabeth Town & Monmouth; and am obliged to you for your seasonable intimation of that step, to enable me to provide for the security of those parts of the Country, by detachments from our Militia.

The contents of your Excellency's confidential Letter² shall remain a profound secret with me. I am with the greatest Esteem & affection
Dear Sir your Excellency's most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington to WL, April 23, 1779 (DLC:GW).
2. See George Washington to WL, April 2[3], 1779.

From "Humphry Clinker"¹

New York, April 24, 1779.

TO WILLIAM LIVINGSTON, Esq; etc. etc. etc.

Renowned Sir,

IF it will not be deemed too great presumption in one of my humble station to address your Excellency; and if a person who boasts of no *considerable refinement* in the *epistolary way*, may be permitted to write to him who (from superior abilities) is above receiving *any edification*, I will take the liberty to pay my compliments to you in this public and most respectful manner.

You must be sensible that consistency is one of those qualities which you possess in so eminent a degree, that you might with propriety adopt "*servetur ad imum*"² for your favourite motto. The same *unquestionable modesty*, and (to use one of your own expressions) the same *decency* of writing as well as speaking, the same *rectitude* of conduct and *urbanity* of manners which you thought proper to display in the earliest period of your *memorable life* have been inflexibly adhered to in every circumstance of it.

I call to witness upon this occasion your numerous, decent and impartial lucubrations, with which (almost at the beginning of its existence in this city) the press is known to have *seemed*, resembling the earth in that respect, which, if we credit the Poets, brought forth at its first formation all manner of monsters. I call to witness also, that continuation of your labours and your life by which you have acquired the admiration of all—except those whom you have always disregarded—the *virtuous and the wise*. But more especially I call to witness that convincing example of bright perseverance which you have so recently afforded.

You will be at no loss to conjecture that upon this occasion I allude to your letter of the 15th instant, addressed to the British General.³ It was indeed mortifying beyond expression, that when a gentleman of your character had began a correspondence with the General in so very *affa-*

ble a manner, and in such *inoffensive terms*, that it should be so abruptly concluded by an intimation that it was looked upon as a *trouble*, and not as an *honour*. And yet mortifying as this circumstance undoubtedly was, perhaps it might have been more prudent to have said less upon the subject. Mankind are ready to suspect that we are not indifferent to matters which we take so much pains to mention; this is an opinion that a man of your reading cannot be ignorant has prevailed in all ages, even as early as the days of AEsop, who has introduced the disappointed fox, declaring that he had *not the least passion* for the grapes which were placed beyond his reach; you will pardon me for mentioning this observation to you; I am convinced, for my own part, (since you say it, whose veracity is unquestionable) that you was not *ambitious* of a correspondence, from which however, you determined *not to be precluded*; but the world perhaps may entertain no such adequate ideas of your truth, dignity and importance, and therefore I was afraid might judge otherwise.

But if I presume with diffidence to hint a censure of your failing as to that particular, in what you have always been so remarkable for (I mean the little arts of craft or cunning); I shall with pleasure acknowledge that you have manifested your *usual modesty* in charging the General with *unprovoked want of politeness*, and your usual abilities in asserting that your former letter was couched in the most “inoffensive terms.”

Undoubtedly it was no provocation to ask Sir Henry Clinton whether he was an accomplice with assassins, and to call upon him to deny it if he could; this is the very measure which, what you call American decency, would dictate, and especially to a man who thought it highly improbable and almost impossible that the General should countenance, connive at, or be privy to a design so sanguinary and disgraceful. You will observe that I make use of your own striking and emphatical term[s] upon this occasion, leaving out indeed the little word “either,” which occurs in both your letters, and is such a breach of grammatical propriety, that I wonder it could escape from a gentleman of your refinement in the epistolary way.

I am sensible that the vulgar, and perhaps even a few persons of *rank and breeding* may differ both from you and me in their sentiments of this matter. There are some people whom no rank can elevate, no breeding can polish; they perhaps will declare that the very asking such a question was the grossest of all affronts, and that it was impossible it could

be couched in terms of an inoffensive nature: Nay, so far might be the wayward disposition of such people extend, that your Excellency, upon making similar enquiries from them, might only receive the *responsum bacculinum*⁴ in return for your trouble. If you should alledge to them that you did not think it probable they would countenance, connive at, or be privy to a design so sanguinary and disgraceful, they would be ready to tell you, that you had then the less reason to trouble them upon the subject; either you was insincere in this profession, or it would have prevented you from asking so disgraceful and so affrontive a question.

But let us leave in repose these extraordinary men and their unaccountable notions. I take it for granted that the terms of your letter were inoffensive, and the question it contained such as might be asked with the greatest delicacy. I must therefore lament that the General should have treated you with so unmerited a want of politeness.

It will no doubt appear extraordinary in the annals of history, (in which you, Mr. Livingston, must make so conspicuous and amiable a figure) that Sir Henry Clinton should so far regard the duties of his station, and be so attentive to the interests of his King and country, as not to think himself at leisure to correspond with a Gentleman of your dignity and merit. The pleasure he must have reaped from such a correspondence would have been infinite, and I am sure that he will be very much blamed if he was supposed to decline it from resentment—I will not say, from contempt.

Whilst I lament the ill treatment which you have received, and of which I confess that you seem too sensible, give me leave to admire your extraordinary address in availing yourself of the lucky wording of a former letter. It is indeed true that you did not in express terms say any thing about his life, or about the murder of him; and altho' it is impossible to understand in any other sense that delicate threat with which your former letter concluded, yet it seems you had artfully prepared such an evasion as is truly honourable and worthy of yourself. I can hardly think that any man who reads your first letter will be at a loss to comprehend your real meaning; and I am sure, any one who afterwards peruses your second, must admire your transcendent abilities. But what is most admirable, and ought by no means to be omitted in silence, is that air of surprise which you so naturally affect at the General's understanding you in the same sense which would strike every impartial reader. It is obvious enough that he comprehended thoroughly

the idea you intended to convey; tho' it cannot be denied that he treated it with the greatest contempt, and not with that attention which so friendly a caution deserved.

Your former letter was truly in the *tragic style*, and meant to excite the passions of *terror and pity* in the mind of the person to whom it was addressed. You judiciously supposed that the General would compassionate so *worthy*, so *meek*, and so *inoffensive* a man as your Excellency, whose valuable life was exposed to such apparent danger; and you thought he would certainly be struck with terror at finding *bis person* so entirely in your power. Tho' your letter failed of producing the latter of these effects, for which it was so evidently calculated, you should comfort yourself with considering that the attempt was glorious. "Magnis tamen excidit ausis,"^s you know, has before afforded consolation to the greatest minds.

If the General however, did not in reality "startle at the shocking spectre," which you had taken so much pains to conjure up; if, on the contrary, he treated the phantom with an air of careless indifference and disregard, it was nevertheless easy for you, Sir, to assert the reverse, and endeavour with matchless eloquence to convince the world of it. Have you not made the same efforts in many other instances, and tho' often detected, have you ever been known to recede from your assertions?

But pardon me if I mention that there is some reason to suppose, even from the tenor of your *shortlived* correspondence, that your Excellency has been not only startled, but even haunted, by the horrid spectre you allude to. It is difficult to escape from the terrors of conscience; and tho' I am inclined to believe that you possess as much fortitude as any man, yet I cannot wonder if you should sometimes behold a bloody poniard in the air, or fancy an avenging knife raised against your bosom.

It is time, however, to dismiss so disagreeable a subject. It may awaken reflections which your Excellency would wish should sleep. Such reflections as might even stop a man of less resolution in that full career which you have determined so gloriously to run.

I had much more to have said in your commendation for many other passages of your letter; but I fear that I have already trespassed upon your patience. However I cannot take my leave of your Excellency without paying the tribute of praise for the polite manner in which your letter is concluded. You have now demonstrated that your enemies

have charged you without reason with an unforgiving temper. Notwithstanding Sir Henry Clinton's unparalleled want of politeness to you, you have with the utmost *good manners* wished him a safe voyage across the Atlantic. It is true that he has no intentions of taking that voyage at present, which some people maliciously suppose that you really wish *he would*, and therefore understand you merely in that sense. But for my part, I so totally differ from them, that I can attribute your Excellency's kind and sincere wish to nothing but the well known refinement of your breeding and benignity of your heart; being persuaded that if Sir Henry with all his followers were to abandon this country, you would not be so much a gainer as to *sleep in peace*. I remain, Sir, Your humble Servant,

HUMPHRY CLINKER.

Royal Gazette, May 8, 1779.

1. Humphry Clinker was the main character in Tobias Smollett's *The Expedition of Humphry Clinker*, which had been published in 1771.

2. *servetur ad imum*: let it be preserved with the end.

3. See WL to Henry Clinton, April 15, 1779. Quotations come from that letter and from WL's letter to Clinton of March 29.

4. *responsum baculum*: answer with a staff or stick.

5. *Magnis tamen excidit ausis*: He failed in a great attempt. Ovid, *Metamorphoses*, bk. 2, line 324.

To Jacobus Van Zandt

Trenton 25 April 1779

Sir

I have received your Letter of the 19 instant;¹ and it gives me great pain that I cannot comply with your request, as I do not know a Lady in the whole State of New Jersey whom I would take more pleasure in obliging with a pass to go to New York, than Mrs. Van Zandt. But the rule I have prescribed to myself (& which is the only line I can draw to avoid the imputation of partiality) is to refuse the women universally, except in such peculiarity of circumstances as cannot be predicated of Mrs. Van Zandt.² Mr. Buchanan's case is very different, he being in partnership with a house in New York when he came away, by which without his personal attendance to settle his affairs he may lose thousands. With my compliments to Mrs. Van Zandt, & all the family, I am

ADf, NN:Lyon.

1. Letter not found.
2. For a discussion of both the most recent legislation on passes and WL's policy on granting passes to women, see *Livingston Papers*, 2:518–20.

To the Assembly

Trenton 26 April 1779

Gentlemen

I herewith lay before you a Letter from one of our Delegates at Congress which tho' dated the 25 of March I never received till this morning,¹ & by which you will see that the grievance complained of is not within the bounds of my authority, but that of the constituents of these Gentlemen. Which of our Delegates in Congress, or whether any of them is chargeable with leaving this State unrepresented in the grand Council of the Nation without sufficient reason I cannot determine, but I have so frequently heard of its having been unrepresented² when matters of the greatest importance have been debated that I think it merits your assembly's serious Enquiry.

The Gentleman complaint respecting his allowance I doubt not is but too well founded, as I am convinced that he cannot support himself with it as a person in his Station ought to live, & there are few persons, less addicted to needless expences than he is.³

ADf, NN:Lyon.

1. See John Fell to WL, March 25, 1779.
2. WL had first addressed the problem in a message to the assembly, April 14, 1778 (*Livingston Papers*, 2:289).
3. In response, on June 8 the legislature raised the pay of delegates an additional "Twelve Dollars by the Day for each Day of such Attendance" (*Acts* [May 22–June 12, 1779], 66). This supplemented the allotment voted November 28, 1778, providing a delegate with "Three Pounds per Day, for each Day he shall so attend" (*Acts* [November 20–December 12, 1778], 6).

To the Assembly

Trenton 30 April 1779

Gentlemen

At the last sitting of the assembly I recommended it to the house to provide a sufficient quantity of ammunition for our Militia, & to ap-

point proper places & persons [. . .] for the distribution of it [. . .] acquainting them that I could not attend to that Business.¹ But the effect of my application was a resolve of the house authorizing me to purchase it.² This was directly contrary to my expectation & incumbering me with the very Business I wished to be delivered from. Rather than to leave the State altogether destitute of ammunition, I have since procured a ton of gun Powder from the war office.³ Of this I suppose at least half has been expended. I therefore again recommend to the honourable house to provide with all possible dispatch a sufficient quantity of ammunition, & to appoint proper persons to distribute it among the militia as, I cannot but think that it interferes as much with the proper Business, as it is beneath the dignity of my office, to be employed in purchasing Powder & lead & drawing orders for the delivery of cartridges.

Not sent because told the Assembly [more upon] that Business⁴

ADf, NN:Lyon.

1. Message not found.
2. No resolve appeared in the printed journals.
3. No record of WL's correspondence with the Board of War has been found. WL seems to have been given this power between June and December 1778. On December 12, 1778, the legislature authorized Lt. Col. Benoni Hathaway of Morris County to purchase one ton of powder to be distributed to regiments of the militia "as his Excellency the Governor or Commander in Chief for the time being shall direct" (*Livingston Papers*, 2:360; *General Assembly* [October 27, 1778–December 12, 1778], 61; *Legislative Council* [October 27, 1778–October 9, 1779], 34).
4. On May 1, 1779, both houses authorized John Denton of Princeton to purchase two tons of powder and other ammunition and distribute it to the militia in each county. On May 17 Denton was authorized to take wagons to New England to procure lead because the Board of War did not have a supply in Philadelphia (*General Assembly* [April 20–June 12, 1779], 83, 100; *Legislative Council* [October 27, 1778–October 9, 1779], 41–42, 51).

To Anthony Bleecker

Trenton 1 May 1779.

Sir

I inclose you one dozen fish hooks & should have strictly pursued your orders as an honest factor, by sending You three dozen as per invoice, but that they are advanced to the abominable price of half a dollar a piece. Indeed I was almost deterred from buying any, but that I

thought you & the other Gentlemen Fishers would not chuse to be totally debarred from the Sport for the sake of a few dollars; especially as you can sell your Trout at a proportionable advance.

I have no News to write you, but that about 70 of our Militia have drove between six & 800 British Troops from Middletown quite to their Boats; & the latter never pretended to make a stand except by just facing about on every advantageous spot, & giving one volley & then again prosecuting their flight.¹

We have hitherto proceeded so slowly in our legislative capacity that I fear we shall sit out all the Trouting Season;² but I must give our assembly one huzza for having voted a tax of a round million, not of dollars Sir, but fair honest pounds of twenty shillings to the Pound.³ With my Compliments to Mrs. Blecker, I am

ADf, NN:Lyon

1. British regulars had landed at Shoal Harbor in Monmouth County on April 26, burning and looting most of the houses at Tinton Falls before Continental troops and militia drove them to their boats. There were few casualties, and the British returned to New York that same evening (*N.J. Gazette*, May 5, 1779).

2. The legislature remained in session until June 12.

3. WL makes the distinction between New Jersey paper currency, in pounds and shillings, and Continental bills, in dollars. For details of the act raising taxes see WL to the Assembly, April 22, 1779.

To John Neilson

Trenton 1 May 1779

Sir

General Winds has directions to call out one Class of the Militia¹ of Essex & General Heard one Class of the Militia of Middlesex & Hunterdon to be posted under your Command for the defence of the frontiers of Essex & Middlesex & to be relieved monthly till farther orders. As General Washington purposes in a few days to call away the continental Troops now posted at Elizabeth Town, & Newark I hope you will use your best Endeavours to expedite this call of the Militia to cover these parts; & it will probably be of use to you to have a conference with General Maxwell concerning the places most accessible to the Enemy, & the best disposition of your sentries & pickets. Colonel Frelinghuysen is to be posted in Bergen County.² The assembly have added 5/ per day to the pay of the Militia.

ADf, NN:Lyon.

1. In all counties the militia was divided into companies, with each company divided into eighths, called parts or classes. A class was called out for no longer than one month. For a general discussion of "An Act for the Regulating, Training and Arraying of the Militia," passed April 14, 1778, see *Livingston Papers*, 2:228.

2. On April 24, 1779, the assembly was petitioned by some 130 residents of Bergen County requesting protection from the enemy. After a committee studied the request, the assembly on April 26 sent a resolution to WL requesting that he and the Privy Council call out a class of militia from Morris and Sussex counties to help the Bergen militia secure the county (*General Assembly* [April 20–June 12, 1779], 72–73, 75). A copy of the April 26 resolution is at NjP. No action was taken by WL and the Privy Council on the assembly's resolution. WL did act on a May 1 Privy Council resolution, however, by sending orders to Col. Frederick Freylinghuysen on May 1 to command militia from Somerset, Morris, and Bergen counties. Refer to WL to Frederick Freylinghuysen, May 1, 1779 (NN:Lyon). For accounts of enemy depredations in Bergen County refer to *N.J. Gazette*, April 28, May 12, 1779.

To George Washington

Trenton 1 May 1779

Dear Sir

I have the honour to acknowledge the receipt of your Excellency's two favours of the 28th. & 29th. ultimo.¹ The British lately in Monmouth behaved, by all Accounts, in the most dastardly manner, running for one while from about 75 of our Militia, and continuing their retreat to their Very boats before less than one quarter of their number, to which all our reinforcements did not amount.

If Mr. Franklin means to take possession of Amboy,² they might doubtless by the sound on one side, and proper intrenchments, secure a lodgement. But I have reason to think that the Bailiwick of his Sheriff of Middlesex³ will not extend far beyond his Encampment. Indeed I could wish that every villain in the State would join him, or in any other manner deliver us from his company; as I have no conception that they can injure us so much by such a step, or by any other, as by that of staying among us.

I have hitherto deferred calling out the Militia in hopes the Assembly would raise their wages, which I submitted to their consideration the moment I received your Excellencys Letter on the Subject of withdrawing your troops from Monmouth Elizabeth town etc.⁴ and without which I am persuaded they will not come out to any purpose in the monthly service. As I was daily flattered with a resolve on that head,⁵ I

thought it best to sacrifice a few days (precious as the time is) for the sake of that stimulus, & the greater number it will probably produce. This afternoon I shall at all events issue the orders.⁶ But having hitherto delayed them from the above prospect, if your Excellency, can, consistent with your plan of operations continue the Troops a few days longer than you purposed,⁷ I am confident you want no other motive to induce you to do it, than your feelings for any of our Inhabitants that are more immediately exposed to the incursions of the Enemy. I have the honour to be with great esteem & regard Dear Sir Your Excellency's most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington to WL, April 28 and April 29, 1779 (DLC:GW). Washington had enclosed several letters detailing the April 26 British raid in Monmouth County. Refer also to *N.J. Gazette*, May 19, 1779.

2. Washington had written to Maj. Gen. Alexander McDougall on April 28 that royal governor William Franklin had been appointed major general commanding all new Loyalist units. The enemy, Washington said, "mean to take a post at Amboy" (Fitzpatrick, *Writings of Washington*, 14:459).

3. This is a probable reference to Isaac Bonnell, who had been the sheriff of Middlesex from June 1775 until his arrest for loyalism in July 1776. Bonnell later fled to New York, and his confiscated estate was sold in May 1779 (*N.J. Gazette*, May 5, 1779).

4. See WL to the Assembly, April 24, 1779.

5. On April 30 a committee of both houses was informed. On May 1 the legislature increased the pay of the militia by five shillings a day (*General Assembly* [April 20–June 12, 1779], 82, 84; *Legislative Council* [October 27, 1778–October 9, 1779], 43). An additional act to provide a bounty for militiamen was passed on June 12 (*Acts* [May 22–June 12, 1779], 113–16).

6. At the May 1 Privy Council meeting, WL was advised to issue orders to one class of militia each from nine counties. The militia was to be stationed in Bergen, Essex, and Monmouth counties (*NJA* [Privy Council], 3d ser., 1:114).

7. Washington had intended to withdraw the Continental troops before May 10.

To George Washington

Trenton 1 May 1779

Dear Sir

There are about 20 Jersey lads in the State who have deserted from Count Pilaski's Legion. They were inlisted till September, & were induced to inlist in expectation of being of Major [Burchardt's] corps.¹ He was afterwards appointed to command a number a Hessian deserters on account of his speaking their language;² & those lads put under french

officers whom they could not understand,³ & were by that means frequently exposed to punishment which they did not mean to deserve. If they are ordered to South Carolina,⁴ their time of Service will be entirely consumed in going & returning. They offer to surrender themselves upon Condition of being under Major [Burchardt] & serving in Jersey⁵ or coming to Head Quarters & serve for the time left by their desertion. [Bacquot] thinks as they are well acquainted with the County of Monmouth, they would be of great use in taking the robbers in the Pines, especially with the guidance of Mr. Van Kirk who with great address lately took a party of them, & has deserved public notice.⁶ I don't pretend to determine on the propriety of receiving those people upon terms, & mean only to lay the matter before your Excellency for your consideration. Major [Burchardt] can inform you more particularly.⁷ I have the honour to be with all possible respect Dear Sir your Excellency's most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Maj. Daniel Burchardt was an officer in the German battalion, a unit that originally consisted of American soldiers of German ancestry.

2. Burchardt was apparently involved in the unsuccessful effort to raise a unit of Hessian deserters to serve in the German battalion mandated by Congress on September 3, 1778. On December 5 the recruitment was suspended, however, and its officers assigned to Count Casimir Pulaski's Legion. The effort to raise this unit of German deserters was abandoned on June 21, 1779, when the few recruits were transferred to Charles Armand-Tuffin, Marquis de la Rouerie's corps (*JCC*, 12:867, 1192-93; 14:754).

3. Both Pulaski's Legion and Armand's Independent Corps were staffed with French officers.

4. Pulaski's Legion was transferred to South Carolina in February 1779 (*JCC*, 13:132).

5. The German battalion had been stationed at Minisink before May 1779.

6. For an account of John Van Kirk's efforts see WL to Moore Furman, February 7, 1779.

7. On May 4 Washington wrote WL that the deserters had been ordered to Easton. He reported that they would serve in the "western service," a reference to the Sullivan expedition (DLC:GW).

To Daniel Hendrickson

Trenton 4 May 1779

Sir

I received your Letter of yesterdays date,¹ & am to inform you that of all the Ammunition left the proportion of your Battalion cannot amount

to above 1500 cartridges for which I therefore inclose you an order.² The Assembly has sent to Philadelphia to purchase a quantity of Powder lead & flints, to be deposited in 3 different parts of the State, & appointed persons to distribute it among the militia of which I suppose notice will be given,³ & according you will [search?] & in future apply to the one in your district for a farther supply. I am surprized to hear that you made no return of your Regiment to Brigadier Heard till about two weeks ago, when he informs me that he has pressed for that purpose upon the Collonels some months ago, & when indeed the Act of Assembly prescribed that measure as part of their Duty.⁴ I am

ADf, NN:Lyon.

1. Letter not found.
2. Enclosure not found.
3. See WL to the Assembly, April 30, 1779.
4. Commanding officers of militia regiments were to forward returns of their regiments to the commanding generals in April and November of each year (*Acts* [February 21–April 18, 1778], 42–56).

To George Washington

Trenton 4 May 1779

Dear Sir

As the Militia that are to take the Posts in Monmouth Essex & Bergen now occupied by your Troops are called out by classes, it is impossible to determine precisely to what number they will amount; but if the Commisaries are directed to provide for one thousand,¹ I suppose it will answer the purpose. I have the honour to be with the greatest respect Dear Sir your Excelleney's most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Washington replied that he would direct the Commissary Department to honor WL's request. Refer to George Washington to WL, May 4, 1779 (DLC:GW). No letter on this subject has been found.

To Hugh Brackenridge

Trenton 7 May 1779

Sir

I received your favour of the 4th instant,¹ with a copy of the last magazine,² for which I am much obliged to you; but I find that the stitcher of the Sheets has surreptitiously deprived me of the pleasure I should have received from³ what ought to have been inserted between the 156 & 165th pages, This is all omitted, & General Lees signature appeared very whimsically⁴ in the first colum of the 165 page⁵ which is immediately preceeded by, & appears continued from an essay on religious establishments⁶ which I presume is a Subject above the Intellects of any Quadruped.

I enclose you a morning Hymn,⁷ the better punctuation & scoring as well as more substantial emendations of which I submit to your correction, & am Sir

ADf, NN:Lyon.

1. Letter not found.
2. The April 1779 issue of the *U.S. Magazine*.
3. In the ADf (NN:Lyon), WL wrote "the Entertainment of" after "from" and before "what."
4. After "very" WL first wrote and then crossed out "awkwardly" in the ADf (NN:Lyon).
5. The *U.S. Magazine* reprinted a piece Charles Lee had written criticizing the magazine for having published in its January 1779 issue a distorted letter from him to Miss Rebecca Franks. The April issue then appended a letter of apology to Miss Franks signed by Lee, which WL refers to here (*U.S. Magazine*, April 1779).
6. WL is referring to an article signed "M.W." and entitled "A Genuine Letter on the Danger and Evils of all Religious Establishments."
7. Brackenridge published the hymn in the June 1779 issue of the *American Magazine*. See "Hortentius," [June 1779].

To Elisha Boudinot

[Princeton] 8 May 1779

Sir

I find that Richard Poller & John [Rolay] two of our State Prisoners are still at Princeton,¹ & not likely to be soon exchanged. I really pity

the Men, and wish they could be exchanged as soon as possible. Probably the reason is that we have none of our own Citizens now in captivity with the Enemy to exchange for them unless it be Capt. Fitzrandolph,² & that the Enemy will not part with him for them. If this be the case it would perhaps be best to deliver them to the continental Commissary of Prisoners,³ he giving us the Like number when we want them; as he may have it in his Power to get them exchanged for our continental Prisoners. Capt. Henry Stanfield,⁴ & two privates are also Prisoners here, & perhaps it would be best to adopt the same mode with them,⁵ unless Capt. FitzRandolph can be procured for some of them.⁶ I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, MB.

1. For WL's earlier response to Richard Puller and John Rorie see WL to British Prisoners, March 17, 1779.

2. On February 8, 1779, militia captain Nathaniel FitzRandolph and Charles Jackson had been taken by Loyalists from Jackson's home in Woodbridge and imprisoned in New York City.

3. Col. John Beatty.

4. Stanfield was captain of the British merchant ship *Hope*, advertised for sale in March (*N.J. Gazette*, February 10, 1779).

5. For a discussion of the authority granted the New Jersey commissary of prisoners to negotiate for the releases and exchanges of civilians and soldiers, see *Livingston Papers*, 2:511–12, 515–16.

6. This letter was enclosed with one dated May 8 to Elisha Boudinot from Richard Puller, John Rorie, and Henry Stanfield (PHi) requesting that Boudinot arrange for their release. Earlier that same day, Puller had met with WL in Princeton about the exchange.

To George Washington

Trenton 8 May 1779

Dear Sir

I have received the honour of your Excellency's Favour of the 4th instant;¹ & am very far from differing with you in Sentiment that the Militia of the Country should be drawn out by the Authority of the Government rather than by the pecuniary reward attached to their Service. This has always been my Opinion; & I have used my utmost Exertions to get our Militia upon that footing; but it is a thing rather to be wished than expected, as our Legislature have uniformly manifested a Disin-

clination to use compulsion. And when it is considered that the 5 shillings per day which they have added to the pay of the Militia is not equal to what they have lately done for the standing troops; I flatter myself that it will not be attended with the disagreeable consequences which your Excellency apprehends.² The truth is, the Militia have of late, been so extremely backward to come out in the monthly Service, that without some addition to their past allowance it was universally apprehended that our Frontiers would be entirely left to the mercy of the Enemy.³ But for the reason your Excellency assigns, I wish it had been by way of bounty, instead of augmentation of Wages.

The Confidence your Excellency is pleased to place in my Friendship, affects me with inexpressible pleasure. I hope Sir, you will never have reason to think it misplaced; & your Friendship in return, (which indeed so bought, is too cheap a purchase) I shall always consider as the greatest Felicity of my Life. The communication of your Sentiments in the freest manner upon any public measures, I shall not only esteem an honour done me, as a convincing mark of your confidence, but shall ever endeavour to improve to the public Emolument, which I am sure will be the only motive that suggests them.

Please to accept of my Acknowledgments for your promise of continuing the troops, or the principal part of them at their present stations, a few days beyond the period limited in your former Letter.⁴

Our political stupor & security, owing to our last years successful campaign, & a thirst for the Mammon of unrighteousness, is truly lamentable; and I am entirely of your Excellency's opinion that there is the greatest reason to believe that a vigorous prosecution of the war is determined on the part of the Enemy.⁵ The slowness of our progress toward compleating our quota of your reinforcements affects me with unspeakable chagrin. And I can assure your Excellency that I do not lose a day without exerting myself to accelerate the motions of some Gentlemen who ought not to want a prompter to that indispensable Measure. With every sentiment of Esteem I have the honour to be Dear Sir Your Excellencys most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington to WL, May 4, 1779 (DLC:GW).
2. Washington had written that an increase in the standing pay of the militia "would

occasion disgust and desertion, if not mutiny, among those already in the Army; and would be a new discouragement to others from entering into it" (George Washington to WL, May 4, 1779 [DLC:GW]).

3. WL wrote and crossed out "But either Act is not yet passed, & as your Excellency thinks that a bounty to the Militia would give less umbrage to the standing forces, than an augmentation of pay, I will use my endeavours for the Assemblys adopting that mode."

4. By May 14 one of three New Jersey regiments had moved toward Easton, Pennsylvania, the chief rendezvous of Maj. Gen. John Sullivan's expeditionary force. Refer to George Washington to William Maxwell, May 14, 1779 (Fitzpatrick, *Writings of Washington*, 15:77).

5. Washington had referred to a May 1 New York City newspaper. On that date the *Royal Gazette* had printed an extract of Lord North's March 1 speech to Parliament outlining a plan for raising more revenue. On February 24, during a budget debate, Lord North had said, "That though the war should be continued, we should still have the means of carrying it on with vigour, and be enabled to procure as much money as we might want." The *Royal Gazette* had deleted "money" from the above quotation (*Royal Gazette*, May 1, 1779; Hansard, *Parliamentary History*, 20:159, 163–67; George Washington to WL, May 4, 1779 [DLC:GW]).

"Detector"

[May 8, 1779]

To Mr. LIVINGSTON, titular Governor of New-Jersey.

SIR,

I have just dissected your prolix reply to Sir Henry's *laconic letter*.¹ Indeed the sentiments it contains are so ill connected, that it scarce cost me a moment's trouble. Your essay seems to be the dernier resort of a distracted mind, for while you affect the greatest fortitude, the infernal spectres you speak of, will not allow you a single moment's repose. It is impossible that the Commander in Chief could descend to altercation with you. Your suspicions of assassination are plain and expressive, notwithstanding the smooth and inoffensive terms in which you have so decently couched them.² Enamoured of the *argumentum cornutum*,³ most of your periods admit two meanings, yet you are so *shallow a logician*, that you have not yet discovered its full extent. Charges positive and direct in the first instance, cannot be palliated by *novel insinuations* in the second, nor can those nice distinctions, sometimes allowable at the bar, be admitted in attempts to degrade *characters of eminence*, which can only be fairly judged by the dictates of truth and humanity.

Besides perfect logic according to the received opinion of men of sense, *springs from the true*, and not the *perverted* powers of reason. This

you must be sensible of, as you are about selecting the best laws of the realm for your assumed government, otherwise you must be a great stranger to the equitable principles on which they were founded. America's loyal sons I shall ever admire, and honour their rising genius, while from the reciprocal affection I wish to see preserved between them and Britons, I will not draw the merits of composition into question: yet I can scarcely imagine that any *foreigner of distinction*, in high repute for wit and knowledge, would have hazarded the assertion that this country already possesses *superior learning and military prowess* to Great-Britain. Were the curious reader to refer to the rise of this momentous contest, however artfully the final intentions of the Congress were so long concealed, however mild in his disposition, he must at least discover much duplicity and design in the whole tenor of their conduct, and in no part more, than in the reasons they assigned for declaring independence.

You have rarely preserved your own temper, tho' bred to the law, and never in any of those performances submitted to the inspection of the world, or in your judicial advice to the people at large as a Governor. You will not deny your opprobrious expressions concerning the banishment of tories to desolate islands,⁴ or punishing such as have the misfortune to be in your power, or even that virulent hyperbole before me, of being unable to ascertain the *precise limits of British cruelty*. If what I advance Sir, is matter of fact, and that it is I appeal to the whole world, where pray have you furnished an instance in support of your pretended honourable remark of foreigners, that *America had shewn her superiority to Great-Britain, no less in the decency of her writings, than in the success of her arms*.

I am much surprised that a man so intent on *masterly productions*, should be so little acquainted with the concise elegance of a fine writer. Recollect yourself a little *Mr. Livingston*, and you will be more reconciled to the British General's determination to take no notice of you. His titles are the just reward of *faithful and distinguished services*, and I really think you may venture to retract your former unguarded assertion that America and France would soon chastize *British insolence*. Without disturbing your *amiable connexions* with those *unhappy slaves* who flutter about your person, there can be no indelicacy or impropriety in wishing that they may at last evince a *poignant sensibility* of the true character of their oppressor. I am your most obedient Servant,

DETECTOR.

Royal Gazette, May 8, 1779.

1. See WL to Sir Henry Clinton, April 15, 1779.
2. See WL to Sir Henry Clinton, March 29, 1779.
3. *argumentum cornutum*: sophistical conclusion.
4. For this WL comment see *Livingston Papers*, 2:343–55.

To George Washington

Trenton 10 May 1779

Dear Sir

In answer to your Excellency's Favour of yesterdays date, I have to observe that our Law respecting the offence proved in the affidavits which it inclosed,¹ is so (ridiculously I would say, were it not an Act of Legislation) inadequate to the Crime, that it is only a fine of £10, which will render it well worth while for the British to employ a thousand Agents for the purpose, and to pay the penalty whenever they are detected.² But I am in hopes that they may be punished under some of the clauses of what we call our Treason Act;³ & that they may not escape for want of Law, as far as it can by any reasonable construction be extended against them, I shall transmit the affidavits to our Attorney General,⁴ directing him to give proper instructions to some Magistrate of Middlesex to receive the offenders from your officers, & to dispose of them according to Law. I have the honour to be with great respect Dear Sir your Excellency's most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington to WL, May 9, 1779 (DLC:GW). Washington sent WL affidavits of the examinations of two New Jersey residents accused of encouraging Continental soldiers to desert. Washington wanted the criminals punished as severely as the state's laws permitted.

2. WL refers to "An Act to prevent Desertion from the Army of the United States of America, and for other purposes therein mentioned," passed February 26, 1777 (*Acts* [September 13, 1776–March 17, 1777], 15–16).

3. The "Act to punish Traitors and disaffected Persons" of October 4, 1776, had established maximum penalties of £300 fine and a year's imprisonment for efforts deemed "to devise the Destruction of good Government." There was no mention of encouraging desertion and no specific penalty (*Acts* [September 13, 1776–March 17, 1777], 4–6).

4. William Paterson.

From John Neilson

Elizabeth Town 15 May 1779

Sir—

Yesterday Afternoon I arrived at this place with a part of the men ordered out of my Regiment¹ and find no other Troops are yet collected, On my way down I met at Woodbridge with Capt. Freeman of the first Battalion Middlesex Militia who had got together 8 or ten men from that Battalion, and at a Tavern about five miles from this was a Captain Scudder of Col. Jaques's Regiment of Essex Militia with some men, to both of them I gave orders to March to this place, when more of them will make their appearance I know not. There's not a man here from Hunterdon County, nor one from the third Battalion Middlesex. Should the Continental Troops move from here, which is Dayly expected, the first Regt. having already marched, we shall be left insufficient to secure ourselves against a surprize. And should the whole of the Militia that are ordered come in I am certain as I before observed to your Excellency we shall not be in a situation to afford that Protection to the Extensive shore of Essex & Middlesex as may be expected, I should therefore wish as the Character of the Militia of this State deserves to be Patronized. They may not be put into a Situation that will Endanger the Reputations they now have in the opinion of the Publick more Troops must be ordered to do this Duty or this disagreeable Circumstance will be the case. And the Inhabitants have no confidence of security. The whole of the Militia that are ordered can hardly ever be expected to turn out, I suppose not more than two thirds at any Time, much less at this busy Season. So that with about two hundred men which at an extravagant calculation will be the most I engage will come out of one class of the Regiments ordered we are expected to do the same service a Brigade of Continental Troops found it hard duty to execute I don't know what are the Ideas of the Representatives of the Country we are called upon to serve, whether a sacrifice of a few of the Militia is considered of little Consequence, Or whether their opinion of them is so high that a much Inferior number of them than Continental Troops are sufficient to do the same duty in either case the Conse-

quences may be disagreeable. No other Field officer has yet appeared I hope the duty is not Intended to be laid on me without the assistance of an Officer in that Commission One piece of Artillery at least will be necessary at this fort. I hope therefore your Excellency will give orders to one of the Companies of the Artillery to furnish me with one piece and a sufficient number of men to work it. I have the Honour to be Your Excellency's most Obedient Humble Servant

JOHN NEILSON

Lcy, NjR.

1. For the order see WL to John Neilson, May 1, 1779. Neilson had written WL on May 3 for a clarification (ICHi).

To the Assembly

Trenton 18 May 1779

Gentlemen

I herewith lay before you a List of Arms & Accoutrements lent to our Militia by William Henry Esqr. Lieut. of the City of Philadelphia with a certified Copy of the receipts as vouchers for the Loan.¹ His Excellency President Reed has accompanied them with his Letter to me by Colonel Coats the Lieutenant of the County of Philadelphia requesting my favourable offices to him in the Business, & acquainting me that the deplorable State of the Militia there for want of arms is really affecting.² I hope this³ application will engage your early attention as Colonel Calts⁴ is waiting the result of your determination.⁵

ADf, NN:Lyon.

1. List and receipts not found.
2. Letter not found. Lt. William Coats had written the Supreme Executive Council of Pennsylvania on May 6 about the arms that the Philadelphia militia loaned New Jersey in 1777 (*Pa. Archives*, 1st ser., 7:376).
3. Between "this" and "will" WL wrote then crossed out "demand of."
4. Coats.
5. On May 18 the matter was referred to a committee, which reported on May 20 that some of the Pennsylvania equipment was borrowed by New Jersey officers without government authorization. If an accounting was necessary, the officers were to comply and would be assisted by "the Executive Authority of the State" (*General Assembly* [April 20–June 12, 1779], 102, 104).

To Elisha Boudinot

Trenton 18 May 1779

Sir

General Washington & myself having agreed to permit no persons to go into the Enemy's lines from this State or to come into it from thence but by the way of Elizabeth Town,¹ you will be pleased to give the strictest orders to the persons navigating the boats with Provisions for our Prisoners from Shrewsbury² or any other parts of this State except Elizabeth Town, not to carry or bring any passengers—and if you detect any of them in disobeying such order, it is expected that you will immediately supercede him.

ADf, NN:Lyon.

1. For WL's correspondence with George Washington on this subject, see *Livingston Papers*, 2:444–46, 456, 463–64. Brig. Gen. William Maxwell was made responsible for controlling all flag boats landing in New Jersey. These anchorages all were at or near Elizabethtown, where his brigade was stationed.

2. Loyalists frequently passed illegally between New Jersey and New York City at Shrewsbury (*N.J. Gazette*, January 20, 1779). WL earlier had been concerned about unauthorized passage of citizens to New York and had specifically requested that a unit of Continental troops be stationed at Shrewsbury to prevent such traffic. See *Livingston Papers*, 2:512, 518–20.

To Joseph Hedden, Jr.

Trenton 18 May 1779

Sir

I inclose you a Letter from Colonels Dayton Ogden & Barber¹ with a certificate from General Maxwell in favour of Abel Hetfield.² I believe the Gentlemen must have misapprehended me as to my engaging to use my Influence for restoring his Estate. But I remember their speaking to me on the necessity of employing spies, & it is probable enough that I told them, that in such Cases all reasonable Allowances ought to be made in favour of the persons employed; & if the inclosed facts prove that the man went into the Enemy's lines not from the criminal motives

intended by the Law but for the public Service it will doubtless so far as it is legal Evidence have its due weight with the Jury upon the [. . .] & for that purpose I transmit it to you as one of the Commissioners.³

ADf, NN:Lyon.

1. Letter not found.

2. In a letter to Brig. Gen. William Maxwell of May 18, 1779 (NN:Lyon), WL acknowledged receiving a certificate dated May 10 from Maxwell and indicated he would forward it to the commissioners for forfeited estates. Joseph Hedden, Jr., was a commissioner for Essex County.

3. The December 11, 1778, law to sell the real property of Loyalists incorporated judicial procedures of an April 18, 1778, act. For a discussion see *Livingston Papers*, 2:219–29. An inquisition (indictment) for treason had been rendered in Hetfield's case on September 15, 1778, but a jury had not yet issued a final judgment allowing the commissioners to proceed with the sale. There is no subsequent record of the forced sale of Abel Hetfield's property (*Acts* [November 20–December 12, 1778], 31–40; *N.J. Gazette*, November 18, 1778).

To John Neilson

Trenton 18 May 1779

Sir:

I have received your 2 Letters of the 15 instant & should have answered them before now, but was in some hopes to obtain the advice of Council for calling out a few additional Classes.¹ Of this however there is now no prospect. So that you must dispose of the men in the best manner possible as guards; & if you are obliged to retreat before superior numbers, you will still have so many men ready embodied for the Militia to join, & prevent such farther incursions into the Country, as the Enemy might otherwise make. The inclosed contains an order to Capt. Clarke to furnish you with a field piece & a sufficient number of men to work it.² I am

WIL: LIVINGSTON

Lcy, NjR.

1. Only one Neilson letter has been found. See John Neilson to WL, May 15, 1779.

2. Refer to WL to Aaron Clarke, May 18, 1779 (NN:Lyon).

To Jacob Morris

Trenton 17 [19]¹ May 1779

Sir

I have received your Letter of the 12 instant,² & can assure you that it would give me particular pleasure to be instrumental in procuring you the post of Lt. Collonel in the Troops now in contemplation to be raised by this State.³ Confident I am that the Service which you have had an opportunity of seeing would render you of singular use to any Corps composed of our Militia; who are greatly deficient in discipline, & have been but too much countenanced in irregularities by their officers. But the Intention of the Legislature is to appoint all the officers of the new corps from among our own militia which disables me from patronizing your application,⁴ as I doubt not your tender of Service would have met with all due Encouragement.

ADf, NN:Lyon.

1. This draft letter is entered in sequence after a letter of May 19 and before a letter of May 20 in WL's letterbook.

2. Letter not found.

3. A bill to provide a long-term solution to the problem of defending New Jersey while Continental forces were in Indian country had been introduced in the Legislative Council on April 26. This action was not in response to any official message from WL calling for a semipermanent militia force, although it agreed with his views on the subject. A joint committee of the legislature met first on April 27 and resolved on April 29 to raise a thousand-man force to serve until December 1, 1779. On June 2 both houses agreed to an amended version.

The act of June 2 stated in its preamble that monthly rotations of the militia to guard the inhabitants was "inconvenient and expensive." A proportional quota for each county was established. Free males over age twenty-one appearing on the lists of classes were to volunteer. Substitutes were permitted, and a fifty-dollar bounty was given to each recruit (*General Assembly* [April 20–June 12, 1779], 76–78, 100–105, 115, 117–19, 121–22; *Legislative Council* [October 27, 1778–October 9, 1779], 37–39, 44, 48–51, 61–63; *Acts* [May 22–June 12, 1779], 58–63).

4. *Acts* (May 22–June 12, 1779), 59. Maj. Jacob Morris, a former aide-de-camp to Charles Lee and currently in the Continental army, was from New York.

To John Neilson

Trenton, May 19, 1779. WL transmits to Col. John Neilson permits for two local women to go into New York to secure their property and to return to Elizabethtown. He also grants permission for two other women to enter the state from New York.

In a postscript to the letter, WL rescinded his permission allowing Mrs. Hadden to return from New York.¹

ADf, NN:Lyon

1. WL remarked, "As her political Character has always been that of a disaffected person, she is not entitled to any favours from this Government. Not that I would deprive her of the opportunity of securing her property, by going into New York, but I do not wish her to return. If therefore she chuses to go, she must go upon these terms." WL later allowed another woman to go to New York on similar terms. Refer to WL to John Neilson, May 24, 1779 (NjR). For a discussion of WL's strong aversion to allowing women to pass between the lines into New York, see *Livingston Papers*, 2:232–33.

To John Jay

Trenton 20 May 1779

Dear Sir

Mr. Condict goes to Congress on some public Business of this State.¹ As far as your leisure will admit, I hope you & the Colonel² will show him all the family civilities in your Power. He is one of our Council a plain country man, of great natural Sense, an inflexible Whig, and (what may perhaps farther recommend him to you from your partiality for me) a particular Friend of Your Excellencys most

ADf, NN:Lyon. Letter marked "Private."

1. On May 19 the Legislative Council designated Silas Condict to join a member of the assembly in carrying a remonstrance from the New Jersey legislature to Congress (*Legislative Council* [October 27, 1778–October 9, 1779], 53–54). For background on this legislation see WL to Caleb Camp, March 20, 1779.

2. Lt. Col. Henry Brockholst Livingston.

Court-Martial of Edward Thomas

Trenton, 20th May, 1779.

COLONEL Edward Thomas, of the New-Jersey militia, being tried by a Court-Martial composed of continental and militia officers, held by order of General Maxwell, at Elizabeth-Town, the 9th day of March last, on the charges of cowardice and neglect of duty; the Court, after duly considering the evidence produced, was unanimously of opinion that he was not guilty of cowardice, and acquitted him with honour.— And were also of opinion that the charge of neglect of duty was not supported, and acquitted him thereof.¹—And I having maturely considered the evidence produced on the several charges, do, as Commander in Chief of the militia of this State, confirm the above judgment and acquittal.²

WIL. LIVINGSTON

N.J. Gazette, May 26, 1779.

1. For events leading to the trial see WL to William Maxwell, January 9, 1779. The judgment was rendered March 14. Refer to Silvanus Seely, *Diary* (NjMoHP).

2. For WL's authority in New Jersey militia court-martial proceedings see *Livingston Papers*, 2:438.

To Baron von Steuben

Trenton 22d May 1779

Sir

I was yesterday honoured with your agreeable Favour of the 20th instant;¹ and acknowledge myself under great Obligations to you, for your generous offer of introducing your military regulations among our Militia. The advantages that will result from carrying your proposal into execution, must be evident on the least Reflection. Our Militia is composed of materials capable of being formed into as good Soldiers as any part of the World can produce; and disciplined upon your plan, would certainly constitute the best & most natural Defence of a republican State, against all hostile Invasion. It will however be attended with some difficulty to prevail on a people, subsisting by Agriculture, to de-

vote a proper portion of their time to this purpose. But as the State is about raising & incorporating a Corps of Militia for its own defence, the discipline proposed may be easily introduced among those Troops; and their officers being made Masters of it, will by degrees diffuse it through the whole State. Whenever therefore this Body is raised, I shall take the Liberty to apply to you to request the Commander in Chief to send me an Officer capable of teaching your rules, and giving the necessary Explanations.²

From a certain passage in your Letter Sir, I should be led to conclude that you had accompanied it, with a Copy of your Regulations; but if you did, I have not had the pleasure of receiving it.

The eminent Advantages, which our Army has derived from your Skill & assiduity in improving their Discipline, will, I doubt not, be gratefully acknowledged by every true American; and by none with more Sensibility and Ardor than by Sir your most obedient and very humble Servant

WIL: LIVINGSTON

ALS, NH*i*.

1. Letter not found.

2. Steuben's *Regulations for the Order and Discipline of the Troops of the United States. Part 1* (Philadelphia, 1779; Evans, no. 16627) was endorsed by Congress March 29, 1779 (*JCC*, 13:384). An abstract of Steuben's volume was prepared for the use of the Pennsylvania militia in 1779 (Evans, no. 16629).

To the Assembly

Trenton 23 May 1779

Gentlemen

Many of the disputes between the officers of the Army & the Inhabitants originate from the latter coming into the Camp with liquor selling it to the Soldiers, & as the officers alleged taking cloathing provision or accoutrements in payment.¹ There being no civil redress that I know of for a grievance of this nature, the officers undertake to punish those guilty of such practices & thereby are in violation of the Laws, & against the Liberty of our citizens. For preventing this kind of Commerce between the people and the Soldiery, I would therefore recommend to your consideration the passing an Act to prohibit an Inhabitant from selling liquor to the Soldiers within the Limits of the Camp without

leave obtained from the commanding officer of the quarter into which it may be brought & imposing a penalty recoverable by a summary process before a Magistrate upon any person receiving arms accoutrements cloathing or provisions from a Soldier by way of purchase or in exchange for any Commodity brought into Camp for sale.²

I would further recommend to your Consideration a more effectual Law than any now extant for punishing the practice of seducing the soldiery & aiding them in deserting to the Enemy which has arisen to such an alarming height, that unless some severe examples can be made, it must be attended with the most serious Consequences.³

ADf, NN:Lyon.

1. In this paragraph WL is quoting almost verbatim from a George Washington letter of March 3 (DLC:GW). WL had also been informed of a recent effort by two civilians to encourage desertion. See WL to George Washington, May 10, 1779.

2. WL apparently did not send this message to the General Assembly, and it does not appear in the journals. The legislature did indirectly address the issue, however, when it ordered that those persons without a tavern keeper's license who purveyed liquor would face a twenty-pound fine for the first offense (*Acts* [May 22–June 12, 1779], 54).

3. WL is referring to a February 26, 1777, act to prevent desertion, which fined persons who “shall any Way encourage Desertion from the said Army” (*Acts* [September 13, 1776–March 17, 1777], 15–16).

To Israel Shreve

Trenton 24 May 1779

Sir

I received yours of the 22d & am obliged to you for the News Paper it inclosed.¹ I have done all I could to increase the Number of Colonel Neilsons command but without effect.

I could wish that neither you or any other Gentleman on our posts would trouble their heads about the women desirous of going into the Enemys lines or recommend any person for a pass.² Whenever they apply to you, pray direct them to me that I may examine them, & judge for myself. If Mrs. Hadden will not go on the terms of not returning [s]he must [. . .] stay, & transact her Business by some other person.³
I am

ADf, NN:Lyon.

1. Letter and enclosure not found. Shreve's Continental battalion was still at Elizabethtown on May 22.

2. Col. John Neilson had given Shreve WL's orders to permit several women to go to New York. Refer to John Neilson to WL, May 22, 1779 (NjHi).

3. For WL's decision to deny Mrs. Hadden permission to return to New Jersey if she went to New York, see WL to John Neilson, May 19, 1779.

To Frederick Frelinghuysen

Trenttown May 26th 1779

Sir

I have this day directed one Class of the Militia of all the Regiments of the Counties of Bergen Morris & somerset and the two Regiments of Colonels Taylor & Bevers to March and Rendezvous at Hackensack, and to put themselves under your Command, for the defense of the County of Bergen against the Incursions of the Enemy; for one Month.¹ The Commanding officers of the respective detachments have orders to send you Notice at Hackensack of their Approach to the place of Rendezvous. You will therefore be pleased that if you at any time during your Command you should be absent from Hackensack to leave Directions, where they shall be Stationed.² I shall only add at present that It is my wish you would be in the County of Bergen as soon as possible and take such measures as [appear] to you most proper for the defense of the [. . .] against the Incursions of the Enemy. In Addition to what I have Mentioned, I must request your particular Attention to prevent all Communication between the County of Bergen and the City of New York particularly to prevent any provisions going in.³ Also that You will use your best endeavors to obtain every Intelligence from the Enemy and their Motions or Intentions & give the Most early Intelligence to General Washington & myself of every Matter You think Important.⁴

D, NN. Mutilated; not in WL's hand.

1. See John Neilson to WL, May 15, 1779. On May 25 WL had reported to the Privy Council that only a scattering of militiamen had responded to the May 1 muster orders to protect Bergen, Essex, and Monmouth counties. The council advised WL to order out an additional class from seven counties and station it at the above places and in Middlesex County as well. WL was also advised to renew his call for the first class to obey the May 1 order (*NJA* [Privy Council], 3d ser., 1:114, 116).

2. Col. Frederick Frelinghuysen had been placed in command at Hackensack as of May 1.

3. For a discussion of the continuing illegal trade between Bergen County and New York City, see WL to John Mead, February 5, 1779.

4. An earlier version of this order is dated May 25 (NN:Lyon).

To George Washington

Trenton 27 May 1779

Dear Sir

I was yesterday honoured with your Excellency's circular Letter of the 22d, in which you have enumerated a variety of disagreeable Circumstances respecting the present Situation of our Army, which ought to affect every considerate Mind with the most serious impressions.¹ Your Excellency may depend upon my making the best use of it in my power, as I really reflect with the greatest anxiety, upon the almost universal Lethargy in which the Country is involved. I hope the Reformers in Philadelphia (whom but for the laudable Motive that impells them, we should be obliged to call a mob) will occasion a general Reformation of manners among the Ingrossers. It is a severe Remedy, but so desperate a disease seems to require that kind of Recipe.²

I have called out one Class of all our Militia (except that of Cape May) for the defence of Bergen Essex Middlesex & Monmouth. As the inclosed to Mr. Erskine (who is probably still in Camp) contains orders to a Captain in his Neighbourhood for a scouting party against the Robbers in the Mountains in the northern Parts of Bergen County, I beg the favour of your Excellency to forward it as opportunity may offer, as also my Letter to Governor Trumbull.³ I have the honour to be with great respect Dear Sir your Excellency's most humble & obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington circular of May 22, 1779 (Fitzpatrick, *Writings of Washington* 15:122–24). Washington had remarked, "When we consider the rapid decline of our currency, the general temper of the times the disaffection of a great part of the people, the lethargy that overspreads the rest, the increasing danger to the Southern States, we cannot but dread the consequences of any misfortune in this quarter; and must feel the impolicy of trusting our security, to a want of activity and enterprise in the Enemy."

2. On May 27 the *Pa. Packet* had printed a report of a meeting on that day of Philadelphia citizens and local militia to protest the escalating prices in the city. Resolves were passed and committees appointed to oversee the stabilization of prices and to end "engrossing, monopolizing, and forestalling and depreciation." Two days earlier some militiamen had harassed local merchants about their prices.

3. Refer to WL to Jonathan Trumbull, May 28, 1779, and WL to Joseph Board, May 27, 1779 (NN:Lyon).

To Robert Erskine

Trenton 29 [27]¹ May 1779

Sir

I have received your Letter of the 24 instant, & am obliged to you for transmitting to me the Examination of James Allen respecting the robbers that infest the southern parts of the State of New York & the Northern parts of this State.² The inclosed contains my orders to Capt. Joseph Board to raise a company of rangers from the two upper Companies of Bergen to scout in the mountains in order to apprehend the robbers concealed in them & their abettors.³ It will be proper for you to inform him of their usual haunts & the people who harbour & succour them by extracting those parts of allen's confession.⁴

ADf, NN:Lyon.

1. In WL's letterbook this letter appears amid other correspondence dated May 27. WL enclosed it in his letter to George Washington dated May 27, 1779.

2. Letter and enclosure not found. WL had presented Erskine's letter and James Allen's confession to the Privy Council May 26, 1779. Erskine had requested a party of militia to scout the area for the robbers (*NJA* [Privy Council], 3d ser., 1:117). Allen was examined on May 12, 1779, and eventually executed in Hackensack. In addition to his robberies, he was also implicated in a plot to kidnap or assassinate WL. See WL to William Livingston, Jr., June 24, 1779.

3. Refer to WL to Joseph Board, May 27, 1779 (NN:Lyon). The Privy Council had authorized WL to order out twenty-five men for this purpose (*NJA* [Privy Council], 3d ser., 1:117).

4. Following "confession" WL wrote and then crossed out "I shall [transmit the like] information to Governor Clinton." WL's letter not found. On April 29, however, Clinton informed Orange County sheriff Isaac Nicoll that he had received from WL copies of the examinations of the robbers (*Public Papers of George Clinton*, 4:780–82).

From John Neilson

Elizabeth Town 30 May 1779

Sir

I am Honour'd with your two Letters of 26 & 27th,¹ I have given directions to have the Resolve of the two Houses respecting the Horses and Cattle put in Execution,² as soon as I am in a situation to take the

Effectual Measures your Excellency wishes may be taken for the defence of the Counties of Essex and Middlesex against the Incursions of the Enemy and to prevent all Communication or Commerce between those Counties and the Enemy, if that happens while I am in Service, those Measures shall be taken, so far as its in my power with the few Men under my Command it shall be Immediately done, but I am sorry to think it will be very Ineffectual, Yesterday Colonel Shreive left this Place³ and I now have the charge of it with about one hundred & twenty men leaving a very small Guard at Woodbridge. Your Excellency directs me when the Western Militia comes in to order the men of Colonel Taylor & Beavers Regiments to Join Colonel Frelinghuysen in Bergen.⁴ There is no[t] a man joined me from either of the two Regiments nor from Colonel Philips, only a few about 14 from Colonel Chambers are all thats out of the County of Hunterdon. The Latest Account from the Enemy is That the whole of their force suppos'd to be About 8000 men are collected at White Plains, two Sloops loaded with Fascuiles⁵ etc. etc. G.W. This is the only Intelligence I have yet been able to collect I shall continue while in service to make what discoveries I can and transmit to your Excellency with most early Expedition.⁶ I have the Honor to be with the greatest respect Your Excellency's Most Obedient Humble Servant

J. NEILSON

Lcy, NjR.

1. Refer to WL to John Neilson, May 26, 1779 (NN:Lyon), and May 27, 1779 (NjR).
2. On May 25 the legislature had authorized Neilson to remove livestock that had been driven to Amboy and were in danger of falling into the enemy's hands (*General Assembly* [April 20–June 12, 1779], 110; *Legislative Council* [October 27, 1778–October 9, 1779], 56–57).
3. George Washington on May 26 had ordered Col. Israel Shreve to leave Elizabethtown (DLC:GW).
4. These orders were included in WL's May 26 letter to John Neilson (NN:Lyon).
5. fascine: bound branches used in the construction of sites for artillery batteries.
6. Neilson also sent this intelligence to George Washington. Refer to John Neilson to George Washington, May 30, 1779 (DLC:GW).

“Hortentius”

[June 1779]

A Morning Hymn—By Hortensius.¹

FROM night, from silence, and from death,
Or death's own form, mysterious sleep,
I wake to life, to light, and health:
Thus me doth *Israel's Watchman* keep.

2.

Sacred to HIM, in grateful praise,
Be this devoted tranquil hour,
While Him, supremely good and great,
With rapt'rous homage I adore.

3.

What music breaks from yonder copse?
The plummy songster's artless lay:
Melodious songsters, nature-taught!
That warbling hail the dawning day.

4.

Shall *Man* be mute, while *Instinct* sings?
Nor human breast with transport rise?
O for an universal hymn,
To join th' *orchestra* of the skies!

5.

See yon' refulgent lamp of day,
With unabating glory crown'd,
Rejoicing in his giant strength,
To run his daily destin'd round.

6.

So may I still perform thy will,
GREAT SUN of nature and of grace!
Nor wander devious from thy law;
Nor faint in my appointed race.

7.

What charms display th' unfolding flow'rs?
 How beauteous glows the enamel'd mead?
 More beauteous still the *heaven-wrought* rose,
 Of purest *white*, and fac'd with *red*.

8.

The sun exhales the pearly-dews,
 Those brilliant sky-shed tears, that mourn
 His nightly loss; till from earth's cheek,
 They're kiss'd away, by pitying morn.

9.

For laps'd mankind what friendly tears
 Bent on our weal, did angels shed?
 Bound, bound our hearts, to think those tears
 Made frustrate all, when JESUS bled!

10.

Arabia wafts from yonder grove
 Delicious odours in the gale;
 And with her breeze-born fragrance greets,
 Each circumjacent hill and dale.

11.

As *incense* may my morning song,
 A *sweetly-smelling* savour rise,
 Perfum'd with Gilead's precious balm,²
 To make it grateful to the skies.

12.

And when from death's long sleep I wake,
 To nature's renovating day,
 Cloath me with thy own *righteousness*,
 And in thy *likeness*, Lord, array.

U.S. Magazine, June 1779.

1. Enclosed in WL to Hugh Brackenridge, May 7, 1779.
2. Gilead's precious balm: evergreen tree with aromatic leaves found in the region of ancient Palestine.

From George Washington

Middlebrook, June [1–3], 1779. Washington complains of difficulties in procuring wagons for the Continental army. He suggests that the state legislatures authorize the army to impress wagons in an emergency.¹

ALS, Nj.

1. WL submitted Washington's letter to the assembly on June 5. The house resolved, however, that the "Laws of the State are adequate to the Purposes therein mentioned" and took no further action (*General Assembly* [April 20–June 12, 1779], 129). For background on the law governing military impressment of wagons see *Livingston Papers*, 2:230–31.

To John Jay

Trenton 5 April [June]¹ 1779

Sir

General Washington has reason to think that the Enemy mean to come with their whole force into this State.² That he will stand in need of the aid of our militia, & is desirous of having General Dickinson of our Militia who now is in Maryland in this State.³ As I consider this as properly a continental Business, & requiring the utmost dispatch, I take the Liberty of inclosing to your excellency my letter to General Dickinson on that head⁴ & beg that it may be forwarded by one of the Express of Congress [. . .] too great a loss of time. I have the honour to be

ADf, NN:Lyon.

1. WL misdated the draft. It appears at June 5 in his letterbook amid other correspondence.

2. Refer to George Washington to WL, June 3, 1779 (DLC:GW). On May 30 British troops at White Plains sailed up the Hudson River. They captured Fort Lafayette on Verplanck's Point and an unfinished garrison on Stony Point directly across the river on June 2. The British immediately strengthened the fortifications. See John Neilson to WL, May 30, 1779, and refer to George Washington to Henry Knox, June 4, 1779 (Fitzpatrick, *Writings of Washington*, 15:227), and Sir Henry Clinton to Lord George Germain, June 18, 1779 (Davies, *Documents*, 17:144–46). The *N.J. Gazette* of June 16, 1779, carried a similar report of a British threat to New Jersey originating from the Hudson River Valley.

3. Washington wrote that he would not call out the militia until absolutely necessary but hoped that some measure could be taken "to engage their attention and facilitate their

coming out on an emergency.” Refer to George Washington to WL, June 3, 1779 (DLC:GW). Maj. Gen. Philemon Dickinson lived in Maryland but had promised to return to New Jersey “upon the first intelligence of its being invaded.” See WL to George Washington, March 30, 1779.

4. Refer to WL to Philemon Dickinson, June 5, 1779 (NN:Lyon).

To the Assembly

Trenton 5 June 1779

Gentlemen

You will find by His Excellency General Washington’s Letter herewith laid before you¹ that it thinks it absolutely necessary for the reasons therein assigned for the Legislature to authorize Colonel Moore Foreman² to impress waggons in cases of Exigency. From your usual zeal to facilitate & give all possible dispatch to our military operations upon the Success of which our future Liberty & happiness so eminently depend, I doubt not you will take the subject matter of his Excellency’s Letter in your serious consideration, & give him all the aid in your power consistent with your duty to your Constituents.³

ADf, NN:Lyon.

1. See George Washington to WL, June [1–3], 1779. The movement of New Jersey Continental forces from Elizabethtown to Pennsylvania and the imminent end of winter encampment created an urgent need in May and June for transportation. As early as May 6 Washington had written to Maj. Gen. Nathanael Greene about the need to transport troops of the New Jersey Brigade to Easton. He wrote again on the subject of wagons in letters to Greene of May 19 and May 25 (DLC:GW). By the latter date the Continental army was preparing to leave Middlebrook. The army had begun to march toward Pompton by June 5, increasing the immediate need for wagons.

2. Moore Furman.

3. See George Washington to WL, June [1–3], 1779, for the assembly resolution on this matter.

To the Assembly

Trenton 5 June 1779

Gentlemen

As the Enemy will probably make many irruptions into this State during the Summer—As I may have frequent occasion to send expresses to the State troops to be raised for the defence of our Frontiers, & probably find it necessary to visit them on their stations, as well as to

call out the Militia on a general Invasion—as I have often experienced the difficulty of procuring expresses with the dispatch which the exigencies of war usually require, & even for the purpose of summoning a privy Council for which I have reason to think there will be more frequent necessity this summer than there has been in any preceeding one—As every Brigadier in the Army has his Brigade Major, & every Major General his aides, I persuade myself that the honourable house will have no objection against allowing the commander in Chief of the Militia of this State two or three light horsemen for the above & other public purposes for which they will be indispensably requisite & to provide for their pay & subsistence till the next sitting of the Assembly.¹

ADf, NN:Lyon

1. There is no record that the General Assembly received this message. On June 5, however, it resolved to employ two light horsemen. The Legislative Council agreed on June 9 (*General Assembly* [April 20–June 12, 1779], 127–28, 137; *Legislative Council* [October 27, 1778–October 9, 1779], 70, 72).

To Gertrude Frelinghuysen

Trenton 7 June 1779

Madam

It is with pleasure I gratify your request by giving Colonel Frelinghuysen leave to return home for a few days, tho' I think his presence is very necessary at his Post in Bergen. I have directed Major Davison to take his place for 8 or 10 days,¹ for which purpose you will send the inclosed to the Major, particular circumstances preventing me from admitting the Express to proceed further on.

ADf, NN:Lyon.

1. The enclosure to William Davison explained that "Some Particular family circumstances," otherwise unspecified, made it necessary for Frederick Frelinghuysen to be granted a furlough. Refer to WL to William Davison, June 7, 1779 (NN:Lyon).

To Nathaniel Heard

Trenton 7 June 1779

Sir

As General Winds has lately resigned his Commission¹ you will be obliged to give orders to the Militia of his Brigade as well as your own until another Brigadier is appointed in his room.

In Executing the following orders I think you had best dispatch those to the western Counties first as being the most remote, & requiring the longest time to convey the orders. You will order the Militia of Bergen Morris Somerset, & the two upper Regiments of Hunterdon, that is Colonel Taylor & Colonel [Beavers] to relieve with one Class monthly from each Regiment those which have already been ordered for the defence of Bergen against the incursions of the Enemy until farther orders or until they shall be relieved by the State troops now raising² [. . .] to be in readiness to take the place of those now stationed in the County of Bergen as soon as their monthly tour of duty shall expire.

There is but one Regiment in Bergen County which is commanded by Colonel Teunis Dey who lives near Pompton. The Regiments of Morris are Seelys Parsons & Hathaways—Those of Sommersets, Frelinghuysens & Ten Eycks.

You are also to order the Militia of the Counties of Middlesex Essex, of Colonel Chambers & Philips's regiments of Hunterdon, the Militia of Burlington & the Regiments of Colonels Otto & Ellis of Gloucester to relieve with one class monthly from each regiment those which have already been ordered for the defence of Essex & Middlesex against the incursions of the Enemy & to continue such reliefs monthly until further orders, or until that Part shall be relieved by detachments from the State Troops now raising. The relief to be in readiness to take the place of those now stationed in the Counties of Essex & Middlesex as soon as their monthly tour of duty shall expire. The Regiments of Middlesex are Neilson's Websters & Scudders, those of Essex Jacques & Courtlands.

You are also to order the Militia of the Counties of Monmouth & Salem & Cumberland & of Colonel Somers's of Gloucester to relieve with one Class monthly from each Regiment those which have already been ordered for the defence of Monmouth against the Incursions of the Enemy & to continue such reliefs monthly until farther orders, or until that Post shall be relieved by detachments from the State Troops now raising the relief to be in readiness to take the place of those now stationed in the County of Monmouth as soon as their monthly tour of duty shall expire.³

ADf, NN:Lyon.

1. Gen. William Winds's resignation was accepted by the Joint Meeting on June 10, 1779 (*Joint Meeting*, 31).

2. WL is referring to the regiment authorized by “An Act to Embody, for a Limited Time, One Thousand of the Militia of this State, for the Defense of the Frontiers Thereof,” passed June 2, 1779 (*Acts* [May 22–June 12, 1779], 58–63). For background on this act see WL to Jacob Morris, May 17 [19], 1779. See also *N.J. Gazette*, June 16, 1779.

3. On this date WL had informed the Privy Council that the currently activated militia class had completed its tour of duty. The Privy Council advised him to call out another class for a month (*NJA* [Privy Council], 3d ser., 1:116–18). WL’s authority to call out the militia derived from “An Act for the Relocation, Training and Arming of the Militia,” passed April 14, 1778 (*Acts* [February 21–April 18, 1778], 42–56). For a discussion of this act see *Livingston Papers*, 2:219–29.

To John Neilson

Trenton 7 June 1779.

Sir

In answer to yours of the 5 Instant¹ General Dickinson who is at present in Maryland but daily expected² has given orders with respect to the Beacons, but not having with me a Copy of the orders respecting the places where they were directed to be fixed nor having received any notice from him of what orders he has given respecting the firing of the Beacons. I cannot resolve you on that head, but I inclose you a Copy of the orders respecting the different Alarm posts at which the Militia is to assemble on the alarm.³

All the Ammunition we have is in the hands of Colonel Hathaway in Morris Town, & Mr. Woodruff in Princeton.⁴

I have directed Colonel Scudder to take your place by the eleventh of the month,⁵ & shall order all the Classes before ordered out to be relieved monthly till further orders.⁶

ADf, NN:Lyon.

1. Refer to John Neilson to WL, June 5, 1779 (NjR).

2. See WL to John Jay, [June] 5, 1779.

3. Orders not found. Having been directed by Washington to build signal beacons, Neilson had asked WL for information regarding their locations and the procedure for firing them. For background see WL to Abraham Clark, March 30, 1779, and WL to George Washington, March 30, 1779.

After “alarm” WL wrote and then crossed out “[as the Enemy]” and “you will probably have Intelligence from General Washington of the Enemys landing in this State before [now]. I can hope [that] you will execute his orders about giving the signals in your vicinity.”

4. In his letter of June 5 Neilson had asked for information regarding stores of ammunition in the state.

5. Refer to WL to William Scudder, June 7, 1779 (NN:Lyon). Neilson had asked to be relieved of his command at Elizabethtown by June 11, citing family responsibilities and the expiration of his tour of duty.

6. See John Neilson to WL, May 15, 1779, and WL to John Neilson, May 18, 1779.

To William Scudder

Trenton 8 June [1779]

Sir

In answer to yours of this morning¹ I should have been happy if the Service could have admitted of Your being excused from taking Colonel Neilsons place at Elizabeth Town,² till the next month, for the reasons you assign, but from the particular Situation of our Affairs at present, the Council are of opinion that your appointment to that Post cannot be dispensed with consistent with the public weal, & I shall therefore expect you to set out for Elizabeth Town agreeable to my orders of yesterday.³ I am

ADf, NN:Lyon.

1. Letter not found.

2. See WL to John Neilson, June 7, 1779, and refer to WL to William Scudder, June 7, 1779 (NN:Lyon).

3. There is no record that the Privy Council considered Scudder's request. He relieved Neilson on June 12. Refer to John Neilson to WL, June 15, 1779 (NjR).

To John Sullivan

Trenton 8 June 1779

Dear Sir

I received your Letter of the 6th instant¹ respecting the two criminals convicted by a court martial for enticing Soldiers of the American Army to defect to the Enemy, & engaging their assistance for that purpose.² I have the honor to be very much of your opinion respecting the offences you mention as cognizable by courts martial, but it is on many accounts most prudent & where it can be done consistent with the service, the safest way, to pay the highest attention to the civil tribunals. As your Letter was delivered to me last night, & your express informs me that he has it in charge to return early this morning, I have had no

opportunity to lay the matter before our Assembly, but purpose to do it this day, and shall transmit to you the result of their deliberations thereon as soon as possible.³ I have the honour to be with great esteem

ADf, NN:Lyon.

1. Letter not found.
2. Michael Rosebury and Lawrence Miller, both of Sussex County, were tried at Easton, Pennsylvania, on June 3, 1779, for encouraging some of Thomas Proctor's regiment to desert to the British. They were convicted and sentenced to death (*NJA*, 2d ser., 3:514–15; *Journals of the Military Expedition of Major General John Sullivan Against the Six Nations of Indians in 1779* [reprint ed., Glendale, N.Y., 1970], 225–49, passim).
3. The legislative journals do not mention any message from WL on this subject.

To George Washington

Trenton 8 June 1779

Dear Sir

In answer to your Excellency's Favour of the 3d of June,¹ I really do not know what Dispositions General Dickinson has made to facilitate the Militia's coming out on an Emergency tho' the Beacons I believe are all fixt & as I conceive his presence will be very necessary on such an occasion, I have desired his return into the State, & expect him daily.

The contents of your Excellency's Letter on the Subject of procuring teams for the Army I immediately recommended to the house, & have hitherto deferred my answer in hopes of being able to transmit you some agreeable News in answer. But they yesterday returned me as the result of their deliberations their opinion that the Laws of this State are adequate to the purposes therein mentioned.²

ADf, NN:Lyon.

1. Refer to George Washington to WL, June 3, 1779 (DLC:GW); see George Washington to WL, June [1–3], 1779.
2. Refer to WL to the Assembly, June 5, 1779 (NN:Lyon). WL presented several assembly messages on June 5.

To Joseph Reed

*Trenton, June 11, 1779.*¹ WL informs Joseph Reed that he is sending Charlotte Latima to Philadelphia under escort. She is a suspected British agent captured on her way to New York.²

ADf, NN:Lyon.

1. The final draft of this letter is dated June 12 (*Pa. Archives*, 1st ser., 7:480–81).
2. Refer to WL to Joseph Reed, June 7, 1779 (*Pa. Archives*, 1st ser., 7:474). Latima, a Canadian, was originally captured with Burgoyne's army but escaped and thereafter carried dispatches between New York and Philadelphia. Apprehended at Bordentown, she escaped twice more and was recaptured both times.

To Joseph Borden, Sr.

Trenton 12 June 1779

Sir

Your not pursuing the directions left with you of carrying back to Philadelphia the french woman you brought from Hence & seeing her delivered to President Reed according to your promise has given us much trouble.¹ Indeed Sir the numbers of suspected persons constantly brought into this State in your passage boat is become a very serious matter, & I hope that in future no attachment to our personal Interests may induce any of us to forget our Duty to our Country.

P.S. Mr. Tallman² has instructions after examining into the Matter to deliver her to you for the above purpose, & her dexterity in making her escape being now so well known I flatter myself that the utmost care will be taken for her safe delivery to President Reed. Let the Boatman be charged not to trust her a moment out of his sight.

ADf, NN:Lyon.

1. Charlotte Latima.
2. Probably Peter Tallman. His instructions have not been found.

To John Sullivan

Trenton 13 June 1779

Dear Sir

Agreeably to my promise of the 8th instant I laid your Letter of the 6th with the proceedings of the Court martial against Laurence Miller & Michael Roseberry before our Assembly.¹ The house referred the matter entirely to the Council.² The Council advise me to acquaint you that considering the present Situation of our affairs, the late numerous instances of the like offence being committed, & the inadequate punish-

ment provided for it by our Law, they do not think that a more valuable purpose will be answered by the Prisoners being delivered over to the civil Courts, & therefore consent to leave them in the hands of the military.³

As to the Execution of both or only one, they suppose that as Mercy will always be extended as far as is consistent with the public Good, if you conceive that the Execution of one will be a sufficient Example, they wish that the least guilty of the two may be pardoned.

ADf, NN:Lyon.

1. See WL to John Sullivan, June 8, 1779, for discussion of Miller's and Rosebury's crimes. Sullivan's letter of June 6 not found.

2. There is no record of the legislature considering this matter.

3. Rosebury was hanged at Wyoming, Pennsylvania, on July 1, 1779. Miller was pardoned "upon account of [his] wife and numerous family" fifteen minutes after Rosebury's execution. (*NJA*, 2d ser., 3:514–15; *Journals of the Military Expedition of Major General John Sullivan Against the Six Nations of Indians in 1779* [reprint ed., Glendale, N.Y., 1970], 249–50).

To John Neilson

Princeton 15 June 1779.

Sir

I received yours of the 11th yesterday on the road, & am obliged to you for the papers it inclosed.¹

The Beacons I am told are all fixt, & the alarm is to be given to the officer nearest to them.²

Colonel Scudder has had orders ever since the 8th instant to take your place.³

You know Sir it is not in my power to compel the Militia to come out, or to call more classes than the Council advise.⁴

I am sensible that a water guard is absolutely necessary, & no man is better qualified to have the direction of it than William Crane, but I am not authorized to put the State to that Expence. If the Council however will advise it, I will venture it.⁵

Col. [Crane] talks of going on the Island for the purpose you mention & Mescreau may go under his command. There is no such thing as a Commission for that purpose.⁶

The persons you mention as having moved from the interior parts of the County to Amboy ought to be immediately removed to farther

back, & the Assembly have just passed a Law enabling the Judges of the inferior Court to remove all such persons.⁷ I wish therefore that you would write a Line to the Judges of Middlesex signifying your apprehension of the danger of those persons continuing at amboy, & I will do the like.⁸

I informed you a few days ago that you was appointed to the Command of the 1000 troops raised for the defense of the State.⁹ I am

ADf, NN:Lyon.

1. Refer to John Neilson to WL, June 11, 1779 (NjR). The enclosures, which have not been found, were New York City newspapers.

2. After "them" WL wrote and then crossed out "I shall call on General Heard to morrow morning for further particul."

3. See WL to John Neilson, June 7, 1779, and WL to William Scudder, June 8, 1779. Scudder had relieved Neilson at Elizabethtown on June 12. Refer to John Neilson to WL, June 15, 1779 (NjR).

4. Neilson had complained in his June 11 letter that there were still not enough troops in his command. For WL's authority to call out the militia see *Livingston Papers*, 2:219–29.

5. Neilson had suggested appointing a coastal water guard at the shore and had recommended Capt. William Crane to command it. The Privy Council minutes do not mention the subject.

6. Joshua Mercereau had asked Neilson's permission to "take off certain persons" from Staten Island who could be exchanged for prisoners held by the British. Neilson admitted such measures resembled kidnapping but thought the release of American prisoners would justify the action and asked for WL's approval.

7. "An Act for the Removal of Criminals, for their more Safe Custody; and for other Purposes therein mentioned," passed June 12, 1779, empowered judges of the inferior court of common pleas upon the testimony of six reputable witnesses to issue warrants temporarily to remove disaffected persons residing in active military areas (*Acts* [May 22–June 12, 1779], 117–19).

8. Refer to WL to the Judges of the Inferior Court of Common Pleas of Middlesex County, June 15, 1779 (NN:Lyon).

9. Refer to WL to John Neilson, June 12, 1779 (NjR). Neilson had been appointed commander of the regiment at a Privy Council meeting June 11, 1779 (*NJA* [Privy Council], 3d ser., 1:120).

To John Stevens, Sr.¹

Raritan, 16th June, 1779

Sir,

Having this Moment received a Letter from Col. Neilson, in which he declines to accept his late Appointment to the command of the thousand Militia to be raised for the Defence of the State, it is necessary for the Governor & Privy Council to appoint another Officer in his Room.²

This Matter, with the Complaints here of the Directors of the Hospital having appropriated a Number of Barns for the Sick of the Army, and several of our Inhabitants being in Gaol in the State of New York for harbouring the Robbers in the Mountains, who will be discharged unless this State will send for them, renders it necessary to have a Privy Council. I shall therefore be glad to see you, as one of the Board, on Monday next, at 2 O'Clock [. . .] Afternoon, at the House of Mr. Dunn at So. Brook.³ I am, Sir, your most humble servant

WIL. LIVINGSTON

LS, NjHi.

1. WL also addressed this letter on an ADf to Jonathan Deare, Abraham Van Nest, Silas Condict, and Abraham Clark.

2. Refer to John Neilson to WL, June 15, 1779 (NjR). Neilson declined because he felt he had done his share of military duty.

3. On an ADf WL wrote "Bound Brook" instead of "So." The Privy Council met June 21, 1779 (NJA [Privy Council], 3d ser., 1:121-22). The minutes were incorrectly dated June 25.

To John Jay

MiddleBrook 17 June 1779

Dear Sir

I have just to acquaint you that by Intelligence I yesterday received from Staten Island (on my way homeward) the Enemy have found means to [form] so strong a conspiracy against me in the upper parts of the Country that it will be next to impossible for me to avoid being takin if I return to my former place of Residence,¹ & this being a very agreeable part of the State, as well as more central than the other, I propose to fix my quarters here for some weeks, & perhaps during the Summer. I inform you of this that you may direct your dispatches accordingly.

P.S. It was a great mortification to me that I could not come to Philadelphia to see you all on the adjournment of our Assembly as I had fully purposed; but some occurency in this State rendered it inconsistent with my duty to go out of it.²

ADf, NN:Lyon. Letter marked "Private."

1. Liberty Hall.

2. The New Jersey General Assembly had adjourned June 12. In a later letter to Sarah Jay, WL remarked that his intended trip to Philadelphia had been prevented by his expectation of a British attack in New Jersey. Refer to WL to Sarah Jay, July 12, 1779 (NN:Lyon).

To Susannah French Livingston

Raritan 17 June 1779

Dear Sukey

I inclosed a Letter to you yesterday in one to Mr. Conduct, desiring him to deliver it to John Lawrence, or Mr. Lewis, but really believe that in the hurry of Business & the throng of people about me I forgot to superscribe it.¹ The substance of it was, that by Intelligence which I then just received from Colonel Neilson² which he had from Staten Island, the Enemy have found means to form so strong a conspiracy against me in your part of the Country, that it will be almost impossible for me to escape being taken if I keep in your Neighbourhood³ and the people here being exceedingly kind & very solicitous for my safety, I have concluded to [fixt] myself here for some time⁴ and am at present with Mr. [Tunisson] the next house but one to Uncle Van Veghtens.⁵

I hope you will write me a long Letter about our family affairs; or rather if you can possibly make it out come yourself, & stay some days with me; If you cannot accomplish this, & will appoint any day to meet me at Springfield, I will embrace the opportunity with pleasure. Bring Peter with you if possible. I send you somethings for which I have no farther occasion & which only encumbers my baggage (with 2 [. . .] of sugar, & 400 Dollars) & want in lieu of them, my nankin coates & saddle Baggs—& one or two pair of [trousers]. Also some ink in the viol I send for that purpose.

The Assembly have raised my salary to £2000 to commence from last october & augmented the perquisites of the office five fold, which will make about 1400 more.⁶ After all it is a trifle considering the depreciation of the money, but who can augment their generosity?

If you can possibly muster any writing paper, pray send it; if not, direct the Express to call at Mr. Johnes's⁷ where I left a good deal on the bureau in the room in which I slept.

I could wish that some of our most valuable things that you can make a shift to spare could consequently be removed because I fear that when

the Conspirators find themselves disappointed in taking my person they may resent it by plundering the house; & my papers I would not have fall into their hands by any means. Those I think might easily be removed to Mr. Johnes's. I mean the papers which I have from time to time left with you, as well as those in the Mahogany Box. But I leave the matter to your discretion. I have great reason to think that thro' some means they will desolate this State as much as possible; & I expect nothing less than that they will burn our House at Elizabeth Town, & I hope we may prepare ourselves to bear it with christian fortitude tho' it will greatly reduce my circumstances. You had best to keep the contents of this Letter to your self.

ADf, NN:Lyon.

1. The letters to Silas Condict and Susannah French Livingston have not been found.
2. Letter not found.
3. WL had been the object of earlier kidnap attempts. Refer to Elisha Boudinot to WL, July 27, 1777 (MHi), and see *Livingston Papers*, 2:193–95, and WL to Sir Henry Clinton, March 29, 1779.
4. Between “time” and “to” WL wrote and then crossed out “[& by] the means of Mr. Hardenbergh I hope this afternoon to procure some lodgings in his Neighborhood & expect it will be at Mr. Ten Eycks next.” He evidently added the phrase “and am at present with Mr. [Tunisson] the next house but one” in its place.
5. Tunisson's Tavern, built by Cornelius Tunisson about 1770.
6. The legislature had raised WL's salary by £1000 on June 8, 1779. An act of May 28, 1779, had increased the fees charged by civil officers, including the governor, five times over the rates established in 1748 (*Acts* [May 22–June 12, 1779], 52, 65).
7. Timothy Johnes.

From Joseph Reed

In Council, Philadelphia, June 17th, 1779.

Dear Sir,

I duly received & thank your Excellency for your Favour of the 7 Instant.¹ The French Woman² was brought before me, & after making Inquiry of Persons in this City respecting her the result was so unfavourable that I sent her to the State Prison there to remain until the next Exchange of Prisoners by which Time any Intelligence she can carry must be stale & of little Value. Judge Imlay has been so obliging as to give me Information of the Passage of many Persons to New York whom we should by all Means prevent if in our Power but they go from

this under Pretence of going to New Jersey & there proceed by the Stages.³ If it was not too much Trouble to the Magistrates of New Jersey to take some Notice of these Passengers it would have a good Effect. We give but few Papers & to none but those who give Security not to return to this State without Leave first obtained for that Purpose.⁴ We see & feel the pernicious Consequences of this Intercourse & were never better satisfied than when from some Proceedings of Congress we discharged ourselves of it altogether. Since we have resumed it, we have done it upon a very confined Scale & find it in all Respects very Troublesome & Disagreeable.⁵ I am with much Respect & Regard Dear Sir Your Very Obedient & Humble Servant

Pa. Archives, 1st ser., 7:492.

1. See WL to Joseph Reed, June 11, 1779 (NN:Lyon).

2. Charlotte Latima.

3. Regulating passage to New York was a continual problem. Refer to Supreme Executive Council of Pennsylvania to WL, August 31, 1778 (PHarH).

4. On April 24, 1779, the Pennsylvania council resolved to issue passes only in "cases of a particular and extraordinary nature, and then only to such as shall be recommended to the Board by persons of known good character." Applicants who were issued passes on the condition that they would not return without permission were required to leave a security payment, usually £500 (*Minutes of the Supreme Executive Council of Pennsylvania from Its Organization to the Termination of the Revolution* [Harrisburg, 1852–1853], 11:757).

5. On August 13, 1778, Congress had resolved that passes to New York were to be granted only by Congress or the commander in chief. This resolution was followed by one of August 21 extending that authority to the state executive. On April 14, 1779, Congress further resolved that the commander in chief, the state executive, or the commander of a military department was authorized to issue passes into enemy lines. On June 10, 1779, the New Jersey legislature passed "An Act to prevent Persons from passing through this State without proper Passports," which stipulated that passes through the state could be issued only by the commander in chief, a general officer of the Continental army, the state executive, one of the congressional delegates, or a member of the legislative council of the state in which the traveler resided. The act prevented New Jersey residents, with the exception of members of the legislature and officers of government, from passing out of their county of residence without a certification of good repute from the governor, or one of their county's representatives in the legislature, county justices of the Supreme Court or court of common pleas, or justices of the peace (*JCC*, 11:779, 825; 13:446–48; *General Assembly* [April 20–June 12, 1779], 120, 129, 140; *Legislative Council* [October 27, 1778–October 9, 1779], 55, 60–61; *Acts* [May 22–June 12, 1779], 88–90). For background on WL's policy on issuance of passes see *Livingston Papers*, 1:151, 174–76, 183–84, 326–28; 2:32–38, 232–33, 444–46, 518–20; and WL to John Neilson, May 19, 1779.

To William Brown et al.¹

MiddleBrook 21st June 1779

Sir

It being represented to the Governor & privy Council of this State by some of the Inhabitants of this County that a number of their barns & outhouses are taken up & occupied as hospitals for the sick of the Army to their great Damage & Inconvenience and the Governor & Council being well assured that there are a number of empty public buildings at Pluckimin sufficient for the reception of the said sick & convenient for them, you are therefore requested to remove them from the said Barns & outhouses in one week from the date hereof.² I am Sir

ADf, NN:Lyon.

1. The full text of the title was "To Mr. Brown or any of the Directors of the hospital at North branch or the person having the immediate Superintendance of the sick belonging to the army in the County of Somerset."

2. See WL to John Stevens, Sr., June 16, 1779. The Petition and Representation of the Inhabitants of Somerset County (not found) was presented to the Privy Council on June 21, 1779. The council authorized WL to order the director of the hospital to remove the sick. If that order was not obeyed, the council authorized WL to call out the militia to have it done (*NJA* [Privy Council], 3d ser., 1:121–22). This letter followed one from George Washington of June 3 that had ordered Brown to remove the sick from Somerset to abandoned artillery huts in Pluckemin as soon as possible (Fitzpatrick, *Writings of Washington*, 15:220–21).

To Robert Harpur

Middlebrook 22 June 1779

Sir

In consequence of your Letter to Mr. Paterson of the 26 of May last respecting Teunis Helme Benjamin Demarest Peter Maybee & Mynert Maybee Inhabitants of this state confined at Poughkeepsie for harbouring of Robbers, I am advised by the privy Council to desire that they may be sent by the State of New York at the expence of this, to Major Meeker or the first Colonel Lieut. Collonel or Major in the County of Sussex nearest to your state, for whom I inclose directions to receive them from your guard.¹

We prefer this mode to that of sending for them to Poughkeepsie, because they may be either discharged, or have escaped before our officers arrive by which means a fruitless expence would be incurred. I am Sir

ADf, NN:Lyon.

1. See WL to John Stevens, Sr., June 16, 1779. This issue was discussed at a Privy Council meeting of June 21 (*N/A* [Privy Council], 3d ser., 1:122). For the enclosure refer to WL to Any of the Colonels, Lieutenant Colonels, or Majors of the Militia of the County of Sussex, June 22, 1779 (NN:Lyon).

To William Brown

Middlebrook 23 June 1779

Sir

I have received your Letter of yesterdays date,¹ & am not a little surprized that you should oppose the orders² of any man or body of Men to those of the executive Authority of this State in a matter respecting the violation of the property of any of our Citizens. The seperate Sovereignty & Independence of each State is at a low ebb indeed if an officer of the army is to plead an extrinsic authority either for the commision or the [. . .] of a Trespass, & refusing to obey the supreme Power of a State which within its Jurisdiction, under pretence of superior authority. Nor could General Washington by "suitable Quarters" possibly mean the barns of farmer against the approaching harvest, the wit of man being scarcely able to present plans more unsuitable, & I may venture to affirm from my knowledge of his Excellency's tenderness for private property, & his Sense of the great importance of leaving the farmers unmolested in securing their crops that he woud abhor the very Idea. To remove the deception under which you seem to labour, I must acquaint you that the Justice of the peace under whose Sanction you appear to shelter your violence has misconstrued the Law there being no act of assembly that authorizes the Magistrates to appropriate any Barns or outhouses to the purpose of Hospitals.³

How far the owners of those Barns have given you just cause to represent them as persons intent only on their petty personal Interests & the gratification of unworthy passions etc. I cannot determine, but sure I am that the Inhabitants of this County in General have given the amplest proofs of their zeal for the Service, & their readiness to sacrifice private Interest to public Emolument. which is more than can be said

for many who live in luxury at the public expence, & receive great wages for doing little business.⁴ Nor can I help thinking that you are rather too precipitate in asserting that I had received no other than party-information on the Subject & that the resolve of Council is a hasty one. Pray Sir do you know the whole extent of my information, or what time the Council took or ought to have taken in deliberating on the Subject?

I did not desire you to remove the sick to Pluckhemin because it is no business of mine to direct whither they shall be carried; tho' I have no doubt of its being a proper place, (in which light only it was mentioned) notwithstanding the objections you have rais'd against it. Nor it is it my Business to remove the Sick. But it is my duty to order their removal from their present Situation, & the duty of those who placed them there or who have the direction of them to see it done. Much less is it my Inclination to take the care of the sick upon Myself but unless they are removed by the time limited in my former to You^s I doubt not executive authority of this State will convince the World that no orders under which you can act will warrant your persisting in so unnecessary & ruinous a trespass upon the Inhabitants of this State, after being notified of the resolve in question.

ADf, NN:Lyon.

1. Letter not found.
2. Between "orders" and "of" WL wrote and then crossed out "or pretended order."
3. Brown had misconstrued "An Act for the better regulating the Quartering of Soldiers, and furnishing of Carriages, Horses, and other necessaries for the Army," passed March 24, 1778, which gave justices of the peace the authority to quarter soldiers in public and privately owned buildings upon the application of the commanding officer, to include hospitals (*Acts* [February 21–April 18, 1778], 30–34).
4. On April 8, 1777, the Continental Congress fixed a physician general's salary at five dollars and six rations per day (*JCC*, 7:245).
5. Brown was ordered to comply within one week.

To William Scudder

Middlebrook 23 June 1779

Sir

Mrs. Godwin the wife of Capt. Godwin (who was taken prisoner at fort Montgomery & is now on parole on Long Island) has my permission to go to New York to see her husband & return. But this permis-

sion is granted on supposition that her going at this time is not inconsistent with the public welfare respecting our present situation in a military respect, which is submitted to your Judgment.

I know that your post has not near its proper complement of men but hope that your strength will soon be augmented by the new Levies, which will be dispatched to their respective Stations as soon as possible.¹ In the mean time orders are issued for another Class to relieve the several posts by the 26 of the month.²

P.S. I wish you would enquire whether the Beacon is fixt up at Springfield, & see that a person be appointed to fire it on the first notice of an Invasion.

ADf, NN:Lyon.

1. WL refers to the thousand-man militia regiment ordered formed by the legislature on June 2. See WL to Jacob Morris, May 17 [19], 1779. On June 11 the Privy Council had ordered that the regiment be stationed at posts throughout Bergen, Essex, Middlesex, and Monmouth counties (*NJA* [Privy Council], 3d ser., 1:120).

2. *NJA* (Privy Council). 3d ser., 1:118. This order was issued June 7. For information about the new classes see WL to John Neilson, June 15, 1779.

To Moore Furman

Raritan 24 June 1779

Received 27 – & answered 28th

Sir

From the extreme Inconvenience it must be to the Inhabitants to have their barns converted into Hospitals at this Season of the year, the Privy Council upon the Petition of the People of North Branch (who are at present reduced to that condition) have advised me to order the Sick to be removed.¹ Dr. Brown, who appears to have the more immediate direction there, and to whom for that reason, I communicated the resolution of Council, talks indeed of a kind of passive obedience that he is willing to pay to the executive Authority of this State respecting such Removal, by which he means that he will not resist the Persons I may employ for that purpose, but refuses altogether to see the thing effected; and writes in such a Strain of the self-interested views of the Inhabitants, & the Resolution of Council itself, as in my opinion, doth not become him.² I am apprehensive that unless the Order of the Governor & Council be complied with, the Affair will be attended with

very serious Consequences. The Doctor has been acquainted by me that the Magistrate under whose Patronage he screens himself, has exceeded his Authority in appropriating the Barns & Out-houses of the Inhabitants to that Purpose; and that he is therefore not to avail himself of that Misconstruction of the Law. As he refers to you as the Person whom he supposes his Excellency General Washington intended should judge of the *suitableness of the quarters* to which he lately ordered the Sick to be removed; I think it proper to acquaint you of the Affair, before any other Steps are taken therein. There is no doubt but the Sick may be accomodated either in the Buildings at Pluckhimin, or at the late Quarters of the Pennsylvania Line; and this is not the first time that Quarters have been provided for them in a manner the most injurious to private property. I mean not however to direct to what place they are to be removed; & it is certainly not my Business to remove them, an Employment with which Doctor Brown seems very willing to honour me, & in which he professes himself ready to shew the greatest Passivity. But upon their removal from their present Quarters, I must peremptorily insist, I therefore hope & expect that you will, with all convenient Dispatch give such orders to that Effect, as may prevent the Dispute from terminating in such disagreeable Consequences as there will otherwise be but too great reason to apprehend.³ I am Sir your humble Servant

WIL: LIVINGSTON

ALS, NjP.

1. See WL to William Brown et al., June 21, 1779.
2. Brown's letter of June 22 to WL has not been found, but see WL to William Brown, June 23, 1779.
3. On June 28 Moore Furman informed WL that he could not intervene because he had just resigned as deputy quartermaster for New Jersey. Refer to Moore Furman to WL, June 28, 1779 (NjP). On June 25 Washington ordered Dr. James Craik to move the sick from Somerset to Pluckemin (Fitzpatrick, *Writings of Washington*, 15:317–18).

To Frederick Frelinghuysen

Raritan 24 June 1779

Sir

Beacons have been ordered (& I suppose erected) at the following places

1. In the mountain in the rear of Pluckhimin

- 2d. On the prominent part of the mountain near Steels gap
 3 on the most conspicuous part of the mountain near Mordicais Gap
 alias Waynes Gap
 4 one Near Lincolns Gap
 5. one near Quibbl town Gap
 6. one on the hill near the road to Baskinridge which is plainly seen
 at Morris Town

The plan concerted by Lord Stirling & the field officers of this County was that the officer nearest the respective Beacons should have it in charge to fire them on an alarm but who these officers are, or whether they have ever received orders to that purpose I have never been informed. So that on my receiving the first Intelligence of an Invasion I should be utterly at a Loss to whom to dispatch my orders for firing the Beacons. This therefore¹ I could wish you would appoint some proper officer of your Regiment to make immediate Inquiry into & acquaint me of the same as soon as possible.²

P.S. If no persons have been appointed for the above purpose, let it be done without Loss of time.

ADf, NN:Lyon.

1. After "therefore" WL crossed out "is an affair of some importance."

2. On June 26 WL wrote to Brig. Gen. Nathaniel Heard inquiring about the names and locations of the persons appointed to fire those beacons for which Heard was responsible. WL also ordered him to appoint such persons if none had been already designated. Refer to WL to Nathaniel Heard, June 26, 1779 (NN:Lyon).

To William Livingston, Jr.

Raritan 24 June 1779

Dear William

Your Suspicions concerning a Conspiracy against me, by some Villains in your Neighbourhood, are doubtless too well founded; [be]cause I have received the most probable Intelligence by a Man from Staten Island that a Number of Ruffians in your part of the Country, had combined to take & carry me to New York. This Intelligence reach'd me at Millstone last Week on my Journey homewards; and was the only thing that prevented me from pursuing it. As the Conspirators are numerous, and in such Connection, that it will be almost impossible for me to

elude their Designs if I return into that part of the Country, without constantly keeping a stronger Guard than I can afford; I intend to reside here for some time. It is indeed very providential that I have not before fallen into their hands, as the Conspiracy has been on foot a considerable time. This appears by a Variety of Proofs, & particularly by the Examination and Confession of one James Allen, who was lately executed at Hackinsack, taken the 12th of May last,¹ in which he declares that he was present, when the Mayor of New York² told Mason, Ward, Everet, & Harding (his Fellow Robbers) “that it was a Pity they could not lay some Plot and bring that Rascal Governor Livingston; and that they replied they had planned matters so, in *that Quarter*, that they would have him in less than two months. That they had proper Connections in *that Quarter* for that purpose.”³ You will not divulge this matter farther than may be necessary to detect the Conspirators.

Your sheme to counterplot them may probably succeed, but if you contrive any Inducement for them to attack the House on supposition of my being at home I hope you will take the Precaution of engaging Forces enough to resist them; or they will plunder through disappointment & Revenge. I know not how to advise you to detain them on Suspicion; as that ought to be warranted by the Authority of a Magistrate. But you ought to take down their names, & enquire where they live which may afterwards facilitate farther Inquiries.⁴

You will write me one Letter at least every week; & give me all the News in your part of the Country. Dear William, if you intend to give me pleasure or to render yourself useful either to yourself or to the public,—mind your Studies, & prize your own Character.⁵ I am your affectionate Father

WIL: LIVINGSTON

ALS, MHi.

1. WL had conveyed Allen's confession to the Privy Council on May 26, 1779 (*NJA* [Privy Council], 3d ser., 1:117). See WL to Robert Erskine, May 29 [27], 1779.

2. David Mathews.

3. Mathews had also been involved in a conspiracy in 1776 to capture George Washington. The plot was discovered, however, and Mathews was arrested and jailed (Hugh Edward Everton, ed., *The Royal Commission on the Losses and Services of American Loyalists, 1783–1785* . . . [reprint ed.; New York, 1971], 168).

4. William Livingston, Jr., had circulated a rumor that WL would be in Parsippany on June 22, when, in fact, WL was still at Middlebrook. During the early morning hours of June 23, as anticipated, the suspected kidnappers approached the house and a waiting

patrol ambushed them. The group fled, but the patrol captured at least one (*NJA*, 2d ser., 3:515–16). An account of the incident appeared in the *N.J. Gazette*, July 28, 1779.

5. For an earlier admonishment of William see *Livingston Papers*, 1:262.

To Henry Remsen

Raritan 26 June 1779

Dear Sir

I am obliged to you for your favour of the 21st¹ which contained more Intelligence concerning the Situation of our affairs to the North than I had received from any other hand.² Our success at Charles Town is not yet confirmed in the manner we are longing for.³

That the partiality in the Law you mention, has given great Umbrages, I am neither surprized at, nor sorry for. The people ought always to be jealous of their rights; & what may appear very extraordinary under our new Constitutions; they were perhaps never in greater danger of being injured than at present. In support of this assertion I could adduce many instances; but I refer you to the Journals when you shall have the good luck to be able to get a sight of them.

That the New York Militia turned out with such alacrity gives me great pleasure, both as an American in General, & a native of that State in particular.⁴ I hope however that ours will not shew less readiness upon the like occasion.

I can assure you that I have long pleased myself with the thoughts of making one of the party in the fishing Club & am much obliged to you for the kind wishes you express for my return to Morris. But that pleasure I must for some time postpone for a reason that I may mention to you hereafter. In the mean time you will lay me under great obligations by the continuance of your Correspondence, & the communications of all the News in your parts, as well as by your trouble in forwarding the inclosed.⁵

ADf, NN:Lyon.

1. Letter not found.

2. Refer to George Washington to WL., June 3, 1779 (DLC:GW). Fearing that General Clinton meant to capture West Point after the successful assaults against Stony Point and Verplanck's Point, Washington quickly deployed the bulk of his army from Morristown to positions on both sides of the Hudson between the British-held forts and West Point. He spent several weeks after June 3 waiting for the British to make a move.

3. Newspaper reports crediting the American army with a victory near Charleston, South Carolina, appeared in the *N.J. Gazette* on June 9 and 16. The reports were premature. On May 11 the British had camped on the outskirts of the city, whereupon Gov. John Rutledge and the South Carolina council offered to surrender. With Maj. Gen. Benjamin Lincoln's approach, however, the British evacuated to islands opposite the city. The Americans forced the British to retreat on June 20.

4. The New York militia had been called out to help meet the enemy threat to the Hudson Highlands. Washington also noted the "zeal and alacrity" with which the militiamen responded. Refer to Washington to WL, June 3, 1779 (DLC:GW), and Washington to William Malcom, June 9, 1779 (Fitzpatrick, *Writings of Washington*, 15:246).

5. Enclosure not found.

To William Scudder

Raritan 26 June 1779

Sir

Yours of yesterday I have received.¹ I think it will be reasonable to discharge the Militia on your Post for as many as come from the same County as part of the New Levies or the 1000 men to be raised for the defence of the Frontiers.² I mean man for man.

Colonel Frelinghuysen is to command the New Levies,³ & you will doubtless be discharged on his arrival, or as soon after as he can obtain such information as you may be able to give him, which I suppose cant detain you above a day thereafter. I expect the Colonel will be ready to take the post next week.

ADf, NN:Lyon.

1. Letter not found.

2. For the militia replacement to which WL is referring see WL to William Scudder, June 23, 1779.

3. See WL to John Taylor, June 26, 1779.

To John Taylor

Raritan 26 June 1779

Sir

In answer to your Letter of the 24 instant¹ in which you desire my advice on the Subject of your late appointment I cannot hesitate a moment in advising you to dismiss all thoughts of resigning it, unless you can persuade Colonel Frelinghuysen to undertake the command such

resignation notwithstanding.² Even in that case I should be sorry to have the state deprived of the important Services which from your character we had reason to expect from you in that Line. But considering your Consequence as an Instructor in Queens College, & that we could only excuse our appointing an additional Lieutenant Colonel not provided for by the Act upon the principle of Colonel Frelinghuysen making it the indispensable Condition of his accepting the command the Governor & I presume the Council too, would, in such case accept of your resignation. But if it is to be attended with that of Colonel Frelinghuysen's also, the whole Board, I fear, will consider the Service so materially prejudiced by such an Event, & (as it might be supposed that the whole matter was fully deliberated & agreed upon by You & the Colonel before the offer was made by yourselves & all Contingencies respecting the College duly weighed) will probably think themselves [. . .] used, that I really cannot but wish to [. . .] from so unexpected & in my apprehension fatal a step. I am

ADf, NN:Lyon.

1. Letter not found.

2. John Neilson had declined the appointment as commander of the thousand-man regiment to be raised under the militia act of June 2, 1779. On June 21 the Privy Council appointed Col. Frederick Frelinghuysen to command the unit. Frelinghuysen agreed only with the stipulation that Lt. Col. John Taylor be named an immediate subordinate in addition to the lieutenant colonel already appointed under the act. The Privy Council approved. Taylor accepted the position reluctantly and agreed to serve until the next session of the assembly. Illness, however, prevented Frelinghuysen from commanding the regiment, leaving Taylor in command. See WL to John Stevens, Sr., June 16, 1779; *NJA* (Privy Council), 3d ser., 1:121. For further discussion see WL to the Assembly, September 23, 1779.

To David Brearley

Catham 30 June 1779

Sir

I took it for granted that you would be notified of your appointment to the office of Chief Justice of this State,¹ by the Chairman of the joint meeting,² whose Business I take it to be. But having reason to think by what Colonel Dayton³ tells me that it has been neglected, I hereby inform you of your said appointment, & congratulate you upon it. If you accept of the office, as I believe every friend to his Country heartily

wishes You to do, it is to be hoped that you will enter upon the execution of it, as soon as your present military connections will permit, there being four Courts of Oyer & Terminer appointed, at which your attendance will be of importance.⁴

ADf, NN:Lyon.

1. David Brearley replaced Robert Morris as chief justice on June 10 (*Joint Meeting*, 31).
2. Caleb Camp.
3. Elias Dayton.
4. For a description of the New Jersey courts of oyer and terminer see *Livingston Papers*, 1:141–42, 211–12, 339–41.

To Daniel Marsh

Catham 1 July 1779

Sir

Capt. McLeod informs me that You & some others have warned him to leave the Town in four days. Under what authority you act in this matter I know not; but flatter myself that your respect for the Laws will restrain you from any breaches of the peace, or the violation of private Property.

That there are persons about Elizabeth Town of suspected Characters, & who ought to be removed there is but too much reason to believe; & I have long been anxious to see a Law provided for that purpose. But¹ Individuals surely ought not to assume the authority of turning people from their possessions without the Sanction of Law. As to Capt. McLeod he appears to be a Prisoner of war upon Parole,² & if he has either broke his parole, or his residence at Elizabeth Town is become dangerous to the State,³ I doubt not that upon application⁴ to the Governor and Council of the State such measures will be taken respecting him as will give satisfaction to the people, & remove their apprehensions.

ADf, NN:Lyon.

1. WL crossed out “until the Legislature make that provision” between “But” and “Individuals” in the ADf.
2. Donald McLeod, a resident of Elizabethtown, was related to known Loyalists.
3. WL crossed out “Cause” and inserted “State” in the ADf.
4. WL crossed out “to General Washington” between “application” and “to the Governor” in the ADf.

From Henry Laurens

[Philadelphia], 5 July 1779.

Dear Sir

For weeks past that troublesome monitor Conscience has been haunting me “You forget Gov Livingston again you forget yr late penitential epistle” No—I forget neither—don’t seize me I’ll write as soon as I have somewhat to say—would you have me pester the Governor merely to tell him what he knows very well, that I am with the highest respect and esteem His Excellency’s obliged and obedient Servant? “Well go on your own way Sir but depend upon it you’ll soon receive another rap o’ the knuckles.” Partly from this menace & partly from a higher consideration I have taken up the pen. But what shall I say? Shall I tell you Sir that Congress had the honor yesterday of assisting at Te Deum in the Romish chapel and that I saw there the only woman—what was I going to add?¹ I forget. These are infirmities of old age to peep thro’ spectacles at pretty women in Church and to forget them the next minute. Shall I say that I mean to dine at home to day at my own expense because I hold it an exceeding bad means of appreciating our paper money to give eight or ten thousand dollars for a dinner, and because I think my constituents are already sufficiently taxed and also because the Anniversary of American Independence had been properly celebrated on the true day by decent attendance morning and evening at Worship and occasional Sermons;² to Say nothing of Te Deum and Music.

Shall I speak of the distress or deliverance of my native country I have no certain account of either this must be the subject of another day: I will confine myself therefore to Finances and beg leave to submit to your Excellency’s perusal copy of a letter which I transmitted about a fortnight ago to a friend in a neighboring State.³ The low ebb to which our money is reduced the notoriously tottering State of our army are alarming circumstances and cry aloud upon the existing United States for their utmost exertions in aid of the measures adopted or to be adopted by their Representatives in Philadelphia or for dictating wiser measures. Upon a serious and full review of our public affairs I am led to believe that the call of a grand council⁴ composed of men renowned for Integrity and Abilities from each state assisted by the Commander

in Chief and a few selected General Officers to take under their consideration the State⁵ of the Nation to sit either in or out of Congress (in the latter case to call upon Congress for every necessary information) would have an happy effect; these Committees which we see rising every day are Epitomes of the work I have in mind, but however good their views and intentions may be their Authority is usurped and may become dangerous to the safety of the People. Gentlemen who should be sent from the several states for forming this Council would acquire a knowledge of many important circumstances of which the States are now profoundly ignorant, from their representations wholesome coincident Laws would be enacted in each State, without which it will be impossible for Congress to proceed in the discharge of public business.

Your Excellency may ask why do not Congress intimate to the States the necessity for passing such laws? Sometimes it has been done and their recommendations almost totally neglected—or if the Laws were enacted Congress remain without information—besides to use facetious Sterne's exclamation "Lord thou knowest whereof we are made."⁶ The business of this Council might be begun and ended within two or at most three months, years and millions of money I apprehend would be saved by it. If this Sketch for reformation shall not meet your Excellency's judgment, order us out of this sink of idleness and dissipation or order our doors to be opened that our Masters may discover what we leave undone. It is not expedient to say here every word which I might in private conversation but this I must say that our public affairs appear to me to be in circumstances truly deplorable and that much very much very much blame will light on some of the States whenever the day of reckoning shall come, and it will soon come unless some fortunate interposition from the chapter of accidents shall stave it off. Or finally be pleased to give me your opinion of what ought to be done for opening a more comfortable prospect to the good People of America. I will not further trespass upon your Excellency's time but to assure you that I continue with the most sincere respect and esteem Sir etc.

H.L.

LBC, ScHi.

1. Conrad Alexandre Gérard, the French minister plenipotentiary, had invited the members of the Continental Congress and other prominent residents of Philadelphia to attend a thanksgiving service on July 4 to celebrate the anniversary of the American Declaration of Independence. An account can be found in the *Pa. Packet*, July 10, 1779.

2. On July 5, 1779, members of the Continental Congress had continued the July 4 Independence celebration by attending the German Presbyterian Church, where Hugh H. Brackenridge had delivered "An Eulogium in honor of the brave men who have fallen in the contest." That evening the Congress had entertained the French minister plenipotentiary and consul, the president and council of Pennsylvania, and other dignitaries. Refer to the *Pa. Packet*, July 1 and July 8, 1779.

3. Enclosure not found.

4. Laurens had criticized the Continental Congress on April 19, 1779 (ScHi). He reiterated his suggestion to call "a grand convention in aid of the great council [Congress]" in a letter of October 4, 1779, to John Adams (Burnett, *Letters*, 4:468–69).

5. Laurens crossed out "affairs" and substituted "State" in the LBC.

6. Laurence Sterne (1713–1768). Laurens's quote is a paraphrase of Ps. 103:14.

From Baron van der Capellen

Amsterdam [6] 16 July 1779¹

His Excellency Governor Livingston Sir

Understanding by Colonel Diriks² that the Dutch Language is familiar to your Excellency, I take the Liberty of addressing your Excellency in it. I read English very well, but have not hitherto, through want of opportunity, applied myself to write it.

I have found myself most highly honoured by your Excellencys Letter of the 30 November 1778³, & hope that by my Answer to Governor Trumbull in December & January⁴ last, you will already have seen how sensible I am of those Demonstrations of Respect with which they have been pleased repeatedly to honour me in America. This Kindness I have not deserved. What I did from the meer Love of Liberty, & a Conviction of the Cause of your brave Countrymen, respecting the Loan of the Scotch Brigade to the King of English, deserves not the least Gratitude.⁵ It was my Duty, to the utmost of my Power, to prevent our Troops from being employed to shed innocent Blood; and for this America owes me no greater Acknowledgments than are due to a Judge who pronounces his Sentence in favour of the Party who is in the right. It is true my Advice has plunged me into many Difficulties; and I still feel the Effects of the unappeasable Hatred which it has excited in some, against my person; but am nevertheless convinced by the Sequel, that All I said was true, and that all I predicted, has come to pass. The Approbation however of my Conduct with the most estimable part of the People⁶ I accept as an ample Recompence, and it will afford me everlasting Satisfaction that even so early as the 16 December 1775, and

when no mortal could foresee such speedy and happy Effects from the Enterprize of the Americans, yea at the time when they had not the appearance of a People, I declared myself for them openly & in my public Character.⁷

Your Excellency had no Occasion to be solicitous about curing me of any Prejudices which I might have imbibed by the Artifices of the Enemies of America. I have remained altogether uncontaminated with such Biasses. But that is not the Case with the generality of my Countrymen. They stood in the greatest need of your Excellency's very seasonable Letter. I have, agreeably to your Excellency's permission, made the most public use of it. I permitted it at first, together with Governor Trumbulls to be read in Dutch to Persons of Rank & Influence; and finding the deep Impression they made, caused them afterwards to be openly published in Print. One of my near kinsmen the Baron Van der Capellen of Marsch,⁸ who notwithstanding his affection for America, had not yet dared to venture his money in the American Funds, was thereby so thoroughly convinced, that he immediately promised me 16,000 Guilders.

The Reason why the thirteen United States have not yet found that Credit in our Country which the Solidity of their Cause deserves, is solely and entirely to be ascribed to this, that on the one hand, we are altogether ignorant of the true Situation of your affairs, and on the other hand that the English cease not to propagate all manner of disadvantageous Reports against you, & to diffuse the most idle & groundless Reports invented to aggrandise their own Exploits as real & undoubted Events. Now, they have subjected certain States; then, others are ready to follow the Example. One [while] there is Discord in the Congress; at another time the Nation is inclin'd and even impatient to reconcile itself to England. Nay even at this very instant, when by the open Declaration of Spain all reasonable Men must see the Impossibility of England's ever subduing America,⁹ which was before that, far above her Power. The Incursion into Virginia and the burning of two small Villages with some Shipping is represented and by many believed, as if the whole Independency was thereby endangered. We deduce from it as a Consequence that America is not sufficiently powerful to protect her Possessions; without considering that the most potent People in the World not excepting France itself, is not in a Condition to

defend *all* its Cities & Villages against *every* unexpected attack that may be made by the means of Shipping.

If the Credit of Congress is ever established in our Republic in a firm Foundation (as it certainly will be) it is necessary that the Hollanders should henceforth be made acquainted with America in its present Circumstances, its form of Government, population, Lands, Maritime Power, Trade, Agriculture, Resources, & disposition & manner of thinking of the People. In particular as far as is practicable, repeated Accounts ought to be transmitted of what daily occurs. But in order to render them useful, they ought greatly to differ from the hatch'd-up Narratives of the English. They ought to comprehend *everything*, even the Disadvantages that are inseparable from the Fate of War. They ought in short, to be credible.

The Presence of Colonel Diriks here has been of inconceivable Benefit. This Gentleman (with whom I was very glad to make an Acquaintance, & the rather as he is of a good Family in my Province, and has, according to the Testimonies with which he is furnished, reflected Honour upon his native Country by his Conduct in the service of Congress) has thrown new Light on several Matters, & particularly on the present State of the American military force, Bravery & Exploits; of this we had little or no knowledge. Mean while the American Cause suffers in this Country more prejudice for the want of necessary Information than can be imagined. This I have requested in my former Letter to Governor Trumbull in the strongest manner, & Tendered my Services to make the necessary use of it for the Advantage of America; not knowing at that time that America then had here an old & faithful servant Mr. Dumas¹⁰ at the Hague. To this Gentleman who serves America with heart & Soul and has done the important¹¹ Service, every thing of a public Nature may be transmitted. Am I capable of assisting him in any thing? Am I capable of promoting in the least in my *narrow Sphere* the Concerns of America? Nothing will be more agreeable to me. Colonel Diriks can declare that my Attachment to it, is not barely speculative. Well known thro' the whole Republic; and having many Correspondents of every sort, I hope that my Endeavours to procure Loans for Congress will prove successful. The Roman Catholicks here are very numerous, & exceedingly warm in favour of America. I think some thing considerable may be done with them. I have in my Province

an extensive acquaintance with them, and can, by the means of those, obtain an Introduction to others their Fellow-Believers. Pity it is that at the Moment that Spain declared, no Negotiation was opened. The Majority is at present of one Mind, which probably of itself, probably by a little detail that may be recounted by the English, probably for the very reason that nothing is done, may again subside.¹² The Credit of England now begins in the Opinion of many, to stagger. We begin to think more seriously about that of America; and for this reason, *now* is the proper time to commence a Negotiation. As soon as some Sheep (says the Dutch Proverb) is over the Bridge, the rest follow. The Art only lies in getting over *the first*.

If I may use so much Liberty, I am of Opinion (under Correction) that the Congress would do well to send hither a person of Distinction & prudence to transact their Affairs. The time to receive openly a Minister from the thirteen united States is indeed not yet arrived. This the Republic (as I apprehend) even if they should enter into a war with England, will never consent to till Peace is obtained, & America declared Independent by this Court. It is moreover impossible for her, being on the Land side every where naked, to be able to do otherwise, how well disposed soever she may be towards America. She can only remain Neuter. But I should at the same time judge it highly serviceable that the Gentleman who shall in due time be destined by Congress for such Minister should immediately come, and keep himself only Incognito, and as a private Person; to learn the Language & Advantages of the Country; and which is always of great Importance as appears by Sir Joseph York,¹³ make his Acquaintance & Connections; and in the mean time, manage the Affairs of America in Silence, till the critical moment, that may enable him to appear in a public Character, which moment I think cannot be far distant, because I cannot apprehend how England can longer prosecute the War. From such a Man America might derive signal Service. The Correspondence with our Republic at second hand through France, is rather too dilatory. That Department appears to have as much, or rather more Business than it can dispatch; & I fear that the Affairs of America suffer on that Account.¹⁴

From the Situation of public Affairs in our Republic, we cannot *at present* conclude any thing certain. I have made mention in my former to Governor Trumbull of the Efforts of Amsterdam to which she had added Haerlem, to prevent the ruling Powers of the Province of Hol-

land, nay the whole States, from averting their Eyes, on the lordly Demand of England, from the Liberty given us by Treaties, & the Law of Nations to transport ship-timber and materials to France in time of War.¹⁵ I even then remarked that those Endeavours were at first fruitless; that the ruling Powers of Holland as well as the other Provinces were not pleased for some time into conce[ssion] with the Sentiments of Amsterdam, but have conceded this to England, regardless of the Patience¹⁶ of the French Court, which justly considers this Step as a Violation of the Neutrality. Your Excellency will be pleased to observe that we have no commercial Treaty with France, & that the King is at Liberty to deprive us of or to grant us all such Privileges as he sees proper. We have no right to demand the least.¹⁷ It is certain that the Consequence of this has been that the King of France by a new Tarif or Edict has laid a Duty of 15 per Cent on all goods imported from the Republic, exempting only the Cities of Amsterdam & Haerlem, *in consideration of their patriotic Zeal*.¹⁸ This Edict, vigorously executed, cannot but reduce all the principal trading Cities to the greatest Extremity. It must bring Rotterdam to the very Brink of Destruction. The Merchants of all the commercial Cities have presented Petition on Petition to the States & Stadholder, which at first availed nothing. The Necessity is however at last become so urgent, that Amsterdam & Haerlem have obtained the Majority of the Assembly of Holland in their favour & that so lately as the 24th of June. It is resolved by the States of that Province to send circular Letters to all the other Provinces to admonish them in the most serious manner speedily & chearfully to resolve on the Subject of an *unlimited* Convoy of *all* Licit Merchandize, and they have subjoined to it a *secret* & *unanimous* Resolution that if the other six Provinces shall neglect for the space of one Month to Act agreeably to the reasonable Expectations of their High Mightinesses, that in such cases & from thenceforth a Committee will be established to advise what Measures it will be necessary to adopt to satisfy the serious Intentions of their High Mightinesses, & for removing the just Complaints of the suffering Cities & Places of the *Province* of Holland. This has been attended with this Consequence, that the French Ambassador has thereupon (on the 2d of July) made this Declaration to the States of Holland.

“His Majesty having seen the Resolution taken by the States of the Province of Holland the 24 of June, has charged his Ambassador with the States General, that he has principally for the Benefit of the Prov-

ince of Holland *alone* suspended the Operation of the Resolution of his Court of the 26 January, the 27 April & 5th of June to the first of August. That in consequence hereof all the Inhabitants of the said Province till the Appointed period shall enjoy all the Liberties & Priviledges that have been granted hitherto to those of Amsterdam & Haerlem exclusively, provided they are furnished with a Certificate from the Commissary of the Marine at Amsterdam, or of the Agent of the Marine at Rotterdam.¹⁹ That his Majesty has made known his Intentions on this head, to all the Admiralties of his Kingdom, because it is his Majesty's Resolution that *as soon as the unlimited Convoys are dispatched*, he will permit to be returned to that Province all the Moneys which have resulted from his Impost that may have already been received, in Virtue of the said Edict. His Majesty assures himself that this new Proof of his good Inclination will more and more illustrate the Propriety of his Plan, which is solely adopted to promote the Interest of their High mightinesses, provided above all things, that they do not recede from the strictest Neutrality, of which it behoves him never to lose sight.

“His Majesty charges his Ambassador farther to give notice, that if the Result of the Neutrality of the Republic shall not be reduced to a Certainty by the limited time of the first of August by means of a powerful Protection of the Convoys agreeable to the Laws of general Congruity, and what is stipulated by the Treaties, the aforementioned Edicts of the 26 January, 27 April, & 5th June will again commence to be put into Execution without deeming it necessary to make any new Declaration on the part of his Majesty.”²⁰

What Effect this Declaration will produce, cannot at present be affirmed with Certainty. We must first await the Resolutions of the ruling Provinces, in the Majority of which the Stadholder has an unbounded Influence. And that the Province of Holland alone, which indeed has sufficient weight for the Purpose, will effectually take the great step in case of the farther refusal of the ruling Powers of equipping & conveying Ships on her own Account, that is; commence War against England, is scarcely credible. Our Men of War indeed lye principally in Holland, but they are the property of the whole Union. The Sea officers are in the Service of the States General, and must receive their Orders from his Highness as Admiral General of the Union. To build & equip a competent number of Ships on their own Account requires so much time, that Peace would probably be concluded before they would be

ready for Service. And then we must moreover suppose that the States of Holland were sufficiently unanimous amongst themselves to take a step of such Eclat & Importance. Hitherto Amsterdam has effected whatever respects the Affair of the Convoy with the inconsiderable Majority of 10 to 8 voices. The Resolve alone for appointing a Committee N.B.²¹ to *diliberate* on Measures of Damage²² was taken unanimously. But this Resolution (in my Opinion) obliges the Members to *nothing*. We may yet long deliberate about those Measures of Damage without establishing any thing, unless it be any Establishment that all Propositions respecting the care of marine affairs should be thrown upon the Province of Holland alone, referring to the others the Land forces in which, as it would certainly be an Infraction of the Union, whereby the Influence of the Stadholder would acquire irresistible strength,²³ they would meet with so much opposition as never to come to a conclusion. And this not taking place, & the other Provinces continuing to keep & exercise their Influence in naval affairs, I see not that Holland can avail itself of any other compulsory Measure. She might indeed keep back her Quota, & thus distress the Confederacy, tho' by this we should not procure Trade; & perhaps the other Provinces might also on their parts undertake something, which ought however to be deemed next to impossible, considering that the Regulations of the French Court relative to our Republic are far from having the approbation of our Nation. We daily hear them openly condemned, and with great Acrimony, as incompatible with their Dignity & Independence, & this by Men reputed, & really appearing to be Zealous Patriots. We in general hate the English most heartily; but we have nevertheless not yet learnt to love²⁴ the French tho' our natural friends.

In the year 1756 the English most cruelly distressed our Navigation,²⁵ so that we can count above fifty million that were illegally taken from our Merchants, not to mention the inhuman Cruelties inflicted upon our defenceless Seamen. What did we? We Complained; we remonstrated; we sent Ambassadors extraordinary; we treated & treated again, & from one year to another till the Peace was concluded. And I believe it will be the very case now. It is true 32 Ships are agreed upon to be taken into Service besides which are already at Sea, which amount to about the same Number. But whither as great Dispatch is used in the matter as might be, I cannot determine. That I leave to its proper Department.

We have at present in Amsterdam the Celebrated Mr. Stephen Sayre late Sheriff of London, a native of America full of fire, Spirit, & Affection for his Country.²⁶ He has invented a very singular kind of Ship, of a construction altogether new, appearance much stronger in its make, less expensive, and a swifter Sailor than any other hitherto seen. It may be entirely built, if that is ones choice, of Pine. Our best Ship-wrights, and several respectable American Captains now here, pronounce in its favour. One cannot but wonder the Simplicity of the Invention. Some Merchants have already contracted to have one built, which was to be set on the Stocks yesterday. But what is of more Importance Mr. Sayre has invented a plan perfectly original, to build Ships of War; a plan that I believe never before entered into the Imagination of Man, tho' founded on the most simple Principles. He will, as soon as possible, open the Matter to Congress in Person; & has in the mean time, for fear of a Disaster on his Voyage, committed the Secret to me, to preserve for the Benefit of America. I have no skill in Ships, or naval affairs. I therefore do not take upon me to decide concerning it. But as it appears to me, the Invention is of the utmost moment; & I believe that the observation of Mr. Sayre, *that the Power which shall first introduce into the Marine, will be able to annihilate that of its Enemies*, certainly merits the Consideration of Congress. The Secret I shall the mean while keep sacred; hoping however, that thro' the safe Arrival of the Inventor, Congress will not be necessitated to learn it from *me*.²⁷

Mr. Franklin is at present engaged in a Correspondence with Mr. John De Neufville Merchant & Banker here concerning a Plan of Negotiation.²⁸ They have done me the Honour to desire my Sentiments on the Subject; which I have accordingly communicated. I would only farther submit to Consideration, whether Congress would think proper to have the Interest paid half yearly, to give the public an Opportunity, twice a year to see that the Interest was *punctually* paid: A Negotiation immediately acquires a good Reputation, when we have seen this repeatedly happen. I would submit another thing to Consideration, whether instead of fixing the Duration of the Negotiation for 10 years with Liberty for Congress to discharge a part of the Capital in five years, it would not be a greater Encouragement to the Leaders to have the time of Payment *previously* fixt to a certain determinate Number of years, rather than to leave them in *Uncertainty*. When a Man has once placed his money well and securely, he does not willingly receive it back

again. I therefore conceive that it would perhaps be of Advantage to leave *for the present* to the Choice of the Lenders the number of years, for Instance from ten to twenty five (or twenty as may best comport with the Circumstances of Congress): Persons who make no Dependence upon America, & imagine that her money is *invalid* will indeed not be moved by any thing, neither by the *Length* or the *shortness* of the Period. Upon *those* no Dependence is to be made. But of those, on the contrary, who are convinced, of the *Power*—and good Faith of America, & are thence inclinable there to place their money, there will be many who will do it sooner, whenever they are assured not to receive it back in some years than when they foresee or apprehend that they must in a *short* time, repeat the Trouble to lodge it elsewhere. I am persuaded that there are many who have their money outstanding at 3 or 2% or perhaps on slender or dangerous Security, who will be animated to lend it to Congress at 5 per Cent if they but find that, *as to the Period*, it is worth the Trouble. The 16,000 Guilders which my Nephew will give, he has at present in the Swedish Fund, and will sell it to his Loss. I think that many will do the same.

Although²⁹ I have already made excessive demand on the attention of Your Excellency, I must be so indiscreet, so as to detain you a little longer with a word about my situation.

I have taken the liberty of making a short statement to Governour Trumbull of the manner unheard of, from the beginning of the Republic until this hour, in which I have been put out of office. Allow me herewith to offer Your Excellency a printed collection of everything concerning me.³⁰ An unknown friend has done me the honor of thinking, that my case should interest posterity.

Under the title of "*Capellen, Regent*," according to the practice of the time, he has collected everything about me and what is to be found in the Journals of my Province (we call it Minutes of the State or Register of Resolution). My advice, relating to the Scottish Brigade will be found on p. 5. What happened to me as a consequence on p. 14—My efforts to maintain our fundamental laws on p. 20ff.; my success on pp. 37 and 49. What relates to the duties of a Drost begins on p. 54.³¹ To elucidate this point the following may serve. The government in the Province of Overijssel is in the hands of three cities and of the nobility or company of knights, to which every nobleman of *old* lineage, possessing the requisite age and property, is admitted. The knights have

one half, the cities the other in the Assembly. The noblemen appear at the sessions in their own right by birth, but the Magistrates in the cities are *every* year appointed by the Prince of Orange, as hereditary Stadholder, *according to his pleasure*. The Stadholder disposes as he pleases of all military and civil offices; the principal offices outside of the cities, in the open country, can only be held by noblemen and among these offices are five men who administer justice in the country and execute the laws, notwithstanding that they are members, even prominent ones, of the Assembly, with us the highest legislative authority. These five are called Drosts, and exercise a very extended jurisdiction over the inhabitants, who long have been bound to serve the Drosts on two days each year like slaves *in all manner* of work. Although this was abolished in 1631, it was again put in practice, notwithstanding the salaries of these gentlemen had been largely increased, on the condition, that they should forever give up these services. The town of Zwolle made (see p. 69) a miscarried effort in 1776 to deliver the people from this yoke and seeing it had no effect, I took the case of my oppressed fellow citizens more effectually in hand by my *Remonstrance* (p. 77), but with the result, that the knights and two cities became enraged and threatened me with a lawsuit, and, moreover (which was quite a surprise), in point of fact, excluded me from the Assembly. I addressed myself to the Prince of Orange as Stadholder of the Province and Chief of Justice, but in vain.

Seeing, that they were not permitted to press action against me by legal means, they changed their tactics. There is no longer any talk of proceeding against me for insults, in which they never would have succeeded, but Myn Heer the Stadholder has proposed (and the company of knights immediately agreed) that they should only decide *what satisfaction I will have to give to be reinstated as officer of the government*. In answer I have submitted petitions, which are not yet printed and which I shall take the liberty of sending Your Excellency later: therein I have urged most forcefully that the whole matter is only and simply that my adversaries must sue me for insult, that I am allowed to defend myself *according to the laws of the land* and that an impartial judge must decide who is right or wrong. But this is a favor, which I could not obtain. I have been refused what even a criminal is not deprived, namely to be judged according to the laws of the land. In short: I am now as good as dismissed from government. The efforts, which I continue to make to be reinstated, are only a point of honour. I have known the amenities of

a quiet, unknown and private life and for seven years, the bitter experience of a public character; no fish can long for water more than do I for the proper way of retreating from the political world, to spend the rest of my lifetime, which already is approaching 40 years, in peace and quiet, far from all tumult. The only fate that I should desire, is to pass my life in happy America; but alas! my circumstances do not allow that. I may and it is my intention to visit the blessed country for a short time, but I am not allowed to fix my residence there. If meanwhile I can be of service by word of mouth or pen, be assured, Sir, I shall not let the opportunity pass. You will see a proof of my efforts in the preface to the pieces by Dr. Price, translated by me. What the nation thinks about me is shown in the pamphlets on my case, which I have the honor of enclosing: They must be read according to their numbers. The indignation over the treatment, which I have suffered, is incredible. It is my fault, that Collonel Diriks has remained here until today. I requested him to delay his return voyage until after the meeting of the States of Holland, adjourned last week.³²

May I trouble Your Excellency to communicate the contents of this letter to Governor Trumbull? Your Excellency would greatly oblige me thereby.

I shall esteem myself honoured with your Excellency's Friendship & Correspondence, which I assure your Excellency that I shall never cease with all Respect and Veneration to be Sir Your Excellency's most humble & most Obedient Servant

J. D. VAN DER CAPPELLEN

P.S. I am necessitated to request your Excellency, that my Letters may not be made public with my Name, lest my Enemies in this Country should seek from thence new Weapons to injure me.

Lcy, NN. Translated by William Livingston.

1. Baron van der Capellen informed WL on May 25, 1781, that he had written to him on July 6, 1779, and also sent a duplicate copy dated July 16. A copy of van der Capellen's July 6 letter can be found at the Algemeen Rijksarchief, The Hague, Netherlands.

2. Lt. Col. Jacob G. Diriks. See *Livingston Papers*, 2:472-74.

3. See *Livingston Papers*, 2:488-94. Lt. Col. Diriks had carried this letter to the Netherlands.

4. Van der Capellen's letter to Jonathan Trumbull was in reply to the latter's July 27, 1777, account of the war from the American perspective. It was not received by van der Capellen, however, until September 1778. Developing Dutch-American relations are dealt with extensively in *Livingston Papers*, 2:488-94.

5. The Scots Brigade was a British regiment stationed in the Netherlands since the sixteenth century. It was commanded by Scots officers who had sworn oaths of loyalty to the English king. In 1775 Britain had requested that the brigade be returned to British service, a proposal extensively debated in the Netherlands. Although the States General ostensibly agreed, it stipulated that the regiment could not be used outside Europe. Britain rightly interpreted this reply as a refusal.

6. The Dutch actually translates as: "estimable people of the world." Livingston's translation of van der Capellen's letter remains, for the most part, faithful to the Dutch. Minor discrepancies in the text are passed over in favor of the Livingston translation. Significant discrepancies between the original and translation are explained in the notes.

7. December 16, 1775, was the date of van der Capellen's speech to the States General regarding the loan of the Scots Brigade to the king of England.

8. Baron Robert Jasper van der Capellen van der Marsch, Joan van der Capellen's nephew.

9. On April 12, 1779, Spain had signed a treaty with France. Spain submitted to England on June 16 a list of grievances amounting to a declaration of war.

10. Charles William Frederic Dumas.

11. "Important" is translated from the Dutch. Livingston's own translation of this word is indecipherable.

12. The Dutch actually translates as: "The feeling is running high, which possibly of itself, possibly by a little advantage that may be gained by the English, possibly for the very reason that nothing is done, may again subside."

13. Sir Joseph Yorke.

14. On October 21 and November 1, 1779, Congress had elected Henry Laurens a commissioner to negotiate a loan and a treaty of amity and commerce with the Dutch. He set sail for the Dutch republic during the summer of 1780. When an English man of war stopped his vessel, however, Laurens's trunk, containing papers relating to secret negotiations with the Dutch, was found. The British arrested Laurens and held him prisoner in London until the war ended. In 1781 Congress appointed John Adams in Laurens's stead. The States General officially recognized Adams in April 1782 (*JCC*, 15:1196-98, 1210-12, 1230, 1232).

15. Until this period, in international law, the principle of the *consolato del mare* had prevailed. Neutral property (excluding contraband) was safe from capture on enemy ships, whereas enemy property was subject to capture on neutral ships. During the American Revolution, however, Britain exploited its superior naval strength and obstructed shipping to France in the North Sea while protecting the flow of goods to its own ports in both British and neutral ships. In addition, the broad meaning Britain gave to the term *contraband* was used to obstruct French commerce in general.

16. The Dutch reads "arguments."

17. Van der Capellen wrote "Your Excellency will be pleased to observe that we have no commercial treaty with France, & that the King is thus at Liberty to deprive us of or to grant us all such Priviledges as he sees proper, we have no right to demand the least." This appeared in an addendum at the bottom of the manuscript page.

18. The edict went into effect May 1, 1779. An earlier decree of March 1, 1779, called for the confiscation of enemy goods on neutral Dutch ships. Patriotic zeal was not the only reason for the exemptions of Amsterdam and Haarlem. Because these cities shipped the greater portion of Dutch naval supplies to France, a tariff-free policy was the only way to ensure continuity.

19. The "privileges" were again revoked when after four weeks the States General took no action. The tariff exemption was extended, however, to Rotterdam, Schiedam,

and Dordrecht, which, along with Amsterdam and Haarlem, threatened to withdraw their treasury contributions if unlimited convoy was not granted. Delft, Leiden, Gouda, and Gorkum soon joined the list.

20. In the French view, unlimited convoy signaled Dutch “impartiality” and “neutrality,” because the carrying of naval stores to France by the Dutch accorded with the French policy of free shipping in neutral bottoms, declared in the royal ordinance of July 26, 1778. The French policy of uninhibited shipping is better understood in light of the fact that the principle of *consolato del mare* was to the advantage of the superior British naval forces.

21. The “N.B.” is WL’s insertion. An indecipherable marking exists at this place in the Dutch original.

22. The Dutch reads “importance,” not “damage.”

23. The Dutch actually reads “sustained an irreparable blow.”

24. WL wrote and crossed out “our natural Enemies” after “love” and before “the French” on his translation.

25. Van der Capellen is referring to “The Rule of 1756,” proclaimed by Britain during the Seven Years’ War, by which it had prevented the opening of French colonial traffic to Dutch shipping. The rule stated that a belligerent that restricted its colonial trade to home vessels in peacetime cannot in wartime open that trade to foreign neutrals without having those neutrals designated as enemy ships.

26. Stephen Sayre was a self-appointed agent of the American cause in Europe.

27. Sayre’s report on naval architecture and gunnery was not submitted to the Continental Congress until May 17, 1785. Congress took no action (*JCC*, 28:364, 373, 390–91, 395; 33:750; 34:624).

28. In September 1778 Jan de Neufville negotiated, more or less unofficially, a secret commercial treaty to be put into effect after the proclamation of peace between England and the United States. The discovery of a copy of de Neufville’s commercial treaty, in Henry Laurens’s possession when the British captured him, was a prime cause of the ensuing war between Britain and the Dutch republic.

29. WL did not translate the four paragraphs beginning “Although” and ending “Your Excellency would greatly oblige me thereby.” (Don C. Skemer, Editor of Publications, New Jersey Historical Society, translated these paragraphs.)

30. Enclosure was Jonkheer Johann Derk van der Capellen, *Regent* (Leyden, 1779). There is no evidence that WL ever received it as the original July 6 letter miscarried.

31. Van der Capellen had argued that loaning the Scots Brigade to the British would violate neutrality. He was also embarrassed that the Dutch, who had themselves successfully revolted against an imperial power, would side with an imperial power against virtuous defenders of political rights.

Van der Capellen’s reference to an effort to maintain fundamental laws probably refers to his translation of Richard Price’s *Observations on the Nature of Civil Liberty, the Principles of Government and the Justice and Policy of the War with America*. The Englishman published his pamphlet in 1776. Refer to *Brieven va en Joan Derck Van Der Capellen Van de Poll* (Utrecht, 1879).

32. Van der Capellen noted in his draft letter: “The friendship of Franklin for this republic appears to have done him well here, and laws shall follow from the Resolution of the province of Holland concerning the convoys of ship matérielle, time will tell. It is certain that England, straight from its declaration, has no convoys of this sort to dispatch. I must thereupon repeat that it is quite good that America had a good minister at hand here in any event” (Algemeen Rijksarchief, The Hague, Netherlands).

The European Powers and the American Revolution

The Treaty of Conditional and Defensive Alliance, signed by France and the United States on February 6, 1778, along with the Treaties of Amity and Commerce, guaranteed French military aid to the Americans. Despite the treaty, few military inroads were made against the English by either ally during the remainder of 1778. The French naval commander, Comte d'Estaing, failed in 1778 to blockade New York and to dislodge the British from Rhode Island. The new year, 1779, encouraged renewed expectations among Americans that help from France and other European powers would turn the tide of war against England.

The French gradually drew the Spanish government of Charles III into a secret alliance that was formalized on April 12, 1779, by the Convention of Aranjuez. This Convention, which activated the agreement between the two Bourbon kings guaranteeing mutual assistance in wartime, demonstrated Spain's intention of joining France against England, should the latter power refuse Spain's offer to mediate the conflict. The Convention also raised in England the fear that the motive

behind the actions of Spain and France in this "family compact" was to seize and divide Britain's former North American colonies.

Americans, as aware as the British of the acquisitive natures of the French and Spanish, nevertheless had no choice but to seek their aid. Consequently, in September of 1779 the Continental Congress appointed William Livingston's son-in-law, John Jay, as special agent to Spain. Jay's mission was to obtain an alliance with Spain and, in addition, a substantial loan. Jay arrived in Spain in January of 1780, accompanied by his wife, Sarah Livingston Jay, and his brother-in-law, Henry Brockholst Livingston. Jay soon found that he was ignored by officials of the Spanish government. Spain, though bound to France by mutual interest and family ties, was to prove an elusive ally to the rebel Americans. Wary of the effect of American independence on its own colonies, Spain withheld most direct aid and preferred instead to come to terms with the British on condition that Spain receive Gibraltar and West Florida.

In the naval war against the British,

J. D. van der Capellen.
 Artist unknown. Courtesy
 of Atlas von Stolk,
 Rotterdam.



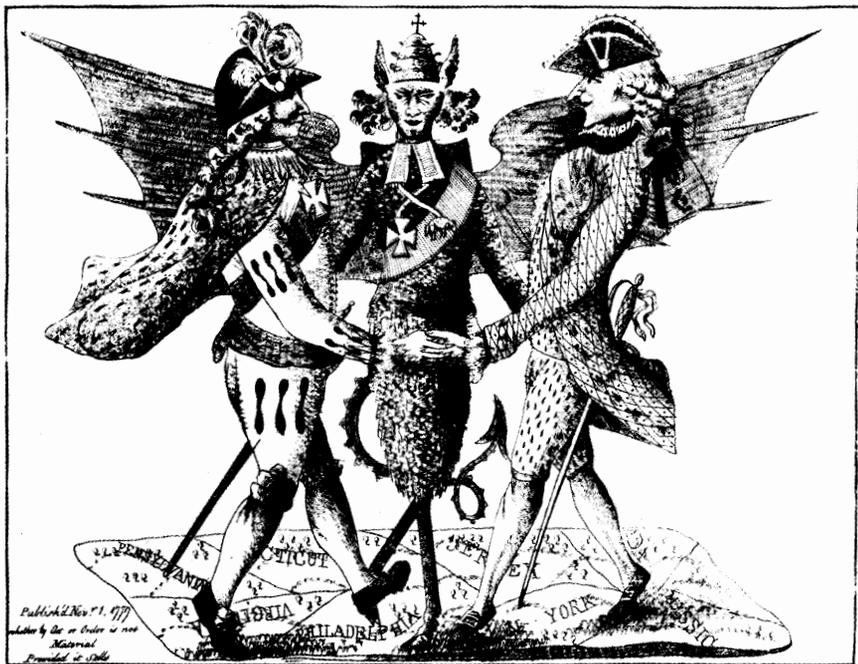
The European Diligence,
 October 5, 1779. Reproduced
 by courtesy of the Trustees
 of the British Museum.



THE EUROPEAN DILIGENCE

5 Oct. 1779

Pub^d according to Act of Parliament Oct. 5 1779



THE · FAMILY · COMPACT



The Family Compact, November 1, 1779. Reproduced by courtesy of the Trustees of the British Museum.

Charles-Henri, Comte d'Estaing, Chevalier des Ordres du Roi, Lieutenant Genl. de les Armées, Vice-Admiral de France; Né le 24 Novembre 1729. Artist unknown. Photographed by Joseph Crilley. Courtesy of The New Jersey Historical Society, Edwin A. Ely Collection.

France enjoyed successes in the West Indies. Comte d'Estaing captured St. Vincent on June 17, 1779, and Grenada on July 6, 1779. Disobeying orders to return directly to Europe, d'Estaing sailed north to join the Americans in an attempt on Savannah, Georgia. After a month-long siege of the city, d'Estaing, himself wounded, abandoned the attack and returned to Europe. His return was a disappointment to General Washington, who needed French naval support for a planned assault on the British in New York. Lack of such support forced the general to abandon his plans.

In spite of these setbacks, the French honored their monetary and manpower commitments to the Americans. On May 16, 1780, the Chevalier de la Luzerne, the French minister plenipotentiary, informed Congress that the French government was sending eight thousand auxiliary troops, commanded by Count de Rochambeau, and a naval force, commanded by Chevalier de Ternay, to aid the Americans. Such support was desperately needed. When the French arrived at Newport, Rhode Island, in July of 1780, the Americans faced 30,000 British troops with a northern army of 10,500 men under Washington and a southern army of 8,000 men under Major General Horatio Gates.

French support for the Americans also drew other nations into the war against England. At the end of 1778, France placed large orders for naval supplies with other European countries that had to be shipped through Amsterdam. The resultant English attacks on neutral shipping prompted the Empress Catherine of Russia to propose, on February 28, 1780, a "League of Armed Neutrality," which Sweden and Denmark joined that summer.

In the United Provinces, the States General refused British requests for mili-

tary assistance against the French. Dutch leaders also began to reassess their country's traditional alliance with England, much to the indignation of the British. Instrumental in bringing about this reassessment was William Livingston, who, in 1778, began a correspondence with the Dutch Baron van der Capellen. A member of the provincial assembly of Overijssel, Capellen first came to the attention of Americans in December of 1775 when he publicly objected to Great Britain's request that the Scots Brigade, stationed in The Netherlands, be returned to England for active service. Seeing the Anglo-American conflict as analogous to the situation in his own country, where artisans and guild members lost influence in town government to hereditary oligarchies, Capellen became both a leader of the Dutch patriot movement and a zealous defender of the American rebellion.

To further the American cause, Capellen distributed Livingston's letters among "persons of rank and influence" and had them published in Dutch newspapers. He indefatigably worked to establish connections between American diplomats and Dutch merchants, who he believed would extend a loan to the new country. In 1779 his entreaties to have the Continental Congress appoint a representative to the United Provinces resulted in the commissioning of Henry Laurens to negotiate a loan and treaties of amity and commerce with the Dutch. Although Laurens was captured en route, the succeeding mission of John Adams to The Netherlands eventually led, in 1782, to a loan and official Dutch recognition of the United States.

Even before this formal recognition of the United States by the Dutch, the conflict was worldwide, fought on land and sea in the East and West Indies, in Europe, India, and North America.

From Henry Laurens

[Philadelphia], 10 July 1779.

Dear sir

I had the honor of addressing your Excellency under the 5th Instant intended by Dr. Scudder who still remains in Town but will leave us tomorrow and now tells me he does not make Trenton in his way. Yesterday I received your Excellency's favor of the 10th Ultimo by the hands of Mr. Houston I Thank you Sir for introducing me to the acquaintance of a Gentleman of his Character.¹ We have at length heard from Charles Town the bulk of intelligence appears in Bradfords and Dunlaps paper extracted from a paper which I sent them.² The Enemy were intrenched on each side of Stono River, part on Johns Island the remainder on the Main. The communication easy—their Hospital on the Island and very full—their Shipping about 30 Sail including four men of War within Edisto and Stono Inlets, with these they have free communication and may withdraw when they please but as they had just received a schooner laden with Mortars and ordnance it seemed as if they meant to repossess themselves of James Island (which lies within 3/4 of a mile of Charleston) and from thence attempt to destroy the remains of a pretty Town which their incendiary emissaries had in divers essays above half ruined by Fire.³ If your Excellency should hear that some of the Council of South Carolina had voted for surrendering the Capital to the Enemy on certain terms, let it be remembered that the terms proposed were not acceptable to Gen. Prevost and that they might have been calculated for gaining a day or two in order to complete the fortification and to receive Militia reinforcements.⁴ Be this as it may there was a young man an Aide de Camp of our great commander in Chief who when solicited refused at all hazards "to go out with a flag on any such errand" that whatever were the motives or the propositions of the Council the project as soon as it was known was reprobated by the People and that the voice for a severe scrutiny was loud. Yet I will not censure the Council until they are heard in their own defence. Certainly the neglect of that state will be pleaded in apology for the majority of Counsellors 5 to 3.⁵ The enemy announced their design to invade South Carolina nine months before they entered it and they were four

months in its vicinage distant only the breadth of the river Savanna—upwards of six months had Congress been recommending to the States of Virginia and North Carolina to send succors. What succors did those States send? In my last I suggested to your Excellency the seeming necessity for a Grand Council.⁶ To day we have received another gleam of light (perhaps glimpse may be a better word) we will adjust the term according to events. But I do not give up the idea of a Grand Council and I have not the smallest doubt of receiving your Excellency's approbation of the measure when we come to talk the matter over. When will that be? Could I but ride on horseback as well as I could twenty years ago it should be on this day sen-night⁷—night—but I have eat my cake and must be contented. Were I a citizen of a large extended country whose present and future happiness depended upon the yeas or nays of a Council of 20 or 30 I should hold it essential to that happiness to have the wisdom, the experience the vigilance, the diligence, the virtue of the whole Country concentrated in that 20 or 30 and I would admit no birds of passage. Are not long and frequent vacations great impediments to School-boys? Days before they go, all the days they are absent and some days after their return are so many days lost—& what good can be expected from new Scholars. If we get safe on shore we shall look back with equal pleasure and amazement.⁸ I have written very freely because your Excellency has encouraged me to do so and because I know to whom I write. I should not much care if every thing I write were published by Rivington, but I hate to have flies buzzing about me, tho' they are easily brushed off.⁹ I pray God to bless your Excellency & I request you Sir to believe that I am with sincere regard & attachment etc. Gov. Livingston.

H.L.

LBC, ScHi.

1. Refer to June 10, 1779, letter from WL to Laurens introducing William Churchill Houston, a newly elected delegate to the Continental Congress from New Jersey (ScHi). Houston presented his credentials to Congress on July 9, 1779 (*JCC*, 14:811–12).

2. Thomas Bradford published the *Pa. Journal*; John Dunlap was the publisher of the *Pa. Packet*. The June 22, 1779, *Pa. Packet* had printed excerpts from two letters dated June 9 and 10, reporting erroneously that the British had been repulsed from Charleston. On June 15, 1779, the *N.J. Journal* had made a similar error (*Royal Gazette*, June 17, 1779). See WL to Henry Remsen, June 26, 1779.

3. As early as September 25, 1778, the Continental Congress had passed several resolutions requesting that North Carolina and Virginia send troops for the defense of South Carolina. The May 7, 1779, resolution repeated that request (Burnett, *Letters*, 3:422–23; *JCC*, 12:949–50, 1021; 13:100–102, 125, 132–33; 14:559–61).

4. Maj. Gen. Alexander Prevost had launched the British invasion of South Carolina in April 1779. Maj. Gen. Benjamin Lincoln's effort to recapture Augusta, Georgia, from the British on April 23, 1779, had left Brig. Gen. William Moultrie with only 1000 men at Prurysburg, on the South Carolina side of the Savannah River. On April 29, 1779, Prevost had advanced toward Prurysburg with 2500 men; Moultrie had fallen back, entering Charleston by May 9, 1779. Prevost had arrived outside Charleston on May 11. On May 12 Prevost, fearing entrapment between Moultrie's forces and Lincoln's returning army, had withdrawn his army from Charleston across James Island to Johns Island. Prevost remained there until June 16, 1779, when he decamped for Beaufort, Port Royal Island, leaving Lt. Col. John Maitland with 900 men. On June 20, 1779, Maitland engaged Lincoln's forces before retreating to rejoin Prevost at Beaufort on July 8, 1779. Charleston thus remained in American control. Fragmentary accounts of the action in South Carolina appeared in the *N.J. Gazette*, June 9 and June 23, 1779.

5. When Prevost's army arrived at Charleston on May 11, 1779, Gov. John Rutledge and the state's council, fearing that the British general commanded 7000–8000 men, offered to surrender on condition that South Carolina maintain neutrality. Prevost would accept only an unconditional surrender, however. Lt. Col. John Laurens, Henry Laurens's son and an aide-de-camp to Washington, was serving with Moultrie's forces in South Carolina; he had refused to carry a flag of surrender to the British. Moultrie had used the period of surrender negotiations to buy time, hoping for the arrival of Lincoln and his army.

6. See Henry Laurens to WL, July 5, 1779.

7. sen-night: a week.

8. This phrase refers to the inconsistent attendance that always plagued Congress.

9. Laurens is referring to a letter he had written to John Houstoun, governor of Georgia, on August 27, 1778, which had been intercepted by the British. Because it was critical of the Continental Congress, it had been published in the *Royal Gazette* on May 5, 1779. On May 14, 1779, Meriwether Smith had brought the matter to the attention of Congress. For further background, refer to Burnett, *Letters*, 3:384–86; 4:213–15; *JCC*, 14:588–89, 592–95, 610–13.

To Abraham Clark et al.¹

Raritan 12 July 1779

Sir

By reason of a Number of Prisoners in the Gaol of Gloucester, & the badness of the Gaol itself, the Justices & Freeholders of that County desire a court of oyer & Terminer for the Tryal of the Criminals.²

I have also received a Resolution of Congress of the 29 June for avoiding further Emissions of paper money & diminishing the quantity in circulation by raising twenty million of Dollars by subscription to be borrowed on the faith of the united States,³ & recommending it to the Executive Authorities of every State immediately to appoint Persons of Character & influence in every County town or district to receive sub-

scriptions & transmit the same to the Loan officer or officers in the States respectively.⁴ The terms offered to the Subscribers seem well calculated to encourage Subscriptions. To advise me on the above Subjects It is necessary to have a privy Council & as the application of Congress is of the last Importance I think it best to have a numerous one, & shall be glad of your attendance at the Board at Princeton on Wednesday the 21 instant.⁵

ADf, NN:Lyon.

1. This letter was also addressed to John Stevens, Silas Condict, Abraham Van Nest, Jonathan Deare, Joseph Holmes, Peter Tallman, Robert Morris, and John Cooper.

2. WL had submitted to the Privy Council a petition (not found) from Gloucester County requesting speedy trial for the prisoners. The Privy Council authorized him to issue the commission calling the court of oyer and terminer into session (*NJA* [Privy Council], 3d ser., 1:123).

3. On the ADf, WL crossed out "on or before the first day of October next" after "united States."

4. On June 29, 1779, Congress had resolved to reduce the paper currency in circulation and to avoid further paper emissions by authorizing a \$20,000,000 bond issue paying 6 percent interest. The deadline for public subscriptions was October 1, 1779 (*JCC*, 13:491–98; 14:519–20, 672–73, 717–20, 728–33, 771–72, 783–85). Refer to John Jay to WL, July 8, 1779 (DNA:PCC, 14), and July 12, 1779 (DNA:PCC, 68).

5. WL presented both the Gloucester petition and the congressional resolution to the Privy Council meeting at Bridgewater in Somerset County. The minutes of the meeting are not dated, but it very likely took place at the end of July 1779 (*NJA* [Privy Council], 3d ser., 1:123).

To Sarah Jay

Raritan 12 July 1779

Dear Sally

I received your Letter at Morris Town the day after I had left Mamma at Elizabeth Town,¹ & as it concerned Miss Judy² as well as myself I inclosed it to mamma. I am much obliged to you for your kind Invitation to Philadelphia, & the preparation you had made for my Reception. I have been very desirous of paying you a visit ever since the Assembly adjourned,³ but have been hitherto prevented by the constant Expectation of the Enemy's making an Incursion into this State when I would not chuse to be out of it. There being however no particular reason for apprehending such an Event now; and as they have not molested us in gathering in the harvest, and are parading on the New England coasts⁴ rather a probability that they do not mean to attack us in force, I

hope if nothing unexpected shall in the mean time intervene, to set out for Philadelphia from the Meeting of the Council at Princeton which will be the 21st instant. Give my Compliments to Don Juan,⁵ & tell him that I long to hear of the Spanish Cannon's roaring in the British Channel.⁶

ADf, NN:Lyon.

1. Letter not found.
2. Judith Livingston, WL's daughter.
3. The New Jersey legislature had adjourned June 12, 1779.
4. A British force had attacked the Connecticut coast at New Haven, Fairfield, and Norwalk from July 5 through July 11, 1779. See Jonathan Trumbull to WL, July 15, 1779.
5. Don Juan de Miralles, Spain's unofficial representative to the Continental Congress, had arrived in Philadelphia in July 1778 with instructions from the Spanish minister of the Indies, Don José de Galvez, dated August 26, 1777, to observe the political and military situations. See *Livingston Papers*, 2:416–17.
6. The secret convention of Aranjuez, concluded between France and Spain on April 12, 1779, was not yet known in America, but Conrad Alexandre Gérard, the French minister plenipotentiary, had written Congress on May 27, 1779, regarding the possibility that Spain might enter the war as an ally of France. The *N.J. Gazette* had printed a congressional message that alluded to the formation of "other alliances," a report that might have prompted Livingston's hope (Wharton, *Revolutionary Diplomatic Correspondence*, 3: 194–95; *N.J. Gazette*, June 2, 1779).

To John Stryker

Raritan 12 July 1779

Sir

The two light horse men you promised to send last Saturday, have not yet made their appearance.¹ By this means I am prevented from summoning a privy Council on one of the most important Subjects which can be laid before them. I desired you by Mr. Stout to send me the names of those whom you should order to come, which you have not Complied with. He says you referred me to Mr. Veghte but I know not with what propriety you send me to your Lieut. If it is most convenient to him to order the relieves, it is your Business to give him those directions. The next who come I shall keep for a month, unless they shall be sooner relived, as I find that dismissing them in a fortnight which I intended for their convenience, is so illy [required], & leaves me so often intirely distitute.

ADf, NN:Lyon.

1. See WL to the Assembly, June 5, 1779. On June 19 WL had ordered John Stryker to provide him with two express riders, as stipulated by a legislative resolve of June 9, 1779 (*Legislative Council* [October 27, 1778–October 9, 1779], 70, 72; *General Assembly* [April 20–June 12, 1779], 127). Refer to WL to John Stryker, June 19, 1779 (NN:Lyon).

From Jonathan Trumbull

Lebanon 15th July 1779

Sir

Your Nephew Mr. Wm. Alex Livingston¹ is the bearer of this. He informs me he hath been absent from His Father five years, lived most of that time in West Florida—from thence proceeded to the Island of Jamaica. Shipped himself on board A Vessel bound to New York—some few days since captured and brot into New London.

He applied to me for leave to go in a Flag to New York; in our present situation, do not think it convenient to grant that request—have given him a pass to Head Quarters at New Windsor—hope he may return & prove himself accept[able] to His Father and Friends in New Jersey.

Before this comes to hand you'll have the Intelligence of the Enemy's putting in execution their inhuman plan—by plundering New Haven burning and plundering Fairfield and Norwalk.²

I do not mention particulars, presuming you will have them before this comes to Hand. I am with great Esteem & Regard Sir Your most Obedient humble Servant

J—T

Lcy, CtHi. Mutilated.

1. William Alexander Livingston, a Loyalist sympathizer, was the son of WL's brother, Peter Van Brugh Livingston, of Basking Ridge, New Jersey.

2. On July 5, 1779, a British force commanded by Maj. Gen. William Tryon had plundered New Haven, Connecticut; Fairfield had been burned and pillaged on July 8, 1779, Norwalk on July 11, 1779. Refer to George Washington to President of Congress, July 9, 1779 (Fitzpatrick, *Writings of Washington*, 15:389–93); Jonathan Trumbull to George Washington, July 10, 1779 (DNA:PCC, 152); Samuel H. Parsons to George Washington, July 10, 1779 (DNA:PCC, 152), George Washington to the President of Congress, July 13, 1779 (DNA:PCC, 152). The *N.J. Gazette*, July 28, 1779, carried extensive accounts of the Connecticut raids.

To George Washington

Raritan 19 July 1779

Dear Sir

I am extremely obliged to your Excellency for your very agreeable Favour of the 16th containing the joyful Intelligence of General Wayne's having got possession of the Fort at Stony Point and making the British Garrison Prisoners.¹ This will make ample Amends in a national view for their ravages on the Coast of Connecticut, tho' it will not repair the damages of the individual Sufferers. What adds to my Joy on this occasion is, that the Blow was struck by General Wayne. Full satisfaction for their *Here we are!*²

By some Accounts from New York I have reason to think that this State will soon feel the Effects of their conflagrating Genius.³ As far as it can be covered by the grand Army consistent with the general Exigency of Affairs, I persuade myself that your Excellency will not be unmindful of us. I have the honour to be with great affection and Esteem Dear Sir your Excellency's most obedient Servant

WL: LIVINGSTON

ALS, DLC:GW.

1. Washington had informed WL of Gen. Anthony Wayne's successful attack on Stony Point with a "very inconsiderable loss" to the Continental army. Refer to George Washington to WL, July 16, 1779 (DLC:GW). The *N.J. Gazette* of July 28 and August 4, 1779, carried accounts of the Stony Point victory.

2. "Here we are" is a colloquialism for "here is what we want."

3. The British force that had ravaged the Connecticut coast had been commanded by Gen. William Tryon, who had a reputation among Americans for setting fire to civilian homes. WL, as Hortentius, had earlier branded Tryon "Conflagrator General of all America." See *Livingston Papers*, 2:259-62.

To John Jay

Brunswick 22 July 1779

Sir

In addressing myself to carry into Execution the Resolution of Congress, of the 29th of June last,¹ for borrowing on the Faith of the united

States, twenty millions of Dollars by Subscription, I find no Provision made to recompense the persons to be appointed to take the Subscriptions, for their Trouble. As the Business will undoubtedly be attended with some Trouble; and many of the Subscribers consume more of the officers time than is necessary for the purpose; I expect the first question I shall be asked will be that of the quantum of the allowance, which I should be glad Congress would instruct me to solve. As It will also be necessary for each commissioner to have a Copy of the resolve, I shall want at least forty copies. I could wish to be honoured with your Excellency's answer on this Subject by the middle of next week, & am with great regard your Excellency's most humble Servant

WIL: LIVINGSTON

P.S. Please to direct to me at Mr. Wallace's, Raritan

ALS, DNA:PCC, 68.

1. For background see WL to Abraham Clark et al., July 12, 1779.

From John de Neufville & Son

Amsterdam 31st July 1779

High Honourable Sir

Our Acquaintance & Friendship with J. Dirk Baron van der Capellen Esquire¹ brought us soon to an Intimacy with Colonell Dirk² in the American Service we [professed] directly the Esteem, we were willing to show to any Gentleman of that consequence and so by the Letter of your Excellency to M. van der Capellen³ as by what Colonell Dirks told us, we were very happy to be informed about Several particulars relating to the Thirteen unitted States, to which we had always professed a high affection, we embraced their Cause Long ago and so the Letter of your Excellency procured us the satisfaction to see that correspondance directly with Holland would perhap not prove disagreeable. We dare Suppose that therefrom many satisfactory Circumstance might arise and w'ld be very glad to promote the Same but we are bound to the comercial Circle and won't evade it in that Line we will endeavour to promote the Intrest and connection with a Country which fought for its Liberty and hath so much ressemblances with former days, we found and opportunity to Lay perhaps the first foundation for it, and if we

may flatter ourselves it will induce us to some intention of correspondance under the Shade of M. van der Capellen we dare apply to your Excellency and if Congress or any private State wanted a Correspondance to holland offer our Service, we were in correspondance butt almost casually and cheaply from B. Franklin in paris. with Mm. Dumas at the Hague and the American cause found protection in our States there being reported to Congress can't be unknown to your Excellency following the Same way we are felt for, and persuaded by colonell Dirk we formed a plan for a loan such as we Judge will be the most acceptable in our part and on which we daresay we will be able to make progress[. . .], but the American Spirit is not yett universall here, what we hope for is to see it more & more influenced, it will be [reported?] there on we have no doubt in the Least and dare assure it, we at Least [think] our proper Liberty.

Connected with that of North America, So if your Excellency could bring us in the way of Doing any public or private Service to that contry our principle would answer for our endeavours and deserve perhaps Some Confidence

In true Republican Sentimens we are with all devoted Regard High Honourable Sir Your Excellencys most obedient & very humble Servant

JOHN DE NEUFVILLE & SON

ALS, DNA:PCC, Misc. 332.

1. John de Neufville, a merchant and banker in Amsterdam, is mentioned in previous WL-van der Capellen correspondence. See Baron van der Capellen to WL, July [6], 1779.

2. Jacob G. Diriks.

3. See *Livingston Papers*, 2:488-94.

To William Livingston, Jr.

Raritan 31 July 1779

Dear William

I am obliged to you for the Copies of the Commissions. I was not unmindful of you in the appointment of the persons to take the subscriptions.¹ But as you rather a stranger to the people in Morris County, I know some of my Opinions would have made a handle of it, & for the

trifling Consideration which I suppose they will get for their trouble, I would not expose myself to any such Censure. The most profitable Business you can follow at present, is to study hard, which is the only way in which I can be serviceable to you; & you may safely reckon every day's hard study worth five Pounds, that is in your future expectation, & consequently practice.

As the Express is just going off to Elizabeth Town, I can not write you farther, nor Master Jay² by this opportunity. If Peter comes with his grand mamma I will draw him a pretty fish. I am your affectionate father

WIL: LIVINGSTON

P.S. You ought not to send me any Dispatches for Philadelphia, as it is more difficult to meet with opportunities to send them from hence than from Par[sippeny].

ALS, MHi.

1. William Livingston, Jr., wanted an appointment as loan officer for the Continental Congress's new bond issue. The Privy Council had made the appointments in late July (*NJA* [Privy Council], 3d ser., 1:123–24). See WL to John Jay, July 22, 1779. For a list of the appointments refer to the *N.J. Gazette*, August 18, 1779.

2. Peter Augustus Jay.

To Henry Laurens

Raritan 9 August 1779

Dear Sir

I had certainly done myself the Honour of acknowledging the receipt of your Favours of the 5th & 10th July before now, had I not taken it into my head to pay you a Visit in Philadelphia, and make you my Acknowledgments in person. But such a fortuitous Concourse of Atoms, as an old Epicurean would say, or rather so many providential occurrences, as a Christian ought to say, have constantly thwarted such my laudable Intention, that I begin to think I have not yet deserved so great a happiness.

As to Congress assisting at a *Te Deum*; I assure you I should not wonder if they frequented the Chapel altogether.¹ Because as it is generally imagined that they sin more than others, I never heard of any Religion

that has provided a more palatable Atonement for Sin than the Romish: And if they are for fashion, which governs more than half the World, our Connection with his most Christian Majesty, would certainly render their new Choice, *tout a fait, a la mode*,² a propos; about his most Christian Majesty. You may remember that while the Treaty was on the [Tapis] at Paris, I spoke somewhat suspiciously of that Great King, for which, as affairs have since turned out, I most humbly ask his Pardon.³ But I was notwithstanding perfectly orthodox in my general Idea of Princes; and if the King of France will be so queer as to differ from all other monarchs in keeping his word, & asking like an honest man, how the Devil can I help it?

Respecting the Business of financing, you could not have puzzled me with a more intricate Subject, had you ransacked all the heiroglyphics of Egypt, or consulted all the Bramins of India. I always had an aversion to Figures, & in the best of my days, never pretended to study a single rule in Arithmetic save that of *Addition*, though the increase of my family, which soon amounted to the number of the united States, (which the Cabbalists would make a mystery) gradually taught me *that*, of *Subtraction*, most experimentally. I know your affairs are in a *desprate* Condition. But let not your noble Courage fail you. Fenelon remarks that Mentor's magnanimity always increased in proportion to the danger that threatened him.⁴ I fear there is a greater Evil in the Case. One of the Prophets speaks of *Poison in the pot*.⁵ Some Divines are of opinion that Adam preserved his Integrity but three days: And you know that *in Adam's fall, we sinned all*.⁶ It would therefore rather too far surpass the perseverance of our primitive Ancestor for all of us to stand *three years*; & *that* with his rectitude & our depravity into the Bargain. If you can mend this matter Sir, which (for divers good Causes & Considerations me thereunto moving) I chuse not to describe in less figurative language, I shall defy the King of Britain, as much as I do the King of Bantam.⁷ And for this purpose, I have not only no Objections *against*, but would heartily vote *for*, such a Council as a certain Friend of mine has been pleased to hint. Nary was there no real Cause of Complaint, some thing of that kind is become absolutely necessary to coincide with the popular Opinion, the people at present, I am sorry to say it, reposing the least confidence, where they were wont to place the greatest. And you know that Caesar would have his wife not only free from Guilt, but from the Suspicion of it. I intreat you never to suspect my

Sincerity when I tell you that I am with the most undissembled Regard
and Esteem Dear Sir Your most obedient humble Servant

WIL: LIVINGSTON

ALS, ScHi.

1. See Henry Laurens to WL, July 5, 1779, for a description of the events on July 5, 1779, celebrating the Declaration of Independence.

2. *tout à fait à la mode*: quite in fashion.

3. Before the receipt of the Treaties of Amity and Commerce with France in May 1778 WL had suspected Louis XVI's motives. See *Livingston Papers*, 2:207–13.

4. François de Salignac de la Moth Fénelon in *Les Aventures de Télémaque*; the adventures of Telemachus, son of Ulysses, and his companion, the goddess Minerva, who appeared in the work as Mentor.

5. 2 Kings 4:40: "Sir, there's poison in this stew!"

6. A paraphrase of the aphorism found in several editions of the *New England Primer*: "On Adam's fall, we sinned all."

7. In 1683 the natives of Bantam, on Java, East Indies, had rebelled against their king with the assistance of the Dutch fleet (William Oldys, Thomas Park, *The Harleian Miscellany: A Collection of Scarce, Curious, and Entertaining Pamphlets and Tracts, as well in Manuscript as in Print* . . . [London, 1810; New York, 1965], 5:291–92).

To Catharine Livingston

Raritan, 9th August, 1779.

Dear Caty,

The complaisance with which we treat the British prisoners, considering how they treat us when in captivity, of which you justly complain, is what the Congress can never answer to their constituents, however palliated with the specious name of humanity. It is thus that we shall at last be humanized out of our liberties. Their country, their honour, the spirits of those myriads who have fallen a sacrifice to the severity of their treatment by the enemy, and their own solemn oath, call upon that august assembly to retaliate without farther procrastination.¹

I know there are a number of flirts in Philadelphia, equally famed for their want of modesty as want of patriotism, who will triumph in our over-complaisance to the red-coat prisoners lately arrived in that metropolis.² I hope none of my connexions will imitate them, either in the dress of their heads or the still more tory feelings of their hearts.³ I am, your affectionate father,

WIL. LIVINGSTON

Lcy, Sedgwick, *Livingston*, 337–38.

1. WL's harsh views regarding the treatment of British prisoners is well documented. See *Livingston Papers*, 2:511–12, 515–17.

2. On September 2, 1779, the Marine Committee reported to the Continental Congress that British prisoners held in Philadelphia were provided with comfortable rooms and good provisions and were not held "in close and cruel confinement" (*JCC*, 15:1075).

3. People who followed British fashion were suspected of loyalism. See *Livingston Papers*, 2:428–34, 440, 480–82.

To Jonathan Deare

Raritan 12 August 1779

Sir

On the ninth of July last, Congress passed a Resolution empowering and requesting the Executive Powers of the different States, to make the strictest Inquiry into the Conduct of the officers in the Departments of the Quarter Master & Commissary General with a direction to remove, if necessary, any not immediately appointed by Congress.¹ The Inquiry it seems is to extend to the whole, tho' the Power of removal is restricted as just mentioned. I sincerely wish the means of conducting this Inquiry would put it in the Power of every man to give all the Intelligence within his knowledge upon the Subject. You may recollect Sir that a resolution was passed by the house & Assembly at the last Sitting proposing a Mode of Collecting Evidence, but from the sudden rising of the Legislature after it was sent from the house it did not pass the Council.² I have therefore thought that a proclamation upon the Resolution of Congress calling upon the Magistrates to take affidavits of all persons who may have it in their power to give Information, would answer a valuable purpose. These Proofs they ought to transmit to the Governor. And if they appear to contain sufficient matter of Complaint, then the party complained of, can be summoned & heard in his defence, and if convicted within the [meaning] of the Congress, displaced.

The Mismanagements, Frauds & Abuses committed in those Departments are beyond the power of Enumeration & Description. And as the Continental Wealth is not equal to their dissipation & waste, the matter is brought to this short issue, that either they must ruin us, or we must reform them. I should therefore be glad of the advice of the Privy Council on this important Subject as well as upon a fresh Application from the Minisinks respecting their exposed situation, & daily appre-

hensions of another Irruption of the Enemy;³ & for these purposes have appointed a Meeting of the privy Council at the house of Mr. Worley at Bridgewater on Thursday the nineteenth instant at one o'clock, & wish you to make one of the Board.⁴ I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, NNPM.

1. The congressional resolution is in *JCC*, 14:812–15; for its transmission to the governors, refer to John Jay, Circular, July 14, 1779 (DNA:PCC, 14).

2. On June 12, 1779, the General Assembly had acted on complaints about officials in the Hospital, Commissary, and Quartermaster departments “and other public Departments of the United States.” It had resolved that the members of the legislature and local justices of the peace collect and authenticate evidence of misconduct and present it to Congress, relevant committees or boards, “or to the Executive Authority of the State” (*General Assembly* [April 20–June 12, 1779], 154). This resolve was sent to the Legislative Council the same day. That body did not consider it and was about to postpone its deliberation to June 14 when it received word that the assembly had adjourned, thus ending that sitting (*Legislative Council* [October 27, 1778–October 9, 1779], 81–82).

3. On July 20, 1779, a party of Indians and Loyalists under the command of Capt. Joseph Brant had attacked the frontier settlement of Minisink, on the Delaware River. On July 21, 1779, the Sussex County militia and the Orange County, New York, militia joined to repel Brant’s force, but only after the latter had inflicted severe damage on the Minisink community. In August WL presented several petitions to the Privy Council requesting protection. He was advised to order to the Minisink the troops then being raised in Sussex County under the June 2, 1779, Militia Act (*Pa. Evening Post*, August 28, 1779; Fitzpatrick, *Writings of Washington*, 16:29–30; *NJA* [Privy Council], 3d ser., 1:124–25).

4. The Privy Council most likely met August 17, as WL issued a proclamation announcing an inquiry into the Quartermaster and Commissary departments on that date (*NJA* [Privy Council], 3d ser., 1:125–26). The *N.J. Gazette* printed WL’s proclamation on August 28, 1779.

Proclamation

[August 18, 1779]

BY HIS EXCELLENCY WILLIAM LIVINGSTON, Esquire, *Governor, Captain-General and Commander in Chief in and over the State of New-Jersey, and Territories thereunto belonging, Chancellor and Ordinary in the same;*

PROCLAMATION.¹

WHEREAS it has been duly represented to me, in council,² by the oaths of credible witnesses, that in the night of the thirty-first of July last, Thomas Far and his wife were most barbarously murdered in the house

of the said Far, in the county of Monmouth, by a number of persons unknown; and also that in the night of the twenty-first of June last, the house of a certain Andrews, in the said county, was violently and feloniously broke open and plundered by one Lewis Fenton, and a number of other persons unknown, and other felonious outrage and violence committed upon the persons then in the said house, being the good subjects of this state; which said Fenton is also suspected to have headed the gang of those who murdered the said Far and his wife.—I HAVE THEREFORE THOUGHT FIT, by and with the advice and consent of the Honourable Privy Council, to issue this Proclamation, hereby promising the reward of *Five Hundred Pounds* to any person who shall apprehend and secure the said Lewis Fenton,³ and *Three Hundred Pounds* for apprehending and securing any of the persons concerned with him in perpetrating the said murders, or either of them; and *Two Hundred and Fifty Pounds* for apprehending and securing any of the persons concerned in breaking open and plundering the house of the said Andrews, and committing the outrages and violences aforesaid, so as the said criminals that shall be apprehended be legally convicted of the crimes wherewith they stand respectively charged.⁴

Given under my Hand and Seal at Arms, at Millstone, the eighteenth Day of August, in the Year of our Lord one thousand seven hundred and seventy-nine, and in the 4th Year of the Independence of America.

WIL. LIVINGSTON.

By His Excellency's Command,

Wm. Livingston, jun. D. Sec.

N.J. Gazette, August 25, 1779.

1. WL issued this proclamation pursuant to "An Act more effectually to apprehend and bring to Justice, Persons charged with certain atrocious Offences against the Peace of the State," passed by the New Jersey legislature on June 9, 1779. The act authorized the governor and Privy Council to issue a proclamation offering a reward for the apprehension of persons charged with murder, robbery, "or other felonious Outrage and Violence." It contained no provision for rewarding persons who apprehended and killed wanted felons (*Acts* [May 22–June 12, 1779], 85–86).

2. WL presented the affidavits of Thomas Farr and Elizabeth Andrews to the Privy Council on August 17, 1779. Farr's affidavit, taken shortly before he died of his wounds, described the attempted robbery of his home on July 31, 1779, by Lewis Fenton and his gang. Elizabeth Andrews's affidavit described the robbery of her home by the same band on June 21, 1779. The Privy Council advised WL to issue this proclamation (*NJA* [Privy Council], 3d ser., 1:125; *N.J. Gazette*, August 11, 1779).

3. Fenton was ultimately killed in September 1779 during an attempted robbery near Longstreet's Mill, Monmouth County, by a sergeant in Maj. Henry Lee's Continental Light Dragoons. On October 7, 1779, the New Jersey legislature authorized a £500 reward for those responsible for Fenton's death (*NJA*, 2d ser., 3:649–50; *General Assembly* [September 15–October 9, 1779], 198, 200; *Legislative Council* [October 27, 1778–October 9, 1779], 101–2).

4. On September 22, 1779, the *N.J. Gazette* reported that the state militia had captured two of Fenton's accomplices in Monmouth County and jailed them there.

To George Clinton

Raritan, 23d August 1779.

Sir,

I have been honoured with your Excellency's Letter, inclosing the Laws of your State as a present from your Assembly to ours, and a Copy of your Constitution, as a present from your Excellency to me.¹ For both, Sir, you have my thanks at present, & I doubt not our Legislature will return the Compliment by transmitting to you a compleat set of our Laws. To send your Excellency a Copy of our Constitution is not at present in my power,² not having one Copy of it, but what is bound up with other papers. I am, with great Esteem, your Excellency's most humble Servant.

WIL: LIVINGSTON.

ALS, N. Mutilated.

1. Letter and enclosures not found.

2. On June 5, 1779, the New Jersey assembly had resolved to distribute to the legislatures of neighboring states a set of the laws passed during the April 20–June 12, 1779, sitting. On September 17, 1779, WL had presented to the assembly a letter of July 17, 1779, from Gov. George Clinton of New York requesting a reciprocal copy of the laws and constitution of New Jersey. On the same date the assembly resolved to comply (*General Assembly* [April 20–June 12, 1779], 129; [September 15–October 9, 1779], 163).

To Jonathan Trumbull

Raritan 23d August 1779

Sir

I find myself honoured with your Excellency's Favour of the 15th ultimo, and am much obliged to you for any Civilities shewn to my

Nephew Mr. William Alexander Livingston; & think you was perfectly right in refusing his request to go into New York.¹ He was certainly a British Subject at the time of his capture; and if [his] name does not stand too much in his way, we may get a good American in exchange for him. Indeed I am sorry that a single Individual of his name should chuse to be such a Subject. But all Families are liable to have degenerate Members. Even Adam's had its Cain: that of Isaac its Esau; and among the twelve Apostles there was at least one Traitor.

I heartily sympathize with your Excellency over the late cruel & wanton ravages of the Enemy in your State. The Destruction of so many populous and flourishing Towns, without the least Tendency to effect their original purpose of subduing this Country, is so savagely vindictive that I hope it will inspire us with fresh Resolutions never to submit to such unfeeling Barbarians, even should we be reduced to the necessity of reversing the Prophet's prediction, & beet our ploughshares into swords, & our pruning hooks into Spears. I trust however that this Campaign will fill the Measure of their Iniquity; & that by next Spring at farthest, we shall be able to congratulate each other on the firm Establishment of our Independence. With great Esteem & regard I am your Excellencys most humble Servant.

WIL: LIVINGSTON

ALS, Ct.

1. See Jonathan Trumbull to WL, July 15, 1779, and refer to William Alexander Livingston to [WL], September 8, 1779 (MdA). Trumbull had given Livingston a pass from Hartford to Washington's headquarters at New Windsor, New York.

To Baron von Steuben

Raritan 24th August 1779.

Sir

I have Received your Letter of the 12th July inclosing the agreeable Present of the Regulations for which I am much obliged to you.¹ With those of every other virtuous Citizen of America, you have my warmest thanks Sir for the eminent Services you have render'd this Country by

the excellent Discipline you have introduced into our Army. I am with great Respect

WIL: LIVINGSTON

Lcy, NHi.

1. See WL to Baron von Steuben, March 22, 1779.

To Asher Holmes

Raritan 25th August 1779

Sir

I am fully convinced as well by your Letter of the 24th,¹ as every other Account of the very disagreeable Situation of the County of Monmouth and heartily wish it was in my Power to afford it farther Assistance.² But was you to see Col. Taylor's Letter to me³ (whom I have directed to spare you as many Troops as he possibly can,) you will be of Opinion with him that considering the Number of his sick, he cannot diminish his Detachment without exposing the Remainder to be daily surprized and totally captured.

There is not a single Post at which the State Regiment is placed, but the Inhabitants Complain that they have not their Compliment and are constantly importuning me with their Letters for more Men. The Truth is that there is not a sufficient Number of Troops at any of them, nor can be got out of 1000 Men. And as I would wish to do equal Justice to all by having the Regiment proportion'd to the Danger & Importance of the respective Posts, I must in a great Measure leave the Matter to the commanding Officer⁴ who has the Direction of the whole, and who must be presumed by his constant Attention to, and Intercourse with, each, to be acquainted with all.

I would by no Means have you to dismiss the volunteer Militia 'till Major Walton gets further Assistance, and till Col. Haight send him his Company of the State Regiment out of his Battalion. I have herewith directed the Colonel to send to Monmouth as many of the Militia of his Regiment as amount to the deficiency.⁵

The Necessity of placing the Sussex Part of the State Regiment in that County has considerably broken in upon the Arrangement settled in full Council;⁶ and as the Assembly will shortly meet when the Council will of Course convene, if they advise any Alteration in that Arrangement in favor of Monmouth I shall very chearfully follow their Advice.

When you have an Opportunity please to communicate the Contents of this Letter to Major Walton. I am Sir Your humble Servant

WIL. LIVINGSTON.

LS, NjFrHi.

1. Letter not found.

2. For discussion of British actions in Monmouth County see WL to George Washington, May 1, 1779; refer to Washington to WL, April 28 and April 29, 1779 (DLC:GW). On June 11, 1779, the Privy Council ordered 300 men to Monmouth County under "An Act to embody, for a limited Time, One Thousand of the Militia of this State, for the Defense of the Frontiers thereof," passed June 2, 1779 (*NJA* [Privy Council], 3d ser., 120; *Acts* [May 22–June 12, 1779], 58). For discussion of the act see WL to Jacob Morris, May 17 [19], 1779.

3. Letter not found.

4. Col. John Taylor.

5. Lt. Col. Joseph Haight was unable to provide Maj. Elisha Walton with reinforcements. In order to meet his requirements for Monmouth County, Walton contracted with Haight to enlist troops in Burlington County. Refer to case of Joseph Haight, Elisha Walton, and Charles Gordeon, Chancellory Court, February 24, 1784–September 1, 1787 (NjHi).

WL had written Washington on August 5, 1779 (not found), requesting that Washington release officers from the New Jersey regiments serving in the Continental army to recruit troops for the New Jersey militia. Washington was unable to comply because the New Jersey regiments had been assigned to Gen. John Sullivan's northern expedition. Refer to George Washington to WL, August 16, 1779 (DLC:GW).

6. The Privy Council had not ordered troops to Sussex County at its June 11 meeting. Joseph Brant's raid in the area in July heightened the need for a strong militia force in Sussex. Thus the Privy Council ordered that all troops raised in the county under the June 2 Militia Act remain in Sussex; it also ordered two more Sussex County regiments under Col. Jacob West and Col. Aaron Hankinson immediately to the Minisink region in response to petitions from area residents (*NJA* [Privy Council], 3d ser., 124–25).

To the Assembly

Trenton 23d September 1779

The Governor's Answer to the Representation of the General Assembly, directed to the Governor and the Privy Council, and dated the 21st of September instant.¹

Gentlemen.

The Privy Council has had no Agency relative to the State Regiment, except in the three following Instances,

1. That of allotting it to the Counties of Bergen, Essex Middlesex, & Monmouth in the following proportions vizt. to Bergen two hundred and fifty five men, to the Essex Post, four hundred and forty five men, and to Monmouth three hundred men.

2d. Of directing the Quota raised by the County of Sussex to be stationed in that County, and

3dly. Of appointing Lieut. Colonel Taylor (after Colonel Nielson and Colonel Freelinghuysen had been successively appointed & had both refused to accept the Command) as an Assistant to Colonel Freelinghuysen, from the additional Duties attending the Post at Elizabeth Town on Account of the Flaggs, & his being obliged to visit the other Posts as commandant of the whole Regiment. Which appointment was made from the critical Exigency of Affairs, & in Confidence that the Legislature, would at their present sitting, provide for his pay & allowance as a Lieut. Colonel; & if not, those Officers were to be at Liberty to retire; and which has eventually appeared to be a fortunate Measure, as Colonel Freelinghuysen has not, by reason of his ill state of Health, been able to take the Command.²

That Eight Companies of the Regiment are stationed in the Counties of Essex and Middlesex, and seven of those Companies in Essex as mentioned in the Representation of the honourable House, is neither in consequence of any Order from the Governor, nor did ever come to his Knowledge till he received the said Representation; and which if true, and unless the said Companies are particularly deficient in their number of men, or particularly sickly, appears to him as unequal a distribution as it doth to the honourable House; and for their Satisfaction

therein, he will either write to the commanding Officer on the Subject, or (if the House prefers that mode of Inquiry) will order him to attend at this place, for the fuller explanation of his conduct, which from Colonel Taylor's known Character for prudence and Impartiality, the Governor has reason to think will meet with their approbation.³ In the mean time the Governor will be ready to produce Copies of all his Letters to the Officers at the different Posts, & their Letters to him relative to the State Regiment, to a Committee of the house, whenever the Assembly shall think proper to appoint one for that purpose.⁴

WIL: LIVINGSTON

ALS, Nj.

1. The assembly's representation to the governor and Privy Council claimed that there had not been an equitable distribution of militia, as provided for in the June 2, 1779, Militia Act, in the counties most exposed to frequent enemy attack, particularly Monmouth County. The issue arose as the result of a petition to the assembly of September 17, 1779, from Isaac Halsey, paymaster of militia for Essex and Middlesex. He proposed to pay the eight companies stationed in his counties under the June 2 act. The assembly regarded the sum as "large" and ordered that a committee draw up a representation to the governor and Privy Council regarding the disproportionate distribution of troops in Essex and Middlesex counties (*General Assembly* [September 15–October 9, 1779], 164, 170–71). For a discussion of the June 2 Militia Act see WL to Nathaniel Heard, June 7, 1779.

2. John Taylor was initially appointed by the governor and Privy Council as Frederick Frelinghuysen's deputy, with the rank of lieutenant colonel. The appointment was made on June 2, 1779, the governor and Privy Council being confident the legislature would provide for his pay and allowance at their next sitting in September. Taylor assumed command when Frelinghuysen became ill and resigned. Taylor had agreed to remain with the regiment until the legislature's next sitting, when he expected to return to his duties at Queen's College. WL continued to address Taylor as commander of the regiment beyond September 1779, however (*NJA* [Privy Council], 3d ser., 120–21). Refer to WL to John Taylor, June 26, 1779 (NN:Lyon); John Taylor to WL, September 26, 1779 (Nj); and WL to John Taylor, November [2], 1779 (NN:Lyon).

3. Letter not found. In his September 26 letter, Taylor informed WL that he had been unable to forward a complete report regarding the distribution of troops in each county because of the diverse locations of the troops and the requirements of his duties at Queen's College. Taylor added that only one-third of the troops were capable of duty at Elizabethtown. The others were sick, without arms, or not "fit for soldiers" (Nj).

4. In its response to WL on October 4, 1779, the assembly challenged Taylor's appointment as "Unwaranted by law." It raised the issue that Peter Fell had been appointed to the regiment prior to John Taylor. On October 6, 1779, however, the legislature did approve Taylor's pay and allowances (*General Assembly* [September 15–October 9, 1779], 193–94, 197–98, 204; *Legislative Council* [October 27, 1778–October 9, 1779], 101).

To Lord Stirling

Trenton September 25 1779

My Lord

In Answer to your Lordship's Letter of the 20th instant (which I this moment received)¹ I am confident that you can want no assurances of my readiness, both on Account of personal Friendship & Family Connections,² (was I to consult only my own feelings) to indulge Lady Mary with the desired Passport to come into this State. But your Lordship knows the impossibility of seperating personal attachments from official duty & public station without administering great & indeed reasonable Umbrage. So many applicants in circumstances similar to that of wanting to see near Relations, have been refused both to go into & to come out of the Enemy's lines, & that necessity to prevent the Inter-course, without any objections to the Characters applying, that the present Indulgence to a Relation, would [inevitably] draw on me the Charge of Partiality & fix a stain on my political Character not easy to be expunged.³ Nor will your Lordship yourself on reflecting that I have a number of Enemies watching with the utmost Avidity to improve such an advantage against me, hesitate a moment, even from your professed Friendship for me, to dissuade me from putting such a weapon into their hands, as in these times of Jealousy & Liberty, must necessarily give a fatal Stab [to] my Reputation. But General Washington not being in the same Predicament, cannot, should he think proper to grant the Pass, incur the like Imputation.⁴ With the greatest Esteem I have the Honour to be My Lord your Lordship's most humble Servant

WIL: LIVINGSTON

ALS, NjR.

1. Letter not found. Lord Stirling had written Washington on September 18, 1779, requesting a pass for his daughter, Lady Mary, to cross from New York into New Jersey. George Washington had referred Lord Stirling to WL. Washington had noted that "very particular applications have been made to me of late, similar to that from your lordship, which I have uniformly referred to civil authority" (Fitzpatrick, *Writings of Washington*, 16:308-9).

2. Lady Mary, WL's niece, was married to John Watts, a New York Loyalist. For WL's firm policy on not granting passes to individuals with Loyalist connections, see WL to John Neilson, May 19, 1779, and WL to Jonathan Trumbull, August 23, 1779.

3. For a further statement of WL's hesitation to treat pass requests with partiality, see WL to Jacobus Van Zandt, April 25, 1779.

4. In response to WL's suggestion, Lord Stirling wrote Washington on September 28, 1779, requesting the pass for Lady Mary. On September 30, 1779, George Washington again refused to grant the pass in order to avoid "incurring a charge of partiality; the popular clamour and jealousy, which attend all intercourse of this kind," and because "the reservation of authority, to me . . . was necessary for military purposes and no doubt meant to be confined to them" (Fitzpatrick, *Writings of Washington*, 16:365–66).

From Nathaniel FitzRandolph

Provost N. York September ye 26th 1779

May it please Your Excellency

After suffering Near Eight months close confinement in the most Horrid Prison in the Universe,¹ under Every Restriction Necessary to Render Life compleatly wretched, I find myself under the Disagreeable Necessity of Troubling Your Excellency on the Occation. During my confinement here, Not a man that had a wish to serve me has Ever Dared to come Near the Prison on account being suspected, the women who have come to bring me Necessarys have been frequently Insulted in the Most groce manner by the Provost Marshal² & His Deputies. They have been often struck & abused by the guard, children have Been threatened, & in short, my friends here are so Deterr'd from coming Near the Prison, that at times I have not been able to procure the common Necessarys of life, not Even for money. I was well assured³ soon after I was unfortunately made a Prisoner, that my friends in Jersey were not unacquainted with the Determination of the Brittish to keep me in their Possession as long as possible—and trust that I have Bore my confinement with patience & fortitude, for some time Not Doubting but some method would be taken that Might soon oblige them to Relinquish the plea of their having a Right to keep me, which so far from being done that my countrymen has in a great measure acknowledged the Justice of my hard Treatment by granting the greatest Indulgences to those persons who are in a great Measure the authors of it, and that when Gentlemen of Eequal Rank (Field officers of the Militia of New Jersey) have been and still are close confined in this Prison, on the most frevelous pretences & without Ever giving them a hearing. I Now as a faithfull subject, and as a Human Being who have Never forfeited my Right to Humanity by any Base act or Design whatEver, Most

Humbly Request that Your Excellency may be Generously pleased to use your Power & Influence to have such Measures taken (consistant with the good police⁴ of the State) as Probably may Release me from my present Ignominous Confinement. From my Sufferings by sickness, wounds, long confinement and a variety of Hardships During the contest, I find my constitution greatly Injured and My health much Impaired. Under these circumstances with a continuation of my confinement & the Near approach of an Inclement season of the year, affords But a gloomy prospect. Not having the least Expectation of Being Released from the hands of my Enemies whilst they suffer no Inconvency By Holding of me. Therefo[re] Earnestly Intreat of your Excellency to take my Unhappy situation into consideration and adopt such measures as to your Excellency may seem Most prudent which will be gratefully acknowledged By Your Excellencys Most Obedient Humble Servant⁵

NATHANIEL FITZRANDOLPH

ALS, Nj.

1. For discussion of Capt. FitzRandolph's capture and imprisonment see WL to Elisha Boudinot, May 8, 1779.

2. William Cunningham.

3. FitzRandolph crossed out "that my friend" after "assured" in the ALS.

4. FitzRandolph misspelled *policy*.

5. Some abortive attempts had been made to exchange FitzRandolph. See WL to Elisha Boudinot, May 8, 1779. In addition, in June 1779 Jonathan Mersereau had offered to lead a party to Staten Island to capture persons for whom the British would exchange Capt. FitzRandolph and other Jerseymen. On June 15, 1779, WL rejected the mission. In August 1779 the New Jersey delegates had applied to the Continental Congress on behalf of FitzRandolph. Refer to John Neilson to WL, June 11, 1779 (NjR); and Richard Peters to WL, September 4, 1779 (NN); see WL to John Neilson, June 15, 1779.

To Sarah Jay

Trenton 7 October 1779

Dear Sally—

It is with great pain that I am obliged to part with you across a wide Ocean, & to a foreign Land.¹ Considering the Mortality of Man, and my time of life, it is probable I may never see you again. O may God Almighty keep you in his holy Protection; & if it should please him to take you out of this World, receive you into a better! And pray my dear Child, suffer not the Gaities and Amusements of the World, and the

particular Avocations of what is called *high Life*, to banish from your mind an habitual Sense of an all-present Deity, or to interrupt you in paying him the homage you owe Him. With my most ardent Wishes for your good Voyage & safe Return. I am your affectionate Father

WIL: LIVINGSTON

ALS, NNC.

1. John Jay, named minister plenipotentiary to Spain on September 27, 1779, sailed for Europe aboard the Continental frigate *Confederacy* on October 20. He was accompanied by his wife, Sarah Livingston Jay, and aides William Carmichael, Henry Brockholst Livingston, and Peter Jay Munro, Jay's twelve-year-old nephew. The Jays left their son, Peter Augustus, at Liberty Hall in the care of his Livingston grandparents (Morris, *Unpublished Papers of John Jay*, 1:25, 651). See WL to Sarah Jay, July 12, 1779.

Jay replaced Arthur Lee as the chief United States representative to Spain. The latter, as United States envoy to France, had expected to negotiate as well with Spain. The downgrading of Lee's mission was one result of the Lee-Deane congressional controversy over American diplomatic representation in Europe. For background on this dispute see *Livingston Papers*, 2:509, and Morris, *Unpublished Papers of John Jay*, 1:649–51.

To George Washington

Trenton 7 October 1779 [. . .] oClock P.M.

Dear Sir

I just now received your Excellencys Letter of the 4th respecting the Pilots.¹ For Vandril I have inquired for a week past; but by the best Intelligence I can obtain he is gone on a privateering Voyage. For the others mentioned by your Excellency, with the addition of [Sharon?] and [Iscoline?] I shall dispatch Expresses early in the Morning.²

With the same Messenger I received your Excellencys requisition for Men & Provisions to co-operate with you & our Ally against the British at New York.³ The Council had already past a [. . .] for 4000 men almost exactly upon your Plan. But it meets with great Obstruction in the Assembly, & they talk of rising this very night. I hope the Contents of your Excellency's Letter will expel that absurd & ruinous measure from their Imagination.⁴ For if they do, there is no power in the State to bring out a single man, the whole Legislature being dissolved on that Event; & the Governor tho' continuing in office till the Election⁵ having no authority to call out the militia, except in the case of an Invasion of

this state.⁶ I trust however that volunteers would be procurable to the number your Excellency mentions without any Difficulty. But the Business of the Supplies gives me the greatest Anxiety. Your Excell[ency's] Troops at West point are already strengthened on that Account; the western Army will soon return without Provisions. The addition of the Militia of different States will require a proportionable augmentation of Supplies; and as for the Cou[nt's] Squadron, we know that Frenchmen eat at least twice as much bread as other people. What I can do, I will do, and never with a better heart, tho' always I hope with a good one. God Almighty bless & preserve you. With the greatest Esteem I have the Honour to be Dear Sir your Excellency's most obedient & very humble Servant

WIL: LIVINGSTON

P.S. Your Excellency will be pleased for a fortnight to come, to direct to me at Raritan.

ALS, DLC:GW.

1. Refer to George Washington to WL, October 4, 1779 (DLC:GW). In that letter Washington had requested pilots to guide the French fleet, under Count d'Estaing, on its way to New York. D'Estaing had arrived in Georgia in September to assist Gen. Benjamin Lincoln at the battle of Savannah. He was fresh from his July 6, 1779, victory over the British off the West Indian islands of Saint Vincent and Granada. Washington then expected d'Estaing to sail north to engage the British at New York City.

2. In his October 4 letter, Washington had requested that WL assign William Van Dill and several other pilots to the French fleet to guide d'Estaing into New York Harbor. Refer to George Washington to WL, October 4 and October 5, 1779 (DLC:GW).

3. Refer to George Washington to WL, October 4, 1779 (Nj). Washington had written WL two letters dated October 4, 1779, one (DLC:GW) requesting the aforementioned pilots, the other (Nj) enclosing a September 26, 1779, congressional resolution authorizing Washington to requisition troops and supplies for service in the Continental army during the joint French-American action planned against the British at New York. In this letter Washington had requested 2000 troops from New Jersey.

4. "An Act to embody, for a limited Time, Four Thousand of the Militia of this State, by voluntary Enlistment" was passed October 9, 1779. See WL to George Washington, October 8, 1779.

5. WL was reelected October 30, 1779 (*Joint Meeting* [August 30, 1776–May, 1780], 32).

6. WL's power to call out the state militia was theoretically, at least, limited to "sudden Invasion, Insurrection, Sedition or Alarm." By the "Act for the Regulating, Training and Arraying of the Militia," passed April 14, 1778, however, WL could also call out the whole militia or as many regiments as he deemed necessary (*Acts* [February 21–April 18, 1778], 48). For further discussion of the governor's powers to call out the militia see George Washington to WL, April 2 [3], 1779. On October 9, however, WL did order an end to all furloughs in the state regiment and ordered to active duty all officers and men who might have been absent without leave (*N.J. Gazette*, October 13, 1779).

The Livingston Family and the Domestic Revolution



Miniature on ivory of Sarah Van Brugh Livingston (Mrs. John Jay) (1756–1802), by Alexander Roslin (1718–1793), painted in Paris 1784. Courtesy of the John Jay Homestead, State Historic Site, New York State Office of Parks, Recreation and Historic Preservation, Taconic Region.

As the Revolution intensified, William Livingston and his wife were frequently separated and their children were dispersed. All members of the family were subjected to innumerable dangers and the family was materially impoverished. As the war progressed, the Livingstons played an increasingly active role in national affairs.

The dispersion of the Livingston children began shortly after the governor's second son, Henry Brockbolst, was appointed

John Jay's private secretary. In October of 1779 Brockbolst and his sister, Sarah Jay, boarded the Confederacy to set sail for Spain. There, at Congress's order, Jay was to attempt the negotiation of a treaty with the Spanish government. Livingston viewed the departure of his children and his son-in-law both with pride at the importance of their roles in world affairs, and anxiety for the perils they faced at sea. The governor's concern was alleviated somewhat by the presence of Sarah's three-



Portrait of Peter Augustus Jay (1776–1843). Copy by Oliver Ingham Lay (1787) from the original by Joseph Wright (1756–1793). John Jay Homestead Collection, Katonah, New York. Courtesy of John Jay Homestead, State Historic Site, New York State Office of Parks, Recreation and Historic Preservation, Taconic Region.

year-old son, Peter Augustus Jay, left in the care of his maternal grandparents.

John Lawrence, Livingston's youngest son, also left the United States after he was commissioned as a midshipman on board the *Saratoga*. The governor, with affection and concern, addressed a letter to the young man in April of 1780, providing him with rules of conduct as he was about to embark on his naval career.

The governor's wife, Susannah French Livingston, was also directly affected by the war. During most of the conflict, Mrs. Livingston remained at the family's Elizabeth-town house, Liberty Hall, or at the family farm in Parsippany. Despite repeated incursions by the British, Mrs. Livingston and those children who remained at home were relatively safe. This was not true of the governor, who was a continual target for kidnap or assassination attempts. The governor spent most of the war moving from place to place, often conducting affairs of state from the houses of friends and relatives, returning home to his wife only rarely.

Although Mrs. Livingston's primary task during the Revolution was to maintain some semblance of domestic order in her home, she began to take a more active role in the spring of 1780. Washington's army faced serious shortages of food, supplies, clothing, and forage. To lessen the subsequent hardships, a group of Pennsylvania women on June 10, 1780, proposed that American women donate to the Continental Army the money they would ordinarily spend on clothing. Emulating the Pennsylvania example, New Jersey women, including Mrs. Livingston, met in Trenton on July 4, 1780, to initiate a similar plan. In mid-July the women contributed \$15,000 to the relief fund.

Livingston's separation from his family increased his anxiety, as did his fears for his real and personal property. Throughout the Revolution, Liberty Hall had been

a tempting target for the British and their Hessian and Loyalist allies. By 1779, the house and its furnishings had suffered extensive damage from both invading Hessian soldiers and by American troops who had been quartered there in the fall of 1777. At that time, Livingston's daughter, Catharine, remarked that the Americans had "done ten times the Mischief to the House that the Hessians did. . . ."

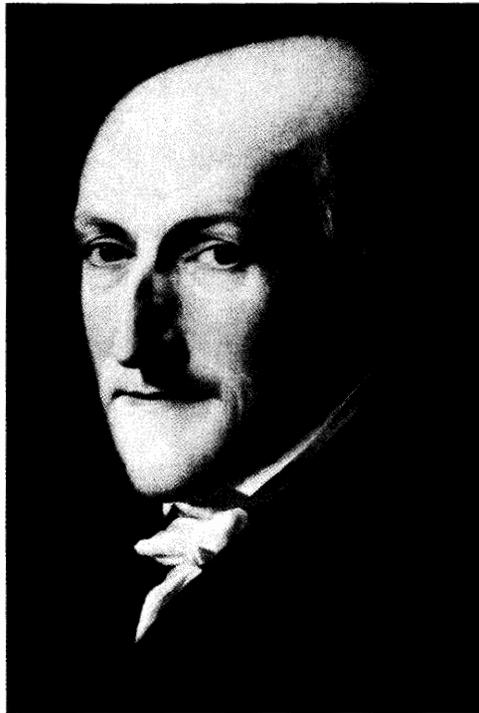
Despite the continual fear of British attack, the Livingston women remained in residence and successfully finessed two further raids. Early on the morning of February 28, 1779, the British colonel Thomas Stirling entered Liberty Hall with a party of soldiers. He informed Mrs. Livingston and her daughters that he was looking for the "damned rebel governor," who had wisely fled at the approach of the soldiers. Not finding Livingston, Stirling demanded that the women turn over to him the governor's official correspondence. Susannah diverted the officer's attention from a stack of the governor's letters from Washington and other revolutionary leaders. Instead she gave him a bundle of letters recently taken by the Americans from a captured British ship. Only when Stirling returned to New York did he discover he had been gulled.

Another raid on the house occurred during the June 1780 Battle of Springfield. On June 7th the British Coldstream Guards marched through Elizabethtown. On their march they engaged Colonel Elias Dayton, in command of the New Jersey Brigade and local militia, and forced him to retreat to Springfield. The Guards then moved on to Connecticut Farms and burnt the town. Reverend James Caldwell, the Presbyterian minister, went into hiding at the approach of the British but his wife, Hannab, had chosen to remain in her home. As the

British marched through the town, one soldier saw a moving figure in the Caldwell house and fired, killing Mrs. Caldwell. The Guards then continued to Elizabethtown in search of Governor Livingston, who, like Reverend Caldwell, was in hiding. The troops entered Liberty Hall and found only Mrs. Livingston and her daughters locked in a bedroom. Disappointed at not finding the governor, the British left Liberty Hall to return to Staten Island. No further large-scale invasions were mounted from there,

although small parties continued to raid the state.

For William Livingston the Battle of Springfield, despite its successful outcome, was one of the most personally bitter of the war. Having witnessed the terror of his wife and daughters, the wanton murder of innocent people, and the callous destruction of personal property, Livingston, in a letter to his wife, vowed that he would take revenge "upon the British Scoundrels."



Portrait of Henry Brockholst Livingston. Attributed to John Venderlyn, ca. 1820. Courtesy of The New-York Historical Society, New York City.

To George Washington

8 October 1779

Dear Sir,

I am happy to find that your Excellency's Letter¹ has detained the Assembly this day, as I verily believe electioneering,² (for which some men would risque the salvation of their Country) having got into their Heads, that nothing in the World besides would have been able to check their Impulse for decamping. But what kind of amphibious Production they will make of the Bill (by some Intelligence I have this morning) I am at a loss to guess.³ A most mortifying Consideration is our declension of public Spirit; and as the Depreciation of Patriotism has kept full pace with the depreciation of the Currency, I really dread the Continuance of the war as a Member of the Confederacy at large & the total loss of all the honour acquired by this State, as connected with it in particular unless the next Election produces Men of a very different Temper. But as Providence hath hitherto deduced real Good out of the greatest of our apparent Evils, I doubt not it will overrule to the general Interest even that infernal Lust for accumulating Money, which presents us with so melancholy a Prospect.

I still continue under the greatest Anxiety respecting the Supplies of Flour, for which I fear that no Exertions will be made by this State adequate to our Ability [or] the Necessity of the Troops.⁴ With the highest Esteem & Affection I have the honour to be Dear Sir your Excellencys most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington to WL, October 4, 1779 (Nj).
2. The annual legislative election was held October 12, 1779.
3. On October 1, 1779, Silas Condict had introduced in the Legislative Council a bill to raise 4000 troops for service in the Continental army. The bill was passed by the council on October 5 and sent to the assembly, which, on October 7, referred it to committee. On the same day, WL had submitted to the assembly Washington's October 4 letter and a September 26 Continental Congress resolve authorizing the requisition of state troops. On October 8, 1779, partly in response to Washington's urgent plea, the bill was released from committee with several amendments. It passed the assembly and was sent to the

Legislative Council. After intensive legislative discussion, the amended bill became law as “An Act to embody, for a limited Time, Four Thousand of the Militia of the State, by voluntary Enlistment.” The preamble to the act stated that it was in response to the congressional resolution of September 26, 1779. It provided that the 4000 men were to be enlisted in the Continental army immediately and were to serve until December 20, 1779 (*JCC*, 15:1108; Burnett, *Letters*, 4:439; *Acts* [September 27–October 9, 1779], 135–38; *General Assembly* [September 15–October 9, 1779], 196, 202–3, 205–7; *Legislative Council* [October 27, 1778–October 9, 1779], 95, 97–98, 105–6). Refer to George Washington to WL, September 27, 1779 (Nj), and October 4, 1779 (Nj).

4. Although the September 26, 1779, congressional resolution had authorized Washington to requisition troops and “ample supplies of bread and other provisions” from the states in preparation for the joint American-French expedition, the “Act to Embody, for a limited Time, Four Thousand of the Militia of this State, by voluntary Enlistment” did not mention supplies. The New Jersey legislature had passed “An Act to procure a Supply of Flour for the Use of the Army” on September 27, 1779. This was a response to urgent requests from both Washington, on August 28, 1779, and Jesse Root, chairman of the Committee of Congress on the Commissary and Quartermaster’s Department, on September 20, 1779. No other New Jersey legislation on the matter of Continental army supplies ensued until December 25, 1779 (*Acts* [September 27–October 9, 1779], 166–68, 175–76, 180; *Legislative Council* [October 27, 1778–October 9, 1779], 85–88). Refer to Washington to WL, August 28, 1779 (DLC:Force), and Jesse Root to WL and the New Jersey Legislature, September 20, 1779 (NCooSHi).

Proclamation

[Trenton, October 8, 1779]

BY HIS EXCELLENCY WILLIAM LIVINGSTON, Esquire, *Governor, Captain-General and Commander in Chief in and over the State of New-Jersey, and Territories thereunto belonging, Chancellor and Ordinary in the same;*

PROCLAMATION

WHEREAS some of the militia officers of this State, (whose names are, for their own sakes, at present concealed from public cognizance) who have been in captivity with the enemy and were suffered to come home on their parole, to return at the respective times therein limited, are reported by the commissary of prisoners¹ as violaters of their parole: And whereas a conduct so ignominious to the individuals themselves, so dishonourable to their country, and so injurious to those gentlemen who were associated with them in misfortune, but have preserved their honour inviolate, deserves the most public disapprobation of government, and requires the most effectual measures to deprive the parties of the

benefit of their delinquency, and to compel their return.²—I HAVE THEREFORE THOUGHT FIT, by and with the advice of the Honourable Privy Council of this State, to issue this Proclamation,³ hereby strictly charging and requiring the said delinquents to return to the enemy, agreeable to their parole, and in all respects to conform themselves thereto, as they will answer the contrary at their peril.

Given under my Hand and Seal at Arms, at Trenton, the eighth Day of October, in the Year of our Lord one thousand seven hundred and seventy-nine, and in the 4th Year of the Independence of America.

WIL. LIVINGSTON.

By His Excellency's Command,

BOWES REED, *Secretary*.

N.J. Gazette, October 13, 1779.

1. John Beatty, commissary general of prisoners, Continental army.

2. The second sentence of the first paragraph of WL's proclamation is a paraphrase of Washington's circular to the states of August 26, 1779. In it Washington had enclosed a list of delinquent New Jersey militia officers. He had requested the state executives to enforce parole compliance. On July 12, 1779, John Beatty had issued a similar proclamation ordering all prisoners of war to honor their paroles and return to captivity in New York City. Washington's circular to the states was related to current negotiations between John Beatty and Joshua Loring, the British commissary general of prisoners, regarding parole exchanges. Lt. Henry Jeans, of the New Jersey militia, was the only Jerseyman named as a delinquent on a list Washington had sent Beatty on July 12 (*NJA*, 2d ser., 3:506–7; *JCC*, 14:623, 679; Fitzpatrick, *Writings of Washington*, 15:311–12, 316–17, 412–15; 16:130–32, 175–76, 187–88, 227–28, 324–26). Refer to George Washington to WL, September 7, 1779 (DLC:GW).

3. The Privy Council had directed WL to issue the proclamation on October 7, 1779 (*NJA* [Privy Council], 3d ser., 1:127).

To Susannah French Livingston

Raritan 15 Oct. 1779

Dear Sukey

I shall now daily expect you here with great impatience, as I cannot well be absent from this place for any considerable number of days together even if there was no danger to the Northward,¹ because till the next assembly² both Congress and General Washington expect to find me here with their dispatches & will therefore direct them accordingly.³ Nevertheless if you cannot be spared from home to come so far, &

would rather meet me at Baskenridge, Catham, or Springfield or any other place nearer home than this, I will come in any day you appoint. But that will only be a very transient, Interview, as I shall be impatient to return hither for the reason above assigned & as being more central to call out the Militia, for which I daily expect a requisition from General Washington.

I send you by the Express such cloaths as I have no farther Occassion for, and want by leather waiscoat.

Pray don't fail to acquaint me by the Messenger, when & where—I may expect to see you. I am your affectionate Husband

ADf, NN:Lyon.

1. There had been frequent British incursions into New Jersey from Staten Island. On September 22, 1779, the *N.J. Gazette* had published an account that "a large number of the enemy are upon Staten Island," noting that Maj. Henry Lee had established his cavalry in Monmouth County opposite Staten Island. Finally, on September 3 British vessels had successfully raided Egg Harbor (Fitzpatrick, *Writings of Washington*, 16: 313–14, 414–15, 421–22; *N.J. Gazette*, September 8 and September 22, 1779).

2. The New Jersey legislature rose on October 9, 1779. The next sitting convened October 26, 1779.

3. On October 7, and again on October 15, 1779, WL had informed Washington of his plans to remain at Raritan for a fortnight. See WL to George Washington, October 7, 1779; refer to WL to James Abeel, October 15, 1779 (NN:Lyon).

To Jeremiah Wadsworth

Raritan 15th Oct. 1779

Sir

In pursuance of a Resolution of Congress of the ninth day of July last,¹ I have discharged Mr. Thomas Stockton of Princeton from acting as a purchasing Commissary for the hospital, he being in my Judgment unnecessarily employed in that Department; which in pursuance of the same Resolution, I hereby notify to you,² & am Sir

ADf, NN:Lyon.

1. For further discussion of the congressional resolution of July 9, 1779, and WL's proposals to enforce same, see WL to Jonathan Deare, August 12, 1779; and refer to WL Proclamation, August 17, 1779 (*N.J. Gazette*, August 25, 1779).

2. WL had appointed Thomas Stockton issuing commissary in March 1778. He had examined complaints against Stockton as deputy commissary of purchases at Princeton, on September 20 and 21 and October 11 and 12, 1779, and complaints against the Quartermaster Department on October 11 and 12. Stockton was informed of his dis-

charge on October 12, 1779. See *Livingston Papers*, 2:257–59; and refer to WL, Account for Expenses of Trips to Princeton, September 20, 21, and October 11, 12, 1779 (DNA:PCC, 68); and WL to Thomas Stockton, October 12, 1779 (NN:Lyon).

From Jeremiah Wadsworth

Murderers Creek October 21 1779

Sir

Your favour of the 15th instant came to me last evening. I have not the least doubt but the removal of Mr. Stockton from Office was proper. I shall govern myself accordingly. I thank you for the early notice of his discharge and am with great respect Your Excellencys most Obedient humble Servant

J WADSWORTH

Lcy, CtHi.

To Henry Remsen

Princeton 27 Oct. 1779

Sir

In Answer to yours of the ## October (for you forgot the date)¹ which I received this afternoon, I inclose you a pass for your Mother to come into this State.² The blank left for her christian name you will please to fill up.

As to continuing the Subscriptions open any longer than the term limited in the resolve of Congress I sent you,³ I can give no Directions about it, making it an invariable rule to adhere to the orders of my superiors whatever Absurdities result from it, for which he that directs & not he who obeys is responsible.

ADf, NN:Lyon.

1. Letter not found.
2. It is possible Mrs. Remsen did not enter New Jersey in 1779; on February 28, 1783, Henry Remsen, having been refused a pass into New York City, wrote WL that he had "not seen my Aged & infirm mother for 7 years past." Refer to Henry Remsen to WL, February 28, 1783 (MHf).
3. Letter and resolutions not found. On October 6, 1779, Congress had passed a resolution requiring that the states raise \$15,000,000 a month through October 1, 1780, pay-

ment beginning February 1, 1780. This was in addition to sums mandated by three previous congressional resolutions of November 22, 1777, January 2 and May 21, 1779. The October 7, 1779, resolution established New Jersey's quota at \$900,000 per month (*JCC*, 14:783–85; 15:1147–49, 1150). For discussion of the June 29, 1779, congressional resolution see WL to Abraham Clark, et al., July 12, 1779; for discussion of compensation of loan officers see WL to John Jay, July 22, 1779, and WL to William Livingston, Jr., July 31, 1779.

“Cincinnatus”

[October 27, 1779]

MR COLLINS,

THE freedom of the press has been generally esteemed as essential to liberty.—You very properly declared, when you were about to publish a News-Paper, your press should be free; and I am inclined to think, it has not been so much your fault, as that of others, that it has appeared to be so much confined. I send you herewith a few *hints*, which I hope will be of service to the publick; and I doubt not but that you will publish them in your paper.—If there be any man in the State, who will apply the following characteristics to himself, it will, in my opinion, be an evidence of his extreme vanity: but he must in that case take the blame of misapplication to himself, and not charge any part of it to the author, who would not be understood to presume that there is any man, as yet, in the State, who will answer the character: but as our College is in a very prosperous way, and the masters of it now *entirely* devoted to its service, it is probable we may not long want some superior genius arising from thence, who may fully come up to the description. I am, etc.

CINCINNATUS.¹

HINTS humbly offered to the consideration of the Legislature of New-Jersey, in their future choice of a Governor.

1. Let him be a foreigner, lately come into the State, for the less he knows of the people,—*and the less the people know of him, the better.*

2. He ought to have little or no landed interest within the State;² because if the Governor pays a large proportion of the taxes himself, he will be too careful in expending the publick money.

3. He should, by all means, be a man who has been bred to the law, (for the name of the thing) but it is not at all necessary that he should

understand it; because the understanding of the law is altogether beneath the dignity of a Governor—And,

4. It will be better if he does not even know how to draw a common warrant or recognizance; because this is the proper business of the Justices of the Peace; and if the Governor was skilled in this kind of business, he might have a violent temptation to infringe the constitution, and solicit an act of assembly investing him with some new and dangerous powers, in the exercise of which he might have an opportunity of *shining* in the warrant and recognizance way.³—But,

5. He ought to be very learned in the doctrine of *proclamations*, that essential branch of the prerogative of the Supreme Magistrate; and then he will know that they are of mighty legal import in a free country; ought to be bellowed out upon every occasion, and the Council seldom consulted therein: for it is often as true in politics as in cookery, that too many cooks spoil the *broth*.

6. He ought to be a man who never *did*, who never *will*, and who never *can* speak in any publick assembly: for it is as great a shame for a Governor to be able to speak in publick, as it is for a woman to speak in the church.—But,

7. He ought to be a *purdigious* writer,—that is to say, he ought to be very great in the News-Paper way; and blessed with a genius somewhat similar to your admirable correspondent Hortentius: particularly she should be able to imitate his stile and manner in those elegant compositions of his, where he holds up to publick view the *linings* of Mr. Galloway's *breeches*, spouts his *jet d'eaus*, and shews how to make prize of the Bergen womens *petticoats*—and above all in that most elegant *preface* afterwards written, which (from what he tells us) was *squeezed* out, under the auspices of that sweet-scented Goddess Cloacina:—this is the true *sublime*, Oh ye Jerseyemen! and the only proper stile for the imitation of his future Excellency your Governor.⁴

8. He ought to be a thorough and complete *coward*, and instead of taking the command of the militia, with which the constitution has very unwisely invested him, when his State shall be invaded, (*and this will be the time to try mens souls*)⁵ he ought immediately to abscond into some other State, and skulk about there in beer-houses, spend evenings with carters, and deny his name, until the danger is over—because the life of a Governor is, by far, too precious to be exposed at the head of his militia.⁶

9. By possessing the aforesaid *excellent* quality, he must of necessity, and of right ought to be, a mortal enemy to all Quakers; because a man who *dares* not fight himself for *cowardice-sake*, will always domineer over and insult others who *will* not fight for *conscience-sake*.⁷

10. He ought to be a man who had rather be anywhere, and with any other company than at his own house, and with his own family; because continued *iteneration* is essentially necessary in a Jersey Governor—and as to all the tender feelings, he ought to be a perfect—FLINT.

11. He ought to be a man who dresses himself like a *porter*; because so much of the *Bashaw*⁸ as is absolutely necessary in the composition of a Governor, (which, in my opinion, is at least nine tenths) is better concealed under the aforesaid cloathing than any other.

12. He ought to be a man who, *for certain reasons*, used every artifice in his power to prevent the declaration of INDEPENDENCY,⁹ but who, upon coming into office, under the aforesaid declaration, will *suddenly* tack about, and be for *drinking* the *blood* of every man who thought as he did; because your *turn-coats* and *new converts* are always the most violent—and violence is an excellent disposition in a Governor.¹⁰

N.J. Gazette, October 27, 1779.

1. Cincinnatus, a Roman ruler during the fifth century B.C., tenaciously opposed creation of a legal code that would have been equally applicable to patricians and plebians. The author of this piece is not known.

2. WL had become a resident of New Jersey in April 1772.

3. Reference is to the Council of Safety, established on March 15, 1777. For a discussion of its powers see *Livingston Papers*, 1:273–75, 287–88, 293; 2:9, 27, 406.

4. For other references to pseudonymous publications of which WL was the suspected author, see *Livingston Papers*, 2:156–57, 201–3. Cloacina was the Roman goddess of the sewer. See *Livingston Papers*, 2:464–66.

5. Thomas Paine, “The American Crisis, No. 1” (Evans, no. 14953).

6. There is some evidence that WL was not in New Jersey during the British invasion of November 1776–January 1777. See *Livingston Papers*, 1:195.

7. For WL’s position on Quaker pacificism see *Livingston Papers*, 2:342–55, 369, 399–404.

8. *Bashaw*: variation of pasha—a person of high rank.

9. There was some question of WL’s position on independence at the Second Continental Congress. John Adams believed that WL had been dismissed in June 1776 as a delegate to the Continental Congress from New Jersey because he had “hitherto resisted independence” (John Adams, *Works*, 3:53, 10:410–11). By the fall of 1776, however, WL had become committed to the war for independence. See *Livingston Papers*, 1:9–10, 16, 143, 178–79, 200, 254–60; 2:52, 165–67, 186, 191–92, 207–8, 214–17, 316–26, 330, 334–37, 488–94.

10. The publication of the “Cincinnatus” article created a furor in the New Jersey legislature. On October 29, 1779, Isaac Condict introduced a resolution in the Legislative

Council declaring the article a defamation of the governor, written to encourage disaffection from the American cause. He demanded that Isaac Collins, editor of the *N.J. Gazette*, be required to divulge the author's name. The council passed Condict's resolution; the assembly refused to concur. The council on its own, however, asked Collins to name the author; he refused (*General Assembly* [October 26–December 25, 1779], 8; *Legislative Council* [October 26, 1779–March 21, 1780], 6–8, 11).

To Silas Condict

Princeton 28 Oct. 1779

Dear Sir

I shall be obliged to you for acquainting me of the Event of the Election for Governor as soon as it is over, for which purpose the Bearer hereof Mr. Burwell will attend you.¹ Should another Gentleman be appointed in my room, it will be necessary for me to have some order from the Governor or the Governor & Council to deliver the Great Seal,² which I should not chuse to send to Trenton, at my risque & I don't know that it would be my duty to go thither on purpose.

ADf, NN:Lyon.

1. On October 30, 1779, WL was reelected governor by a vote of 29–9. As in the election of October 1778, WL had been opposed by Philemon Dickinson. John Stevens, Jr., was reelected vice-president of the Legislative Council and treasurer of the state, and Caleb Camp was reelected speaker of the assembly (*General Assembly* [October 26–December 25, 1779], 7, 10; *Legislative Council* [October 26, 1779–March 21, 1780], 7; *Joint Meeting* [August 30, 1776–March 17, 1780], 28, 32; *N.J. Gazette*, November 3, 1779).

2. The July 2, 1776, Constitution of the State of New Jersey provided for a state seal of office to be kept by the governor or, in the governor's absence, by the vice-president of the Legislative Council (Boyd, *Fundamental Laws and Constitutions*, 159). For background see *Livingston Papers*, 1:328.

To Samuel Huntington

Princeton 29 Oct. 1779

Sir

I do myself the Honour to notify to Congress¹ that in pursuance of their Resolution of the ninth day of July last,² I did on the fifteenth instant discharge Mr. Thomas Stockton of this place from acting as a purchasing Commissary for the Hospital, he being in my Judgment, unnecessarily employed in that department. I had received [Private]

Complaints against Mr. Stockton of Mismanagement to his [office], but after the most mature Examination of the Charges against him, & his vindication, I did not find any part of his Conduct inconsistent with the Character of an honest man; tho' till his Explanation, several facts proved against him³ naturally tended to furnish his Accusers with sufficient grounds for suspicion. But as to his being a Supernumerary, I had no doubt.

I should at the same time have discharged one of the two deputies employed in this place under Mr. Robert Stockton in the Quarter Master General's department, but that he⁴ assured me they would both be necessary till the end of this month, on Account of the Quantity of Forage then still to be collected at this Post. Upon this Declaration of a man of a fair Character, I consented to postpone the Discharge accordingly. Resuming the matter this day, Mr. Aaron Mottison one of the said Deputies resigned his office,⁵ & thereby superceded the Necessity of my discharging him.

I inclose an Account of my Expenses in this Service, the amount of which I presume one of the Delegates of this State will be kind enough transmit to me.⁶

I think it remarkable that after the Proclamation⁷ I issued in consequence of the said Resolve, & the general clamour of the People against those Departments (which I am persuaded is not altogether groundless, tho' perhaps, in many instances, excited by a misapprehension of facts) I should have received no other Complaints than the above mentioned. But as this extraordinary Silence is probably to be ascribed to too great an Inattention to public abuses, the minds of the Generality of Men being wholly occupied in amassing riches, & our Patriotism I fear, as much depreciated as our Currency, I intend after the present sitting⁸ of our Assembly, should I be continued in office to adopt a more effectual mode for investigating both the mismanagement & the unnecessary Number employed in those Departments if any such abuses do really exist.

I have to acknowledge the receipt of your Excellency's Favour of the 20th instant inclosing The Proclamation of Congress of the same date, recommending it to the several States to appoint Thursday the ninth of December next to be a Day of public & solemn Thanksgiving, to which this State will do itself the [Honour] to pay⁹ proper Attention.¹⁰

I farther take the Liberty to mention to your Excellency that I lately

received a Resolution of Congress on the Subject of Taxes, which with other papers on my going to Brunswick a few days since, was left at my Lodgings at Raritan. An Express coming to the house that the Enemys light horse (then in full speed towards my Quarters) made me part of their Object, my Host removed my papers;¹¹ & on looking them over since they were returned, I find the said Resolve missing. I should therefore be obliged to your Excellency for ordering another Copy of it to be transmitted to me, & to direct to me, or the then Commander in Chief of this state, at Trenton, that it may be laid before the Legislature without loss of time.¹² I have the Honour to be with the greatest Esteem your Excellencys most obedient & very humble Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. Samuel Huntington had been elected president of the Continental Congress on September 28, 1779 (*JCC*, 15:1113–14).

2. For a discussion of the congressional resolution of July 9, 1779, refer to WL Proclamation, August 17, 1779 (*N.J. Gazette*, August 25, 1779).

3. For WL's letter discharging Thomas Stockton refer to WL to Thomas Stockton, October 12, 1779 (NN:Lyon); see also WL to Jeremiah Wadsworth, October 15, 1779, and Wadsworth to WL, October 21, 1779.

4. In an ADF (NN:Lyon) WL had written "solemnly" between "he" and "assured."

5. WL had written Aaron Mottison that he was discharged on October 12, 1779. Refer to WL to Aaron Mottison, October 12, 1779 (NN:Lyon).

6. WL's expenses for his investigation of the Quartermaster and Commissary of Purchases departments amounted to thirty pounds. On November 6, 1779, Congress approved payment (*JCC*, 15:1244). See WL to Jeremiah Wadsworth, October 15, 1779. Refer to WL, Account for Expenses of Trips to Princeton, September 20 and 21, and October 11 and 12, 1779 (DNA:PCC, 68).

7. Refer to WL Proclamation, August 17, 1779 (*N.J. Gazette*, August 25, 1779); see WL to Jeremiah Wadsworth, October 15, 1779.

8. WL changed "next session" to "present sitting" in an ADF (NN:Lyon).

9. WL deleted "all" between "pay" and "proper Attention" in an ADF (NN:Lyon).

10. WL placed before the Privy Council on November 8, 1779, the congressional resolution of October 20, 1779, proclaiming December 9, 1779, a day of thanksgiving. Upon the advice of the council, WL on November 9 issued a proclamation designating December 9 as a day of thanksgiving. The proclamation was printed in the *N.J. Gazette* on November 24, 1779 (*JCC*, 15:1170–71, 1191–93; *N.J. Gazette*, October 27 and November 24, 1779). Refer to Samuel Huntington to WL, October 20, 1779 (DNA:PCC, 14).

11. WL wrote and then crossed out "by & on my return I had the said Res[. . .]" on an ADF (NN:Lyon). He had stayed at the home of Joshua Wallace in Raritan.

12. WL is referring to resolutions passed by the Continental Congress on October 6 and 7, 1779. For discussion of the resolutions see WL to Henry Remsen, October 27, 1779.

On November 5, 1779, WL again requested that the October 6 and 7, 1779, resolutions be forwarded to him. Huntington complied in his letter of November 9, 1779. He

also expressed Congress's satisfaction with WL's investigation of the Quartermaster and Commissary departments in New Jersey. See WL to William Churchill Houston, November 5, 1779; refer to Samuel Huntington to WL, November 9, 1779 (DNA:PCC, 14).

To James Abeel

Raritan 29 Oct. 1779

Sir

It is of the last importance that General Washington should have the inclosed Letter¹ as soon as possible on account of the loss of the Boats at Raritan Bridge destroyed by the Enemy yesterday. For this purpose I have hired the Express, my horseman just setting out with me for Trenton. You will please to pay the Express, & send on the Letter.

The commanding officer of the party Lieutenant Colonel Simcoe fell into the hands of our militia near the heights of Brunswick on the South of Raritan by his horse being shot, his Surgeon was sent to take care of him; & a private was mortally wounded.²

They burnt the Dutch Church at Raritan Bridge, 3 of the hutts with hay, & the Court house at Sommerset.³ I am Sir your humble Servant

WIL. LIVINGSTON

ALS, RHi.

1. Enclosure not found. Lt. Col. John G. Simcoe, commander of the Queen's Rangers, had landed eighty cavalry troops at South Amboy on October 26, 1779. He proceeded up the Raritan River and on October 28, 1779, destroyed eighteen flatboats at Van Vechten's Bridge (Fitzpatrick, *Writings of Washington*, 17:33–35; Simcoe, *Operations of the Queen's Rangers*, 11–19).

2. On October 26, 1779, Simcoe had instructed Maj. Richard Armstrong to lead a force from South Amboy up the southern bank of the Raritan River to Brunswick. Simcoe, leading the main body of the Rangers, hoped to join Armstrong there to lay an ambush for the Americans. As Simcoe moved south toward Brunswick he destroyed the Dutch meetinghouse at Raritan. He then freed three Loyalists imprisoned in the Somerset courthouse at Hillsborough and fired the building. Shortly after this incident, Simcoe and his men encountered a body of New Jersey Continental troops who captured Simcoe and three of his men. The Rangers, after killing Capt. Peter V. Voorhies, continued to South River and rejoined Armstrong. They returned to Staten Island on October 28, 1779, but left surgeon Alexander Kellock and two Rangers in New Jersey to attend to Simcoe (*N.Y. Gazette & Weekly Mercury*, October 30, 1779; *N.J. Gazette*, November 3, 1779; Simcoe, *Operations of the Queen's Rangers*, 11–19, 265).

3. The Dutch meetinghouse at Raritan and its several small attached buildings were used to store forage. When the Queen's Rangers burned the meetinghouse they captured the commissary and his subordinates. The Somerset courthouse had been used by the Americans to hold captured Loyalists (Simcoe, *Operations of the Queen's Rangers*, 114–15.)

To Elisha Boudinot

Trenton 2 Nov. 1779

Sir

I am desired by the Privy Council¹ to direct you as Commissary of Prisoners for this State immediately to cause Colonel Billop to be confined in close gaol and treated in the same manner as Capt. Fitzrandolph & John Lashier Prisoners at New York are treated by the Enemy until the said Fitzrandolph & Lashier are releived from their severe treatment or exchanged & that you negotiate an exchange of Colonel Reynolds Capt. Fitzrandolph Mr. John Lashier Mr. Charles Jackson & such other Number of Citizens or privates as shall make the exchange equal for the said Colonel Billop & Lieut. Colonel Simpcoe² & that you commit the said Colonel Billop³ to the Gaol of the County of Burlington and as the said Lieut. Colonel Simpcoe by his late inhuman treatment of some of the Inhabitants of this State has made himself obnoxious to a number of the Friends of those who have suffered by his means & has declared that if he apprehended his person in danger he would notwithstanding his parole make his Escape, therefore as well to protect him from the resentment of the people as to secure him as a prisoner the board farther desired me to direct you to cause him to be secured & confined in close Gaol.⁴

It is supposed that on your application to Colonel Seely he will spare you a proper guard of the State Regiment posted at Elizabeth Town to carry Colonel Billop to Burlington & in their way thither they can take Lieut. Colonel Simpcoe at Bordentown where he now is on his parole, & convey them both to Burlington Gaol.⁵

It is thought best that you keep the purport of your warrant for that purpose as secret as possible consistent with the orders it maybe necessary to give to the officer of the Guard who is to be entrusted with the Business.

ADf, NN:Lyon.

1. Exchange negotiations regarding state militia and civilian prisoners were left to the states. On August 26, 1779, Washington had suggested to the Board of War that the exchange of Capt. Nathaniel FitzRandolph, held prisoner at New York by the British since

February 2, 1779, and Col. Christopher Billop be left to New Jersey (Fitzpatrick, *Writings of Washington*, 16:176–80). WL had presented to the Privy Council on November 2, 1779, FitzRandolph's letter of September 26, 1779, complaining of harsh treatment of himself, John Loshier, and other American prisoners. The Privy Council's instructions on the question of prisoner treatment and exchange were promulgated the same day (*NJA* [Privy Council], 3d ser., 1:136–37). For WL's attitude regarding the treatment of captives and action taken by the New Jersey legislature, see WL to British Prisoners, March 17, 1779. For a discussion of the state's role in prisoner exchange see WL to Elisha Boudinot, May 8, 1779.

2. Col. Thomas Reynolds, who had been on parole, returned to captivity in New York City in January 1779. John Loshier had been captured in March 1778, exchanged, and recaptured on July 23, 1779. Loshier had first been held for the shooting of Loyalist John Richards on January 28, 1778. Charles Jackson, a tavern keeper at Woodbridge who had boarded FitzRandolph, had been captured with FitzRandolph on February 2, 1779. Col. Christopher Billop, a member of the New York Loyalist militia whose home on the Staten Island shore had been used as a launching point for British ships and incursions into New Jersey, had been captured on July 23, 1779 (*Livingston Papers*, 2:160; *N.J. Gazette*, February 11, 1778; *N.Y. Gazette & Weekly Mercury*, March 30, 1778, July 26, 1779; *Royal Gazette*, January 31, March 28, 1778, July 24, 1779; *Pa. Gazette*, February 24, 1779). For Simcoe's capture see WL to James Abeel, October 29, 1779.

3. WL crossed out "& Lt. Col. Simpcō" after "Billop" on the ADf.

4. It had been widely reported that the Queen's Rangers had "inhumanely murdered" Capt. Peter Voorhees after he surrendered himself during the battle on October 28 near Hillsborough (*NJA*, 2d ser., 4:20). On previous excursions in March and October 1778, the Queen's Rangers had destroyed considerable quantities of merchandise and inflicted heavy losses on the New Jersey militia. After Simcoe's capture, WL issued a statement to the people of Brunswick requesting that Simcoe be treated "according to the rules of war, known and practised among all civilized nations" (*NJA*, 2d ser., 2:474; Simcoe, *Operations of the Queen's Rangers*, 265). See *Livingston Papers*, 2:270–71.

5. John Simcoe had been paroled to Bordentown after his capture. On November 8 and 9, 1779, however, New Jersey militiamen conveyed Simcoe and Billop to the Burlington jail (Simcoe, *Operations of the Queen's Rangers*, 266, 268).

To Nathaniel Heard

Trenton 2 Nov. 1779

Sir

In Answer to your Letter of yesterday¹ if you have rational grounds for believing the Enemys attempt of making a descent on this State in the part you suspect, you are immediately to call out for opposing them the Militia of the Counties of Essex Middlesex & Somerset, or such part of them as you think sufficient for the purpose & if you find that they are really landing or have landed in force you are to send expresses for the Militia of the Neighbouring Counties.²

The Beacons which I have been informed were lately fired in a false alarm should be fixt up again as soon as possible.³

ADf, NN:Lyon.

1. Letter not found.

2. On November 2, 1779, WL informed Col. John Taylor, the commander of the 1000 troops raised pursuant to the June 2, 1779, Militia Act to guard the state's frontier counties, that he had ordered the militias of Essex, Middlesex, and Somerset counties to maintain readiness, anticipating a British attack. Refer to WL to John Taylor, November 2, 1779 (NN:Lyon).

3. As the result of British movements down the Hudson River during June 1779, Washington had ordered Col. John Neilson to hold the beacons in readiness. On December 26, 1779, the New Jersey legislature passed a resolution ordering that the beacons be repaired and additional beacons built. At its December 26, 1779, meeting, the Privy Council advised WL to appoint Brig. Gen. Nathaniel Heard to direct their repair and construction (*General Assembly* [October 26–December 26, 1779], 111–12; *Legislative Council* [October 26, 1779–March 21, 1780], 46; *NJA* [Privy Council], 3d ser., 1:142–43).

To Chevalier de La Luzerne

Trenton 2d November 1779

Sir

On the 31 August last I was honoured with a Letter from Monsieur Gerard dated the 18 of that Month respecting the Case of Mr. De La Fleudrie, of which the inclosed No. 1 is a Copy. To this I did myself the honour to send your¹ much respected Predecessor² the answer contained in the inclosed No. 2.

At the next Sitting of our Legislature which was in Sept. last, I laid copies of those Letters together with a Letter from Mr. De La Fleudrie to Mr. Holker the French Consul in Philadelphia, on the same Subject, before the house of Assembly with my message on the Occasion, & now have the pleasure Sir of informing you that by a resolution of both the branches of our Legislature a copy of which is marked No. 3.³ The money received from Mr. De La Fleudrie by way of Taxes is ordered to be restored to him.⁴

I have only to add that the Tax in question was collected⁵ under the Idea of that Gentlemans being engaged in Commerce, but what reasons there were, for inducing such belief I am not sufficiently informed.⁶ I have the Honour to be with the greatest respect

ADf, NN:Lyon.

1. WL crossed out "amicable" before "much respected."
2. Chevalier Anne C. de La Luzerne replaced Conrad Alexandre Gérard as the French minister plenipotentiary to the United States on September 17, 1779. La Luzerne officially took office on September 27, 1779 (*JCC*, 15:1085–86, 1238, 1278–84).
3. Letter and enclosures not found. M. de La Fleudrie, a French citizen who resided in Cumberland County, had protested being taxed and had so written Jean Holker, the French consul in Philadelphia, on August 3, 1779. Holker had referred the matter to Gérard, who on August 18, 1779, had informed WL that a French citizen had been obliged to pay taxes in New Jersey (*General Assembly* [September 15–October 9, 1779], 163–64).
4. Holker letter not found. WL presented the La Fleudrie matter to the assembly on September 16, 1779. The assembly did not consider the matter until October 29, 1779. On November 2, 1779, the legislature directed the collector of taxes of Greenwich Township, Cumberland County, to pay La Fleudrie ninety dollars, the amount that had been collected from him (*General Assembly* [September 15–October 9, 1779], 163–64; [October 26–December 25, 1779], 9, 11–13; *Legislative Council* [October 26, 1779–March 21, 1780], 9).
5. WL crossed out "was imposed" and inserted "in question was collected."
6. WL added and then crossed out "Heartily wishing that the most favourable Expectations which you may have been pleased to entertain of America, may be fully answ."

To John Sullivan

Trenton 2d November 1779

Dear Sir

After heartily congratulating you on your return from an expedition concluded with such extensive service to your Country, & so much lustre to yourself,¹ I take the liberty of informing you that I have this moment received Intelligence by express that the Enemy both foot and horse are collecting on Staten Island in force with a sufficient number of boats in readiness for Embarkation & hourly expected to invade this State.²

If any thing will add to the Laurels already acquired by the victorious Army under your Command, it would probably be to disappoint the attempt of a barbarous Enemy to desolate this State, & sending them back with deserved Infamy.³

ADf, NN:Lyon.

1. During August–October 1779, Maj. Gen. John Sullivan led 5000 Continental troops against the Iroquois. Under the leadership of Joseph Brant, Col. John Butler, his

son Walter Butler, and Sir John Johnson, the Iroquois had successfully disrupted American life and property along the frontier. Sullivan's march up the Susquehanna River from Wyoming, Pennsylvania, through the Finger Lakes region of New York State resulted in the destruction of forty Indian towns, fruit orchards, cornfields, and granaries, effectively checking Iroquois aggression. The expedition had necessitated the withdrawal of Continental troops from New Jersey. See Washington to WL, April 2[3], 1779, WL to the Assembly, April 24, 1779, and WL to Washington, April 24, 1779. For Sullivan's description of the expedition, refer to *N.J. Gazette*, November 3, 1779.

2. The November 10, 1779, *N.J. Gazette* reported that the British had assembled approximately 1500–2000 troops and flatboats on Staten Island. Sullivan transmitted WL's letter to Washington on November 4, 1779, from Smith's Clove, New York (DLC:GW). On November 5, 1779, Washington ordered Brig. Gen. Anthony Wayne to move south and maintain communication with Brig. Gen. William Maxwell and Sullivan in order to repel British incursions into New Jersey (Fitzpatrick, *Writings of Washington*, 17:77–78).

3. WL added a postscript after he drafted this letter to Sullivan: "P.S. the Militia of three Counties are ordered to be call'd out on the first appearance of the Enemy's attempt." The counties were Essex, Middlesex, and Somerset.

To William MacLeod

Trenton 3d Nov. 1779

Sir

In answer to your Letter of the 13 Oct. last¹ (which I received but about 3 or 4 days [since]) desiring my Liberty to go to New York to negotiate Bills of Exchange for your Pay from the British Crown, & for landing on this side a few articles you may bring, it gives me pain Sir to be obliged to observe that altho' by your former conduct, & your humane interposition to protect our Inhabitants from being plunder'd by the British Troops when in possession of Elizabeth Town,² you had so conciliated the affections of the People, & so far gained my confidence at least as a prudent & praisable man that I granted you the last pass with pleasure. I have since had such respected [Accounts] of your having acted an imprudent part relative to our Contest how well founded I will not pretend to determine that I am persuaded my indulging you in your present request would give great umbrage to the people & particularly disgust many worthy Citizens who have been refused similar favours. But abstracted from political considerations, & was I only to consult my own feelings & the disposition I have to oblige you as an individual with whom I have had a long acquaintance, & of whose personal honour I entertain a high sense, I am assuring you I should be happy in obliging you.

ADf, NN:Lyon.

1. Letter not found. For background on Capt. William MacLeod's treatment as a Loyalist in Elizabethtown, see WL to Daniel Marsh, July 1, 1779.

2. WL is referring to the British occupation of New Jersey, November 1776–January 1777.

To William Churchill Houston

Trenton 5 November 1779

Dear Sir

I have to acknowledge the receipt of your Favour of the 1st instant.¹ With respect to the Barbarities committed by Lieut. Colonel Simpcos party of Dragoons in their late Incursion into Middlesex & Somerset I have reason to doubt the truth of the Information you have received, as I cannot learn that they did any thing unmilitary, except that of burning the Dutch Church at Raritan, & their killing Capt. Voorhees after surrender, tho' the mode of the latter transaction remained altogether problematical while I continued at Brunswick which was about 6 hours after the Enemy passed it. Some people affirmed that Capt. Voorhees was killed in attempting to escape; & others that he was seen to wave his hat to the Enemy in token of asking Quarter. That he asked for quarters appears to me most probable by the wound in his face but the matter is not yet ascertained. When I had an Interview with Simpcos which was about an hour after he was brought to the Landing, I did not know of the church being burned; & the disaster of Capt. Voorhees happening subsequent to Simpcos capture, I had no Reason for treating him otherways than as a brave Enemy in our Power. From divers accounts since he appears to be a very great rascal, & as he doubtless stands in proportionable Estimation with the British, we expect to obtain in exchange for him some of our Citizens for whom other offers have hitherto been rejected. We also purpose to retaliate upon him the Enemy's treatment of those prisoners unless they immediately discontinue it upon our proposing to exchange Simpcos for them.

Relative to his cruelties on other Occasions, I have written to Colonel Thomas of the State of New York² for affidavits in proof of his butchering a Man in West Chester after he was his prisoner, & doubt not I shall be able to procure abundant evidence of his being a consummate Savage. But as I could never learn that Congress have pursued any mea-

tures in consequence of the numerous Depositions which I took & caused to be taken of the barbarities exercised upon Colonel Bayler's squadron of horse,¹ it rather discourages one from taking that trouble which with a reasonable prospect of its terminating in actual retaliation every good Citizen would take, with the greatest Alacrity.⁴

I think the Resolution of Congress respecting the Virginia Land-office rather beneath their Dignity, & savoring of a kind of Artifice which so illustrious a Body ought to contemn. Nay it implies in my Judgment the consent of Congress for the parties tending to resume their Iniquity at the conclusion of the war. A Conduct like this instead of affording us any reasonable hopes of relief, appears rather like mocking our Calamity, & sporting with the Injuries complained of. Why not a decisive determination of the matter & a positive Inhibition to repeat the evil practices.⁵ This shifting resolves with the affair of Vermont will unavoidably induce men of impartiality & discernment to conclude however reluctantly that the supreme Council of the nation is unhappily for us under undue Influence.⁶

I shall be obliged to you for putting the President in mind of sending me another Copy of the late Resolve of Congress respecting the Tax recommended to the States,⁷ the Copy already transmitted to me, being lost in the removal of my Papers by Mr. Wallace on the late Alarm.

Our Assembly are to remove to Morrow to Mount Holly for *Cheapness*.

ADf, NN:Lyon.

1. Letter not found.

2. Letter not found.

3. See *Livingston Papers*, 2:461–64, 468–70, 473.

4. WL began a postscript, then crossed it out and continued the letter.

5. WL is referring to a controversy over western land claims triggered by resolutions of the Virginia legislature of May 3, 1779. For background refer to *JCC*, 15:1063–65, 1155, 1213, 1223–24, 1226–30; and William Walter Hening, *The Statutes at Large: Being a Collection of all the Laws of Virginia . . .* (Richmond, 1809–1823), 10:35–65. For WL's opinion regarding the relationship of the designation of jurisdiction over western territories to New Jersey's ratification of the Articles of Confederation, see *Livingston Papers*, 2:393–94, 437–39.

6. WL was deeply interested in the New Hampshire–New York boundary dispute over the territory known as the New Hampshire Grants. He had long since inherited or purchased approximately 6000 acres near Royalton, New Hampshire. His title to these lands, however, was dependent on the validity of the New York grants.

7. The resolutions were presented to the assembly by the speaker, Caleb Camp, on November 9, 1779; a committee was named to draft a tax bill on the same date. On December 4, 1779, the assembly committee returned with the draft of "An Act to raise the

sum of Three Million Three Hundred and Seventy-five Thousand Pounds, in the State of New Jersey." It was passed on December 18, 1779 (*Acts* [October 26–December 25, 1779], 3–15; *General Assembly* [October 26–December 25, 1779], 20, 58, 68–70, 76–78, 82, 88; *Legislative Council* [October 26, 1779–March 21, 1780], 34–36). See WL to Samuel Huntington, October 29, 1779.

From Chevalier de La Luzerne

Philadelphia, November 7, 1779. Luzerne has received WL's letter of November 3 with its enclosures.¹ He asks WL to express his appreciation to the New Jersey legislature for its favorable disposition of a matter concerning a French citizen² and congratulates WL on his reelection as governor.³ Luzerne also informs WL that he has had no news concerning the whereabouts of Count d'Estaing but will forward any news he receives.⁴

ADf, NN:Lyon.

1. See WL to Chevalier de La Luzerne, November 2, 1779. LBC is dated November 2, 1779; ALS dated November 3, 1779, not found.

2. The legislature had refunded taxes paid by M. de La Fleudrie. See WL to Chevalier de La Luzerne, November 2, 1779.

3. WL had been reelected New Jersey governor on October 30, 1779. See WL to Silas Condict, October 28, 1779.

4. Washington had made extensive preparations for a joint attack by the Continental army and the French fleet under the command of Count d'Estaing against the British at New York City. When the fleet had not appeared by November 14, 1779, Washington and Congress moved to cancel the operation because of the approach of winter. The commander in chief communicated that decision to WL on November 22, 1779 (Fitzpatrick, *Writings of Washington*, 16:440–41, 446–47, 453–56, 462, 464–65, 468–69, 473n, 482–84, 491–94, 498; 17:4–6, 22, 27, 29, 39, 51–52, 67–68, 74, 91, 93–94, 104–7). For background see WL to George Washington, October 7 and October 8, 1779. Refer to Washington to WL, November 22, 1779 (DLC:GW).

In fact, the British had severely repulsed the French fleet in the battle of Savannah, Georgia, on October 9, and d'Estaing had been wounded. Following the battle, part of d'Estaing's fleet had sailed for the West Indies, while he had sailed for Europe.

To Nathaniel Scudder

Mount Holly 8 Nov. 1779

Dear Sir

*Nous sommes ici.*¹ You have read of that Extremity of the Earth from whence Aneas descended into the Elysian Fields to visit the Shade of

his Father Anchises.² The Inhabitants however appear to be very kind, & I believe we shall be well accommodated. If your Letters can find me in the *concavity* of this mountain, they will render it as delightful as the Summit of [Hermes] or Parnassus.³ As for Olympus I always leave it to Jupiter unless he chuses to bestow it upon his British Majesty as a compensation for the loss of his American Dominions; or upon one of the Princes of the blood who come rather too fast into this *breathing World* to be maintained by an impoverished Nation.⁴

I have to acknowledge the receipt of your Favours of the 3d & 5th, which considering my late Delinquency, are the more [evincive] of your Goodness.⁵

From the malignant Manoeuvres of my Persecutors,⁶ I have reaped both personel & political Benefit. I now find that I can heartily despise every Calumny with which I am loaded for my not temporizing with the Tories (which is the true Source of their Enmity) & that the World, malicious as it is, is disgusted at Slander in the extreme. Collins is ready to hang himself at the resentment of the People; & the Authors of the⁷ Libel have been the unintentional Instruments of raising me up more Freinds than I ever had before.⁸

It is really matter of Lamentation, that our State should so particularize itself in the scanty Provision we make for the support of our Delegates as to constrain any of them to quit that important Station. But I have reason to think that the present House will exceed the last as well in the Liberality of their allowances, as in that of their Sentiments.⁹ Should you retire from Congress, (which I am confident will not be for our Advantage) that will be no objection on my part against the continuation of our Correspondence.

The Situation of our Army respecting the Article of Flour has long affected me with the greatest Anxiety. Nor do I see the least probability of supplying it, without more coercive measures than the Legislatures seem willing to adopt. The truth is the Farmers will not sell. Some are determined upon this measure, thro' sheer Avarice which prompts them to keep what they have as long as there is any prospect of a rising price; and Others from a principle equally fatal to the public Service, tho' not generated by so great a¹⁰ depravity of Heart, I mean their indignation at the thought that let them sell at present for what price they will, those who detain their crops longer, will get a more advanced one to which they think themselves equally entitled. I was in hopes that by this time

the Fly in the Southern States¹¹ would have compelled those Farmers to thresh their Grain; & that thus this tremendous Scourge of divine Providence would upon this occasion have been converted into public Good. From our state I expect nothing considerable; & many insist upon it that the crops of wheat are this year but indifferent. The Consequences to be apprehended from the want of a speedy supply are more alarming, than any other Disaster that I can foresee during the remaining Progress of the War. The money, the money, my dear Friend, is the grand Source of our present Calamities. Not that I forget the declension of public Virtue; but as that declension is chiefly to be ascribed to the superabundant Quantity¹² of the Money, our Misfortunes are ultimately resolvable into that Mighty political Evil. I hope I need not tell you that I shall spare no Exertions that can any ways conduce to facilitate the supplies that may be expected from this State; but it being both dishonest, & generally attended with fatal consequences to adminer fallacious hopes, I must repeat it that I have no Expectations of any considerable Supply of Flour from this State upon our present plan for procuring it.¹³

Your Fellow Member Mr. Houston has greatly endeared himself to the Assembly by his frequent Letters to them on political Subjects. I mention this, that if you think proper, you may take the same Step to oblige them. Be Assured that I am with great Esteem & Friendship Dear Sir

ADf, NN:Lyon.

1. *Nous sommes ici*: We are here.
2. Aeneas had begun his journey down to the Elysian Fields at the cave of Sibyl at Cumae on the western coast of modern Italy (Virgil, *Aeneid*, bk. 6).
3. Mt. Herman in Phoenicia, and Parnassus, legendary home of the gods of Greece.
4. George III and Queen Charlotte had fifteen children between 1762 and 1783, nine of them sons. Only two of the royal offspring died in infancy.
5. Letters not found.
6. WL crossed out "yearly" before "Persecutors." WL had been elected New Jersey governor on August 31, 1776, after only four years residence. His elections thereafter had been for the most part either unanimous or by wide margins (Sedgwick, *Livingston*, 205–6; *Joint Meeting*, 22, 28, 32). For a discussion of the opposition to WL see *Livingston Papers*, 2:500–502.
7. After "the Authors of the" WL wrote and crossed out "Paper excited the indignation of all souls."
8. See "Cincinnatus," October 27, 1779.
9. On December 10, an abortive legislative effort to raise New Jersey congressional stipends failed to pass after three weeks of politicking. On December 23, "An Act to pro-

vide for the Payment of the several offices of Government of the State of New Jersey, to commence the thirteenth Day of October, One Thousand Seven Hundred and Seventy-nine, and to end the second Tuesday in October, One Thousand Seven Hundred and Eighty inclusive, and to discharge the publick Debts and contingent charges thereof" finally became law. It provided that delegates to Congress receive twenty pounds for each day of attendance, up from twelve dollars. For discussion of previous salary legislation for congressional delegates, see WL to the Assembly, April 26, 1779 (*General Assembly* [October 26–December 25, 1779], 26, 44, 65–66, 72, 87, 92–94, 97; *Legislative Council* [October 26, 1779–March 21, 1780], 28–29, 39–40; *Acts* [October 26–December 25, 1779], 31–33).

10. WL crossed out "personal" before "depravity."

11. WL crossed out "Colonies" and inserted "States."

Hessianfly: an insect (*Phytophaga destructor*) that bores into the stalks of grain, killing it. Known on the Continent, it was believed to have been brought to America in the straw bedding of the Hessian soldiers.

12. WL crossed out "depreciation" and inserted "superabundant Quantity" before "of the money."

13. Several petitions, a letter from Jesse Root dated November 1, 1779, and an urgent request from Washington for supplies of flour illustrate the difficulties encountered in provisioning the army. On November 4, 1779, Israel Morris and Samuel Hugg, assistant commissioners of purchases for the army, presented a petition to the assembly stating that their endeavors to supply the army were being "obstructed or defeated by the pernicious practices of speculators, Forestallers, and Engrossers." On November 20, 1779, Moore Furman reported to the assembly on difficulties in carrying out his responsibilities (*General Assembly* [October 26–December 25, 1779], 16, 31; *Legislative Council* [October 26, 1779–March 21, 1780], 6, 10; refer to Jesse Root to WL, November 1, 1779 [MHi]).

During the October 26–December 25, 1779, sitting, the legislature was occupied with several bills regarding practices obstructing the procurement of necessities for the army and citizenry of New Jersey. "An Act to prevent Engrossing, Forestalling and Enhancing the Prices of Produce, Manufacture and Merchandize, within this State" was passed December 15, 1779; "An Act for limiting the Prices of various Articles, and to prevent the Withholding from Sale the necessaries of Life" was passed December 21, 1779; "An Act to continue an Act, intituled, An Act to prohibit the Exportation of Provisions from the State of New Jersey" was passed December 25, 1779 (*General Assembly* [October 26–December 25, 1779], 10, 20, 27, 30, 45–46, 48–51, 57–58, 60–61, 74, 80–81, 83–85, 88, 91, 98, 100; *Legislative Council* [October 26, 1779–March 21, 1780], 9–10, 17, 21–25, 28–30, 33, 35–38; *Acts* [October 26–December 25, 1779], 23–29, 47). That the army had consumed the available provisions around West Point and that most of the British force was at New York influenced Washington's decision to establish most of the army in winter camps in New Jersey (Fitzpatrick, *Writings of Washington*, 17:100–102, 111–12, 116–18).

To Hall & Sellers¹

Mount Holly 9 November 1779

Gentlemen

Our Council not thinking proper to employ Mr. Collins to print any of their proceedings,² & your Paper circulating farther in Western parts of our State than Mr. Kollock's, I am to request you to insert the enclosed Proclamation in your Paper as speedily as possible;³ The Expence attending it, you will be pleased to communicate to me in order to procure you the payment. I am

ADf, NN:Lyon.

1. David Hall, William Hall, and William Sellers. The Hall brothers were the sons of David Hall, who owned the *Pa. Gazette* in partnership with Benjamin Franklin from 1748 to 1766.

2. For a discussion of the New Jersey legislature's debate arising from the article by "Cincinnatus" in the *N.J. Gazette* on October 27, 1779, see "Cincinnatus," October 27, 1779, and WL to Nathaniel Scudder, November 8, 1779. It is unclear from the legislative journals when Isaac Collins was dropped as state printer. The assembly reappointed him printer of the New Jersey legislative journal on December 26, 1779 (*General Assembly* [October 26–December 25, 1779], 112).

3. On November 8, 1779, the Privy Council directed that WL send copies of the October 20, 1779, congressional resolution designating December 9, 1779, a day of thanksgiving to Shepard Kollock for publication in the *N.J. Journal* and to Hall and Sellers for publication in the *Pa. Gazette* (NJA [Privy Council], 3d ser., 1:135). See WL to Samuel Huntington, October 29, 1779. The *N.J. Journal* published the proclamation on November 16, 1779, the *Pa. Gazette* on November 17, 1779, and the *N.J. Gazette* on November 24, 1779.

To Alexander Kellock

Mount Holly 9 November 1779

Sir

The Directions I have given respecting Lt. Colonel Simpco are in pursuance of the Advice of the Privy Council. As they do not chuse to recede from their Resolve, I cannot deviate from it. I hope the Colonel will not be disagreeably accommodated except as to his Confinement. The Exchange proposed for him has I suppose by this time reached New York. If he is not soon released it will be the Fault of the British.

As to your attending him Sir as his Surgeon the Council has no Objection provided you consent to be confined with him.¹

ADf, NN:Lyon.

1. Dr. Alexander Kellock had attended Simcoe since his capture on October 28, 1779. See WL to James Abeel, October 29, 1779.

To Shepard Kollock

Mount Holly 9 Nov. 1779

Sir

You will please to insert the inclosed proclamation in your next Paper if possible or else in the succeeding one;¹ & also to strike off 100 Copies of it by way of hand Bills; & to transmit them to me if you meet with an opportunity this Way in a week after the Impression, if not I shall send for them. But for the sake of Dispatch, you will inclose 12 of them to Mr. Johnes in Morris Town, desiring him in my name to distribute them among the Clergy of the Counties of Morris & Sussex; & 15 to Mr. Caldwell with the like request of distributing them among the Clergy of Essex and Bergen.

An Amount of the Expense you will transmit to me for procuring the payment.

ADf, NN:Lyon.

1. WL had enclosed the proclamation declaring December 9, 1779, a day of thanksgiving. See WL to Samuel Huntington, October 29, 1779, and to Hall & Sellers, November 9, 1779.

To Arthur St. Clair

Mount Holly 9th November 1779

Dear General

I have received your Favour of the 27th of October.¹ I well remember the order you mention respecting the Removal of the Troops from the Salt works. But General Forman² claiming [Title] to the Premises, cannot be removed by the executive Authority. Mr. Newland must proceed against him in a Course of Law.³

You needed no Apology for your Application to me whether properly official, or not. I wish it had been in my power to answer your Expectations. Whatever concerns General St. Clair or any of his Connections will always engage the Attention of your most obedient & very humble Servant

WIL: LIVINGSTON

ALS, Private collection of Peter R. Agnew, Port Washington, N.Y.

1. Letter not found.
2. Brig. Gen. David Forman.
3. WL is referring to a controversy between Forman and Trevor Newland over the stationing of Continental troops at Newland's farm to protect Forman's saltworks in Monmouth County. For background see *Livingston Papers*, 2:252–54.

To John Simcoe

Mount Holly 9 Nov. 1779

Sir

I have received your Letter without date.¹ Your confinement & the order relative to Colonel Billop is in Consequence of the Advice of the Privy Council. Till they rescind their resolve I am not at Liberty to deviate from it. I hope however that you will not be disagreeably situated except as to the Confinement.² The Exchange proposed for you & Colonel Billop, (which is Colonel Reynolds Mr. Fitzrandolph Mr. Lashier, Mr. Jackson & as many other privates as will make it equal) has I suppose before this time reached New York. If you are not soon released it will be the fault of the British. For My part I heartily wish it may be effected in the speediest manner, & that not only for the sake of our Citizens in Captivity at New York but also from Sentiments of humanity towards Colonel Billop & yourself; as I am not gratified by the Sufferings of any Man, & I am sure the Governor does not; & fully persuaded the Council do not harbour any personal Resentment against Colonel Billop. Unfortunately for that Gentleman, the treatment of some of our Citizens in New York has induced this State to consider retaliation their indispensable Duty, & it is his particular misfortune to be in our Possession at this melancholy Juncture.

Respecting your request of going to Staten Island on your Parole, I hope your Exchange will be negotiated without it; & for that purpose

any of your Letters on that Subject shall be cheerfully transmitted to New York by Sir Your humble Servant

P.S. In answer to Dr Kellocks Letter desiring to attend you as Surgeon³ I have acquainted him that there is [no] objection provided he consents to be confined with you.

ADf, NN:Lyon.

1. Letter not found.
2. See WL to Elisha Boudinot, November 2, 1779; refer to Alexander Kellock, November 7, 1779 (NN:Lyon).
3. Letter not found. See WL to Alexander Kellock, November 9, 1779.

To Joshua Wallace

Mount Holly 9 Nov. 1779

Dear Sir

If I could send you any News I should do it with pleasure; & to *make* it, you know, is the Prerogative of Mr. Rivington.

I left a French Grammar on the little shelf in the corner of your dining room, which I should be glad you would send by the Bearer. When you see Mrs. Biddle please to present her my compliments, & ask her for the Journals of Congress which I lent to General Wilkonson; & keep them till I see you.

My Enemies have been so much disapointed at the last Election for Governor, that with all their groundless Slanders, & the dirty Libel they published against me, they could only muster 9 negatives to 29 Affirmatives. I would not mention this, which is rather a personal concern of my own, were it not, that I have of late had so much reason to consider myself a part of the Family, that I am vain enough to flatter myself that both you & Mrs. Wallace (to whom you will present my Compliments) take some share in my Concerns.¹

Tell Master Joshua that I intend to kill a squirrel for him, as I touch at your house in my Journey homewards, if the Assembly does not sit here so long as to excite the British to send some *Simcoe* Express to fetch me to New York.

As to Master John who is rather too young to comprehend a Message, please to give him for me a kiss.

ADf, NN:Lyon.

1. WL had stayed with Joshua Wallace at Raritan during part of October. See WL to Samuel Huntington, October 29, 1779.

To George Washington

Mount Holly 9 November 1779

Dear Sir

By the Advice of the Privy Council I have directed the Commissary of Prisoners to order Lieut. Colonel Simcoe to be confined in Burlington Jail; & he together with Colonel Billop of the Militia of Staten Island are [proposed] by way of Exchange for Colonel Reynolds, Mr. Randal & one Lashier & Jackson, with as many more privates as will make the Exchange equal.¹ It is their farther Advice that our Commissary of Prisoners retaliate the Enemy's Treatment of Randal & Lashier upon Simco & Billop unless those two unfortunate Men are immediately releived from the Severity of their Usage. Colonel Simcoe preferred his being a Prisoner to this State, in expectation of being by that means the sooner exchanged; & his Imprisonment will doubtless be his best Security against the Resentment of the People, who are exceedingly irritated against him for the many Acts of Barbarity with which he is charged.² But if your Excellency has any particular Reasons for desiring him as your Prisoner, I doubt not the Council will chearfully comply, as will with the greatest Alacrity Dear Sir your Excellencys most obedient & very humble Servant

WIL: LIVINGSTON

P.S. I am under the most anxious Apprehensions about supplying the Troops with Flour, without more coercive Measures that the different Legislatures seem willing to adopt.³

ALS, DLC:GW.

1. See WL to John Simcoe, November 9, 1779.

Pursuant to a resolution passed by the Continental Congress on June 3, 1779, Washington had instructed John Beatty, commissary general of prisoners for the Continental army, to negotiate the parole and exchange of prisoners on the basis of equality of rank, or by establishing tariffs defined by a composition of ranks of officers and privates that together produced equal rank. Washington's prisoner policy distinguished between military and civilian captives. To discourage the capture of civilians, Washington refused to nego-

tiate a policy of parole or exchange for them. Negotiations regarding the parole or exchange of captured state militia were left to the states. The British resisted establishing an official exchange policy, as this would have conceded a sovereign status to the Americans. They were also unwilling to deviate from a rank-for-rank exchange (Fitzpatrick, *Writings of Washington*, 15:316–17; 16:130–32, 171–72, 324–26). For further discussion of prisoner exchange negotiations see WL Proclamation, [October 8, 1779], and WL to Elisha Boudinot, November 2, 1779.

2. See WL to Elisha Boudinot, November 2, 1779.

3. See WL to Nathaniel Scudder, November 8, 1779.

To Henry Lee

Mount Holly 10 Nov. 1779

Sir

The proofs now transmitted respecting the death of Fenton are satisfactory, & I have accordingly given Corporal Wright¹ a warrant for the Money, but after all it appears strange that Sargeant Cusack did not make affidavit of the facts which he has certified, considering how explicit I had been that Certificates did not amount to legal Proof.²

Colonel Simcoe's character is variously represented. I fear that he will rather be finally proved to be a Savage. His Treatment by this State is not however founded upon his Character. We think it our indispensable Duty to retaliate the Enemy's Severity to some of our Citizens in New York. But That such treatment should happen to be exercised upon a Person of whom you entertain so favourable an opinion,³ (besides the disagreeableness of such measures at any time) is particularly afflictive to Sir

ADf, NN:Lyon.

1. John Wright.

2. For discussion of Lewis Fenton's capture and death see WL Proclamation, [August 18, 1779].

3. Lee was grateful for Lt. Col. John Simcoe's good treatment of one of Lee's dragoons who had been captured by the Queen's Rangers. He had written Simcoe shortly after Simcoe's capture offering financial assistance, but Simcoe, who had been assisted by a British officer on parole at Princeton, declined. Lee had again written Simcoe on November 6 offering to intercede with WL about the conditions of his imprisonment (Simcoe, *Operations of the Queen's Rangers*, 266–69).

Imprisoned Men and Inflated Dollars

The October 1779 raid by Lieutenant Colonel John G. Simcoe and 72 Queen's Rangers on Somerset and Middlesex counties was to have far-reaching consequences both for Simcoe and New Jersey. On October 26th, the Rangers found large quantities of grain and forage in warehouses and other large buildings at Raritan. The food was intended for Washington's army, which was about to enter winter quarters. The grain and other supplies were to be taken to the men on board fifty flatboats anchored at Van Vechten's Bridge, just above Bound Brook. Simcoe burned the storage buildings and eighteen of the flatboats, thereby seriously threatening the survival of the American army and further upsetting the already shaky economy of New Jersey.

Even before Simcoe's raid, the army's supply of grain and forage had been small. After the raid, conditions were disastrous for the American army. Serious shortages forced Washington to buy additional food from New Jersey farmers. Until 1779,

the army had paid for supplies and services in Continental currency, but by that year currency was in short supply. Consequently, during the winter of 1779–1780, the army paid for goods and services in certificates, which were to be redeemed at some later date by the recipients. Inflation devalued the certificates and left New Jersey citizens in dire financial straits.

Simcoe's raid and shortages of food and money also meant that the state could send neither cash nor goods to New Jersey's prisoners of war. Both American and British prisoners, including Simcoe himself, were to suffer as a result of this neglect.

Simcoe's ordeal began on October 28, 1779, when his horse was shot from under him. His thigh was broken in the fall and he was seized and imprisoned by the Americans. Simcoe, because of his rank, expected to be treated like other captive officers. Most, unlike enlisted men, were usually not detained in prisons, but instead were permitted to seek and pay for



Meisinger's Lives, p. 1.

RHINECLAFFER'S SUGAR HOUSE & RESIDENCE

between William & Rebe St.

"The last of the Sugar House & Prison of the Revolution."

Sugar House. *Manual of the Corporation of the City of New York* (1857), 256.
Courtesy of the United States History, Local History and Genealogy Division,
The New York Public Library, Astor, Lenox and Tilden Foundations.

they were housed, British prisoners, as was true of American prisoners, suffered from inadequate shelter.

The uncertainty of their condition increased the anxiety of both British and American prisoners. During most of the war the British insisted that all patriots, whether or not they were members of the military, were rebels. In theory this meant that the British were exempt from treating captive Americans according to the rules of warfare prevalent among European nations. In practice, common sense prevailed and the British did not treat

captive Americans as traitors, although they frequently cited the rebel status of the prisoners as an excuse for not negotiating exchanges.

The prisoners' anxiety was further heightened because exchange was so unlikely. Throughout most of the war Congress maintained a policy of exchanging man for man, rank for rank. This policy was much more harmful to the Americans than the British because the latter held six times as many prisoners. It was not until March of 1780 that British and American officials agreed on a scale for ex-

changing men of unequal rank. After this date, exchanges became somewhat more common.

The most persistent complaint among prisoners, British or American, was insufficient food. The British allotted each prisoner two-thirds the amount of food assigned to a British soldier or sailor. Even the full allowance was inadequate and, consisting as it did of salted meat and dried vegetables, was also unhealthy. The primary concern of the British, as was true of the Americans, was to keep their own soldiers fed. Yet this too was difficult because most supplies came from Great Britain. Foraging parties often invaded New Jersey for provisions and livestock, but usually found little they could steal. Both the British and the Americans gave available food to their own soldiers and seamen, with prisoners of war receiving only the excess.

In the early years of the war Congress had sent flour, salted pork and beef, cornmeal, and other staples to Americans imprisoned in New York. It was unable to do so during the winter of 1779–1780, because not enough food was available for Washington's army. Surpluses simply did not exist. Congress also sent Continental currency to prisoners. The men would exchange the currency for specie and then buy food and clothing. By 1779–1780, with Continental currency suffering from rampant inflation, the British began to refuse to effect this unprofitable exchange.

Short supplies and short tempers brought on by the lengthy and frustrating war led to British neglect of prisoners. William Livingston soon began to hear reports of mistreatment. One such case that came to his attention was that of Woodbridge militia captain Nathaniel FitzRandolph, who had been seized from his bed by a band of Loyalists in January 1779. The British kept FitzRandolph in a state of semi-starvation for months be-

fore he finally wrote a letter to Livingston complaining of his treatment. On November 2, 1779, the appalled governor and the Privy Council ordered that retaliatory measures be taken on British prisoners. Some were to be placed in irons, while others, like Lieutenant Colonel Simcoe, were "to be Confined and Secured in Close Gaols." Simcoe, outraged by what he considered to be unfair treatment, had to endure his close confinement only until December 31, 1779, when he was paroled and returned to Staten Island. Both he and FitzRandolph were exchanged in the spring of 1780.

At the time of the Simcoe-FitzRandolph exchange, the very survival of the new nation seemed doubtful. To bolster the economy, the Continental Congress attempted to deal with inflation. In March of 1780, Congress recommended that states pass measures to withdraw all Continental currency in circulation through taxation. The New Jersey legislature, particularly eager to end the inflationary cycle, complied on June 9, 1780, with the passage of a measure to withdraw \$10,000,000 from circulation through taxes. As the money was received it would be deposited in the Continental Loan Office. This office would then issue one dollar in new money for every twenty dollars of Continental currency, with the value of the new currency against Continentals set by Congress at forty to one.

In the spring of 1780, lack of money continued to affect New Jersey prisoners of war, as did British claims that all American patriots were rebels. Captive New Jersey civilians were incarcerated and subjected to the same treatment that American military personnel underwent and were also subject to the same erratic exchange regulations. Some civilians, like Joseph Hedden, died in British prisons; others, like Matthias Halsted, waited impatiently while their wives and friends

enlisted Livingston's aid to effect their exchange. For all New Jersey residents, whether Loyalists or patriots, rich or poor, civilian or military, free or enslaved, the years of 1779 and 1780 were the most difficult of the war.



New Jersey Currency. Photographed by Joseph Crilley.
Courtesy of The New Jersey Historical Society.

To Catharine Livingston

Mount Holly 10 Nov. 1779

Dear Kitty

I think you might spare so much time as to write me the News of the City. I thought it hard that Mrs. Jay should take so long a voyage without answering any of my Letters.¹ There are Opportunities from Philadelphia to this obscure corner every week. The Stage Wagons they put up at Cooper's Ferry. Make my respects to Mr. & Mrs. Morris & your Foster Father the Spanish Don.² Perhaps you can make up a Party to come & see me. Your affectionate Father.

ADf, NN:Lyon.

1. John and Sarah Jay and Henry Brockholst Livingston had embarked October 20, 1779, on the *Confederacy* en route to Spain, where John Jay was to serve as minister plenipotentiary of the United States. For background see WL to Sarah Jay, October 7, 1779.

2. A reference to Don Juan de Miralles.

From John Simcoe

Burlington Goal, Nov. 10th, 1779.

SIR,

I have just now the honour of receiving your letter; I am sorry you will not permit me to go to Staten Island, to negociate mine and Col. Billop's exchange.¹

I shall embrace an opportunity of writing to New York; but I must first beg to be acquainted, whether Mr. Randolph is or is not a Captain? he being styled such in M. Boudinot's letter to Col. Billop.

I am also to beg, you will please to inform me for whom I am to retaliate, or for what I am confined? such usage being most unprecedented.

As you are pleased to observe that no private resentment is harboured against Col. Billop, I wish to know whether there be any against me.²

I should be happy to have an early answer, and am, sir, your humble servant,

J. G. SIMCOE.

P.S. I am not well acquainted with these matters, but I conceive the present proposition to be what last year Gen. Washington refused to exchange Gen. Burgoyne's army on,³ when made by Sir Henry Clinton; and I should be glad to know the ranks of those people, with the number of privates, necessary to complete them to Col. Billop's rank.

Simcoe, *Operations of the Queen's Rangers*, 272.

1. Lt. Col. John Simcoe's request to go to Staten Island not found.
2. See WL to Elisha Boudinot, November 2, 1779.
3. Simcoe is referring to the refusal of the Continental Congress to order the release of Lt. Gen. John Burgoyne's troops until the Articles of Convention were ratified by Parliament. See *Livingston Papers*, 2:192-93, 210-11, 221, 239-41.

To Isaac Smith

Mount Holly 10 Nov. 1779

Sir

A Petition is proferred to the Governor & Council by the Petit Jury who passed upon the Tryal of Peter Helm & by several other Inhabitants of the County of Gloucester praying that he may be pardoned. What favourable Circumstances may have appeared upon his Trial to render him a proper object of mercy, yourself Sir who sat as Judge upon it, must be presumed to be best acquainted. The Wife of the convict will wait upon you with this; & the Governor & Council have postponed the farther Consideration of the said Petition till they hear from you on the Subject.

There was also a Negro capitally convicted at the same Court, concerning whom, as to his being intitled to a recommendation for a Pardon, the Board would be glad of your Opinion.¹ I am Sir

ADf, NN:Lyon.

1. At the court of oyer and terminer in Gloucester County on October 5, 1779, Peter Helm had been found guilty of high treason, and James, slave of Anthony Warwick, had been found guilty of stabbing his master. The court sentenced both defendants to death.

WL had sent to the Privy Council the Gloucester inhabitants' petition on November 15, 1779; the council advised him to grant pardons to both Peter Helm and the slave, James (*N.J. Gazette*, October 27, 1779; *NJA* [Privy Council], 3d ser., 1:137).

To John Sullivan

Mount Holly 10 Nov. 1779

Dear Sir

I have to acknowledge the receipt of your two favour of the 4 & 7 instant,¹ & am greatly obligd to you for the Attention you paid to my application, & your readiness to frustrate the apprehended designs of the Enemy against this State.²

While I am obliged to attend the assembly at a place so remote as this from the British Operations I fear I shall not be able to give you any important Intelligence about their motions. But I shall direct Colonel Seely of our State Regiment at Elizabeth Town to give you the earliest notice of every of their manoeuvres that he may be advised of.³ With great Esteem & respect I have the Honour to be Dear Sir

ADf, NN:Lyon.

1. Letters not found.

2. On November 6 Washington had ordered Sullivan to prepare for a British attack, which did not occur (Fitzpatrick, *Writings of Washington*, 17:83, 87–88). See WL to John Sullivan, November 2, 1779, and WL to Nathaniel Heard, November 2, 1779.

3. Refer to WL to Silvanus Seely, November 10, 1779 (NN:Lyon).

To John Simcoe

Mount Holly 11 Nov. 1779

Sir

I have just now received your Letter of yesterday's date.

As the particular mode of Exchanging american for British Prisoners, will I presume not be insisted upon by Sir Henry Clinton in the present case, I hope no difference between his Excellency General Washington & him retard the Effect of the present Proposition; & it was for that very reason, if I rightly apprehended you that you preferred your being considered as a Prisoner to this State.

Mr. Fitzrandolph is no officer in our Militia¹ but nevertheless of so respectable a Character that we are universally sollicitous for his release, & tho' a Gentleman of the strictest honour has been treated with the greatest Indignity by your Superiors.² The rest of the Persons proposed for exchange save Colonel Reynolds, are also privates. As to the additional number of Privates necessary to make the exchange equal in consideration of your & Colonel Billop's rank, it must be determined by military usage which it will be easy for the two Commissaries to adjust; & no reasonable Cause of Obstruction will I hope originate from that Source.

You also beg me to inform you "for whom you are retaliated upon, or for what you are confined; such Usage being as you are pleased to observe most unprecedented." Considering Sir that the Confinement of our Citizens both officers & Privates when Prisoners to the Enemy has been as uniformly directed as if it had been a matter of Course, it ought not to appear wonderful should we adopt the same mode of Treatment even without any view to retaliate, the Precedent being set by our Adversaries without the least pretence on their part of retaliating upon us. But when such measures are ordered by us for the express & sole purpose of relieving our Suffering Subjects the impartial World must approve; & humanity itself, from their tendency to produce milder treatment, be constrained to in the final result applaud them. [Sir] Super add to this your counteracting the express Terms of your Parole at Bordentown (I would wish to believe rather from your misconstruction than determinate design to violate it) & your having been heard to say that whenever you should apprehend yourself in danger of being insulted by the People, you should think yourself at Liberty to effect your Escape (of which danger you doubtless intended to be Judge) not to mention that your present Situation is your best Security, against all popular Violence in case there really were any grounds for such apprehension; &, I doubt not, you will on cooler Reflection find no reason to charge the step in question with any unnecessary Severity.

To your Question, whether private Resentment is harboured against you? I answer Sir that public Bodies are not actuated by private Resentment, but that the actions of Individuals of a public Nature, such as Cruelty to Prisoners may nevertheless very properly occasion towards such Individuals a line of Conduct very different from what is observed

towards those of an opposite Character; And this with as little Colour for complaining of personal resentment, as of the civil Magistrate's punishing a public offender. But as no such charge has been proved (tho' many are alledged against you) I have no reason to think that such reports have influenced this Government in the Measures hitherto directed concerning you.

The negotiating the Exchange of Prisoners being by our Law, intirely committed to the Commissary³ (tho' the Governor is authorized to superintend their Treatment) you will be pleased Sir in your future Correspondence on that Subject to be referred to him. I do not mean by this to discourage you from making any necessary applications to Sir your etc.

ADf, NN:Lyon.

1. FitzRandolph had been a captain in the Middlesex County militia until December 1778, when he became a naval officer.

2. See Nathaniel FitzRandolph to WL, September 26, 1779.

3. Elisha Boudinot.

To Alexander Kellock

Mount Holly 12 Nov. 1779

Sir

Your Letter of yesterday came to my hands last Evening.¹ You thereby desire leave to return to New York on pretence of having come to us under the Sanction of a Flag while we claim you as a Prisoner of War. This Sir is so delicate a Point, that was the matter sufficiently doubtful to put one's Judgment in a State of Suspence, I should incline in Favour of the Former, an Error on that side being far the most eligible. But the Decision of the affair depends upon Facts. The Case as it has been represented to me is thus you came to our People in the heat of Action, & while in full pursuit of the Enemy. That they refused to receive you unless the Enemy would agree to halt while they treated with you. That for this purpose you went back to your Corps, but on your return to our Militia, the Corps retreated in full speed, & left you in our hands. Upon these facts, the following observations naturally present themselves viz. That being sent back to your Corps for the above purpose, they either agreed to halt, according to your request, or they did not. If the latter, you could claim no right to return to our People being

conscious that you could not comply with the terms upon which only they consented to treat with you as a Flag, & consequently that after this your return could only be intended to gain time & retard their pursuit of Colonel Simcoes party, at the small expense of your being made a Prisoner for the better affecting their Escape. If the former, the Party deceived both you & us, & the condition proposed being thereby actually infringed, their violation of the terms upon which we were to receive you, unquestionably put you in our hands as a Prisoner.² I must therefore at present be excused for entertaining the following Sentiments on the Subject.

1. That an Enemy coming as a Flag in the heat of Action, & when his coming manifestly obstructs the operations of his Adversary interposes between the Troops pursuing & fleeing when any Attention paid him tends to facilitate the escape of his own party can not claim a right of being received in such character. And upon this Principle I presume tho it was under circumstances very different as to any disadvantage that could come from thence result to them, that the British Troops shot a Flag as I have been informed which was sent to them by his Excellency General Washington to demand the Surrender of Mr. Chew's house in the Action near German Town.³—And

2ly. That the condition upon which our Militia agreed to receive you as a Flag not being complied with, you could not claim to be received in that capacity, & consequently fell into our hands as a Prisoner of War.

If I have been deceived in any part of the above representation, you will be pleased Sir to point out the Deception.

ADf, NN:Lyon.

1. Letter not found.

2. For details of Kellock's capture see WL to John Simcoe, November 9, 1779.

3. British soldiers had killed a Continental army officer who approached Benjamin Chew's house under a flag during the battle of Germantown, October 4, 1777. For discussion of the battle of Germantown see *Livingston Papers*, 2:94–95.

To Alexander Kellock

Mount Holly 15 Nov. 1779

Sir

I have received your Letter of the 13 instant, & with infinite trouble deciphered the characters.¹ Your state of the case does not so materially

differ from mine as to occasion any alteration in my Sentiments as to your being a Prisoner of War & not a Flag of Truce, but as you are desirous of going to New York on your parole of sending one of our People of your rank, & a private in the room of your Servant, or on failure thereof return with him into this State I have accordingly inclosed your Parole to Colonel Hoagland & your Pass to New York on signing the parole.²

The reason why there is an alternative as to both Mr. Polhemus is because Mr. Boudinot may think himself obliged according to the directions of our Act, to insist upon one who has been longer in Captivity.³ Probably you may be able to settle this matter with him at Elizabeth Town on your way to New York.

ADf, NN:Lyon.

1. Letter not found.

2. Refer to WL to Okey Hoagland, November 16, 1779, and to Silvanus Seely, November 16, 1779 (NN:Lyon).

3. "An Act for appointing a Commissary of Prisoners for this State, and vesting him with certain Powers," passed by the legislature December 12, 1778, allowed that official to negotiate the release of prisoners held by the state "according to the Date of their Captivity" (*Acts* [November 20–December 12, 1778], 43). For a discussion of this act see *Livingston Papers*, 2:511–12, 515–16.

To Chevalier de La Luzerne

Mount Holly 15 Nov. 1779

Sir

Your Favour of the 9th instant I have had the honour to receive. That any part of my Conduct should merit your approbation Sir affects me with peculiar pleasure. The agreeable office of presenting your very polite Sentiments concerning the Council & Assembly of this State respecting the French Gentleman I have punctually discharged, & those two Bodies are duly sensible of the Honour thereby done them.¹

Count D'Estaing's coming on our Coast to co-operate with the Troops of the united States in compelling our Enemies to evacuate Georgia is a fresh Proof of the great Affection which our faithful Allies pay to the Interests of America. That his Success has not been equal to his Expectations will not detract in the estimation of Americans from the applause that is due either to the benevolence of the Intent, or the lustre of the Enterprize. We only regret that the Event should deprive him of

any of those Laurels, to which the Intrepidity of the Attempt so justly intitles him.

I am exceedingly flattered by your Excellency's kind congratulation on my re-election to this Government, & your very obliging promise in the conclusion of your Letter. Give me leave Sir to assure you that I am deeply impressed with the Sense of the honour thereby done me, & to entreat you in the Catalogue of your most humble & devoted Servants to rank

ADf, NN:Lyon.

1. WL is mistaken about the date. See Chevalier de La Luzerne to WL, November 7, 1779. The New Jersey legislature had resolved on November 2, 1779, to refund state taxes paid the previous summer by M. de La Fleudrie, a French citizen residing in Cumberland County. The state again taxed La Fleudrie in March 1780. On April 4 he wrote WL requesting that the tax be rescinded. Refer to Chevalier de La Fleudrie to WL, April 4, 1780 (NN).

On January 14, 1780, Congress had recommended that the states pass legislation conferring on French citizens residing within their borders privileges and exemptions consistent with the provisions of the February 6, 1778, Treaties of Amity and Commerce between France and the United States. On May 25, 1781, the New Jersey legislature issued an act conferring "all the like Privileges, Rights and Immunities granted to the Subjects of the United States . . . while in France" to all French citizens residing in the United States (*General Assembly* [February 16–March 21, 1780], 117; [May 10–June 19, 1780], 198, 200, 230, 245; [September 13–October 7, 1780], 261; [October 28–November 3, 1780], 11; [December 9–15, 1780], 59; [May 15–June 28, 1781], 14, 16; *Legislative Council* [October 24, 1780–January 9, 1781], 31, 48; [May 15–October 6, 1781], 5, 7–8; *Acts* [May 24–June 28, 1781], 72–73). For discussion of the Treaties of Amity and Commerce see *Livingston Papers*, 2:307, 343–55, 418–20.

To Susannah French Livingston

Mount Holly Nov. [15] 1779

My dear Sukey

The first time I read over your Letter in answer to the one I sent you from Mr. Wallace's¹ at Raritan, I was greatly chagrined, as thinking that you made unnecessary Excuses, & that you could, if you would, have made me the requested Visit.² But upon a second Perusal I blamed myself greatly for those Unkind Surmizes, & was convinced that you could not with any Justice to the Family, leave it in its then Situation. And the Sentiment in your Letter that nothing but your considering it as the will of Providence could reconcile you to our separation from

each other was particularly agreeable to me as it necessarily implied that abstracted from that devout reflection, you would be unhappy on that Account. My dear Sukey, I can assure you in return, that no Consideration but that of my duty to the public, & the consequence of which without vanity I think myself to be in my present Station during our national Contest, could induce me to continue in it, upon the mortifying Terms of being obliged to live at a distance from my family and especially the Mother of it. Nor shall I think it my Duty another year, unless Matters are so concerted by the Legislature that I can serve the State in my present Office & at the same time have my family with me, to accept of the appointment, especially if you shew the least disinclination to it. I hope the Scoundrels may take their departure from New York this Winter, that I may spend it with you without the danger of being carried thither to see a place which I never desire to see while in their Possession. If this Event should not take place, I must procure Lodgings in Morris Town, in which Situation I hope we may frequently see each other without my running the risque either of Life or Captivity. In their late Incursion into Somerset, the boats which they burned at Uncles Van Veghten's Bridge were indeed their principal object,³ but they made such earnest Enquiries after me, that had I been at Mr. Wallaces they would undoubtedly have proceeded so much farther up the Raritan to beat up my Quarters, tho' they would even then have been disappointed; as a man who pushed after them from Quibble Town, & at the hazard of his life got before them, brought the tidings to my lodging, seasonably enough for me to have made my Escape. I happened to be at Brunswick to see Brother Phil French, & there indeed I had like to have had a rencounter with them, at the Landing Bridge, in which however I should have had some chance for my life, had they taken that rout as it was expected they would, in case our Militia had check'd their progress in the road they were taking to South Amboy.

The Assembly is adjourned to this remote Village, where I can seldom hear from you, or be heard of, by you. Of whatever consequence the latter may be; the former I can assure you, my dear Sukey, is no inconsiderable addition to the Mortification of my Absence. For the rest, we are agreeably enough situated, the Inhabitants being very kind; & my Land Lady who is a Quaker Preacher, is one of the most obliging motherly woman I ever knew. She went yesterday morning to Philadelphia, & I sent a Letter by her to Caty,⁴ whom I charged her to go &

see, & expect a Letter in Answer to Morrow. Whenever the Wind blows hard I tremble for Sally, & the rest of our dear Connections on board of the *Confederacy*.⁵ Oh how I shall rejoice to hear of their safe arrival in France; & escaping the vigilance of the Enemy & the perils of the tempestuous Ocean! Kiss my dear little Peter for me, & remember me to all the Children. I am your affectionate Husband

ADf, NN:Lyon.

1. WL had stayed with the Wallace family while the New Jersey legislature was in session at Raritan. See WL to Joshua Wallace, November 9, 1779.

2. WL had tried to arrange some time with his wife in October 1779, but she had been unable to meet him. See WL to Susannah French Livingston, October 15, 1779.

3. See WL to James Abeel, October 29, 1779.

4. Elizabeth Hatkinson was WL's landlady. His daughter Catharine was visiting with Robert Morris and his family in Philadelphia.

5. Sarah and her husband, John Jay, and WL's son Brockholst had sailed for Spain aboard the *Confederacy* in October 1779. See WL to Sarah Jay, October 7, 1779, for discussion of the Jay mission.

To Elisha Boudinot

Mount Holly 16 November 1779

Sir

By the advice of Council¹ I have given Dr. Kellock leave to return to New York with his Servant on his parole to return in a month unless he procures the return of dr. Riker & Mr. Polhemus lately made Prisoners by the Queens Rangers, or in lieu of Mr. Polhemus such other private as you shall require in a fortnight. This was so ordered that you might not be excluded from demanding one who had been longer in captivity. Probably you may settle this matter with the Doctor before he leaves Elizabeth Town.

ADf, NN:Lyon.

1. The directive was not recorded in the surviving Privy Council minutes.

To Catharine Livingston

Mount Holly 16 Nov. 1779

Dear Catharine

I have received your Letter of the 12th by Mrs. Hatkinson.¹ The Count² is unfortunate, but I hope he will mend his luck in the West

Indies. If he should there take the British Islands; or destroy the British Fleets, we shall have the less reason to regret his disappointment³ on our Coasts.

As we have not yet heard of the safe arrival of our Friends on board of the Confederacy in the port of New York,⁴ I hope they have got such offing as to be out of the Tract of the copper Bottoms.⁵ I am obliged to Mr. Morris for his promise of giving me the earliest Intelligence of their Arrival in France. I hope his Business with the four Quarters of the Globe will not efface it from his Memory. I have already suffered more anxiety on their Account than I should have imagined I could be affected with on *any* Account. The tenderness of a Parent's heart cannot be known till it is tried.

The death of Mr. Hewes is a public loss. He was an honest man.⁶ A greater scarcity in these times than even Hyson or double refined.⁷

The Enemy are collected in great force on Staten Island; & if they don't burn my house, I shall think them still greater Rascals than ever as I have really endeavoured to deserve that last & most luminous Testimony of their Inveterate Malice. They ought never to forgive a man for being faithful to his Trust. But we are at present in such a Situation, that they can not travel far into New Jersey, nor stay twenty four hours in it, without exposing themselves to a severe Drubbing.⁸

If with your Interest with Nanny Brown's *Sparks of the Army* in conjunction with that of the Governor of New Jersey you can procure me a good Servant from among the Hessian Prisoners in Philadelphia I should be most obliged to you. Mamma is greatly distressed for the want of one. The Board of War has obliged several⁹ Gentlemen with them, upon their giving Security to return them when demanded. I should like one that had been acquainted with Country Business. I dare say Mr. Morris¹⁰ will be kind enough to put you in a way of procuring one. I am your affectionate Father

ADf, NN:Lyon.

1. Letter not found. Hatkinson was WL's landlady in Mount Holly. See WL to Susannah French Livingston, November 15, 1779.
2. Count d'Estaing.
3. WL substituted "disappointment" for "Disastrous."
4. See WL to Susannah French Livingston, November 15, 1779.
5. The British navy had recently sheathed the hulls of their fleet with copper.
6. Joseph Hewes.
7. Hyson was a choice Chinese tea. "Double refined" refers to sugar. WL substituted "Hyson or double refined" for "tea or sugar."

8. The British had collected 1500–2000 troops on Staten Island and were daily expected to attack. See WL to John Sullivan, November 2, 1779; refer to *N.J. Gazette*, November 10, 1779.

9. WL substituted “several” for “many.”

10. Catharine Livingston was a frequent guest at the home of Robert Morris in Philadelphia.

From George Washington

Headquarters, West Point, November 16, 1779. Washington acknowledges receipt of WL’s letter of November 9, 1779, and informs him that John Simcoe is to be considered a state prisoner; the state commissary of prisoners may choose the mode of exchange.¹ He closes with congratulations to WL on his reelection as governor.

Lcy, DLC:GW.

1. See WL to George Washington, November 9, 1779. For discussion of the proposed exchange and treatment of prisoners see WL to John Simcoe, November 11, 1779.

To Elisha Boudinot

Mount Holly 18 November, 1779

Sir

Your Letter of the 2d instant came not to my hands till yesterday.¹

The Governor & Council conceive that the time of a Prisoners Captivity intended by the Act must be construed to relate to Prisoners in other respects equal.² Colonel Ward therefore being taken when not in actual Service, they think that Colonel Reynolds, who was ought to be preferred in the Exchange. Mr. Jackson being in the Situation you represent will be out of the Question; & consequently the number of our Citizens in captivity at New York to be exchanged for Colonels Simcoe & Billop is to be proportionally augmented.

The Board is sensible of the force of your objection against exchanging regular officers of the Enemy for any of our Militia officers, captivated by them; & do not mean to establish such Exchanges into Precedent. But are in the present Instance induced to this measure from a persuasion that the exchange of Fitz Randolph & Leshier cannot be affected without Simcoe; & the peculiar Sufferings of those unfortunate Men they conceive a sufficient reason for deviating from the General Plan.³

ADf, NN:Lyon.

1. Letter not found.
2. See WL to Alexander Kellock, November 15, 1779.
3. On November 2, the Privy Council had advised WL to direct Boudinot to negotiate the exchange of Col. Christopher Billop and Lt. Col. John Simcoe for Thomas Reynolds, Nathaniel FitzRandolph, John Loshier, and Charles Jackson (*NJA* [Privy Council], 3d ser., 1:137). See WL to John Simcoe, November 11, 1779.

To Jacob Bergen

Mount Holly 19 November 1779

Sir

I just now received a Letter from Dr. Witherspoon¹ in which he informs me that there was sent to his house a Paper neither signed nor authenticated calling itself a Petition of the Inhabitants of Princeton to me about the Prisoners of War now at work there.² This I suppose was a Copy of that Petition which you delivered to me at Trenton, & which ought to have had the names of the Signers copied as well as the rest of it. The Doctor farther acquaints me that he did not know whether any thing was expected from him in Consequence (which I took for granted you would have told him) but assures me that the Men are behaving in a very orderly manner & very useful both in the Repairs of the College & to himself. That he has spoke with the Inhabitants in General, & that excepting a very small Number they are well satisfied. That the one man who acted indiscreetly [at] Dr. Wiggins's house he has sent off which has given great Satisfaction & that the least Misbehaviour of any of them would be attended with the same Effect. And that he can also assure me that several of them are sincerely desirous never to return to the British at all, so that he hopes the Measure he has taken will appear not only to be harmless, but useful to the Country, & that great Numbers of those Prisoners are at work at Bristol, & other parts in Pennsylvania.

This I hope may satisfy the Signers of the Petition, but if there really are any grounds for apprehending danger from those prisoners, & the Inhabitants of Pr[ince]nton are desirous of my farther interfering in the matter, I shall chearfully desire the advice of Council on the Subject & hoping however that those Petitioners will not suffer, either private Animosity, personal Envy to influence their applications for Relief.

ADf, NN:Lyon.

1. Letter not found.

2. Petition not found. Reference is to captured Hessian soldiers employed as servants. Captured British soldiers were held in confinement in a manner similar to the treatment of American prisoners by the British. For WL's explanation of the American policy of retaliatory treatment, see WL to British Prisoners, March 17, 1779. WL employed Hessian prisoners. He had asked his daughter Catharine to obtain a Hessian servant for him during her stay in Philadelphia. See WL to Catharine Livingston, November 16, 1779.

To Nathaniel Scudder

Mount Holly 19 Nov. 1779

Dear Sir

Had I received your Letter of the 15 instant but one hour sooner, I should have done myself the Honour of answering it by the Stage Waggon which set out this morning before it came to my hand.¹

The Delegates chosen are Mr. Fell Mr. Houston & Dr. Handerson.² I am told that the only reason why you was not re-elected was that you had declined to serve another year. Whether you have really signified such disinclination or whether it was given out by your Enemies, in order to procure votes against you, I know not, as artifices of that kind are often made use of by Politicians who have more strategem than Conscience.³

Unless your family affairs indispensibly require it, you ought not yet to retire from public Business. It is true you have done your share, but there is much still to do, and the number of those who are best qualified, is daily decreasing.

I hope you will so exert yourself in Monmouth against the next Election, that we may have *all* Whigs. The Legislative Body suffers more detriment from three or four Tories, than it can reap advantage from twenty Whigs.⁴ They have as thou knowest from manifold Experience an Infinity of ways to perplex & procrastinate Business. May you be able so to concert your Journey homewards as to render it convenient for you to touch at Holly; for as to my coming to Philadelphia, I see no Prospect of it my Business perpetually increasing rather than diminishing & the Period of the *otium cum dignitate*⁵ appearing as remote as the Planet Saturn. I am with sincere respect

ADf, NN:Lyon.

1. Letter not found.
2. On November 17, the Joint Meeting elected John Fell, Thomas Henderson, and William Churchill Houston delegates to the Continental Congress for a one-year term (*Joint Meeting*, 32–33).
3. Scudder had written WL that he was thinking of not continuing as a delegate to Congress. See WL to Nathaniel Scudder, November 8, 1779.
4. Nathaniel Scudder was elected to the Legislative Council for Monmouth County in October 1780.

Neither James Mott, Jr., assembly delegate from Monmouth County, nor Joseph Holmes, council delegate from Monmouth County, who had opposed WL's reelection in October 1779, were returned to the legislature in October 1780 (*Joint Meeting*, 32; *General Assembly* [October 26–December 25, 1779], unnumbered page; [October 24–27, 1780], unnumbered page).

5. *otium cum dignitate*: worthy leisure.

To Joseph Borden

Mount holly 20 November 1779

Sir

In the account of Congress against the State of New Jersey lately transmitted to me from the Treasury office of the United States,¹ I find the following charge—24 January 1778 To a warrant on Joseph Borden Commissioner of the Loan office in the State of New Jersey favour of his Excellency the Governor & Council of said State for the purpose of recruiting the Continental Army in said State 10000 Dollars.² What is meant by this charge I cannot recollect nor explain to the Assembly. I suppose it must be so much money lodged in your office for paying the recruits that were to be raised in every district by Commissioners appointed for that purpose.³ Such Commissioners I remember were appointed, but I believe no recruits were ever raised in consequence of it. As to the money I know nothing of it but I doubt not you can explain the matter, & wish you would so far oblige me by the first opportunity.

ADf, NN:Lyon.

1. Refer to WL to the Assembly, November 19, 1779 (NN:Lyon). The legislative journals, however, do not mention the referral (*General Assembly* [October 26–December 25, 1779], 30–31; *Legislative Council* [October 27, 1778–October 9, 1779]).
2. On January 24, 1778, the Continental Congress ordered this warrant (*JCC*, 10:89). See *Livingston Papers*, 2:172–73, 218, 257–59.
3. For background on this measure see *Livingston Papers*, 2:265–67, 291–92.

From James Paterson

Staaten Island Nov. 20th 1779.

Sir

I beg leave to transmit to you the inclos'd¹ & it is my indispensable Duty to remonstrate in the strongest Manner against the cruel & unprecedented severity & Violence of the Treatment therein described; the Persons on whose Account Colonel Billop is supposed to suffer (independant of their respective Rank & Character) are under Confinement but not in Irons, & are as well treated as their Situation can admit of.—I should much rather appeal for Redress to Justice & Humanity, than to a Representation of the many fatal & cruel Effects that must inevitably attend a Retaliation of such unjustifiable Proceedings which loudly call for the most immediate Redress or the most disagreeable Consequences.²—I have the Honor to be, Sir, Your most obedient humble Servant.

J. PATERSON

LS, NN.

1. Enclosure not found.
2. In its November 2, 1779, directive to WL regarding the exchange of Col. Christopher Billop and Lt. Col. John Simcoe, the Privy Council ordered that they be treated harshly in retaliation for British treatment of American prisoners (*NJA* [Privy Council], 3d ser., 1:136–37). See WL to Elisha Boudinot, November 18, 1779.

To Samuel Huntington

Mount Holly 22 November 1779

Sir

I have the Honour to acknowledge the Receipt of your Excellency's Favour of the 10th instant¹ inclosing two Acts of Congress of the 12th & 16th Instant for reforming the 11 Companies of Artificers etc. and another of the 16th requesting the Aid of the several States for obtaining Witnesses & Depositions in the Trial of Causes by Courts martial.²

I have just received a Letter from a Member of the States General of the 6th of July containing important Intelligence respecting the Dis-

position of that Republic towards our Independence.³ Many Passages of it might deserve to be communicated to Congress; but I have no leisure at present to translate them; & there is no Person here who understands the Dutch Language,⁴ & to whom I should chuse to entrust the matter. The Bearer of the Letter is Lt. Col. Dirick,⁵ an officer in our Army, and a native of Holland; and who has been to Europe with Leave of Congress. His Family Connections in the Netherlands are very considerable, & many of them of illustrious Rank. He appears by the Letter above mentioned & several other Documents which I have seen to have been of eminent Service to the Cause of America, in that Country. He prefers continuing in the American Line to all his Expectations at home, & is very desirous of a Command in which he may have an Opportunity to distinguish himself, & deserve the Praise of Congress. From a full conviction of his Merit, & cautious as I am of recommendations, I would beg Leave with all suitable Deference to recommend him to the Notice of that respectable Assembly, and have the Honour to be with the most profound Attachment your Excellencys most Obedient & very humble Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. WL is mistaken about the date of Huntington's letter. Refer to Samuel Huntington's circular letter, November 18, 1779 (DNA:PCC, 14).

2. On November 12, 1779, Congress had resolved that the eleven independent companies of artificers be reorganized into a single corps, entitled to separate commissions and courts-martial. Enlistment in the corps was thereafter to meet state enlistment quotas. Congress further resolved on November 16 that the states provide the same benefits, except half pay, granted to fighting troops in the Continental army and that the pay of the commanding officer of the artificers corps be equal to that of a lieutenant colonel. On November 29 the New Jersey Assembly resolved that the state supply artificers in the same manner as fighting troops, with expenses to be paid by the Board of War. No further action was taken until March 1, 1780, when an assembly committee drafted a supplement to "An Act to provide for the Clothing of the Quota of Forces raised or to be raised in this State, for the Service of the United States, and to repeal the Laws now in Force for that End." It became law June 11, 1780. No further action was taken during the winter 1780 sitting of the legislature (*JCC*, 14:602–5, 15:1261–62, 1276; *General Assembly* [October 26–December 25, 1779], 48, 50; [February 16–March 21, 1780], 120–21, 130–31).

The second congressional resolve of November 16 recommended that the states vest authority in their executives to grant writs requiring witnesses in courts-martial cases to attend court. The resolve further recommended that depositions taken in the presence of the prosecutor and the defendant be substituted for testimony in noncapital cases. On December 8 the legislature passed "An Act to vest the Justices of the Supreme Court with

Power to grant Process to compel the Attendance of Witnesses at Courts Martial," which empowered Supreme Court justices, rather than the governor, to compel the attendance of witnesses at courts-martial upon application of the judge advocate of the Continental army. There was no provision that depositions be substituted for testimony (*JCC*, 15: 1208, 1277–78; *General Assembly* [October 26–December 25, 1779], 51, 53, 56–57, 60–61; *Legislative Council* [October 26, 1779–March 21, 1780], 27–28; *Acts* [October 26–December 26, 1779], 21).

3. See Baron van der Capellen to WL, July [6] 16, 1779.
4. WL deleted "to do it for me" from an ADF (NN:Lyon).
5. Lt. Col. Jacob Diriks.

From Jonathan Trumbull

Lebanon 22nd November 1779

Sir

I am desired by the General Assembly of the State of Connecticut to acknowledge the receipt of An Address from the Legislative Council and General Assembly of the State of New Jersey, dated Trenton 29th September 1779 which came to hand the 24th October and was immediately communicated.¹

Our Assembly have had before them the subject of the currency its alarming situation and the consideration of a remedy in the doings of the Convention of the States of New England and New York, which was held in Hartford during the time of our general Sessions in October last.² And I am now to inform that the General Assembly of this State have adopted the recommendation of that Convention so far as to authorize and appoint any two of our delegates to Congress to meet in a General Convention of all the States in the union so far westward as Virginia which is proposed to be holden in Philadelphia in the month of January next, for the purposes recommended by the forementioned Convention at Hartford whose doings will before this time have been communicated to you.³

The subject for the consideration of the proposed Convention is truly an interesting one, and I sincerely wish that measures may be adopted which may meet such general approbation as to produce the desired effect. I am with great Esteem & Consideration Sir Your most Obedient very humble Servant

JON: TRUMBULL

LS, NN.

1. The New Jersey legislature had been considering since June 10, 1779, both representation to Congress and a circular letter to the states on the depreciation of the currency. Although the legislature forwarded the September 29 representation to Congress and the circular to the states, it continued to study the matter throughout the October 26–December 26, 1779, sitting (*General Assembly* [April 20–June 12, 1779], 140–41, 143, 152–54, 156; [September 15–October 9, 1779], 168, 176–77, 183–86, 189, 191–92, 203–5; [October 26–December 25, 1779], 12, 16, 19–20, 29–30, 45–48, 63, 79–80, 82; *Legislative Council* [October 27, 1778–October 9, 1779], 76, 82, 85, 87–93, 95, 98–99, 103, 105; [October 26, 1779–March 21, 1780], 9–10, 17–18, 20–25, 32–34, 36). Refer to New Jersey Legislature to the Legislatures of the Neighboring States (Evans, no. 43670). Depreciation remained a constant and controversial issue, agitated often in the press. For example, see the debate between “A True Patriot” and “A Farmer” in the *N.J. Gazette*, October 6 and December 1, 1779.

2. At the suggestion of the Massachusetts General Assembly, delegates from Massachusetts, New Hampshire, Rhode Island, Connecticut, and New York met at Hartford on October 20, 1779, to consider depreciation. The Hartford Convention resolved that too-rapid rises in prices had caused dangerously unstable inflation and recommended that the states pass legislation regulating prices. It also called for a convention of Virginia, Delaware, Maryland, Pennsylvania, New Jersey, New York, and the New England states to meet at Philadelphia January 5, 1780, to consider a virtually national regulation of prices of merchandise and produce in their several states. A copy of the Hartford resolves was presented to Congress on November 10. Congress considered the resolves and the September 29 representation of the New Jersey legislature on November 19 and recommended that the states quickly enact laws limiting the prices of domestic produce and imported merchandise and against engrossing and withholding produce (*The Public Records of the State of Connecticut, from May, 1778 to April, 1780, inclusive* [Hartford, 1895], 562–63, 566–69; *JCC*, 15:1162, 1196, 1254, 1272, 1287, 1289–93).

3. On November 25 WL presented to the assembly a letter of October 28 from Stephen Hopkins, president of the Hartford Convention. The assembly on December 14 concurred with the Legislative Council's resolve that Silas Condict and Thomas Fenimore be appointed commissioners to the convention to be held in Philadelphia on January 5, 1780 (*General Assembly* [October 26–December 25, 1779], 47–48, 79–80; *Legislative Council* [October 26, 1779–March 21, 1780], 32). Refer to Stephen Hopkins, Circular Letter, October 28, 1779 (*Public Records of Connecticut*, 571); and Message to the Assembly, November 25, 1779 (NN:Lyon).

To Henry Lee

Mount holly 24 November 1779

Sir

The Granting of passes (for going into the Enemys Lines) in this State by any person except His Excellency General Washington & the commander in Chief of this State being expressly against the Law of New Jersey as well as a Resolution of Congress, (by the last of which

the officer who grants them is to forfeit his Commission,) I can by no means countenance the practice.¹ How far in extraordinary Cases & for the Express purpose of gaining important Intelligence an officer on an outpost may notwithstanding be excusable for employing a Spy, your own discretion I presume Will be able to dictate. But your pass is in reality a Licence to trade; and from melancholy experience I have reason to think that those who will engage in that Business are generally a pack of Scoundrels who mean nothing by it but to benefit themselves by the trade which they are permitted to carry on under Pretence of the better introducing themselves to the Enemy, & who will be of as much disservice to you by carrying Intelligence *to* them, as Benefit by any they will bring *from* thence.

It would not only be agreeable to my own Disposition to indulge Colonel Simcoe to go to New York on his parole, but your application in his favour would be an additional motive to induce me to oblige him.² But be pleased Sir to depend upon it, that this Government has substantial reasons against adopting that measure.

ADf, NN:Lyon.

1. For a discussion of passes see Joseph Reed to WL, June 17, 1779.

2. Letter not found. See WL to Henry Lee, November 10, 1779, and James Paterson to WL, November 20, 1779. Refer to Henry Lee to John Simcoe, November 14, 1779 (Simcoe, *Operations of the Queen's Rangers*, 270).

To John Henry Livingston

Mount Holly (you will never find it in any map) 24 Nov. 1779

Dear Sir

The inclosed I received from Holland by the same Conveyance which brought me some important dispatches from Baron Van der Capellen a member of the States General. That it may the sooner & safer get to your hands, I inclose my Letter which covers it to Mr. Remsen at Morris Town & which I shall send by express, & desire him to be particularly careful in forwarding it to you.¹

Baron Van der Capellen's Letter to me contains very important Intelligence respecting the Disposition van het *Vaderland*² towards the Cause of America, & the most proper measures to be adopted for establishing our Interest in that Republic. Of this the Congress might very essen-

tially avail themselves if they would abandon their little party attachments, & instead of spending their time about trifles, apply themselves in serious Earnest to Business.

I am exceedingly happy to learn from Van Der Cappellens Letter, that one of mine to him containing a true state of our Situation, & calculated to remove all the Prejudices which I supposed the British Agents were instilling into the Minds of the Hollanders & (which he caused to be translated into Dutch & dispersed thro' all the seven provinces) had a most astonishing effect.³ It was indeed intended for the purpose⁴ of creating a political ferment among the Mobility, & you may be sure I did not forget to touch upon the glory of their Ancestors in a similar Cause, & their having so long been the Scourge of tyrants, & the assertors of Liberty; Nor according to the advice of the Logician of reserving the strongest argument for the last did I forget to conclude with the *argumentum ad Batavium*,⁵ *Trade*. Whenever the war is over, & the British do not in the mean time take my scalp (to which they have a most violent propensity) I hope to see you at least once more, before I quit this turbulent world for that better one where Peace eternal reigns. God Bless you my dear Sir & make you eminently succesful in your arduous Function. My sincere respects to all the Branches of the family in Albany. I am with great Esteem Dear Sir

ADf, NN:Lyon.

1. Enclosures not found. See Baron van der Capellen to WL, July [6] 16, 1779.
2. *van bet Vaderland*: of the Fatherland.
3. For WL's letter see *Livingston Papers*, 2:488–94.
4. After "purpose" WL first wrote and crossed out "of a little mischief"; he then wrote and crossed out "doing a little political mischief."
5. *argumentum ad Batavium*: Dutch logic.

To Henry Remsen

Mount Holly (you will never find it in any map) 24 Nov. 1779

Sir

I am much obliged to you for your agreeable Favour of the 19th.¹ The Intelligence I have from Baron Van der Cappel is in general very favourable, But much will depend upon the Congress pursuing proper measures to engage the Dutch in our Interest. They have been shamefully neglected, & in point of american Intelligence been kept in the pro-

foundest Ignorance. Congress may greatly avail themselves of some facts which I shall suggest to them from my illustrious Correspondent; but then they must mind their business, & not enter into parties about the Deans the Lees the Pains, & the Devil knows what.²

I shall be greatly obliged to you for forwarding the inclosed which covers a Letter to Dr. Livingston from Holland, & of which he would doubtless greatly regret the Miscarriage. My respects to all the New Yorkers in Morris town, who for their own sakes & not mine I really hope & have reason to believe will be restored to their native Country by next Spring. I am

ADf, NN:Lyon.

1. Letter not found.
2. Thomas Paine had supported Arthur Lee in his controversy with Silas Deane. Paine's involvement in the dispute led to his forced resignation as secretary to the Committee for Foreign Affairs (Morris, *Unpublished Papers of John Jay*, 508, 524–26). For further discussion of the Lee-Deane controversy see WL to Sarah Jay, October 7, 1779.

To Silvanus Seely

Mount holly 26 Nov. 1779

Sir

You are charged by Mr. Abraham Clarke with being concerned in the trade that is carried on from Elizabeth Town to New York & which there is but too much reason to believe is carried on to an enormous degree.¹ I hope Mr. Clarks Information as far as it respects yourself is not well founded. I should be very sorry indeed that an Officer of your Rank, & to whom the Command of the State Regiment is intrusted, should countenance a trade which it is no inconsiderable part of his Duty to suppress & thereby forfeit the unspotted Character he has hitherto so justly sustained.

Mr. Clarke also informs me that Colonel Taylor² has by warrant appointed one Mr. Cunningham who is stationed at Trembles point, to a command in the Regiment. If he has I suppose it was because the quota of officers was [deficient]. I should be glad of a line from you on both these Subjects.

ADf, NN:Lyon.

1. Refer to Abraham Clark to WL, November 24, 1779 (PHi). Capt. John Craig, who served with Silvanus Seely in the New Jersey State Regiment, had informed Abraham

Clark that Seely was both encouraging and profiting from illegal trade with New York. Clark had passed the information to WL, with the recommendation that Seely be court-martialed. "An Act to prevent The Subjects of this State from going into, or coming out of, the Enemy's Lines, without permission or passports," passed October 8, 1778, and "An Act to explain and amend an Act, intituled, An Act to prevent the Subjects of this State from going into, or coming out of, the Enemy's Lines, without Permissions or Passports; and for other Purposes therein mentioned," passed December 11, 1778, both applied in this matter (*Acts* [September 24–October 8, 1778], 105–6; *Acts* [November 20–December 12, 1778], 41–42). See *Livingston Papers*, 2:471–72.

2. Col. John Taylor.

To George Washington

Mount Holly 27 November 1779

Dear Sir

I have received your Excellency's favour of the 16 instant, & am greatly obliged to you for your kind Congratulation on my Re-election to the Government. If your Excellency has seen a certain Lybel in Collins's Paper, you will probably acknowledge that I have rather been *overtaxed* for the Emoluments of the appointment;¹ but Calumny Sir is a Tax that the Tories will impose upon every man who exercises a public office with Integrity & Vigour, & of which your Excellency yourself has paid your full Proportion. Posterity however it is to be hoped will do strict Justice; & the verdict of ones own Conscience the mean while enable one to treat the whole race of Calumniators with sovereign contempt.

I have lately received a Letter from Baron Van Der Cappellen a dutch nobleman & one of their high mightynesses containing a very favourable Account of the Hollanders respecting their disposition towards the Cause of America, & that our Interest is daily increasing among them, notwithstanding the Influence of the Prince of Orange.² He greatly laments our not having had a secret Agent in his Country constantly furnished with a true state of our Affairs to enable him to counteract the Mischief done the false Intelligence propagated by the British Emisaries. Apprehensive that such Mischief was done, I sent him last fall a detail of our then Situation of affairs, calculated particularly tho strictly [. . .] to remove those Prejudices which I thought it most probable the English were labouring to instill in the minds of his Countrymen. This Letter after having it translated into his own Language, & observing the

Impression it made on those to whom it was read, he caused to be printed, & dispersed thro' all the seven Provinces & which he is pleased to tell me has had a most happy Effect. He farther informs me, that the Congress may procure a Loan from his Countrymen to any amount, & His Letter to me came accompanied with an offer of one of the greatest commercial Houses in Amsterdam to that purpose.³

I am always extremely Loth to consume more of your Excellency's time by my Letters than necessity requires, but the Account I first received of the Project from Mr. Sayre himself about four months ago, (when I confess I looked upon it as rather visionary, & savouring too much of Captain McPherson's proposal to Congress)⁴ I am from this Gentleman's confirmation induced to consider in a more serious Light. For your Excellencys amusement I will give you the whole paragraph of Baron Van der Capellen's Letter relative to this extraordinary Invention.⁵

"We have (says he) at present in Amsterdam the celebrated Mr. Stephen Sayre late Sherif of London, a native of America, full of fire, spirit, & affection for his Country. He has invented a very singular kind of Ship, of a construction altogether new, to appearance much stronger in its make, less expensive, & a swifter Sailor than any other hitherto seen. It may be entirely built, if that is one's choice, of pine. Our best Shipwrights & several respectable American Captains now here, pronounce in its favour. One cannot but wonder at the Simplicity of the Invention. Some Merchants have already contracted to have one built, which was to be set on the Stocks yesterday. But what is of more Importance, Mr. Sayre has invented a Plan perfectly original to build ships of War; a Plan that I believe never before entered into the Imagination of Man, tho' founded on the most simple Principles. He will as soon as possible open the matter to Congress in person, & has in the mean time least he should meet with an Accident on his Voyage committed the Secret to me, to preserve for the Benefit of America. I have no skill in Ships, or naval affairs, & therefore do not take upon me to decide concerning it. But as it appears to me, the Invention is of the utmost moment, & I believe that the observation of Mr. Sayre *that the power which shall first introduce it into its Marine, will be able to annihilate that of its Enemies*, certainly deserves the Consideration of Congress. The secret I shall, the mean while keep sacred, hoping however that by the safe Arrival of the Inventor, Congress will not be necessitated to learn it from me."

Whether the Project will succeed I cannot tell but certain it is that the speediest way of rendering the American Navy more numerous than that of our Enemy is to *annihilate* the Latter. With the most respectful Attachment I have the honour to be Dear Sir

ADf, NN:Lyon.

1. See "Cincinnatus," October 27, 1779.
2. See Baron van der Capellen to WL, July [6] 16, 1779. William V, the prince of Orange, was stadtholder, the hereditary leader, of the Dutch republic. The British had held a privileged position at the Hague since 1688, when the House of Orange gave England a king. The Dutch burghers favored France and the American cause in anticipation of commercial benefit. France, however, had refused to recognize the legitimacy of the House of Orange.
3. John de Neufville & Son had written WL in July on the basis of WL's correspondence with Baron van der Capellen and his acquaintance with Lt. Col. Jacob G. Diriks. See John de Neufville & Son to WL, [July 31, 1779].
4. Capt. John McPherson, who claimed he had devised a strategy to burn all the British ships along the North American coast, had presented his scheme to Congress in October 1775. Congress had recommended to Washington that McPherson's idea be used against the British at Boston harbor. Washington rejected it (*JCC*, 3:296, 300–301; Fitzpatrick, *Writings of Washington*, 4:71–72; Burnett, *Letters*, 1:231n).
5. Washington was unfamiliar with Stephen Sayre's invention. Refer to George Washington to WL, December 7, 1779 (DLC:GW). For background about Stephen Sayre see Baron van der Capellen to WL, July [6] 16, 1779.

To David Brearley

Mount Holly 29 Nov. 1779

Dear Sir

I this moment received yours of the 20th.¹ Bonds Negro is pardoned with condition. It would however be very agreeable to the Governor, & I dare say to the Council, that his Master immediately sent him from the Continent.²

I believe the present assembly is disposed to do some thing [clever] for the Judges. But this I mean to be understood of a [comparative] Cleverness with that of the last.³ I am with sincere respect

ADf, NN:Lyon.

1. Letter not found.
2. WL on November 20 had presented to the Privy Council a petition from the Burlington County petit jury requesting a pardon for Elijah Bond's slave, Humphrey. The latter had been convicted of burglary (*NJA* [Privy Council], 3d ser., 1:138). A similar case had come before the Privy Council on November 15. See WL to Isaac Smith, November 10, 1779.

3. David Brearley was chief justice of New Jersey. On September 28 and November 16, the justices of the New Jersey Supreme Court and members of the bar had petitioned the legislature to fix the venue of the Supreme Court at one place. Frequent moving of records had proven burdensome. Acts of September 24, 1778, and October 7, 1779, had stipulated that the Supreme Court sessions would be held alternately at Hillsborough, Somerset County, and Burlington. On December 4, 1779, the legislature passed an act locating the Supreme Court permanently in Trenton (*General Assembly* [September 15–October 9, 1779], 179; [October 26–December 25, 1779], 27, 52–54, 56, 59; *Legislative Council* [October 26, 1779–March 21, 1780], 24, 26; *Acts* [September 24–October 8, 1778], 95–96; [September 27–October 9, 1779], 134; [October 26–December 25, 1779], 19–20). See WL to David Brearley, June 30, 1779.

To Susannah French Livingston

Mount Holly 29 November 1779

Dear Sukey

I send you a Hessian Prisoner as a Servant till he shall be demanded for Exchange. Caty has procured him for me, at my request in Philadelphia & they give him a good Character.¹ If however you should not like him, I will take him off your hands. He will ride my horse in Company with General Winds who promises me to keep an Eye over him. I shall send an Express for the horse as soon as I have occasion to send dispatches into that part of the Country—or rather for Nancy in his room as I suppose her Colt is long since weaned, & the old black is both exceeding dull & exceeding skittish.

Being the other day at Colonel Reeds² in Burlington about six miles from hence on an Invitation to spend the Evening both his great Coat & my own were stoln out of a room next to his Entry. Mine indeed was not creditable, but yet the want of it, will put me to great Inconvenience. I cannot however think of buying another at the present enormous price of Cloth. I shall therefore send for my Cloak when the light horse man goes up. And least you should then happen to be abroad let it me lain bye together with a Night cap for that purpose.

From the snail-like motion of our Legislature I predict that we shall sit here almost till New Year.³ Whenever they rise I expect to be with you, & as our Army is like to be disposed of in their Winter Quarters in such manner that I shall be able to live at home in greater safety than for some time past, I hope to spend the Winter at Persippenay,⁴ & long for the happy moment that shall give you to my Arms. My dear Sukey let

me hear from you as often as possible & believe me to be your most affectionate husband

P.S. Colonel Abeel⁵ who must often send General Washingtons Letters to me by Express will forward all yours with pleasure. Tell my dear Peter that since his Papa & Mamma are gone so far from him, his Grand Papa will be his Papa.⁶

ADf, NN:Lyon.

1. Catharine Livingston had been staying at Robert Morris's home in Philadelphia. For WL's request see WL to Catharine Livingston, November 16, 1779.

2. Bowes Reed.

3. The legislature adjourned December 26, 1779.

4. Washington had ordered several divisions of the Continental army to winter at Morristown and along the Monmouth County shore. The Livingston farm at Parsippany was north of Morristown. See WL to Nathaniel Scudder, November 8, 1779.

5. James Abeel.

6. Peter Augustus Jay.

To John Simcoe

Mount Holly 29 Nov. 1779

Sir

I received your Letter without date last night.¹ This is the second time that I have remarked that omission.² What you mean by being used as a Criminal I am at a loss to determine. If you refer to your Imprisonment, our people have received similar treatment from the British in numerous Instances. Mr. Fitzrandolph one of our Citizens who is proposed to be exchanged for you & Colonel Billop, is at this very time used in that manner, & is no more a criminal than any man that is not so.

If Sir Henry Clinton will agree to any Exchange, I can not see why he should object to the one proposed, and Considering that one of those whom we want to have liberated is in Gaol, & that the other has been chained to the floor for above four months,³ there is the highest reason for this State to insist upon it. If he is against all Exchanges whatsoever, to him you must ascribe the prolongation of your durance. That we consider your reputation with the British Troops, & your intended voyage to Europe as two Circumstances, that will probably expedite the release of our suffering Citizens, you will be pleased to impute (tho' you

may regret as I really do myself your personal disappointment) to my Fidelity to those for whose Liberty it is my duty to be anxious—and considering that they tho' for many Months in Captivity, & have never been indulged to return home on parole to procure their final release, and that we cannot conceive how your going to New York should facilitate General Clintons acceding to our proposals, there is no probability of the Councils adopting that measure.*

ADf, NN:Lyon.

1. Letter not found. This letter enclosed a letter from Maj. John André to Simcoe proposing that Simcoe be granted a parole to New York (Simcoe, *Operations of the Queen's Rangers*, 280).

2. See WL to John Simcoe, November 9, 1779.

3. The British denied that the American prisoners proposed in exchange for Simcoe and Col. Christopher Billop were being held in chains. See James Paterson to WL, November 20, 1779.

4. Simcoe answered WL that the proposed exchange of Billop and himself was "disproportionate" and therefore unacceptable. He informed WL that he would apply to Washington for relief. Refer to John Simcoe to WL, n.d. (Simcoe, *Operations of the Queen's Rangers*, 280).

To Elijah Spenser

Mount holly 1 December 1779

Dear Sir

I have in what we call a private way communicated my Sentiments both to the Council & assembly on the Subject of celebrating the approaching thanksgiving Day (recommended by Congress) in a manner becoming the solemnity of the Festival itself, & their own Legislative Dignity:¹ representing farther that as there is no religious Denomination in this *Mount* of Difficulties, but what is *principled* against the observance of all human Institutions good or bad, respecting religious matters, it behoved us I thought both from motives of Piety & political decorum to make seasonable provision for engaging a Clergyman of different principles to officiate for us. The proposal Sir, was readily agreed to, & you have been mentioned as the Gentleman who would be generally acceptable to perform divine Service on the Occassion; tho' it has as I understand, been in a great measure, left to me to send for any Gentleman I thought proper. Had it been submitted to me without any previous Intimation from the Members in your favour, I am sure I

should not have hesitated about making the same Choice. We shall therefore expect you on the day prefixed; & Doubt not your Flock will dispense with your Absence on so peculiar a Call, since some Congregation must submit to such Inconvenience, or the whole Legislature be obliged to set the evil Example of disregarding the day recommended to be publickly solemnized by the Representatives of all America. They will therefore I am confident not consume a moments time in applauding the Propriety of our Choice; but patiently reconcile themselves to their Disappointment. We shall expect you to dine after Service with the Governor's Mess, & if it must needs be a true Connecticut Thanksgiving, we shall not fail in our Endeavours to procure the indispensable requisite by devoting a competent number of Geese to Destruction.

The Episcopal Church in this place, ('tho at present derelict & unoccupied *causa Rebellionis*)² has been refused us on the Occasion; but the Friends Meeting house having never been canonically consecrated, cannot I presume be contaminated by the Preaching of any man of unrelational Ordination. It is therefore probable we may have Interest enough to mount you in my Land Lady Mrs. Hatchinson's pulpit,³ without any offence to the *Unity of Friends*.

ADf, NN:Lyon.

1. For background on this event see WL to Samuel Huntington, October 29, 1779; WL to Hall & Sellers, November 9, 1779; and WL to Shepard Kollock, November 9, 1779.

2. *causa Rebellionis*: because of the Revolution.

3. WL stayed at Mrs. Hatkinson's when the legislature met at Mount Holly. See WL to Catharine Livingston, November 16, 1779.

To George Washington

Mount Holly 1 December 1779

Dear Sir

I had the Honour of your Excellency's Favour of the 22d Ultimo, yesterday & shall in pursuance of it, consider our militia as discharged from the assistance that was expected from them in the Enterprize lately in Contemplation, & since abandoned by reason of Count DE-staign's unexpected return to the West Indies.¹

I am obliged to your Excellency for your favourable opinion of this State & its Governor respecting their Zeal upon that & all former Occa-

sions—& earnestly hope we may continue to deserve it on all future Emergencies. With the greatest Respect I have the Honour to be

ADf, NN:Lyon.

1. On November 22 Washington wrote that he had called off plans for a joint attack against the British at New York by the Continental army and the French navy. See Chevalier de La Luzerne to WL, November 7, 1779, and WL to Catharine Livingston, November 16, 1779; refer to George Washington to WL, November 22, 1779 (DLC:GW).

“Copy of a letter from a Gentleman in Jersey
to his Friend in this City”

[December 1, 1779]

New-Jersey, 25th November 1779.

Dear Sir,

HAVING determined at all events, to risque the conveying a letter to you with the particulars of a very diverting scene, which happened yesterday at Governor Livingston’s house, I hope this may come safe to your hands.

It may, perhaps, be necessary to inform you in the first place, although I imagine you must have seen it in our papers, that the Congress have recommended it to the several States, to set apart the ninth day of December, as a day of thanksgiving to the Lord, *for that he hath prospered the arms of the Americans, and of their good and great Ally the French King*. In consequence of which recommendation, our Governor had by proclamation, ordered it to be observed in this State; and vast quantities of turkies, ducks, geese, etc. were cooped for the purpose: But on the arrival of Major Clarkson* with the doleful news of the total defeat of the Americans and their Allies, in an attempt to storm the British lines at Savannah,¹ the Governor must, from what followed, have thought that the recommendation from Congress, and his own Proclamation not only premature, but too palpable to impose even on the most ignorant; for the very next day after Mr. Clarkson passed here on his way to Gen. Washington, the Governor summoned all the neighbouring clergy to meet in consultation at his house, on the twenty-fourth instant. On their coming together he informed them that he had thought of revoking his proclamation relative to celebrating a day of thanksgiving; and instead thereof, to appoint a day for fasting and prayer; for that the

prospect was now greatly changed, and that he would be glad to have their opinions. A long silence ensued, and each of these Reverend Divines seemed greatly distressed at the Governor's proposal, as it tended to deprive them of a good dinner, (which they seldom meet with) and which on these occasions they levy on their parishoners. By the method these self denying gentry pursue in sending notes to all the Deacons in their respective parishes, fixing different hours for their dining, they never fail of refreshing themselves with a good meal four or five times on the same day, and of embracing those opportunities of administering *comfort* to such of their *female* parishoners, who from their peculiar zeal and affection for the Clergy, prefer these *private visitations*, to an attendance on public devotion.

At length one of these reverend teachers, (named Richards) whether from principle, or the love of good eating, I can't say, put an end to their silence, by declaring to the Governor, that he was determined his congregation should celebrate the day, with great joy and thanksgiving; for he was of opinion that the Lord had wonderfully delivered their country from the French King; who he said it evidently appeared, from the demand made by the Count d'Estaing at Georgia² intended to have held it as a part of his dominions, in case he had defeated the British troops; and that he was now convinced that whatever part of the United States the French should get possession of, would be lost forever to the Americans.

This bold declaration of Mr. Richards seemed to have great effect upon his brethren, and although they did not declare their sentiments in the decisive manner he had done, yet they said it was a strange demand; that the people were alarmed; that it was very necessary matters should be explained; that if the country was to be taken from them, the alliance appeared to be dangerous rather than beneficial; that if the King of France was to rule them, they would be obliged to take their religion from him; that the prospect was very melancholy; taxes intolerable, their paper money not worth counting; that millions of their dollars were counterfeit; the necessaries of life not to be had; that great numbers of the inhabitants and chief part of the army subsisted by rapine and plunder, to effect which they often committed murder; and that these were likely to be the only fruits of all their struggles for liberty—For they now plainly saw, if their country was wrested from one King, it would be immediately seized by another; that they could wish

the terms offered by the British Commissioners had been accepted,³ for that they would have made them as independent and happy as could possibly be desired, and have secured their religion and liberties against the attacks of every power.

His Excellency (which you will hardly believe), remained silent, and his thoughts seemed to have taken a flight to some other region, and it is said there appeared strong symptoms in his countenance, either that he was affected with these important truths, or that he was in deep *law-cogitation* how to evade the force of them.

The Reverend Doctors having waited some time, for a reply from the Governor, and observing that he was so lost in thought, as not to pay the least attention to them, were about to depart without further ceremony; and accordingly ordered their horses.—The Governor's son, who acts as his private Secretary,⁴ thought it advisable, in order to prevent an affront to the Clergy, to rouse his father from this state of absence, and giving him a jog, said, Sir, the gentlemen's horses are coming.—The sudden sound in his ear occasioned as sudden a start from his chair, and the cry of my horse—my horse.—Upon this outcry, some of the clergy immediately took to their heels, supposing he had meant his *horse whip*, and that they were to undergo the discipline of it, for having delivered their thoughts so freely; whilst others of them, concluding that the poor Governor had either lost his senses, or was under strong political conviction, caught hold of him, in order to prevent his doing himself an injury.

The family who were in the adjoining room, observing the precipitate flight of some of the clergy; and being alarmed with the noise in the Governor's apartment, immediately rushed in, to discover what was the matter. The increase of numbers tended greatly to increase the Governor's phrenzy, and nothing but the utmost exertion of force, kept him from leaping out of one of the windows. His Lady's voice at length prevailed; for being assured by her, that there were none about him but his friends, he was more composed, and reproached his son as being the means of throwing him into so disagreeable a situation.—The young man conscious that what he had done was purely from a motive of politeness, and unwilling to remain under the displeasure of his father, assured him that he must have misapprehended his words.—The Governor, not satisfied with his son's declaration, insisted upon his repeating the words that had given rise to his uneasiness, upon which he

told his father, that observing that the gentlemen were about to depart, and perceiving that he did not appear to be sensible of it, he thought the most decent way to give him a hint of it was, by saying their horses were coming.—Is it possible replied his Excellency, that I could have been so mistaken? I really thought said he, that you called out *Simcoe's* horse were coming; and you all know, said his Excellency, what a direful dilemma I was reduced to on their late appearance in this neighbourhood.—He then explained largely, on the very ridiculous manner of carrying on the war in sudden excursions, and informed the company that the greatest heroes had their hours of diffidence, and that unfortunately for him, he had often been surprised in those unlucky moments, and therefore he hoped it would be an excuse for the present perturbation of his mind; for that he always found upon recollection on these occasions, that he wanted not that resolution, which was necessary for the defense of his country, and the support of the glorious cause of liberty and independence—Being thus recovered from his dreadful apprehensions of *Simcoe's* horse, he proceeded to make some reply to the clergymen who remained: and after many apologies for what had happened, he told them that although he must confess, the demand made by d'Estaing of a surrender of Georgia to the arm of France, tended to alarm the fears of the ignorant he was of opinion that he had acted agreeable to *law*.—For that a case in point had struck him, the consideration of which had taken up his whole attention, and thrown him into a state of absence, at the very time when his son had imprudently, by an unguarded expression alarmed his fears.

He then informed them that it was a parallel case with that of a mortgagee entering upon the mortgager without foreclosing the equity of redemption; And that as the United States owed an immense debt to France, it was but reasonable that whatever part of the United States France should enter upon ought to be held by them until their debt was paid, when he hoped they would surrender it again to the States. The Governor's law point it seemed rather increased the fears of these gospel teachers; for Mr. Richards, who was one of those that remained, appeared apprehensive that the Comte might on his arrival here enter the coops of his parishoners and hold the poultry that were fattening for the day of thanksgiving to his own use and behoof: For he declared to the Governor, that if he intended to support the Comte with such points of law, he should pray most devoutly that the Comte might not enter his

parish, until the thanksgiving day was past, on which day he intended to make his entries in such a manner, as not to leave the Comte even a tythe. The Governor it is said, appeared rather displeas'd at this declaration, and in a sullen tone told them, that he had discharged his duty, and that he left them to follow the dictates of their consciences, upon which they parted.

It would surprize you to hear the people in general here deliver their sentiments since Clarkson's arrival from Georgia. They make not the least scruple of declaring publicly that the Congress have sold them to France, and that d'Estaing should be the first man whom they would put to death, if he was to make his appearance among them.

You may rest assured that Congress are heartily sick of their bargain, and that the perfidy of the French nation, always practis'd with every other power is constantly staring them in the face; and I am confident they fervently wish that their constituents would afford them a plausible pretence of dissolving themselves; for they are now convinced that all their schemes of power and independence are vanished, and that Great Britain is the only power to whom their religion and liberties can be intrusted; may Heaven grant that she may again take us under her protection. I am with great regard, Yours, etc.

*Son to Mr. David Clarkson, of Flatbush, who has another Son also employed in murdering his Majesty's Liege Subjects.

Royal Gazette, December 1, 1779.

1. Maj. Matthew Clarkson had delivered the news of the British defeat of Maj. Gen. Benjamin Lincoln and Count d'Estaing at Savannah, Georgia, to Congress on November 10 and to Washington on November 15 (*JCC*, 15:1253; Fitzpatrick, *Writings of Washington*, 17:110–11, 150–53). See WL to Catharine Livingston, November 16, 1779.

2. On September 16 d'Estaing had issued a proclamation calling upon the British garrison to surrender "to the arms of the King of France."

3. For background on the Carlisle Commission see *Livingston Papers*, 2:394–95, 466.

4. William Livingston, Jr.

To Elisha Boudinot

Mountholly 3d December 1779

Sir

I just now received a Letter from Brigadier General Paterson complaining of our Treatment of Colonel Billop, & affirming that the Per-

sons on whose Account he is *supposed* to suffer, are not *in Irons*, & are as well treated as their Situation will admit of. As this Government is determined to treat Colonel Billop as Leshier is treated, General Paterson has been acquainted that at the time you directed Billop to be put in Irons you had an authentic Account that Mr. Leshier was used in the same manner by them, & that as soon as you shall be authentically assured that he is relieved from his Sufferings you will give the like orders respecting Colonel Billop. This is therefore the Conduct which the Governor & Council wish you to observe & [. . .] for that [purpose] with all convenient Dispatch to procure authentic Intelligence of the present treatment of Leshier. I am

ADf, NN:Lyon.

To James Paterson

Mountholly 3d December 1779

Sir

I just now received your Letter of the 20th Ultimo and am confident you labour under a great Mistake when you say that “the Severity and Violence of the Treatment described in the Letters inclosed in yours, is *unprecedented*.” Because the Treatment complained of, (except that part of it, which has been misrepresented to you) is in reality in Consequence of, and by way of Retaliation for, the similar Severity & Violence of which the British in New York have set us the *Precedent* by inflicting it upon the Citizens of this State now in Captivity there, with this only Difference, that you have adopted such Treatment, without any previous Precedent of ours, and consequently without any pretence of retaliating. How far therefore such Treatment must proceed on your part, from that very want of Humanity against which you so strongly *remonstrate*, I submit to your own impartial Judgment. We Sir, are too generous an Enemy not to abhor every Species of Cruelty towards our Prisoners, not even excepting such as is justifiable by the Law of Arms, of which you have had a very recent instance in the taking of your Garrison at Stony Point.¹ But Retaliation, for the sole & express purpose of effecting the Discontinuance of that Severity with which you unjustly charge us, & with which you are in numerous Instances justly chargeable yourselves, we shall for the bare sake of *Hu-*

manity, continue, until this Line of Conduct shall produce the End thereby intended, I mean that Humanity towards Prisoners of War, which is at present the boast and Honour of all civilized Nations.²

I neither know nor believe that Colonel Billop has ever been in a Dungeon since he was a Prisoner to this State. But you cannot be ignorant Sir, that Numbers of our People have been consigned to *your* Dungeons. The rest of his & Mr. Farmer's Account of his Treatment, I believe is true. What you intend by saying the Persons on whose Account Colonel Billop is *supposed* to suffer, I know not. There can be no *supposition* in the case. He is ordered in Irons to retaliate the like Treatment of *John* Leshier a Citizen of this State in Confinement at New York. If that man is not *now* in Irons as you affirm, our Commissary of Prisoners had authentic Intelligence that he was so, when he directed the like Treatment of Colonel Billop and for that very reason it was, that he did direct it; and he will receive by the Express who carries this Letter, positive Instructions to relieve Colonel Billop from that part of his sufferings, whenever he obtains an authentic Account that Leshier is so relieved. Till then Sir, they will be continued, be the Consequence what it may: At the same time we are ready with the greatest alacrity, &, (from our own Feelings,) with infinitely more pleasure to grant Colonel Billop any Indulgence that we shall learn is granted to Mr. Leshier. I am with all due respect Sir your most obedient humble Servant

WIL: LIVINGSTON

ALS, MiU-C.

1. See WL to George Washington, July 19, 1779. The Americans had treated the British captured at Stony Point with unusual clemency.

2. WL continued this sentence "shall be shown on your part to ours" on an ADf (NN:Lyon).

To Silvanus Seely

Mount Holly 4 December 1779

Sir

I have received yours of the 22d November.¹

As you do not mention Lieut. Posts offence, I must defer my directions concerning a General Court martial till I shall be made acquainted with it.

Respecting Miss Murray's & Miss Polly Ogdens coming in a Flag for which you desire my leave for *obvious reasons* it is impossible for me to judge of their validity as you have not mentioned them. To Miss Polly Ogden I shall never grant the Indulgence, for this *obvious reason* that she has broke her parole in [leaving] this State contrary to her express promise; & as to Miss Murray I cannot at present apprehend what Business she can have in New Jersey.

P.S. Please to forward the inclosed² as soon as possible.

ADf, NN:Lyon.

1. Letter not found.
2. Enclosure not found; probably WL's December 3, 1779, letter to James Paterson.

To Elisha Boudinot

Mount Holly 6 December 1779

Sir

Mr. Loring the British Commissary of Prisoners proposes the following Exchange vizt.

Col. Hendrickson	Col. Billop
Lieut. Col. Reynolds	Lieut. Col. Simcoe
Capt. Fitzrandolph	Capt. Pitcairn 82d
Lieut. Jackson	Lieut. Campbell 7[4]th
Leshier	

And desires it to be observed that the whole of the above Exchange is to take place or none at all.

The Governor & Council have no objection to the above Exchange. Col. Potter has [indeed] the preference of Col. Hendrickson in respect of the time of his Captivity; but the Council opposed to that, the equitable Consideration of his having been frequently at home on parole, & the other Gentleman's having suffered a severe Imprisonment; and farther considered that any Alteration in their proposal might defeat the whole. It is observable that no private of the Enemy in Captivity with us, is placed in the Column opposed to Leshier, by which it was supposed that he is thrown into the Bargain, especially as neither Fitzrandolph nor Jackson are officers, & yet are proposed to be exchanged for a Captain & Lieut. But Col. Hendrickson says they expect a Private for

him. That I suppose you may manage as you please, perhaps with Col. Simcoes Servant, rather than Leshier should not be liberated. At any rate Leshier is not to be left unexchanged, & we mean to have the whole exchange take place, or no part of it. I am Sir your humble Servant

WIL: LIVINGSTON

ALS, PHi.

To William Churchill Houston

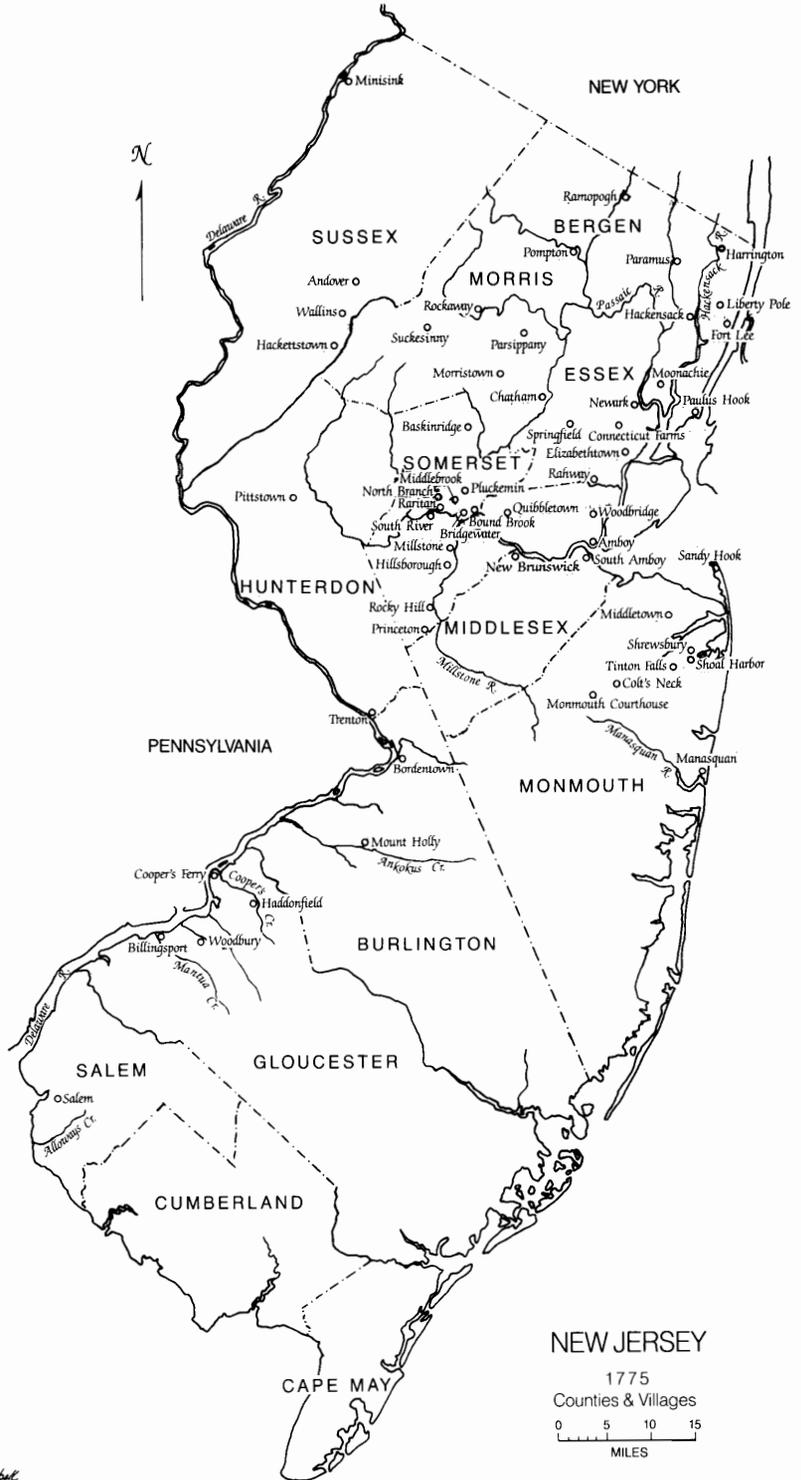
Mount Holly 6 December 1779

Dear Sir

I have to acknowledge your several Favours of the 27 Nov. & of the 2 & 3d instant.¹ Your Correspondence is extremely agreeable to me, & I most heartily wish for its continuance, tho' you must not insist upon my keeping equal pace with you either in the communication of equivalent Instruction, which is the fault of Nature; or the same number of Letters which is rendered impracticable by my hurry of Business, or rather, (as I dare say you are equally hurried) by perpetual Avocation & from Business though the Impertinence of Intruders under pretence of Business, who in reality have none.

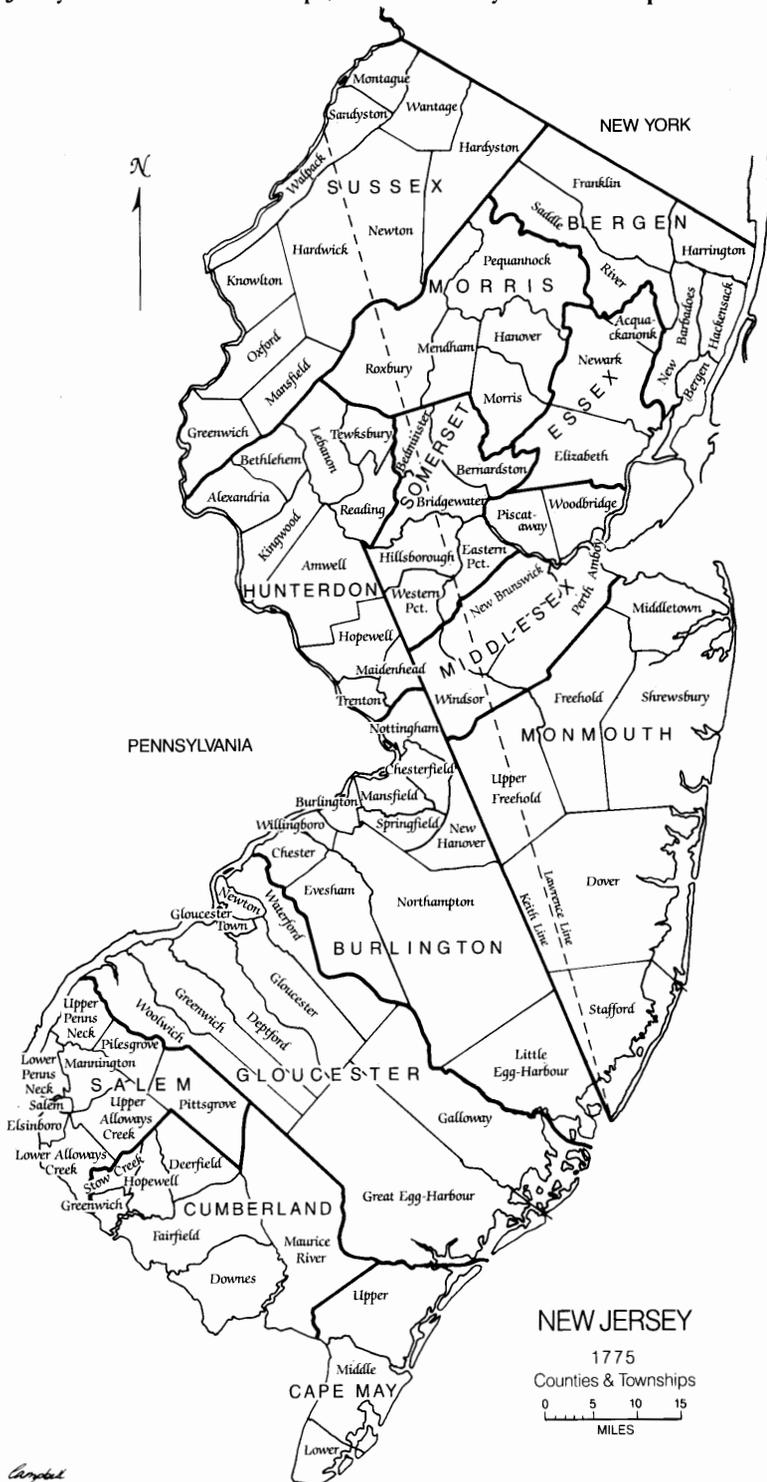
By the Translation of a Dutch Letter from Baron Van Der Capellen one of their High mightyness which I transmit to Congress under the same cover which incloses this hoping that his Intelligence may perhaps be converted to public utility you will find that my noble Correspondent has cut me out a Piece of Work rather above my abilities. He wants to have his Countrymen made acquainted with America in its present Circumstances, *its form of Government, population, Lands, maritime Power, Trade, Agriculture, Resources, & Disposition & manner of thinking of the People*. He is certainly a valuable Correspondent, whose Acquaintance it behoves me to cultivate, were it only for the public Advantage that may be derived from an Epistolary Intercourse with a Statesman of such extensive Information respecting the affairs of his own Republic. For this reason I would not wish to discourage him by a non compliance with any request that may be gratified, consistent with our own Interest. But considering the Extent of his Requisition, I could most heartily wish for your assistance, was there any probability of your being able to

New Jersey Counties and Villages, 1775. Drawn by Kristine Campbell.



Campbell

New Jersey Counties and Townships, 1775. Drawn by Kristine Campbell.



Campbell

procure sufficient Leisure for the purpose. If not, I shall however be obliged to you for any hint that you may think would be for the Service of America, to be communicated to such a Man, and at such a Juncture of Affairs

ADf, NN:Lyon.

1. Letters not found.

To Samuel Huntington

Mount Holly 6 December 1779

Sir

As Congress may probably derive some Advantage from the inclosed, I thought it my Duty to transmit it for that Purpose.¹ The Writer of the Letter, the Baron Van der Capellen, & one of their High Mightynesses is undoubtedly a firm Friend to the Cause of America; & will spare no Pains to serve it to the utmost of his Abilities. If Congress can improve any part of it to the Interest of the United States, I shall think my Trouble in translating it, amply recompenced: If not, they will I hope excuse the unnecessary Interruption. I have given them with the sole view to the general Emolument: It would be superfluous to subjoin my Confidences that the Reservation made by the noble Author in the Postscript, will be religiously attended to, should it ever be thought necessary to lay any part of it before the public. With the greatest Esteem I have the Honour to be your Excellency's most humble and most Obedient Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. The enclosure was a translation of Baron van der Capellen's letter to WL of July [6] 16, 1779. See also WL to Samuel Huntington, November 22, 1779. WL's letter was read before Congress on December 10, 1779 (*JCC*, 15:1366). A letter from Baron van der Capellen to Jonathan Trumbull of July 6, 1779, had been read in Congress on November 23, 1779 (*JCC*, 15:1299). On December 22 the *N.J. Gazette* published van der Capellen's speech of July 16, 1779, denouncing England.

To Jonathan Trumbull

Mount holly December [6] 1779

Sir

The inclosed is a Translation of a Letter I lately received from Baron Van Der Cappellen, of which he desires me to communicate to your Excellency such parts as I think proper.¹ In order fully to answer his Expectations, & discharge the Trust reposed in me, I have transcribed the whole Letter except a Paragraph or two which personally concerns himself; and in which he recounts the persecution he has met with for his Exertions in the Cause of America.

All his Letters to me except the one above mentioned and all the Pamphlets to which he refers me have unfortunately miscarried; & I fear are fallen into the hands of the Enemy; which will probably give a new Edge to the malevolent spirit with which his Adversaries pursue his ruin. I consider him as a valuable Correspondent, whose Acquaintance it Behoves me to cultivate were it only for the public Advantage that may be derived from an epistolary Intercourse with a Gentleman of such extensive Information respecting the Affairs of his Republic: A Republic, to me, the most intricate in its Construction; & the most villainous Imposition upon the Rights of Mankind, of any that I have met with.

I shall be obliged to your Excellency for acknowledging the Receipt of this Letter, that I may be assured to have effectually discharged the agreeable office with which our illustrious Correspondent has honoured me.

There is nothing new in this Quarter that deserves your Excellency's notice. The State of our Finance is to me a Source of daily and nightly Disquiet. Every Expedient hitherto adopted, seems too slow in its operation.² But your Excellency will not mistake me that I dispond. No Sir, never. I despise the little Mind that shrinks before Peril, as much as I admire the daring Spirit which stands collected "while Dangers thicken round."³ Providence has ever done most for us, when we were best convinced of the Inadequacy of our own Resources; and, tho' the Allusion is a little bizarre, I can assure you that our military Situation, hath never given me more Alarm, than our pecuniary one does now. I

hope the States will adopt the Limitation of Prices; and be in a Condition to pay the Taxes of this year at the Day.⁴ If any part is ready, that they will help Congress along for a little at present, as laying in the Magazines for the ensuing Campaign, which must be done, 'tho' there may be some Probability of a Peace,⁵ is what principally creates the present Embarrassment. When this is reasonably well expedited, the Congress, I hope, will see their way plainer; and in raising the next year's quota, place the first Payment at as early a Day as possible, the Beginning of February, if practicable. I am fully persuaded that we can, with proper Diligence & Exertion, turn the tide of Depreciation notwithstanding its present Impetuosity. By the united Efforts of the States, & some Measures of less consequence taken & taking by Congress, I flatter myself with the Event.⁶

Please to accept of my ardent Wishes for the Continuance of your personal Happiness, & eminent Success in your arduous Station & in the number of your Excellency's most humble & obedient Servants to place

WIL: LIVINGSTON

ALS, Ct.

1. WL forwarded his translation to Congress on December 6, 1779. For the enclosure refer to WL to Samuel Huntington, December 6, 1779 (DNA:PCC, 68).

2. The New Jersey legislature had passed acts in 1777 and 1778 regulating and limiting prices. For background see *Livingston Papers*, 2:363–64. Pursuant to the congressional resolution of November 19, 1779, the New Jersey legislature passed new regulatory acts: on December 15, 1779, "An Act to prevent Engrossing, Forestalling and Enhancing the Prices of Produce, Manufacture and Merchandise, within this State," and on December 21, 1779, "An Act for limiting the Prices of various Articles, and to prevent the Withholding from Sale the Necessaries of Life" (*Acts* [October 26–December 25, 1779], 23, 25). See Jonathan Trumbull to WL, November 22, 1779.

3. WL may be paraphrasing John Milton's *Paradise Lost*, bk. 7, line 27: "In darkness, and with dangers compast round."

4. February 1, 1780. "at the day": a deadline or due date.

5. WL's optimism derived from the appointment of three new ministers plenipotentiary, named by Congress in August and September 1779. Congress named John Adams to negotiate peace and commerce treaties with Great Britain and appointed John Jay minister to Spain and Benjamin Franklin minister to France.

6. Congress had set the quota for 1780 in the resolutions of October 6 and 7, 1779. See WL to Samuel Huntington, October 29, 1779. The resolutions were introduced to the New Jersey assembly on November 9, 1779; "An Act to raise the sum of Three Million Three Hundred and Seventy-five Thousand Pounds, in the State of New Jersey" passed both houses December 18, 1779 (*Acts* [October 26–December 25, 1779], 3–15; *General Assembly* [October 26–December 25, 1779], 20, 58, 68–70, 76–78, 82, 88; *Legislative Council* [October 26, 1779–March 21, 1780], 34–36).

To Silvanus Seely

Mount holly 7 December 1779

Sir

I have received your Letter of the 1st instant¹ & since you insist on a Court of Inquiry on Mr. Clark's complaint against you (for which I cannot blame you, as you make it a point of Honour)² I shall write Mr. Clark to state his charge particularly, & to point out the Witnesses, & then order the Court.³

I cannot consent to the Men's being discharged, before the time unless their Stations can be sooner occupied by the continental Troops, upon which Subject,⁴ I shall immediately write to his Excellency General Washington. I am

ADf, NN:Lyon.

1. Letter not found.
2. Refer to Abraham Clark to WL, November 24, 1779 (PHi).
3. Refer to WL to Abraham Clark, December 7, 1779 (NN:Lyon).
4. Seely's diary records him dismissing his men on December 15, five days before the expiration date stipulated in the June 2, 1779, "Act to embody, for a limited Time, One Thousand of the Militia of this State, for the Defence of the Frontiers thereof." Refer to Silvanus Seely, Diary (NjMoHP).

To George Washington

Mount Holly 7 December 1779

Dear Sir,

The Time of the Enlistment of our State Regiment will expire the 20th Instant.¹ To raise a new one in its room the State really cannot afford; and to occupy the Posts on the Frontier by the Militia is also attended with great Inconvenience as well as insupportable Expence. As the Troops under your Excellency's command, will, as I am informed take up their Winter Quarters in New Jersey,² Your Excellency may perhaps be able consistent with the publick Interest to spare sufficient Detachments from them to take the Posts at present occupied by our Regiment, or such other parts on the Frontiers as you conceive most proper for our Defence. We greatly rely on your Excellency's experi-

enced readiness to give us all the Assistance in your Power, and perhaps never wanted it more than at present.³

As I am not likely to meet with a Conveyance from this place to Connecticut, I must beg your Excuse Sir, for committing to your Care the inclosed Letter to Governor Trumbull, to be forwarded when Opportunity offers.⁴ I have the honour to be with the highest Esteem Dear Sir your Excellencys most obedient & very humble Servant

WIL: LIVINGSTON

LS, DLC:GW.

1. "An Act to embody, for a limited Time, Four Thousand of the Militia of this State, by voluntary Enlistment," passed October 9, 1779, had stipulated that the enlistments would expire December 20, 1779. For background see WL to George Washington, October 8, 1779, and December 1, 1779.

2. On December 7, 1779, Washington informed WL that he and most of the army would be quartered at Morristown for the winter. Refer to George Washington to WL, December 7, 1779 (DLC:GW).

3. On December 12 Washington informed WL that he could not spare troops for the frontier posts because he had sent a large detachment of troops to the Continental army in the South and also expected to lose troops whose enlistment term was due to expire. Refer to George Washington to WL, December 12, 1779 (DLC:GW).

4. See WL to Jonathan Trumbull, December 6, 1779.

To Timothy Johnes

Mountholly 10 December 1779

Dear Sir

I received your kind Letter of the 5th instant this day,¹ & am much obliged to you for your Congratulation on my Re-election to the Government. By the Libel in Collins's Paper (to which you seem to allude) you will probly acknowledge that I have rather been *over*-taxed for the Emoluments of the office. But calumny Sir is a Tax that the Tories will impose upon every man who discharges his public Trust with Integrity & Spirit. Posterity however it is to be hoped (as well as many of the present Generation) will do strict Justice. Be that as it may the Verdict of ones own Conscience will certainly enable an honest man to treat the whole race of Caluminiators with sovereign contempt.² Indeed had the author been any thing, but *the Thing* without Spirit which he is, he would have left his name for the Satisfaction of any Gentleman who might have thought himself injured, & it was the Printers duty to have

insisted upon this, or refused the Insertion of such a dirty Pasquinade.³ But I think it is generally, if not always, best, to suffer such Productions to find their own way to contempt & oblivion; & conscious of the rectitude of our own Intentions, to console ourselves with those Joys *with which the World does not Intermeddle*.

I am happy to think that my Letter to the Director General of the Hospital,⁴ should have been anyways instrumental in preventing the Repetition of former Impositions upon Morris Town; & could have wished that General Washington had been as well accommodated without taking up his Quarters at Mrs. Fords'⁵ but his amiable disposition & the pleasure he takes in making everybody about him happy will I am persuaded induce him to make it as easy to her as possible; & perhaps in the final Result, she will not resent that her house has entertained *such a General*; nor the Neighbourhood regret that a disproportionate quantity of their wood was sacrificed in *such a Cause*.⁶

As Miss Caty Hoffman has put the Merits of her Application for a Pass to New York upon the affecting Plea of filial Affection together with your testimonial in favour of her Whiggism I cannot refuse a request founded on such laudable Principles, & not there being the least danger to the State I therefore inclose her Pass with great Alacrity. I am much obliged to you for your trouble in distributing the Proclamations for the late Thanksgiving. I obtained the Consent of both Houses to send for Mr. Spencer to officiate for us here; & he gave us a most excellent Sermon.⁷ NB. The Episcopal Church in Holly was refused us upon that occasion, tho' long since destitute of a Pastor. To varnish over the matter I am told that they worshipped in it themselves; which if true, was doubtless an after-thought to colour their refusal; & put a bitter gloss on their Toryism & Bigotry as no such Apology accompanied their denial.

I heartily sympathize with you in Mrs. Johnes's Indisposition; & the more so as I have had so many opportunities of knowing her value. Please to remember me kindly to her, & to Mr. [L . . . ley] who is one of the best of Whigs in the Union tho' he is a Scotchman as well as Your etc.

ADf, NN:Lyon.

1. Letter not found.

2. See WL to George Washington, November 27, 1779, where WL said virtually the same thing.

3. For other comments by WL on Isaac Collins and the author of "Cincinnatus," see WL to Nathaniel Scudder, November 8, 1779.

4. See WL to William Brown, June 21 and 23, 1779.

5. Washington arrived in Morristown on December 1 and established headquarters at the home of Theodosia Ford, widow of Col. Jacob Ford, Jr.

6. Between 10,000 and 12,000 troops camped in Morristown during the winter of 1779–1780. On arrival, the troops immediately began to construct about 1000 log huts, denuding about 600 acres of woodland. Most huts were completed by the end of December, but the officers' cabins were not finished until February. See *N.J. Gazette*, December 22, 1779, for a description of the huts at Morristown.

7. See WL to Elijah Spenser, December 1, 1779.

To the Assembly

Mount holly 11 December 1779

Gentlemen

I herewith transmit to your honourable House a Duplicate of an Act of Congress passed the 16 of March 1778¹ the Utility of which is so apparent that I doubt not the house will enable me as soon as possible to comply with the Requisition therein contained, or take such other measures for answering the purpose thereby intended as to them shall seem proper.

ADf, NN:Lyon.

1. For a discussion of this act see *Livingston Papers*, 2:343–55. On December 20, 1779, the New Jersey legislature resolved that the secretary of state furnish WL with certified copies of all laws passed since November 1, 1777, to be transmitted to the president of Congress. The laws of the New Jersey legislature were also sent to neighboring states (*General Assembly* [October 26–December 25, 1779], 74–76; *Legislative Council* [October 26–March 21, 1780], 36). See WL to George Clinton, August 23, 1779.

From Elisha Boudinot

Eliz. Town 11 December 1779

Sir

I have just received your Excellency's Letter of the 3d December¹ and cannot but be surprized at General Patersons descending so low, as to attempt imposing upon your Excellency by a mere *quibble*, a quibble too low for the meanest Pettifogger at the Bar. When he asserts that Lezier² "*is not* in Irons" at the *same time* complaining of Billop's Treat-

ment—he meant to convey (if he meant any thing) to you, that Lezier *had not* been in Irons and consequently we had no just foundation for Retaliation. This *he knew* to be an absolute untruth.

Long since Billops Letters were sent over—Loring [was] at this Place, and in presence of several Gentlemen acknowledged Lezier's being in Irons, and justified it by saying he was a plunderer etc. and complained of Billops usuage on that account; but was told that he might depend on it, that nothing but Lezier's Release would ease Billop. This and this alone, has accomplished the poor fellows better treatment—if you should *condescend* to answer the Brigadier,³ you can mention this Proof, as it is well supported from their own Mouth. This I should think would raise a blush on his Face; if I was not thoroughly convinced that *blushing* is not fashionable in a Nation sapped to the foundation by Dissipation & Corruption.

Doctor Ricker has come out for [Kollock] & one Bogart (who has been confined since last July) for his Servant. The Doctor informs me that before he left the Provo, Lezier was taken out of Irons, and allowed the same liberty that others in that Place have.

I am very much affraid the late proposal of an Exchange by Col. Hendrickson, will not take place as Capt. Pitcairn & Lieut. Campble belong to Col. Beaty the latter being exchanged with him for a Lieut. in the Militia & some Privates. The Col. thinks he is not at liberty to lend me those Gentlemen, without Consent of the General; an application is therefore gone to Head Quarters.⁴ Col. Hendrickson informs me that you mentioned something about some Hessian officers belonging to us. If this is the Case, I should be glad to hear from your Excellency on the Subject.⁵

I have wrote a Line to the Goaler for the Release of Billop, but least that should miscarry I take the liberty of inclosing one to be sent from Holly.⁶ I am Your Excellency's Most Obedient Servant

ELISHA BOUDINOT

ALS, NN.

1. See WL to Elisha Boudinot, December 3, 1779.
2. John Loshier.
3. See WL to James Paterson, December 3, 1779.
4. See WL to Elisha Boudinot, December 6, 1779. On December 11, 1779, Elisha Boudinot also wrote to Col. John Beatty proposing an exchange of Hessian prisoners for Capt. Thomas Pitcairn and one Lt. Campbell. Refer to Elisha Boudinot to Col. John Beatty, December 11, 1779 (PHi).

5. At the end of an ADf (PHi) of the same date, Boudinot wrote: "I have also received your Letter by Col. Henderickson, but was obliged to send an Express to Col. Beaty, on the Subject, as Capt. Pitcarn (if there is such a Prisoner,) must belong to him, I having never heard of him and Lieut. Campbell also, being exchanged with Col. Beaty for an Officer in the Militia & some Privates which he got out for me, sometime ago. I am in hopes that the Col. will send me these Prisoners."

6. Enclosure not found.

To M. Livingston¹

Mount holly 11 December 1779

Madame²

I am applied to in your behalf by Colonel Dear³ for my Recommendation to General Washington to grant you a Pass to go to New York. As I am equally authorized with the Commander in Chief of the Troops to grant such Passes,⁴ and I have been under the disagreeable Necessity of refusing your application to me on that head, I cannot with a good Grace recommend to his Excellency, what I did not think proper to grant myself. But my sole reason for not complying with your request being that of our family Connection, which might induce the suspicion of Partiality; & General Washington not being in that Predicament with respect to you tho often refusing such Permissions nearly out of delicacy to me, I have signified to him in the inclosed,⁵ my Wishes that he not reject your application upon those Principles, if he has no particular reasons drawn from public inconvenience against it. This I believe will have the same Effect as a recommendation. I have only to add that you will greatly oblige me by keeping my Interposition in the matter a profound Secret & not communicate to any person the Contents of this Letter. [. . .] I am

ADf, NN:Lyon. Shelton shorthand transcribed by Claire McCurdy and Lawrence Rosen.

1. Addressee in Shelton shorthand. Possibly Margaret Beekman Livingston, wife of WL's cousin, the late judge Robert R. Livingston. Her letter to WL of November 9, 1779, transcribed in Shelton shorthand in WL's letterbook (NN:Lyon), lamented the recent loss of her husband and expressed the wish that she might see her old friends again.

2. In Shelton shorthand.

3. Probably Jonathan Deare. Letter not found.

4. See WL to Henry Lee, November 24, 1779.

5. Enclosure not found. However, WL wrote and crossed out in his letterbook a draft to George Washington, December 13, 1779 (NN:Lyon), which indicates that this individual had requested passes several times before.

To George Washington

Mount holly 11 December 1779

Dear Sir

I have to acknowledge the honour of your Excellency's Favour of the 7th instant.¹

If I should be so happy as to have done any Service to my Country either in Holland, or in any other instance whatsoever, tho' your Excellency's approbation would greatly enhance the pleasure of the Reflection,² the recollection alone would be an ample recompense, & I should really enjoy it in the solemn hour of Death.

I am much obliged to your Excellency for your kind Invitation to visit your Quarters in my return home; & was I in a humour for making Bulls³ I would tell you that I was fully determined to accept of your Invitation before I received it. Indeed was it not from the fear of incommoding you too much I had some thoughts of completing at Head Quarters the full Term of 24 hours, which considering them as within 6 miles from Mrs. Livingston, & after six months absence from her; your Excellency would probably condescend to accept as a particular mark of my respect was it not that you may think such an halt no great Sacrifice in an old Fellow turnd of fifty who is nevertheless with the greatest esteem & attachment Dear Sir your Excellency's

ADf, NN:Lyon.

1. Refer to George Washington to WL, December 7, 1779 (DLC:GW).
2. On December 7, George Washington wrote WL: "We are all in your debt for what you have done for us in Holland" (DLC:GW).
3. bull: a joke, or self-contradictory statement.

To the Assembly

Mount holly 13 December 1779

Gentlemen

With this will be delivered to the honourable House a Letter from the President of Congress dated the 11 instant¹ which covered the two Acts of Congress of the same date² (herewith also transmitted) on the press-

ing Necessity of a supply for the present wants of the Army in the Article of Flour, which seems to admit of no delay.

As the President requests the necessary Information on the subject as Soon as possible; I hope the house will with all convenient dispatch enable me to gratify such his request, or take such other way of acquainting Congress what may be depended upon in consequence of the present application, as to them shall seem most proper.

ADf, NN:Lyon.

1. Refer to Samuel Huntington to WL, December 11, 1779 (DNA:PCC, 14).
2. Congress had resolved on December 11, 1779, to request that the mid-Atlantic states supply provisions for the army. New Jersey's share was eight thousand barrels of flour, a portion of which was to be furnished immediately. WL presented the resolution to the assembly on December 13. He privately had little hope that the assembly would comply (*JCC*, 15:1371–72; *General Assembly* [October 26–December 25, 1779], 76). Refer to WL to Samuel Huntington, December 13, 1779 (DNA:PCC, 68). For discussion of the difficulties encountered supplying the army see WL to Nathaniel Scudder, November 8, 1779.

To William Churchill Houston

Mount holly 13 December 1779

Dear Sir

I have received your Favour of the 9 instant¹ & am much obliged to you for your offer to take & present the warrant for the 81.45/90 dollars on Account of my Expences contracted at Princeton. It will probably be the readiest way in which I shall get the Money. The Account arising on a former similar occasion has been duly discharged.²

I do not remember that in any of your Letters you have mentioned the Necessity of preserving as Vouchers Letters from the President of Congress the commander in Chief etc. respecting the calling out the Militia of this State. I believe I have not lost any Letters that ever I received on that subject—but have them either at home or filed with the privy Council papers, as there was or was not a necessity to take their advice on the matters therein contained. I doubt not that sufficient Evidence of every such call would be procurable, even were those Letters lost, but it is certainly best to preserve them & I shall on future occasions pay particular Attention to your caution.

I had before the receipt of your Letter written a Line to his Excellency General Washington³ to inform him that the time of the Inlist-

ment of our State Regiment would expire the 20th instant, & that as the Troops under his Command would take up their Winter Quarters in New Jersey, his Excellency might perhaps be able consistent with the public Interest to spare sufficient Detachments from them to take the Posts at present occupied by our Regiment or such other parts on the Frontiers as he conceived most proper for our defence, & that we greatly relied on his [expected] Readiness to give us all the assistance in his Power, which perhaps we never wanted more than at present. To this Letter I could not hither to expect an Answer, but I doubt not I shall soon have as favourable an Account as can be expected.

I am greatly rejoiced to hear that Congress intend to adjourn from Philadelphia in April next; & as the *whither* is not yet settled, I hope it may prove to be New Jersey.⁴

I thank you for the probable Expectations you give me of some assistance in solving Baron Van der Capellen's Inquiries. I think notwithstanding the extensive scope he has given himself, the solutions need not be long. Pretty general Answers will & must suffice—and your opportunities for collecting information concerning all the states by your daily Intercourse with the Representatives of each, would I thought greatly facilitate the gratification of his Curiosity.

Upon What Foundation the Town-Major complains of our Militia “as not giving ready assistance to Deserters in escaping from the Enemy,” I know not; nor have I ever received the Extract of a Letter to that purpose, which you mention as having been transmitted to me—on proper proofs of the facts, I shall not fail to enquire into the Matter, & endeavour to concert some measures for preventing so injurious a Delinquency in Future.

I have delivered to the Council the 3d volume of the Journals of Congress which accompanied your Letter; & am much obliged to you for the separate sheets you have transmitted for the governor. I was far from intending by my Letter to put you to that Trouble but only wanted to be directed to a proper Channel to procure them.⁵ I have now a complete set as far as they have been published; & Mr. Thompson, will, I believe, supply me with all future publications.⁶

Some of the Commissioners for taking the Subscription for a Loan, (which is supposed to be extended to the first of March)⁷ think it very hard that Congress makes them no allowance whatsoever, & they suppose that at least one ration per day for man & horse during the

Continuance of the Subscription would be but reasonable. I know the aversion which Congress has to Rations; & it is very dear bought Experience that has inspired them with the Disgust. But I must at the same time confess that I could never see the reason why those Gentlemen should have no recompense, not even for their Expenses, while they are doing essential Service, & must often take considerable Journeys from home upon that Occasion.

As far as I am individually concerned in the Publication of Mr. Collins's to which you lately alluded, or as far as I can suppose he was induced to insert the Libel from any private animosity against me, I do not think it worthy my notice either as in the least injurious to my Character, or as published by him from motives of doing me personal prejudice. But I have for some time past suspected Mr. Collins's Whiggism as wholly Resolvable into self-Interest, & I cannot think that a real Whig, & one so particularly acquainted as he is with my unremitted Application to serve the public, could have thought it his duty for a nameless Author to insert such a Piece. In short the *man* I can easily forgive but the *Tory*, never. The humble

ADf, NN:Lyon.

1. Letter not found.
2. Congress issued a warrant on the treasurer for \$81.45 on November 6, 1779 (*JCC*, 15:1244). See WL to Samuel Huntington, October 29, 1779, describing the warrant as reimbursement for expenses during his investigation of the Quartermaster Department and complaints against the deputy commissary of purchases.
3. See WL to George Washington, December 7, 1779.
4. Congress had resolved on December 3 not to convene at Philadelphia following its adjournment in late April 1780. The resolve set a date in early January for selecting another locale, but the decision was not implemented at that time (*JCC*, 15:1344; 16:9–10, 211–12, 255, 277–79, 291–93).
5. WL may be referring to his request for recent congressional resolves of October 6 and 7. See WL to William Churchill Houston, November 5, 1779.
6. Charles Thomson.
7. For background on the congressional loan program see WL to Henry Remsen, October 27, 1779.

To Charles Thomson

Mount holly 13 December 1779

Sir

The Resolve of Congress inclosed in your Letter I immediately laid before the House; and hope soon to have the Acts of our Legislature

therein described properly copied & authenticated to be transmitted to your Office.¹ As to the other Papers you mention, it would give me real pleasure to have it in my Power to gratify your Request;² but I have been obliged to live so much from home during the present Troubles, that I have had very little opportunity to make such Collections, as my Curiosity would otherwise have led me to make, & the few Pamphlets I have picked up, are deposited in so many different Places, & so boxed up with my Books, & other Papers, that I do not expect to see them till the End of the War. I am Sir your most humble Servant³

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. See WL to the Assembly, December 11, 1779. Refer to Charles Thomson's circular letter to Meshech Weare, November 20, 1779 (DNA:PCC, 18). Letter to WL not found.

2. Thomson had also urged each state executive to send, for preservation by Congress, pamphlets and other documents concerning the controversy with Britain.

3. At the end of an ADf, WL wrote: "I heartily thank you for the Journals of Congress, & should be very glad to be regularly supplied with them in future, and have frequent occasions to turn to them, & often been put to difficulties for the want of them" (NN:Lyon).

To William Churchill Houston

Mount holly 14 December 1779

Dear Sir

The inclosed is a Letter 31 July 1779 from Mr. De Neufville & Son a very large commercial house in Amsterdam, & mentioned with great respect by Baron Van Der Cappel.¹ If you can make any public use of it, it is at your Service for that purpose. I am the honourable

ADf, NN:Lyon.

1. The date of de Neufville's letter was noted by WL in the margin of his letterbook. See Baron van der Capellen to WL, July [6] 16, 1779, and John de Neufville & Son to WL, [July 31, 1779].

To Catharine Livingston

Mount holly 14 December 1779

Dear Kitty

Considering the number of Letters I have sent you since I have been here, & that I have had but one from you, I am above half resolved that

untill I receive another, from you, you will never again hear in this way from your affectionate Father¹

ADf, NN:Lyon.

1. See WL to Catharine Livingston, November 10 and November 16, 1779. Other WL letters from Mount Holly not found; letter from Catharine to WL not found.

To Henry Remsen

Mount holly 14 December 1779

Sir

I have received your favour of the 3d instant with your & Mr. Lotts interpretation of the Dutch words I inclosed you for that purpose for which I am much obliged to you both.¹ I had indeed taken the trouble to translate the whole dutch Letter & a long one it is, before yours came to my hands; & tho' those were the only words about which I was doubtful, I have the happiness to find by your & Mr. Lott's concurrence, that I guessed right.²

On the Subject of your Complaint of the want of any Allowance by Congress for your trouble in taking the Subscriptions (in which you are certainly in the right) I have written, particularly to one of our Delegates in Congress³ stating the general Grievance of all the Commissioners and if there is the least probability of influencing that Assembly to take the matter into consideration, I am confident he will exert his Endeavours.

ADf, NN:Lyon.

1. Letter not found. Probably Abraham Lott.

2. WL was of Dutch ancestry and familiar with the Dutch language. See *Livingston Papers*, 2:491.

3. William Churchill Houston.

To Joseph Scot

Mount holly 14 December 1779

Sir

Your Letter of the 20th November last,¹ I have received some time since. You will I hope ascribe it to the multiplicity of Business that I

have not answered it sooner. I had put it up with intent to do myself that pleasure the next day after I received it, but other affairs crowded it out of my mind till this moment unexpectedly restored it to my hands.

As my sole reason for denying your request² before was the choice you made of the particular place for your Residence in this State, you have removed my objection by fixing upon Mountholly, Burlington, or Haddonfield. Upon condition therefore of your fixing your Residence in either of those places, you have my permission to come into this State with such necessaries as shall appear to be brought for your own personal Accomodations & not in the way of Trade, nor for the Benefit of others, concerning which the officers at the Post of your Debarkation will be very scrutinous.³

ADf, NN:Lyon.

1. Letter not found.

2. "An Act to explain and amend an Act, intituled, An Act to prevent the Subjects of this State from going into, or coming out of, the Enemy's Lines, without Permissions or Passports, and for other Purposes therein mentioned," passed December 11, 1778, authorized the governor to grant permission in special cases for persons crossing enemy lines to carry goods over and above the legal limit of three days' subsistence (*Acts* [November 20–December 12, 1778], 41–42).

3. After "scrutinous" WL wrote and crossed out "& their zeal in those Cases being laudable in itself, is not opposed by Government."

To the Assembly

Mount holly 15 December 1779

Gentlemen

I herewith lay before the honourable house a Resolution of the Senate & assembly of the State of New York of the 1st & 2d of October last respecting the plundering of the Inhabitants of Long Island or of any other place in the Power or Possession of the Enemy within that State or of any other of the United States.¹ That such depredations have been committed upon several worthy citizens of the state of New York, who are well affected to the Cause of America, tho' their circumstances in life do not enable them to move out of the Enemy's lines, there is not the least doubt; & that the plundering of such unfortunate people in adding affliction to the afflicted, reflects dishonour on the Arms of America is but too evident. But that any Proclamation either with or without the

resolution of both houses can legally restrain any Citizens of the united States from committing any Acts of hostility within the Enemies lines to which he seems to be fully authorized by the Declaration of War is at least [problematical]. If therefore the Evil complained of in the said Resolution & the Letter of Governor Clintons which accompanied appears to the honourable house in the same affecting manner, I doubt not they will take such legal Steps to prevent the perpetuation of it by the Citizens of this State, as to them shall seem most proper.²

ADf, NN:Lyon.

1. In accordance with a New York state legislative resolution of October 2, Gov. George Clinton issued a proclamation "forbidding all persons whomsoever, to plunder the inhabitants of Long Island, or any other place in the power or possession of the enemy, within this state." The resolution also prohibited any New Yorker from plundering within enemy lines anywhere in the other states. The New York Assembly also requested that Clinton write to the governors of New Jersey and Connecticut and request them to issue similar proclamations (*The Votes and Proceedings of the Assembly of the State of New York* . . . [August 9–October 25, 1779], Evans no. 16409, 47–48); refer to George Clinton to WL, October 4, 1779 (N).

2. Although WL drafted a message to the assembly on November 17, he did not submit it until December 15. The reciprocal measure stalled in the assembly and did not pass during the 1780 session (*General Assembly* [February 16–March 21, 1780], 121–22, 146, 150; [November 4–10, 1780], 19). Refer to Message to the Assembly, November 17, 1779 (NN:Lyon).

To John Witherspoon

Mount holly 15 December 1779

Dear Sir

Immediately upon the Receipt of your Letter of the 18th of November last,¹ in answer to the Petition of sundry of the Inhabitants of Princeton respecting the Prisoners in your Employ, I transmitted the contents of it to Mr. Bergen the person who had presented the Petition to me, & whom I directed to serve a Copy of it upon you before I could think of taking any official Notice of it. My Letter in which I communicated the Substance of yours, I concluded with telling him that I hoped it would satisfy the Signers of the Petition but that if there really were any grounds for apprehending danger from those Prisoners, & the Inhabitants of Princeton were desirous of my farther interfering in the Matter I should chearfully desire the advice of Council on the Subject,

hoping however that the Petitioners would not suffer either private Animosity, or personal Envy to influence their application for Redress.

To this I have received for answer that they are by no means satisfied with those Prisoners remaining amongst them. Whereupon I thought it my duty to submit the Matter to the consideration of the Privy Council,² (laying before them their Petition & your Letter) who advise me to request you to discharge them all the said Prisoners to ten in which your own prudence will direct you respecting those to be dismissed to have a particular Eye to such as may be most obnoxious to the Inhabitants

ADf, NN:Lyon.

1. Letter not found. See WL to Jacob Bergen, November 19, 1779.
2. The Privy Council minutes for the period November 18–December 15 make no reference to either the petition or the letter.

To Richard Peters

Mount holly 17th Dec. 1779

Sir

I am much obliged to you for your Politeness & activity in procuring me the Hessian Prisoner;¹ & if I dare to trespass farther on your Civility, I would beg the Favour of you to direct Mr. Conduct,² what measures to pursue to procure one for himself. That Gentleman is one of the Council of this State, & goes as one of our Commissioners to meet those of the other states on the Subject of a Regulation of Prices.³ He is one of the best Whigs & the best of men in New Jersey. After this it would be vain to attempt adding to the weight of his Scale, or I should chearfully throw in that of Sir your

ADf, NN:Lyon.

1. See WL to Susannah French Livingston, November 29, 1779.
2. Silas Conduct.
3. For a discussion of this meeting see Jonathan Trumbull to WL, November 22, 1779.

To Theophilus Elmer

Mount holly 18 December 1779

Dear Sir

I am favoured with your kind Letter of the 13 instant,¹ & am heartily obliged to you for your friendly concern about my welfare and Accommodations.

Your old & *grave* Friend Mr. Crane² our late Mess-mate, has been obliged to decamp on Account of his Bodily Indisposition, & I am afraid that notwithstanding his almost miraculous natural Constitution there are two Giants of superior Strength that will soon triumph over him, I mean old Age & Death, two Potentates of uncontrollable Power & as tyrannical in their Sway, as our late *most gracious* Sovereign ever intended to be.

I was really deceived in the Appointment of the doctor respecting the Representations I had of the public Convenience requiring an additional Surrogate. All I can say to make atonement for it is, that I shall be more careful in future, & that it has cost me many a painful reflection that you should have personally suffered by it, without it being more conducive to the general Emolument, which Supposition was my sole motive in making the appointment & which had it been so in fact, would I am persuaded have thoroughly reconciled you to the measure, whatever private Detriment, might thereby have accrued to yourself. For I can say it without Flattery that considering the personal Sacrifice, which you have made to your Country, & the application & Fidelity with which you have served in whatever office it has intrusted you with, your Title to any Emoluments it has to bestow is not inferior to that of any its most virtuous & patriotic Citizens; & you may depend upon it Sir that as far as my Influence extends, I shall not fail in my Endeavour to repair my late Error by paying in future the greatest attention to every thing in which it may be in my power to serve you.³ In the mean time I heartily wish you health & Happiness, & am with the greatest esteem Dear Sir

ADf, NN:Lyon.

1. Letter not found.
2. Stephen Crane died in 1780.

3. WL felt a strong obligation to Theophilus Elmer for earlier political support. See *Livingston Papers*, 2:500–502.

To John Imlay

Mount holly, 18 December 1779

Dear Sir

I just now received a Letter from you without any date.¹ I believe Major Lee has been overseen in granting passes when he was stationed in Monmouth; but I have lately so fully explained to him the dangerous Tendency of such practice,² & his want of Authority to that purpose, that I flatter myself he will for the future give no farther cause for Complaint on that Subject.

Respecting the waggon Department, I could really wish it was upon the footing you mention. But that I [suppose] being in the appointment of the Director General of the Department, the Congress will hardly think proper to interfere in the matter. Besides this, I have reason to think that the several States will soon be applied to by Congress to furnish their respective Quotas of supplies for the Army, & then they will probably take the direction of the particular Department in question as far as it relates to this State.³

ADf, NN:Lyon.

1. Letter not found.
2. See WL to Henry Lee, November 24, 1779.
3. See WL to the Assembly, December 13, 1779.

To George Washington

Mount holly 19th December 1779

Dear Sir

I had the honour & the Mortification last night of your Excellency's Favour of the 16th instant.¹ To find our Troops in want of Bread at the close of so glorious a Campaign; & to think of administring such cause of triumph & Exultation to the Enemy, & of Disgrace & astonishment to all Europe, requires no uncommon fortitude to bear with any tolerable patience. I am perhaps the better enabled to support myself under it, as I have been gradually fortified against it, by having for some time

past anticipated the dreadful Event; & the Measures which I thought naturally led to it having for some months given me daily and nightly Disquiet.

It is not my Disposition Sir to excuse myself from any trouble by which I can render my Country essential Service (whether in the immediate line of my Department or out of it) by a fruitless crimination of others; which tho' it may ease the Stomach of the Satyrist by discharging his resentment, will not fill those of the Soldiery with Food. It is not by reproaching others, but by the most vigorous Exertions of our own, that we can now hope to feed, a meritorious & too much-neglected Army. But notwithstanding this, every virtuous Citizen of America will think himself entitled to complain when after issuing in about twenty months (I have reason to think I speak from good Authority) to the Departments of the Commissary & Quarter Master General above one hundred & thirty millions of Dollars, we are in the most perillous Predicament, & the Army on the Point of disbanding for the want of Supplies. I cannot say that I am greatly disappointed having ever been apprehensive of this Disaster while I have seen the meanest officers in those Departments growing rich, without any other conceivable means than those of Fraud & peculation. It is therefore become indispensable, & absolutely so, to put those purchases into the hands of the respective States where the Supplies are furnished, to request their management of them, & to apply the Taxes raised, to this Effect, or such part however as may be necessary. Three or four purchasers or Contractors in this State could, I am confident, supposing the appointment to be judicious, do more than the thirty or forty now employed.² It gives me new Spirits to find that Congress is about adopting some thing similar to this plan; & our assembly, tho' they have sat long, I have [a] reason to think Will not rise till they have put the matter on that footing with respect to this State. This however will be too slow in its operation to afford immediate relief to the Troops. Had I received your Excellency's Letter but two hours sooner I should immediately have laid it before the house. But They were just adjourned till Monday morning when it came to hand. I shall not fail therefore to urge them to morrow not to wait for the supplies collecting by the Commissioners lately appointed for that purpose, but to adopt by resolve more vigorous Measures than those Commissioners are authorized to carry into Execution & To prepare the way for this I have not thought it any breach of Sabbath, to

spend part of this day in colloquing with some of the leading Members, who promise me to exert every nerve in providing the most speedy & effectual remedy for our present Distress.³

ADf, NN:Lyon.

1. Refer to George Washington to WL, December 16, 1779 (NjMoHP). Washington had written that the army "has been five or six weeks past on half allowances, and we have not more than three days bread or a third allowance on hand, nor anywhere within reach."

2. After "employed" WL wrote and crossed out "Money will be saved by giving them generous terms."

Pursuant to a July 9, 1779, congressional resolution WL had investigated and dismissed during the fall of 1779 supernumerary employees in the Commissary Department in New Jersey. See WL to Jeremiah Wadsworth, October 15, 1779; refer to Samuel Huntington to WL, November 9, 1779 (DNA:PCC, 14).

3. On December 14 Congress extended its December 11 request for supplies from all the states and resolved that the supplies were to be credited, upon receipt, to the states' financial quotas, upon an established schedule of prices. WL presented the congressional resolution to the assembly on December 17. On December 25, the New Jersey legislature passed "An Act for procuring Provisions for the Use of the Army, and other Supplies for carrying on the War and for settling the Publick Accounts of this State." The act repealed "An Act for collecting, settling and adjusting the public Accounts," passed June 22, 1778, and provided for the appointment of a state superintendent of purchases and of county contractors, who were authorized to divide their counties into districts for collection of and payment for army supplies. It also authorized the county contractors to impress wagons and boats to convey the supplies to the army. On the same date the legislature passed "An Act to revive and continue an Act, intituled, 'An Act to provide for the better Subsistence of the Troops of this State, in the Service of the United States.'" This act revived a June 11, 1779, act that had been voided by a congressional resolution of August 18, 1779. This resolution provided for the provisioning of state troops in the service of the Continental army. The legislature revived the June 11 act because the August 18 congressional resolution had proven inadequate (*JCC*, 15:1377-78; *General Assembly* [October 26-December 25, 1779], 59-61, 68, 76, 87, 90, 92-95, 97-99, 103, 106, 110; *Legislative Council* [October 26, 1779-March 21, 1780], 41-44; *Acts* [October 26-December 25, 1779], 41-48). See WL to George Washington, October 8, 1779, for a discussion of legislation regarding supplying the army. See WL to the Assembly, December 13, 1779; refer to Samuel Huntington to WL, December 14, 1779 (DNA:PCC, 14), and WL to the Assembly, December 17, 1779 (NN:Lyon).

To the Assembly

Mount holly 20 December 1779

Gentlemen

I herewith transmit to the honourable House a Letter from the Treasury office, of the 7 instant which covered a Resolution of Congress of

the 7th of October recommending it to the several States to direct their Treasurers to transmit to Congress on the first day of every month returns of the Sums which they have respectively received for supplying the continental Treasury.¹

I also lay before the house (together with the Presidents Letter which inclosed it) a Resolution of Congress of the 15 instant recommending it to the Legislature or where vested with competent Authority to the executive Powers of such of the States where Embargoes are in force to continue the same, & where not, to lay them to prohibit until the first day of April next, the Exportation of the several Articles mentioned & described in the Resolution of Congress of the 21 of August last;²

It is presumed that the Legislature will think it reasonable, & I have reason to conclude that it is the Expectation of Congress, that in all Laws respecting Embargoes there reserve a Power under proper Regulation to export for the Fleets & Armies of any State or Potentate in alliance with the United States.³

I farther submit to your Consideration a Letter from his Excellency General Washington of the 16th instant containing a most alarming Account of the deplorable Situation to which our Army is reduced for want of Provisions, & that the Magazines are every where exhausted.⁴ I doubt not the honourable House has already concerted some Measure to anticipate His Excellencys earnest application for a speedy Supply, & that whatever farther can be done for preventing the fatal Consequence of the Troops disbanding for want of Provisions will engage their most serious Attention, & most vigorous Efforts.

ADf, NN:Lyon.

1. For background see WL to Samuel Huntington, October 29, 1779. For the letter from the treasury office, refer to Robert Troup to WL, December 7, 1779 (Nj).

2. On August 21, 1779, Congress resolved that states with existing embargoes on the Atlantic trade continue them through January 1, 1780, and that states without export restrictions implement them. On August 25 Congress further resolved that restrictions on inland trade between the states be removed. It recommended on December 15 that the embargo be extended until April 1, 1780 (*JCC*, 14:953–54, 979, 984, 986–87, 994–96; 15:1383).

The congressional resolves were read before the assembly on September 17, and on October 7 the legislature passed “An Act to prohibit the Exportation of Provisions from the State of New Jersey.” It specifically prohibited trading with the enemy and also provided for enforcement and prosecution. In addition the legislation mandated that trade

between New Jersey and New York, Pennsylvania, and Delaware not be impeded (*General Assembly* [September 15–October 9, 1779], 162, 165–66, 189–90; *Legislative Council* [October 27, 1778–October 9, 1779], 97, 102–3; *Acts* [September 27–October 9, 1779], 133–34).

On December 25 the legislature passed “An Act to continue an Act intituled, An Act to prohibit the Exportation of Provisions from the State of New Jersey,” extending the expiration date of the embargo to April 1, 1780 (*General Assembly* [October 26–December 25, 1779], 89, 93, 98, 100, 106; *Legislative Council* [October 26, 1779–March 21, 1780], 41, 43; *Acts* [October 26–December 25, 1779], 47).

3. The October 7, 1779, act stated that the embargo did not apply to provisions for the French fleets. The December 25 act extended the provision.

4. Refer to George Washington to WL, December 16, 1779 (NjMoHP).

To Elisha Boudinot

Mount holly 20 December 1779

Sir

I have just received your Letter of the 11 instant. I can assure you that General Paterson did not deceive me tho' I believe he attempted it.

I have sent your order to the Jailer of Burlington Gaol, least the other might have miscarried.

Capt. Pitcairn & Lieut. Campbel were represented to me as Prisoners of this State. If not I hope His Excellency the General will turn them over to effect the Exchange on the Application you have made.¹

I do not remember any Conversation between Colonel Hendrickson & me relative to any Hessian Prisoner, & think he must labour under a Mistake.

ADf, NN:Lyon.

1. On December 19 WL wrote Elisha Boudinot that the Board of War had agreed to permit New Jersey to exchange Col. Christopher Billop for Capt. Nathaniel FitzRandolph. Refer to WL to Elisha Boudinot, December 19, 1779 (NN:Lyon).

George Washington denied Boudinot's request to declare Pitcairn and Campbell state prisoners for purposes of exchange. Refer to George Washington to John Beatty, December 23, 1779 (Fitzpatrick, *Writings of Washington*, 17:306–7). For a discussion of the distinction between state and Continental prisoners see *Livingston Papers*, 2:511–12, 515–16.

To Moore Furman

Mount holly 21 December 1779

Sir

I have received yours of this day,¹ & am much obliged to you for your care in forwarding my Letter to his Excellency the General.² You also have my Acknowledgments for the great Civility & Politness contained in the Remainder of your Letter.

I am informed that there are 200 barrels of Bread in the Possession of one Prior at Trenton which belong to the Continent, & are detained, as I am told, till the Baker is paid for baking them. Can they not be procured or gotten, and immediately sent to the Army, which is in the Distress for want of Provisions? I am your humble Servant

WIL: LIVINGSTON

ALS, Nj.

1. Letter not found.
2. Refer to WL to Moore Furman, December 20, 1779 (Nj).

To George Washington

Mount holly 21 December 1779

Dear Sir

My last to your Excellency was of the 19th instant; in answer to your favour of the 16th.¹ I now have the Honour of inclosing to your Excellency the Resolution of our Legislature in Consequence of your Letter.² I could have wished that something more expeditious had been resolved upon, as the mode adopted will probably require more time, than the Exigency will admit of. I trust however, that with all the dispatch that may be used in carrying it into Effect, the Troops will not long remain on their present scanty allowance. The Wheat purchased in virtue of the Law referred to in the Resolve, is I flatter myself considerable, as an Eye was had, at the time, to the wants of Count D'Estaing as well as to those of the Army. As our Legislature expects to rise the day after to morrow,³ the members purpose to notify the several Commissioners in

their respective Counties of the resolve, which will be a more expeditious way of diffusing such extensive notification, than can be done by Express. To expedite the Matter as to the Commissaries, I transmit by this conveyance a copy of the resolution to Mr. Dunham a purchasing Commissary at Morris, & shall urge him to set in motion his Deputies in that Department with all possible dispatch.⁴ I hope from Measures taken & taking by Congress, that this will be the last time your Excellency will ever be reduced to such a disagreeable Situation. That America After having so long been the Admiration of Europe, & having an Army on foot that defies the power of great Britain should at last be compelled to disband her Troops by the artifices & practices of Tories & Speculators & Monopolizers and Scoundrels of all sorts and Sizes could go very near to deprive me of my Senses, as the danger of it has often of my temper. Wishing your Excellency health & Happiness I have the honor to be with the highest Esteem & attachment

ADf, NN:Lyon.

1. Refer to George Washington to WL, December 16, 1779 (NjMoHP).

2. On receipt of Washington's letter on December 20, the assembly had ordered an investigation, which disclosed that the wheat collected under "An Act to procure a Supply of Flour for the Use of the Army," passed September 27, 1779, had not been ground into flour and delivered to the army. On December 21, 1779, the legislature resolved that the commissioners appointed under the act enforce it properly (*General Assembly* [October 26–December 25, 1779], 89–91; *Legislative Council* [October 26, 1779–March 21, 1780], 6, 10, 37–38). For discussion of the September 27 act refer to WL to George Washington, October 8, 1779 (DLC:GW).

3. The legislature adjourned December 26.

4. Refer to WL to Azariah Dunham, December 21, 1779 (NN:Lyon).

From George Washington

Morris Town, December 21, 1779. George Washington warns WL that Sir Henry Clinton, whose troops outnumbered the Continentals two to one, may invade New Jersey. Washington believes that Clinton is aware of the poor state of the Continental army at Morristown. Only the movement of the French squadron, Washington believes, has kept the British inactive up to this point.¹ He encloses an official letter outlining the military situation and explaining the action that New Jersey must take.²

Df, DLC:GW.

1. For d'Estaing's location see WL to George Washington, December 1, 1779.

2. Refer to Washington to WL, December 21, 1779 (Nj). Washington had requested that the entire state militia be called out and provided with provisions for fourteen days. The plan also required that the state prepare the signal beacons and determine rendezvous sites.

To Nathaniel Scudder

Mount holly 24 December 1779

My dear Sir

I received your kind Letter of the 14 instant¹ with equal pleasure & mortification. It affected me with singular pleasure to think that you had not forgot me but took the first opportunity after debarking from public Business to give me [cheap demonstration] of it by your Letter.² But I was mortified that I could not immediately make the acknowledgement I wishd to make. This was rendered impracticable by two Causes. The first the absolute want of time, & the other my Incapacity had I been at perfect Leisure to answer several parts of it. Of the first Cause's being removed, this Letter is plenary Proof, and as the second will perhaps ever exist, you must [ever] be content with a partial Answer.

Your observations of your feelings after withdrawing from such busy Scenes as you have for some time been conversant in, are verified by the Constitution of human nature. Ardently have I longed to be removed from the hurry of Business, & to be replaced in my quondam delightful situation of reading & leisure, & being master of my own time. But for about two months last winter (before General Clinton thought proper to send an Express for me to Elizabeth Town)³ I was very much in that Situation; & I can assure you I felt so disagreeable a languor as made me long for a busy sitting of the Legislature, or any thing that should again plunge me into Activity and Exertion. The Soul of Man, Sir, or at least of that part of the Species which deserves the name is too vivacious a principle suddenly to exchange the most active for the most tranquil Scenes of life, without experiencing a kind of vacuity, which makes it languish for the late hurry & bustle with which it was perpetually occupied, & which by way of contrast makes it more fully sensible of its present *Isolè*⁴ Situation. This distemper is however considerably within the power of the following recipe—1st Books for as many hours as they

are agreeable (and to a bookish man, they will be so a great part of the day) 2dly the comfortable recollections of what a real patriot has done for the [. . .] of his Country, & his present feelings that upon proper occasions he is ready to repeat his Exertions, & 3dly that according to the most flaming Definition of patriotism a man, owes some part of his time to his own household, which certain something he ought to do to prevent Patriotism from terminating into *some thing* worse than *paganism*. Vide St. Paul in loco.⁵

The Business of the Legislature my dear Sir has produced as it always did in your time (for as it was in the Beginning, so it is now, & will be so (perhaps) world without End)⁶ that they are most confoundedly lazy for the first week of the Sitting, & as much in too great a hurry Sir the last week. They have however made some Laws of which you will approve. Some indeed you will say would have been better if upon a true Whiggish foundation, there was not too much of a Tory Superstructure. But considering that *nemo est repente tarpissimus*⁷ how can we expect an *omnes repente optime*?⁸

The Legislature will undoubtedly rise to morrow & have the advantage the day after of breaking the Sabbath with Impunity, for which little folks are, & ought to be, punished.

As to the Squadron under the Command of Count De Gras being safe arrived in Cheasapack;⁹ I cannot say what I believe about it, but I can say negatively that I do not believe any such thing. But As I would not have you conclude me altogether destitute of faith, I will honestly tell you what I really believe, & that is that it is an arrant falsehood invented by the Whigs in the way of *retaliation* for the Lies of the Tories & how far that may be justified under the Laws [. . .] of *Stratagems in war, retaliation, self Defence* etc. I cheerfully submit (since his most christian Majesty is become our ally) to——the *Sorbonne*.

As to Mr. Rivington's Account from Boston that the British Fleet have taken five Ships of the combined Fleets of France & Spain & sunk ten etc.¹⁰ *credat Judeaus Appella!*¹¹

The Cause between Walton & Holmes¹² is of the greatest Moment; & I hope none of the Judges have given their opinions, as you have heard respecting one before they have been judicially called upon. I should be sorry that the supposed Event of the Controversy should give the Tories any Cause of Triumph; but the Judges you know are bound to determine according to Law in whose favour soever that may appear to be,

let the Consequences be what they may; & tho' the Legislature may apply a Remedy, yet those ex post facto Laws have always been considered as unfriendly to Liberty.

A guard of two hundred men under Colonel Holmes has been ordered for the defence of your County,¹³ which I hope will prevent the predatory Visits of the British, & protect the patriotic Borderers from the Freebooting Tories.

I have desired the Chairman of the Joint Meeting¹⁴ to notify Doctor Henderson of his Election as a Delegate in Congress.¹⁵ It had been strangely neglected tho' I have frequently mentioned it to the members.

I do not learn any News from Europe, but am fully persuaded that this winter will produce great Events; & most of the European powers interest themselves in mediating a Peace, upon the terms of Britains acknowledging our Independance. I am with the greatest Sincerity & regard

ADf, NN:Lyon.

1. Letter not found.
2. For background on Scudder's retirement see WL to Nathaniel Scudder, November 19, 1779.
3. For the British raid on WL's home see WL to Sir Henry Clinton, March 29, 1779.
4. *Isolé*: isolation.
5. *Vide St. Paul in loco*: see St. Paul in place.
6. WL is paraphrasing the final sentence of each litany in the *Book of Common Prayer*.
7. *nemo est repente turpissimus*: WL is paraphrasing Juvenal: "No man ever became extremely wicked all at once."
8. *omnes repente optime*: all [will become] best all at once.
9. De Grasse had left France early in 1779 in command of a fleet to be stationed in the West Indies. On December 22, 1779, Robert R. Livingston wrote John Jay that although De Grasse was believed to be in Chesapeake Bay, he had already arrived at Saint Domingue in the West Indies (Morris, *Unpublished Papers of John Jay*, 670). In a report to Congress the Committee of Cooperation at Camp suggested that the French fleet convoy troops heading south (*JCC*, 15:1369; Fitzpatrick, *Writings of Washington*, 17:246, 289–90). Refer to George Washington to WL, December 21, 1779 (Nj).
10. These figures were taken from Rivington's *Royal Gazette*, which on November 27, 1779, carried a secondhand report that a British fleet commanded by Sir Charles Hardy had won a battle against a combined French and Spanish fleet off Cape Clear, Ireland.
11. *credat Judaeus Apella!*: let the Jew Apella believe that! Apella was a Jew, ca. first century B.C., known for his credulity.
12. As an experienced legal authority, WL had early recognized the constitutional imperative of the suit of John Holmes and Solomon Ketcham vs. Elisha Walton. Known as the New Jersey Precedent, this case was an early instance in which the judiciary declared an American legislative act unconstitutional. It developed out of a charge of illegal commerce leveled at John Holmes and Solomon Ketcham. During the winter of 1778–1779 a

militia major, Elisha Walton, confiscated goods belonging to the two men on the grounds that the goods had been transported across military lines in violation of the October 8, 1778, "Act to prevent the Subjects of this State from going into, or coming out of the Enemy's Lines, without Permissions or Passports, and for other Purposes therein mentioned." On May 24, 1779, a six-man jury declared for Walton. By writ of certiorari the case went to the New Jersey Supreme Court in November 1779. The plaintiffs' attorney argued, among other points, that the decision should be reversed because the size of the jury violated the state constitution. Article 22 of the Constitution of 1776 guaranteed that "the inestimable Right of Trial by Jury shall remain confirmed, as a Part of the Law of this Colony without Repeal for ever"; by English and New Jersey custom an impaneled jury consisted of twelve men. The act of October 8, 1778, however, ordered that the trial arrangements set up in a previous act of February 11, 1775 ("An Act to erect and establish Courts in the several Counties in this Colony for the Trial of small Causes, and to repeal the former Act for that Purpose")—which ordered a six-man jury for such cases—would remain operative in deciding cases of illegal transportation. The court reserved judgment on the case until September 7, 1780, when the justices found for the plaintiffs. The importance of the trial was readily recognized and the decision disputed. Sixty Monmouth County inhabitants submitted a petition to the assembly on December 8, 1780, complaining that the Supreme Court justices had set aside some laws as unconstitutional and had voided judicial proceedings "though strictly agreeable to the said Laws" (*Acts* [September 24–October 8, 1778], 104–6; *General Assembly* [December 2–8, 1780], 52; Boyd, *Fundamental Laws and Constitution*, 162).

13. On December 23, 1779, in response to a petition from Monmouth County, the Privy Council ordered Col. Asher Holmes and troops under his command to protect the county. Capt. James Morgan was placed in command of troops to be stationed at South Amboy (*NJA* [Privy Council], 3d ser., 1:140–41).

14. John Stevens, Sr.

15. Thomas Henderson declined election on December 25, 1779. Abraham Clark was then elected to the position (*Joint Meeting*, 34).

From Joseph Reed

Philadelphia, December 24, 1779. Joseph Reed requests WL's assistance in the investigation of an apparent smuggling attempt in late November. Reed encloses testimony and Pennsylvania Council minutes that reveal that Philadelphia Loyalists were allegedly aided by New Jersey officers using public transport to move trunks of goods.¹

LS, MHi.

1. Elizabeth Bergen gave the testimony in Philadelphia on December 14, 1779. The Pennsylvania Council discussed this matter December 23, 1779. The testimony and minutes described the following events: On November 29 Elizabeth Bergen witnessed New Jersey captain Joseph Clunn seizing two trunks, which were taken to headquarters at Elizabethtown. The trunks ostensibly belonged to Jane White and/or David Franks, known Philadelphia Loyalists. Col. Silvanus Seely received the trunks and placed them,

designated as Bergen's property, on a public wagon bound for Philadelphia. The trunks were accompanied by Adj. William Nixon, delivered to Capt. John Clunn at Trenton, and were later taken to Philadelphia.

The Pennsylvania Council recommended that Nixon, as well as Lts. Stephen Busby and [Benjamin] Emmons be questioned and that John Clunn be imprisoned. There was no mention in the minutes that Col. Seeley was questioned, nor was there any recommendation to do so. For discussion regarding additional charges of illegal trade at Elizabethtown, see WL to Silvanus Seely, December 7, 1779.

To Rennsalaer Williams

Mount holly 25 December 1779

Sir

Mr. Pringle will wait on you with this. He goes to Trenton in order to seize two Trunks with Merchandize from New York imported contrary to Law, & now in the Possession of Capt. Clun. There is the strongest reason to beleive that the goods were brought out for some Tories in Philadelphia, & that Capt. Clun means to protect them for their benefit under pretence of their having been condemned to him, which from many circumstances is supposed to be altogether fraudulent. I inclose you the Proceedings of the Executive Council of Pennsylvania in the case, which will throw great light on the Subject, & which you will take care to return to me, when you have done with them. As it is of the utmost Importance to detect the Officers of our Militia who are suspected to be concerned in this Piece of Villainy, it is the request of the Governor & Privy Council¹ that you give the greatest attention to the Case, & if necessary call Justice Yard² to Your assistance. The Legislature has passed a Law this Session which throws the Burden of the Proof upon the defendant, in possession of the goods that they do not [come] of the Enemy's Lines. The Act is not yet printed but I suppose will be in a few days.³

ADf, NN:Lyon.

1. The New Jersey Privy Council minutes for December 1779 do not record a discussion of this matter.

2. Benjamin Yard.

3. WL is referring to "A Supplement to the Act, intituled, An Act to explain and amend an Act, intituled, An Act to prevent the Subjects of this State from going into, or coming out of, the Enemy's Lines without Permissions or Passports, and for other Purposes therein mentioned," passed December 25 (*Acts* [October 26–December 25, 1779], 47–50).

To George Washington

Mount holly 26 December 1779

Dear Sir

I was honoured with your Excellencys official Letter of the [. . .] instant & your personal Letter of the 21 which accompanied it.¹ Last Evening when the Assembly was on the point of Adjourning to February, but the favours which I immediately laid before them, prevailed on them to stay out this day. I suppose they will readily make provision for the better subsistence of the Militia when called out on an Invasion, & provide for the Expences of compleating the Beacons.² The Power already lodged in the Governor of calling out the Militia on such an Occasion, is adequate to the Case; but whether the people will as cheerfully come as heretofore, considering the general depreciation of Patriotism, I cannot determine. I always hope the best.

Your Excellency's surmizes are certainly not without foundation, & we ought ever to be guarded against every probable Event. I must own I have not been without my Suspicions that the Embarkation was altogether Strategic. I hope by now that if the British duly consider the wretched Situation of their affairs in the West Indies,³ & soon at their own doors, they will think their Troops in New York more usefully employed at a greater distance from home than by making a partial havoc in the State of New Jersey, which comparatively will weigh so little in their national Ballance, and General Clinton is more able to bear a great deal of clamour, than a great deal of Enterprize, or I am much mistaken in the Baronet. I have the honour to be with the highest Esteem & most affectionate regard.

ADf, NN:Lyon.

1. See George Washington to WL, December 21, 1779; refer to WL to George Washington, December 21, 1779 (Nj).

2. George Washington's official letter was presented to the assembly December 25. On December 25 both houses resolved that militiamen who carried their own provisions in lieu of rations would be paid ten dollars per day. The legislature also ordered WL and the Privy Council to employ persons to erect or repair beacons (*General Assembly* [October 26–December 25, 1779], 110–11; *Legislative Council* [October 26, 1779–March 21, 1780], 46).

On December 26 the Privy Council instructed WL to appoint Gen. Nathaniel Heard to supervise the inspection of the beacons (*NJA* [Privy Council], 3d ser., 1:142–43). Refer to WL to Nathaniel Heard, December 26, 1779 (NN:Lyon).

3. During the summer of 1779 the French scored several naval victories in the Caribbean. On June 17 a small assault force captured the island of Saint Vincent from the British, and on July 4 the French, reinforced by fresh troops and ships, took Grenada. They then repelled a British fleet under Adm. John Byron on July 6 to retain their hold on the island. With this battle, Britain lost its absolute dominion in the West Indies and was forced to concentrate on the defense of its remaining islands. For the effect of the French fleet's movements on the British in New York, see George Washington to WL, December 21, 1779.

To Joseph Reed

Bristol 28 December 1779

Sir

I had the Honour of your Excellency's Favour of the 21st instant a few days ago,¹ with the Proceedings of your Council respecting the two Cluns.² I must confess their Conduct appears very suspicious, & I sent on Mr. Pringle with a Letter of recommendation to one of our Magistrates at Trenton³ to assist him in reseizing the goods & to endeavour to sound Clun's pretence of their having been legally condemned to him. Since this, I have seen Capt. Joseph Clun who declares positively that the Goods were condemned to him without any collusion; & that they never were in Philadelphia, nor have ever been removed from Trenton; and complains of his having been confined, and at last held to such high Bail by a State which he supposes had no Jurisdiction in the matter. I hope we may be able to develope the Mystery, as there really seems to have been a design of passing the goods as the Property of Mrs. Bergen, for which he does not account to my Satisfaction.

Concerning the Discouragement which the Detachment of our Militia stationed at Tremble's Point agreeable to the Information transmitted to me by your Excellency in Col. Nicholas' Letter,⁴ I shall make it my particular Business to enquire.

I cannot but express my great Satisfaction in the Vigilance & Activity of the President & Council of Pennsylvania in what appeared to them as detrimental to the common cause; & shall always think myself under particular obligations to them for communicating any Information they may receive of the Conduct of any Citizen of New Jersey inju-

rious to the Interest of the United States in General; or reflecting Dishonour upon ours in particular. I have the honour to be with great Esteem & Regard your Excellencys most humble and most obedient Servant.

WIL: LIVINGSTON

ALS, NHi.

1. The letter was actually dated December 24. See Joseph Reed to WL, December 24, 1779.
2. John and Joseph Clunn. For a discussion of their attempts to smuggle goods to Loyalists in Philadelphia, see Joseph Reed to WL, December 24, 1779.
3. See WL to Rennsalaer Williams, December 25, 1779.
4. Letter not found. For more information regarding Tremble's Point see WL to Silvanus Seely, November 26, 1779.

From Sarah Jay

Aurora frigate December 30th 1779¹

It was my determined resolution to write to my dear papa from Martinico, but to my great regret was prevented by the shortness of our stay there. A few days after our arrival at St. Pierres, Mr. Bingham² accompanied Mr. Gerard and Mr. Jay to Fort Royal to wait upon the Admiral & General³ who were there, from whom they had a very polite reception; and the Admiral was so obliging as to consent to part with the Aurora frigate⁴ for the purpose of conveying the gentleman immediately to Europe, and also assured Mr. Bingham of his readiness to afford the Capt. of the Confederacy every assistance in his power.⁵

The two days those gentlemen were absent I intended to devote to my american friends & for that purpose declined accepting any of the invitations I receiv'd, but the weather being very warm, & having indiscreetly indulged my taste for fruit (which was increased by the want of it during a long voyage) I was too much indisposed to pursue the bent of my inclination.

The first approach to Martinico is extremely beautiful: tho' the grounds are vastly uneven they do not appear like the unfinish'd work of nature, but rather as if in a sportive humour she had display'd a whimsical fancy. It is not more than sixty miles in length & therefore the inhabitants have found their advantage in cultivating every part of it: you can hardly imagine how romantic an appearance the whole Is-

land offers I wish'd exceedingly for papa's pencil at the time I view'd it; and not less now for his pen to describe it. The heights and plains (or rather the intervals between the hills) are equally verdant, and it is really surprising to trace the effects of industry on the very summits of the hills which are all covered with coffee, coconuts and cane: every here and there the eye is surpris'd [by?] settlements aside & amid the hills belonging to the negroes who are employed upon the plantations: then again a plain of small extent with genteel houses diversify the prospect: but nothing in my opinion has a more pleasing effect upon the sight than the falls of water that come tumbling down, murmuring as they roll over projecting rocks & broken grounds. St. Pierres is the capital of the Island⁶ and a very pretty city it is: directly behind the town a fine river descends from the mountains [which?] waters the city in a most delightful manner, through each street there runs a small stream that cools & cleanses them at the same time, and every inhabitant that chooses may have a sufficiency of water admitted into their dairies and rooms for bathing. The bathing rooms of the gentlemen are really very elegant as well as convenient: they have by a very simple contrivance the advantage of warm as well as cold baths, both of which are very useful as well as agreeable in that warm country, and I'm told that one or the other serve as a remedy for almost every Disorder incident to the climate; so that you may suppose phisicians there are rare. The gentlemen live in a very genteel stile; & their hospitality is really captivating, nor is it possible to be less pleas'd with the perfect cleanliness that is universal in the city. The easy manners of the gentlemen & ladies freed from any embarrassment that I might have been sensible of among strangers had they been less polite. I was very sorry that the shortness of my stay & the many engagements I had, prevented me from making as many observations as we were invited by our situation, every thing almost having an air of novelty to me; and if the observation so often made by gentlemen upon our sex, that novelty has peculiar charms for them be just, it is not surprising that I was so much pleased. A Gentleman was so obliging as to have some cane gathered tho' out of season on purpose to gratify our curiosity by shewing us the process of making sugar.

It was some satisfaction to me to distinguish for myself in what manner the Coffee grows as I received very different accounts from different persons: the grain is inclosed in red berries that grow upon trees resem-

bling our cherry trees the leaves of which are not unlike those of our peach and the trees would be equally tall were they not trimmed but those who cultivate them find that by keeping them low they spread and produce more. As cotton is rais'd in America it's needless to say any thing of that tho' the manner in which it's produc'd was new to me. The cabbage peculiar to the West Indies, in my opinion is vastly inferior to those in your kitchen-garden; nor can I imagine why it takes it's name from a plant that it bears not the least resemblance to either in taste or appearance: it is the pulp that grows in the midst of the trunk of the tree, of a whitish colour which they cut in small strips & boil; but there is another way of dressing it which I think preferable, that of mincing and frying it in oyl like fritters. Altho' it was not the fruit season, we were agreeable surpris'd with a great variety of it. You would be pleased with the variety of fish they have at Martinico, which they dress extremely well as indeed they do every thing that appears upon table. Crabs I did not see: their lobster tho' different in shape from those in our part of America, are nevertheless excellent. I can't say much for the oysters, they grow upon trees in the water, and are when taken out of the shell about the size of the small crabs we sometimes find in our oysters: suppose I had sent you some to plant in your pond, wou'd it have been much more difficult to supply it with salt than at present with fish? They have a small shell fish call'd crevisse⁷ that are very sweet and exactly resembles in shape our lobsters; they are larger than shrimps, and tho' seldom served upon table when they exceed three or four inches in length, I am told they would, if left to mature attain the size of lobsters. Mr. Petault, a gentleman at St. Pierres inform'd me that until he sent for a swarm of bees (which was not longer than 18 months ago) there was not one in the Island, and that single swarm has in that short space of time increased to the number of 46 swarms & produc'd as much wax as is necessary to supply four families with all the candles they use—the honey is very beautiful and fine tasted, and as the bees work the whole year they never destroy them: but does not this, sir, derogate a little from the sagacity usually attributed to those industrious little insects, since we now find that laying up stores is rather to indulge a natural propensity, than a wise provision for an inclement season?

If I have too long detain'd your attention from subjects more interesting than those of my letter, I'm sure you'll pardon me for the intention

sake which you will readily believe was to amuse you and entertain myself for while writing to you I'm flatter with an idea of being in your company and so pleasing to me is that illusion that it's with reluctance I quit it even to assure you that I am my dear papa, Your very affectionate and dutiful daughter

SA. JAY

Lcy, NN.

1. Sarah Jay was writing on board the French naval frigate *Aurora*, having left Martinique December 28, 1779. The Jay mission sailed from America on the *Confederacy* in October, planning to travel directly to Paris and then to go overland to Madrid. The vessel was disabled on November 7, 1779, off the coast of Newfoundland and sailed to the West Indies for repairs. It reached Saint Pierre, Martinique, December 18 (Morris, *Unpublished Papers of John Jay*, 666–68, 680–86). See WL to Sarah Jay, October 7, 1779. The *N.J. Gazette* of February 16, 1780, carried a brief account of the *Confederacy's* difficulties.

2. William Bingham, American agent in Martinique from 1776 to 1780.

3. Adm. Toussaint Guillaume LaMotte-Piquet de la Vinoyère, commander of a French naval squadron at Martinique, and Gen. Marquis Francois Claude Amour de Bouillé, governor of the Windward Islands and of Martinique.

4. A thirty-six-gun French naval frigate commanded by Comte Joseph de Flotte d'Argenson.

5. The *Confederacy* was detained for repairs in Martinique. The members of the Jay mission resumed their journey to Spain aboard the *Aurora*.

6. Located at the foot of Mount Pelé, Saint Pierre was the acknowledged center of trade and finance; Fort Royal was the military and civic capital of Martinique.

7. *crevisse*: crayfish.

To John Stryker

Rocky hill 31 December 1779

Sir

I am much surprized to hear that you should tell one of your light horsemen, one Jacob Van Dycke that he need not carry General Heard's orders directed to Colonel Webster unless by orders from you. You are to understand that the orders which General Heard is to give respecting the Beacons are of the utmost importance to be instantly executed, & issued in pursuance of a Resolve of the Legislature, & in virtue of my orders to him.¹ You are therefore immediately to order two of your light horse men to attend on General Heard for his orders to carry the necessary [dispatches?], & after that to follow his orders till the Business is completed & whenever he calls out the Militia. You are also to send me

the names of every one of your light horse men who shall presume to disobey either yours or General Heards orders that I may direct him to be held, & [drummed?] out of the cavalry into which many of them seem to have entered merely to avoid doing duty in the Infantry, & with Intent of doing none as Dragoons.

ADf, NN:Lyon.

1. Refer to WL to Nathaniel Heard, December 26, 1779 (NN:Lyon). See WL to George Washington, December 26, 1779.

To Peter Fell

Parsippiney 11 January 1780

Sir

I find by your Letter to Lord Stirling of the 8 of October last (which was in answer to a Letter from his Lordship to you of the 3d of that Month¹ occasioned by your having granted Permissions to people to go to Paulus Hook,) that you acquaint his Lordship that “the Laws of this State under which you acted authorized you to grant those Passes.” As I cannot recollect any such Law, & I had clearly expressed my mind on that Subject in my Letter to you of the 8 August² preceeding the date of yours to Lord Stirling in answer to your Letter to me of the 6th of that Month,³ I should be glad to know from you to what particular Law of this State you thereby referred as so authorizing either you or any other person except his Excellency the General & Your

ADf, NN:Lyon.

1. Correspondence not found.

2. Letter not found. A New Jersey law “to prevent Persons from passing through this State without proper Passports,” passed June 10, 1779, authorized Washington, general officers of the Continental army, and the governor or congressional delegates of the traveler’s home state to issue passes to travel through New Jersey. It empowered only WL and representatives of the legislature or justices of the peace of the county of residence to issue passes to New Jersey residents. Fell was a lieutenant colonel of the Bergen County militia when he assumed authority to grant passes to Paulus Hook (*Acts* [May 22–June 12, 1779], 88–90). Congress had passed a similar resolution April 14, 1779 (*JCC*, 13:446–48).

3. Letter not found.

To Abraham Lott

Parseppeny 11 January 1780

Sir

I should not hesitate a moment in granting Mrs. Gautier the Permission requested, was it not that her Son is so generally accused of being concerned in the infamous Trade carried on from this State to our Enemies at New York, as naturally induces a Suspicion that the mother wants to be upon the Spot for the purpose of facilitating that execrable Traffic. I must therefore from principle of public duty refuse her the Indulgence she desires until she makes affidavit that she has not been concerned with her son in any such Commerce, nor to her knowledge reaped any benefit from it—nor will be concerned in it after she gets to New York.¹

ADf, NN:Lyon.

1. Margaret Gautier made affidavit on April 5. Abraham Lott forwarded it to WL on April 10. Refer to Margaret Gautier to WL, April 5, 1780 (NN), and Abraham Lott to WL, April 10, 1780 (NN).

To George Washington

Morris Town 13 January 1780

Dear Sir

I take the Liberty to acquaint your Excellency that having the most solid Reasons to believe that it would be imprudent for me to reside at present, at Persippeny, I have fix'd my Quarters (after having visited my Family) at Mr. Parsons, at Colonel Ward's Quarters, about two miles from your Excellency's. What induces me to inform your Excellency of this particular is, that in case you should have occasion to direct any Dispatches to me, you may know where they will find him who is with the sincerest Attachment Dear Sir Your Excellencys most humble & most obedient Servant

WIL: LIVINGSTON

ALS, MHi.

To George Washington

Morris 15 January 1780

Dear Sir

I am extremely obliged to your Excellency for your very kind & polite offer of a Guard for my Security at Persippeney.¹ But as I am pretty commodiously lodged in my present Quarters, & so near my family as to have constant Intercourse with it, I cannot think of putting the men to that trouble for my sake.

Agreeable to your Excellency's Invitation, I shall do myself the Honour of dining with you to morrow, & am with great Esteem Dear Sir your Excellency's most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington to WL, January 15, 1780 (DLC:GW).

From Jonathan Trumbull

Hartford 27th January 1780

Sir

I have the Honor of your Letter dated MountHolly December 1779.¹ Be assured Sir! This Communication with its Inclosure gave me great Satisfaction, & it is with much Pleasure I now make the Acknowledgment of its Receipt. Our Friend the Baron has ever since I have been honored with his Letters & the Knowledge of the Man, been held in my highest Estimation. & I continue to cultivate his Correspondence with Punctuality & Attention. In Return for your Favor in your last, I now inclose you Copies of my last Communication with the Baron.² The first Copy which I hope has e'er this reached Holland—& may in some Measure [. . . hin] an Ability to combat the Machinations of our Enemies in [. . .] he has wished.³ I have all along entertained an Expectation that [. . .] *People* of those States would be fond, at least of a Neutrality in the present Dispute. The Idea of Warr they exsecrate as an Interruption to their more natural, & I may almost say their instinctive Pursuit of Trade.

The State of our Finances is with me a Matter of much Anxiety. I am obliged however to confess myself so unhappy as to differ with you on that Head—at least as to the Measures which are adopted by some as a Remedy. The Limitation of Prices I particularly view as a temporary Expedient only, which in its Operation, always has, & I believe always will plunge us deeper in the Distress we wish to be extricated from.⁴ I rather think some Measures to *regulate our paper Currency*, which I flatter myself may be devised, would be more eligible, & which in my Idea would apply itself more to the Root of the disorder than any temporizing Medicine yet tried. Our Credit Sir! has not been properly exerted. The *Confidence* necessary to support it is not in proper Exercise. Nor indeed (to speak freely to you) is there a proper Foundation laid for it. I dont Sir! call in Question the *Ability of the Continent* to support their Credit as far as it is necessary to use it. But the *Assurance* of any real Intention to support our Credit is wanting. Besides we have now run Depreciation so far that every one almost seems to have lost Sight of all Standard Weight & Measure to apply to the Currency. Every one Measures it by his own Humour & Caprice. Is it not possible to reduce the present Currency to some degree of Standard Measure, & thereby use it to as good Purposes as any other we can at present make. The Papers are now stopped.⁵ There is therefore no Danger of a further Depreciation, from its *natural* Cause, that of an increased Quantity. Why may not a Scale of Measurement be formed by which to compare Currency with Standard Money. Why may not the States have an Assignment of their several Quota of the emitted Paper Currency—& be recommended to lay proper Funds for the Discharge of their several Quotas, each for themselves in a reasonable Time, to be fixed by Congress—& in their own Way—thereby holding up an Assurance of some certain Redemption at some Rate.

Credit Sir! is a coy Dame. She must be nicely attended to—& even then her Humour is very capricious.

Pardon my troubling you so far. I have a firm Hope that we shall be carried thro our present Confusion & landed on happy Ground. But Providence will perhaps produce this Event in Ways little Thout of by either of us at present. With much Sincerity of Respect & Esteem. I am Sir Your most Obedient humble Servant

JONATHAN TRUMBULL

ALS, NN. Mutilated.

1. See WL to Jonathan Trumbull, December [6], 1779.

2. Letters not found.

3. See Baron van der Capellen to WL, July [6] 16, 1779.

4. For background on legislation passed by New Jersey see WL to Jonathan Trumbull, December [6], 1779. For a complete text of the act, including an item-by-item list of individual commodities and their fixed prices, refer to *N.J. Gazette*, January 12, 1780. For a discussion of the convention held in Hartford by the New England states and New York on October 11, 1779, to discuss measures to counter the rapid depreciation of the currency, see Jonathan Trumbull to WL, November 22, 1779.

In January 1780 the Connecticut legislature passed "An Act for a general limitation of prices, and to prevent the withholding from sale the necessaries of life." On February 26 the New York legislature passed "An Act for a general limitation of prices, and to prevent engrossing and withholding within this State." Both laws were to take effect only when neighboring states had enacted similar legislation. The New Jersey laws passed on December 15 and 21 without this limitation (*Public Records of the State of Connecticut, From May, 1778, to April, 1780, inclusive* [Hartford, 1895], 568n).

5. For background on congressional measures to limit the circulation of paper currency, see WL to Jonathan Trumbull, December [6], 1779.

To John Witherspoon

Brunswick 29 Jan. 1780

Sir

Your Letter of the 25 instant¹ was yesterday delivered to me by Mr. McDonald at Elizabeth Town. I have given him all reasonable assurance to expect a Pass for leaving this State with his family & Effects as soon as he has put his affairs in proper order for that purpose; but seeing no necessity for his going to New York at present to engage his passage for the West Indies, I was obliged to deny that part of his request.

As to the Prisoners at Princeton, (in which description I include all those at [. . .], & other places in the Vicinity of Princeton procured by you) it was undoubtedly the Intent of the Governor & Council, that all of them except ten should be returned to the place from whence they were procured, without any distinction between those employed in your Service, or in any other manner whatever in the Repair of the College; & if there was any Ambiguity in my Letter on that head, I hope it is hereby removed.² I am

ADf, NN:Lyon.

1. Letter not found.

2. See WL to John Witherspoon, December 15, 1779, for background on the pris-

oners at Princeton. WL informed Witherspoon on December 31 that the Privy Council had directed that the prisoners employed at Princeton be dismissed and returned to captivity. Refer to WL to John Witherspoon, December 31, 1779 (NN:Lyon).

To Abraham Clark

Morris Town 1 february 1780

Sir

I received your Letter of the 14 January,¹ last night, inclosing the Charges against Colonel Seely with a list of the witnesses to support them,² & am obliged to you for the trouble you have taken in the matter, as it would really be a pity that such flagrant violations of the Law, should escape with Impunity.³

I cannot recollect the least Idea about what you alude to by my making myself merry with Thomas Lowry upon the Letter you wrote me in which his name was mentioned & my sporting with the Laws, & making him & Ich Barnet⁴ my very great Confidants in shewing them your Letter by way of Pastime. If therefore it is of any Consequence, or concerns the Dignity of Government, that I should know the particulars from which you have drawn this charge against me, you will take occasion to explain the Matter more fully.

I did not know that it was any part of my duty when the Assembly adjourned, to notify to Mr. Clark that I was going to take my residence till their next meeting in Morris Town, or I should not have neglected to do myself that Honour.⁵ I am Sir

ADf, NN:Lyon.

1. Letter not found.
2. For accusations that Col. Silvanus Seely illegally traded with the British see WL to Joseph Reed, December 28, 1779, which describes testimony about a smuggling incident involving Seely.
3. Prevention of illicit trade with the British was a constant problem. For discussion of measures recommended by Congress and taken by the New Jersey legislature see WL to the Assembly, December 20, 1779.
4. Ichabod Burnet.
5. Although WL and Abraham Clark maintained an uneven personal relationship, WL respected Clark's abilities as a public servant. For background see *Livingston Papers*, 2:484–85, 507–10, 524–26.

From Samuel Huntington

Philadelphia February 1, 1780

Sir

I have the pleasure to transmit your Excellency the enclosed Act of Congress of the 31. ultimo expressing the high sense they entertain of the attachment & Zeal of the Magistrates and Inhabitants of the State of New Jersey in the Common Cause and of their ready & effectual exertions in providing and furnishing the Army under his Excellency the Commander in Chief with provisions at a time when the difficulty of transportation rendered such Exertions absolutely necessary.¹

May the laudable Example of New Jersey be imitated by the other States. A people possess'd of such generous Sentiments & who can call them into Action as necessity requires are not to be subjugated by any Tyrannical power. I have the honour to be

LBC, DNA:PCC, 14.

1. The New Jersey legislature had responded at the end of December to Washington's appeals for provisions. The situation had become so critical, however, that on January 5 Washington informed Congress that the men "have been compelled to maraud and rob from the Inhabitants, and I have it not in my power to punish or to repress the practice." See WL to George Washington, December 19, December 21, 1779. Refer to George Washington to the President of Congress, January 5, 1780 (Fitzpatrick, *Writings of Washington*, 17:355–58; *JCC*, 16:111). The January 26, 1780, *N.J. Gazette* described the restraint the soldiers at Morristown exercised when they appropriated provisions from nearby civilians. On January 8 Washington took an unprecedented action by directly appealing to New Jersey county magistrates to collect and deliver within four days a specified amount of provisions. Although he believed there was no legal authorization to validate the magistrates' actions, an "Act for the better regulating the Quartering of Soldiers, and furnishing of Carriages, Horses and other Necessaries for the Army," passed March 24, 1778, allowed the justices of the peace to requisition supplies for the Continental army (*Acts* [February 21–April 18, 1778], 30–34). Refer to George Washington to the Magistrates of New Jersey, January 8, 1780 (Fitzpatrick, *Writings of Washington*, 17:362–65); see *Livingston Papers*, 2:230–31, 247–49.

By January 13 some supplies had been acquired. On January 27 Washington informed Congress that the inhabitants of New Jersey "exerted themselves for the Army's relief in a manner that did them the highest honor" (Fitzpatrick, *Writings of Washington*, 17:449–50, 481).

To Peter Fell

Morris Town 6 february 1780

Sir

I have received your Letter of the 31st of January¹ (in answer to mine of the 10 of the same month);² in which you inform me that the Law to which you alluded in your Letter to Lord Stirling is “an Act to prevent the Subjects of this State from going into or coming out of the Enemy’s Lines without permissions or passports & for other purposes therein mentioned.” But by that Law Sir, no officer under the rank of Brigadier is authorized to grant such Passes, & even they are since ousted of that authority by a subsequent Act.³ So that it could not be in virtue of that Law that you granted the Passes which in your Letter to his Lordship you acknowledge you had granted, & endeavour to justify by it.

The Letters of the 6 & 8th of August, you say, you have not with you but are of opinion that if they are referred to it will appear that my Mind was clearly expressed on the Propriety of Major Lees granting passes to go within the Enemies Lines, & that it had no reference to the conduct proper to be observed by yourself. Your Letter of the 6th⁴ I have not with me & therefore cannot pretend to recite your very words; nor indeed is it material while I clearly recollect the Substance, which was to know whether you ought to suffer persons to go into the Enemy’s lines with passes from Major Lee & whether he had any right by Law to grant them. This Enquiry I answered in these words—“Major Lees passes are both against the Letter & Spirit of the Law. If passes are necessary for the purpose you mention the Law has authorized General Washington to grant them & *that* the Legislature thought sufficient for all military purposes.” As you had therefore no authority to grant such passes by the law to which you now refer me, & as my Letter of the 8th of August concerning Major Lee’s passes evidently implied your Exclusion from the like exercise of Power by informing you that the Legislature had confined it with respect to the military to General Washington. I am as much at a Loss as ever to conceive by what authority you granted the Passes in question. You will therefore favour me with a further Explanation as soon as you conveniently can as I would not wish to

believe that you was capable of knowingly violating so important a Law of your Country as that for regulating Passports, or of [counteracting] your Duty on the Command of a detachment intrusted to you by the Governor & Council one essential part of which was to prevent all Intercourse with the Enemy except in the manner prescribed by the Legislature.

ADf, NN:Lyon.

1. Letter not found.
2. WL's letter was dated January 11. See WL to Peter Fell, January 11, 1780.
3. See *Livingston Papers*, 2:471–72, 520, for an explanation of the operative legislation in effect in 1778. “An Act to prevent Persons from passing through this State without proper Passports,” passed June 10, 1779, revoked some authority granted in the 1778 legislation (*Acts* [May 22–June 12, 1779], 88–90). See also WL to Peter Fell, January 11, 1780.
4. Letter not found.

To Susannah French Livingston

Trenton 19 february 1780

Dear Sukey

I arrived here this afternoon after the most tedious & dangerous Journey I ever had in my life. A few hours after my arrival I received the inclosed Letters from Sally dated in the Island of Martinique.¹ The one being superscribed to me, I opened, but by the Inside found it intended for you. In this she refers you to the other, which I suppose contains a more particular Account of her Voyage,² & which as far as it relates to that matter I wish you would let Sukey copy for and transmit to me by the first opportunity. I shall inclose this to Mr. Remsen,³ & desire him to send it to you by an Express unless another conveyance offers immediately. The poor children are farther from France at Martinique than when they embarkd at Philad, but I hope God will preserve & grant them a safe Voyage to their destined port.

ADf, NN:Lyon.

1. Enclosure not found.
2. WL may be referring to the letter from Sarah Jay to Susannah French Livingston written over a two-week period from December 12 to December 26, 1779. Begun on board the *Confederacy*, the letter was completed while the Jays stayed over in Martinique

(Morris, *Unpublished Papers of John Jay*, 680–87). See Sarah Jay to WL, December 30, 1779.

3. WL wrote to Henry Remsen on February 19 requesting that he take Sarah Jay's letters to Susannah French Livingston (NN:Lyon).

From George Washington

Morristown, February 20, 1780. Washington informs WL that 547 additional men are needed to maintain New Jersey's quota of 1620 troops in the Continental army. The quota includes men currently serving whose enlistments do not expire prior to September 30, 1780.¹

ALS, Nj.

1. A congressional resolution of February 9, 1780, required that a total of 35,211 men be on active service in the Continental army before April 1, 1780, and directed that Washington transmit to the states accurate returns of their troops in service so that the states could take measures to meet their quotas (*JCC*, 16:146–51). On February 26 and March 10 Washington noted on an LBC (DLC:GW) the addition of 97 men, reducing New Jersey's quota to 450. Washington also noted that the New Jersey legislature had limited the number of men to be enlisted to 400. The quota had been set by "An Act for completing the Quota of Troops belonging to this State, in the Service of the United States," passed March 11, 1780 (*Acts* [February 26–March 21, 1780], 59–62).

To John Neilson

Trenton 21 february 1780

Sir

When at Pluckhemin last Wednesday Doctor William Brown¹ delivered me a petition of his Brother Gustavus Brown for a Passport to the City of New York in order to take his passage from thence to Britain; & desired me to deliver my Answer to you to be transmitted to him.

The peculiar Circumstances of Dr. Gustavus Brown set forth in his petition render his request so reasonable; & the favourable account given of his prudent conduct during his residence in the American United States as a British Subject a Certificate [subjoined to it does] him so much honour that was I only to consult my own Inclination I should feel myself most warmly disposed to grant his request.² Indeed without any testimonials of his attachment to our Cause, I should think it unreasonable to detain amongst us any British Subject desirous of returning to his native Country except upon urgent reasons of State & at such particular junctures of affairs in which sound policy required a total

suppression of all Intercourse between the belligerent Powers, it being the practice as I apprehend of all civilized nations not to avail themselves of the unmanly advantage of detaining a Subject of the Adverse party either found amongst them at the declaration of a War, or coming after it with leave for that Purpose obtained. Agreeably to this view of the matter I have never refused such licence to any native of Britain residing in this state who applied for it to return home—when the Situation of Affairs induced no reason to apprehend any public Inconvenience from it. But the line of Conduct recommended by Congress to the Executive authorities of the respective States doth unfortunately for the gentleman now applying, not permit me to indulge him in his request, which in consideration of the peculiar circumstances of his private affairs & political Character I should otherwise be happy in doing. The Recommendation of Congress to which I allude is, that the Inhabitants or Residents of the several States be recommended by the Executive Authorities of the respective States in which they reside to the officer commanding at the Post from which the flags pass to the Enemy, which officer upon such recommendation may (no particular reasons than rendering such intercourse injurious to the Service,) suffer the Person so recommended to pass with a flag, but with out such recommendation or passport is prohibited from suffering him to go on pain of forfeiting his Commission.³ According to this rule it is the Recommendation of the Executive Authority of the State of Maryland (of which the Petitioner is properly a Resident, even admitting him to be a British Subject,) that he ought to produce to the commanding officer of the Post, & not that of the State which he is last to traverse from the accidental Circumstance of its being the most contiguous to the Enemy's Lines. Indeed my granting the pass in question would be counteracting the very reason upon which the Resolution of Congress on this Subject is founded; which is the presumption that the State in which the applicant for such Permission resides is best acquainted with his political Character, & most capable of judging of the Propriety of granting or refusing his application. Nor could the officer at the Post grant Mr. Browne a Passage on his producing a pass from the Governor of New Jersey, if he knew him to be a resident of Maryland without infringing the said Resolution & running the risque of his Commission.

If I rightly apprehended Dr. William Brown the reason he assigned for his Brother's not bringing the requisite Pass from Maryland was that

no person there was vested by Law with authority to grant it. But the pass specified by Congress amounting only to a Recommendation from the Executive Authority to the commanding officer of the Post (which the officer is not obliged to comply with if he thinks it of publick detriment, tho' it be the sine qua non without which he is not to suffer the person to proceed) the Executive of Maryland needs no legislative Act for that purpose, but is as the Executive, thereto, sufficiently authorized by Congress. I have been the more particular on this Subject from a desire of preventing either of the Gentlemen mentioned from imputing this disappointment in their application to me to any Disinclination of obliging them. From the advantageous political Character of the Petitioner tho' a Britton & the active part taken by his relations & Connections in the Cause of America it would have afforded me particular pleasure to have been able to facilitate his intended Voyage. They will therefore have the candour to ascribe a denial which really gives me pain to that Adherence to public Duty, & official Consistency from which the most ardent Solicitations of some of my own nearest Connections on similar subjects have not hitherto been able to divert. Your

ADf, NN:Lyon.

1. Brown was director of the military hospital at Pluckemin. See WL to William Brown, June 21 and June 23, 1779.

2. Gustavus Brown and William Brown were probably sons of Rev. Richard Brown of Maryland.

3. WL is referring to congressional recommendations of August 13 and 21, 1778, which became law in New Jersey on June 10, 1779, under "An Act to prevent Persons from passing through this State without proper passports." For a discussion of this act see WL to Peter Fell, February 6, 1780.

To the Assembly

Trenton 22d February 1780

Gentlemen

The honourable house at the last sitting having referred to me the Complaint of several of the officers of the second Regiment of the Militia of Salem against Major Anthony Sharpe for neglect of Duty in not attending a General Review of the Said Regiment on fryday the 22d day of October last & charging him to be on that day at a horse Race at which his own horse ran for a wager, I transmitted the Substance of the

said Complaint together with the Names of the persons complaining to Lieut. Colonel Shute of the said Regiment, directing him to call a Court of Inquiry on the said Charges, & to transmit to me their proceedings therein.¹

Agreeably to those Directions Lieut. Colonel Shute has transmitted to me the Papers herewith laid before the house,² containing the depositions taken by the said Court of Inquiry by which Major Sharpe appears to be so far exculpated from any intentional neglect of Duty in not attending the said Review, (& the horse race being rather a civil than military offence)³ that I do not conceive it necessary to order a Court Martial on the matter unless the honourable house shall signify to me their desire to that purpose.⁴

ADf, NN:Lyon.

1. Refer to WL to William Shute, December 25, 1779 (NN:Lyon).
2. Letter and enclosures not found.
3. On November 17, 1779, both the Legislative Council and the General Assembly considered a bill "to Suppress the growing Evils of Horseracing & Foxhunting." The assembly repeatedly postponed consideration of the bill and did not list it in the assembly journal among those items brought forward from previous sessions as unfinished business. Nevertheless, consideration of the bill only a few months earlier may have prompted WL to refer the Sharpe matter back to the assembly (*General Assembly* [October 26–December 25, 1779], 28; [February 16–March 21, 1780], 121, 126; *Legislative Council* [October 26, 1779–March 21, 1780], 16).
4. The assembly did not request further action.

To Captain [. . .] Armstrong

Trenton 22d February 1780

Sir

Major Lee by his Letter of the 16 instant¹ informs me that Congress have been pleased to order an addition of Infantry to his Corps,² & that he proposes enlisting twenty men in New Jersey with my Permission, & that you will receive Authority for that purpose; & Capt. Heard desires me to communicate my Sentiments on that Subject to you. I am therefore to inform you that such Inlistment is against one of the Laws of this State which renders it impossible for me to grant the permission requested;³ & that this State, abstracted from this, prefers the enlistment of its Citizens in its own Brigade to that of any other corps.

ADf, NN:Lyon.

1. Maj. Henry Lee's letter not found.
2. Congress on February 14, 1780, authorized Lee to enlist seventy men to serve as dismounted dragoons (*JCC*, 16:159, 164).
3. The "Act for the Regulating, Training and Araying of the Militia" of April 14, 1778, contained a clause forbidding the formation of any horse troop (beyond those already mustered) except by an act of the legislature. In response to a request that New Jersey light horse troops join the Continental service in February 1778, WL had informed Washington that he was not empowered to order troops to join the Continental service (*Acts* [February 21–April 18, 1778], 53). See *Livingston Papers*, 2:229–30, 242–44.

To George Washington

Trenton 22d February 1780

Dear Sir

I am desired by a joint Resolve of both the Branches of our Legislature to write to your Excellency by Express requesting you to transmit to me for the use of the Legislature accurate Returns of the Troops now in the Service belonging or credited to the Quota of this State agreeably to the several Resolutions of Congress of the 15th of March last; & of the ninth day of February instant, that Measures may be taken to compleat the Quota of Troops of this State.¹ I have the honour to be with the greatest Esteem & Respect Dear Sir your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON²

ALS, DLC:GW.

1. On March 15, 1779, Congress had resolved that soldiers belonging to the corps of light dragoons, artillery and infantry, and the corps of artillery artificers who were enlisted for three years from 1776, or enlisted thereafter, although not originally part of the eighty-eight battalions apportioned to the state, would nevertheless be considered as part of the quotas of the respective states in which those soldiers were enlisted. In addition, the resolution called on the commander in chief to compile and transmit to the respective states lists of the soldiers to be credited to them and to transmit such lists every three months. For discussion of the February 9 resolution see George Washington to WL, February 20, 1780. WL had presented the February 9 resolution to the assembly on February 22 (*JCC*, 13:317, 16:150; *General Assembly* [February 16–March 21, 1780], 117, 119, 124; *Legislative Council* [October 26, 1779–March 21, 1780], 50–51).

2. By order of the legislature on February 22, 1780, WL also wrote to Gen. William Maxwell, requesting information on the current state of the New Jersey Brigade. WL apparently had not yet received Washington's February 20 letter containing this information. See Washington to WL, February 20, 1780, and refer to WL to William Maxwell, February 22, 1780 (NN:Lyon).

To Silas Condict

Trenton 23 february 1780

Dear Sir

In Answer to your Letter of yesterday¹ (which I take the more kind as it is dictated by the most undisguised friendship, & reposed in me a particular confidence which I hope you will never find misplaced) I shall give you my opinion without the least reserve.

Not being acquainted either with all the duties or the Emoluments of the office, it is a delicate matter to press upon a friend to accept of it. But as you will be a judge of the latter before you engage, & I make not the least doubt are competent to what I conceive the general Business of the department; as I verily believe without the least compliment that in your hands it would be discharged with diligence & fidelity; & as from your long Services in the civil Line, (profitable indeed to Essex County but injurious to your private Interest) you are justly intitled to such honest profits in the Employment of the states as may in some measure recompense your loss, & as I have reason to think that your appointment would give very general Satisfaction to all true Whigs, I do not hesitate to advise you to stand a Candidate for it, however reluctant I am to lose you by that means as a valuable Member of Council.

There are so few of those Gentlemen in the present Congress who were in it when I was a delegate in that Assembly, that my present Acquaintance with the Individuals who now compose it is very small, & my Interest with the aggregate Body still less, or I should heartily proffer you my Service to facilitate your application. But with those few with whom I have such familiarity or Connection as to render my Recommendation either proper or serviceable, it will be very cordially given by Dear Sir

P.S. You may depend upon it that the Matter shall not transpire thro' me.

ADf, NN:Lyon.

1. Refer to Silas Condict to WL, February 22, 1780 (NN). Condict had written that "a number of magistrates and some others of the most respectable inhabitants of Morris" had urged him to offer himself as candidate to succeed Quartermaster Gen. Nathanael

Greene, who was expected to resign. Condict had requested WL's opinion of his candidacy for the post.

To Jacob G. Diriks

Trenton 23 February 1780

Sir

I have received your Letter of the 19th instant,¹ & am greatly chagrined to hear that you have not been received with more cordiality by Congress, & that your Services to these United states in your late travels thro' the dutch Netherlands, have not been acknowledged by that assembly with more distinguishing marks of their Approbation.² In my Letter to Congress which accompanied the translation of Baron Van der Capellens I mentioned you in the most honourable terms³ and flattered myself that your assiduity in Holland in promoting the Interest of America & giving the most advantageous Ideas of our rising Empire, would have engaged the attention of, & been recompensed with suitable Acknowledgments by the national assembly of the Union. But Merit, especially during the turbulence of war is but too often neglected or buried in [oblivion], while forwardness & Importunity are loaded with undeserved Emoluments.

I have very few personal Connections with the present Members of Congress, (my former Acquaintances there being generally retired to their respective States;) so that my Interest with the Individuals of that Assembly is very inconsiderable, but as far as my Influence extends to serve you, It will give me particular pleasure to give you every demonstration how much I am your etc.

ADf, NN:Lyon.

1. Letter not found.

2. On December 15, 1779, Congress read a letter from Lt. Col. Diriks of that same date that requested compensation for his service to the United States. Diriks reminded Congress that he had served with honor as a captain in the Continental army from 1776 and had also served as a deputy quartermaster general, ranked as a lieutenant colonel, in 1777. Changes in the organization of the army resulted in the loss of his commission, but Diriks returned to the army as a volunteer in 1778. The following year he received leave from Congress to carry dispatches from WL and Jonathan Trumbull to influential Dutchmen and had been promised a brevet lieutenant colonel's commission as a reward. Upon his return to America later in 1779, Diriks found that he had to press Congress for his back pay and a restitution of his rank in the Continental army. On December 29, 1779,

Congress resolved to compensate Diriks as a lieutenant colonel from the date of his brevet but did not give him a commission (*JCC*, 12:1106, 15:1382, 1417). Refer to Jacob G. Diriks to the Continental Congress, December 15, 1779 (DNA:PCC, 78).

3. See WL to Samuel Huntington, November 22, 1779.

From Henry Brockholst Livingston

Cadiz 23rd February 1780

My dear Sir,

The great risque a Letter runs of Inspection, however well sealed, in crossing the Atlantic, precludes me from the Pleasure of being as particular as it would otherwise be my duty to be. My last Letter, if ever you received it will inform You of our arrival in Europe.¹ We are still at Cadiz waiting an answer from Madrid.² This, I have some reason to hope, will be in our favor. Mr. Jay's Secretary informs him in his last Letter that he may make the necessary preparations for his Journey to Madrid.³ And we daily expect an intimation of the same kind from the Marquess Florida Blanca who is Minister for American Affairs. The Reception of Mr. Jay I consider as a very important and favorable circumstance. I hope a treaty of Alliance will be the consequence.

Admiral Rodney whose Success you have heard of in the Mediterranean has left the Streights⁴ tho there is in this harbour a fleet of more than thirty sail of the line, which might have prevented him. He is gone, it is said to the West-Indies. A french fleet of 17 sail of the Line are also on their way to those Islands.⁵ Next week a Spanish Squadron of considerable force leaves this with the same destination. The war in that quarter must be very hot. Perhaps it may give our Country some respite.

I commit the enclosed⁶ to your care and am with the greatest Affection your dutiful Son

HARRY BROCKHOLST LIVINGSTON

ALS, NN.

1. Letter not found.

2. Henry Brockholst Livingston accompanied John Jay to Spain as his personal secretary. The Jay party had arrived in Cádiz on January 22.

3. While Jay remained in Cádiz, William Carmichael, the mission's Spanish-speaking secretary, went ahead to Madrid with letters and addresses to the court.

4. Adm. George Rodney's fleet sailed from England on December 26 with the purpose

of breaking through the Spanish blockade of Gibraltar. By January 18 Rodney had not only broken through the blockade of the straits, bringing the British garrison badly needed supplies and reinforcements, but also destroyed a Spanish supply convoy bound for Cádiz and captured over half of the eleven-ship blockading squadron.

5. This information was correct. Rodney had sailed to the West Indies with four ships of the line. They arrived at Saint Lucia in late March.

6. Enclosure not found.

To William Churchill Houston,
John Fell, and Abraham Clark

Trenton 24 february 1780

Sir

It is currently reported that General Green intends shortly to resign his office of Quarter Master General.¹ Mr. Condict is mentioned by many people as a proper person to succeed him in that Department. His Character for Assiduity & Integrity is well known. Of his Capacity for Business there is no doubt. I am persuaded that the States would save thousands by having a Gentleman of his natural turn for Oeconomy at the head of that appointment. I have no View whatsoever in mentioning him but that of the public good, & his Services & Sacrifices in the Cause of America by which I think him well intitled to any public Emoluments as the most meritorious of her Patriots. If therefore it is not preengaged, & if you think that there is a Probability of his succeeding in applying for it, I should be obliged to you for the earliest Intelligence respecting the Matter.

With the following addition to Mr. Sherman Mr. Penn Robert R. Livingston Mr. Floyd Mr. Penn Mr. Dickinson vizt.

Mr. Condict is & has been a Member of the Legislativ Council of this State ever since our new Establishment, & in that station as well as his private Capacity has eminently exerted himself in supporting our Independence.²

ADf, NN:Lyon.

1. See WL to Silas Condict, February 23, 1780.

2. WL wrote a similar letter to Robert R. Livingston, February 24, 1780 (NH*i*).

To the Assembly

Trenton 24 February 1780

Gentlemen

From the Letters of Mr. McKean Chief Justice of the Commonwealth of Pennsylvania to the Chief Justice of this State, & Mr. Brearleys Letter to me herewith laid before you,¹ the house will perceive the Necessity of enabling the Executive or judicial Authority to send for Criminals the Citizens of this State confined in any of the other States.²

I am informed that some of the Prisoners mentioned in Chief Justice McKean's Letter will, if brought into this State be convicted of knowingly passing counterfeit continental Bills of Credit, an offence which loudly calls for the most speedy & Exemplary punishment.³

ADf, NN:Lyon.

1. Letters not found.

2. Upon receipt of WL's message, the assembly immediately set up a committee to frame a bill to authorize extradition. "A Supplemental Act to the Act, intituled, An Act for apprehending and delivering up to Justice all Persons residing or taking Refuge in this State charged with Crimes comitted in any other of the United States, and for other Purposes therein mentioned" was passed March 17. It established a procedure for obtaining the extradition of New Jersey offenders charged with treason, felony, or high misdemeanors from out-of-state confinement. The law authorized Supreme Court justices to issue warrants requiring the sheriff of the county in which the crime occurred to petition the chief executive or supreme court of the other state for permission to take the prisoner into custody and to bring him before a New Jersey justice. Compensation to the sheriff was guaranteed in the act (*General Assembly* [February 16–March 21, 1780], 124, 127, 152, 155, 161, 166; *Legislative Council* [October 26, 1779–March 21, 1780], 64–65; *Acts* [February 26–March 21, 1780], 64–65).

3. Counterfeiting was a perennial problem. See WL to the Assembly, April 22, 1779.

To Chevalier de La Luzerne

Trenton 25 February 1780

Sir

I am the more anxious since the Disaster which befel the Ship Confederacy about the safe Arrival of her Passengers among whom I had two favourite Children, & Mr. Jay a Son in Law for whom I have a par-

ticular regard. Relying therefore on your readiness to oblige, & encouraged by your very polite promise of communicating to me interesting Intelligence, I beg the favour of you to transmit to me the earliest accounts you may receive of the Fate of the vessel in which the Passengers of the Confederacy re-embarked at Martinique.¹

I hope sir that my intimate Connection with some, & my very great Esteem for others of them, will apologize for this intrusion; & flatter myself that you will permit the Sensibility of the Father to atone for the Impertunity of the man. I have the honour to be with the most respectful Attachment Sir your most humble & most obedient Servant

ADf, NN:Lyon.

1. For an account of the Jay mission's voyage to Spain see Sarah Jay to WL, December 30, 1779.

To Philip Van Cortlandt

Trenton 25 february 1780

Sir

To the man who brought me your Letter of the 10th instant,¹ I gave for Answer that I was disinclined to grant a permission to go to Staten Island to seize some obnoxious persons there, & some of their moveable Property, because those kind of parties had generally been guilty of indiscriminately plundering both Whigs & Tories;² & that in such kind of warfare the Enemy had manifestly the Advantage of us, & were greatly provoked thereto by our Example, but that as the Legislature was shortly to meet, I would lay your Letter before the Privy Council, & desire their opinion. This I have accordingly done, & they are unanimously against the Project.³ Could we confide in any competent Number to go & take Prisoners & abstain from plundering (by the latter of which this State has already been eminently disgraced) I should have no objection; but by the Samples I have seen of such parties I think there is no dependence to be made upon their Promises; that instead of the public good, which is always their pretence, they generally mean only to load themselves with booty, & that very frequently the property of our Friends who circumstances did not permit them to move out of the Enemys Lines, & who are sufficiently distressed by being obliged to remain within them

ADf, NN:Lyon.

1. Letter not found.
2. WL had previously refused to countenance a kidnapping expedition. See WL to John Neilson, June 15, 1779.
3. The Privy Council held a meeting on February 22, but the minutes do not mention this matter (*N/A* [Privy Council], 3d ser., 1:146).

To George Washington

Trenton 26 February 1780

Dear Sir

I was this day honoured with your Excellency's Letters of the 19th & 20th.¹ I am glad to find by the Return therewith transmitted that the Deficiency of the Troops raised by this State is not more considerable. I had conjectured that we wanted between 600 & 700. Probably upon a more accurate Inquiry the Deficiency will appear to be still less. I hope New Jersey will exert the most vigorous Efforts to compleat their Compliment by the Time preferred.

I have the honour to concur entirely in Sentiment with your Excellency respecting the danger of the civil Authority giving too much Countenance to the Complaints of the Soldiery on the Subject of their being detained in Service after the Expiration of the Term of their Inlistment.² I have been pressed when such Complaints appeared upon Inspection of the Instrument of their Inlistment altogether without foundation. There are however probably Instances to the contrary, when some Individuals have been injured in that Respect. But I am persuaded that wherever civil Justice can be made to appear the Sufferers will find adequate Relief without appealing to the Civil; & that no Soldier really oppressed, will have reason to complain for want of Redress after your Excellency has been made acquainted with his Case. There are indeed Instances, in which such Complaints may so judicially be brought before the Judges that they would be bound, ex officio, to take Cognizance of the Matter, & grant the same relief to a Soldier forcibly kept beyond his Engagement as in the Case of the false Imprisonment of any other Subject; no Soldier losing by his Enlisting in the Service his antecedent Rights as a Citizen; & particularly not that of a juridical Inquiry into the Legality of every restraint on personal Liberty. But every officious & unnecessary Interference ought most cautiously to be

avoided; & the same caution will doubtless be used by the Army against administering any Cause for such kind of Complaints both in Justice to the Men, and to prevent the Country from being impressed with the Idea that such Impositions are practiced, which would unquestionably embarrass the future Inlistments. I hope & doubt not the Legislature of this State will treat the Matter with all the Delicacy it deserves, as the dangerous Consequences of which your Excellency apprehends from opening too wide a door to such kind of Complaints must strike every considerate Mind.³

By what I can collect from all the foreign Papers I have seen, the affairs of our Enemy in Europe are in a most disastrous Situation, tho' their deluded Prince greatly comforts himself with his redoubtable Militia.⁴ I hope however that none of the States will relax in their Exertions from any such flattering appearances. Those who are prepared for a Storm are undoubtedly ready for a Calm but we cannot invert the Proposition; & the superior Terms upon which we may expect to obtain a Peace when properly prepared for War will doubtless be equal to all the Expence of such preparations. I have the Honour to be with the greatest Esteem Dear Sir Your Excellencys most obedient & very humble Servant⁵

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington to WL, February 19, 1780 (DLC:GW); see George Washington to WL, February 20, 1780.

2. On February 14 John Cleves Symmes informed WL and the Legislative Council that New Jersey troops in the Continental army had complained they were denied discharges after the expiration of their three-year enlistments. The legislative journals do not record receipt of this letter. On February 15 Symmes wrote Washington regarding this matter. Washington cautioned WL, on February 19, against legislative interference. State intervention might bring about widespread desertion, he explained, for differing terms of enlistment were responsible for the discontent. Refer to John Cleves Symmes to WL, February 14, 1780 (*Correspondence of the Executive*, 210–12), and George Washington to WL, February 19, 1780 (DLC:GW).

3. Apparently the legislature never took up the question, for the issue is neither noted in the legislative journals nor touched on in "An Act for completing the Quota of Troops belonging to this State, in the Service of the United States," passed March 11, 1780 (*Acts*, [February 26–March 21, 1780], 59–62).

4. WL is referring to a force of 30,000 men that had been organized in England in anticipation of a joint invasion by France and Spain. Although the danger had passed by September 1779, extracts from foreign newspapers had only just reached New Jersey. As early as July 1779, however, WL knew that England might be invaded. See WL to Sarah Jay, July 12, 1779.

5. Washington informed WL on February 26 that returns received from Maj. Henry Lee had lowered New Jersey's deficiency by fifty men. Refer to George Washington to WL, February 26, 1780 (Nj). Washington had noted the addition of Lee's troops to New Jersey's quota on the LBC of his December 20 letter to WL.

To Joseph Reed

Trenton 1 March 1780

Sir,

I have the honour of your Excellency's Favour of the 24th February.¹ The facts necessary for the solution of your Excellency's Queries on the operation of our Law for appointing a Superintendent & Contractors in every County are not before me sufficiently authenticated to answer them with any tolerable Precision.² Whenever it is in my power I shall do it with great Alacrity. We have however raised more Supplies for the Army in its late Alarming distress for want of Provisions than our Proportion; & we cheerfully hazarded the Experiment of the Measure recommended by Congress without waiting to see how it would Succeed, at the risque of any of our Sister States.³

I am greatly obliged to your Excellency for the several Articles of good News contained in your Letter. The Prospect of a peace seems very flattering tho' I hope it will not induce any part of the Union to relax in their preparations for war. I have the honour to be with great Respect

ADf, NN:Lyon.

1. Letter not found.
2. WL is referring to the act "for procuring Provisions for the Use of the Army, and other Supplies for carrying on the War, and for settling the publick Accounts of this State," passed December 25, 1779 (*Acts* [October 26–December 25, 1779], 41–47). For background see WL to George Washington, December 19, 1779.
3. See Samuel Huntington to WL, February 1, 1780.

To William Read

Trenton 2d March 1780

Sir

Conceiving it my duty in Compliance with a certain Resolution of Congress, ' as well as from my regard for the Interest of the United States

to enquire into the State of the Hospital in this Town, I hope you will with all convenient speed oblige me with the following particulars vizt.²

How many sick there now are and for a fortnight last past have been in the said Hospital.

How many & which of them by name belong to the Army of these States, & to what particular Corps of it, & by what means & whose direction they came to the hospital?

How many & who not belonging to the Army now are or at any time during the said period have been in the hospital & by whose orders or directions came they into it?

With what disorders or Maladies (meaning to except every Eclaircissement on this head that is inconsistent with the Duty of a Physician towards his patient) are or were the said Invalid's afflicted, & did all or any & how many & which of them labour under such Indisposition as to [render] it necessary for them to be received into an Hospital?

Have any persons & who not belonging to the Army been [. . .] & by whom & with what Intent to be inoculated in the said Hospital?

How many Gentlemen of the medical department are there at present or have there been during the said Period to attend on the said Hospital, with the Number of their mates Deputies assistants servants & dependants?

I am happy Sir to be able to request the [Solution?] of the above Questions of a Gentleman whose discernment capacitates him to discover every mismanagement (if any such there is) on the Station assigned him, & whose nice Sense of Honour, & of his duty to the States will prompt him most cheerfully to disclose it.³

ADf, NN:Lyon.

1. There was no current congressional resolution that directly empowered WL to make this inquiry. He is probably referring to resolutions for regulating the hospitals of the Continental army, passed by Congress February 6, 1778, which authorized a regional director general of hospitals to supervise the hospitals and report abuses to Congress. WL's inquiry was evidence of his continuing interest in the military hospitals in New Jersey. For a discussion of his earlier intervention see *Livingston Papers*, 2:196–200.

Dr. John Morgan initiated an investigation into the administration of the hospitals. Congress had named Morgan the director general and chief physician October 17, 1775, and dismissed him January 9, 1777, primarily as the result of complaints made against him by Dr. William Shippen, Jr., Morgan's successor as director general of the hospitals (*JCC*, 5:460, 556, 673; 6:857, 869, 903, 989; 7:24; 10:128–31; Burnett, *Letters*, 2:211; 5:129–30). Refer to William Read to WL, March 2, 1780 (NN).

2. WL wrote a similar letter to James Paxton. Refer to WL to James Paxton, March 2, 1780 (NN:Lyon).

3. William Read responded to WL's queries the same day. He enclosed the hospital's official weekly return of patients but explained that an assessment of their military status and their units was difficult to prepare because, for humanitarian motives, the hospital treated without distinction single soldiers, small parties, and discharged men who passed through Trenton and requested aid. Read inoculated patients and camp personnel as he felt necessary. The doctor reported no mismanagement in the hospital since his arrival, although he was the only medical department officer there and had no deputies or assistants and only one servant. Refer to William Read to WL, March 2, 1780 (NN).

To Abraham Durye

Trenton 3d March 1780

Sir

I have received your Letter of the 21 February.¹ I am obliged to you for your wishes that I had called at your house on my way hither which I should doubtless have done had I taken the rout of Millstone but by reason of the [freshes] we were obliged to come through [Souerland]

As to my Pass to go to New York, I must in order to be with myself Consistent observe one uniform *Line of Conduct*. This has ever been not to permit any person to go on private Business² without the highest probability of Success. But That you will succeed in the recovery of your demand, is not made more probable to me than it was at the time of your last application for the same purpose.³ And as you must have Permission from the British at New York to come there before you can make any use of mine to go, you may at the same time that you apply for such Permission, obtain a promise from the Corporation that you will receive your money upon coming for it or procure such other assurances as may satisfy me, that you will succeed by going & only by going in Person. Upon this I will readily grant you the Pass requested. Without that, I cannot do it without breaking the rules which I am conceive it my duty to the public inflexibly to observe.⁴

ADf, NN:Lyon.

1. Letter not found.
2. After "Business" WL wrote and crossed out "(considering what a multitude of applications that make a deviation from that rule would occasion)."
3. Request not found.
4. For background regarding passes see WL to John Neilson, February 21, 1780. WL dealt with a second request for a pass this date, this one from an Englishman wishing to return home via occupied New York City. Refer to WL to the Commanding Officer at Elizabethtown, March 3, 1780 (NN:Lyon).

To the Assembly

Trenton 6 March 1780

Gentlemen

It being represented to me Sometime in the Month of September last that one Thomas Burney had passed in the County of Somerset a great quantity of counterfeit money made in imitation of the Continental Bills of Credit, & that in the pursuit which some of our Citizens made after him he escaped by swimming the Susquahannah & being farther informed that he particularly frequented a certain place in the Commonwealth of Pennsylvania I directed affidavits to be taken of his having passed the said Counterfeit money, & transmitted them to his Excellency President Reed, in order to have him Apprehended in that State.¹

By his Excellency's Letter to me of the 4th instant² & by another from the Chief Justice of Pennsylvania to Chief Justice Brearley of the 4th instant³ herewith transmitted to the honourable House, you will find that by the vigilance of that Government, the said Criminal has been apprehended by Mr. Vance, & is committed to the Gaol of Burlington County. For the zeal & Activity which Mr. Vance has exhibited on this Occasion, President Reed recommends him to the Legislature of this State for just Compensation as his Services may appear to merit, & I doubt not that the consequent sufferings of the man mentioned in the Presidents Letter will have their due weight with the house.⁴ I shall only add that as the apprehension of those kind of Criminals is of the last importance to the public & attended with peculiar personal danger to the Individuals who undertake it, it seems to claim: particular Encouragement, & that as Mr. Vance is attending in Town the result of your determination on the Subject. I hope it will engage your attention as soon as possible.⁵

ADf, NN:Lyon.

1. Counterfeiting, a continual problem for both WL and the Continental Congress, was a major reason for establishing a system of extradition between New Jersey and Pennsylvania. See WL to the Assembly, February 24, 1780.

2. Refer to Joseph Reed to WL, March 4, 1780 (NN).

3. Letter not found. Thomas McKean was chief justice of Pennsylvania at this time.

4. After Burney was apprehended, Vance's barn, mill, and crop were destroyed by arson. Refer to Joseph Reed to WL, March 4, 1780 (NN).

5. On March 6 the legislature approved a resolution to pay Vance £1800 compensation (*General Assembly* [February 16–March 21, 1780], 141–43; *Legislative Council* [October 26, 1779–March 21, 1780], 57–58).

To Jacob Philips

Trenton 6 March 1780

Sir

It is expected by the Governor & Council that Burney who has been delivered to your Gaoler by Mr. Vance will be kept with the utmost caution, & secured in the best manner possible. He is reported a most atrocious Villain, & has a particular knack at effecting his Escape. If the upper rooms of the Gaol are less sufficient to hold him by reason of the necessity of opening the door to bring him his victuals, it would seem best to confine him in the dungeon where it can be handed thro the grates. But of this you who know the Jail are the best Judge. Sure I am that if the man makes his Escape for want of proper care in yourself or your Deputies the strictest Inquiry will be made into the matter. The honour of the State & your own, as well as the public Interest is most intimately concerned in bringing this criminal to Justice.

ADf, NN:Lyon.

To John Morin Scott

Trenton 6 March 1780

Dear Sir

A Gentleman in your State sent me the Notification of which the inclosed is a Copy.¹ As I own a fifth part of the Tract of Land therein mentioned, I should be glad of your advice as a friend what step to take on the Subject. The State of New York I suppose cannot in present Circumstances can grant any relief, & whether it will serve any purpose to apply to Congress I know not.²

Perhaps you & Mr. Livingston³ (to whom you may shew this Letter) may be able to advise me to some proper measure, by which you could greatly oblige me.

I have very authentic Intelligence from New York that they are counterfeiting the continental Emission of the red Money;⁴ with the

Names of three persons who are coming with a Cargo of counterfeited 40 & 60 dollar Bills.

ADf, NN:Lyon.

1. Enclosure not found. It was a copy of an order of the president and council of Vermont forwarded to WL by Robert Harpur on February 22, 1780 (NN).
2. For background on the dispute between New York and New Hampshire over present-day Vermont, see WL to William Churchill Houston, November 5, 1779. The issue had been before Congress since the winter of 1777, when Vermont declared itself an independent state. Congress had repeatedly deferred the issue.
3. WL is probably referring to Robert R. Livingston.
4. WL may be referring to the Continental emission issued between January 14 and November 29, 1779. Most of each bill was printed in black, although parts of the emblem and the left border were red.

To Robert Harpur

Trenton 7th March 1780.

Sir

On the 21th of December last I laid before our Assembly your Letter respecting the Expences of the Guard which conducted Benjamin Demarest Peter Maybe & Myndert Maybe from Poughkeepsie in your State, to Sussex County in this,¹ with their Account & Vouchers & a Copy of my Letter to you which occasioned their being sent, & also Colonel Swards Receipt for them.² It seems that by the Assembly's rising a few day's after, the Resolve of the House, which I now inclose you had been neglected to be delivered to me. It is but a few days since I received it. The Facts stated in this Resolve are so different from the Representation made to me at the time of my writing to you for those Prisoners, that the Assembly decline paying the Expences accrued by their removal hither.³ How the Truth really is, I know not, but if the house is misinformed, I would rather pay them out of my own Pocket, as they were sent at my Instance, & on my Engagement for this State, then render myself obnoxious to the least Imputation of acting a dishonourable part with the State of New York; tho' I must at the same time declare, that had I been notified of the facts mentioned in the Resolve, I should not have entered into any Engagement.

I thank you for your Letters, the 22d February, & the Advertisement or Notification it inclosed.⁴ I do not perfectly recollect Mr. Parkhurst,⁵ but conjecture him to be a man who has been with me to purchase some

of my Lots in Royalton. I have long suspected that the respectable State of Vermont would vote themselves all the Property of what they can, during the present Troubles, oust the rightful Owners.⁶ I am Sir your most humble Servant

WIL: LIVINGSTON

ALS, NjMoHP.

1. Letter not found. Refer to WL to the Assembly, December 21, 1779 (NN:Lyon).
2. See WL to Robert Harpur, June 22, 1779. WL had also sent the assembly the Privy Council order that the prisoners be delivered to Sussex County jail.
3. The assembly refused to pay because it had been informed that the prisoners had been apprehended in New Jersey and transported to New York by Continental army officers acting without orders. It instructed WL to inform Harpur that a resolution to pay the expenses "would be giving sanction to a Measure dangerous to the Rights of Individuals and of this State" (*General Assembly* [October 26–December 25, 1779], 90–91).
4. Refer to Robert Harpur to WL, February 22, 1780 (NN).
5. Filley Parkhurst.
6. WL owned land near the northeastern New York boundary in an area claimed by Vermont. For background see WL to William Churchill Houston, November 5, 1779.

To the Assembly

Trenton 7 March 1780

Gentlemen,

In the late distribution of the public Ammunition, a part of it was deposited in the hands of Colonel Hathaway of Morris Town.¹ That Gentleman, as it is represented to me declines the farther Custody of it. It is therefore become necessary to provide for its being transferred to other hands and as few persons are willing to receive Gun Powder in large Quantities into their dwelling houses it may perhaps be requisite to build a particular Depository for the purpose.

I would farther remind the honourable house that the Stock of Ammunition both at Princeton & Morris Town must by this time be considerably diminished; & as we shall probably be obliged to depend the ensuing Campaign on our own Militia for the defense of the State, it is the dictate of Prudence to make seasonable Provision for a suitable Quantity of Ammunition.

ADf, NN:Lyon.

1. On May 1, 1779, the legislature resolved that John Denton of Princeton was to purchase two tons of powder with the proportional amounts of lead, flint, and cartridge

paper for use in the state. Lt. Col. Benoni Hathaway at Morristown was to receive one-half ton of this ammunition for use by the militia in Morris, Sussex, Essex, and Bergen counties. On May 1, 1779, the legislature increased the amount of ammunition for these counties because of their proximity to the British. The legislature on March 20 undertook to replenish the state militia's ammunition magazines. Abraham Kitchel replaced Hathaway as the agent for Morris, Essex, Sussex, and Bergen counties (*General Assembly* [April 20–June 12, 1779], 83–84; *Legislative Council* [October 27, 1778–October 9, 1779], 47–48; *General Assembly* [February 16–March 21, 1780], 172–73; *Legislative Council* [October 26, 1779–March 21, 1780], 67–68).

To John Morgan

Trenton 8 March 1780

Sir

Tho' I have not the pleasure of a personal Acquaintance with Dr. Morgan I can assure you that I should as readily have complied with your request for a Copy of my Letter which I writ to Congress respecting the State of the hospital at Princeton,¹ as with that of a Gentleman who has made it in your behalf, & for whom I have a great Respect but whose name, from the desire he expressed in his Letter to have it immediately burned, I do not think proper to mention.

Not only my duty to the public, but my firm persuasion that the Letter in question was unfairly consigned to oblivion by a particular faction in Congress, & that the [. . .]² of the Gentleman whom it was supposed to effect (tho' I accused no man) was taken as a sufficient disproof of my detail of facts, every one of which I could have most substantially supported, would naturally enduce me to furnish you with a Copy. But unfortunately the book in which it is copied is not at present in my possession. As I am frequently obliged to lighten my baggage by depositing My Books, & Papers not in present use at the houses of particular Friends (which I think safer against the attempts of the Enemy or the Tories than my own) & keep the Copies of my Letters, in quarto Books, which are generally filled with them in about four months; the one which contains the Copy requested by our common Friend, is at present deposited at such a distance from Trenton as to render it impossible for me to oblige you with a transcript which would otherwise be transmitted to you with great Pleasure by Sir

ADf, NN:Lyon.

1. Between December 30, 1779, and January 1, 1780, Morgan had successfully petitioned Congress for access to correspondence and hospital returns dating back to 1776,

including a WL letter to Henry Laurens of December 25, 1777. Morgan's persistent efforts since 1777 for an inquiry into the state of the army's hospitals had culminated in a congressional order of June 15, 1779, that Dr. William Shippen, Jr., be court-martialled. Shippen's trial commenced on March 14, 1780, after several postponements; he was acquitted in July. Congress debated acceptance of the acquittal until August 18, however (*JCC*, 14:733–34; 15:1208, 1277–78, 1301, 1400, 1409; 16:1; Fitzpatrick, *Writings of Washington*, 15:309–10, 392, 488–89; 16:5–6; 17:214, 216, 282; 18:109, 219; 19:13, 50, 182, 497). See *Livingston Papers*, 2:144–47.

2. Three illegible words.

To George Washington

Trenton 8 March 1780

Dear Sir

I must apologize to your Excellency for this Application; the Singularity of which I hope will be the more excusable from the particular regard which the most respectable part of our Citizens have for the unfortunate Person in whose behalf it is made.

The Enemy in the month of December last, offered us the following Exchange of Prisoners¹

Colonel Hendrickson	for	Colonel Billop
Colonel Reynolds		Lt. Colonel Simcoe
Capt. Fitzrandolph		Capt. Pitcairn
Lieutenant Jackson		Lieutenant Campbell
John Loshier		_____

As our Chief object was to procure the release of Capt. Fitzrandolph² who is an excellent Partisan, & Loshier who then had been above four months in irons,³ & firmly believing that Pitcairn was a Prisoner to this State,⁴ & thus at our disposal, & that from the high Estimation in which Simcoe was held by the Enemy, it was a most favourable opportunity to procure the Liberation of Fitzrandolph & Loshier (for the Latter of whom we were to send in any Private) We readily agreed to the proposal. But in the Interval of time between our acceding to the proposition, & the Execution of the Terms, I was alarmed to hear that Pitcairn was a Prisoner to the United States & consequently not exchangeable by New Jersey. To alleviate however my Anxiety on that occasion I was at the same time informed that Colonel Beaty had given assurances to the Commissary of Prisoners for this State that there was a probability of obtaining your Excellency's consent for sending him in for Fitzrandolph: & to the best of my recollection, our Commissary was not to

part with the rest of those who were to be released by us without being sufficiently ascertained of that fact. Those Prisoners have however been exchanged, & all those who were to be released by the Enemy have been accordingly discharged by them, except Fitzrandolph, whom to my great mortification, I am now told they are determined not to set at Liberty for any other Prisoner than Pitcairn. If therefore your Excellency can with Propriety consent to exchange Pitcairn for Randolph, it will be the means⁵ of procuring the Liberty of a very brave, a very honest, & a very useful man, & who, from the caprice or Delinquency the Enemy is so circumstanced as to have no Prospect of being redeemed from Captivity upon any other Terms. If on the contrary it cannot be done consistent with established Practice, I doubt not Mr. Fitzrandolph, will with his usual Fortitude, resign himself to his Fate; & your Excellency excuse my Importunity which solely originated from my Attachment to experienced Merit & my Feelings for a Man, who on Account of that Breach, has suffered a long Imprisonment embittered with all that Rigour & Severity, for which our Enemies have so justly rendered themselves infamous. I have the honour to be with great Esteem. Dear Sir your Excellencys most humble & most obedient Servant

WL: LIVINGSTON

ALS, DLC:GW.

1. See WL to Elisha Boudinot, December 6, 1779.
2. For an account of FitzRandolph's imprisonment see Nathaniel FitzRandolph to WL, September 26, 1779.
3. Loshier had been taken out of irons in December. See Elisha Boudinot to WL, December 11, 1779.
4. For reference to the distinction between a state and a Continental prisoner, see WL to Elisha Boudinot, December 20, 1779.
5. Between "means" and "of" WL wrote and crossed out "& from the most authentic Intelligence the only means" on an ADf (NN:Lyon).

To John Cochran

Trenton 9 March 1780

Sir

I just now received your Letter of the 5th instant.¹ I[t] gives me great pain that you have reduced Me to the Necessity of denying the requests of three persons instead of two by your soliciting a Pass for Mrs.

Howard & Mrs. [Farmer] to go New York. These kind of misfortunes however can only be avoided by the Gentlemens leaving the Ladies to make their own Applications. I feel not the least Disposition to give my Passport to Mrs. Howard & Mrs. Farmer because I know it to be inconsistent with the public Interest, & verily believe that the Sickness of the husband pretended by the one, & the prospect of receiving money urged as the Motive by the other, are mere Fictions for procuring leave to Jaunt it to New York. At least I cannot take their words as proper Evidences of it, having found it as a rule in all Cases of a public nature in which particular Individuals have a seperate Interest to pay no more regard to the word of a Petitioner in Petticoats than to that of one in Breeches.²

ADf, NN:Lyon.

1. Letter not found.

2. For WL's reservations about granting passes to women see *Livingston Papers*, 2: 519–20.

To John Fell

Trenton 9 March 1780

Dear Sir

I just now received your Favour of the 5th instant¹ & it gives me great pain to find that you think “my Letter which occasioned it does not seem to be written in that friendly style that you could have expected especially after so long a Silence.”² I can assure you Sir that I have the same Friendship & Esteem for you that ever I had, & *that*, ever since I first became particularly acquainted with you, has always been great & sincere. The reason that my Letter had nothing of the familiar etc. in it is because I wrote a similar one to several other Gentlemen with whom I was not intitled, to use that kind of Familiarity; & the hurry I was in to embrace the Opportunity which then offered prevented me from making yours different from the rest.

As to my long silence I must confess I am partly culpable, tho' it is in great measure owing to my perpetual engagement in Business of which you can scarcely form any Idea, & my not being able to send you any thing from this quarter that can afford you either Benefit or Entertainment.³

Be assured Sir that you have never *offended me*, & that it is not a trifling offence, that would either abate my friendship for you, or make me forget your past & present Services to your Country, for which every good Whig & every honest man ought to love & respect you. At the same time I cannot but observe that it does not seem so very friendly in you to condemn a Gentleman whom I recommended for an office to General Winds.⁴ I can only ascribe this to your not being so well acquainted with Mr. Condict as I am, or you would readily acknowledge him to be a man of Sense & possessed of Intellectual Powers superior to the Generality of Mankind, while the other is a Person of very slender ability, & destitute of common prudence.

ADf, NN:Lyon.

1. Letter not found.
2. See WL's circular letter to William Churchill Houston, John Fell, and Abraham Clark, February 24, 1780.
3. After this paragraph WL wrote and crossed out "you have certainly mistaken my meaning when you say that I requested an immediate [answer], I only meant the [earliest Intelligence]."
4. WL had recommended that Silas Condict be appointed the Continental army's quartermaster general upon the expected resignation of Maj. Gen. Nathanael Greene.

To Susannah French Livingston

Trenton 9 March 1780

My dear dear Sukey

I just now received your Letter of the 1st Instant.¹ If the Letter which I sent you that came inclosed in mine from Caty, which I did not open, was a Letter from Caty & not from Sally, then I only received one of Sallys in 'Catys' Letter to me, as it only covered two Letters directed to you, & the second from Sally has never come to my hands.² I now inclose you another Letter from Caty to me³ which you sent by Mr. Scott giving a farther Account of the Distresses experienced by our dear Children on the Ocean, whom I hope it will however please a gracious Providence to grant a safe voyage & in his own due time restore to our Embrace. My dear Peter can have no Idea of what his Mamma must have suffered.

As to that part of your Letter which relates to Mr. Watkins & Judy, I have no Objection to the Match as he bears a fair Character (tho' I think

myself greatly slighted in having the matter carried so far, without his ever applying to me)⁴ nor to the time of it as it best suits you; & I hope she will be no disgrace to the Family after the Change of her Condition as another of them has notoriously been, to my unspeakable Sorrow.⁵ What I can do for him, I will cheerfully do, tho' I find he expects no great Matters; & indeed as times are, I can do no great matters for him if he did expect it.

I now proceed to acknowledge the Receipt of your Letter of the 19 of february,⁶ & am heartily sorry that I blamed you for Johnnys not meeting me with your Letter, & shall not fail to correct him for disobeying you, as soon as I see him. I could give him no Reprimand in Morris Town for not being punctual, because I did not see him at all, he delivering the things you sent at my Lodging after I was gone to Meeting.

I entirely approve of your Conduct in not going up the Farm at Per-sippanny as we know not what the next year may produce, and if the times should permit us to move to Elizabeth Town, we can doubtless hire out the place at no considerable Loss; & if we should lose the whole, it is better than being without house or home in case the Enemy should prevent our returning to Elizabeth Town.

You say the reasons of your not writing you cannot give in a Letter. As therefore I do not know them, I cannot remove the Cause of your Silence. If it is in my power to do it, I certainly will, as nothing in the world gives me greater pleasure than my receiving Letters from you, except the Prospect of shortly living with you without the fear of the Tories or the Enemy, when I shall make it my constant Endeavour to study & promote your happiness, & to make the Remainder of your Life as Agreeable to you as the tenderest of husbands can make that of a valuable & excellent Wife. I am my dear Sukey your affectionate husband

WIL: LIVINGSTON.

ALS, MHi.

1. Letter not found.
2. Letters not found; however, the letters from Sarah Jay were probably those mentioned in WL to Susannah French Livingston, February 19, 1780.
3. Enclosure not found.
4. On March 5, 1780, John W. Watkins had requested the hand of Judith, WL's youngest daughter. In his letter Watkins apologized for not approaching WL earlier in his suit, but he had been encouraged by the "polite Reception & Countenance" Susannah French

Livingston had manifested. Refer to John W. Watkins to WL, March 5, 1780 (NN). A shorthand transcription of Watkins's letter appears in WL's letterbook (NN:Lyon).

5. Mary Livingston Linn, whose marriage to James Linn was unstable at the time. See WL to Mary Linn, [April 23, 1780].
6. Letter not found.

To Jacob Philips

Trenton 9 March 1780

Sir

Since my Letter to you respecting the safe Custody of Burney,¹ I have thought that unless you think him perfectly secure against any escape in his present Situation, it might be proper to offer you a guard, but of this you are the best Judge.² I shall therefore expect your answer on this point, & would desire you to remember that if a sheriff suffered a Felon guilty of a capital Crime to escape, he is liable to the same punishment to which such Felon would have been adjudged. Cogent motive this to the greatest Vigilance! Burney ought to be searched to see if he has any Instruments about him to facilitate his Escape, & no persons ought to be suffered to have access to him but in cases of absolute Necessity.

ADf, NN:Lyon.

1. See WL to Jacob Philips, March 6, 1780.
2. Thomas Burney did escape on April 30, 1780. A £300 reward was offered (*N.J. Gazette*, May 17, 1780).

From George Clinton

Albany 11th March 1780

Sir,

The Legislature of this State have had under their Consideration the Act of Congress recommending it to the several States to make proper Provision for their respective Troops serving in the Army of the United States to take Place at the Expiration of the War¹ but have deferred taking their final Measures upon the Subject 'till they are informed what Provision has been made in the other States of the Union being solicitous that this Business may be conducted, particularly with Respect to the Allowances to be made to the Troops, as nearly as possible upon one uniform System throughout the whole.

I have therefore to request the Favor of your Excellency to inform me what Steps have been taken in the State over which you preside, in Consequence of that Recommendation and whether any and what Provision has been made for the Widows and Children of such Officers & Soldiers as die while in Service and I shall be much obliged if I may be favored with your Answer on this Subject in Season to lay it before the Legislature on the 1st of June next to which Time they stand adjourned. I have the Honor to be with the highest Respect & Esteem your Excellency's most obedient

GEO. CLINTON

ALS, NjMoHP.

1. Refer to WL to George Clinton, January 12, 1780 (NjMoHP), for earlier acts of the New Jersey legislature sent to New York. The most controversial issue regarding provisions for Continental army troops after the war was that of half-pay for life for officers. See *Livingston Papers*, 2:309–11, for WL's opinion on this issue. Refer to Representation of New Jersey Legislature to Congress, December 25, 1779 (DNA:PCC, 68), for New Jersey's opposition to the half-pay measure and the expected discontent it would create.

On August 17, 1779, a congressional committee recommended that the May 15, 1778, resolution providing half-pay to officers for seven years after the war be extended to life and that widows of officers who died in service be entitled to receive their husbands' half-pay during their widowhood. Congress resolved to postpone that part of the report that extended half-pay to life but recommended that the states adopt measures to compensate officers and soldiers enlisted through the end of the war. Also, Congress recommended that the states make provisions for widows. See *Livingston Papers*, 2:483–84, for discussion of the New Jersey "Act for the Relief and support of maimed and disabled officers, Soldiers and Seamen, and of the Widows and Children of such as fall in Battle, or otherwise lose their Lives in the military or naval Service," passed June 10, 1779.

To the Assembly

Trenton 13 March 1780¹

Gentlemen

A regular Militia is a part of the Constitution of this State & as the constitution supposes it necessary to have one it must be particularly so in a time of war. In that calamity we are at present unavoidably involved and a militia it must be confessed we have, established & regulated by Law. But the law by which it is established & regulated has by repeated Experience been found inadequate for getting into actual Service Those who are the objects of it on many important Occassions on which their Service was absolutely necessary. Classes have been several times

ordered out agreeably to the Act but such orders have been generally disregarded.² Nor according to my best Information are the forfeitures consequent upon such Delinquency generally collected. Indeed Were they universally so, it would not compensate for the want of actual Service—as Money in the Treasury will not repel the British Invaders & work then in vain have been all our Struggles for Liberty if we cannot enforce its defence & perservation by Arms whenever it is endangered by any hostile attempts against it.

A Great part of this State Gentlemen, is exposed to the Incursions of the Enemy. During the approaching Campaign we have reason to expect that our frontiers will be perpetually harassed by their plundering parties & The Inhabitants near the Lines cannot without the assistance of their Brother Citizens in the more interior parts of the State, defend their possessions against the depredations of the Enemy. To such assistance they appear clearly entitled, it being against every principle of Justice to leave them to the Mercy of the Enemy unaided by the militia of the other Counties or obliged to desert their habitations & thereby enlarge the extent of the British Lines [. . .] every attempt to procure such aid in the mode prescribed by our present Militia Law has [. . .] been found fruitless. Of a great number of Instances that might be adduced in support of this Assertion, I shall only lay before the honourable house a Letter from Colonel Asher Holmes of the 10 instant, a Petition of the Inhabitants of the South Ward of the City of Perth amboy, a Memorial from the County of Bergen & a Letter from Colonel Abijah Holmes dated by mistake the [11?] of March instead of the [11?] of May.³ Of the Militia that were called from the Counties of Burlington & Hunterdon in December last to be stationed in Monmouth with part of the Militia of that County for the defence of the frontiers thereof not a Man appeared in Consequence of the Call. Those called in April last from Sommerset & Sussex for the relief of Bergen behaved in like manner.⁴ The Inhabitants of the Counties thus exposed and thus unassisted, & abandoned by the rest are almost worn out with the hard Duty of guarding their extensive frontiers of which every part of the State undoubtedly reaps the Benefit. They acquaint me with their deplorable Situation, & they importunately apply for assistance. The Governor can do no more towards their relief than report by advice of Council his orders for calling out some of the Militia of those Counties which are not immediately exposed to the like danger; but not having the least

prospect that such orders will be complied with to judge from repeated Experiment it seems only like amusing the Sufferers with vain Expectations, & degrading the Dignity of Government to issue them. I therefore conceive it my Duty as more particularly acquainted from the nature of my Station with the reality & growth of the evil complained of; I say I think it my duty & wish to have it remembered that in this instance I have discharged it to recommend to the honourable house the framing of such new efforts at Law for protecting our Frontiers against the Inroads & Depredations of the Enemy, & plundering parties as shall appear to them best calculated for that important Purpose.

This message was not thus sent because the assembly sent a Militia Bill to the Council the same day but was sent the 16 May with the alterations of some passages.⁵

ADf, NN:Lyon.

1. The message was not sent to the assembly in March; WL redrafted it and presented it on May 20, 1780 (*General Assembly* [May 10–June 19, 1780], 195).

2. See WL to John Stryker, December 31, 1779.

3. Refer to Asher Holmes to WL, March 10, 1780 (NN); other documents not found. On March 10 Asher Holmes wrote that the Burlington and Hunterdon county militias had not complied with the Privy Council orders of December 26, 1779, to come to the aid of Monmouth County (*NJA* [Privy Council], 3d ser., 1:142–43). For discussion of the militia's noncompliance see WL to John Stryker, December 31, 1779. Holmes noted that the full quota of Monmouth troops had been on continuous duty since late December. The inhabitants of the county, in constant fear of enemy attacks, had asked Holmes to inform WL of their situation. Holmes requested 300 men to defend the frontier.

4. For a discussion of the difficulties in calling out the militia in spring 1779, see WL to George Washington, May 1, 1779. For the grievances of the militia, refer to William Maxwell to WL and the Legislature, April 25 and April 26, 1779 (Nj).

5. "An Act to amend an Act, intituled An Act for regulating, training and arraying the Militia, and The supplementary Act thereto" had been presented to the assembly on December 6, 1779. It was postponed to the February–March 1780 sitting and passed March 8, 1780. This act amended acts passed April 14, 1778, and June 12, 1779 (*General Assembly* [October 26–December 25, 1779], 60, 87; [February 16–March 21, 1780], 146–48, 154; *Legislative Council* [October 26, 1779–March 21, 1780], 61–63, 67; *Acts* [February 21–April 18, 1778], 42–55; [May 22–June 12, 1779], 113–17; [February 26–March 21, 1780], 66–69).

From Samuel Allinson

Burlington March 13, 1780

Respected Friend,

Be pleas'd to accept the inclosed Journal¹ of the Life of one who I believe to have been as truly an Israelite, in whom no guile lodges,² as almost any Man of his age; he was highly esteemed by the people with whom he was in religious profession, and his memory is precious with us. All I ask is thy calm and careful perusal of it when the duties of thy station leave thee undisturbed by the present commotions of this World. It can do a statesman no harm and may do a religious Mind good, and as all our best, or everlasting hopes, can only be satisfied by something of an immortal nature, religious considerations and objects are of the most importance, this to the unspeakable loss of mankind terrestrial and momentary things are mostly preferred; but be assured it remains to be a truth, that to effect a *conquest* over ourselves and reduce self to the *dominion* of the meak peaceable Jesus is more truly noble and beneficial, universally, than to *conquer kingdoms* and *triumph* over states by the *sword*.³ The latter produceth evil fruits of every kind, the former, the exaltation of the Kingdom of the prince of Peace, of which, or of whose Government there shall never be an end.⁴ But War and all its attendants must cease. I forbear intruding further on thy time tho' I am struck with the contrast and to make it obvious, if any good might [arise] from it, would be a pleasing task. I am thy real Friend & wellwisher,

SAM'L ALLINSON

Happy are those who are made wise in time. There are but 12 Hours in the Day, its said, in which a Man can work, and an eternal night cometh to those who neglect or misapply this time. And o! that we might not neglect the things which belong to our peace before they are hid from our Eyes.

ALS, NN.

1. John Churchman's *An Account of the Gospel Labours, and Christian Experience of a Faithful Minister of Christ, John Churchman, Late of Nottingham in Philadelphia, deceased* (Philadelphia, printed by Joseph Crukshank, 1779).

2. Paraphrase of John 1:47.
3. See *Livingston Papers*, 2:407–14, for a similar expression on war and peace.
4. Paraphrase of Isa. 9:6–7.

To John Watkins

Trenton 13th March 1780

Sir

I just now received your Letter of the 5 instant.¹ As from the fairness of your Character, & my hopes of your application to business I can have no reasonable objection against facilitating your wishes therein expressed, I freely consent to your making your addresses to Miss Judy. I take it for granted when I say this that you have the approbation of those yourself whom your duty requires you to consult on the occasion; & I think it mine to acquaint you that tho' it has always been my purpose to leave my Daughters equal with my sons, unless particular reasons should oblige me to deviate from a distribution which I think most agreeable to natural Justice, yet I have not been able to give my Daughters at their marriage more than an outset; & that from the extreme depreciation of my personal Estate; & the expensive price of the articles given upon those occasions, it will be difficult for me at present to make the same provision for Judy in that respect but am determined to make it up some other way so as to do equal justice to all.²

ADf, NN:Lyon.

1. Refer to John W. Watkins to WL, March 5, 1780 (NN). WL recorded this letter in shorthand in his letterbook (NN:Lyon).

2. Watkins had asked nothing of WL, requesting only that WL "give me leave to offer myself as a Son, who will ever study to merit that Appellation and to promote the happiness of your amiable Daughter" (March 5, 1780 [NN]).

To Baron Johann de Kalb

Trenton 14th March 1780

Sir

I have received your Letter of the 12th instant. The one you mention of the 4th respecting Mrs. Conner has not come to my hands.¹ From

your Representations of her Circumstances I have no objection against her going to New York upon condition of her not returning into this State during the war; & she accordingly has [by] Permission for that purpose upon those Terms.

Your Surmises relative to the Intentions of the Enemy, are but too well confirmed to me by some Intelligence I lately had as coming from New York. Your sentiments Sir both as to the light horse & water Guards I think perfectly just as they would in my opinion constitute the best Centinals to prevent a Surprize that can be devised.² But the latter are entirely out of my line to order, and as the United States have boats proper for the purpose, I doubt not the Continental officers might procure volunteer Inhabitants to work them at reasonable Pay. Neither can the Militia light horse be ordered out by the Governor on the duty you mention, tho' on a particular emergency he lately ventured to do it by Advice of Council.³ It does not fall within the description of the Guard, which by Law he is authorized to station at particular Posts. The Legislature Must therefore be consulted upon it. To submit it to their consideration I shall lose no time; but of their concurrence I cannot give you any great hope, while so considerable a corps of continental dragoons is kept at Burlington. Should they however agree to both or either of the Measures, I shall do myself the honour of transmitting to you the Intelligence, by the first opportunity,⁴ & am with great Respect Sir your most obedient & very humble Servant

ADf, NN:Lyon.

1. Letters not found.

2. See WL to John Neilson, June 15, 1779, for an earlier decision not to employ patrol boats and local militia along coastal waters (a "water guard"). De Kalb had also written George Washington on the water guard issue. Washington approved the use of boat patrols to prevent British surprise attacks from Staten Island. Refer to GW to Baron de Kalb, March 11, 1780 (Fitzpatrick, *Writings of Washington*, 18:107–8).

3. Only the legislature was entitled to form additional troops of horse. See WL to Captain Armstrong, February 22, 1780. The exception to which WL refers was a Privy Council directive of February 3, 1780. WL had received petitions from the inhabitants of Essex and Middlesex counties requesting cavalry protection. Refer to Petition of the Inhabitants of Elizabethtown to WL, February 1, 1780, and Petition of the Inhabitants of Essex and Middlesex Counties to WL and the Privy Council, February 2, 1780 (Nj). The Privy Council minutes of February 3, 1780, mention two Newark petitions. On February 3 the council advised WL to authorize Daniel Marsh to engage twenty-five state-supported horsemen in addition to the twenty horsemen paid at Continental expense to patrol the shores between Newark and Amboy nightly for one month. The Privy Council did not renew the guard in March (*NJA* [Privy Council], 3d ser., 1:144–46).

4. The legislative journals do not indicate that this matter was formally dealt with during the winter or spring sittings of 1780 (*General Assembly* [February 16–March 20, 1780]; *Legislative Council* [October 26, 1779–March 21, 1780]).

To Baron van der Capellen

Trenton, 15 March 1780.

Sir.

I have been honoured with your favour of the 16th of July last,¹ which is the only letter that I have received from you, nor have any of the papers which Col. Dircks imagined I had received, ever come to my hands.

Governor Trumbull has given you so compleat & faithful a narration of the war,² as will afford you a very comprehensive view of every important event, since the commencement of the British hostilities against us. It is therefore unnecessary for me to add any thing on that subject; and the task you have assigned me of making you acquainted with America in its present Circumstances, its forms of Government, population etc. is what I should think myself particularly happy in complying with, not only to gratify the curiosity of so valuable & illustrious a correspondent (which of itself was a sufficient inducement) for the honour of my native country, which I am persuaded will appear the more important & puissant, as it is more explored & ransacked. But to be accurate on those several heads would require more leisure than my situation, in a state which ever since the arrival of the British troops has frequently been the actual seat of war, & always in sight of the Enemy encampments, will at present admit of. I shall not however be unmindful of your request, but gradually make such researches as will at last enable me to give you the most satisfactory account of our part of the New World. Let it suffice for the present to assure you, that there is perhaps no quarter of the globe, considering its natural advantages, the variety of its latitudes, the fertility of its soil, the abundance of its naval stores, & the spirit of liberty by which the inhabitants are animated, & the ideas of Government which they entertain—there is not, I say, any part of the globe, which Providence seems more visibly to have designated for a great & independent Empire.

Your Letter I immediately translated, and transmitted the English copy to Congress,³ which was received with great satisfaction.⁴ I believe

it was the principal cause of Mr. Laurens, the late President of Congress, being appointed to negotiate a loan in Holland. He is doubtless vested with other powers, but the particular nature of his commission is not made public.⁵ He is an excellent man (with whom I maintained a constant private correspondence, while he presided in Congress) & one whom I could have wished to have recommended to your particular friendship but he had left Philadelphia,⁶ in order to embark in South Carolina for Europe before I learnt his appointment.

I should be happy, Sir, to be instrumental in establishing a correspondence between you and my son in law John Jay, Mr. Laurens's successor as President of Congress, & now Minister Plenipotentiary, to negotiate a Treaty of Amity & Commerce between the United States of America⁷ and his most catholic Majesty, & who sailed from Philadelphia with his lady & my son Col. Harry Brockholst Livingston, his private Secretary last fall for France, from thence to go to Madrid by land. He will be able to give you very useful intelligence concerning the affairs of America. And as I take the liberty to enclose you a duplicate of my letter to him I shall send him a duplicate of this to be forwarded to you.⁸

The Chief Difficulty we have now to struggle with is the Depreciation of our currency but as Congress has lately most assiduously applied to financing I hope they will discover some way to extricate us out of that perplexity.⁹ Our Army is very respectable & exceedingly well disciplined.¹⁰ The British by all I can learn do not expect any considerable reinforcements, and tho' they threaten a most bloody campaign, we regard their menace as *bruta fulmina*.¹¹ Nothing however, from the pride of the nation, and the greatness of the prize contended for, will induce them to relinquish their claim, but the last Necessity.

I scarcely know, whether as a friend, I ought, to lament or to rejoice at, the Persecution you have suffered for your Patriotism & distinguished zeal for the rights of mankind. The persecutions we suffer for our public virtue, are in this respect similar to those we suffer for the sake of Religion that they finally terminate in glory. They are only temporary shades which ultimately illustrate that innate greatness of soul, which without them, would not have the same opportunity of displaying its insuppressible lustre. And what a nobler sight than a true patriot struggling with opposition, & at last rising superior to all his Enemies? Thus may you Sir be victorious over all your adversaries, & I hope the time is approaching when liberty will be better understood than ever it

has been & when the names of all its Advocates, will be enrolled in the Annals of Fame, & transmitted with distinguished splendor to the latest posterity. I have the honour to be with the most respectful attachment,
Dear Sir, Your most humble & most obedient servant,

ADf, NN:Lyon.

1. See Baron van der Capellen to WL, July [6] 16, 1779, and WL to Samuel Huntington, November 22, 1779. In a letter to WL of May 25, 1781, van der Capellen remarked that he had sent WL a letter on July 6, 1779, and possibly a copy dated July 16. The date appears as July 16 in *JCC* (15:1366). See WL to Samuel Huntington, December 6, 1779.

2. Jonathan Trumbull was also corresponding with van der Capellen. See Jonathan Trumbull to WL, January 27, 1780.

3. WL had received the letter in November 1779. The translation was read before Congress December 10, 1779 (*JCC*, 15:1366).

4. Following "satisfaction" the following was crossed out: "but I am much mortified with Colonel Diricks's complaint that he has not been distinguished by that august Assembly with those marks of honour which he expected, & which I am sure he has fully merited, by the Services he has done us among your Countrymen. In my letter to Congress which accompanied the translation of yours, I mentioned him in the most honourable Terms, & flattered myself that his assiduity in Holland in promoting the Interests of America & giving his Country men the most advantageous Ideas of our rising Empire would have engaged the Attention of, & been [. . .] with suitable Acknowledgements by our national Assembly. But that Merit, especially during the turbulence of War, is but too often neglected or buried in oblivion, while forwardness & Importunity are [loaded] with [. . .] Emoluments." For WL's comments to Diriks see WL to Jacob G. Diriks, February 23, 1780.

5. On October 21, 1779, Congress had named Henry Laurens commissioner to Holland to negotiate a loan. It later stipulated that the loan request not exceed ten million dollars at a maximum interest of 6 percent. Congress also authorized Laurens at the same time to negotiate a Dutch-American treaty of amity and commerce (*JCC*, 15:1198, 1210, 1230, 1232–36).

6. Laurens had left Philadelphia November 9, 1779.

7. For discussion of Jay's mission see WL to Susannah French Livingston, February 19, 1780.

8. Enclosures not found.

9. For discussion of the depreciation issue see Jonathan Trumbull to WL, January 27, 1780.

10. This sentence does not appear in the printed transcript in the Dutch archives (*Briefvan van en Aan Joan Derck Van Der Capellen Van de Poll* [Utrecht, 1879], 213–16).

11. *bruta fulmina*: thoughtless thunder.

To Baron Johann de Kalb

Trenton 16 March 1780

Sir

I send you my permission for the following persons lately arrived from Germany in the City of New York to pass thro this State to Bethlehem in Pennsylvania with their Baggage & Effects to wit

Johann Andreas Hebrer Clerk, & his wife

David Zeisberger—Ditto & wife

Jeppe Nielson—Taylor

Johann Michael Kern Potter

Barbara Martans, Widow

The above persons have the Licence of President Reed to come into the State of Pennsylvania, & their Agent now with me informs me, that his Excellency General Washington has given Orders to the Commanding officers of the Post of Elizabeth Town to permit them to land with their Baggage at Elizabeth Town, & from thence to proceed to Bethlehem.¹ I am

ADf, NN:Lyon.

1. For discussion regarding authority to grant passes see WL to Peter Fell, February 6, 1780.

From George Washington

Headquarters, Morristown, March 16, 1780. Washington has received WL's letter of March 8. He recognizes Nathaniel FitzRandolph's patriotism and advises WL that if American and British commissioners then meeting at Amboy agree on a prisoner-exchange formula,¹ FitzRandolph will be released. He cannot order an exclusive exchange and still remain impartial, for others have been confined longer than FitzRandolph.

ALS, NN.

1. The conference in Amboy in March 1780 was one of a series of meetings held since 1776 in which the British and Americans negotiated terms of prisoner exchange. The *N.J.*

Gazette, March 15, 1780, carried a brief account of the meeting. On March 31 Washington informed Congress that this conference had failed mainly because of the continuing British demand for the inclusion of convention prisoners captured at Saratoga. Congress partially met this condition in August 1780, making convention officers subject to exchanges (Fitzpatrick, *Writings of Washington*, 18:60–62, 188–89; 19:147–50; *JCC*, 16:333; 17:637, 704–6). For background on the convention troops see WL to George Washington, February 8, 1779.

To William Churchill Houston

Trenton 17 March 1780

Sir

I have been favoured with your several Letters of the 5 & 14th instant.¹

To induce the Legislature to prolong their Setting after the period to which these predictions which have Limited it i.e. to morrow Night will be a difficult task. Perhaps the fall of Snow has opportunely come in aid of Patriotism, & will satisfy them that the Labours of the plough may be postponed a week longer without any material loss to the husbandman.²

Colonel Diriks, the Gentleman who brought the Baron Van der Capellens Letters to Governor Trumbull & myself from Holland was with me yesterday. He thinks that he has been rather coolly received by Congress. He is indeed obliged to them for his pay as Lieutenant Colonel, but as he cannot get into actual Service on the present arrangement, he has consequently no opportunity of rising in the Army nor of displaying his readiness to gain Laurels in the Cause of America. His Expenses at Philadelphia while attending on Congress in Expectation of some recompence for his Exertions on our behalf in Holland have been very considerable.³ To return to his native Country during the war & while an officer in our Army hurts his feelings as a man of Honour. He is in short extremely embarrassed. If any thing could be done for him, I think it would be better bestowed, than upon many others of less Merit. If he ought to entertain no farther Expectations; the next best Service that can be done to a man, who is not likely to be served is to tell him so plainly. I have taken the Liberty to tell him, that of all my Acquaintances at Congress, I could not recommend him to a Gentleman of greater frankness & candour than yourself who would honestly inform him whether anything was to be expected or not, & would by no means

detain him in a State of dependance & attendance upon false & delusive hopes.

ADf, NN:Lyon.

1. Letters not found.
2. The legislature adjourned March 21.
3. For background on Jacob G. Diriks's relations with Congress see WL to Jacob G. Diriks, February 23, 1780.

To Jonathan Trumbull

[. . .] March¹
Trenton 17 *November* 1780

Dear Sir

I have been honoured with your Favour of the 27th of January last; and am greatly obliged to your Excellency for the agreeable Papers which accompanied it. The perusal of your Narrative of the War has afforded me much Entertainment; but I find that in your manner of relating Facts, you neither form yourself upon the Model of the British, nor indeed on that of many other celebrated Historians, but make it a constant rule of strictly adhering to *Truth*.²

I just received your Favour of the 10th Instant.³ There being no Law of this State requiring a Permission from the Governor to the Citizens of any other State to purchase and transport from it any Hemp, it would perhaps be deemed as unofficial, or an Assumption of Power to grant it; & there being no Laws against it, Mr. Dishon⁴ will meet with no Interruption in the Business. If however, for any particular Reasons which I do not at present conceive, any Agency of mine, consistent with Duty, can have the least tendency to facilitate a Matter, in which the Interest of all the united States is so nearly concerned, I shall think myself happy in having it in my Power to give the Gentleman all necessary Assistance.⁵

I am much obliged to your Excellency for acquainting me that Colonel Trumbull is bound to Holland, and for your polite offer of his readiness in obeying my Commands. I will take the Liberty of committing to his care the inclosed Letter to our common Friend the Baron Van der Cappellen.⁶ I have the Honour to be with sincere Esteem your Excellency's most obedient & very humble Servant

ALS, MHi.

1. Although both months appear on the ALS, the ADF is dated March 17. Refer to WL to Jonathan Trumbull, March 17, 1780 (NN:Lyon).

2. See Jonathan Trumbull to WL, January 27, 1780. Enclosures not found. In response to van der Capellen's request, Trumbull had provided him with an account of the war in America.

3. Refer to Jonathan Trumbull to WL, March 10, 1780 (NN). Trumbull had requested that John Deshon of the Navy Board, Eastern Department, be permitted to purchase and transport to New London twenty to thirty tons of hemp to be used as cordage on the ships *Trumbull* and *Bourbon*.

4. John Deshon.

5. "An Act to prohibit the Exportation of Provisions from the State of New Jersey," passed October 7, 1779, and amended December 25, 1779, did not apply, for hemp was not among the articles it enumerated (*Acts* [September 27–October 9, 1779], 133–34; [October 26–December 25, 1779], 47). See WL to the Assembly, December 20, 1779.

6. Col. John Trumbull, Trumbull's son, departed New London, Connecticut, on May 7 for Nantes. Trumbull wanted both to conduct a mercantile project and to study painting in London. He may have carried a duplicate of WL's March 15 letter to van der Capellen. Capellen noted in a May 25, 1781, letter to WL (Algemeen Rijksarchief, The Hague, Netherlands) that he had received the March 15, 1780, letter in December 1780 via John Jay from Madrid.

To Samuel Allinson

Trenton, 18 March 1780

Dear Sir

I find myself under great obligation to you for your very friendly Letter of the 13th instant,¹ & for the very agreeable present which accompanied it; *An Account of the Gospel labours etc. of John Churchman*. I am persuaded I shall not find the Labour lost which I bestowed on the perusal of any Book that you think proper to recommend to my perusal and if I should reap equal Benefit from it which I am free to own I have reaped from the Books of others of your Society, I shall think the time it costs me to read it, advantageously employed.

I can most cordially subscribe to your sublime & noble principle (which nothing but Christianity can dictate, & which surpasses the most exalted Sentiments of Philosophy) that to effect a conquest over ourselves, & reduce self to the dominion of the meek, peaceable Jesus is more truly noble & beneficial, universally than to *conquer kingdoms & triumph* over States by *the sword*.² But perhaps it may be my misfortune, as it certainly is my Lot to differ from you, in Sentiment that the Latter

(i.e. the conquest of Kingdoms by the Sword) produceth evil fruits of every kind. Because, if you mean by the Conquest of Kingdoms & triumphing over States by the Sword, any thing applicable to us, that is our opposition to Kingdoms which attempt forcibly to conquer & triumph over us, I know from the history of ages that such resistance instead of producing evil fruits of every kind, has been frequently productive of the good & salutary fruit of preserving the Liberties of mankind, which according to all human probability, & notwithstanding any miraculous Interposition of Providence that, either from reason or Scripture we were warranted to expect had without such resistance been shamefully lost & surrendered.³

Neither can I acquiesce in that Argument of yours against the lawfulness of war, which is deduced from the observation that it will *cease*.⁴ Because the same thing may be predicted of one of the most essential Christian Graces, Faith, which will undoubtedly cease when it is swallowed up in *Vision*. With respect to offensive war, indeed you cannot be a greater Enemy to it than I am; but I am as fully principled in the lawfulness of resisting it by force, as I am of the unlawfulness of waging it; with this advantage of my principles over yours, that a man cannot so fully manifest his real abhorrence of anything which he knows to be wrong & wicked as by giving it so effectual an opposition as to prevent its operation & intent. And I am not more fully convinced of the truth of Revelation itself, than I am of the lawfulness from the very principles & precepts of that Revelation (averse as I am to all private & personal hatred & Animosity, which are clearly prohibited by it) of all national opposition against every attempt to deprive us of that liberty which our bountiful Creator has bestowed upon us, & intended us *richly to enjoy*,⁵ as not the least of His Blessings to Mankind, & which from the regular course of his Providence, in other respects, we have reason to think he designed that we should preserve as other, the Gifts of His Bounty by using all the means with which He has furnished us for its preservation.

The latter part of your Letter affects me very sensibly. I have often lamented it, as one of the greatest afflictions of our present Troubles, & the most unfortunate circumstance of my particular Situation, that I cannot more frequently abstract myself from the cares & Labours in which I am thereby involved, & devote more of my time to those things which belong to our spiritual peace.⁶ But so clearly am I convinced of the Justice & Christian lawfulness of the present war on the part of

America, that I think I shall ever Enjoy all my Agency in it on the Solemnity of a death bed, that were the same scene to open again, I should wish to react the very part I have acted, & that had I any faith in the popish Doctrine of Merit,⁷ I should even think that my opposition against the Tyranny of Britain, would, *like Charity, cover a multitude of sins*.⁸ At the same time that I say this, I have the greatest Charity for those of different Sentiments. It is the lot of humanity to entertain various opinions. And the Almighty has not thought proper to delegate to frail & erring Mortals his Prerogative of being the Lord of Conscience. Fully persuaded of this important Truth, I know not that⁹ I have any personal Attachment to, or prejudice against, any denomination of Christians, but trust that I can embrace any man who appears to be a conscientious Christian (amongst the number of which it is no compliment to rank yourself) with cordial affection. I shall always be glad of your Correspondence, receive your advice with candour & be ready on all occasions, consistent with my duty to show you that I am your real Friend & humble Servant—

ADf, NN:Lyon.

1. See Samuel Allinson to WL, March 13, 1780. See *Livingston Papers*, 2:399–404, for WL's feelings about Quakers.

2. WL is quoting from Allinson's March 13, 1780, letter.

3. The following two sentences in the text were inserted in Allinson's LBC (NjR).

4. See Samuel Allinson to WL, March 13, 1780, for Allinson's quote on war.

5. 1 Ti. 6:17.

6. See WL to Samuel Allinson, March 13, 1780, for Allinson's postscript on time.

7. WL is referring to his own version of the Catholic doctrine of merit—salvation by virtue of good works—formulated at the first session of the Council of Trent (1545–47). The doctrine of merit was alluded to here in terms of WL's perception of the Protestant doctrine of salvation by faith. WL's statement of beliefs clearly connotes a typical eighteenth-century bias against Roman Catholicism. See *Livingston Papers*, 2:43, 103, for earlier examples.

8. 1 Pet. 4:8.

9. Allinson later inserted "At the same time" following "I know not that" in the LBC (NjR).

To New Jersey Militia Colonels¹

Trenton 18 March 1780²

Sir

You are hereby directed to detach thirty Men from your Regiment to the County of Monmouth to be stationed as a Guard under the Com-

mand of Colonel Asher Holmes in the said County for the defence of the Frontiers thereof for the term of one month. If the calling out one Class does not produce the Men you are to call on a second & so on till the Number is compleated. Tho' the last Call on your County proved totally ineffectual & not a single man was sent in Consequence of it to assist in defending a County exposed to the Incursions of the Enemy,³ it is expected that this call will meet with a punctual Compliance, especially as the wages of both the Officers & men as well as the Fines for Disobeyance are lately increased⁴ & the detachment will be releived at the expiration of this Tour of duty by the Militia of other Counties And I hope I need not acquaint any officer of the Militia of New Jersey, (which Stands so deserved in high estimation with all the States) who has a proper Sense of Honour & who feels as he ought to do for those of his Brother Citizens whose Lot it is to live in a part of the State more particularly exposed to the Inroads of the Enemy, that it is expected from him to use every possible Exertion to procure the Men with the utmost dispatch. The same letter *mutatas mutandis*⁵ to Colonel William Shreve & Colonel Thomas Reynolds of the Burlington Militia, except as to the number of men, which is 40 out of each of their Regiments

ADf, NN:Lyon.

1. The letter is addressed to Cols. Philips, Taylor, Beavers, Blauvert, and Lt. Col. Chamberlain.

2. This order may be misdated, for the Privy Council meeting at which it was authorized took place March 19 (*NJA* [Privy Council], 3d ser., 1:149).

3. In late December 1779 WL had ordered out the militia to protect Monmouth County. For the lack of response to this order see WL to the Assembly, March 13, 1780; refer to Asher Holmes to WL, March 10, 1780 (NN).

4. On March 8 the legislature, in an attempt to provide an equitable statewide defense of the frontier counties, passed an amendment to "An Act for the regulating, training and arraying of the Militia, and the Supplementary Act thereto," which established a schedule of pay increases by rank and tripled fines for disobedience to militia orders (*General Assembly* [February 16–March 21, 1780], 146–48, 154; *Legislative Council* [October 26, 1779–March 21, 1780], 61, 63; *Acts* [February 26–March 21, 1780], 66–69).

5. *mutatis mutandis*: with due alteration of details.

To New Jersey Militia Colonels¹

Trenton 20 March 1780

Sir

You are hereby directed to detach 34 men from your Regiment to the County of Monmouth to be stationed as a Guard under the command of Colonel Asher Holmes in the said County for the defense of the Frontiers thereof for the term of one Month from the first Day of May next. They together with a detachment from Salem & Cumberland are to relieve those from Hunterdon & Burlington (who are immediately to march) by the first of May next. I give you this early notice that the men may have the better opportunity to regulate their business accordingly. If the calling out one class does not produce the men you are to call on a second, & so on till the Number is compleated as the Wages of both the officers & Men are as well as the Fines for disobedience are increased, it is expected that this call will be punctually complied with. And I hope I need not acquaint any officer of the Militia of New Jersey (which stands so deservedly high in the Estimation of the other States) who has a proper Sense of honour, & who feels as he ought to do, for those of his Brother Citizens whose Lot it is to live in a part of the State more particularly exposed to the Inroads of the Enemy that it is expected from him to use every possible Exertion to procure the Men so as to be on the Spot by the said first day of May next. I am

ADf, NN:Lyon.

1. Copies of the letter were to be sent to Cols. Joseph Ellis and Bodo Otto of Gloucester County, Col. Samuel Dick and Lt. Col. William Shute of Salem, and Col. Elijah Hand and Lt. Col. Abijah Holmes of Cumberland County.

To John Jay

Trenton 17 [20–22]¹ March 1780

Dear Sir

Heaven grant that you & all the Cargo shipped on board the Confederacy in which I have so great an Interest may be safely arrived at

Madrid, before this reaches that Metropolis. I have suffered much for poor Mrs. Jay tho' I have been greatly comforted to hear that she bore the Terrors of the Ocean with so much magnanimity. Her Letters from Martique are safely arrived.²

We have had no material occurrences here since your departure.

With the Baron Van der Capellan a Member of the States General & a true American at heart, it will be worth your while to cultivate a Correspondence, to learn the politics of his Republic. I have mentioned you to him as a Correspondent³ who can furnish him with American Intelligence for which he has the greatest Avidity. I believe your Correspondence would be mutually beneficent; and from his particular Regard for America, & his easy Access, I doubt not he would readily condescend to receive & answer Brockholsts Letters. An Acquaintance of this kind May be productive of happy Consequences: And as I have inclosed a duplicate of this in my Letter to him, I inclose you a duplicate of that Letter, which I beg you to forward. He understands English well enough to read any Letters in that Language, but I suppose he will write to you in French or Dutch.

I hope Brockholst will keep a particular Journal of all that is worthy of Notice in Spain; &, as he has opportunity, make a Collection of the seeds of all the flowering Shrubs & best melons that he thinks will suit our Climate & be worth raising at Elizabeth Town. I hope I shall hear from you all as frequently as possible.

They are all well at Parsippany.⁴ I am your most humble Servant

WIL LIVINGSTON

P.S. Congress has just passed a Resolve respecting our Currency. It is too long for me to copy in my present hurry as I should not grudge the trouble of sending you a transcript. But I subjoin you an abstract sufficient to give you an Adequate Idea.

Tell Sally that she will probably have another Brother before the end of May; & that sir across the nose of Susan & Caty.⁵

It directs that the monthly Taxes of fifteen millions of dollars be continued for 13 months. That silver & gold be taken in payment of taxes at the rate of one to forty. That as the money comes in, it be destroyed. That the States be called upon to furnish Funds for the sinking of the said Money, & the New Bills that shall be issued in lieu of them in the Course of Six years. That the New Bills which shall be issued instead of

the old, bear an Interest of 5 per Cent in specie payable at the time of the Redemption of the Bills or an annual Interest in Bills of Exchange in Europe, at the option of the Money holder, & be received as specie in the payment of Taxes. That the new Bills shall issue only one twentieth part as fast as the old shall be destroyed. That by 1/20 of the new Money shall be lodged in the Treasury of the Several States for the payment of money laid out in the purchase of Supplies, the remainder be returned to the continental Treasury.⁶

ALS, NNC.

1. This letter was completed after March 17. It includes a discussion of a congressional resolution of March 18, 1780, which Samuel Huntington forwarded to WL on March 20. WL probably received the letter by March 22. Refer to Samuel Huntington to WL, March 20, 1780 (*Correspondence of the Executive*, 215–16).

2. See Sarah Jay to WL, December 30, 1779, and WL to Susannah French Livingston, February 19, 1780.

3. See WL to Baron van der Capellen, March 15, 1780.

4. The Livingston family, including Peter Augustus Jay, was at Parsippany during March.

5. across the nose: to supersede someone. Livingston refers here to the forthcoming marriage of his youngest daughter, Judith, to John Watkins on April 6, 1780. His eldest daughters, Susannah and Catharine, were not yet married.

6. The preceding paragraph is not found in the ADf (NN:Lyon).

The congressional resolution of March 18, 1780, was an attempt to reduce both the quantity and the severe depreciation of paper money in circulation. Congressional resolves of October 6 and 7, 1779, had established monthly taxation quotas for each state. The March 18 resolution relied on states fulfilling their quotas in order to withdraw old currency from circulation by April 7, 1781. Although state funds were to support the new currency, the national government would serve as guarantor (*JCC* 16:262–67). For discussion of congressional resolutions of October 6 and 7, 1779, see WL to the Assembly, December 20, 1779. Enclosed with the March 18 resolution was a letter from Samuel Huntington advising the state to take immediate action on this issue. Although Huntington requests that the state's assembly convene if it was not in session, the New Jersey Assembly did not hear a reading of the resolve until May 12, shortly after its next sitting began (*General Assembly* [May 10–June 19, 1780], 186).

To Asher Holmes

Trenton 21 March 1780

Sir

Your application for a guard for the defense of the Frontiers of the County of Monmouth I did not neglect to bear in my Mind, but as I found the day after you left me that the house was framing a supple-

mental Militia Act,¹ I thought it best to defer consulting the Privy Council upon it for a few days hoping the Act would provide more effectual means for obliging the Militia to obey any future calls. But the Legislature have only mended the matter in that respect by an augmentation of the wages of the officers & men, & of the fines for Delinquency. I then laid the matter before the Council,² & instead of the full Compliment You applied for, they agreed to 210 Men from the Counties of Hunterdon & Burlington, & 80 from Monmouth. For those of the two first mentioned Counties I have issued my orders, & used every Argument in my Power to induce the Collonels to exert themselves in procuring the Men. To relieve those, I have ordered the like Number from Gloucester Salem & Cumberland; & as it is not certain when those of Hunterdon & Burlington will be upon the spot.³ I have made a guess that they may be thereby the first of April, & have accordingly directed those of Gloucester Salem & Cumberland to take their place by the first of May. You are to call out Eighty of the Militia of Monmouth both for the next tour from the first of April to the first of May, & a releif on the first of May for the succeeding Month.

ADf, NN:Lyon.

1. For discussion of Holmes's request and applicable legislative action see WL to the Assembly, March 13, 1780, and refer to Asher Holmes to WL, March 10, 1780 (NN).

2. The Privy Council issued these orders on March 19 (*NJA* [Privy Council], 3d ser., 1:149).

3. For WL's orders see WL to New Jersey Militia Colonels, March 20, 1780.

From Henry Brockholst Livingston

El Puerto de Ste. Maria 21st March [17]80

My dear Sir,

Yesterday we left Cadiz & crossed to this Town by Sea.¹ We had an agreeable Sail, & saved ourselves many leagues of disagreeable road. We dined & spent the Evening at Count O'Reillys.² Tho' Mrs. Jay could not converse with the Countess who only spoke the Spanish & French she spent the day very agreeably. The Captain General has been very attentive to Mr. Jay since his arrival in Spain. He has ordered two of his horsemen to escort us to Madrid who will be of much Service to us on the Road. I do not mean in case of an attack as I am not apprehensive of

any. We each take a Gun with us as we are told we shall find much Game & that the slowness of the Mules will afford us leisure to hunt them. They will also serve us in stead in case of an Assault from any of the subterranean Gangs which were common in the time of Gil-Blas.³ We shall travel thro' La Mancha which now generally goes by the name of Don Quixote Country. We shall also see the Sierra Morena⁴ the principal Theatre of that renowned Knight's Achievements. The Coaches we expected would be ready for us here are not yet arrived. This will detain us here a day longer than we intended to stay. If the coaches arrive in time we shall go as far as Xeres⁵ this Evening which is only two leagues distant, where I hope to drink some very good Spanish wine.

The Lieutenant General who commands on the Expedition⁶ which is getting ready at this Place & at Cadiz, arrived yesterday from Madrid. He dined with us at the Captain-Generals & crossed over to Cadiz in the Evening. The Expedition I Speak of is in some forwardness. It will be a very strong one. It's destination is not known. You will excuse the Shortness of my Letters. I know little worth troubling you with. From Madrid you shall hear more particulars from me. At present I content myself with acquainting you in what part of the world we are, & that we are all in good health. I should be well satisfied to hear as much from you & the family. Five long months have elapsed without that pleasure, and I fear as many more may before we shall have it.

Accept my best wishes for Your Happiness and that of the Family. I am dear Sir your most affectionate Son

HARRY BROCKHOLST LIVINGSTON

ALS, NN.

1. For the most recent reference to the progress of the Jays and Brockholst from Martinique to Spain see WL to John Jay, March 17 [20–22], 1780.

2. Alexander O'Reilly.

3. Gil-Blas: hero of Alain René Le Sage's 1715 picaresque novel *Gil Blas de Santillane*. Early chapters of the book recount Gil Blas's life with gangs of robbers who lived in underground hideouts in northwestern Spain.

4. Sierra Morena: mountain chain stretching east to west across southern Spain.

5. Xeres: Jerez, a town northeast of Santa Maria.

6. In late February Charles III decided to send troops and a fleet of ships of the line to the Caribbean. This is probably the expedition to which Brockholst is referring. When it left on April 28, 12 ships of the line escorted 146 other vessels and 11,000 troops. The commander was José Solano. Henry Brockholst Livingston to WL, February 23, 1780, mentions preparations for this voyage.

To Lambortus De Ronde

Morris Town 1st April 1780

Sir

I have received your Letter of the 24th March.¹ It has been no small Mortification to me that I have been so frequently disappointed in my Attempts to pay you a visit. But some unexpected Incident has always baffled my Intentions. I hope however to do myself that pleasure some day or other during this Month.

You have doubtless been a considerable Sufferer by the present Troubles; & it seems by a strange Fatality to be Lot of the best Whigs to experience the greatest Losses; while some of the most venomous Tories, & abandoned Speculators are amassing Riches, & glitter in all the pomp & with all the awkward department of an upstart new-made illiterate rustic Surinam Magistrate.

But as you have been superior to many in your Attachment to the Cause of Liberty & Virtue, I hope you will be inferior to none, in patience & Resignation. The Assessors I presume do not think themselves at Liberty to make any allowance for your Losses but suppose it their duty to lay the Tax on what you have; & if in their assessment of this they are guilty of Injustice or partiality, the Law gives you an Appeal to the Court of Appeals for that purpose appointed in Every County. But the Legislature takes no Cognizance of the matter, having provided a sufficient Remedy by granting the said Appeal; & for the Assembly to hear the Complaints of Individuals who think themselves aggrieved by taxes would be an endless Business, & attended with enormous Expense.

It is for this reason that I have patiently acquiesced in paying a tax for my farm at Elizabeth Town, which I have been obliged to abandon, & of which I do not reap a farthings profit. But if the assessors tax You for more than your visible property, which it is in their discretion to do, & which power they often exercise upon Persons who are in the way of making money, I think they deal unjustly by you, and by every man so used who has grown poorer by the war. In such Case therefore, it is probable the Court of Appeals would give you Redress, by remitting that part of the tax which was imposed upon you, over & above your *certainties*.

There is at present very little News. I have lately had a Letter from the Baron Van der Capellen Herr Van Pol a Member of the States General for Overyssool,² in which he gives me great Encouragement to hope that the Cause of America is daily gaining ground in the United Netherlands. But I have also received a disagreeable piece of Intelligence which I fear is but too true, that a British Squadron of twelve Sail commanded by Admiral Rodney has taken & sunk six of the seven Spanish Men of War which lay at Gibraltar to intercept the supplies for that garrison; & that the English had two of their Ships sunk in the Engagement.³

ADf, NN:Lyon.

1. De Ronde had written to WL on March 12. A New York City minister, he had moved to New Jersey in 1776. In his letter to WL, he explained his dependence on farming for a livelihood. De Ronde asked WL to intercede with the assembly on his behalf to lower the rate at which his lands were assessed. Refer to Lambortus De Ronde to WL, March 12, 1780 (NN).

2. See Baron van der Capellen to WL, July [6] 16, 1779.

3. Adm. George Rodney engaged in a victorious battle with a Spanish fleet at Gibraltar on January 16, 1780. See Henry Brockholst Livingston to WL, February 23, 1780.

To John Neilson

Morris Town 1st April 1780

Sir

You will call a Court Martial for the Tryal of Colonel Silvanus Seely upon the Charges which I send you inclosed.¹ The Court of which you are appointed the President is to consist of the following Members, vizt. Colonel Freelinghuysen, Lieut. Colonel Jacob Crane, Lieut. Colonel Bononi Hathaway, Major Davison, Major Lindsley Capt. John Lindsley Capt. Daniel Cook of Mendham Lieut. Daniel Guard, Ensign Ezra Halsey.

There is no Judge advocate belonging to our Militia; & it is customary in the regular Army when without such an officer to appoint one of the Members of the Court to manage the prosecution, but who cannot in such Case act as a Member. If that mode should be adopted in the present instance, Colonel Freelinghuysen from his good Sense & Education would be a proper person for the purpose. But as it may perhaps not be agreeable to him to act in that Capacity, rather than lay any disagreeable Burden upon him; we will endeavour if he declares his disinclination to it, to find another.

Colonel Seely should regularly be put under Arrest & at the same time served with a Copy of the Charges against him.

ADf, NN:Lyon.

1. Enclosure not found. See WL to Silvanus Seely, November 26, 1779. On February 23, 1780, WL had placed the charges against Seely before the assembly, leaving it to the legislators to decide whether to impeach or order a court-martial. The full legislature on March 3 ordered WL to summon a court-martial. The trial was set for April 27 (*General Assembly* [February 16–March 21, 1780], 124, 138; *Legislative Council* [October 26, 1779–March 21, 1780], 52, 60). Refer to WL to the Assembly, February 23, 1780; Order for Court-Martial and Appointment of Judges, April 4, 1780; WL to Jacob Arnold, April 4, 1780; and WL to Benoni Hathaway, April 4, 1780 (NN:Lyon).

To George Clinton

Morris Town 3d April 1780.

Sir,

I have the Honour of your Excellency's Letter of the 11 of March.

The Provisions which our Legislature has made for the widows & Children of such officers & Soldiers as die in the Service, is to allow the widows half pay during their widowhood, & in case they remarry before their Children arrive to the age of eight years, the half pay goes to the Children or Child under that Age.¹ As for allowing half pay to the officers during life, our Assembly seems utterly averse to it.²

An Act for compleating the Quota of our Troops,³ I do myself the honour to inclose you, & am with great Respect your Excellency's most humble Servant

WIL: LIVINGSTON

ALS, Nj. Mutilated.

1. The legislature had passed "An Act for the Relief and Support of maimed and disabled Officers, Soldiers and Seamen, and of the Widows and Children of such as fall in Battle, or otherwise lose their Lives in the military or naval service" on June 10, 1779 (*Acts* [May 22–June 12, 1779], 90–98). For background see George Clinton to WL, March 11, 1780.

2. On August 17, 1779, Congress had resolved that the states grant soldiers who served until the end of the war half pay for life. On January 6, 1780, a New Jersey legislature representation dated December 25, 1779, was presented to Congress opposing the congressional resolution on the grounds that any permanent military establishment in time of peace was "one step toward Tyranny, and Absolute Government." The legislature also represented that the provision would lead to discontent among soldiers serving from different states, or state militias, who would not be awarded equal compensation and that

those states that had furnished larger forces would be burdened with an inequitable debt. Congress took no action (*JCC*, 14:973–76; 16:18). Refer to Representation of the New Jersey Legislature to Congress, December 25, 1779 (DNA:PCC, 68). For discussion of a prior response of the legislature to perceived arrogation of power by the military, see WL to Robert Harpur, March 7, 1780.

3. The legislature had passed “An Act for completing the Quota of Troops belonging to this State, in the Service of the United States” on March 11, 1780 (*Acts* [February 26–March 21, 1780], 59–62). For background see WL to George Washington, February 26, 1780.

To Nathaniel Heard

Morris Town 3 April 1780

Sir

If my directions of the 26 December last respecting the reparation of the Beacons¹ that have been destroyed & employing proper persons for erecting others in proper places, & for establishing other conventional Signals in the different parts of the State have not been carried into Execution, you are hereby requested to cause them to be executed without loss of time; & in your conducting the Business I would advise you to consult with My Lord Stirling on the Subject.² You will give me the earliest notice of the State of the Beacons after the above directions have been carried into Effect.

ADf, NN:Lyon.

1. See WL to John Stryker, December 31, 1779, for WL's orders that the beacons be repaired.

2. Lord Stirling had informed WL that Washington had ordered him to see that the beacons were ready. Refer to Lord Stirling to WL, April 2, 1780 (Anonymous Private Collection). Washington had been concerned about the beacons and signals throughout the winter of 1780. Refer to Fitzpatrick, *Writings of Washington*, 17:475; 18:107–8, 131, 193.

To George Washington

Morris Town 3d April 1780

Dear Sir

The inclosed is from a Delegate of this State in Congress.¹ Orders to the Effect which he mentions, should doubtless be given without delay. But as it is an affair wholly relating to the Army, it seems most proper

that the pass port should come from Your Excellency. If however your Excellency thinks that any Concurrence of mine is necessary, I shall cheerfully do every thing in my Power that may be thought necessary to facilitate the safe transportation of the Blankets. I have the Honour to be with the greatest Respect Dear Sir Your Excellency's most humble & most obedient Servant²

WIL: LIVINGSTON

ALS, DLC:GW.

1. The enclosure was a letter from Abraham Clark to WL of March 30, 1780. Clark had requested that WL issue a permit allowing blankets of British manufacture, imported from New York, to be delivered to the Continental army. The blankets, which were stored at or near Manasquan, were liable to seizure under "An Act to explain and amend an Act, intituled, an Act to prevent the Subjects of this State from going into, or coming out of, the Enemy's Lines, without Permissions or Passports; and for other purposes therein mentioned," passed December 11, 1778, and amended December 25, 1779. The act prohibited the importation of goods from within British lines without a permit from either Washington or WL. The law also allowed detachments of Continental or militia troops, or "any Person or Persons whomsoever," to confiscate such importations. Clark had learned that some New Jersey residents were planning to seize the blankets (*Acts* [November 20–December 12, 1778], 41–42; [October 26–December 25, 1779], 48–50). Refer to Abraham Clark to WL, March 30, 1780 (DLC:GW).

2. Washington had drafted, but not sent, a reply to WL on April 3, that, upon the request of the Board of War, he had forwarded the needed permit (Fitzpatrick, *Writings of Washington*, 18:212n–13n). ALS not found.

To Robert Morris

Morris Town 10 April 1780

Dear Sir

I had a Letter a few days ago from Miss Kitty¹ mentioning your proposal of sending my son² a Voyage to the Havannah, which I should immediately have embraced but that I found from the time the vessel was expected to sail compared with that when I received the Letter that the Chance was against his getting to Philadelphia in Season. Since he has lost this opportunity I should be glad to embrace the next which you think proper to recommend even before the matter is settled with respect to procuring him a Commission as Midshipman of one of the Continental Vessels of War, because that can be done even when he is at Sea, & it is of the most pernicious consequence to young men to be kept in a state of Inactivity. If therefore he could get a berth on board some

other of your Vessels in a short time, I shall have a good opportunity to send him some time next week with Mr. Remsen³ who is going to Philadelphia in a covered waggon, & a line from you by the Post, might reach me before the Post sets out. I should not have given you this trouble, but that I feared Kitty might have left Philadelphia before a Letter to her could find it's way thither. I have impressed my Son so strongly with the importance of his meriting your favour, & that of the Captain's under whom you shall think proper to put him by a behavior calculated to gain your Esteem & Confidence & that he must expect to fabricate his own Fortune by his fidelity & Industry, that I flatter myself he will not fail to regulate his conduct accordingly. And should I be so happy as to have him behave agreeably to your wishes & Expectations, I know your Disposition has always been to promote Merit. If he does not, as the fault will be his own so will be the loss that must be the natural Consequence. With my respects to Mrs. Morris. I am

ADf, NN:Lyon.

1. Letter not found.
2. John Lawrence Livingston.
3. Henry Remsen.

To Benedict Arnold

Morris Town 17 April 1780

Sir

I have been honoured with your Letter of the 20th of March accompanied with a Copy of the Proceedings of the Court martial on your Trial,¹ which you request me to lay before the Council & Assembly of this State; This request Sir I shall most chearfully comply with, at their next sitting,² & if the measure shall be attended with the effect you propose by it, to take [off?] from the Minds of those Gentlemen every unfavourable Impression that may have been made by any publications to your disadvantage, & to convince them that your Character has been unjustly aspersed, I can advise you that it will afford a particular pleasure to him who is with sincere respect Sir

ADf, NN:Lyon.

1. Letter not found. Arnold's trial, initially set for May 1, 1779, had commenced on December 23, after several postponements. The trial had ended on January 26, 1780,

clearing Arnold but finding his behavior on several counts reprehensible. On April 6 Washington issued an official reprimand to Arnold, who continued as a major general in the Continental army until September 25, 1780, when his treachery was discovered (Fitzpatrick, *Writings of Washington*, 14:418, 443; 15:13, 85–87, 208–9, 441–42; 17:217, 312–13, 404, 462). For background see WL to the Assembly, April 22, 1779. For the charges against Arnold and the court's decision see Fitzpatrick, *Writings of Washington*, 18:222–25.

2. William Churchill Houston had also forwarded a copy of the court-martial proceedings to WL for submission to the legislature. The legislative journals do not record presentation of Arnold's letter or the court-martial proceedings (*General Assembly* [May 10–June 19, 1780]; *Legislative Council* [May 10–October 7, 1780]). Refer to William Churchill Houston to WL, March 18, 1780 (NN).

To Azariah Dunham

Morris Town 17 April 1780

Sir

By a Letter from his Excellency General Washington to me¹ he informs me that it appears to him that the supplies required from this state by the Act of Congress of the 25th February last² should be deposited at the following places & in the proportions against each respectively vizt.

	Barrels flour	Tons hay	Bushels Corn
Wallins ³			
Sussex County	10,000	800	8000
Hackets Town		100	2000
Pit's Town		100	2000
Trenton		800	
Princeton		200	2000
Von Veghtens			
on Raritan		200	2000
Morris Town		900	10,000
Ramopauh ⁴		400	4,000
	<u>10,000</u>	<u>3,500</u>	<u>30,000</u>

With respect to the Beef his Excellency observes that the time & place of Delivery & the proportion from time to time must of necessity be governed by the Occasional Requisitions of the Commissary General, which he adds must also be the Case with respect to the Salt & its ultimate place of deposit.

ADf, NN:Lyon.

1. Refer to George Washington to WL, March 26, 1780 (NN).
2. The resolution listed the supplies and amounts to be furnished by each state and delivered to locations designated by Washington. On April 18 Dunham informed WL that a considerable portion of the supplies had been delivered (*JCC*, 16:196–201). Refer to Azariah Dunham to WL, April 18, 1780 (NN), and WL to Azariah Dunham, April 23, 1780 (NN:Lyon). “A supplemental Act to the Act, intituled, An Act for procuring Provisions for the use of the Army, and other Supplies for carrying on the War; and for settling the public Accounts of this State,” passed March 18, authorized Dunham to collect the supplies. For background see WL to Joseph Reed, March 1, 1780.
3. Walpack, Sussex County.
4. Ramapo.

From Robert Morris

Philadelphia April 17th 1780

Dear Sir,

I shou'd have answered your letter of the 10th Instant immediately after the receipt of it,¹ if Miss Kitty had not been here, but she who is an excellent Scribe being on the Spot, and always ready to take trouble on herself to save her Friends from it, engaged to write what was then necessary respecting her Brother.

She no doubt informed you of her successful Negotiation as to the Commission[ers] and as I have not any Ship in Port at present and a New Continental Ship just Launched is now fitting out under Command of Capt. Jno Young a smart active Seaman perhaps it may not be amiss that the Young Gentleman take immediate possession of his Commission & Station however I will reflect on this matter & consult some Friends for you may depend on the best advice & assistance I am capable of giving on the occasion for I approve very much this Idea of employing Young Gentlemen in the American Navy which will most Certainly become one day or other respect[able] on the Ocean, however depressed now.

We have been made extremely happy this long & Cold Winter by the Chearfull good Company of your Amiable Daughter and indeed are become so Attached as hardly to know how to part with her, but her Filial Piety will not suffer her to dispense with the calls of Duty therefore we must submit & live in hopes of seeing her often again in times to come.² I am Dear Sir Your most obedient Servant

ROBT MORRIS

ALS, NN.

1. See WL to Robert Morris, April 10, 1780.

2. See WL to Catharine Livingston, November 16, 1779. Catharine had sent her baggage home at the beginning of April. Refer to Andrew Lytle to WL, April 6, 1780 (NN).

To William White

Morris Town 17 April 1780

Sir

I just now received a Letter from my Daughter in Philadelphia,¹ inclosing the Copy of a Pass from the Executive Council of the Commonwealth of Pennsylvania for Mrs. Ducheè,² & her three Children, & a certain Mrs. Vernon to go to the City of New York, not to return again; & requesting my Pass for the same purpose. From Mrs. Ducheè's unfortunate Situation, & the amiable Character of that Lady, I should not hesitate a moment to grant your & Mrs. Kittys request in her Favour, could I do it with any official Consistency. But by Resolution of Congress, the Citizens of every State going into the Enemy's Lines, are to be recommended to the officer commanding at our Post of communication, by the executive Authority of the State in which such Citizen resides.³ This Regulation is founded upon the rational Presumption, of such States being best acquainted with the Character of the Applicant. Mrs Ducheè, agreeably to this Resolution, has the proper Recommendation from the Executive Authority of Pennsylvania, And this is all that is necessary for her to have for the purpose. The addition therefore of my Permission would imply the Invalidity of President Reed's which is equally authoritative; & to which the officer commanding at Elizabeth Town, will, and ought, to pay the same Attention.⁴ Besides this implicative affront to the State of Pennsylvania—to do any Act under colour of Authority, & as requisite by Law, that is altogether unofficial & superfluous when done, is what I have always endeavoured to avoid. You will therefore please to apologize for me to the Lady, whose good Sense, I am confident, will at once discern the Propriety of my Objection; & be assured Sir that I should have found myself much happier to have had it in my Power to oblige Mrs. Ducheè, or any of your Connections. I am with great Respect Sir your most humble Servant

WIL: LIVINGSTON

ALS, DDar.

1. Letter not found.
2. Mrs. Jacob Duché, wife of the former chaplain to the Continental Congress. Duché had returned to England in December 1777. William White had succeeded Duché as chaplain (*JCC*, 5:530; 6:886–87, 1034).
3. See WL to Peter Fell, January 11, 1780, for discussion of WL's executive power to grant passes.
4. After "Attention" WL wrote and crossed out on an ADf (NN:Lyon): "And as to her meeting with any molestation in passing thro' this State, I can see no ground for apprehending it, as her Effects will come from Philadelphia & not out of the Enemys Lines, & are therefore not liable to either seizure or search. And if any of our people should be."

From Peter Ward

New Barbadoes, April 18, 1780. Ward informs WL that on April 16 a party of approximately six hundred British troops surprised a detachment of Continentals at Paramus. They burned several buildings, plundered the inhabitants, and carried off a number of Continental prisoners and several Loyalists. Ward led his militia to Paramus and, reinforced by Continental troops, harassed the British as they retreated to Fort Lee, where they embarked for New York. The British suffered thirty casualties, the Americans ten. Ward requests that light horse and militia reinforcements from Somerset and Sussex counties be ordered to Bergen County, as the British were expected to attack again.¹

ALS, NN.

1. On April 3 WL had presented a petition from the magistrates and civil and military officers of Bergen County requesting a guard to protect New Barbadoes, Harrington, and Hackensack. The Privy Council advised WL to order militia from Somerset and Sussex counties to defend Bergen County. On the same date WL informed Ward that he had ordered forty militiamen each from Sussex and Somerset counties to join Ward's detachment at Hackensack (*NJA* [Privy Council], 3d ser., 150). Refer to WL to Peter Ward, April 3, 1780 (NN:Lyon). The *N.J. Gazette*, May 3, 1780, carried an account of the attack.

To Mrs. Gibbons

Morris Town 19 April 1780

Madam

I have directed my young Sailor the Bearer hereof who is my youngest Son¹ & bound on a Voyage to Sea to fit him to serve his Country in

our Navy to take a dish of tea with you & Miss Jenny for the old acquaintance sake of his father & your humble servant.

P.S. If Miss Jenny is not yet married she need not think of ever coming into the State of New Jersey where I intend to propose a double Tax upon all such cross Virgins as have refused or shall thereafter refuse three good offers.

ADf, NN:Lyon.

1. John Lawrence Livingston.

To Robert H. Harrison

Morris Town 19 April 1780

Sir

I have your Letter of this day's date¹ inclosing a Copy of a Letter from Brigadier General Huntington to his Excellency General Washington,² informing him that "a Company of Militia horse who have done duty under Capt Craig at Raway & Woodbridge in concert with the continental Guards are engaged for no longer than yesterday—that they are as necessary as ever, if not more so. And that he supposes on Application from his Excellency, or the Governor of the State, they would engage again."³

In answer to this you will be pleased to inform his Excellency that I find myself very unhappy in not being authorized to give any directions for calling out the militia light horse as guards, or I should with [particular?] pleasure exert that power in the present occasion. If they will voluntarily engage I have no objection: and this I suppose was the way in which they were obtained by the Baron de Kalb which I collect from a passage of my Letter to him of the 14th of March,⁴ a Copy of which I inclose you, & am with great Esteem Sir Your most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to Robert H. Harrison to WL, April 19, 1780 (NN).
2. Refer to Jedidiah Huntington to George Washington, April 18, 1780 (DLC:GW).
3. On April 19, Robert Harrison, Washington's aide-de-camp, wrote Huntington that the horse guard was essential and that "he was willing to have them retained on the terms on which they had been engaged by Baron de Kalb." Harrison ordered Huntington to

persuade Capt. John Craig and his men to serve for another month. Refer to Robert H. Harrison to Jedidiah Huntington, April 19, 1780 (Fitzpatrick, *Writings of Washington*, 18:284).

4. See WL to Baron Johann de Kalb, March 14, 1780.

To Francis Hopkinson

Morris Town [19] April 1780

Sir

Since writing the inclosed Letter to Mr. White¹ accompanied by a Letter from my daughter desiring my Permission to Mrs. Duchè to go into New York, I find by a Postscript to her Letter to which I did not advert before I had finished Mr. Whites Letter that she desires me to inclose my Letter to *Mrs. Duchè* to you. For this reason I take the Liberty to send Mr. Whites under that cover, & he will acquaint you of my Sentiments respecting the pass requested. As to my protection of the Lady's[s] baggage from Search concerning which my Daughter is very urgent from the Inconveniency it will occasion to Mrs. Duchè, & on which Subject I forgot to communicate my thoughts to Mr. White—I am informed that General Washington has given express orders to the officers on the Line to search all Baggage both going in & coming out & I have always been against discouraging our Militia from the like vigilance.² But I should imagine that if Mrs. Duchè Baggage was examined in Philadelphia in the presence of some public Person & an Inventory thereof signed by him, that his Excellencys countermand of the said order as to Mrs. Duchè might be easily procured. I am.

ADf, NN:Lyon.

1. See WL to William White, April 17, 1780.

2. "An Act to prevent Persons from passing through this State without proper Passports," passed June 10, 1779, provided that officers of the Continental army or militia search in the presence of two witnesses the baggage of all persons passing through the state (*Acts* [May 22–June 12, 1779], 89).

To Francis Lewis

Morris Town 19 April 1780

Sir

I am greatly obliged to you for your good offices in procuring for my Son¹ the Bearer here of a Commission as Midshipman in the Service of the States. If he could consistently obtain Leave of absence for a Voyage in a Merchantman while the *Saraghtoga*² is fitting for Sea, you will lay me under additional obligations by your Influence on that occasion: and such Leave I think the more reasonable as by such intermediate Voyage he will the better qualify himself for public Service. But if it should be thought improper, I would by no means urge it; but with my Acknowledgments for your past civilities, only beg the favour of you to give him some good advice, & particularly to press upon him of what importance it is to a young Man first entering into the World to acquire the character of being attentive to Business & punctual in all his Engagements, which counsel frequently comes with more weight from a stranger than from a Parent. I am with great respect

ADf, NN:Lyon.

1. John Lawrence Livingston. See Robert Morris to WL, April 17, 1780.

2. The *Saratoga*, one of the several Continental warships Congress had ordered built in November 1776, was commissioned in April 1780, with John Lawrence Livingston aboard (*JCC*, 6:970; 8:81; 16:353).

To John Lawrence Livingston

19 April 1780

1. As soon as you come to Philadelphia, offer Mr. Remson to pay your part of the waggon.¹
2. Wait on Mr. Morris with my Letter, & enquire for the Letter which your Sister Kitty has left at his House for you, in which you will find a Letter for Mr. Young, with directions where to find him.²
3. Go to Mr. Young, & make the best bargain you can for your board by the week, & then have your baggage, (which you must in the mean time leave at Mr. Remson's Lodgings), carried to his house.

4. If you draw rations as Midshipman or are supplied with Provisions on board the Saraghtoga you will get your Lodgings cheaper on & supplies that Account, which I suppose you will know in a few days after your Arrival in Philadelphia.

5. Take Mr. Morris's advice concerning your going a voyage in one of his Vessels before the Saraghtoga is ready to sail, or to wait till she is ready; & be sure to follow his Directions.

N.B. Whenever you call on Mr. Morris, & find him busy, instead of telling him your business, tell him that you won't interupt him, but will wait upon him again when he is more at Leisure, & if he appoints any time for your so Doing, endeavour to be punctual to a moment.

6. Then deliver my Letters to Mr. Livingston & Mr. Lewis, & if either of them are about when you call, don't Leave the Letters at their Lodgings but call again till you can deliver them yourself. The most likely time to find them at home is about nine o'clock in the morning.

7. Sister Kitty says she wishes you would make Mr. Young's house your home whenever you are in the port of Philadelphia upon the most reasonable Terms you can; & that when you are obliged to lay in a few stores as midshipman of the Saraghtoga, Mr. Young will be a very proper person to assist you in it.

8. As it is of the utmost Importance to a young Man first entering into the world, to acquire the Character of being attentive to Business faithful in the execution of every trust committed to him & punctual to all his engagements, the future happiness of your life, & your Prosperity in the world, will in a great Measure depend on your strength of character.

9. When you are obliged to associate with the common Mariners, I would have you behave towards them with becoming familiarity and freedom Without assuming any airs of superiority on Account of your connections; but as they will know that you are not intended to gain your livelihood as a common sailor, but design only to submit to it for a time to acquire Experience for qualifying you to rise in the American Navy, & that you are of a respectable Family, I would by no means have you enter into their vulgarisms, & low-lived practices, for which they themselves will rather despise you—and above all that you most carefully avoid contracting that abominable custom so common among seaman of profaning the name of God by oaths & Imprecations.

10. As an inquisite Mind may extract some knowledge from almost every man one meets with, I would advise you to turn the Conversa-

tions of the Sailors (when you are obliged to be with them) on their former Voyages, & all the remarkable things they have met with in them; & to learn the names of all the ropes rigging etc. of the Vessel; & when they find you inquisitive for the sake of improving yourself in the knowledge of their own occupation, they will generally be ready to oblige you; and by this means you may make even their Company useful & instructive.

11. Whenever you lay in any port enquire as you have time & opportunity into the following particulars respecting the Country—vizt

1. Its soil & produce
2. Manufactures & Trade
3. Government
4. Curiosities
5. Religion

But particularly into the principal articles of their exports & imports, & their duties or customs on Merchandises & also what articles among them are prohibited or counterband—and enter the substance of all your Information on the above heads in a Book kept for that purpose, from which in time you will reap inconceivable Benefit.

12. I must press upon you to be saving of your money, & not to spend it unnecessarily. If you do not observe this direction, you will find by woful Experience that you have rejected the most salutary Advice. From the Diminution of my Estate by the depreciation of the Currency, you & your Brothers must expect to make your Fortunes by your own Industry & Frugality, with such assistance as I am able to give you which on such behavior I will give to the utmost of my Power.³ But all that I can give, will be of no real Advantage to you without the observation of that necessary rule, tho' it will considerably help you if you strictly adhere to it. Some of the greatest Fortunes in the Country have been made by the frugal & industrious Conduct of the present Possessors; & that from the smallest Beginnings, while several of the richest Families have gone to ruin by extravagance & prodigality. But when I advise you to be saving of your money, I do not intend that you should ever appear mean & niggardly, nor grudge a little Expence upon proper occasions when you must either part with your money or appear contemptible; as when you are necessarily engaged in Company & they go rather farther in the Expences of the Club than you could wish, in such case & in others that will occur one must sometimes conform against his

inclinations to save his character, & afterwards make it up by retrenching some other Expences, & a greater Oeconomy.

13. If you should stay in Philadelphia till the Saraghtoga sails, & your money be spent before you receive your pay you will write me to that purpose.

14. You will write to me & to your Mamma as often as you can. And now my Dear Child I wish you a safe Voyage with Prosperity in this world & everlasting happiness in the next; & to secure the last which is of infinitely the greatest Consequence. Oh let me intreat you not to forget your Creator in the days of your Youth⁴ but wherever you go, to remember Your duty to the great God, who alone can prosper you in this life, & make you happy in that which is to come.

ADf, NN:Lyon.

1. John Lawrence had accompanied Henry Remsen to Philadelphia. See WL to Francis Lewis, April 19, 1780, and WL to Robert Morris, April 10, 1780.

2. Capt. John Young, commander of the *Saratoga*, the sloop to which John Lawrence was commissioned. See Robert Morris to WL, April 17, 1780.

3. In an earlier letter to a prospective son-in-law, WL also had deplored the diminished state of his fortune. See WL to John W. Watkins, March 13, 1780.

4. Eccles. 12:1.

To Robert R. Livingston

Morris Town 19 April 1780

Dear Sir

I am greatly obliged to you for your very polite letter in answer to mine in recommendation of Mr. Condict, & shall always consider myself under equal obligations to you as if General Green had actually resigned his office of Quarter Master General according to his then rumoured Intention, which I since find was without proper foundation.¹

From the extreme difficulty of doing Justice to the Education of youth in these troublesome & expensive times, & the danger of their contracting a habit of Indolence by continued Inaction at home, especially in my family of which the head is obliged to be almost constantly absent; as well as from a view to the public Interest which requires our navy to be officered by the Children of respectable families, I have procured for my youngest Son John Lawrence the Bearer hereof a commission of Midshipman in the American Fleet & purpose his entering on board the Saraghtoga. But as that Ship is not like to be fitted for the Sea

in less than two months, I intend his taking a voyage the meanwhile in some Vessel of Mr. Morris's as a common Seaman.²

As he is a perfect Stranger in Philadelphia (where I have but few Connections myself) you would lay me under additional obligations, so far to patronize him, as to introduce him occasionally, and when the hurry of your Business will admit, into proper Company, & to assist him with such advice as you may think he stands in need of & especially relative to the Importance of his meriting the Esteem of the public by a correspondent Behavior.

I should thank you particularly for joining if you conceive it reasonable using your Influence to that of Mr. Lewis's (who has been very polite to my Daughter³ upon this occasion) in procuring him leave of absence to take a voyage while the Saraghtoga is equipping, which I think the more reasonable for him to expect as the Experience he will acquire in that voyage will the better qualify him to discharge his duty when he enters on board of that ship. But as I am sensible of the extreme delicacy of pushing any matter in favour of a relation, upon which principle I have ever been averse to the procuring of Emoluments for my own Children, tho' I have sacrificed the best part of my Fortune to the public, by devoting my whole time to its Service ever since the Commencement of our present troubles to the utter neglect of my private affairs, while thousands of the most worthless Scoundrels on Earth have extorted immense riches from the vitals of their Country, not to mention the particular Sacrifice that will be made of myriads of the best Friends to the Cause of America (whose capitals consist of personal Estate) by the late resolution of Congress for cancelling the national debt,⁴ against which however, from my persuasion that Congress ought to have the direction of that affair on Account of the infinite mischeifs that must result from the variety & repugnancy of plans consequent upon the contrary principle, I am determined not to interpose the least obstructions. From the delicacy I say of pushing any matter in favour of a relation, I would not wish you to interfere in procuring my Son leave of absence any farther than you conceive it consistent with perfect Rectitude, & without the least impeachment of your Honour or Impartiality—With sincere respect I am Dear Sir

ADf, NN:Lyon.

1. See WL to William Churchill Houston, John Fell, and Abraham Clark, February 24, 1780. On March 10 Robert R. Livingston had written to WL that his inquiries had

confirmed that Nathanael Greene was not intending to resign as quartermaster general. In addition, Livingston doubted that Silas Condict would be appointed to the office in any case because he lacked formal military experience. Refer to Robert R. Livingston to WL, March 10, 1780 (NN). Greene actually resigned his post effective August 1, 1780. Timothy Pickering succeeded him on August 7 (*JCC* 17:680, 690–91, 697–98, 702).

2. See Robert Morris to WL, April 17, 1780.

3. Catharine Livingston.

4. WL is referring to the resolution of March 18, 1780, in which Congress redeemed the depreciated currency in circulation for a new emission at the rate of forty to one. Thus a nominal public debt of \$200 million would be reduced to an actual debt of \$5 million. For discussion of the resolve see WL to John Jay, March 17 [20–22], 1780.

To Robert Morris

Morris Town 19 April 1780

Dear Sir

The Bearer hereof my Son will wait upon you for a Letter which Mrs. Kitty informs me she will leave at your house for him containing Directions concerning his Lodgings.

I have directed him to submit entirely to your advice either to go a Voyage in one of your Vessels previous to his entering on board the Saraghtoga; or to continue in Philadelphia till that vessel is ready to sail, & to be occasionally on board & attentive in observing the fitting her out. Probably the first would be most to his advantage especially if he should be able to procure leave of absence, & thereby secure his pay, which I should think the more responsible as such voyage will qualify him the better to discharge his duty afterwards. But I submit the matter altogether to your better Judgment, & with sincere Acknowledgments to you & Mrs. Morris for your Civilities to Mrs. Caty am with great Respect

ADf, NN:Lyon.

To Peter Ward

Morris Town 19 April 1780

Sir

I just now received your Letter of yesterday's date which contains a more particular account of the last Incursion of the Enemy into Bergen County than any I had before received. The Spirit and Activity of the

Militia of that County cannot be sufficiently applauded, & your own Exertions do you much honour. It is pity indeed that the well affected in that County should not be more assisted by Guards from other Counties than they are, but if the guard lately ordered does not obey the call, the fault is not in Me who have exerted all the authority that I am vested with for that purpose.

I am fully sensible that you want at least four light horse men, but I have no authority to station them as guards.¹ I think your best way will be to get four of your Company already in Service mounted as Cavalry, & I doubt not the Legislature from the necessity of the Case will provide for the additional pay which on that account they shall appear to deserve.²

ADf, NN:Lyon.

1. The "Act for Regulating, Training And Arraying of the Militia," passed April 14, 1778, gave the legislature the right to form a horse troop. See WL to Baron Johann de Kalb, March 14, 1780, for a discussion of WL's powers to call out troops.

2. The legislature in the next sitting did not consider the issue of additional pay (*General Assembly* [May 10–June 19, 1780]; *Legislative Council* [May 10–October 7, 1780]).

To George Washington

Morris Town 20 April 1780

Dear Sir

Finding the Court broke up & the Magistrates who composed it dispersed, & Mr. Condict abroad, by which Gentlemen I expected to feel the pulse of this County¹ respecting its assistance in removing the flour from Brunswick to Morris, & having reason to think from such of the more principal Inhabitants as the time would permit me to consult on the occasion, that our Expectations from this County would be very precarious, I thought the most adviseable step was to apply to the most active Magistrates of Middlesex & Somerset² from whose Exertions I entertain some hopes, & to whom I have severally written (to avoid some Inconveniences which I apprehend from a public address) a Copy of the Letter I take the Liberty to inclose.³ If your Excellency conceives that I can be more serviceable on the occasion by any other Step I shall most chearfully pursue it & am with great respect Dear Sir Your Excellency's most humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Morris County.

2. Washington had appealed directly to the New Jersey magistrates in January 1780, when the deficiency of provisions had reached a critical level. See Samuel Huntington to WL, February 1, 1780.

3. The enclosure was WL to the Magistrates of Middlesex and Somerset Counties, April 20, 1780 (DLC:GW). WL had written: "There are about four hundred Barrels of Flour belonging to the United States in the City of New Brunswick, which are conceived to be so greatly exposed to be destroyed by the Enemy, as to render it necessary to have them immediately removed to a place of greater Security. Besides the precarious Situation of that Flour, the Necessity the Army is in for a speedy Supply of that Article renders it the more indispensable to have it transported to Morris Town with all possible Dispatch.

"This County has lately so vigorously exerted itself in the public Service, has this moment so great a number of Waggon employed in conveying provisions from Trenton to this place, & their Teams are generally so exceedingly weak from the Scarcity of Fodder occasioned by the Army's being quartered in it, that no assistance in the present Emergency can reasonably be expected from them."

To Abraham Lott

Morris Town 21 April 1780

Sir

I received your Letter of the 18th. instant, & I am sorry you should give yourself any farther Trouble about solliciting my pass for Mrs. [Gautier] till she complies with the terms proposed in my letter to you of the 11 of January last, which by her affidavit with which you have furnished me, I find she has not done.¹ She swears indeed that "she has not been concerned with Mr. Gautier in carrying on any trade with any person residing in the City of New York etc. But my requisition went farther namely "that she had not to her knowledge reaped any benefit from it. I never Imagined that he had admitted her as co-partener with him, in that lucrative traffic, but have great reason to think that she has partaken of the goods imported, knowing them to be clandestinely imported, which tho' not equally criminal as an actual participation in the Commerce itself, will ever exclude her from all favours from me as a public officer of this State. For it is a favour Sir that she requests, & not as you are pleased to term it *Justice*; which is doubtless due to every person & what I hope I have never denied to any.²

I trust my Benevolence as a Man will always have its due operation towards every object in distress considered as one of the human species but as for any Benevolence to the Enemies of this State, (under which Character I rank all those who either break the Laws of it, themselves or

knowingly partake of the fruits arising from the violation of them by others) in the Sense of granting them any favours in my public capacity, I confess I have no such Benevolence at all.

I did not mean to make Mrs. Gautier by her affidavit convict her Step-Son, but only to clear herself, & it is probable enough that *she can* (as you say) *throw no light upon the matter*; because these *works* of darkness are usually transacted with the greatest Secrecy. But I am not of your opinion that Mr. Gautiers Conduct in receiving goods from New York for his support & in the way of [rent?] etc. is innocent. He can have no commerce of that kind with New York without a special permission for that purpose, but in breach of the Laws of this State; & as you cannot think me so weak as to believe that he settled in New Jersey upon Account of his whig principles there is but [. . .] reason to suspect his settling here for the express purpose of making money by an illicit Trade and the Information of his carrying on such Trade I have received from Persons who cannot be suspected to be *actuated by* no other Principles than the *deprivation of those benefits from others which a want of Intrigue prevents them from obtaining*. They are persons Sir who from a regard to the public Interest & a due Sense of the mischiefs resulting from a commercial Intercourse with the Enemy scorn to receive any such *Benefits*, tho' they may probably be very inferior to Mr. Gautier in that Spirit of *Intrigue*, which he had better have left with the rest of property in New York, & which by a few more exertions of it may cause this Government to have *Intrigue* enough to send him to the place from whence he came.

Be therefore persuaded Sir that I cannot at present perceive it consistent with my duty to this State to grant Mrs. Gautier the pass requested, & if upon that account she finds herself distressed, she must ascribe it to her own Imprudence, & political character, which will always produce correspondent Effects in any application to Sir

ADf, NN:Lyon.

1. See WL to Abraham Lott, January 11, 1780. Mrs. Gautier had sworn an affidavit to WL that she was not involved, nor intended to become involved, in any trade with the British at New York City. Lott forwarded the affidavit to WL on April 10 with the information that Mrs. Gautier did not intend to return to New Jersey. In a reply on April 14 (not found), WL refused permission, and Lott again responded on April 18, arguing that the affidavit was sufficient to establish Mrs. Gautier's noncomplicity. He also denied the guilt of her stepson. Refer to Margaret Gautier to WL, April 5, 1780, and Abraham Lott to WL, April 10 and April 18, 1780 (NN).

2. For WL's authority to grant passes see WL to Peter Fell, January 11, 1780.

To Mary Livingston Linn

[April 23, 1780]

Mrs. Linn¹

As I always expected that your terrible temper would make you unhappy with any man, & make any man unhappy that should ever connect himself with you, I find that instead of taking my advice to live peaceably with your husband you are determined to make my house your refuge for living in a State of separation from him. You very well know that you have tormented me so much before your marriage to expect me to take you again, to render me miserable during the remainder of my life; neither will I give you any Countenance in living apart from your husband, with whom you might live happy if you would govern your violent temper. I think the shame you have brought upon the whole family is quite sufficient without adding to our misery by becoming an Inhabitant in the same house. I must therefore request you to leave my family & return to our husband as soon as possible.²

ADf, NN:Lyon.

1. This letter is crossed out in the draft book.
2. See WL to Susannah French Livingston, March 9, 1780.

To Mrs. Patience Warrell

Morris Town 25th April 1780

Madam

From my natural Disposition to oblige every Lady of your amiable Character, & especially one in your unfortunate Situation, I should not hesitate a moment to do myself the ease of granting your request of a pass to go to New York there to embark for England.¹ But as the reasons you assign for Desiring to quit America for Europe would introduce a Line of Conduct for granting permissions to the natives of America to leave this Country for a foreign one is altogether different from the one I have hitherto subscribed to myself which has been confined to persons born in Europe & Country,² it gives me pain to think inconsistent with my duty to grant

what I doubt not you consider as a very reasonable request. *To seek subsistence in a Foreign Land which from unhappy causes your own has deprived you of,*³ This would be giving Foreigners so disadvantageous an Idea of this Country, that I cannot countenance any removals from it upon principles so unfavourable to its Character & so evidently tending to impede the settlement of Europeans among us, which it ought to be the great object of every American to promote & encourage. With Great Respect I am.

ADf, NN:Lyon.

1. On April 12 Patie Warrell had written WL from Trenton asking for a pass from Elizabethtown to New York City. Although a native of America, Mrs. Warrell found it necessary to move to England because, she claimed, the depreciation of the currency had reduced her income to an intolerable level. Refer to Patie Warrell to WL, April 12, 1780 (NN).

2. WL had granted a pass to one Zwake, a native of Britain, to return there with his family "as we have but too many of his stamp among us." Refer to WL to Commanding Officer of United States Troops at Elizabethtown, March 3, 1780 (NN:Lyon).

3. WL underlined this sentence to indicate that he had paraphrased Warrell's words. Refer to Patie Warrell to WL, April 12, 1780 (NN).

To George Washington

Morris Town 25 April 1780

Dear Sir

Your Excellency having been so kind as to inform me that you thought it probable something might be done for Capt. Fitzrandolph if it could be ascertained that Colonel Billop a Militia officer had been exchanged for a continental one I do myself the honour of inclosing a certificate in Proof of that Transaction,¹ and have the have the Honour to be with great Respect Dear Sir Your Excellency's most humble & obedient Servant²

WIL: LIVINGSTON

ALS, DLC:GW.

1. The letter from Washington to WL and WL's enclosure, a certificate from Elisha Boudinot demonstrating that New Jersey had released a state prisoner to Continental jurisdiction, have not been found. The British were willing to accept only Captain Pitcairn, a Continental prisoner, in exchange for FitzRandolph. For background on this issue as well as on the distinction between state and Continental prisoners see WL to George Washington, March 8, 1780, and George Washington to WL, March 16, 1780.

2. Washington released Pitcairn to New Jersey's jurisdiction. FitzRandolph was exchanged on May 26, 1780 (Fitzpatrick, *Writings of Washington*, 18:302–4).

To Samuel Huntington

Morris Town 27 April 1780

Sir

Some Members of Congress having at different times informed me that it would be agreeable to Congress to be furnished with such Evidence of the Enemy's barbarity as I might be able to procure,¹ (for the purpose I suppose of depositing it in their Archives for Posterity,² as I see nothing of Retaliation save in their Resolves) I do myself that Honour, in addition to the intercepted Letter from the British Ministry to Lord Dunmore for employing the Slaves of the Southern States against us, (formerly transmitted)³ to lay before that august assembly a Certificate from a British Superintendent in proof of their rewarding the Savages for taking Scalps, and have the honour to be with great regard & Esteem Your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. See WL to John Jay, April 23, 1779.
2. Congress had from time to time requested that the states provide it with documents to be preserved in its archives. See WL to Charles Thomson, December 13, 1779.
3. This letter was read in Congress on May 1 (*JCC*, 16:400). The enclosure, an almost illegible certificate that a Cayuga chief had taken scalps on a raid around Fort Stanwix, is in DNA:PCC, 82.

To Mary Livingston Linn

Morris Town 28th April 1780

Mrs. Linn

I have received your Letter of the 25th¹ which has greatly affected me as it bears the probable Evidence of sorrow & Contrition on your part, & I am not disposed to add affliction to the afflicted even tho' all their affliction were derived from their own conduct. I hope to God your present sorrow arises from a better source than your present misfortunes even from a sincere contrition of having so sensibly afflicted your

Parents, & offended the great God, & this abstracted from the consideration of your own Sufferings which is rather self-interested Grief than genuine Repentance.

I doubt not Mr. Linn is to blame in many respects, & his avarice is not unknown to me. But I cannot conceive how it has been exercised towards You who have always dressed better than you needed, & he is too much of an Epicure himself not to keep a good Table. Your temper your temper my Child has undoubtedly been the Source of your Misfortunes, & you have ever been prone to a certain Crime, in which Mr. Linn could have no Agency to induce you. A Crime which I am ashamed even to mention, & which has often made me tremble lest it should bring you before a Court of Justice. For God's sake abjure it instantly, & never give way again to the temptation.

If Mr. Linn has shewn the Letter I writ you, to any persons he has acted a scandalous part, as it was only intended for your use; nor had he even a right to read it, it being only inclosed to him; for the safe Conveyance to you.

There are many obstacles to your living in my family, as I really fear that your temper will impel you to disturb its peace, & should you behave as you used to do, I had rather live in the Caves & dens of the Earth than in the same house with you. And perhaps when once received into it with my consent, you will claim a kind of right to continue in it, & so instead of spending the remainder of my days in tranquillity, I shall have to live in constant storm & turbulence. Besides the matter ought to be settled with Mr. Linn, & his consent obtained, & with his engagement to pay for your board or he may afterwards pretend that I harbour you against his will, & leave you wholly unprovided for. However till this can be done, I agree to your staying in the family for a whole year, flattering myself that you will behave with proportionable prudence & circumstance to retrieve your Character, & give us some pleasure to compensate for all the pain & anxiety you have caused us, & that you will not in virtue of this promise claim any title to stay longer, which is altogether to depend on your future behaviour, & my future consent.

ADf, NN:Lyon.

1. Letter not found. See WL to Mary Livingston Linn, [April 23, 1780], for a draft of the letter that prompted Mrs. Linn's response.

To the Board of War

Morris Town 1 May 1780

Gentlemen

Major John Conway was appointed Lieutenant Collonel of the First New Jersey Regiment in the room of Colonel Brearley by the joint meeting of the Council & Assembly of this State I think on the 20 of March last.¹ Having had no regular Certificate of his appointment I cannot precisely ascertain the Day. Colonel Conway is very sollicitious about having his Commission, or I would have postponed this application for it till I had procured a minute of the appointment, to have fixed the day precisely. The Error however if any cannot occasion a difference of more than two or three days. If the Board should order his Commission to be made out, they may direct it to General Maxwell or the commanding officer of the Jersey Brigade.

ADf, NN:Lyon.

1. The meeting was held March 17, 1780 (*Joint Meeting*, 34).

On February 21 Conway had presented a memorial to the assembly stating that Maj. Gen. John Sullivan had appointed him in August 1779 to act as lieutenant colonel of the First New Jersey Regiment and requesting a commission to that effect (*General Assembly* [February 16–March 21, 1780], 116). Refer to Memorial of John Conway to WL and the Assembly, February 19, 1780 (Nj), and Appointment of John Conway, March 29, 1780 (NN:Lyon, with correspondence dated May 1, 1780).

To Azariah Dunham

Morris Town 2d May 1780

Sir

By several Letters from the recruiting officers of our Brigade to Lord Stirling it appears that the Service is extremely embarrassed for want of Subsistence for the Recruits.¹ It seems they cannot conveniently send to Camp every Soldier as he inlists; & while they wait till they have a proper number for that purpose they are greatly perplexed to find the men with Provisions. It seems to me that if your Deputies were to supply them with such provision as the County in which they inlist is to

find towards our quota, & the articles found were credited to the State, that no inconvenience could arrive from it. I do not however mean this as directory to you, as I do not pretend to any right of interfering with your department, but only mention it for your Consideration, from my wishes to promote the Service, & to deliver the officers from any Embarrassment that may retard it if it can be done consistent with your Duty to the State.² I am

ADf, NN:Lyon.

1. Letters not found.

2. On May 2 WL wrote to Lord Stirling that he had written to Azariah Dunham of the Continental Commissary Department. Refer to WL to Lord Stirling, May 2, 1780 (NN:Lyon). There is no evidence that Dunham replied to WL.

From James Duane

Philad. 5 May 1780

Dear Sir

I was honoured with your Excellency's favour of the 19th of April by my Cousin John,¹ and had an opportunity of recommending him to the Attention of Mr. Maddison*² one of the Board of Admiralty & shall not fail to give him every Necessary Support which his Circumstances & prospects require. I need not assure you that it will give me real pleasure to answer your fullest Expectations on this Occasion; & to do you & your's every Act of Kindness which shall be in my power. Did not our *Relation*; a long Friendship & Social Intercourse would demand it.

The young Gentleman will inform you of his Reasons for not undertaking the Voyage you expected.³ Considering the danger of Capture in a defenceless Vessel, I cannot regard his disappointment as any misfortune. If the noble disinterested & persevering part which you have taken in the present Contest does not entitle your Children to the Notice of the publick, I shall be exceedingly mortified!

With respectful Compliments to Mrs. Livingston & the Family at Parsipine:⁴ I beg you will believe me to be with every Sentiment of Respect and Esteem and personal Attachment Dear Sir your Excellency's most Affectionate & Obedient Servant

JAS. DUANE

*A Delegate from Virginia

ALS, NN.

1. John Lawrence Livingston. Letter not found.
2. James Madison.
3. WL had hoped that John Lawrence would be able to ship out on a merchantman while the naval ship for which he was commissioned was being fitted for sea. A letter from John Lawrence explaining the reasons for not undertaking the voyage has not been found. See WL to Robert Morris, April 17, 1780, and WL to Francis Lewis, April 19, 1780.
4. The Livingstons owned a farm at Parsippany. See WL to Susannah French Livingston, March 9, 1780.

From Henry Brockholst Livingston

Madrid May 5th 1780

Dear Sir,

My last Letter was from Port St. Maries,¹ but such is the Uncertainty of conveyance at present, that I much doubt your having received that, or any other of my Letters, tho' I have never omitted letting You know where we were when an opportunity, tho' ever so distant offered. You will see by the date of this, that we are now at our Journey's end.² It had nothing by Sea or Land to render it agreeable. I could not have beleived that travelling thro' any part of Europe could have been so bad as we found it from Cadiz to this place. The slowness of the mules—the badness of the Inns—and the Impositions of their keepers could have exercised the temper of a much greater Philosopher than myself. Thank God, we are now in Madrid, and I only regret that we shall be under the Necessity of making 100 Leagues more thro' Spain, return which way we will to America.

I have been confined either to my bed or the house the chief of the time I have been here, occasioned by a hurt in my side received from an overset of the coach on our way hither. The pain has left me & I feel again perfectly well.

The King & court are now at Aranjuez³ a very pretty royal Seat seven leagues from this. We passed by it in coming here. Thither Mr. Jay is gone to pay his respects to the Minister, & see if any thing can be done in the Business he came upon. Tho' Mr. Jay has not yet been received in his public Character, yet the Minister has proposed a Number of questions to him on the actual State of America.⁴ These Mr. Jay has answered, and in such a manner that I am in great hopes they will lead the way to a Negotiation which may terminate in our favor. They will

doubtless raise many difficulties to make us purchase their friendship as dear as possible. It is so evidently their Interest to disunite America from Great Britain, that this alone methinks should make them willing, if not anxious for an alliance with us, the object of which should be such a separation. This argument they place in a different light, & say that a People who could so long withstand the Power of Great Britain, would be dangerous as Independent States in the Neighbourhood of their Colonies, besides the bad example they would set to their Subjects in countenancing their Neighbours of the North in the present war. These and many other Objections will be started, but I trust not so strongly insisted on as to prevent their complying in some degree with our wishes. I shall be able to write you more fully on this subject in some future Letter.

I have yet seen so little of this city that you must not be surprized at my not giving you some account of it. Indeed had I seen much more of it I much doubt whether I should hazard any Information on a Subject, which you may find treated by many who were professed travellers a character I have not yet assumed.

It will be needless for me to write You any European News—it being very possible that this Letter may be six or seven months on its way to America—by which time any thing I can write will have been known and almost forgot with You. The great Expedition which has been so long fitting out at Cadiz sailed the 28th of April after having been obliged to put back once by contrary winds.⁵ Admiral Gaston commands by Sea, & General Navia⁶ the Army. They are to rendezvous at the Havannah. Their further destination is still a secret. Walsingham sailed from England with 13 Sail of the line the beginning of last month with design, it is thought, to intercept the fleet from Cadiz.⁷ If he meets with them at Sea, he may perhaps find a Scotch prize,⁸ the Spaniards having the sail of the Line besides many frigates. The Dutch persist in their refusal to furnish England with any Ships or Men, in compliance with the treaty between them & her.⁹ A Quadruple Alliance it is said has taken place between Holland Sweden, Denmark, & Russia to protect their trade & attack any power that disturbs it.¹⁰

Mrs. Jay is well. She has taken a Master for the Spanish. Indeed we all find so many difficulties for want of this tongue that we find it our Interest to apply closely to it. From the little I know of it I will venture to pronounce it much easier for an Englishman than the french. The

construction comes much nearer ours than that of the French. Altho' I did not apply to it till our arrival at Cadiz, & the two months we were there, I studied without a Master, I can now write it with much greater facility than I do the french of which I have had some smattering these several years. Not to forget the french, certainly the most useful language of the two, I have taken a Master here who speaks only spanish & french, by which means I shall learn something of the two tongues at the same time, by translating alternately from Spanish into french & from French into Spanish & having a person perfect in both to correct my errors.

We wish much to hear from You & the family. We doubt not there are letters on the way tho' they have not yet reached us. You will find some herewith enclosed for our Family. of which I beg your care & am with much Esteem Your affectionate & dutiful Son

HENRY B. LIVINGSTON

ALS, NN.

1. See Henry Brockholst Livingston to WL, March 21, 1780.
2. The Jay party had arrived in Madrid on April 4.
3. Aranjuez was about twenty-six miles southeast of Madrid.
4. José de Moñino y Redondo, conde de Floridablanca, the Spanish foreign minister. In a communication dated March 9, 1779, Floridablanca incorporated a written list of questions about the civil and military condition of the United States, which cost Jay almost three weeks of work following his arrival in Madrid on April 4. On April 27 Jay received word from America that on November 23 and 29, 1779, Congress had drawn £100,000 on him payable in six months. He hurried to Aranjuez to talk this over with Floridablanca, finally seeing him on May 11. Negotiations at that time and later were fruitless.
5. See Henry Brockholst Livingston to WL, March 21, 1780.
6. Commodore Miguel Gaston and Gen. Victorio de Navia.
7. Commodore R. B. Walsingham actually commanded only four of the thirteen British ships of the line that sailed for the West Indies at the end of March.
8. Scotch prize: figuratively, a capture by mistake.
9. The Dutch refusal to furnish ships and men to England was in violation of the treaties of 1678 and 1716. See Baron van der Capellen to WL, July [6] 16, 1779.
10. On February 28, 1780, Empress Catherine of Russia proposed an alliance of the neutral nations, the League of Armed Neutrality, to protect their trading rights. Sweden and Denmark joined during the summer of 1780. Holland decided to do so in November and formally joined on January 5, 1781.

From James Morgan

South Amboy [May] 5 1780¹

To your Excellency

Sir

Whar as your honer has Sent me orders to Rase fifty men and them to be rleved Every mounth I have Rased as far as I Could out of my one Company but the men som is Gone out Sum is Gon to the Enemy and my [. . .] is Vuery grat I must have men out of other Companys or I must Resin and [. . .] my famley wich will mak the torres Reioys or Send Sum listed Trups to my Esestanc for thay are on the Shouer all most Every Day and nite and I must have Spedy Relief or We are all Ruened thay Stel our Horses and Cows Very much. I am all most beet mor then Euer I Was Sene the Wave I hant had anny Provisseons this two monthes for my men and Dont no Whan to Get aney or how to Get them thay took one of my men two nits a Go Excues my Blonders I Rote in a hory So I Remain your humbel Servent

JAMES MORGAN

ALS, NN.

1. No month appears in the dateline. WL noted the date on the ALS cover as May 5.

To James Morgan

Morris Town 7 May 1780

Sir

I received your Letter of the 5th Instant. As for ordering out men of other Companies, it cannot be done without advice of Council, & as the Assembly will meet next wednesday, I shall lay the Matter before the privy Council for their advice.¹ With respect to sending any of *the listed Troops*, you know that they are not under my directive, & from repeated trials I am sure that General Washington is disinclined to disperse his Army in to different parts. On the Subject of Provisions I shall do what I can to procure you a Supply—& I hope you will do your utmost to

prevent the people from leaving their habitations, till your frontiers can be defended with a better guard. I am

ADf, NN:Lyon.

1. On May 12, WL had presented to the Privy Council a petition from the inhabitants of South Amboy requesting a guard. The Privy Council had advised WL to order Brig. Gen. John Neilson to send a guard to South Amboy. On June 15 the Privy Council ordered that the guard be continued (*NJA* [Privy Council], 3d ser., 1:152, 158).

To Robert Ogden, Jr.

Morris Town 8 May 1780

Sir

By a Letter by Mr. Robert Neal it appears that he is close confined in the Sugar house in New York, & is very urgent to have his treatment retaliated upon one of the Enemy in Captivity with us, which I think no more than reasonable.¹ He mentions Mr. Uzal Ward as a proper person to be confined for him, & which he thinks would cause his release. I do not know the particular case of this Ward. If he is properly a prisoner of this State,² I would have you immediately order him to jail to retaliate the treatment of Mr. Neal, & notify the Matter to the Enemy. If he should appear to be a continental Prisoner in that Case it may be proper to confine Mr. David Ogden till Mr. Neal is released from the Sugar house, or any other Prisoner in our Possession whose confinement you think will soonest procure Mr. Neal's better treatment.³

ADf, NN:Lyon.

1. On April 24, 1780, Robert Neil, captured in Newark in January 1780, and Matthias Halsted, captured in Elizabethtown in February 1780, had written to WL describing the harsh conditions of their confinement in one of three sugar, rum, and molasses warehouses along the New York waterfront that the British had converted into prisons. Neil and Halsted had requested that WL take retaliatory measures against British prisoners held by New Jersey as a way of promoting an exchange (*N.J. Gazette*, February 16, 1780). Refer to Matthias Halsted and Robert Neil to WL, April 24, 1780 (NN). Exchange negotiations for militiamen and civilians were left to the states. See WL to Elisha Boudinot, December 20, 1779.

2. Neil and Halsted had also suggested David Ogden as a possible subject of retaliation.

3. Robert Ogden reported on June 4, 1780, that his order to intern Uzal Ward had been countermanded by Dr. William Burnet, who claimed he had acted according to WL's instructions. A letter to Burnet from WL containing this instruction has not been found. Refer to Robert Ogden, Jr., to WL, June 4, 1780 (NN).

To John Neilson

Trenton 12 May 1780

Sir

As soon as ever your Business in the house will permit,¹ you will order out from your Regiment two classes of the Militia with a subaltern as a Guard for the protection of the Inhabitants of the southward of Amboy to be under the Command of Capt. James Morgan & to be stationed in that part of the said Ward adjacent to the Lines of the Enemy.

As Capt. Morgan is now in town he will be a proper person to convey your orders to the Regiment.

ADf, NN:Lyon.

1. Neilson represented Middlesex County in the New Jersey Assembly.

From Peter Van Brugh Livingston

Baskinridge 13th. May 1780

Dear Sir

Mr. James Ricketts son of Mrs. Livingston¹ who is married to my Daughter Sarah is lately arrived with her at New York from Jamaica, he has wrote me and desires me to solicit permission for himself his wife and my little Grand Daughter Mary Bayard to come out and pay us a visit after many years absence; you may easily imagine that the Mother & Sisters are very desirous to see them and therefore shall esteem it a perticular favor conferred on them if your Excellency will be pleased to grant them permission to come, it is their importunity that has prevailed on me to ask this favor proided it be not contrary to that line of conduct which you may have laid down invariably to pursue, as this is a matter of a Civil nature it is most proper the application should be made to your Excellency; but if you think that granting the leave now asked will be any ways prejudical either to you or the publick I for my own part shall rest Satisfyed; but then I would at their earnest request beg a further favor, that Mrs. Livingston her Daughter Jane with my Susan &

Betsey and some man to attend them may be permitted to meet their friends on Staten Island with Liberty to return tho' this will be more expensive and inconvenient than for Mr. & Mrs. Ricketts to come out.²

I am Dear Sir Your most Obedient Servant

P. VBLIVINGSTON

ALS, NN.

1. Elizabeth Ricketts was Peter Van Brugh Livingston's second wife. Her first husband was William Ricketts, a large landowner in Elizabethtown, who died in 1760.

2. On May 16 WL replied that he could not honor his brother's request as he granted passes only to wives of captured Americans. Refer to WL to Peter Van Brugh Livingston, May 16, 1780 (NN:Lyon).

To Samuel Huntington

Trenton 16 May 1780

Sir

On a late Incursion of the Enemy into the County of Bergen in this State a certain John Hopper of Peramus in the said County, had his Mill, his Dwelling House, and Effects, burnt by the Enemy; and is thereby reduced to the greatest Extremity. Had his property been destroyed by the British meerly on Account of his uniform & inflexible Attachment to the Cause of America in a disaffected Neighbourhood,¹ (for which he has been celebrated throughout the whole Course of our Conflict with Britain) I should not have troubled Congress with an application for compensating a Loss, which having in such Case, suffered in common with Multitudes of his Fellow-Citizens, he would I doubt not, like them sustain with heroic Resignation, and abide the future Determination of Congress, whether for such Losses, any Relief will be granted. But it being beyond Question that his House & Mill were reduced to Ashes by the Enemy, because the former had been defended by Major Byles commanding a detachment of the continental Troops, & then quartering in it, it is evident that the said Troops were as much the Cause of the destruction of the House & Mill, as if they had themselves set them on fire.² And if such Losses are not to be made good by the Public, it cannot, in my humble Opinion, be expected, that any man should hereafter admit our Troops under his Roof; and all Laws to Compel such Admission would be highly unjust, by exposing Individu-

als to particular Damage for the public Service over & above their proportionable Contribution to the national Expence with the rest of their fellow Citizens. Nor cannot it, I conceive, be urged as an Objection against making such Compensation, that the Precedent will induce every Sufferer by the War, to apply for Satisfaction; since the Example cannot be extended beyond similar Cases, and those I apprehend are very few. There is a wide difference between the loss of Property by the Violence of the Enemy according to the common Fortune of War, of which every man within their reach must expect to run the hazard; & the loss of it occasioned by its appropriation by the public to public purposes.³

I therefore hope that the peculiar Circumstances of the Case of this unfortunate man will engage the Attention of Congress as soon as their more important affairs will permit; & that if no recompence is to be obtained, I may be honoured with the result of their Deliberations, in order that the Subjects of this State, (which is more particularly exposed to such Disasters by having the Army almost constantly quartered in it) may thereupon seriously consider whether the most exalted Idea of Patriotism requires them to consent to the destruction of their property for accommodating the Troops, without Indemnification.

I do not comprehend the Effects consumed in the Buildings as part of the Property for which Mr. Hopper ought to be repaid upon the principles above advanced, because I think it probable that he would have lost those Effects had the Enemy not burnt his Buildings, it being their usual practice to carry off whatever is portable, & to destroy the rest.

I shall be obliged to Congress for a few blank Commissions for Privateers,⁴ with the blanks that usually accompany them, & have the honour to be with great Respect Your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. See Peter Ward to WL, April 18, 1780, for a description of the British attack. John Hopper, who volunteered his quarters to the Continental army, had been wounded and his property destroyed during the attack.

2. Maj. Thomas Langhorne Byles of the Third Pennsylvania Battalion had just dismissed his men when the British attacked. Byles returned to Hopper's house, where the British surrounded him and his men, forcing them to surrender. The British shot Byles when he did not properly present his sword in surrender; he died the following day (*NJA*, 2d ser., 4:378–80).

On May 17 WL presented to the Privy Council a petition from the inhabitants of Bergen County requesting that militia be sent to defend the county from frequent British incursions. The Privy Council advised WL to order out several classes from Bergen, Somerset, and Hunterdon counties, to be commanded by Col. Frederick Frelinghuysen. On June 13 the Privy Council ordered that the guard be continued (*NJA* [Privy Council], 3d ser., 1:153, 156). Refer to WL to Teunis Dey, May 17, 1780, and WL to New Jersey Militia Colonels, May 17, 1780 (NN:Lyon).

3. WL's letter was presented to Congress on May 22 and referred to a committee. On June 1 Congress declared that Hopper's application, similar to many other like claims, could not be compensated. John Fell had drawn up a resolution compensating Hopper but did not present it, believing that compensation would set a poor precedent. He did speak in favor of Hopper's application, however, when it was presented to the Congress (*JCC*, 17:444, 459, 480–81). Refer to John Fell to WL, May 7 and May 23, 1780 (NN); Report of a Committee of the Continental Congress, May 24, 1780 (DNA:PCC, 19); and Samuel Huntington to WL, June 3, 1780 (DNA:PCC, 15). The New Jersey legislature had compensated John Vance of Burlington County for similar losses. See WL to the Assembly, March 6, 1780.

4. On May 2 Congress had approved new commission and bond forms with instructions for privateers and directed the Board of Admiralty to print and distribute the forms to the governors and presidents of the states (*JCC*, 16:403–9).

To Joseph Reed

Trenton 17 May 1780

Sir

The Bearer hereof James Magee is strongly recommended to me by Gentlemen of Distinction as a suitable person to have the Command of a Privateer to cruise in the Delaware, & means to command a small Vessel fitted out in this State. I should not hesitate a moment to give him a Commission,¹ but I have none of the Congresses blank commissions left, for what reason I wish your Excellency would give him one, I am with great respect

ADf, NN:Lyon.

1. James Magee and other inhabitants near the Morris River, a tributary of the Delaware River, had petitioned the legislature on May 19 for arms and ammunition to counter Loyalist naval seizures along the river. The assembly agreed to furnish Magee with arms, but on May 26 the Legislative Council refused to concur (*N.Y. Gazette & Weekly Mercury*, March 13, 1780; *Royal Gazette*, March 29, 1780; *General Assembly* [May 10–June 19, 1780], 201–2, 207; *Legislative Council* [May 10–October 7, 1780], 81, 85–86).

To George Washington

Trenton 18 May 1780

Dear Sir

Mr. Bland has frequently applied to me for a Pass to go to New York, in order there to embark for England.¹ I have as often denied his request from a Resolution never to grant any Favour of this Government to those who have made it the Theatre of their machinations against us. I have received very unfavourable Impressions of Mr. Bland from some of our officers as secretly acting against us, while he openly treated them with great apparent Friendship and Cordiality. He denies the Accusation; & I am not at present in a way to hunt for Evidence, but my Suspicions are not removed. He thinks your Excellency has reason to entertain a more favourable Opinion of his political Character, & that he could obtain your Permission, were it not that you may probably refuse him out of meer delicacy to me.² Upon this I have assured him that if your Excellency has reason to entertain such Sentiments of him as he supposes, I would at his importunity, acquaint you that I could wish my Suspicions to his disadvantage, may not be the means of preventing the Success of his Application to your Excellency, if, abstracted from this, you should think proper to give him a pass. I have the honour to be with great Esteem & Regard Dear Sir Your Excellencys most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Elias Bland. Bland had requested in February a pass to New York in order to embark for England. Refer to Elias Bland to WL, February 4, 1780 (NN).

2. Washington's response to WL, if any, not found. There is no record that Washington corresponded directly with Bland.

In September 1780, Bland's neighbors in Woodbridge represented to WL and the Privy Council that Bland, a resident there for some years, had not acted contrary to the American cause. Bland probably received permission to go to New York during the fall of 1780. He died in New York on December 1, 1780. Pass not found. Refer to Petition on Behalf of Elias Bland, September 1780 (MHi).

Livingston's Letterbooks

The Lyon Letterbooks contain six letters written wholly or partly in a shorthand system derived from Thomas Shelton's Tachygraphy ("Shortwriting," 3d ed., 1635), a system also used by Samuel Pepys in his Diary. Shelton's shorthand was widely used in the seventeenth and eighteenth centuries in England and America. Among those prominent Americans who wrote in this system was Thomas Jefferson, who in 1764 used shorthand for his private correspondence with John Page. In the late eighteenth century, a revised version of the shorthand was used by two Massachusetts attorneys, William Coleman and Timothy Green.

Like Coleman and Greene, Livingston also adapted the system to suit his own purposes. His notation of symbols was sometimes inaccurate in that he disregarded the positioning used in Shelton's system to represent vowels and diphthongs. There were also several internal inconsis-

tencies in Livingston's representation of syllables. In addition, he often interspersed symbols with semi-legible words or letters in longhand, much as do writers of modern shorthand systems. During the period covered by the letterbooks, Livingston appears to have used shorthand only to record family correspondence and to draft replies, the sole exception being an undated prayer or invocation.

The other letters in the Lyon Letterbooks were written by Livingston in longhand for his secretary or himself to recopy. Whether in short or longhand, Livingston's script was erratic and difficult to read. Aware of his poor penmanship, and harried by affairs of state, Livingston employed his daughter, Catharine, as "his principal secretary of state." Catharine's fine hand was much welcomed by George Washington and other correspondents, who found the governor's script undecipherable.

a more favorable opinion ²⁷⁷ of his political
 views, that he could ~~possess~~ ^{obtain} your ~~page~~
 would that ~~you~~ ^{may} ~~deliberate~~ ^{participate}
 have out of men desirous to me. ~~As~~
 this I have found him that if your
 Excellency has respect to certain such
 sentiments of ~~it~~ ^{him as he supports} ~~as may be ill founded~~
~~him may be ill founded~~ I would at his
 in person, ~~appear~~ ^{to} ~~you~~ ^{Excellency}
 I and wish my submissions to his ~~advant~~
 might be ~~at~~ ^{in the} ~~pre~~ ^{medium} ~~of~~ ^{of} his ~~op~~
~~re~~ ^{to} ~~your~~ ^{Excellency} ~~if~~ ~~abstract~~ ~~from~~
~~this~~ ~~or~~ ~~should~~ ~~be~~ ~~proper~~ ~~to~~ ~~give~~ ~~him~~ ~~a~~ ~~pe~~
 & ~~in~~ ~~con~~ ~~sequent~~ ~~denial~~ ~~of~~ ~~Ex~~ ~~equat~~

I shall be glad to see you & will
 give you my report

His Excellency General
 Washington -

Treaties in my view

12. If you report favor for 1000 y. 29000
 Ayak 4. & 4000. I think y. - v. - 12 &
 and v. redoubt 2 by y & 1 - although in
 but of v. - & y & I think it is y. in
 2 1/2 p. 200 1 y. cannot apply to any one
 but 2 y. - name - one of ordinary I would
 & 8 x more, I shall be glad to see you & report

a y. over N. through & repeating the P. d. d
 1/2 over ~~the~~ application & in inland & /
 below & present & from 20th 1800 &
 20th 1800 & the 20th 1800 - &
 & I desire 1800 & W. R. 2 that 1800 -
 years a request to both you & to know my
 state of / concern & the carrying & find
 is always attended

W. R.

London 29 May 1780

Sir I am informed that you are detest
 which counterfeit of money, & used by some of
 - used to the purpose - Every citizen has a right
 authority to apply to a magistrate for apprehending
 such villains, & every magistrate has sufficient
 power to apprehend them. I doubt not you regard
 for your country will be a sufficient inducement
 to you to exert yourself in so interesting an
 business, & if I can in any way facilitate your
 measures for detecting the criminals, I shall
 cheerfully best you my assistance when you
 communicate them to
 Sir John Mordaunt

To S[ukey?] Livingston ¹

Trenton 18 May 1780

Madam

Your repeated application for my permission to go into N York gives me great concern.² I think you cannot have any reason to doubt my readiness to oblige you were it not absolutely inconsistent with the line of conduct which I think it my duty invariably to observe. And thus your continued application can only end in trouble to yourself and pain to me what contrary [. . .] purpose for which they are made. I should be happy to find you resolved to [give] over all thoughts of repeating them. Indeed the meer apprehension of being importuned on the subject has prevented me from doing myself the pleasure of paying my respects to you when I passed through Princetown and of [which] I might deprive myself til I have reason to think that you will not press a request which I cannot grant & honour nor refute [what] the concern with which the Inquiry [. . .] find is always attended.

LBC, NN:Lyon. Transcribed by Claire McCurdy and Lawrence Rosen.

1. Possibly WL's daughter Susannah.

2. Application for pass not found. WL transcribed this letter in a mixture of Shelton shorthand and longhand. The spelling of words transcribed from the shorthand has been modernized.

To the Assembly

Trenton 19 May 1780

Gentlemen

Major General Arnold informs me by Letter¹ that the President & Council of the State of Pensylvania having published & officially transmitted to the different States sundry resolutions of theirs dated at Philadelphia February 3. 1779 containing heavy charges tending to prejudice the minds of his fellow Citizens against him previous to a trial, the Justice due to his own Character, & to the public who he says have been greatly deceived will he trusts excuse the Liberty he takes in transmitting to me the proceedings of the Court martial on his trial, which he

requests me to do him the favour to lay before the Council & General Assembly as he would wish to take off from the Minds of those Gentlemen every unfavourable Impression which the publication of the President & Council may have made, & to convince them that his character has been most unjustly aspersed.

I therefore transmit to the honourable house the proceedings of the said Court martial for the use of the Legislature.²

ADf, NN:Lyon.

1. See WL to Benedict Arnold, April 17, 1780.
2. The legislative journals do not mention receipt of this message during the May 10–June 19 sitting.

To John Fell

Trenton 20 May 1780

Dear Sir

I received your Favour of the 7th of May, which was peculiarly agreeable to me as it contained the first authentic Account I had received of Mr. Jay's arrival.¹

I have also to acknowledge the receipt of your Letter of the 12 instant.²

I have written to the President on the Subject of Mr. Hopper's Loss,³ & doubt not you will back the Application with all your Influence. I return you the Letter from J. Potts to Margaret Potts which came inclosed either in your last Letter or in a Letter from Alexander Stewart,⁴ which you had signed, on account of the last paragrah in it which is counterband,⁵ & can expect no clearance from me. I did not care to expunge the passage, as it might have been a disappointment to the writer, but if the Letter is retransmitted to me without that obnoxious Sentence I will give it my fiat.

If the Congress was obliged to attend chappel to pray for the Soul of Don Jean's,⁶ I am sure the Priest has deceived him because by his proceedings in Morris Town, he gave him to understand, that he should immediately go to heaven without any farther Trouble & I believe the Scoundrel was or expects to be paid accordingly

ADf, NN:Lyon.

1. Fell had written WL that the Jay party had reached Cádiz on January 22, 1780. Refer to John Fell to WL, May 7, 1780 (NN).

2. Fell communicated to WL information about various letters Congress had received from Spain. Refer to John Fell to WL, May 12, 1780 (NN).
3. See WL to Samuel Huntington, May 16, 1780.
4. Fell wrote to WL on May 23, 1780, that neither he nor Alexander Stewart had sent the Potts letter to WL. Fell had sent the letter directly to Thomas Bradford. Refer to John Fell to WL, May 23, 1780 (NN). Potts correspondence not found.
5. counterband: security for another.
6. Don Juan de Miralles had accompanied the Chevalier de La Luzerne on a visit to Washington's quarters at Morristown on April 19, 1780. De Miralles, ill since his arrival at camp, died on April 28, 1780. He was buried at Morristown the next day (Fitzpatrick, *Writings of Washington*, 18:312, 316–17). A Catholic funeral service was held in Philadelphia on May 8, 1780, and at Luzerne's suggestion, Samuel Huntington requested that the New Jersey delegates attend. Refer to John Fell to WL, May 7, 1780 (NN), and to Burnett, *Letters*, 5:131.

To Chevalier de La Luzerne

Trenton 20 May 1780

Sir

You have laid me under the greatest obligations by your agreeable Favour of the 12th instant informing me of the safe Arrival of Mr. Jay & my other Connections at Cadiz.¹

Mr. Gerard has given a fresh Demonstration of his Zeal for the Cause of America by going to Madrid (Mr. Jay the mean while remaining at Cadiz) in order previously to settle certain preliminary points & I doubt not that by his uncommon Address & consummate Skill in public Affairs, he has been singularly instrumental in facilitating Mr. Jays reception at the Spanish Court.² It gives me no small satisfaction so frequently to observe certain mutual good offices between the Subjects of the two allied Nations that have a happy tendency more intimately to unite & cement then in the strictest Bonds of Amity—and while my regard for the French Nation in general is continually increasing, give me leave Sir to assure You that it does not oustrip the growth of that particular respect & attachment with which I have the honour to be Sir

ADf, NN:Lyon.

1. Refer to Chevalier de La Luzerne to WL, May 12, 1780 (NN); and see WL to Chevalier de La Luzerne, February 25, 1780. In Luzerne's May 12 letter he informed WL that letters he had received said the Jays arrived in Cádiz on February 22, 1780. They actually reached Cádiz on January 22. See Henry Brockholst Livingston to WL, February 23, 1780. Several others informed WL that the Jay party had reached Spain. Tench

Tilghman wrote WL on May 11, 1780, with the news, brought by Marquis de Lafayette (NN). Refer also to John Fell to WL, May 7 and May 12, 1780 (NN).

2. Luzerne reported that Conrad Alexandre Gérard and William Carmichael had gone to Madrid to prepare for Jay's reception at court. The rest of the party remained at Cádiz. For discussion of the Jay mission's reception see Henry Brockholst Livingston to WL, February 23 and May 5, 1780.

To John Muselis

Trenton 20 May 1780

Sir

I am informed that you can detect certain counterfeiters of money, & want my Encouragement to that purpose. Every Citizen has sufficient authority to apply to a Magistrate for apprehending such Villains, & every Magistrate has sufficient power to apprehend them.¹ I doubt not your regard for your Country will be a sufficient inducement to you to exert yourself on so interesting an occasion, & if I can anyways facilitate your measures for detecting the Criminals, I shall chearfully lend you my assistance² when ever you communicate them to

ADf, NN:Lyon.

1. Counterfeiting was a constant problem. See WL to the Assembly, March 6, 1780, and WL to John Morin Scott, March 6, 1780. The legislature passed "An Act more effectually to prevent the Passing of Counterfeit Bills of Credit" June 13, 1780. The act included provisions of prior acts passed on September 19, 1776, and October 5, 1779, declaring counterfeiting a felony punishable by death and absolving from the penalty persons who had crossed British lines only if they had obtained a certificate from a magistrate attesting that the currency brought from behind British lines was genuine (*Acts* [September 13, 1776–March 17, 1777], 3–4; [September 27–October 9, 1779], 130–31; [May 24–June 19, 1780], 101–2; *General Assembly* [May 10–June 19, 1780], 206, 232–33; *Legislative Council* [May 10–October 7, 1780], 82, 86, 98).

2. On March 19, 1780, the Privy Council had pardoned one Peter Musick, who had been willing to turn in counterfeiters in exchange for a pardon (*NJA* [Privy Council], 3d ser., 1:148–49).

To the Assembly

Trenton 22d May 1780

Gentlemen

I transmit to the honourable house a circular Letter from His Excellency the President of Congress to the Governor of this State of the

19th instant which came accompanied with a Resolution of Congress of the 20th upon a Subject as interesting as any that has engaged the Attention of the Legislature during the whole Course of the War and I am persuaded Gentlemen from the Spirit & Virtue hitherto displayed by the Representatives of this State that so glorious an opportunity as is now presented to us for delivering our Country from the ravages of war & compleately establishing its Liberty & Independence will excite you to [make] with all necessary dispatch every practicable Exertion to comply with the requisition of Congress on this important occasion.¹

ADf, NN:Lyon.

1. Refer to Samuel Huntington to WL (Circular), May 19, 1780 (DNA:PCC, 15). WL is mistaken. Congress passed the resolve on May 19. On May 16, 1780, Chevalier de La Luzerne, minister plenipotentiary of France, had informed Congress that the French government was sending auxiliary troops commanded by Count de Rochambeau and a naval force commanded by Chevalier de Ternay to aid the Americans. In his letter Luzerne requested that arrangements be made with the states to supply the French troops with provisions. On May 19 Congress resolved that the states from Virginia to New Hampshire pay \$10 million into the Continental treasury within thirty days. On June 7 the legislature resolved to deposit New Jersey's quota of \$703,950 into the Continental treasury (JCC, 17:433, 436–38; Wharton, *Revolutionary Diplomatic Correspondence*, 3:683–85; Burnett, *Letters*, 5:155–56; *General Assembly* [May 10–June 19, 1780], 200, 208, 216, 227; *Legislative Council* [May 10–October 7, 1780], 90, 94).

To the Assembly

Trenton 23d May 1780

Gentlemen

I herewith transmit to the house a Letter from General Maxwell of the 19 instant,¹ containing some particulars of great Importance respecting the Army & the recruiting Service.

The Necessity of a Law to prevent The Inhabitants from purchasing of the Soldiers their Arms accoutrements or cloathing must I think appear evident on the least reflection. Such a Law I recommended to a former Assembly, & had it been then passed, it would have prevented many of the mischievous effects that we have since experienced from the want of it.

ADf, NN:Lyon.

1. Letter not found.

A summary of Maxwell's letter appears in the assembly journal. In it, he urged the legislature to extend the power to enlist recruits under the "Act for completing the

Quota of Troops belonging to this State, in the Service of the United States” and to pass a law for punishing persons who harbor deserters and prohibiting the inhabitants from purchasing militia clothing, arms, and accoutrements from soldiers. WL’s message and Maxwell’s letter were read March 24, 1780, and ordered filed. See WL to George Clinton, April 3, 1780, for discussion of the Quota Act. The legislature already had in committee a bill “to prevent Desertion and to repeal the former act for that purpose,” which was postponed. On May 27, 1780, the legislature resumed consideration on the desertion bill with the prohibitions on purchasing arms included. “An Act more effectually to prevent Desertion and for the Punishment of Persons harboring Prisoners of War, or purchasing the Clothing and Accoutrements of Soldiers of the Army, and for the Repeal of a Certain Act therein mentioned” finally passed June 17, 1780, after several postponements and revisions. The act repealed “An Act to prevent Desertion from the Army of the United States of America, and for other Purposes therein mentioned,” passed February 26, 1777. Unlike the earlier act, which set fines for assisting deserters, the 1780 act allowed the courts to jail those who helped or encouraged deserters and prisoners of war. Besides decreeing that the penalty was to be less than loss of life or limb, the legislature set no restrictions on the severity of the sentence. An exception, however, applied to persons who assisted deserters: such an individual could be sentenced to death without benefit of clergy (*General Assembly* [May 10–June 19, 1780], 200, 205–6, 209–10, 213, 215, 238–39, 241, 245; *Legislative Council* [October 26, 1779–March 21, 1780], 88–90, 99–100; *Acts* [September 13, 1776–March 17, 1777], 15–16; [May 24–June 19, 1780], 122–23). The *N.J. Gazette* of June 7, 1780, carried an account of an execution at Morristown for desertion. The story appeared during the time the legislature was deliberating the issue.

To Robert Ogden, Jr.

Trenton 23d May 1780

Sir

Lieutenant Parsons¹ of the Gloucester County Militia was taken Prisoner by the Enemy on the 24 of March 1777. If he is not upon the Return of Prisoners delivered to you by Mr. Boudinot you will enter him according to the above time of his Captivity, & procure his Exchange whenever it comes to his turn. His antient Parents are in the most deplorable Situation for want of his assistance, having had but two Sons, & lost the other at the battle of Brandy Wine.²

ADf, NN:Lyon.

1. John Parsons.
2. Parsons was not immediately exchanged; his name was not listed among those exchanged during May–June, 1780. Refer to Robert Ogden, Jr., to WL, June 4, 1780 (NN). For ongoing exchange negotiations see WL to Robert Ogden, Jr., May 8, 1780.

To William Churchill Houston

Trenton 24 May 1780

Sir

I have received your several Favours of the 20th 22d & 23d instant.¹

I find that you have done for Colonel Diriks every thing that is consistent with Your Duty,² & if he does not succeed in his applications, according to his Merit, we cannot help it. The Papers you intend I shall communicate to the Legislature, shall be communicated accordingly.

If the proceeding of Congress of the 18 of March last relative to finance are adopted by our Legislature,³ as will be *per varios Casus & tot discrimina rerum*.⁴ I think however that there is a Majority for it in the Assembly, & by Mr. Ogdens⁵ arrival yesterday, there may be a Quorum for it in Council on supposition that he is for it himself. Probably Mr. Clarke⁶ who has been much with the Members, & I believe of great use in removing the prejudices of some who had entertained wrong Ideas of the Matter, will be able to give you a better Account of the disposition of the house than I can. Those whose Ideas are not framed in *Sensorio*⁷ but in *Crumina*,⁸ are I presume altogether inconvertible.

The President enjoined me no Secrecy respecting the circular Letter;⁹ & as I was persuaded that had I only referred to it, in a message to the house, they would have requested a sight of the original. I sent it with the Resolve. But the doors were shut when the Papers were read; & I hope the Members will use proper caution about the matter.¹⁰

ADf, NN:Lyon.

1. Refer to William Churchill Houston to WL, May 20, 1780 (NN), and May 22, 1780 (Nj). Letter of May 23 not found.

2. See WL to William Churchill Houston, March 17, 1780, in which WL requests that Houston help Jacob G. Diriks. Refer to William Churchill Houston to WL, May 20, 1780 (NN), for Houston's attempts to find employment for Diriks. Upon advice from friends, however, Diriks sought to join Henry Laurens's mission to Holland in order to defray his expenses returning there. Houston reported that Congress denied Diriks's application. Refer to Jonathan Trumbull to Jacob G. Diriks for Trumbull's support of Diriks's effort to obtain employment from Congress (Algemeen Rijksarchief, The Hague, Netherlands).

3. For a discussion of the congressional resolution on currency passed March 18, 1780, see WL to John Jay, March 17 [20–22], 1780.

On May 15, 1780, the legislature had formed a joint committee to consider simultaneously the March 18 resolution and a March 20 congressional resolution that requested the states to declare the new currency as legal tender (*JCC*, 16:261–67, 269; *General Assembly* [May 10–June 19, 1780], 188–89, 191–92).

Houston had informed WL of various states' reactions to the congressional resolution following its passage on March 18 and continually reminded him of the urgent need for the plan's implementation. Refer to the following letters from William Churchill Houston to WL: April 4, 1780 (NN), May 12, 1780 (NN), May 22, 1780 (Nj), June 2, 1780 (NN), and June 6, 1780 (MH).

On June 9, 1780, the legislature passed "An Act for establishing a Fund for Sinking and redeeming the Proportion of the Bills of Credit of the United States assigned as the Quota of this State." The essential points of this act, such as exchange rates, means of exchange, guarantors, and tax amounts, did not differ from the March 18 congressional resolve.

On June 19, 1780, the legislature passed "An Act to Suspend the Act declaring the Value of the Continental currency, and also the Act making the same a legal Tender, and the Supplement thereto." It reaffirmed the exchange rate established in the June 9 legislation and declared the new Continental currency as legally recognized tender to be used in all transactions (*General Assembly* [May 10–June 19, 1780], 201, 204–7, 210–13, 217–18, 220–21, 225, 229, 239, 241–42, 244, 248; *Legislative Council* [May 10–October 7, 1780], 79–80, 91, 94, 96, 99–102, 104; *Acts* [May 24–June 19, 1780], 92–100, 123–24).

During its deliberations on the currency issue the legislature considered an amendment to allow credit certificates issued by the quartermaster and commissary generals to be accepted as payment for taxes. The amendment was defeated; the June 9 act permitted the payment of taxes with currency and coin only.

On June 13, in response to both the critical financial conditions of New Jersey citizens and a congressional resolution of May 26, 1780, recommending that the states enact legislation allowing Quartermaster and Commissary department certificates to be used to pay taxes due the Continental treasury to March 1, 1780, the legislature passed an act "to empower the Collectors to receive certain Certificates in Payment of Taxes" (*JCC*, 17:462–63). For New Jersey inhabitants' financial plight see WL to Joseph Reed, March 1, 1780; for the state's plea to Congress for aid refer to WL to Samuel Huntington, March 17, 1780 (DNA:PCC, 68). The desperate financial situation of those who had supplied the Continental army with provisions and the government's insufficient means to satisfy its debts left Congress with virtually no other choice than to accept the certificates for taxes. Although the decision to accept the certificates was a necessary expedient, it inhibited the effectiveness of the currency legislation by drastically slowing the pace at which the old currency would be removed from circulation (*JCC*, 17:463–66; *General Assembly* [May 10–June 19, 1780], 187, 212, 214–15, 223–24, 226, 230–31; *Legislative Council* [May 10–October 7, 1780], 97–99; *Acts* [May 24–June 19, 1780], 102–5). For discussion of the issues surrounding the plan to use commissary certificates to pay taxes refer to WL to the Assembly, June 1, 1780 (NN:Lyon).

4. *per varios casus, per tot discrimina rerum*: haphazardly and not by means of a distinction of the issues. WL's Latin is inaccurate here.

5. Robert Ogden, Sr.

6. Abraham Clark.

7. *in sensorio*: in the seat of sensation.

8. *in crumina*: in the purse.

9. See WL to the Assembly, May 22, 1780, in which he enclosed the May 19 circular letter and the May 20, 1780, congressional resolution.

10. On May 15, 1780, the assembly received word from the council chamber that its doors would be kept open and inhabitants would be permitted to attend except during deliberation of issues considered secret (*General Assembly* [May 10–June 19, 1780], 189).

To James James

Trenton [25] May 1780

Sir

Upon a Complaint against you by the Assistant Commissary of Purchases in this Town respecting a quantity of pork received by him this Spring from you, and deficient in Weight; I request your Attendance, in this Town, as soon as possible to enable me the better to examine into the said Complaint, in pursuance of a Resolution of Congress respecting the Conduct of all persons employed in the Commissary's department.¹ I am your humble Servant

WIL: LIVINGSTON

P.S. You will bring with you the papers & Vouchers relative to the said Pork that may be of use for the better Explanation of the Matter.²

ADf, NN:Lyon.

1. Refer to WL to Henry Fries, William Wilgust, and Abraham Hendricks, May 25, 1780 (NN:Lyon), in which WL requested their attendance at a hearing in Trenton on May 30 as witnesses about the pork sent by James James and Col. Joseph Haight to the assistant commissary of purchases.

2. After the postscript WL wrote the following: "The like to Colonel Haight [except] as to the words (*deficient in Weight*) & instead of the words *as soon as possible*; Tuesday next [2] o'Clock in the afternoon."

From Joanna Halsted

Eliz Town May 25 [1780]

Sir

Mr. Ogden¹ being Absent, & Probab[le he] will be some time before he Returns I take the Liberty to Address your Excellency (on a Subject to me the most interesting) Trusting in your Clemency & Benevolence to recive Redress. I have the strongest Reasons to Beleve Mr. Halsted² would be Exchanged for Captin Johens of Staten Island & it is the Pe-

ticular Desire of *his* Captures that he may be offerd, his holding a Commission I trust will be no impediment with your Excellency as Mr. Halsteds holding a commission of the Civil Department make them rate him higher than a private Citizen, should your Excellency not think proper to Comply with this Request, if you would so far obloidge me so to Request a Parole for him to Return to his very Grately Distresst Family, excuse any impropirty in this Adress haveing but a few minutes Notice of an opportunity of writeing your Excellency, am with the Gratest Respect your sincerely affected friend & Humble servant

JOANNA HALSTED

ALS, NN.

1. Mrs. Halsted probably means Robert Ogden, Jr., the state commissary of prisoners.

2. Matthias Halsted and Robert Neil had written WL in April suggesting ways to induce the British to exchange them. See WL to Robert Ogden, Jr., May 8, 1780.

To Joanna Halsted

Trenton 26 May 1780

Madam

I received your Letter of yesterdays date respecting the Exchange of Mr. Halsted. Not only my personal regard for your husband but the active part he has taken in the Cause of America would induce me to interest myself in his exchange, as far as my Interference was consistent with my duty to the public. But the Business of exchanging prisoners is entirely put into the hands of the Commissary, by a Law of this State, & by the same Law he is directed to procure their Exchange according to the time of their Captivity.¹ The Governor has no authority in the Matter except as to the directions of retaliation.² For this reason you will be pleased to apply to Mr. Robert Ogden Junior our Commissary who I doubt not will procure Mr. Halstead's Exchange whenever it is in his Power to do it agreeable to the rule prescribed him by the Act of the Legislature. I am

ADf, NN:Lyon.

1. WL is referring to the "Act for appointing a Commissary of Prisoners for this State and vesting him with certain Powers," passed December 12, 1778 (*Acts* [November 20–December 12, 1778], 43–44).

2. For background on WL's policy of retaliation see WL to Robert Ogden, Jr., May 8, 1780.

From Samuel Allinson

Burlington 27th 5th Mo. 1780

Respected Friend

Being laid under a promise by our mutual Friend Anthony Benezet to lend thee the inclosed book,¹ my own inclination prompts me to accompany it with a few lines. My last was wrote in haste as it flow'd from my heart, and was not intended to interfere with or alude to the measures of opposition now making by America against Great Britain, but to lament the unhappy consequences of War in general,² which we are assured springs from evil, and, we have abundant evidence before our Eyes, produceth evil; yet our great Benefactor may & sometimes doth produce good out of evil, but that is no argument in favor of evil, since the same, or greater good might have been produced by an explication of & adherence to the Christian Virtues; *War* is not one of those virtues; *Faith* is, and tho' Faith shall be swallowed up in Vision,³ yet is not Faith, properly speaking, thereby *destroyed* but *perfected*. Faith is consistent with Vision, "is the substance of things hoped for, and the evidence of things not seen;⁴ but War is contrary to the beatific Love of God, which produceth Faith and shall be rewarded with Vision," therefore the parralal does not appear to me opposite to show the argument to be weak, "that War is unlawful to the Christian because it is inconsistent with Christian Love and therefore shall *cease* by the prevalence of the Christian virtues."⁵ Whether thy Principles of *resistence* exceed mine of "resist not evil but overcome evil with good"⁶ I shall not determine. I believe "if mens ways pleased the Lord he would make ever their Enemies at peace with them; he would be as walls and bulwarks⁷ round them; and would withhold neither Grace nor Glory nor any good thing from those who loved & feared him."⁸ Now it is clear to me that where War rages and continues this cannot be the happy state of that People nor does it often happen that War is carried on without national faults on both sides, and I am apt to think a thorough reformation on either side would put an end to the shedding of blood, so sure it is that "*righteousness* exaulted a nation but sin is a reproach to any people,"⁹ and

“blessed is the man who trusteth in the Lord and whose hope the Lord *alone* is.”¹⁰

I could rejoice that thy integrity may make thee whole,¹¹ and in it, that thy head may rest in peace during time & in eternity; and as the character of a Warrior separates me not from embracing an upright honest man in this world so I am persuaded it will not keep us asunder if we should meet in the realms of bliss, when all sorrow is wiped away; yet it is most safe for us to “use all dilligence to make our calling & election sure before we go hence,”¹² and often to try & suspect ourselves. The material difference between us seems to be, I am for promoting *Peace* on Earth, and think we shall then not miss it in heaven. Thou seemest satisfied with the enjoyment of it in heaven, but holds it not essential, scarcely possible on Earth. If I mistake not, my principles are thus superior to thine. To Love, forgive, and pray for enemies appears to me superior to destroying & ruining them. My satisfaction arises from heaping Coals of fire on the head of a wrongdoer,¹³ thine in punishing of him, and even in waging War for that Purpose in which both parties set as their own Judges, and both are generally in the wrong. War is said to be an appeal to *Heaven*,¹⁴ but depends in all its operations on the arm of *Flesh*, hence its fluctuating scenes; but my Principles are truly such an appeal, and a reliance thereon, without the outward arm of force or Power to support them. I do not mean in the least to detract from the merit of thy “agency” yet I must confess true Love induces me to wish that there thou mayst see the merit of War in a very low point of view believing it would make “the Solemnity of a Death Bed”¹⁵ more peaceful & happy to thee; but in whatever character it may be I sincerely wish it may be comfortable, to secure which to any of us nothing can more contribute, than a due observance of the Prophets words “do *Justly*, Love *mercy*, and walk *humbly* with thy God”¹⁶ this was an answer given to one formerly who was inquisitive after a state of acceptance, which he was willing to purchase at any rate, and by things of great value, but he was thus turned to the simple Path which is in every ones power, a Path which I desire thee and I may pursue. I am thy real Friend

SAML. ALLINSON

There is some part of Soame Jenyns piece, which, tho’ it comes not from a Quaker, corresponds with some of Our distinguishing Principles, and it deserves of serious attention.

ALS, NN.

1. The enclosure was Soame Jenyn's *View of the Internal Evidence of the Christian Religion*, first published in 1776 (8th ed., 1780; Evans, no. 16812).
2. See Samuel Allinson to WL, March 13, 1780.
3. See WL to Samuel Allinson, March 18, 1780, for WL's comments on war and faith.
4. Heb. 11:1.
5. This is a paraphrase of a passage in WL's letter to Allinson of March 18.
6. Paraphrase of Rom. 12:21.
7. Isa. 26:1.
8. Paraphrase of Ps. 84:11.
9. Prov. 14:34.
10. Paraphrase of Jer. 17:7.
11. Paraphrase of Mark 10:52.
12. Paraphrase of 2 Pet. 1:10.
13. Paraphrase of Prov. 25:22.
14. Reference to John Locke, *Concerning Civil Government*, chap. 19, sec. 242.
15. See WL to Samuel Allinson, March 18, 1780, for this quote.
16. Mic. 6:8.

Court-Martial of Sylvanus Seely

Trenton, 27th May, 1780.

By His Excellency the Governor.

A GENERAL Court-Martial of the state, whereof Col. John Neilson was appointed President,¹ having been ordered by the Governor for the trial of Col. Sylvanus Seely, on the 27th day of April last, on the following charges against him while commanding the State Regiment in Elizabeth Town, in the latter end of the year 1779, viz.

1. That he suffered goods and merchandize to be landed from the enemy's flag-boat within our lines, thereby permitting an illicit trade to be carried on between the inhabitants of this state and the enemy.

2. That he suffered those who came with a flag, some of whom were fugitives from this state, frequently to tarry all night on shore without any necessity, giving them an opportunity to hold conferences with the disaffected inhabitants, to gain intelligence, transact commercial affairs, and promote desertions from our troops.

3. That he partook in this illicit trade himself, having goods taken out of the flag-boat and carried to his quarters.

4. That, of his own authority he gave permission to persons to go to the enemy, either to stay with them or return; and also gave permits to

persons of suspected characters to pass his guards, who carried provisions to the enemy.

5. That he authorized privates in the regiment to exercise command, and to rank and to draw pay as officers, contrary to the constitution of the state,² the law for raising the said regiment, to the damage and expence of the state.

And the said Court having met and proceeded to the trial of the said Col. Seely, upon the several charges aforesaid, pronounced their sentence or judgment, by which they unanimously declare, "that the said Col. S: Seely is not guilty of any one or more of the said charges, but, on the contrary, that during his command at Elizabeth-Town, he is entitled to the character of a good soldier, a vigilant officer, and faithful citizen, and as such deserves the gratitude of his country;" which sentence or judgment I do approve of and confirm.

WIL. LIVINGSTON.

N.J. Gazette, May 31, 1780.

1. See WL to John Neilson, April 1, 1780. The trial began April 27, 1780, but because of illness, time conflicts, and Seely's objections to Jacob Crane's appointment as a member of the court-martial board, the trial was postponed to May 4, 1780.

2. See WL to Abraham Clark, February 1, 1780, for background on the charges against Seely.

To Aaron Hankinson

Trenton 29 May 1780

Sir

You are to call out as many Classes of the Militia of your Regiment not exceeding four as will procure sixty men to be stationed as a guard (together with the like Number of Colonel Hankinson's¹ regiment) for the defense of the Frontiers of the County of Sussex along the Minisinks, against the Incursions of the Enemy to be continued in Service for one Month unless sooner discharged, & to be commanded by Capt. Countryman now on duty in the said Service.²

The Frontier Inhabitants of that County Sir, are so alarmed with the apprehensions of the Enemy during the Course of this Summer, so determined upon deserting their habitations unless properly assisted being themselves almost worn out in guarding those parts, & of such

Importance is it to the State that the Country along the Minissink should not be abandoned to the Enemy, that could it be imagined that you or any of the officers under you could want any argument to induce them to exert their utmost Endeavours in getting out the men, or in securing to the State the fines of those who shall be delinquent, I could press the Necessity of it by every motive of honour of Duty of humanity, & even of self Interest—and yet I have lately seen with great regret that my orders of this kind have been so illy executed that I cannot but think that the officers have been wanting in proper Exertions & inlisted themselves with only issuing their orders without giving themselves the least trouble afterwards in forwarding their Execution.³ I hope however that considering the absolute Necessity of the most vigorous efforts to carry the present call into Effect in order to prevent the fatal Consequences of the removal of the Inhabitants into the Interior parts of the County & thereby surrendering so important a Barrier as the Delaware to the Enemy, & that the Legislature have under Consideration a Bill⁴ by which it is expected that relief will speedily be given to the Militia by raising a particular corps of men for that purpose & that noncompliance of the Men with these orders, as well as the Neglect of the officers in not using their best endeavours to inform them will be most narrowly scrutinized, considering those things I say I hope that no Cause of Complaint will be administered on the present occasion, but that the officers will exert themselves in a manner worthy the character of men of Honour, & agreeably to the important trust which their Country has reposed in them.

ADf, NN:Lyon.

1. WL means Col. Jacob West's regiment. The Privy Council advised WL to order out four classes of Hankinson's and West's regiments, Sussex County militia (*NJA* [Privy Council], 3d ser., 1:155).

2. The Privy Council authorized this order on May 29 in consequence of John Cleves Symmes's representation to WL about the constant attacks by Loyalists and Indians on the inhabitants of Minisink. After receiving a petition from Col. John Rosecrants of the Sussex militia complaining of Indian attacks against the settlers there, who were abandoning their homes, on April 27 and May 29 the Privy Council had advised WL to call out two classes of Hankinson's regiment to be stationed as a guard in Sussex County (*NJA* [Privy Council], 3d ser., 1:151, 154–55). Refer to WL to Robert Ogden, Sr., and Teunis Dey, April 23, 1780 (NN:Lyon), for WL's call for a Privy Council meeting. Refer to WL to Aaron Hankinson, April 27, 1780 (NN:Lyon), for WL's orders. The *N.J. Gazette*, May 3, 1780, carried an account of one such raid.

3. See WL to Peter Ward, April 19, 1780, and WL to Asher Holmes, March 21, 1780, for other examples of militia officers and guards failing to execute WL's orders.

4. See WL to New Jersey Militia Colonels, March 18, 1780, for an earlier act passed for the defense of the frontiers and for the punishment of disobedient militiamen. See also WL to the Assembly, March 13, 1780.

This message was sent and read to the assembly on May 20, 1780; the legislature began consideration of a bill for the defense of the frontiers shortly thereafter. "An Act to raise by voluntary Enlistment, for a limited Time, Three Hundred and Twenty Men within this State, for the defence of the Frontiers thereof" was presented to the assembly on May 24, 1780, and returned to committee on May 29, 1780. On May 31, 1780, "An Act to raise and embody, for a limited Time, Six hundred and Twenty four men, for the Defense of the Frontiers of this State" was passed June 7, 1780. It provided that 119 of the 624 men recruited for all counties be stationed in Sussex. Another bill, "to provide for the more effectual Defence of the State, in case of Invasion or Incursion of the Enemy," passed June 16, 1780. This act provided for the court-martial of any militiaman who did not respond to a muster caused by a sudden alarm (*General Assembly* [May 10–June 19, 1780], 201, 203, 210, 212, 214, 217, 225, 236–38, 241; *Legislative Council* [May 10–October 7, 1780], 92–94; *Acts* [May 24–June 19, 1780], 86–92, 108–9).

From Abraham Skinner

Commissary Prisoners Office Head Quarters May 29th. 1780

Sir

I have the honor to transmit you inclosed a Copy of a Letter I a few days since received from the British Commissary of Prisoners respecting the Exchange of Mr. Robert Neil¹ and others and would beg leave to refer your Excellency to him for the particular Detail of his Situation.

In consequence of an Order from His Excellency the Commander in Chief I have rilynquished our Claims of Nicholas Ogden as a Continental prisoner to your Commissary² but the desired purpose cannot be Answered unless the whole is assented to by myself as you will Observe by Mr. Loring's Letter. For this purpose it will be also necessary that your Order be taken for the Exchange of Jones as is proposed; The other British prisoners I think there will be no difficulty in Exchanging as they are all within my Line and were taken at Stoney Point.³

I wou'd beg leave further to represent to your Excellency that the Exchange of seven of the worthy Citizens of New Jersey have their happiness immediately dependant on the negociation and can be Released provided your Assent is given.

Mr. Robert Neil who will deliver you this, is held up by the Enemy in a very peculiar manner and his Services to his Country and the important Cause we are engaged in has rendered him very Obnoxious to them.⁴ I wou'd wish to recommend him to Your Excellency as a Gentle-

man Worthy your Notice and as a Citizen who merits the approbation of every one.⁵ I am with the highest respect Your Most Obedient Humble Servant

ABM. SKINNER Commissary Prisoners Head Quarters

ALS, NN.

1. Enclosure not found. See WL to Robert Ogden, Jr., May 8, 1780, for Robert Neil's status as a prisoner.

2. Order not found. A separate state commissary of prisoners exchanged state militia and civilians. See WL to Joanna Halsted, May 26, 1780.

3. For discussion of the battle at Stony Point on July 16, 1779, refer to George Washington to WL, July 16, 1779 (DLC:GW).

4. Neil, a Loyalist from Newark, became a zealous partisan of the American cause after the British evacuated Newark early in 1777. He was later appointed to the lucrative post of acting commissary for the sale of Loyalist estates in New Jersey (*Royal Gazette*, March 22, 1780).

5. Neil was on parole pending the results of the exchange negotiations. Refer to Robert Ogden, Jr., to WL, May 31, 1780 (NN). Apparently it was a few days before WL received either Skinner's or Ogden's letter informing him of Neil's parole, for on June 1 the Privy Council decided to retaliate for the alleged harsh treatment of John Hampton, Matthias Halsted, and Robert Neil by canceling the parole of Capt. John Jones (*NJA* [Privy Council], 3d ser., 1:155–56).

To Azariah Dunham

Trenton 31 May 1780

Sir

The Governor & Council¹ would beg leave to be furnished by you with the account or Bill of [. . .] which Colonel Haight has given you of the Pork he sent from allen town to this place sometime last winter or Spring on the Account of the Continent, & of any other pork which he has purchased or supplied for the use of the Army.²

2d with a Copy of your orders to Colonel Haight respecting the packing & sending the pork, & 3d with a Copy of your entry or audit of it to him.³

With the above particulars we wish to be furnished by next Wednesday; & if you could yourself attend in person with those materials you would probably thereby render your Country a material piece of Service. If not you will transmit them by Tuesday or at farthest by Wednesday next.

ADf, NN:Lyon.

1. This order is not found in the Privy Council minutes or the legislative journals.
2. See WL to James James, May 25, 1780, for a discussion of this issue. There is no information in the Privy Council minutes concerning the result of the inquiry.
3. After "of it to him" WL wrote and crossed out "Here for [. . .] any purchase [. . .] sent & particularly that parcel sent to Trenton last Spring."

From William Burnet, Sr.

Newark June 1 1780

Sir

Mr. Niel who has come out of New-York upon Parole to solicit an Exchange for himself & others, desires me to introduce him to your Excellency, & beg your Interposition in his Behalf & I am happy to think that your Excellency is so well acquainted with his Merits, that Nothing need be said to recommend him to your Attention.¹

It is well known, that he always has been among the warmest & most active Whigs, & is a worthy useful Member of Society. He is indeed very much wanted here at this Critical Time, when there are so few real honest Whigs, who act from Principle & have Spirit & Resolution enough to act up to their Principles.

Mr. Lorring proposes to give him for a Mr. Jones,² a Militia Officer, now upon Parole with them, & I persuade my self, your Excellency will readily consent to it, & give Orders to have it affected accordingly. Mr. Niel is indeed no Officer, & an Objection may be made by some on that Account, but I cant see upon what Principle. Militia Officers taken at Home, & not in Arms or upon Command (& Capt. Jones I am informed was taken in this Manner) are considered or exchanged on either Side as Officers. It encourages the Enemy & disaffected among us to kidnap our Officers upon the Lines, & they have greatly found their advantage in it, & will do more & more, if we allow of it.³

Your Excellency will see by Mr. Niel's Parole Proposals for the Exchange of a Number of others, & among the rest Belcher Smith is offered for Nick Ogden. I would not willingly say or do any Thing to prevent Mr. Smith's Exchange, but I should think, that Mr. Nicholas Ogden ought not to be given up so easily. He has always been much engaged, & very bitter against us, & ought to be delivered to the Civil Authority of this State, & Treated as a Traitor instead of being looked

upon & Treated as a Prisoner of War. He has broken his Parole, & cant reasonably expect any Thing else, but to be demanded of the Commanding Officer at New York, & suitably punished for his Breach of Faith.⁴

If proper Orders were sent in for Mr. Hadden to be sent out, or Nick to return into Captivity, I cant but think we should get Mr. Hadden for him. The Enemy set a great deal of Store by him, more so, than by any of the rest of the Family, not because they are of different Principles, for I believe they all agree in Sentiment, but because they have not so much Spirit to support these Principles.

Poor Mr. Hadden I really pity him, & think, that he has been much neglected by his Friends. It is hard to suffer so much for the serving the Public, & is very discouraging to the few remaining in Office, who dare to assert themselves for it, to see so little Notice taken of him in his [. . .] Distress. The Public Good as well as his Sufferings call aloud for his Relief.⁵

The Enemy in their late Incursions have made a Point of taking the most noted Tories Prisoners, & sending them back among us upon Parole, by which Means, they are not only escused from Military Duty, but have an Opportunity of going backwards & forwards at Pleasure, of bringing & carrying Intelligence, & trading with the Enemy with Impunity.⁶

I would beg Leave just to mention one Thing more, that is the great Abuse of Flags in this State, not in one or two but numberless Instances. Last Week I saw Isaac Ogden & his Wife, & his Brother Peter, Nich. Hoffman & others were permitted to come up to Elizabeth Town, where they staid all Night. All the Torries far & near had Notice of their coming, & went down in Crowds to see them. They had Opportunity of consulting in private with them & perhaps the Plan of their late Visit to Newark was there laid, as it was but a Day or two before it.⁷ Those Things I think ought not to be so. The Civil Government ought to interfere in these Matters & regulate them with Spirit & Prudence, but I submit them to your Excellency's better Judgment & am with all due Respect your Excellency's most obedient & humble Servant

WM BURNET

ALS, NN.

1. For background on Robert Neil's captivity see WL to Robert Ogden, Jr., May 8, 1780, and Abraham Skinner to WL, May 29, 1780.

2. Capt. John Jones. See Abraham Skinner to WL, May 29, 1780.
3. New Jersey Commissary of Prisoners Robert Ogden, Jr., had written WL on May 31 that his orders precluded him from unilaterally exchanging Neil for an officer. He referred Neil to WL for further action. Refer to Robert Ogden, Jr., to WL, May 31, 1780 (NN).
4. Nicholas Ogden was imprisoned in 1778 for providing supplies to the British. Sent by George Washington to New Jersey to stand trial for high treason, Ogden escaped to New York City, where he became an officer in the British army. He was apparently recaptured but did not honor the conditions of his parole. Parole violation was a recurring problem. See WL Proclamation, [October 8, 1779].
5. Joseph Hedden, a magistrate and commissioner for the sale of Loyalist estates in New Jersey, had been despised by the Loyalists before his capture. He was taken on January 5, 1780, with Robert Neil in a Loyalist raid on Newark (*Royal Gazette*, January 29 and February 9, 1780).
6. "An Act to provide for the Security, Support and Exchange of Prisoners of War, and to repeal the Act, intituled, An Act for appointing a Commissary of Prisoners, and vesting him with certain Powers" passed June 17. It required all prisoners taken by the British and dismissed or paroled to report to the United States commissary general or his assistants, the governor, or Washington within twenty days after leaving confinement with documentation of his or her parole, militia status, and loyalty to the United States. The act was designed both to curb parole violations and to facilitate the prisoner-exchange process. Persons not complying with the new law could be charged with a misdemeanor (*General Assembly* [May 10–June 19, 1780], 194–95, 212, 225, 230, 233, 238, 246; *Legislative Council* [May 10–October 7, 1780], 99–100; *Acts* [May 24–June 19, 1780], 110–16).
7. On May 26, 1780, the British Fifty-seventh Regiment from Staten Island had raided Newark, plundering the inhabitants and taking approximately twenty prisoners (*N.J. Gazette*, June 7, 1780).

To Philip Schuyler, John Mathews, and Nathaniel Peabody

Trenton 1 June 1780
9 oClock P.M.

Gentlemen

I this moment find myself honored with both your Letters of the 25th ultimo, & the several Papers to which they refer.¹ They had unfortunately been carried to Philadelphia, with the Letters destined for that place.

Deeply impressed with the Importance of the object in Contemplation, and the absolute necessity of Improving every Moment in our preparations to secure it, I shall not fail to lay your Dispatches before the Legislature in the morning, with the most earnest Solicitation of their immediate Attention to your Requisitions; and every other Effort in my power that can conduce to give them Success, shall be most

chearfully exerted by him who has the honour to be with great Respect
Gentlemen Your most obedient & very humble Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 39.

1. Refer to Circular Letters from the Committee of Cooperation at Headquarters, May 25, 1780 (DLC:GW).

George Washington had written to Congress on April 3, 1780, describing both the disparities in the army enlistment system and the critical condition of the Continental troops. He recommended that Congress take over "everything relating to the Army." Refer to George Washington to the President of Congress, April 3, 1780 (Fitzpatrick, *Writings of Washington*, 18:207–11). On April 6, 1780, Congress resolved to send a three-member committee of cooperation to Washington's camp to confer with him. The committee, after consultations, was to formulate and implement a series of reforms in the organization, management, and provisioning of the army. The following day Congress named Philip Schuyler, John Mathews, and Nathaniel Peabody to the committee (*JCC*, 16: 354–57).

On May 19, 1780, Congress granted the committee power to expedite the procurement of supplies required by a resolution of February 25, 1780. Congress also authorized the committee to requisition from the states additional supplies not provided for in the February 25 resolution. Finally, Congress requested that the states either invest their executives or appoint committees with power properly to supply the military. See WL to Azariah Dunham, April 17, 1780, for a previous New Jersey response to the February 25 resolution.

The committee promptly conferred with Washington about the army's needs and formulated the May 25 circular letter. It stressed the importance of supplying the army and regularizing recruitment of Continentals. See WL to George Clinton, April 3, 1780, for New Jersey's response via a resolution of February 9. Because of the impending arrival of French military and naval forces in America, the committee requested that each state either empower the executive authority or create a legislative committee to comply with its requisitions, to provide transport for the goods to be collected under the February 25 resolution, and to facilitate in general the supplying of the army. The committee recommended that measures to correct the quota deficiencies be adopted as soon as possible (*JCC*, 17:438–41).

The second circular of May 25 enclosed Washington's letter of the same date. He endorsed the committee's circular, emphasizing the exhausted and dispirited condition of the troops and the urgent need for reform (Fitzpatrick, *Writings of Washington*, 18:416–19).

To the Assembly

Trenton 2d June 1780

Gentlemen

I lay before the honourable house two Letters from the Committee of Congress at Camp & both dated the 25th of May on several Subjects of

the last Importance to the United States, with the several papers to which they refer being a Copy of a Resolution of Congress of the 19 of May, & of a Letter from his Excellency General Washington to the said Committee of the 25 of May, & a return of the New Jersey Brigade fit for duty in April last.¹

As I am deeply impressed with the great Importance of the Objects which Congress have in contemplation, & the absolute necessity of using the greatest dispatch in our preparations to secure them as the approaching Campaign will probably be most gloriously decisive in favour of America if vigorously prosecuted, & most fatally ruinous to us if feebly supported I hope to be excused for importuning the honourable house to pay the speediest attentions to the requisitions of Congress & their Committee at Camp, & to exert every effort in their power that shall appear conducive to give them the desired Success.

ADf, NN:Lyon.

1. Refer to circular letters from the Committee at Headquarters, May 25, 1780 (DLC:GW), Resolution (*JCC*, 17:438–41), and George Washington to the Committee of Cooperation, May 25, 1780 (Fitzpatrick, *Writings of Washington*, 18:416–19). Return of the New Jersey Brigade not found.

On June 2, 1780, the legislature named a joint conference committee to devise measures to supply the Continental army as mandated by the Continental Congress. Three days later the committee advised the legislature to require county contractors to engage teams, wagons, and drivers, to move on short notice, to help move the army and transport baggage, stores, and provisions. It also suggested the revival of the Council of Safety to act during the legislature's recess. The proposed council's mandate involved overseeing supplies, exercising civil judicial authority, suspending habeas corpus when necessary, and mustering the militia to carry out its orders. The assembly agreed only to authorizing the contractors to engage horses and wagons to transport the army and its supplies. The proposal to revive the Council of Safety was dropped (*General Assembly* [May 10–June 19, 1780], 216–19; *Legislative Council* [May 10–October 7, 1780], 90–92).

To Samuel Allinson

Trenton 2nd June 1780

Sir

I am much obliged to Friend Benezet for the Book he sent me thro your Instrumentality, & which accompanied your Letter of the 27th of May,¹ as well as to you for your care in transmitting it with so friendly a letter. Soam Jenyns's *View of the Internal Evidence of the Christian Religion*, I admire extremely, & perhaps, according to our depraved Nature the

more, because his Sentiments so generally coincide with my own. I was, however, greatly surprised to find a man of his Sense, so strangely applying texts of Scripture concerning private revenge; to a National resistance of National Mischief, & public Calamity—& confounding a defensive War for the preservation of Liberty & Property; with an offensive one waged from motives of ambition & conquest. For as to this, I shall as soon be made to believe the unlawfulness of the former, which is nothing but the opposition of lawless power by the only practicable means of opposing it; as the immorality & antichristianity of opposing the attempt of a Bear or a Lion to devour me. Nor do I believe it barely lawful but² indispensable duty & as great a Sin not to prevent the ravages of tyranny by open resistance, as to suffer ourselves to be destroyed by any of the Elements, when it is in our Power to preserve our lives by an Exertion of our own, against the danger they threaten.

However, Sir, if you or your friends can give reasonable assurances that the Continent of America will ascertain its Liberty, & be able to check the further progress of the British arms by such *an appeal to heaven as depends upon a reliance thereon, without the outside arm of force or power*;³ instead of using the instruments with which God has furnished us, & common Sense & Reason dictate upon such occasions, with a devout dependance upon his Blessing, which only can ensure them success at last, but which I deem it impious presumption to expect by sitting still & having our throats cut without those exertions. If you, I say, can give such assurances; I should for my own part, were it only for the saving of expense, abstracted from the consideration of preventing the farther effusion of blood (which is of much greater Importance) be willing immediately to refrain from all farther carnal resistance, & the more so, if you or your friends would, after such assurances given, take as much pains as have been taken, for our acquiescence in the tyranny of Britain under the venerable name of christian patience, to convince them, that, for the Justice of their attempt to reduce us to unconditional submission they ought also to appeal to heaven, & *depend on a reliance thereon without the outreached arm of force or power*⁴ against us. A Sermon which by the by, I have no reason to think hath ever been directly preached to any of them by any of your people, either by word, Letter, or in print.⁵

To this I suppose you may answer, that such assurance cannot be expected, because, as you cannot pry into the womb of futurity, it is as

impossible for you to know, that our Contest will succeed *without*, as it is for me to know, that it will succeed *with* Resistance. But the next Interrogatory, my Friend, you can answer, & that is; whether you really believe that there is as great a probability of our averting the design of Britain to compel us to submit to her Monarchy, with all the Resistance we can make; as, by a tame & passive Acquiescence in the Measures, and hostilities she is pursuing?

I am farther persuaded Sir, not only of the lawfulness, but of the piety of the present war on the part of America & of the infallible certainty of our final success, by arguments deduced from a Source little attended to by the gay & thoughtless, but worthy the serious consideration, of all those who are truly religious, & humbly wait for direction from above. I have remarked, that the most pious Men of every denomination, except one, pray for the *success* of this war on our part. & I am convinced that the prayers of all truly religious men are dictated to them by the Spirit of God; & I know that every prayer, so dictated, will be answered. But admitting that we have no right to expect an immediate Supernatural Influence to direct us in our petition, to the Throne of grace still I cannot believe, nor is there any instance in the history of Mankind, that God hath ever suffered the Generality of his Children to pray for an Event, to which he was himself opposed or to remain & that for years Under the delusion of offering up the most fervent Petitions which he was determined never to answer.

Mr. Chews charge to the grand Jury⁶ contains such powerful arguments in support of the lawfulness of self-defence, as I should think sufficient to convince every impartial reader. But the force of education & of Sentiments long entertained, will probably prevent both of us from changing our opinions on this subject, tho' I hope I shall always follow your generous & christian Example of not limiting my friendship to persons of my own way of thinking; And Mr. Allinson in particular, I hope ever to consider as entitled to great esteem & respect from

ADf, NN:Lyon.

1. See Samuel Allinson to WL, May 27, 1780.
2. Between "but" and "indispensable duty" WL wrote and crossed out "it would therein follow that I am bound to a necessary agency but I think it [. . .] duty to pray [. . .]."
3. This is a paraphrase of a passage in WL's letter to Allinson of May 27.
4. This is a paraphrase of a passage in WL's letter to Allinson of May 27.
5. After "print" WL later inserted the following paragraph.

6. WL is referring to a speech made in 1741 by Samuel Chew, chief justice of the three lower (Delaware) counties of Pennsylvania, to a grand jury in response to an expected war between France and Britain and its effect on the Pennsylvania border. The speech was republished in 1775. Chew, a Quaker, had argued that a government had to defend itself actively from internal as well as external enemies. The reliance on God to right injustice or to overcome enemies was illogical and foolish. Therefore, Chew argued, any religion that followed a policy of nonresistance was wrong and undermined its government ("The Speech of Samuel Chew, Esq.; Chief Justice of Counties of Newcastle, Kent, and Sussex on Delaware, On the Lawfulness of Defence against an Armed Enemy," November 21, 1741; Evans, no. 13867).

To Robert Ogden, Jr.

Trenton 2d June 1780

Sir

I find that Capt. Jones's being on Parol on Staten Island while so many of our Citizens in Captivity are treated with rigour by the Enemy, has given great umbrage to the people & indeed rather tends to encrease the Enemys barbarity than to inspire them with the like humane Sentiments. The Council is therefore unanimously of opinion that you should remand Capt. Jones from his parole & order him to be confined & treated as Mr. Hampton Mr. Halstead & Mr. Robert Neal are treated by the Enemy, until those Gentlemen shall be used with proper humanity at New York.¹ This advice I would have you immediately carry into Execution.

P.S. There are great Complaints of partial Exchanges; particularly in the Case of one Winants. Upon what foundation they are grounded I know not.²

ADf, NN:Lyon.

1. The Privy Council made this decision June 1. See Abraham Skinner to WL, May 29, 1780. Robert Ogden wrote WL on June 4 to explain Capt. Jones's standing. He was to have been exchanged for a captain in the Bergen County militia who died in New York of smallpox before the exchange could take place. Ogden had tried to regain possession of Jones, then on parole, but was told by Abraham Skinner, the Continental commissary of prisoners, that Robert Neil was to be exchanged for Jones. Ogden had heard nothing of this exchange and disputed its legality. Refer to Robert Ogden, Jr., to WL, June 4, 1780 (NN).

2. In his June 4 letter to WL, Ogden related the circumstances of an exchange involving three British for three American prisoners, including Lt. Elias Winans.

Petition from Cornelius Stout et al.

[June 3], 1780

To his Excellency William Livingston Esquire, Governor & Commander in Chief in and over the State of New Jersey. Chancellor, & Ordinary in the same——To the Honorable the Council & Representatives of said State in General Assembly convened

The Petition of a Majority of the Officers of the third Battalion of Hunterdon Militia humbly sheweth

That, whereas your Petitioners some Time last Summer, did in a brief & modest Petition, humbly request a free Choice of Field Officers, which we suppose your honorable Body did not think Constitutional to grant us, we again, last Fall, addressed the House by Way of Protest, wherein we acquainted you, that we did not intend to receive, as Officers, any Orders in future from Lt. Colonel Chamberlin; but we were inclined to believe, that Business of greater Moment engaged the Attention of the Legislature at that Time, by which, our Address was not then attended to.¹ We therefore once more implore our worthy Legislature to do something, as in their Wisdom shall appear most conducive to restore Harmony & Concord throughout this Battalion. We still harp our Complaint on the old String; that our Battalion, at present, is of no public Utility, by Reason of our old Disputes with, & our great, very great, Disaffection to Lt. Colonel Chamberlin, which Discord is dayly augmenting. We understand it has frequently been intimated to the Legislature, that our Disputes have taken Rise from an ambitious Thirst for Promotion; but, we now declare to you, that they have sprang from a different Source, Viz, The Tyranical Disposition, & Illiberal Conduct, of Col. Chamberlin: 'tis this, & this solely we contend with. He is too replete with that Spirit of Tyranny against which we have been struggling this several Years, which on every Meeting is exercised over us by him; this immediately occasions such Altercations & Divisions, as destroys that Harmony & Union which ought to subsist in this Day of Difficulty. To enumerate & particularise the low, scurrilous, Conduct, which he exhibits woud carry us to an extreme length, but it is in short, such that we beg to be exempted from bearing with any

longer. Therefore, we humbly acquaint the Legislature, that, if Col. Chamberlin is continued to command this Battalion & General Orders must come to us by him, we are impelled to offer this as a full & ample Resignation of our Commissions; we would not be understood that we mean to swerve from our former Intentions, but, as Col. Chamberlin & we cannot act together in this Battalion, in the Commissions we hold, we consequently think it our Duty to sacrifice these Commissions to public Utility, & take up our Muskets & act as private Soldiers, in which Station, we shall not be so immediately concerned with him, in the public or private Business of the Regiment, & will thereby avoid many of his uncouth Reflections. Nevertheless, we regret the Result of his being continued, being fully persuaded, when there is another Lot of Officers chosen in the several Companies to act under him, the same Cry will again be sounded in your Ears. We will therefore yet hope that the Legislature will take this Matter as an Object worthy their Attention, into their most serious Consideration & adopt such Measures that the Community may receive Service from our Regiment. And your Petitioners as in Duty bound shall ever pray.

CORNELIOUS STOUT Major
 DAVID BISHOP Adjut.
 JOHN SCHANCK Capt.
 GARRET SCHANCK Lieut.
 JOHN PRALL Lieut.
 JOHN WILLIAMSON, Ensign
 JAMES STOUT Capt.
 DENNIS HAGERMAN Lieut.
 ALEXANDER THOMPSON Ensign
 CORNELIUS HOPPOCK Capt
 JACOB [HOLCOMB?] Lieut.
 PETER ENT Ensign
 GEORGE ELY Capt.
 PALMER ROBARTS Lieut.
 JACOB RUNK Lieut.
 JOHN PHILLIPS Capt.
 GEORGE HOLCOMB Lieut.

DS, MHi.

1. Discord between Lt. Col. William Chamberlin and Col. David Chambers had impeded the usefulness of the third battalion of the Hunterdon County militia. The issue

had come before WL and the assembly during the fall of 1778. Chamberlin remained in command of the battalion, however, and Chambers resigned his commission May 28, 1779. The problem persisted, and in October 1779 several officers again unsuccessfully petitioned that Chamberlin be removed from his command. On April 5 and May 27, 1780, Chamberlin had informed WL that his officers continued to disobey orders. He requested a settlement or court-martial to decide the issue (*General Assembly* [October 28, 1777–October 8, 1778], 164–65, 168; *Joint Meeting*, 30). See *Livingston Papers*, 2:437–39; refer to WL to Philemon Dickinson, December 10, 1778 (NN), Petition of Hunterdon County Militia Officers, October 4, 1779 (Nj), and William Chamberlin to WL, April 5, 1780 (NN), and May 27, 1780 (MH*i*).

To Thomas Bradford

Trenton 3d June 1780

Sir

I send you, agreeably to the inclosed List,¹ 34 Hessian Prisoners who had made their Escape from Penn's grove, where I am told they were employed in cutting Wood, & were retaken in this state by the Monmouth Militia in their Rout to New York.² You will be pleased to sign a Receipt for them at the foot of the List, or on a Copy of it, as you please & deliver it to the officer of the Guard who has them in charge.

I received your Letter of the 27th of May³ this Moment, & am obliged to you for acquainting me of the Circumstances of Mr Smith's Negro, one of the Prisoners on their return to New York for Exchange. But I am not able to find the officer of the Guard who conducts those Prisoners nor any of the party; from whence I infer that they have passed on & left the Letter behind them. This Circumstance however I do not regret because altho' the Fellow is legally the property of this State, as his Master's whole Estate is confiscated to the public I am so prejudiced against the Slavery of any part of the Species, that I should not have chosen to be instrumental in detaining him for that purpose. I am Sir your most humble Servant⁴

WIL: LIVINGSTON

ALS, PH*i*.

1. Enclosure not found.

2. On June 5 the legislature resolved to pay Maj. John Cook and his troops 2029 pounds, 17 shillings, 6 pence, both to reimburse them and to reward them for recapturing the Hessian prisoners (*General Assembly* [May 10–June 19, 1780], 222; *Legislative Council* [May 10–October 7, 1780], 92).

3. The slave Andrew, property of William Smith, a Woodbridge Loyalist, had been captured from a privateer out of New York. Refer to Thomas Bradford to WL, May 27, 1780 (NN).

4. For an example of WL's long-standing opposition to slavery see *Livingston Papers*, 2:403–4.

To the Assembly

Trenton 5 June 1780

Gentlemen

There has for some time past subsisted a very unhappy Difference between Colonel Chambers & his Lieut. Colonel Chamberlin. The officers & Privates of the Regiment as is usual on such occasions taking different sides in the Quarrel diffused such a party spirit thro' the Corps to render it in a great measure useless. Colonel Chambers's late resignation¹ I was in hopes would have restored that harmony & good Understanding between his Successor in Command & the other officers of the Regiment which ought to subsist between them. But by Colonel Chamberlin's Letter to me of the 27th of May,² & a petition from several of his officers which are both herewith transmitted, the honorable House will find that no farther hopes of any such Harmony can be reasonably entertained. It is observable That the officers petitions not only arrogate to themselves the choice of their field officers for which they ought to be censured but assign no particular Causes of Complaint against Colonel Chamberlin contenting themselves with giving general [. . .] Idea of his Character, without referring to any particular facts to support their Accusations and however culpable he may be, certain it is by their own showing that they deserve to be broke by a Court martial for declaring their Intention of disobeying his orders; & several of them for having actually disobeyed them, or rather the orders of the commander in Chief because transmitted to them by him. But whether such a step would be expedient considering the number of the discontented & the Expence attending it, I pretend not to determine. The house however will see the Necessity of enquiring into the State of that Regiment, & take such measures for restoring it to that public Utility which the State has a right to expect from it, as to them shall seem best.³

ADf, NN:Lyon.

1. Col. David Chambers resigned his commission May 28, 1779 (*Joint Meeting*, 30).

2. Refer to William Chamberlin to WL, May 27, 1780 (MH*i*).

3. WL presented this message to the assembly on June 6. On the same day the assembly resolved that Chamberlin transmit to WL a list of the mutinous officers and that Maj. Cornelius Stout furnish WL with a list of the charges against Chamberlin. It authorized WL or Washington to court-martial the officers if either one thought it advisable. Chamberlin was suspended from his command (*General Assembly* [May 10–June 19, 1780], 204, 223).

To William Burnet, Sr.

Trenton 5 June 1780

Sir

I received yours of the 1st Instant,¹ & must observe that the Exchange of Prisoners is vested by the Legislature in our Commissary,² & his Line of Duty as delineated by the Act is that of having respect to the time of their Captivity. Hampton & others have been captivated before Mr. Neil, & however meritorious the latter, as I indeed know him to be a gentleman of great merit, that of the former is also very great, & having been longer in Captivity I know not with what propriety I could give the preference to Mr. Neil, even was the matter in my department, which it is not.

I think with you that Nicholas Ogden ought not to be exchanged at all, till he returns agreeably to his parole, & if a Traitor to his Country, not even then but to suffer accordingly.³

I am happy to find that the Legislature is about a Law to prevent the pernicious practice of paroling Tories, which I have strongly recommended to them.⁴

Isaac Ogden & his party were out at Elizabeth Town by my Permission. Mrs. Hoffman who is my Sister⁵ & Mrs. Ogden's Mother has frequently applied to me for a pass to let her daughter come into the State to pay her a Visit which I have as often refused & am determined never to grant. If She came with General Washington's leave, I have no more to say because he is authorized by our Law to grant it, but if it was with the Leave of the officers on the Lines, I shall remonstrate against it as soon as I am assured of the particulars.⁶

I most sincerely sympathize in the misfortune of Mr. Hadden, of whose public Merit I always had the highest sense; & I shall ever be ready to contribute my utmost Endeavours towards his Exchange consistent with my Duty & according to the Extent of my authority in the Matter.⁷

ADf, NN:Lyon.

1. See William Burnet, Sr., to WL, June 1, 1780.
2. WL is referring to "An Act for appointing a Commissary of Prisoners for this State, and vesting him with certain powers," passed December 12, 1778 (*Acts* [November 20–December 12, 1778], 43–44).
3. There is no record that Ogden returned to his parole.
4. "An Act to provide for the Security, Support and Exchange of Prisoners of War, and to repeal the Act, intituled, An Act for appointing a Commissary of Prisoners and vesting him with certain powers" passed June 17, 1780. For discussion of this act see William Burnet, Sr., to WL, June 1, 1780.
5. Alida Livingston Hanson Hoffman (1728–1790), who married Col. Martin Hoffman in 1766.
6. For discussion of New Jersey legislation granting Washington authority to issue passes into New Jersey see WL to John Fell, February 6, 1780. This legislation prohibited line officers from granting passes without permission from WL or Washington.
7. Joseph Hedden died in prison in New York on September 27, 1780.

To Abraham Skinner

Trenton 5 June 1780

Sir

In Answer to yours of the 29th May¹ I must observe that the Exchange of Prisoners is vested by the Legislature in our Commissary, & his Line of Duty as delineated by the Act is that of having respect to the time of their Captivity.² And tho' I will not detract from Mr. Neils merit which I am persuaded is great there are probably others of equal Merit, who have been longer in Captivity with the Enemy; Besides this to consent to the proposed Exchange would be taking a leap in the dark, as I do not know the Merit of any of those persons they propose to give in Exchange except Mr. Neil & those whom they demand are probably all of importance to them. I am

ADf, NN:Lyon.

1. See Abraham Skinner to WL, May 29, 1780.
2. WL is referring to the "Act for appointing a Commissary of Prisoners for this State, and vesting him with certain powers," passed December 12, 1778 (*Acts* [November 20–December 12, 1778], 43–44). This act was superseded on June 17, 1780, by "An Act to provide for the Security, Support and Exchange of Prisoners of War, and to repeal the Act, intituled, An Act for appointing a Commissary of Prisoners, and vesting him with certain powers." The latter transferred all responsibility for prisoner exchange to the Continental commissary of prisoners, as requested in a January 13, 1780, recommendation of Congress (*JCC*, 16:48–52; *General Assembly* [February 16–March 21, 1780], 117; *Acts* [May 24–June 19, 1780], 110–16). For other provisions of this act as well as further legislative action see WL to William Burnet, Sr., June 5, 1780.

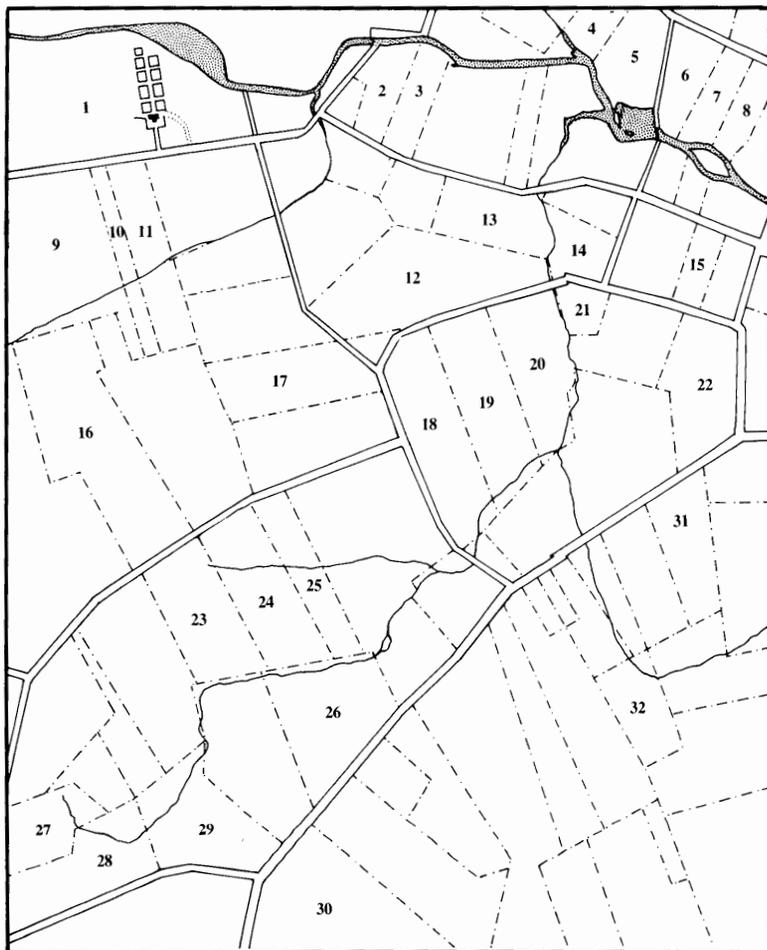
The First Families of Elizabethtown

The Bonnells, Cranes, Hatfields, Meekers, Ogdens, Winans, and Woodruffs were among the families who first settled Elizabethtown in 1665–1666. Their descendants continued to dominate society, politics, and religion in the town throughout the colonial era and during the Revolutionary War. Their hegemony was established in 1665, when Governor Philip Carteret appointed John Ogden, Sr., councillor, and Goodman Meeker constable. Carteret also named John Woodruff as ensign in the newly-formed militia. These early settlers were also active at the provincial level, as shown by John Ogden, Sr., who was elected a representative to the first provincial assembly.

These families held political office at the town, county, and provincial levels

throughout the colonial period. Their power was further guaranteed in 1738, when George II declared Elizabethtown a free borough. His charter designated members of the Blanchard, Bonnell, Clark, Crane, Halsted, Hatfield, and Woodruff families to leading civil posts in the town, with Joseph Bonnell named as Elizabethtown's mayor. In 1749, Robert Ogden, Sr., great-grandson of John Ogden, Sr., was named clerk of the court of common pleas for Essex County. In 1764, Ogden, who solidified his social standing by marrying into the prestigious Hatfield family, was elected speaker of the provincial assembly.

The pride of place of these families in the town was evidenced in religious affairs as well. Throughout the eighteenth cen-



- | | | |
|------------------------|--------------------|---------------------------------|
| 1. William Livingston | 12. Benjamin Crane | 23. Jacob Crane |
| 2. Nathan Crane | 13. John Chandler | 24. Cavalier Jouet |
| 3. David Crane | 14. John Chandler | 25. Jacob De Hart |
| 4. Jonathan Dayton | 15. John De Hart | 26. John De Hart |
| 5. Elias Dayton | 16. Jacob Crane | 27. Daniel Crane |
| 6. Elias Dayton | 17. James Crane | 28. Stephen Crane, Jr. |
| 7. William Burnet | 18. James Crane | 29. Stephen Crane |
| 8. Elias Dayton | 19. John Crane | 30. Stephen Crane |
| 9. Jonathan Crane | 20. Stephen Crane | 31. John De Hart |
| 10. William Livingston | 21. John Chandler | 32. Matthias Halsted (Halstead) |
| 11. William Livingston | 22. John Blanchard | |

Map of Elizabeth Town, New Jersey. Drawing by Kristine Campbell, based on Ernest L. Meyer's 1879 "Map of Elizabeth Town, New Jersey at the Time of the Revolutionary War, 1775-1783" from the library collections of The New Jersey Historical Society.



- | | | |
|------------------------------|------------------------------|--------------------------------------|
| 1. Isaac Arnett (Arnet) | 15. William Williamson | 29. William Halsted |
| 2. John Clark | 16. John De Hart | 30. William Halsted |
| 3. Elias Dayton | 17. Cornelius Hatfield | 31. Morris Hatfield |
| 4. Jonathan Dayton | 18. Matthias Williamson, Jr. | 32. Cavalier Jouet |
| 5. First Presbyterian Church | 19. Elias Winans | 33. Broughton Reynolds |
| 6. St. John's Parsonage | 20. Elias Winans | 34. James Caldwell |
| 7. H. Woodruff | 21. Jedidiah Winans | 35. St. John's Parsonage |
| 8. William Smith | 22. Morris Hatfield | 36. William Luce |
| 9. William Ogden | 23. William Halstead | 37. Ichabod Burnet
Elias Boudinot |
| 10. Isaac Woodruff | 24. Jane Chandler | 38. John Ogden, Jr. |
| 11. John Ogden | 25. John Chetwood | 39. Cornelius Hatfield |
| 12. William Burnet | 26. Cornelius Hatfield | |
| 13. Robert Ogden, Jr. | 27. Presbyterian Parsonage | |
| 14. William Ricketts | 28. Thomas Woodruff | |

ture most of the prominent politicians in Elizabethtown belonged to the First Presbyterian Church, founded in 1671. Although Presbyterians dominated local politics, Anglicans, who established St. John's Church in 1705–1706, gained influence during the colonial era. Such prominent families as the Chandlers, DeHarts, Halsteds, and Ogdens had members in both the Presbyterian and the Anglican churches. Families from both churches conducted business dealings with each other up to the outbreak of the American Revolution. Records show loan transactions in 1762 between Andrew Hatfield and William Peartree Smith, both Presbyterians, with Cavalier Jouet of St. John's Anglican Church. In 1757, Thomas Bradbury Chandler, rector of St. John's, was an executor of the will of Marie Catherine Carre, grandmother of the Presbyterian, Elias Boudinot.

While business dealings crossed the lines of church membership, marriages usually did not. In 1659, Sarah Ogden and John Woodruff married. Both of their families appeared on the 1694 List of Subscribers to the First Presbyterian Church. During the Revolution, the Woodruffs and Ogdens continued to intermarry and to hold church office in the Presbyterian Church. Similarly, descendants of the founders of the Anglican congregation continued to dominate church affairs and to intermarry. Between 1762 and 1777, John and Jacob DeHart, Matthias Williamson, and Cavalier Jouet were church wardens and vestrymen at St. John's. During this same period, two of Jouet's daughters married Williamson's sons and a third married a DeHart son.

Influence and prestige were guaranteed by extensive land holdings, which each family took pains to preserve and extend. Between 1709 and 1788, individual holdings were increased by frequent sales

between members of the Crane, Dayton, Halsted, Hatfield, Ogden, and Woodruff families. On March 3, 1753, James Craige and Jonathan Crane deeded one hundred acres of land to Isaac Hatfield; on March 20, 1754, Cornelius Hatfield conveyed a parcel of land in Elizabethtown to John Halsted.

Descendants of the original settlers continued to hold most of the land in Elizabethtown during the American Revolution, although the estates of Loyalists were confiscated. Like communities throughout the colonies, Elizabethtown was torn apart by the Revolution. Most Anglicans, such as the Jouets, were Loyalists, but a few others, such as the Williamsons, were patriots.

Unlike the Anglicans, most members of the Presbyterian Church were patriots, with over forty members of the congregation serving as officers in the regular army. Several other church members, including William Livingston, held important civil posts during the war. The Presbyterian congregation was scattered by the Revolution, but rallied in 1779 to rebuild the parsonage house and church burned by the British.

Wounds inflicted by the war were slow to heal. After the war some Loyalists, such as Anglican minister Thomas Bradbury Chandler, were welcomed back to Elizabethtown. Others, such as Cornelius Hatfield and Cavalier Jouet, returned only to be bounded out of town. The hatred aroused by the war began to abate by 1792, when both former patriots and Loyalists united to establish a Library Association in Elizabethtown. By this time, William Livingston was dead, his funeral sermon delivered in the Presbyterian Church he had fought to preserve while serving as the first governor of the state of New Jersey.

To the Assembly

Trenton 6 June 1780

Gentlemen

It is represented to me by the assistant Commissary of Issues & the Commissary of the Magazine at this place, that is impossible for them at present & will be so for two months to come, to supply the Militia now on duty in the County of Monmouth under the Command of Colonel Holmes with provisions. To prevent so important a Post from being abandoned for want of the necessary Supplies, they propose to have it furnished with rations by the State commissary in that county & to credit his issues for that purpose as part of our Quota of those Articles to be supplied to the United States; in that the men find their own rations, which will be credited in like manner at the price of the same kind of provisions furnished by the State agents to the Continent. Whatever mode the Legislature shall think proper to adopt, I conceive it my duty to recommend the supplying that Guard with provisions as a matter requiring all possible dispatch, lest the Post be deserted, & a greater part of the Country be thereby exposed to the depredations of the Enemy.¹

ADf, NN:Lyon.

1. The assembly referred WL's message to the committee considering a bill to enlarge the powers of the county contractors charged with supplying the militia and the Continental army. In the interim, on June 7 the legislature authorized the Monmouth County contractor to collect and deliver provisions to Holmes's unit (*General Assembly* [May 10–June 19, 1780], 223–24, 227; *Legislative Council* [May 10–October 7, 1780], 93–94).

To the Assembly

Trenton 7 June 1780

Gentlemen

I herewith transmit to the honourable House a Letter from his Excellency General Washington of the 2d Instant & another from the honourable the Committee of Congress at Camp of the same date on the Subject of Supplies to which I doubt not the house will pay the earliest attention.¹

ADf, NN:Lyon.

1. Refer to George Washington to WL, June 2, 1780 (Nj), and Philip Schuyler, John Mathews, and Nathaniel Peabody to WL, June 2, 1780 (Nj).

On the authority of the Committee of Cooperation at Camp, Washington asked the states for men and supplies for the ensuing campaign beyond those requisitioned on May 25. New Jersey's additional quota was 945 well-armed militia, 900 horses, 51 wagons, plus monthly allotments of provisions and forage to begin in July. The committee endorsed Washington's requisitions, emphasizing the need to prepare for both the coming campaign and the arrival of the French forces.

The legislature formed a joint committee to consider the requests, and on June 9 the assembly agreed to draft a bill to comply with the Continental Congress committee's appeal. It returned to the legislative committee the joint committee's recommendation that 485 men be raised to complete the New Jersey regiments. On June 17, 1780, the legislature passed "An Act to enlarge the Power of the Contractors of the Several Counties in this State for a limited Time." It expanded the March 18, 1780, "Supplemental Act to the Act, intitled; An Act for procuring Provisions for the Use of the Army, and other Supplies for carrying on the War; and for settling the publick Accounts of this State." The new act authorized the contractors to collect and transport the additional supplies requested by Congress, the Committee of Cooperation at Camp, and Washington. There were also penalties for the concealment of or refusal to surrender wagons. The act also empowered the militia to seize supplies for the contractors, and it was to remain in force until January 1, 1781 (*General Assembly* [May 10–June 19, 1780], 227–30, 232–36, 239, 245–46; *Legislative Council* [May 10–October 7, 1780], 94–95, 101, 103; *Acts* [May 24–June 19, 1780], 116–20). For prior requests for additional troops see WL to the Assembly, June 2, 1780.

To Cornelius Stout

Trenton 8 June 1780

Sir

Having lately received a Petition without date from several of the officers of Colonel Chamberlin's Regiment¹ (of which Petitioners who are of the highest rank) containing several general Complaints against Colonel Chamberlin, but no particular charges, you will therefore without Loss of time transmit to me the particular charges which you or the other officers have to alledge against him; & what were those particular actions of his that induced you or them to disobey his orders.²

ADf, NN:Lyon.

1. Because of the continuing disagreement between Lt. Col. William Chamberlin and his officers, the assembly ordered Chamberlin and Maj. Cornelius Stout to provide declarations of their respective grievances. See Petition from Cornelius Stout et al., [June 3], 1780, and WL to the Assembly, June 5, 1780.

2. Pursuant to a June 6 assembly resolution, two days later Col. William Chamberlin transmitted to WL a list of the officers who had refused to obey him, along with his

charges against his subordinates. Refer to William Chamberlin to WL, June 8, 1780 (MH*i*).

From David Forman

Monmouth Court House 9th June 80
1 O'Clock at Night

Sir

I am desired to Inform your Excellency that we have this minute An Express that a party of Negroes about 30 in Number¹ did this afternoon Attack and Take Captain Barns Smock² and a Small party that ware Collected at his House for there Mutual Defence—this was done Sun an Hour High 12 Miles from one of the Landings & 15 Miles from the other.

The Day before yesterday Joseph Murray³ was Murdered by a party of those Refugees while he was at His Harrow in his Corn field—this we doubt not when taken in to the account of our other Numerous distresses will Induce your Excellency to exert your self in Establishing sutch a guard and will tend to restore in some measure the Security of this County.⁴ I am in behalf of the Inhabitants of the Town Your Excellency's Obedient Humble Servant

DAVID FORMAN

NB

We are this Minute to March from this Village & shall not have a single man for its defence

ALS, NjFrHi.

1. The escaped slaves operated out of Refugee Town at Sandy Hook, led by Col. Ty. Ty had formerly been a slave of John Corlies of Colt's Neck, New Jersey, where the attacks took place. On June 19 Ty, with thirty blacks, twenty Loyalists, and thirty-two Queen's Rangers attacked James Mott's home at Colt's Neck, capturing twelve Americans. Ty's career ended on September 11 when he was killed during an attempt to capture Joshua Huddy. Refer to Asher Holmes to WL, June 12, 1780; *NJA* 2d ser., 4:434–35, 456.

2. Barnes Smock, horse breeder and racer from Colt's Neck, was captain of the First Regiment and later captain of the artillery. Ty brought him to New York City, where he was held in the Sugar House (*NJA*, 2d ser., 4:603).

3. Joseph Murray, a small farmer, had played a leading role in two attacks on Sandy Hook and had also recently denounced two leading Monmouth County Loyalists.

4. WL had requested further militia aid for Monmouth County two days before this incident. See WL to the Assembly, June 6, 1780. There is no record that WL made further requests for militia aid after this incident.

JUNE 1780

To Susannah French Livingston

Trenton 9 June 1780

My dear Susan

Tho' I never have had any Express from head Quarters concerning the Irruption of the Enemy, yet by all Accounts they have penetrated the Country as far as Springfield, & I am told have burnt & destroyed all before them. My Anxiety for you & the Children has been inexpressible & I have had a most miserable Night of it, upon your Account. Our house & everything in it is doubtless gone, the loss of which great as it is I shuld be able to bear with fortitude but the thoughts of your Situation and that of the poor girls cuts me to the heart. I shuld have sent before to know how it is with you, but that my Express was unfortunately gone on a Journey, & that I every moment expected an Account from head Quarters. I now send your Letter inclosed to Colonel Tilghman at head Quarters to direct the Express where to find you, as it is more probable that you may be at Morris Town than at Elizabeth town.

Pray my dear Sukey write me a full Account of what you have suffered, & I will sympathize with you till I can revenge it upon the British Scoundrels.

ADf, NN:Lyon.

To Tench Tilghman

Trenton 9 June 1780

Dear Sir

We have been so distracted here with different & contradictory Accounts concerning the Motions of the Enemy, that it is impossible for me to form any Judgment of the matter.¹ If they have really penetrated the Country as far as Springfield, & destroyed all before them as some travellers say, my family must be in a deplorable Situation, & as it is more probable that Mrs. Livingston may be some where in your Neighbourhood than at Elizabeth Town, I have taken the Liberty to confide the inclosed to your care, which I beg you to deliver to my Express & to direct him where to find her. If you are not too much hurried to give me the outlines of their Expedition, I shall esteem it a favour & am.

ADf, NN:Lyon.

1. Five thousand to six thousand British troops commanded by Lt. Gen. Wilhelm von Knyphausen had sailed from Staten Island to Elizabethtown Point on the night of June 6. On June 7 they advanced through Connecticut Farms to within two miles of Springfield, where they were halted by Brig. Gen. William Maxwell's brigade and New Jersey militia troops commanded by Col. Elias Dayton. As they retreated through Connecticut Farms, the British destroyed several homes, barns, and an apple orchard. They returned to Elizabethtown Point on the eve of June 7 and built a pontoon bridge to Staten Island (*N.J. Gazette*, June 14 and June 21, 1780; Fitzpatrick, *Writings of Washington*, 18:487–96). Refer to Jonathan Baldwin to WL, June 8, 1780 (NN), Lord Stirling to WL, June 10, 1780 (DNA:PCC, 68), and William Maxwell to WL, June 14, 1780 (NN).

From Nathaniel Heard

Springfield June 10th 1780

Sir

This morning his Excellency General Washington applied to me for more of the Militia to Join the main Army.¹ Agreeable thereto I have ordered out all those of Hunterdon & Colonel Scudder's of Middlesex—Colonel Neilson's those of Somerset Essex & Morris being already here.

The Enemy still lay between Elizabeth town & the point their numbers about six thousand there where yesterday reinforced and have 20 four horse wagons brought over to them yesterday by which & other circumstances it's conjectured they mean to make an Excurtion in this State.

In their March out on thursday last they shot Parson Colwills Wife as she sat in her House.² Burnt Near 30 Buildings & did other damage as Usual.

The Militia behaved very spirited hung on their flanks did them considerable damage and have made near thirty Prisoners. I am with Respect Sir your Most Obedient Servant

NATHANIEL HEARD

LS, NN.

1. Refer to Fitzpatrick, *Writings of Washington*, 18:492–93.

2. Hannah Caldwell, wife of the prominent Presbyterian minister James Caldwell, was shot on June 7 as she sat with her younger children in her house in Connecticut Farms. Her neighbors stated that they had pleaded with the British to remove her body before the house was burned. The shooting of a well-known and admired woman particularly horrified the Americans. The British subsequently published reports that refuted the American charges. On June 21 "A British Officer" stated in the *Royal Gazette* that Mrs. Caldwell had been killed by a stray ball that had entered her home from the direction of the American troops. Ebenezer Foster, a prominent Loyalist of Woodbridge, confirmed this report (*N.J. Gazette*, June 21, 1780; *Royal Gazette*, June 21 and August 5, 1780).

The End of New Jersey's Darkest Hour

On December 1, 1779, a bitterly cold and snowy day, General George Washington arrived in Jockey Hollow in Morris County. He was soon joined by the ten or twelve thousand men who comprised the continental army. For the first time since the winter of 1776–1777, the army was to winter in Morristown. The heavy snowfall and intense cold that heralded the general's arrival were to recur during what proved to be one of the hardest winters in the memories of people alive at that time. The effects of the inclement weather on the soldiers and livestock at Jockey Hollow were intensified by the shortages of clothing, blankets, provisions, and forage.

The suffering and deprivation of the troops was so intense that on January 8, 1780, Washington was compelled to impress supplies from each New Jersey county. The supplies were particularly needed at this time because Washington had formulated a plan to mount an expedition to Staten Island. Three thousand regular army troops, reinforced by local militia, were loaded onto five hundred horse-drawn sleighs, along with ammunition, weaponry, and supplies. The caravan, commanded by Livingston's brother-in-law, Lord Stirling, moved first to Elizabethtown Point and then crossed the frozen Arthur Kill to Staten Island.

The Loyalists on Staten Island fled at their approach. Without Stirling's knowledge, the undisciplined and greedy militiamen plundered the vacant farmhouses. After Stirling returned from the unsuccessful expedition he was horrified to find his troops carrying plunder. He returned

all he could find to the British but failed to avert a new and devastating series of retaliatory raids on Essex and Bergen counties. These raids began on January 25, 1780, when a British party landed in New Jersey, burned the academy at Newark, and then proceeded to fire the courthouse and meetinghouse in Elizabethtown.

The defense of the "frontier" counties was in the hands of the local militia, reinforced by units from other counties. The militia was officered by amateur soldiers. In peacetime Brigadier General John Neilson and Captain John Taylor of the Middlesex militia would return to their respective professions of merchant and teacher. Both Neilson and Taylor were friends of teacher and attorney Lieutenant Colonel Frederick Frelinghuysen of the Somerset County militia. In May of 1779, Livingston had put Frelinghuysen in command of the new levies raised to defend Bergen County. Illness prevented Frelinghuysen from accepting and he was replaced by Taylor, his second in command. Despite Taylor's desire to return to his post as tutor at Queen's College (Rutgers'), he remained in active service throughout most of 1779 and 1780. In March of 1780, the renewed British raids caused Livingston to order Taylor's unit to come to the defense of Monmouth County. Frelinghuysen also returned to active service in the spring of 1780, when Livingston ordered him to command militia detachments from Bergen, Somerset, and Hunterdon counties which were to be sent to defend Bergen County.

It was essential for the militia to de-

pend New Jersey because the severity of the winter and the lack of food and clothing had caused upwards of seven thousand men to desert from the regular army forces stationed at Morristown. The shortages continued into the spring of 1780, when nonexistent supplies led two regiments of the Connecticut Line into open mutiny. The rebellion was quickly con-

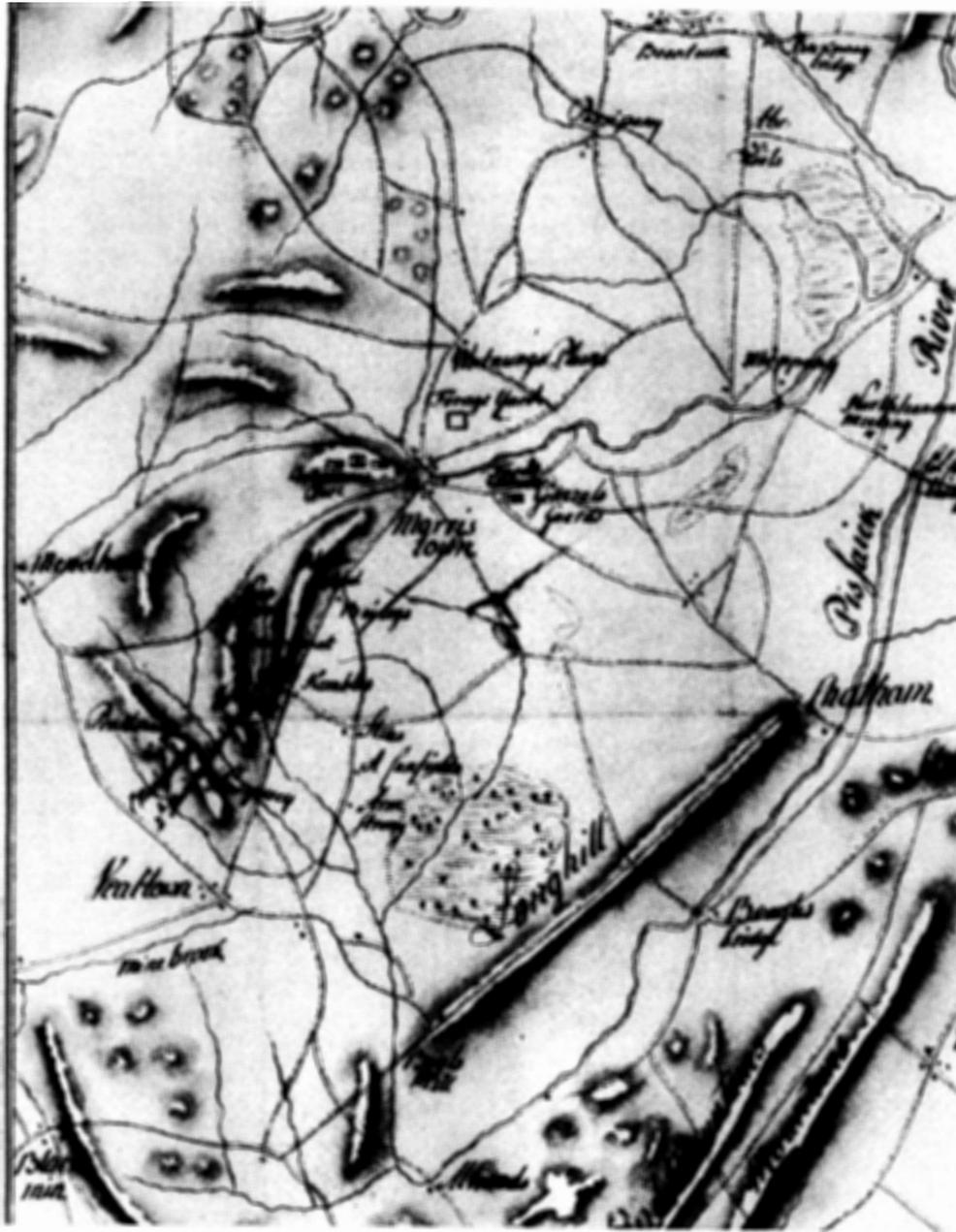
tained but the discontent of the common soldier, without pay, provisions, and lacking even the most basic equipment, was unalleviated.

While the rank-and-file saw little reason for optimism in the spring of 1780, the commander-in-chief was momentarily heartened in May by the arrival in Morristown of the Marquis de Lafayette.

Portrait of Colonel
John Neilson by James
Henry Shegogue.
Courtesy of the Frick
Art Reference Library.



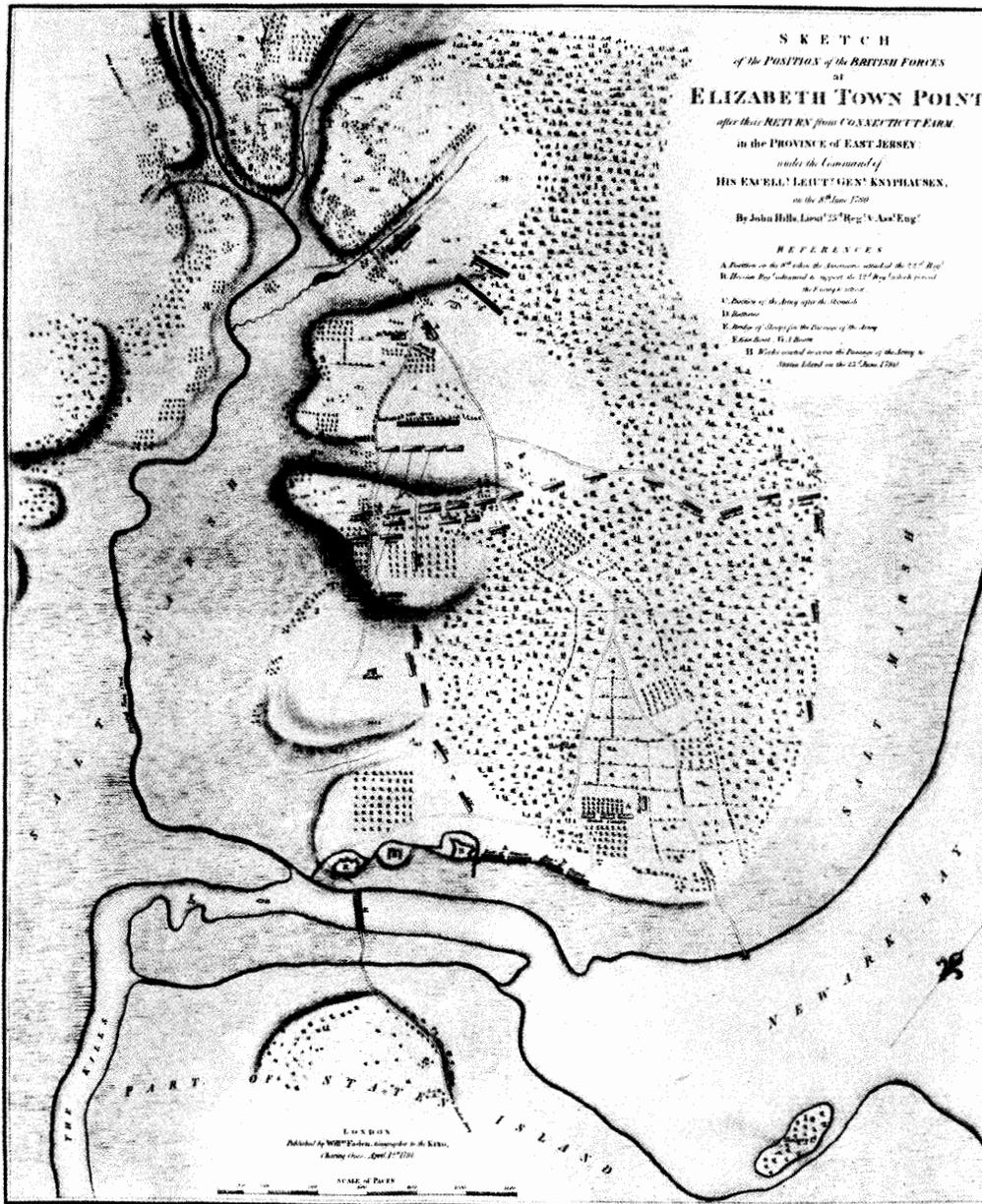
Portrait of Frederick
Frelinghuysen. Artist
unknown. Courtesy
of The New Jersey
Historical Society,
gift of Joseph S.
Frelinghuysen, Jr.



Washington's Camp at Morristown, 1779–1780. Courtesy of the William L. Clements Library, University of Michigan, Ann Arbor.



Portrait of John Taylor. Artist unknown. Courtesy of Special Collections and Archives, Rutgers University Libraries.



Elizabethtown Point, Battle of Springfield, 1780. Collection of the New Jersey State Museum, Trenton. Accession number 78.33.

The marquis brought the welcome news that Louis XVI was sending both manpower and ships to assist the Americans. Washington's optimism lasted only until June of 1780, when he received word that the British army, under the command of Sir Henry Clinton, had reduced Charleston. That same month, Clinton, leaving Lord Cornwallis in command of the Southern army, sailed for New York with part of the army he had used to subdue South Carolina.

During Clinton's absence in the Carolinas, the British army in New York was under the command of Lieutenant General Wilhelm von Knyphausen. Aware of the deplorable conditions of Washington's army, Knyphausen on June 6, 1780, moved five thousand British and German troops to Elizabethtown Point and began to advance toward Morristown. At Connecticut Farms the British encountered persistent and stubborn resistance from New Jersey's militia. Among the officers leading the resistance was Captain Nathaniel FitzRandolph of Woodbridge, until the previous week a prisoner of the British in New York. The resistance mounted by the New Jersey militia caused Knyphausen to order a retreat. After setting fire to Connecticut Farms and terrorizing the residents of Elizabethtown, the enemy moved back to Elizabethtown Point.

Knyphausen, aware that Clinton was approaching New York, decided to wait for reinforcements at Elizabethtown Point. The general's inaction gave the commander-in-chief and the governor of New Jersey the opportunity to reinforce and deploy their troops. Colonel John Neilson's Middlesex militia was among those units ordered by Livingston to reinforce the 1,500 regular forces which Washington had ordered moved from Morristown to Elizabethtown. The bulk of the continental force was ordered to

march to Pompton to ward off an expected British attack from the north.

Knyphausen's forces remained in Elizabethtown Point until June 23rd, when Clinton, newly arrived from South Carolina, ordered them to advance toward Morristown. General Nathanael Greene, in command of the American forces, deployed both regulars and militiamen along Knyphausen's expected route. The Americans and the British met in a series of brutal skirmishes near Springfield, during which Captain FitzRandolph received wounds that proved fatal a month later. In the decisive encounter of the battle a British force composed of the Loyalist New Jersey Volunteers and the Queen's Rangers, under the command of the recently released prisoner John Simcoe, met an American force under the command of the Virginia major, Henry Lee. The British, with superior forces, made advances, but Knyphausen, fearing that Washington and the main body of the American army would join the foray, ordered a retreat. The British delayed only long enough to set fire to almost every house in Springfield, sparing only the four houses belonging to Loyalists. Knyphausen's men moved back to Staten Island, pursued by Brigadier General Nathaniel Heard's militiamen.

The Battle of Springfield proved to be the last large-scale military engagement of the war on New Jersey soil. Never again did the British attempt a major invasion of New Jersey. It may well be that the stubborn resistance of New Jersey's militia at Springfield dissuaded the British from another attempt on the state. While the New Jersey militia was certainly a significant factor, in the Battle of Springfield and in several other encounters, the British were not so much defeated by the Americans as they were by the ineptness, poor judgment, and indecisiveness of their own commanders.

To Samuel Huntington

Trenton 11 June 1780

Sir

Your Excellency will see by the enclosed Letter the absolute necessity of a very numerous Militia to rein-force the grand Army.¹ Several causes render it impossible for this State to turn out as great a number of its Militia as [asked?] upon so short a notice as the Exigency requires.² It is therefore hoped that Congress could use their influence to procure as large a Body of the Militia of Pennsylvania as possible.³ I have the honour to be with the greatest Esteem your Excellency's most humble Servant

WIL: LIVINGSTON

P.S. They must bring their own Provisions.

ALS, DNA:PCC, 68.

1. The enclosure was a letter to WL from Lord Stirling of June 10, 1780, in which Stirling described the British attack on June 7 near Springfield and informed WL that the British had retreated that evening to Elizabethtown Point, where they remained. Upon receiving the alarm, Stirling had immediately notified the militias of Middlesex, Somerset, and Hunterdon counties. Few companies had turned out. Stirling, however, was convinced that the British were waiting at Elizabethtown Point for reinforcements and would renew their attack. He urgently requested that WL order out the militia. Refer to Lord Stirling to WL, June 10, 1780 (DNA:PCC, 68).

2. WL had ordered out the militia of several counties. On June 11 he had directed Maj. Gen. Philemon Dickinson to call out the state militia as well. Men refused to turn out, however, because it was the planting season, militia provisions were scarce, and on the monthly rotation of enrollments, enlistment terms were due to expire on June 14. On May 20 WL had recommended to the assembly that the militia laws be changed because they were inadequate to "the Purpose for which they were intended from the fruitless Efforts of the executive Powers of Government to draw forth the Militia for the defense of the Frontiers of the State." The legislature passed on June 15 "An Act to provide for the more effectual Defence of the State, in case of Invasions or Incursions of the Enemy," which stipulated that those who failed to turn out would be liable to court-martial and sentences of no more than three months detention or a fine not exceeding £1000 (*General Assembly* [May 10–June 19, 1780], 195, 236–39, 241, 246, 248; *Legislative Council* [May 10–October 7, 1780], 101, 104; *Acts* [May 24–June 19, 1780], 108–9). See WL to the Assembly, June 6, 1780; refer to David Van Bussam, William Logan, and John Huyler to WL, June 9, 1780 (NN), Philemon Dickinson to George Washington, June 11, 1780 (DLC:GW), William Bond to WL, June 12, 1780 (NN), Asher Holmes to WL, June 12, 1780 (NN), and Samuel Forman to WL, June 12, 1780 (NN).

3. Congress considered WL's and Lord Stirling's letters on June 12 and asked the Pennsylvania delegates to take measures quickly to reinforce Washington's army in New Jersey. Congress by resolve also instructed the Committee of Cooperation at Washington's headquarters to provision only the army and militia in actual service or on march. On the same date the Pennsylvania delegates informed Congress that the government of Pennsylvania had ordered its militia to hold itself ready to march at short notice (*JCC*, 17:502–3, 505–6). Refer to Reports of the Congressional Committee and the Pennsylvania Delegates to Congress, June 12, 1780 (DNA:PCC, 27).

To Joseph Reed

Trenton 11th June 1780

Sir

It appears by a Letter from Lord Sterling of yesterdays date¹ that the Enemy were still reinforcing behind their lines at Elizabeth Town point, & he supposes their Design is to tire out the Militia, & when they leave us, to attack the Army, or that they are in daily expectations of Troops from Carolina,² & wait till they are able to attack us in still greater forces & make sure work of it; & he thinks it will be necessary to make ourselves as strong as possible by getting in all the Militia we can.

As I have had no other official notice of the Matter except the above Letter, & only received that, this morning, as part of our Militia live at a prodigious distance from the place invaded, & as several of our Regiments along the frontiers cannot be called from their own Counties without exposing them to the ravages of the Refugees;³ it would be of Singular Service to the Common Cause to have the assistance of the Militia of your State as soon as possible. I have the Honour to be with the greatest Regard Your Excellency's most humble & obedient Servant

WIL: LIVINGSTON

ALS, PHi.

1. Refer to Lord Stirling to WL, June 10, 1780 (DNA:PCC, 68).

2. British troops, fresh from their victory at Charleston, South Carolina, on May 12, 1780, were expected to land any day in New York.

3. Several petitions from Bergen and Monmouth counties in early June had requested militia units to defend against continuous Loyalist raids from Staten Island. In June, militia officers and others had reported that people had been murdered, property destroyed, and livestock stolen (*General Assembly* [May 10–June 19, 1780], 186, 188, 195, 229). See David Forman to WL, June 9, 1780; refer to Samuel Forman to WL, June 5, 1780 (NN), and Thomas Blanch to WL, June 8, 1780 (NN). The June 14 and June 28 *N.J. Gazette* carried accounts of Loyalist raids into New Jersey.

From Tench Tilghman

Head Quarters Springfield 14 June 1780 7 oClock PM.

Dear Sir

I was down below your House this morning.¹ I called in; and had the pleasure of seeing Mrs. Livingston Mrs. Lynn and Miss Katy as well as you may suppose their situation could admit. Miss Susan, with Master Peter and his Nurse, came off to Day. Was it not fear of the House being hurt, as much by our parties as by the enemy, if deserted, they would all come away. Mrs. Livingston says if she could get any body on whom she could depend to stay upon and take care of the place she would not hesitate.

The Enemy remain very quiet in general. Their Horse made a short excursion last Evening. They were fired upon by two parties of ours near De Haarts orchard when one of them was killed and several wounded, among the latter, it is confidently said, is the famous Cornelius Hatfeild.² If they do not remove soon, they will, I am of opinion, suffer more from the Musquitos than they did from Maxwells Brigade and your Militia, and they gave them a pretty warm reception. I am with great Respect and Esteem Your Excellency's most obedient Servant

TENCH TILGHMAN

ALS, NN.

1. Tilghman had also visited the Livingston family the previous day and wrote WL then that all were well and had been treated courteously by the British. Friends of the Livingston family kept WL informed of his family's situation during the British occupation of Elizabethtown Point. Refer to Joseph Clark to WL, June 12, 1780, Tench Tilghman to WL, June 13, 1780, and Joshua Wallace to WL, June 15, 1780 (NN).

2. Cornelius Hatfeild, a member of a prestigious New Jersey Loyalist family, was a captain in the New Jersey Volunteers and had led numerous raids from Staten Island against the Americans.

To George Washington

Trenton 19 June 1780

Dear Sir

I am honoured with your Excellency's Letter of yesterday;¹ & have the pleasure to undeceive you in the Information you had received concerning the draft from our Militia to serve for the Campaign. By the two Acts which I do myself the honour to inclose your Excellency, you will perceive that the Act for raising the 624 men upon the plan you mention has no connection with the Act for compleating the three Regiments of this State,² tho' I will wish that the last had been by way of draft according to your Recommendation, & that we had paid our honest debts before we thought of providing for vouchers. I have the Honour to be with the greatest Esteem & Affection Dear Sir Your Excellency's most obedient & very humble Servant

WIL: LIVINGSTON

ALS, DLC:GW.

1. Refer to George Washington to WL, June 18, 1780 (DLC:GW).

2. WL enclosed the "Act to raise and embody, for a limited Time, Six Hundred and Twenty-four Men, for the Defence of the Frontiers of this State," passed June 7, 1780, and an "Act to complet the three Regiments of this State in the Service of the United States, and to raise a Company of Volunteers for the Defence of Part of the County of Monmouth," passed June 14, 1780. For discussion of the first act see WL to Aaron Han- kinson, May 29, 1780.

The second act resembled the first in that it was to raise 624 men, through county quotas, to serve until January 1, 1781, in the New Jersey Brigade of the Continental army. Enlistment of the troops was not to be allocated against the quota established in the March 11, 1780, "Act for compleating the Quota of Troops belonging to this State, in the Service of the United States." The inability of the latter act to raise the desired number of troops induced the legislature to enact the more effective June statutes (*General Assembly* [May 10–June 19, 1780], 230, 232–34; *Legislative Council* [May 10–October 7, 1780], 94–95, 99; *Acts* [May 24–June 19, 1780], 105–6). For prior discussion on the completion of the New Jersey regiments, see WL to the Assembly, June 7, 1780; for discussion of the March legislation establishing the troop quota see WL to George Clinton, April 3, 1780.

To Samuel Huntington

Trenton 20 June 1780

Sir

Our assembly being adjourned,¹ I was just mounting to go to head Quarters when I received a Letter from Lord Stirling in which he informs me that it is reduced to a certainty that Admiral Arbuthnot is arrived at New York with near 70 sailing Ships of various kinds on the 17th² & that on the 18th two Regiments passed over the New Bridge from Staten Island to Elizabeth point.³ His Lordship adds a Postscript in these words—"The States are on the Brink of Destruction, nothing can save them but the most speedy & vigorous Exertions."⁴ I have the honour to be with great Esteem & respect your Excellency's most humble & most obedient Servant

WIL: LIVINGSTON

ALS, DNA:PCC, 68.

1. The legislature adjourned June 19.

2. On June 17 Samuel Forman had informed WL that a British fleet under Vice-Adm. Marriot Arbuthnot had arrived at Sandy Hook the previous day, followed on June 17 by sixty-five ships of the line. WL transmitted this information to Washington on June 18. On June 19 Lord Stirling confirmed that Arbuthnot's fleet had arrived. Sir Henry Clinton had returned to New York with Arbuthnot's fleet (Davis, *Documents*, 18:112). Refer to Samuel Forman to WL, June 17, 1780 (NN), WL to George Washington, June 18, 1780 (DLC:GW), and Lord Stirling to WL, June 19, 1780 (NN).

3. Following their June 7 raids against Connecticut Farms and Springfield, the British had remained at Elizabethtown Point, gathering reinforcements, engaging in skirmishes with the Americans, and constructing a pontoon bridge across the sound to Staten Island. On June 23 they again advanced as far as Springfield, which they burned, and retreated through Connecticut Farms, where they destroyed more buildings before withdrawing again to Elizabethtown Point. At midnight of June 23 they crossed the sound to Staten Island, taking up their bridge as they went (*N.J. Gazette*, June 28, 1780; Davis, *Documents*, 18:108–13; Fitzpatrick, *Writings of Washington*, 19:64–66).

4. Huntington presented WL's letter to Congress on June 21. Washington had communicated with Congress almost daily since June 18, when he had learned of the return of the British fleet. He was concerned because the states had not made good on the army enlistments and supplies recommended by the Committee of Cooperation at Camp. Both were needed to bolster and sustain the American and anticipated French forces in the forthcoming campaign. On June 20 Congress transmitted Washington's June 18 letter to the Pennsylvania Council, requesting its immediate compliance. Congress ordered on June 23 that an extract of Washington's June 20 letter be forwarded to the states, asking

that they send troops and provisions as soon as possible (*JCC*, 17:531, 538, 544, 551; Fitzpatrick, *Writings of Washington*, 19:26–30, 34–38). Refer to George Washington to WL, June 18, 1780 (DLC:GW); WL to George Washington, June 18, 1780 (DLC:GW); and Samuel Huntington to WL, June 22/23, 1780 (Nj).

From Baron von Steuben

Springfield 20th June 80

Dear Sir

The weakness of the Post to which I have been appointed by the Commander in Chief,¹ thro' want of regular & sufficient Aid from the Country has given me inexpressible Concern. Anxious as I am to support your Liberties in the defense of which I would cheerfully die there is nevertheless some Attention due to my Character as an Officer. Unwilling as I am to relinquish the Defense of the one; I cannot renounce the Regard due to the other. Every Argument has already been used to evince the Necessity of vigorous Exertions on the Part of the State in drawing out a Force adequate to the present Emergency. But fruitless have hitherto been all our Representations on the Subject. With a very inferior Force I have hitherto labor'd to keep at Bay an Army very respectable in their Numbers & prevented their ravaging your Country. I am liable however every moment to be deserted by those few Men who constitute my Command, while they are drawn out on the present Establishment. You see Sir my Situation. My Honor as an Officer, and your Safety are upon a precarious Footing should I under these Circumstances remain silent. I rely much on your influence & your Zeal & hope they may yet be exercised to the public Benefit. By General Dickenson's Return of this Morning I find myself in Possession of about four hundred Men when perhaps as many Thousands would not be a Man too many for our Purpose. I have this Morning sollicit to be removed from this Post.² I will not however relinquish it without one more pressing Invitation to the Legislature to be furnished with a force sufficient to struggle in your Defence. After this the most censorious must allow I have done my duty. Mr. Livingston will be the Bearer of this who will be able to inform of the particulars of our Situation. I have the Honor to be Your Excellency Most Obedient Servant

STEUBEN Maj. General

ALS, NN.

1. On June 7 Washington had placed Maj. Gen. Baron von Steuben in command of the second line of troops dispatched to counter Lt. Gen. Baron von Knyphausen's attack against Springfield. On June 9 Washington placed Steuben in command of Brig. Gen. William Maxwell's brigade and the New Jersey militia, who were stationed as advance troops between the main forces of the Continental army and the British at Elizabethtown Point (Fitzpatrick, *Writings of Washington*, 18:487, 492).

2. Steuben had written to Washington requesting to be relieved because the men assigned to him had abandoned several posts, reinforcements had not arrived, and his troops were severely depleted. He also cited poor health. On June 21 Washington transferred Steuben to West Point (Fitzpatrick, *Writings of Washington*, 19:42, 91). Refer to Baron von Steuben to George Washington, May 20, 1780 (DLC:GW).

To Baron von Steuben

Raritan 21st June 1780

Dear Baron

I met your Favor of yesterday on the Road on my Return from the Assembly. They have passed a more vigorous Law for reducing the Militia to military discipline; & the Law for filling up our Brigade, I hope will also speedily have its Effect.¹ But it must be confessed that we are always too late and generally begin to think of providing our Quotas when we ought to open the Campaign. I am sorry to hear that our Militia quit their Posts before the Expiration of their Time. It is indeed enough to exhaust the Patience of any Officer who has the Direction of them. But my dear Sir, there is a kind of passive as well as active Fortitude, that we must exercise upon these Occasions, & General Washington also has exhibited a thousand Instances of that kind of suffering Heroism ought to animate us all by his illustrious Example. Think not my dear Baron of resigning your present Command; tho' in one Sense an Officer is in danger of reaping not but disgrace by commanding such a disorderly Band; yet when it is duly considered *how disorderly* they are, & that he does great things even with such materials, it must add to his Glory.

The Militia from the lower Counties of this State are on their Way in considerable Numbers & Governor Reed informs me that his Militia are ready to march to our Assistance at a Moments warning.²

You want not Sir the Addition of my Testimony in proof of the great Obligations under which you have laid this Country by your signal Ser-

vices. But great as your merit is, you may still give it an additional Lustre by rising Superior to all the Difficulties with which I see you embarrassed. I have the honor to be dear Sir etc.

Df, NN.

1. For discussion of "An Act to provide for the more effectual Defence of the State, in case of Invasions or Incursions of the Enemy," passed June 16, 1780, and "An Act to raise and embody, for a limited Time, Six Hundred and Twenty-four Men, for the Defence of the Frontiers of this State," passed June 7, 1780, see WL to Aaron Hankinson, May 29, 1780.

2. Orders to and responses from southern county militias not found. For background on the readiness of the Pennsylvania militia to assist, see WL to Joseph Reed, June 11, 1780, and WL to Samuel Huntington, June 20, 1780.

To Samuel Huntington

28 June 1780

Sir

I am honoured with the Resolutions of Congress of the 21st & 23d instant,¹ & in compliance therewith, beg leave to inform Congress that the Law of this State for enlarging the Powers of the Contractors, directs them to hire purchase or impress their respective Quotas of horse teams & drivers assigned to each County, amounting in the whole, to the number required, & empowering them to purchase more of any Articles of Provisions until the first of January next, than their quota fixed in the former Law² and Resolution of both Houses directs the Magistrates to impress all the teams they possibly can, in the Counties of Hunterdon, Burlington, Monmouth Middlesex Somerset and Sussex.³

The Legislature has also passed a Law for completing the three Regiments of this State in the Service of the United States, which is now carrying into Execution; but they have not "vested in any persons such powers as to enable them on the requisition of Congress or their Committee, to draw forth the military Resources of this state."⁴

In Answer to the Act of Congress of the 17th instant, requesting the states to inform Congress what measures they have taken in Consequence of the several Resolutions, a List of which is thereto annexed,⁵ I can only say, that having taken it for granted that the Speaker of our assembly had from time to time, transmitted all our Acts made in consequence of any Resolution of Congress, I have not charged my Mem-

ory with the particulars contained in the said List, & cannot therefore resolve the Questions. I have the honour to be with great respect your Excellency's most obedient & very humble Servant

WIL: LIVINGSTON

P.S. Please to direct to me at Mr. [. . .] at Head Quarters

ALS, DNA:PCC, 68.

1. Refer to Samuel Huntington to WL, June 22/23, 1780 (Nj). The June 21 resolution asked state executives to inform Congress of measures taken to comply with its requisitions of troops and supplies for the Continental army. It also requested that states inform the Committee of Cooperation at Camp each week of the status of enlistment and procurement of supplies. Congress finally reiterated its May 19 resolution that the states authorize an official to acquire the supplies to be requisitioned either by Congress or its Committee of Cooperation at Camp. On June 23 Congress resolved to forward to the states an extract of a June 20 letter from Washington stressing the abject condition of the army (*JCC*, 17:439, 538–40, 551; Fitzpatrick, *Writings of Washington*, 19:34–38). For the requisitions of June 2 see WL to the Assembly, June 7, 1780.

2. For discussion of “An Act to enlarge the Power of the Contractors of the Several Counties in this State for a limited Time” see WL to the Assembly, June 7, 1780.

3. This resolve passed June 19, 1780 (*General Assembly* [May 10–June 19, 1780], 251–52; *Legislative Council* [May 10–October 7, 1780], 107).

4. See WL to George Washington, June 19, 1780.

5. Refer to Samuel Huntington to WL, June 21, 1780 (Nj). For the June 17, 1780, congressional resolution refer to *JCC*, 17:525. On June 20, 1780, Speaker Caleb Camp sent Congress a description of pertinent acts passed during the most recent legislative session. Refer to Caleb Camp to Samuel Huntington, June 20, 1780 (DNA:PCC, 68).

APPENDIX

List of Documents Not Published*

1779

January 1	To Members of the Privy Council, NN: Lyon
7	To the Managers of the United States Lottery, NN:Lyon
7	To the President of the Board of Treasury, NN:Lyon
9	From Elizabeth Ferguson, MHi
9	To John Cleves Symmes, NN:Lyon
9	To Edward Thomas, NN:Lyon
12	From the Supreme Executive Council of Pennsylvania, <i>Pa. Archives</i>
14	From Clement Biddle, <i>Correspondence of the Executive</i> , 139–40
15	To Asher Holmes, NN:Lyon
15	To New Jersey Militia Colonels, NN
15	To Lord Stirling, NN:Lyon
18	Petition of Thomas Henderson, Nj
19	From Gouverneur Morris and William Whipple, Nj
21	To Bowes Reed, NN:Lyon
22	To the Sheriff of [—], NN:Lyon
30	To Clement Biddle, NN:Lyon
30	To Abraham Clark and Abraham Van Neste, NN:Lyon
30	To William Winds, NN:Lyon

*These will be published in the Microfilm Edition of The Papers of William Livingston.

- 31 From George Washington, DLC:GW
- February 1 Petition of David Edgar, John Bray, and James Paton to William Livingston and the Legislature, Nj
- 4 To Peter Wilson, NN:Lyon
- 5 To Teunis Dey, NN:Lyon
- 7 To Francis Hopkinson, NN:Lyon
- 8 To Bowes Reed, NN:Lyon
- [12] French Vocabulary Exercise, NN:Lyon
- 14 From Thomas Bedford and Other Prison Ship Captives, Nj
- 14 From Nathanael Greene, DNA:PCC
- 21 From Joseph Reed, *Pa. Archives*
- 23 To William Bott, NN:Lyon
- March 1 To Jonathan Deare, NjHi
- [1-31] "Continental Currency," introduced by "Hortentius," *U.S. Magazine*, March 1779
- 3 From George Washington, DLC:GW
- [10] "Caius," *N.J. Gazette*, March 10, 1779
- 12 From John Jay, DNA:PCC
- 20 To John Jay, DNA:PCC
- 20 To Joseph Reed, NN:Lyon
- 23 From George Washington, NjP
- 30 To William Maxwell, NN:Lyon
- 30 To Members of the Privy Council, NN:Lyon
- April 5 From George Washington, DLC:GW
- 9 Proclamation, *N.J. Gazette*, April 14, 1779
- 9 Proclamation, *N.J. Gazette*, April 21, 1779
- 12 To George Clinton, MHi
- 12 From George Washington, DLC:GW
- 13 From Ralph Pomeroy, Nj

- 21 Remonstrance of the Officers of the New
Jersey Brigade to William Livingston and
the Legislature, Nj
- 22 From Peter Scull, NjMoHP
- 23 From George Washington, DLC:GW
- 25 From William Maxwell to William Living-
ston and the Legislature, Nj
- 26 From the Assembly to William Livingston
and the Privy Council in hand of William
Churchill Houston, NjP
- 26 From William Maxwell to William Living-
ston and the Legislature, Nj
- 28 From George Washington, DLC:GW
- 29 From George Washington, DLC:GW
- May 1 To Frederick Frelinghuysen, NN:Lyon
- [1–31] Petition of the Inhabitants of Monmouth
County to William Livingston and the
Legislature, Nj
- 3 From John Neilson, ICHi
- 4 From George Washington, DLC:GW
- [7] “Hortentius,” *U.S. Magazine*, June 1779;
American Museum, January 1789
- 8 To John Jay, DNA:PCC
- 9 From George Washington, DLC:GW
- 10 From John Jay, DNA:PCC
- 11 To the Captains of the Essex, Hunterdon,
and Monmouth County Light Horse, NN:
Lyon
- 11 To John Neilson, NjR
- 13 To John Neilson, NN:Lyon
- 14 From George Washington, DLC:GW
- 17 To Baron De Wolfson, NN:Lyon
- 18 To Aaron Clarke, NN:Lyon
- 18 To William Maxwell, NN:Lyon

- 19 Remonstrance of the New Jersey Legislature to the Continental Congress, DNA:PCC
- 22 From John Neilson, NjHi
- 22 From Richard Peters to William Livingston and Caleb Camp, Nj
- 24 To John Neilson, NjR
- 26 To James Caldwell, NN:Lyon
- 26 To Frederick Frelinghuysen, NN:Lyon
- 26 To John Neilson, NN:Lyon
- 26 To Elizabeth Rither, NN:Lyon
- 27 To Joseph Board, NN:Lyon
- 27 To Henry Freeman, NN:Lyon
- 27 To John Neilson, NjR
- 28 Receipts, NN:Lyon
- 28 To Jonathan Trumbull, NN:Lyon
- 31 Message to the Assembly, NN:Lyon
- June 3 From George Washington, DLC:GW
- [5] To Philemon Dickinson, NN:Lyon
- 5 From John Neilson, NjR
- 7 To William Davison, NN:Lyon
- 7 From John Jay, DNA:PCC
- 7 To Joseph Reed, *Pa. Archives*
- 7 To William Scudder, NN:Lyon
- 7 To John Stryker, NN:Lyon
- [7–26] List of Persons Engaged to Fire Beacons, NN:Lyon
- 8 Petition of Clarkson Edgar and Middlesex First Battalion Field Officers to William Livingston and the Legislature, Nj
- 10 To John Jay and Others, NN:Lyon
- 10 To Henry Laurens, ScHi

- 11 From John Neilson, NjR
- 12 From Charlotte Arriette Battersby, NN:
Lyon
- 12 To John Neilson, NjR
- 12 Remonstrance of the New Jersey Legis-
lature to the Continental Congress,
DNA:PCC
- 15 Bond of Enos Kelsey, Robert Stockton,
and Joseph Olden, NjP
- 15 To the Judges of the Inferior Court of Com-
mon Pleas of Middlesex County, NN:Lyon
- 15 From John Neilson, NjR
- 16 From John Jay, DNA:PCC
- 17 To William Scudder, NN:Lyon
- 17 To George Washington, NN:Lyon
- 19 To John Stryker, NN:Lyon
- 22 To Any of the Colonels, Lieutenant Colo-
nels, or Majors of the Militia of the County
of Sussex, NN:Lyon
- 23 To Peter Wilson, NN:Lyon
- 24 To Paymasters of the New Jersey Militia,
NN:Lyon
- 26 To Nathaniel Heard, NN:Lyon
- 26 To James More, NN:Lyon
- 26 To John Taylor, NN:Lyon
- 28 From Moore Furman, NjP
- 29 From John Jay, DNA:PCC
- July 3 From [Thomas Wharton, Jr.], PharH
- 8 From John Jay, DNA:PCC
- 12 To John Jay, DNA:PCC
- 12 To Sarah Jay, NN:Lyon
- 14 From John Jay, DNA:PCC
- 16 From George Washington, DLC:GW

- 28 From Nathanael Greene, NjHi
- August 16 From Richard Peters, Nj
- 16 From George Washington, DLC:GW
- 17 Proclamation, *N.J. Gazette*, August 25, 1779
- 20 From James Wilkinson, Nj
- 21 From James Abeel, *N.J. Gazette*, August 25, 1779
- 26 From George Washington, Nj
- 28 From George Washington, DLC:Force
- September 4 From Richard Peters, NN
- 7 From John Beatty, NN
- 7 From George Washington, DLC:GW
- 8 From William Alexander Livingston, MdA
- 13 Petition of Jane Demarest to William Livingston and the Legislature, Nj
- September 20/21;
October 11/12 Expenses, DNA:PCC
- 20 To John Jay, MdA
- 20 From Jesse Root to William Livingston and the Legislature, NCooSHi
- 26 From John Taylor, Nj
- 27 From George Washington, Nj
- 29 Circular of the New Jersey Legislature to the States, Evans, no. 43670
- October [1–31] To Abraham Ten Broeck and Thomas Jones, NN:Lyon
- 4 From George Clinton, N
- 4 From George Washington, Nj
- 4 From George Washington, DLC:GW
- 4 Petition of Hunterdon County Militia Officers, Nj
- 5 From William Churchill Houston, Nj
- 5 From George Washington, DLC:GW

- 7 Message to the Assembly from William Livingston and the Privy Council, *General Assembly* (September 15–October 9, 1779), 204
- 8 From Samuel Huntington, NN
- 9 From Samuel Huntington, MHi
- 9 To George Washington, DLC:GW
- 9 Proclamation, *N.J. Gazette*, October 13, 1779
- [12] To Aaron Mottison, NN:Lyon
- 12 To Thomas Stockton, NN:Lyon
- 13 Marriage Certificate of Peter Templer and Martha Severns, CtY
- 15 To James Abeel, NN:Lyon
- 20 From Samuel Huntington, DNA:PCC
- 22 From Joseph Nourse, NN
- 25 From the Legislature of New York to William Livingston and the New Jersey Legislature, Nj
- [28] Protection to John Simcoe, Simcoe, *Operations of the Queen's Rangers*, 265
- 30 Re-Election of William Livingston, *Joint Meeting*, 32
- November 1 From Jesse Root, MHi
- [2] To John Taylor, NN:Lyon
- [4] "Z," *Pa. Packet*, December 21, 1779; *N.J. Gazette*, December 29, 1779
- 4 Message to the Assembly, NN:Lyon
- 7 To Joseph Scot, NN:Lyon
- 9 Letter in shorthand from Margaret Livingston, NN:Lyon
- 9 From Margaret Livingston, NN
- 9 From Samuel Huntington, DNA:PCC
- 9 Proclamation, *Pa. Gazette*, November 17, 1779; *N.J. Gazette*, November 24, 1779

- 10 To the Captain of the Fairfield Militia, Cumberland County, NN:Lyon
- 10 To Silvanus Seely, NN:Lyon
- 12 From William Churchill Houston, *Correspondence of the Executive*, 200–4.
- [12–15] From John Simcoe, Simcoe, *Operations of the Queen's Rangers*, 274–76
- [14] To Henry Lee, Jr., Simcoe, *Operations of the Queen's Rangers*, 270
- 16/27 Warrant for Esther Couch, Nj
- 16 From Ephraim Blaine, Nj
- 16 To Okey Hoagland, NN:Lyon
- 16 To Silvanus Seely, NN:Lyon
- 17 Message to the Assembly, NN:Lyon
- 18 From Samuel Huntington, DNA:PCC
- 19 To William Churchill Houston, NN:Lyon
- 19 Message to the Assembly, NN:Lyon
- [22] Message to the Assembly, NN:Lyon
- 22 From the New Jersey Delegates in the Continental Congress to William Livingston and the Legislature, *Correspondence of the Executive*, 204–6
- 22 From George Washington, DLC:GW
- 24 From Abraham Clark, PHi
- 25 Message to the Assembly, NN:Lyon
- December [1–5] From John Simcoe, Simcoe, *Operations of the Queen's Rangers*, 281–82
- 7 To Abraham Clark, NN:Lyon
- 7 To Peter Van Brugh Livingston, NN:Lyon
- 7 From Robert Troup, Nj
- 7 From George Washington, DLC:GW
- 7 “An Old Man,” *N.J. Gazette*, December 15, 1779
- 11 From Samuel Huntington, DNA:PCC

- 12 From George Washington, DLC:GW
 13 To Samuel Huntington, DNA:PCC
 13 To George Washington, NN:Lyon
 14 From Samuel Huntington, Nj
 15 Bond of Zachariah Rossell, Nathaniel
 Lewis, and Joseph Mullen, Nj
 16 From Joseph Hedden, NN
 16 From George Washington, NjMoHP
 17 Message to the Assembly, NN:Lyon
 19 To Elisha Boudinot, NN:Lyon
 20 To Moore Furman, Nj
 20 From William Churchill Houston to
 William Livingston and Caleb Camp, Nj
 21 To Azariah Dunham, NN:Lyon
 21 From George Washington, Nj
 21 Message to the Assembly, NN:Lyon
 23 To Asher Holmes, NN:Lyon
 23 To Hendricus Kuyper, Peter Harring, and
 David Board, NN:Lyon
 23 To James Morgan, NN:Lyon
 24 To Charles Thomson, DNA:PCC
 25 To John Outwater, NN:Lyon
 25 To William Shute, NN:Lyon
 25 Representation of the New Jersey Legisla-
 ture to the Continental Congress, DNA:
 PCC
 26 To Nathaniel Heard, NN:Lyon
 31 To John Witherspoon, NN:Lyon

1780

- [January–December] From John Beatty, Nj
 [January–December] From David Forman, Nj
 [January–December] From William Churchill Houston, Nj

- [1780–1781] From David Forman, Nj
- [1780–1781] From the Inspector of the Troops of the Continental Army, MHi
- January 12 To George Clinton, NjMoHP
- 15 From George Washington, DLC:GW
- [15] French Exercise, NN:Lyon
- 20 From Samuel Huntington, DNA:PCC
- 27 To Robert Ogden, NN:Lyon
- February 1 To John Outwater, NN:Lyon
- 1 To Philip Van Cortlant, NN:Lyon
- 1 Petition of the Inhabitants of Elizabeth Town, Nj
- 2 Petition of the Inhabitants of Essex and Middlesex Counties to WL and the Privy Council, Nj
- 4 From Elias Bland, NN
- 7 To Baron van der Capellen, MHi
- 9 Court-Martial of Augustin Bayley, Elihu Crane, Joshua Gerin, John Lindley, and Cyrus Beckweth, *N.J. Journal*, February 16, 1780
- 14 From John Cleves Symmes, *Correspondence of the Executive*, 210–12
- 19 Memorial of John Conway to WL and the Legislature, Nj
- 19 To Henry Remsen, NN:Lyon
- 19 From George Washington, DLC:GW
- 22 From Silas Conduct, NN
- 22 To Elijah Hand, NN:Lyon
- 22 From Robert Harpur, NN
- 22 To William Maxwell, NN:Lyon
- 23 From Catharine Livingston, MHi
- 23 Message to the Assembly, NN:Lyon
- 24 To Robert R. Livingston, NHi

- 25 To John Outwater, NN:Lyon
- 26 From Josiah Foster, DLC:GW
- 26 From George Washington, DLC:GW
- March 2 To James Paxton, NN:Lyon
- 2 From William Read, NN
- 3 To Commanding Officer of the Troops
of the United States at Elizabeth Town,
NN:Lyon
- 3 Message to the Assembly, NN:Lyon
- 4 From Joseph Reed, NN
- 5 From Henry Peyton, NN
- 5 From John W. Watkins, NN
- 6 From Samuel Huntington, DNA:PCC
- 6 Petition of William Loudon, NN
- 9 From John Cleves Symmes, NjMoHP
- 10 From Asher Holmes, NN
- 10 From Robert R. Livingston, NN
- 10 From Jonathan Trumbull, NN
- 10 From George Washington, NN
- 10 Message to the Assembly, NN:Lyon
- 11 From Rebecah Nixon, NN
- 12 From Lambortus De Ronde, NN
- [13] Letter in shorthand from John Watkins,
NN:Lyon
- 13 To the Manager of the United States Lot-
tery, NN:Lyon
- 14 From Samuel Huntington, NN
- 14 From [—] Low, NN
- 15 From William D. Hart to WL and the Leg-
islature, Nj
- 15 To George Washington, DLC:GW
- 15 From Jacob Winans, NN
- 16 From William Demayne, NN

- 16 From Joseph Reed, *Pa. Archives*, 1st ser., 8:139
- 17 To Samuel Huntington, DNA:PCC
- 17 To Jonathan Trumbull, NN:Lyon
- 18 From William Churchill Houston, NN
- 20 From Eli Elmer, NN
- 20 From Samuel Huntington, *Correspondence of the Executive*, 215–16
- 21 From Rebecca Paul, NN
- 21 Proclamation, *N.J. Gazette*, March 20, 1780; *N.J. Journal*, April 5, 1780
- 23 From Samuel Huntington, NN
- 26 From George Washington, NN
- 27 From Mary Hampton, NN
- 28 From an Anonymous Woman, NN
- 29 To Teunis Dey, NN
- 29 Appointment of John Conway, NN:Lyon
- 30 From Abraham Clark, DLC:GW
- [1–30] To Samuel Blachley Webb, CtY
- April 1 From James Abraham, NN
- 2 From Lord Stirling, Private Collection, Anonymous
- 3 To Robert Ogden, Jr., NN:Lyon
- 3 To Peter Ward, NN:Lyon
- 3 To New Jersey Militia Colonels, NN:Lyon
- 4 To Jacob Arnold, NN:Lyon
- 4 From Chevalier de La Fleudrie, NN
- 4 To Benoni Hathaway, NN:Lyon
- 4 From William Churchill Houston, NN
- 4 Order for Court-Martial of Silvanus Seely and Appointment of Judges, NN:Lyon
- 5 From William Chamberlin, NN

- 5 From Margaret Gautier, NN
- 5 From Asher Holmes, NN
- 6 From Andrew Lytle, NN
- 7 From Samuel Forman, NN
- 7 From Samuel Forman, NN
- 9 From Alexander MacWhorter, NN
- 10 From Abraham Lott, NN
- 10 From Nathaniel Scudder, NN
- 12 To an Unknown Person, NN:Lyon
- 12 From Patie Warrell, NN
- 13 From Phebe Godwin, NN
- 17 From Samuel Dennis, NN
- 18 From Azariah Dunham, NN
- 18 From Abraham Lott, NN
- 19 From Robert H. Harrison, NN
- 20 From Elijah Hand, Nj
- 20 From Samuel Huntington, NN
- 20 To the Magistrates of Middlesex and
Somerset Counties, DLC:GW
- 20 Petitions on Behalf of Thomas and Sarah
Parsons, MHi
- 22 From John Cox, NN
- 23 To Azariah Dunham, NN:Lyon
- 23 To Robert Ogden and Teunis Dey, NN:
Lyon
- 24 From Matthias Halsted and Robert Neil,
NN
- 25 To John Cox, NN:Lyon
- 26 From Richard Lloyd, NN
- 27 From Kenneth Anderson, NN
- 27 To Aaron Hankinson, NN:Lyon
- 27 From George Washington, NN

29	From John Neilson, MHi
[30]	From Nathaniel FitzRandolph, Ct
May 1	From Baron de Kalb, NN
2	To Lord Stirling, NN:Lyon
5	From John Holme, Thomas Sayer, and John Mayhew, MHi
6	From Silas Deane, CtHi
6	From Henry Knox, NN
6	From Joshua M. Wallace, NN
7	From John Fell, NN
8	To Jedediah Huntington, or the Com- mander of the Troops of the Continental Army at Elizabeth Town, NjR
8	To an Unknown Person, NN:Lyon
10	From Alexander Stewart, with endorse- ment of John Fell and John Imlay, NN
10	Petition on Behalf of Abram Brittain, NN
10	Order for Capture of WL, Wilhelm von Knyphausen to James Moody per George Beckwith, MHi
11	From Tench Tilghman, NN
11	From Philip Van Horne, NN
11	From Thomas Wainright, NN
12	From John Fell, NN
12	From William Churchill Houston, NN
12	From Chevalier de La Luzerne, NN
12	Message to the Assembly, NN:Lyon
12/16	From Abraham Clark, Extracts of letters received, MHi
13	From William Churchill Houston, NN
13	From Cornelius Van Horne, NN
15	From Moore Furman, NN
16	From Stephen Crane, NN

- 16 From William Churchill Houston, NN
 16 To Peter Van Brugh Livingston, NN:Lyon
 17 To Teunis Dey, NN:Lyon
 17 To New Jersey Militia Colonels, NN:Lyon
 19 From Samuel Huntington, DNA:PCC
 20 From Grace Croseben, NN
 20 From William Churchill Houston, NN
 22 From William Churchill Houston, Nj
 [22] Expenses, NN:Lyon
 23 From John Fell, NN
 23 From Elizabeth and Dorothy Williams, NN
 24 Report of a Committee of the Continental Congress, DNA:PCC
 25 From Elias Dayton, NN
 25 To Henry Fries, William Wilgust, and Abraham Hendricks, NN:Lyon
 26 From William Churchill Houston, NN
 26/27 From John Huyler and Thomas Blanch, NN
 27 From Thomas Bradford, NN
 27 From William Chamberlin, MHi
 27 From William Churchill Houston, NN
 27 From Henry Remsen, NN
 29 From John Conway, NN
 30 From Abraham Clark, NN
 31 From James Caldwell, NN
 31 From Robert Ogden, Jr., NN
 31 From Jacob West, NN
 June [1] Prayer in shorthand, NN:Lyon
 [1–30] From Philemon Dickinson, NN
 1 From Timothy Johnes, NN

- 1 From Jacob Morris, NN
- 1 Message to the Assembly, NN:Lyon
- 1 Order, MHi
- 2 From Clement Biddle, NN
- 2 From a Committee of Congress (Philip Schuyler, John Mathews, and Nathaniel Peabody), Nj
- 2 From William Churchill Houston, NN
- 2 From George Washington, Nj
- 3 From Samuel Huntington, DNA:PCC
- 4 From William Churchill Houston, Nj
- 4 From Robert Ogden, Jr., NN
- 5 From Samuel Forman, NN
- 5 Pass to Honora French, on back of undated military orders not in WL hand, PWacD
- 5 From William Churchill Houston, Nj
- 5 From William Churchill Houston, NN
- 5 From William Churchill Houston, NN
- 5 From Samuel Huntington, DNA:PCC
- 5 To Robert Ogden, Jr., NN:Lyon
- 6 From William Churchill Houston, MH
- 6 From William Maxwell, NN
- 7 Agenda, NN:Lyon
- 8 From Jonathan Baldwin, NN
- 8 From Thomas Blanch, NN
- 8 From William Chamberlin, MHi
- 9 From David Forman, NjFrHi
- 9 From David Van Bussam, William Logan, and John Huyler, NN
- 10 From Thomas Blanch, NN
- 10 From Abraham Clark, NN

- 10 From William Churchill Houston, NN
10 From Lord Stirling, DNA:PCC
12 From William Bond, NN
12 From Joseph Clark, NN
12 From a Committee of Congress (Philip Schuyler), Nj
12 From Samuel Forman, NN
12 From Asher Holmes, NN
12 From Joseph Reed, NN
12 From John Witherspoon, PHC
13 From William Churchill Houston, NN
13 From Andrew Lytle, NN
13 From Lord Stirling, NN
13 From Tench Tilghman, NN
13 From John Witherspoon, NN
14 From William Maxwell, NN
15 From Philemon Dickinson, NN
15 From Peter Shiras, NN
15 From William Tinney, NN
15 From Joshua M. Wallace, NN
16 From William Churchill Houston, NN
16 From John Taylor, NN
17 From Samuel Forman, NN
17 Warrant to Martha Hathaway, Nj
18 From Thomas Blanch, NN
18 From Philemon Dickinson, NN
18 To George Washington, DLC:GW
18 From George Washington, DLC:GW
19 From a Committee of Congress (John Mathews and Nathaniel Peabody), Nj
19 From William Churchill Houston, NN

- 19 From George Morgan, PHarH
- 19 From Lord Stirling, NN
- 19 Petition of Hunterdon County Militia
Officers, Nj
- 20 From William Bott, Nj
- 21 From Samuel Huntington, Nj
- 22 From Thomas Bradford, NN
- 22/23 From Samuel Huntington, Nj
- 23 From a Committee of Congress (John
Mathews and Nathaniel Peabody), Nj
- 24 From John Bisset, NN
- 26 From Samuel Crow, NN
- 26 From John Jacob Faish, NN
- 28 To a Committee of Congress (Philip Schuy-
ler, John Mathews, and Nathaniel Pea-
body), DNA:PCC
- 28 From John Lawrence Livingston, NN
- 29 From Samuel Huntington, Nj
- 30 From Silas Conduct, NN
- 30 From Elias Dayton, NN
- 30 From George Washington, Nj

BIOGRAPHICAL DIRECTORY

THIS DIRECTORY identifies most persons whose names appear in the notes and documents. Names are omitted when no information exists, when sources conflict irreconcilably, or when the documents or footnotes give all the known data.

The profiles give birth and death dates when available. They also include places of residence. These ideally show town or locality and county.

Profiles also include military and civil offices and posts held during the Revolutionary era. Dates of appointment and resignation appear when available. Entries for prominent national figures provide only information relevant to their association with William Livingston; information on Americans of national stature can be found in the *Dictionary of American Biography* and the *Biographical Directory of the American Congress, 1774–1961* (Washington, D.C., 1961). Major British figures were traced through the *Dictionary of National Biography*.

To identify New Jersey inhabitants the following sources were used: Kenn Stryker-Rodda, *Revolutionary Census of New Jersey: An Index, Based on Ratables, of the Inhabitants of New Jersey during the Period of the American Revolution* (Cottonport, La., 1972); William Nelson, ed., *Marriage Records, 1665–1800, NJA*, 1st ser., vol. 22 (Paterson, 1900); William Nelson et al., eds., *Calendar of New Jersey Wills, NJA*, 1st ser., vols. 23, 30, 32–37 (Paterson and elsewhere, 1901–1942); *New Jersey Genealogical Magazine*; John E. Stillwell, *Historical and Genealogical Miscellany: Data Relating to the Settlement and Settlers of New York and New Jersey*, 5 vols. (New York, 1903–1932); William Nelson, ed., *New Jersey Biographical and Genealogical Notes from the Volumes of the New Jersey Archives, with Additions and Supplements* (Newark, 1916).

Pennsylvania figures were identified in the *Pennsylvania Magazine of History and Biography* and the *Encyclopedia of Pennsylvania Biography* (New York, 1914).

American military figures were researched in Francis B. Heitman, *Historical Register of Officers of the Continental Army during the War of the Revolution, April, 1775, to December, 1783* (Washington, D.C., 1914); National Society of the Daughters of the American Revolution, *DAR Patriot Index* (Washington, D.C., 1966); William S. Stryker, comp., *Official Register of the Officers and Men of New Jersey in the Revolutionary War* (Trenton, 1872); Fred Anderson Berg, *Encyclopedia of Continental Army Units: Battalions, Regiments and Independent Corps* (Harrisburg, 1972); Marion and Jack Kaminkow, comps., *Mariners of the American Revolution* (Baltimore, 1967); William T.R. Saffell, *Records of the Revolutionary War* (Baltimore, 1894); and New Jersey Department of Defense, Revolutionary War Records, which are in the Archives Section, Division of Archives and Records Management, New Jersey Department of State, Trenton. British officers were researched in Worthington Chauncey Ford, comp., *British Officers Serving in the American Revolution, 1774–1783* (Brooklyn, 1897); Philip R. N. Katcher, *Encyclopedia of British, Provincial, and German Army Units, 1775–1783* (Harrisburg, 1973).

The following volumes aided in identifying Loyalists: Lorenzo Sabine, *Biographical Sketches of Loyalists of the American Revolution with an Historical Essay*, 2 vols. (Boston, 1864); E. Alfred Jones, *The Loyalists of New Jersey: Their Memorials, Petitions, Claims, Etc. from English Records*, Collections of the New Jersey Historical Society, vol. 10 (Newark, 1927); William S. Stryker, *The New Jersey Volunteers (Loyalists) in the Revolutionary War* (Trenton, 1887); Esther Clark Wright, *The Loyalists of New Brunswick* (Fredericton, New Brunswick, Canada, 1955); Index to Transcribed Copies of Loyalist Muster Rolls, Archives Section, Division of Archives and Records Management, New Jersey Department of State, Trenton.

Information about New Jersey political personalities was found in William Nelson, comp., "New Jersey Civil List, 1664–1800," typescript, New Jersey Historical Society, Newark. The *Council of Safety*, *General Assembly*, *Legislative Council*, *Joint Meeting*, and *NJA* (Privy Council) were also searched.

- ABEEL, JAMES** (1733–1825): Morristown, Morris Co.; deputy quartermaster gen. and supt. of stores and camp equipage, Cont. army.
- ADAMS, JOHN** (1735–1826): Mass., commissioner to France, Nov. 28, 1777–1782 (see vols. 1 & 2).
- ADAMS, PETER**: Md.; lt. col. commandant, 1st Md., Cont. army, Aug. 1, 1779–Jan. 1, 1781.
- ALEXANDER, WILLIAM (LORD STIRLING)** (1726–1783): Basking Ridge, Somerset Co.; married WL's sister, Sarah, 1748; maj. gen., Cont. army, Feb. 19, 1777–1783 (see vols. 1 & 2).
- ALLINSON, SAMUEL** (1739–1791): Burlington, Burlington Co., later Waterford, Gloucester Co.; Quaker; attorney; farmer; wrote "Reasons against War, and paying Taxes for It," 1780, unpublished manuscript (see vol. 2).
- ANDRÉ, JOHN** (1751–1780): Great Britain; British army; aide-de-camp to Sir Henry Clinton; executed by Americans, Oct. 2, 1780.
- ARBUTHNOT, MARRIOT** (ca. 1711–1794): Great Britain; adm. British navy, 1778; comdr. North American Station, 1779–Sept. 1780.
- ARCHER, HENRY W.**: Great Britain; Whig, came to America and offered his services to Gen. Anthony Wayne, ca. 1779; participated in Wayne's attack on Stony Pt., for which Congress brevetted him capt., July 26, 1779; additionally awarded capt.'s pay and subsistence, Sept. 24, 1779.
- D'ARGENSON, COMTE JOSEPH DE FLOTTE** (1734–1792): France; comdr. of *Aurora*, 1779–1780.
- ARMAND-TUFFIN, CHARLES (MARQUIS DE LA ROVERIE)** (1750–1793): France; col., 3d Cavalry, Pulaski's Legion, from Mar. 10, 1777; legion comdr., from Oct. 11, 1779 (see vol. 2).
- ARNOLD, BENEDICT** (1741–1801): Conn.; maj. gen. and commandant at Philadelphia, June 19, 1778; charged with misconduct during his command in Philadelphia by the Supreme Executive Court, Feb. 3, 1779; resigned command at Philadelphia, Mar. 1779; court-martialed, Dec. 23, 1779–Jan. 26, 1780; exonerated with reprimand; decision confirmed by Congress, Feb. 12, 1780.
- AYRES, ELISHA** (1721–1801): Basking Ridge, Somerset Co.; pvt., N.J. militia.
- BARBER, FRANCIS** (1750–1783): Elizabethtown, Essex Co.; principal, Old N.J. Academy; maj. to col., Cont. army, Oct. 1776–1783; wounded at battle of Monmouth, June 28, 1778, also at Newtown, 1779; aide-de-camp to Washington, 1778; deputy adj. gen., 1780 (see vol. 2).
- BAYLOR, GEORGE** (1752–1784): Va.; lt. col., Cont. army; Cont. Dragoons, Jan. 9, 1777–Sept. 1783; wounded and captured, Sept. 28, 1778 (see vol. 2).
- BEATTY (BEATY), JOHN** (1749–1826): Pa. and N.J.; physician, Cont. army, Jan. 5, 1776; maj., Oct. 12, 1776; captured, Nov. 16, 1776; exchanged, May 8, 1778; col. and commissary gen. of prisoners, Cont. army, May 28, 1778; resigned, Mar. 31, 1780 (see vol. 2).
- BEAUMARCHAIS, PIERRE AUGUSTIN CARON DE** (1732–1799): France; dramatist; French secret service, Mar. 1774–1783; special agent to outfit Cont. army, June 1776–1781.
- BEAVERS, JOSEPH** (1728–1816): Alexandria, Hunterdon Co.; col., Hunterdon militia, 1776 to at least 1783; j.p., from Sept. 7, 1777 (see vol. 2).
- BEEKMAN, GERARDUS (GERARD), JR.** (1746–1822): Shrewsbury, Monmouth Co.; Loyalist; family estate confiscated, 1779.
- BENEZET, ANTHONY** (1713–1784): Pa.; leader of Philadelphia Quaker community; teacher; pacifist; antislavery crusader (see vol. 2).
- BERGEN, JACOB G.** (1745–1805): Bergen Co.; innkeeper and schoolmaster; lt., Somerset militia; commanding officer at Princeton in late 1779.
- BIDDLE, CLEMENT** (1740–1814): Pa.; Cont. army, commissary gen. of forage, July 1, 1777–June 1780; col., quartermaster gen., Pa., Sept. 11, 1781, to close of war (see vols. 1 & 2).
- BILLOP, CHRISTOPHER** (1737–1827): Staten Island, N.Y.; col., Loyalist militia, 1776–1783; taken prisoner June 23, 1779; ex-

changed, Dec. 1779; supt. of police on Staten Island, 1781; settled at New Brunswick, Canada, after the war.

BINGHAM, WILLIAM (1752–1804): Pa., Martinique and St. Pierre, W.I.; agent of Congress at Martinique, then consul at St. Pierre, W.I., 1777–1780.

BIRCH, JAMES: Gloucester Co.; Loyalist; indicted and tried for high treason, sentenced to execution, Nov.–Dec. 1778; pardoned, Jan. 1779.

BLACKSTONE, WILLIAM (1723–1780): Great Britain; author of *Commentaries on the Laws of England*, 4 vols. (1765–1769).

BLAINE, EPHRAIM (1741–1804): Pa.; col., Cont. army; deputy commissary gen. of purchases from Aug. 6, 1777; commissary gen. of purchases, Jan. 1, 1780–July 24, 1782 (see vol. 2).

BLANCH, THOMAS (1740–1823): Bergen Co.; capt., Bergen militia.

BLAND, ELIAS (1720–1780): Woodbridge, Middlesex Co.; merchant; left N.J. for N.Y. en route to England, fall 1780.

BLAND, THEODORIC (1742–1790): Va.; capt. to col., Cont. army Dragoons, 1st troop of Va. cavalry, June 13, 1776–Dec. 1779; Cont. Congress, 1781–1783.

BLEEKER (BLEECKER), ANTHONY (1741–1816): N.Y.; merchant; maj., N.Y. militia, 1775–; moved to Hanover, Morris Co., June 1780; moved back to N.Y. after war.

BONNELL, ISAAC (1737–1806): Perth Amboy, Middlesex Co.; Loyalist; property confiscated but Perth Amboy estate passed to his children; settled in Nova Scotia after war (see vol. 1).

BORDEN, JOSEPH (1719–1791): Bordentown, Chesterfield, Burlington Co.; N.J. Cont. loan officer, Feb. 7, 1777–Oct. 11, 1785 (see vols. 1 & 2).

BOTT, WILLIAM (d. 1793): Springfield, Elizabeth, Essex Co.; adj. gen., N.J. militia, July 12, 1776–June 4, 1793 (see vol. 1).

BOUDINOT, ELIAS (1740–1821): Elizabethtown, Essex Co.; attorney; brother of Elisha Boudinot; Cont. Congress, 1777–1778, 1781–1783; commissary gen. of prisoners, Cont. army, 1776–1779 (see vols. 1 & 2).

BOUDINOT, ELISHA (1749–1819): Newark, Essex Co.; brother of Elias Boudinot; N.J. commissary of prisoners, Dec. 12, 1778–Dec. 1779 (see vols. 1 & 2).

BRACKENRIDGE, HUGH HENRY (1748–1816): Whig poet and writer; editor, *U.S. Magazine* from 1779 (see vol. 2).

BRADFORD, THOMAS (ca. 1719–1791): Pa.; publisher, *Pa. Journal*, 1742–1791; Pa. Navy Board, Feb. 1777–1780 (see vol. 2).

BRANT, JOSEPH (1742–1807): N.Y.; Mohawk Indian, raised from youth by Sir William Johnson; translated *Book of Common Prayer* into Mohawk; British army from 1777; led Indian raids against American settlements in N.Y. and northern N.J.

BREARLEY, DAVID (1745–1790): Trenton, Hunterdon Co.; attorney; chief justice, N.J. Supreme Court, June 10, 1779–1789 (see vols. 1 & 2).

BROWN, GUSTAVUS (1751–1801): Md.; surgeon, Md. Line to 1783.

BROWN, RICHARD (1725–1789): Md.; Anglican minister.

BROWN, WILLIAM (1752–1791): Va.; asst. surgeon to surgeon gen., Cont. army, 1776–1778; physician gen., 1778 to resignation on July 21, 1780.

BUCHANAN, WALTER: Hanover, Morris Co.; merchant.

BURCHARDT, DANIEL: Pa.; capt. to maj., German regt., Cont. army, July 8, 1776–July 2, 1779.

BURGOYNE, JOHN (1722–1792): Great Britain; maj. gen., British army; surrendered at Saratoga, Oct. 17, 1777; prisoner of Americans in Mass., Nov. 8, 1777–Apr. 1778; sailed for England, Apr. 15, 1778; ordered to return to America as prisoner of war, refused; relieved of command of 16th Light Dragoons, 1780 (see vols. 1 & 2).

BURNET (BARNET), ICHABOD: Newark, Essex Co.; brother of Dr. William Burnet, Sr.; maj. and aide-de-camp, Cont. army, from Jan. 9, 1778.

BURNET (BARNET), WILLIAM, SR. (1730–1791): Newark, Essex Co.; chief physician and surgeon, general hospital, from Apr. 11, 1777; hospital physician and surgeon, Oct. 6, 1780; chief physician and

- surgeon, Hospital Dept., Cont. army, Eastern Dept., Mar. 5, 1781–Feb. 1, 1782; Cont. Congress, Dec. 11, 1780–Apr. 1, 1781 (see vol. 1).
- BURNEY, THOMAS:** Somerset Co.; counterfeiter; apprehended, Mar. 1780; escaped Apr. 30, 1780.
- BUTLER, JOHN (1728–1796):** N.Y.; father of Walter Butler; Loyalist; organized and led Butler's Rangers as lt. col., 1777–1784; property confiscated, 1779.
- BUTLER, WALTER (1752–1781):** N.Y.; son of John Butler; Loyalist; captured, 1777; escaped, Apr. 1778; capt., Butler's Rangers; killed in battle, Oct. 1781.
- BYLES, THOMAS LANGHORNE (d. 1780):** Pa.; capt. 3d Pa. Battalion, Cont. army, Jan. 5, 1776; taken prisoner at Ft. Washington, Nov. 16, 1776; brevet maj., June 9, 1777; exchanged, Mar. 1, 1778; maj., July 1, 1778; killed by British at Paramus, N.J., Apr. 16, 1780.
- BYRON, JOHN (1723–1786):** Great Britain; rear adm., British navy, Mar. 31, 1775; vice adm., Jan. 29, 1778; comdr., W.I. squadron, 1778–Oct. 1779.
- CALDWELL, HANNAH (OGDEN) (1738–1780):** Connecticut Farms, Essex Co.; wife of Rev. James Caldwell; killed during British raid at Connecticut Farms, June 7, 1780.
- CALDWELL, JAMES (1734–1781):** Connecticut Farms, Essex Co.; Presbyterian minister; chaplain, N.J. Brigade, 1776–1781; deputy quartermaster gen., 1778–1781; killed by American soldiers suspected of Loyalism, Nov. 24, 1781 (see vol. 2).
- CALL, RICHARD:** Va.; lt. to maj., Cont. Dragoons, June 4, 1776–1783.
- CAMP, CALEB (1736–1816):** Newark, Essex Co.; Gen. Assembly, 1776–1782; speaker, 1778–1779 (see vols. 1 & 2).
- CAPELLEN, JOAN DERK, BARON VAN DER (1741–1784):** The Netherlands; philosopher; pamphleteer; statesman sympathetic to American cause (see vol. 2).
- CARMICHAEL, ALEXANDER (1734–1808):** Morristown, Morris Co.; sheriff, Morris Co., from ca. Nov. 1776 (see vol. 1).
- CARMICHAEL, WILLIAM (d. 1795):** Md.; Cont. Congress, 1778–1780; secretary to John Jay, minister to Spain, from Sept. 1779; chargé d'affaires at Madrid, Spain, from Apr. 20, 1782.
- CHAMBERLIN (CHAMBERLAIN), WILLIAM (1736–1817):** Amwell, Hunterdon Co.; lt. col., Hunterdon militia, from Sept. 9, 1777; court-martialed Mar. 22, 1781; cashiered May 14, 1781 (see vol. 2).
- CHAMBERS, DAVID (1748–1842):** Amwell, Hunterdon Co.; col., Hunterdon militia, from June 19, 1776, to resignation on May 28, 1779 (see vol. 2).
- CHARLES III (1716–1788):** king of Spain, 1759–1788 (see vols. 1 & 2).
- CHARLOTTE (1744–1818):** queen of Great Britain; married George III, Sept. 7, 1761 (see vol. 2).
- CHASE, SAMUEL (1741–1811):** Md.; delegate to Md. Assembly, 1764–1784; Cont. Congress, 1774–1778, 1784–1785 (see vol. 1).
- CHEW, JONATHAN:** Gloucester Co.; Loyalist; capt., West Jersey Volunteers, 1778; property confiscated and sold, 1778–1779; captured and condemned to death but pardoned, Jan. 1779.
- CHEW, SAMUEL (1693–1794):** Duck Creek, Del.; Quaker; chief justice of the lower counties.
- CHURCHMAN, JOHN (1705–1755):** Nottingham, Pa.; Quaker; author of *An Account of the Gospel Labours and Christian Experiences of a Faithful Minister of Christ*.
- CLARK (CLARKE), AARON (1750–1811):** Essex Co.; son of Abraham Clark; 2d lt., capt., Frelinghuysen's Eastern Company, artillery, State Troops; capt., artillery company, Essex militia.
- CLARK (CLARKE), ABRAHAM (1726–1794):** Elizabethtown, Essex Co.; lawyer; sheriff, Essex Co., 1767; Essex Committee, 1774; Prov. Congress, appointed asst. secretary, Oct. 9, 1775; Cont. Congress, June 22, 1776–Dec. 1, 1778, 1779–1783; Legislative Council, 1778–1779 (see vols. 1 & 2).
- CLARK, THOMAS (1736–1810):** Essex Co.; Essex militia.
- CLARKSON, DAVID (1726–1782):** N.Y.; brother-in-law of WL through marriage to

Susannah French Livingston's sister Elizabeth; moved with family from Brooklyn, N.Y., to New Brunswick, N.J., 1776; returned, 1777.

CLARKSON, MATTHEW (d. 1825): Mass.; maj. and aide-de-camp to Maj. Gen. Benedict Arnold, Aug. 1778–Mar. 1779; aide-de-camp to Gen. Benjamin Lincoln, Mar. 1779–July 2, 1782; taken prisoner at Charleston, May 12, 1780.

CLINTON, GEORGE (1739–1812): N.Y.; brother of James Clinton; brig. gen., Cont. army, Mar. 1779; gov., N.Y., June 1777–1795 (see vols. 1 & 2).

CLINTON, SIR HENRY (1730–1795): Great Britain; Carlisle Commission, 1778; maj. gen., British army, commander in chief, America, 1778–1782 (see vols. 1 & 2).

CLUN (CLUNN), JOHN (ca. 1739–1798): Lamberton, Burlington Co.; capt., Burlington militia; wagonmaster.

CLUN (CLUNN), JOSEPH (1735–1816): Trenton, Hunterdon Co.; ens. to capt., Hunterdon militia, June 19, 1776–1778; State Troops, 1780 (see vol. 2).

COATS, WILLIAM (1721–1780): Pa.; lt. col., 1st battalion, Philadelphia militia; captured by British, Feb. 4, 1778; exchanged, 1779.

COCHRAN, JOHN (1730–1807): Pa., physician; surgeon gen., Apr. 11, 1777–1780; chief physician and surgeon, Cont. army, Oct. 1780; director gen. of military hospitals, Jan. 17, 1781.

COLLINS, ISAAC (1746–1817): Burlington, Burlington Co., and Trenton, Hunterdon Co.; state printer, Feb. 18, 1777; printer, *N.J. Gazette*, Dec. 1777–1786 (see vols. 1 & 2).

CONDUCT, SILAS (1738–1801): Morristown, Morris Co.; Legislative Council, Sept. 1776–1780; Cont. Congress, 1781–1784 (see vols. 1 & 2).

CONWAY, JOHN (1742–1802): Woodbridge, Middlesex Co.; maj. to lt. col., Cont. army, Oct. 29, 1777–Mar. 17, 1780 (see vol. 1).

COOK, JOHN (d. 1780): capt., maj., Monmouth militia; killed at Block House, Toms River, July 10, 1780 (see vol. 1).

COOK, PATERSON: Woolwich, Gloucester Co., and Shrewsbury, Monmouth Co.; pvt., Gloucester militia; indicted for treason, sentenced to execution, Nov.–Dec. 1778; pardoned, Jan. 1779.

COOPER, JOHN (1729–1785): Woodbury, Gloucester Co.; Legislative Council, 1776–1780 (see vols. 1 & 2).

COX, LAWRENCE: Gloucester Co.; Loyalist; indicted for treason, sentenced to execution, Nov.–Dec. 1778; pardoned, Jan. 14, 1779.

CRAIG, JOHN (1733–1821): Essex Co.; capt., 1st regt., Essex militia; cap., Maj. Hayes's battalion, State Troops.

CRANE, JACOB (d. 1794): capt. to lt. col., 1st regt., Essex militia, 1777–1780; lt. col., State Troops, Oct. 9, 1779.

CRANE, WILLIAM (1748–1814): Elizabethtown, Essex Co.; son of Stephen Crane, Jr.; Cont. army, before May 19, 1777; capt., troop of horse, Apr. 20–May 20, 1780; maj., Essex militia, June 1780; maj. to col., State Troops, July 15–Oct. 15, 1781 (see vol. 1).

DAVISON, WILLIAM (1758–1832): Bernards, Basking Ridge, Somerset Co.; maj., Somerset militia.

DAYTON, ELIAS (1737–1807): Elizabethtown, Essex Co.; col., Cont. army, Feb. 9, 1776–1783; elected to Cont. Congress, Dec. 12, 1778, declined, May 25, 1779 (see vols. 1 & 2).

DEANE, SILAS (1737–1789): Conn.; commissioner to France, Sept. 26, 1776; recalled, Nov. 21, 1777; returned to America, July 1778; returned to Europe as private citizen, 1780 (see vol. 2).

DEARE, JONATHAN (ca. 1739–1796): New Brunswick, Middlesex Co.; Princeton, Somerset Co.; clerk, Middlesex Co., 1777–1779; clerk, Legislative Council, 1777–1779; maj. to lt. col., Middlesex militia, 1776–1783 (see vol. 1).

DE BOUILLE, MARQUIS FRANÇOIS CLAUDE AMOUR (1739–1800): France; gov., Martinique and St. Lucia from 1777.

DEMAREST, BENJAMIN (1749–1817): Bergen Co.; pvt., Bergen militia.

DENNIS, BENJAMIN (1740–1779): Mon-

- mouth Co.; capt., Monmouth militia, Mar. 3, 1776, until at least Feb. 3, 1779 (see vols. 1 & 2).
- DENTON, JOHN (1727–1805): Princeton, Somerset Co.; bookseller.
- DESHON (DISHON), JOHN (1727–1792): Conn.; appointed by Congress to the Navy Board of the Eastern Dept. at Boston, Apr. 19, 1777; named to the Board of Admiralty in Nov. 1779; resigned, 1781.
- DEY, THEUNIS (TEUNIS) (1726–1787): Saddle River, Bergen Co.; col., Bergen militia, 1775–1780; named judge of pleas, Mar. 27, 1778, and j.p., Oct. 7, 1778; Gen. Assembly, 1776, 1779, 1780–1781 (see vols. 1 & 2).
- DICK, SAMUEL (1740–1812): Salem, Salem Co.; physician; collector of customs, West Jersey, from Dec. 12, 1778 (see vol. 1).
- DICKINSON, PHILEMON (1739–1809): Hunterdon Co.; brother of John Dickin-son; maj. gen., N.J. militia, from June 6, 1777 to end of war (see vols. 1 & 2).
- DILKES (DILKS), JOSHUA: Gloucester Co.; Loyalist; indicted for treason, sentenced to death, Nov.–Dec. 1778; pardoned, Jan. 1779.
- DILKS (DILKES), JOHN: Gloucester Co.; Loyalist; indicted for treason, sentenced to death, Nov.–Dec. 1778; pardoned, Jan. 1779.
- DILL, JOSEPH: Gloucester Co.; Loyalist; indicted for treason, sentenced to death, Nov.–Dec. 1778; pardoned, Jan. 1779.
- DIRIKS (DIRICKS, DIRKS), JACOB G.: Netherlands; capt., Cont. army, Nov. 15, 1776; brevet lt. col., Nov. 5, 1778; honorably discharged, May 17, 1781 (see vol. 2).
- DUANE, JAMES (1733–1797): N.Y.; Cont. Congress, 1774–1783 (see vol. 1).
- DUCHÉ, JACOB (ca. 1737–1798): Pa.; Loyalist; Anglican clergyman; chaplain, Cont. Congress, 1774, 1776–1777; author of *Caspipina's Letters*, 1772; renounced revolutionary sympathies and returned to England, Dec. 1777; returned to Philadelphia, 1790.
- DUMAS, CHARLES WILLIAM FREDERIC (1721–1796): The Netherlands; agent of Congress in the Dutch Republic, 1776–1783.
- DUNHAM, AZARIAH (1718–1790): Piscataway and New Brunswick, Middlesex Co.; commissary, military stores, State Troops (see vol. 1).
- DUNLAP, JOHN (1747–1812): Pa.; published *Pa. Packet* at Philadelphia and York, 1771–1781; printer, Cont. Congress, 1776–1779 (see vol. 2).
- DUNN, JACOB: Piscataway, Middlesex Co.; capt., Middlesex militia, from Feb. 15, 1776; forage master, mustermaster, N.J. militia, from Apr. 3, 1778 (see vol. 2).
- ELLIS, JOSEPH (d. 1796): Gloucester Co.; sheriff, 1775 to about 1782; col., Gloucester militia, Oct. 1775; declined promotion to brig. gen., Feb. 21, 1777; Gen. Assembly, 1778–1779, 1781–1785 (see vols. 1 & 2).
- ELMER, THEOPHILUS (1727–1783): Fairfield, Cumberland Co.; Legislative Council, 1776–1778; Council of Safety, 1777–1778; Gen. Assembly, 1779–1780 (see vols. 1 & 2).
- EMMONS, BENJAMIN: Middlesex Co.; capt., Middlesex militia; State Troops.
- ERSKINE, ROBERT (1735–1780): Saddle River, Bergen Co.; cartographer, geographer, and surveyor, Cont. army, July 27, 1777–Oct. 2, 1780.
- ÉSTAING, CHARLES HECTOR THÉODAT, COMTE D' (1729–1794): vice adm., French navy, 1778; comdr., French fleet in American waters, 1778; returned to France, 1780 (see vol. 2).
- FAGAN, JAKE (JACOB) (d. 1778): Monmouth Co.; one of the "Pine Robbers"; killed by Monmouth militia 1778.
- FARR (FAR), THOMAS (d. 1779): Upper Freehold, Monmouth Co.; pvt., Monmouth militia, 1778–79 (see vol. 1).
- FELL, JOHN (1721–1798): Franklin, Bergen Co.; merchant; father of Peter Fell; Cont. Congress, 1778–1780 (see vols. 1 & 2).
- FELL, PETER RENAUNET (1754–1789): Paramus, Bergen Co.; son of John Fell; maj., N.Y. militia, 1778; lt. col., Bergen militia, Mar. 27, 1778–Oct. 5, 1779 (see vols. 1 & 2).

FÉNÉLON, FRANÇOIS DE SALIGNAC DE LA MOTH (1651–1715): France; archbishop of Cambrai; author of *Telemaque*.

FENIMORE (FENNIMORE), ABRAHAM (d. 1805): Gloucester Co.; Loyalist; Gloucester militia; State Troops; convicted of treason, Nov.–Dec. 1778; sentenced to death, Jan. 29, 1779; pardoned; property confiscated and sold, 1779.

FENTON, LEWIS (LOUIS) (d. 1779): Monmouth Co.; blacksmith; Loyalist; leader of “Pine Robbers”; killed in ambush, Sept. 1779.

FISHBURN (FISHBOURNE), BENJAMIN (d. 1819): Pa.; paymaster, 2d Pa. Battalion, Cont. army, 1776; capt., 4th Pa. Battalion, 1777; aide-de-camp to Brig. Gen. Anthony Wayne, 1779–1783.

FITZRANDOLPH, NATHANIEL (1748–1780): Middlesex Co.; capt., Middlesex militia; taken prisoner, 1779; released, May 26, 1780; died of wounds, July 23, 1780.

FLINT, ROYAL (1754–1790): Conn.; paymaster, Conn. state regt., 1776–1777; asst. commissary of purchases, Cont. army, 1778; resigned, 1780.

FLORIDABLANCA, JOSÉ MOÑINO Y REDONDO, CONDE DE (1728–1808): Spain; secretary of Spanish foreign office, 1777–Feb. 1792.

FLOYD, WILLIAM (1734–1821): N. Y.; Cont. Congress, 1774–1777, 1778–1783; N. Y. Assembly, 1777–1778 (see vol. 1).

FORD, JACOB, JR. (1738–1777): Morris, Morris Co.; col., Morris militia, Jan. 13, 1776; owned gunpowder mill, 1776; died at Morristown, Jan. 10, 1777 (see vol. 1).

FORD, THEODOSIA JOHNES (1741–1824): Morris, Morris Co.; widow of Col. Jacob Ford, Jr.

FORMAN, DAVID (1745–1797): Freehold, Monmouth Co.; col. to brig. gen., N. J. militia, Mar. 5, 1777, to at least July 1, 1778; Forman's regt., Cont. army, 1778 (see vols. 1 & 2).

FORMAN, SAMUEL (1714–1792): Monmouth Co.; merchant; col., “Detached Militia,” July 18, 1776; col., Monmouth militia, May 23, 1777; resigned, 1777; commissioner of forfeited estates, Monmouth Co., 1778 to at least 1780 (see vol. 1).

FOSTER, EBENEZER: Woodbridge, Middlesex Co.; farmer; Loyalist; prisoner, July–Dec. 1776; moved to Staten Island, Jan. 1777; accompanied British army on raid on Connecticut Farms, 1780; resettled in New Brunswick, Canada, by 1783.

FRANKLIN, BENJAMIN (1706–1790): Pa.; minister plenipotentiary to France, 1778 to end of war (see vols. 1 & 2).

FRANKLIN, JOHN: Gloucester Co.; Gloucester militia; col., Somers's battalion; State Troops; convicted of treason, sentenced to death, Nov.–Dec. 1778; pardoned, Jan. 1779; estate confiscated and sold, ca. 1779–1780.

FRANKLIN, WILLIAM (1731–1813): son of Benjamin Franklin; Loyalist; held in captivity in Conn., 1776–1778; exchanged, Oct. 1778; pres., Board of Associated Loyalists, 1780; settled in England at end of war (see vols. 1 & 2).

FRANKS, DAVID (1720–1798): Pa.; Loyalist; commissary of prisoners for Philadelphia, to 1778; arrested, 1778, for aiding British; banished from Pa., 1780.

FRANKS, REBECCA (1760–1823): Loyalist; youngest daughter of David Franks; married to Henry Johnson, nephew of George Washington, 1782.

FREEMAN, MATTHEW (1734–1824): Woodbridge, Middlesex Co.; 2d lt. to capt., Middlesex militia, Jan. 10, 1776–1780.

FRELINGHUYSEN (VRELINGHUSEN), FREDERICK (1753–1804): Hillsborough, Somerset Co.; attorney; lt. col., Somerset militia, Feb. 28, 1777–Nov. 1778; Cont. Congress, 1778–1779, 1782–1783; commanded militia detachments, 1779–1780 (see vols. 1 & 2).

FRENCH, PHILIP (ca. 1733–1803): son of Philip French, stepbrother of Susannah French Livingston.

FURMAN, MOORE (1728–1808): Kingwood, Hunterdon Co.; merchant; deputy quartermaster gen., Jan. 1778–Sept. 20, 1780; paymaster for recruits, Cont. army, from Apr. 1778 (see vol. 2).

FUSSMAN (FUSMAN), DANIEL: Woolwich, Gloucester Co.; Loyalist; convicted of treason, sentenced to death, Nov.–Dec. 1778; pardoned, Jan. 1779.

- GALLOWAY, JOSEPH** (ca. 1729–1803): Pa.; Loyalist; supt. of police and port of Philadelphia during British occupation, 1777–1778; emigrated to England, 1778 (see vol. 2).
- GASTON, MIGUEL JOSÉ** (1733–1797): Spain; capt. and commandant of the Royal Marine Guard, Spanish navy, Feb. 12, 1779; promoted to lt. gen., Apr. 27, 1779.
- GEORGE III** (1738–1820): king of Great Britain, 1760–1820 (see vols. 1 & 2).
- GÉRARD, CONRAD ALEXANDRE** (1729–ca. 1790): France; diplomat, minister plenipotentiary to United States, July 1778; resigned and returned to France, Oct. 1779 (see vol. 2).
- GERMAIN, GEORGE SACKVILLE** (VISCOUNT OF SACKVILLE) (1716–1785): Great Britain; pres., Board of Trade, 1775–1779; secretary of state for American colonies, 1775–1782 (see vol. 2).
- GIBSON, JAMES**: pvt. to sgt., N.J. Line, Cont. army, ca. 1776–Apr. 1780.
- GODWIN (GOODWIN), CATRINA BANDT**: N.Y.; wife of Capt. Henry Godwin.
- GODWIN (GOODWIN), HENRY** (1751–1782): N.Y.; capt., N.Y. Line, Cont. army, Nov. 21, 1776; taken prisoner at Ft. Montgomery, Oct. 6, 1777; retired, Jan. 1, 1781.
- GRASSE, FRANÇOIS JOSEPH PAUL, COMTE DE** (1722–1788): France; rear adm., French navy; comdr., W.I. fleet, 1779–1782.
- GREENE, NATHANAEL** (1742–1786): R.I.; quartermaster gen., Cont. army, Mar. 2, 1778–Aug. 3, 1780 (see vols. 1 and 2).
- HAIGHT, JOSEPH** (1739–1795): Burlington Co.; lt. col., Burlington militia, June 6, 1777; dismissed, Dec. 25, 1779.
- HALSTED (HALSTEAD), JOANNA**: Elizabethtown, Essex Co.; wife of Matthias Halsted.
- HALSTED (HALSTEAD), MATTHIAS** (1759–1824): Elizabethtown, Essex Co.; brigade maj., N.J. militia, staff of Gen. William Winds; maj. and aide-de-camp, staff of Gen. Philemon Dickinson, ca. 1776–1779; j.p., Nov. 24, 1779; captured, Mar. 24, 1780 (see vol. 1).
- HAMMET (HAMMIT), WILLIAM**: Gloucester Co.; Loyalist; sentenced to death for treason, Dec. 1778; hanged, Jan. 29, 1779.
- HAMPTON, JOHN** (1745–1822): Gloucester Co.; lt. to capt., Gloucester militia; captured at New Brunswick, Oct. 26, 1777; exchanged, Oct. 1780 (see vol. 1).
- HAND, EDWARD** (1744–1802): Pa.; brig. gen., Pa. Line, Cont. army, Apr. 1777–Jan. 1781 (see vol. 2).
- HANKINSON, AARON** (1735–1806): Sussex Co.; col., Sussex militia, Feb. 28, 1777, to at least Aug. 1780 (see vol. 2).
- HARDING, GEORGE**: N.Y.; Philadelphia; member of gang that left N.Y. to plunder northern N.J., fall 1778; captured and found guilty of collecting firearms for British, Philadelphia, Apr. 8, 1779; reprieved on day of execution, Aug. 8, 1779, but his houses and lots confiscated; returned to N.J.; settled in Nova Scotia in 1783.
- HARPUR, ROBERT** (1731–1825): N.Y.; educator at King's College (Columbia); member of N.Y. Assembly, 1777–1784.
- HARRISON, ROBERT HANSON** (1745–1790): Va.; lt. col., Cont. army, and aide-de-camp to Washington, Nov. 5, 1775–Mar. 25, 1781 (see vols. 1 & 2).
- HATFIELD, CORNELIUS, JR.** (1742–1823): Elizabethtown, Essex Co.; Loyalist; joined British, 1776; capt., N.J. Volunteers, until at least 1780; estate confiscated, 1779; appointed capt. of refugees by Sir Henry Clinton, Feb. 1779; moved to England at end of war.
- HATHAWAY, BENONI** (1743–1823): Morris Co.; 2d lt. to lt. col., Morris militia, Sept. 9, 1777–1780; col., Vandike's regt., State Troops, Oct. 9, 1779–1780.
- HATKINSON, ELIZABETH**: Mount Holly, Burlington Co.; widowed in 1770; owner of Hatkinson's tavern on High or Mill Street.
- HEARD (HERD), NATHANIEL** (1730–1792): Woodbridge, Middlesex Co.; landowner and farmer; col. to brig. gen., N.J. militia, Nov. 1775 to end of war (see vols. 1 & 2).
- HEDDEN, JOSEPH, JR.** (1728–1780): Newark, Essex Co.; captured by the British, Jan. 25, 1780 (see vols. 1 & 2).
- HENDERSON, THOMAS** (1743–1824): Freehold, Monmouth Co.; physician; maj. to lt. col., Cont. army, Jan.–Oct. 1777; Legislative Council, 1777; elected to Congress

- but declined, Dec. 25, 1779; Gen. Assembly, 1780–1784 (see vol. 2).
- HENDRICKSON, DANIEL (ca. 1737–1797): Shrewsbury and Upper Freehold, Monmouth Co.; farmer and horse breeder; col., Monmouth militia, from Nov. 20, 1777; taken prisoner, June 9, 1779; released, ca. Dec. 1779 (see vol. 1).
- HENRY, WILLIAM (1729–1786): Pa.; col. and asst. commissary gen., Pa. militia, district of Lancaster, Pa., 1776–1783; member, Pa. Council of Safety, 1777; treasurer, Lancaster Co., 1777–1785; pres. judge, court of common pleas, 1780.
- HEWES, JOSEPH (1730–1779); Cont. Congress, 1774–1777, 1779 (see vol. 1).
- HINCHMAN (HENCHMAN), JOHN: Gloucester Town, Gloucester Co.; Loyalist; Quaker; part owner of copper mine; took refuge with the British army at Philadelphia, 1777; accompanied army to N.Y.; property confiscated and sold; settled in Nova Scotia after the war; later returned to N.J. (see vol. 1).
- HOAGLAND (HOOGLAND), OKEY (OAKLEY): Chesterfield, Burlington Co.; capt. to lt. col., Burlington militia, 1777–Apr. 18, 1778; lt. col., col., State Troops, 1778–1780 (see vol. 1).
- HOFFMAN, ALIDA LIVINGSTON (1728–1790): WL's sister; married Henry Hanson, 1750, Martin Hoffman, 1761; stepmother of Nicholas Hoffman.
- HOLCOMB, GEORGE (1747–1811): Hunterdon Co.; 1st lt. to maj., Hunterdon militia, 1777–June 21, 1781.
- HOLKER, JEAN (1745–1822): France; merchant; consul to the United States, 1778–1781.
- HOLMES, ABIJAH (1741–1785): Cumberland Co.; lt. col., Cumberland militia; quartermaster, col., Newcomb's battalion, "Heard's Brigade," June 14, 1776.
- HOLMES, ASHER (1740–1808): Lower Freehold, Monmouth Co.; maj. to col., Monmouth militia, Nov. 28, 1776–Dec. 20, 1779; col., State Troops, June 7, 1780–Jan. 1, 1781; commanded detachment that captured British brigantine *Britannia* at Shoal Harbor, Dec. 30, 1779.
- HOLMES, JOSEPH (1736–1809): Middletown, Monmouth Co.; Legislative Council, 1777–1779 (see vol. 1).
- HOPKINS, STEPHEN (1707–1785): R.I.; Cont. Congress, 1774–1780.
- HOPKINSON, FRANCIS (1737–1791): Bordentown, Burlington Co., and Pa.; writer; treasurer, Cont. loan office, July 27, 1778–July 1781 (see vols. 1 & 2).
- HOPPER, JOHN (JONATHAN) (1752–1779): Paramus, Bergen Co.; capt., Bergen militia; mill and home burned in British raid on Paramus, Apr. 1779.
- HOUSTON, WILLIAM CHURCHILL (ca. 1745–1788): Princeton, Somerset Co.; educator; attorney; Gen. Assembly, 1777–1779; Cont. Congress, 1779–1781 (see vol. 2).
- HOUSTON, JOHN (1744–1796): Ga.; jurist; Cont. Congress, 1775–1777, 1779; gov., Ga., 1778 (see vol. 2).
- HOWE, SIR WILLIAM (1729–1814): Great Britain; member of Parliament, 1758–1780; maj. gen., British army; comdr. of the colonies, from Oct. 10, 1775; resigned command, May 1778; returned to England, July 1778; committee of inquiry into his command, May–June 1779; published *Narrative*, 1780 (see vols. 1 & 2).
- HUDDY, JOSHUA (1735–1782): Shrewsbury, Monmouth Co.; lawyer; capt., Monmouth militia, 1777; capt., company of artillery, N.J. militia, 1778; taken prisoner, Apr. 2, 1782, at Toms River; hanged by Loyalists, Apr. 12, 1782, at Middletown Heights, N.J.
- HUGG, SAMUEL (d. 1804): Gloucester, Gloucester Co.; asst. commissioner of purchases, N.J. militia, from ca. 1777; declined election to Gen. Assembly, 1779; elected to Gen. Assembly for Gloucester, ca. 1781 (see vol. 1).
- HUNTINGTON, JEDIDIAH (1743–1818): Conn.; col. to brig. gen., Cont. army, 1776 to end of war.
- HUNTINGTON, SAMUEL (1731–1796): Conn.; Cont. Congress, 1776–1784; pres., Sept. 28, 1779–July 6, 1781.
- HUYLER, JOHN: Bergen Co.; capt., Bergen militia; twice captured.
- IMLAY, JOHN (1749?–1813): Mansfield, Burlington Co.; merchant; judge, court of admiralty, 1781.

- JAKUES (JACQUES), MOSES (1742–1816): Essex Co.; lt. col. to col., Essex militia, Sept. 24, 1777, through at least 1779.
- JAY, JOHN (1745–1829): N.Y.; WL's son-in-law; married Sarah Livingston, Apr. 28, 1774; Cont. Congress, 1775–1776, 1778; pres., Dec. 10, 1778–Sept. 28, 1779; chief justice, N.Y., 1777–1779; minister to Spain, Sept. 27, 1779; appointed a minister to negotiate peace with Great Britain, June 14, 1781 (see vols. 1 & 2).
- JAY, PETER AUGUSTUS (1776–1843): WL's grandson; eldest son of John Jay and Sarah Livingston Jay (see vols. 1 & 2).
- JAY, SARAH ("SALLY") LIVINGSTON (1756–1802): WL's daughter; married John Jay, April 28, 1774 (see vols. 1 & 2).
- JENYNS, SOAME (1704–1787): Great Britain; author; member of Parliament for Cambridgeshire, 1760–1780; written works include *Inquiry into the Nature and Origin of Evil*.
- JOHNS, TIMOTHY (1717–1794): N.Y.; ordained Feb. 9, 1743; pastor, First Presbyterian Church, Morristown, until 1794.
- JOHNSON, SIR JOHN (1742–1830): N.Y.; Loyalist; lt. col., Loyalist regt., N.Y.; estate confiscated, 1779; defeated by Gen. Van Rensselaer at Fox's Mills, 1780; went to England after war; settled in Canada, 1785 (see vol. 2).
- DE KALB, JOHANN, "BARON" (d. 1780): Bavaria; maj. gen., Cont. army, Sept. 15, 1777–1780; died of wounds, Aug. 19, 1780.
- KELSEY, ENOS: Somerset Co.; maj., N.J. militia, Nov. 1776–June 1779; deputy quartermaster and commissary, Mar. 30, 1777; clothier for troops, Cont. army, Apr. 18, 1778; clothier gen. and purchaser of military stores, June 12, 1779–June 1780 (see vols. 1 & 2).
- KITCHEL, ABRAHAM (1736–1807): Hanover, Morris Co.; Gen. Assembly, 1778–1780.
- KNOX, HENRY (1750–1806): Mass.; col., Cont. army, regt. of artillery, Nov. 17, 1775; brig. gen. to maj. gen. and chief of artillery, Dec. 27, 1776, to end of war (see vol. 1).
- KNYPHAUSEN, WILHELM, BARON VON (1716–1800): Prussia; comdr. in chief, Hessian troops in America, 1777–1782 (see vol. 2).
- KOLLOCK, SHEPARD (1750–1839): Chatham, Morris Co.; lt., N.Y. militia regt., 1776; 1st lt., 2d Cont. artillery, Jan. 1, 1777; resigned, Jan. 3, 1779; founded *N.J. Journal* at Chatham, Feb. 1779.
- LAFAYETTE, MARIE JOSEPH PAUL YVES ROCH GILBERT DU MOTIER, MARQUIS DE (1757–1834): France; maj. gen., Cont. army, July 31, 1777; returned to France to plead the American cause, 1779–1780; laid the groundwork for the expeditionary force sent to America under Rochambeau, 1780; returned to America, Apr. 1780 (see vol. 2).
- LA LUZERNE, CHEVALIER DE (1741–1791): France; minister to United States, 1779–1784.
- LAURENS, HENRY (1724–1792): S.C.; Cont. Congress, 1777–1779; appointed minister to The Netherlands, Oct. 21, 1779; captured en route, Sept. 1780; released, Dec. 31, 1781 (see vol. 2).
- LAURENS, JOHN (ca. 1754–1782): S.C.; son of Henry Laurens; aide-de-camp to Washington, Sept. 6, 1777; wounded, Oct. 4, 1777, and June 28, 1778; lt. col. and aide-de-camp to Washington, Mar. 29, 1779; killed in action, Aug. 27, 1782.
- LEE, CHARLES (1731–1782): Va.; maj. gen., Cont. army, from June 17, 1775; court-martialed, June 4–Aug. 12, 1778; suspended from active service and dismissed from army, Jan. 10, 1780 (see vol. 2).
- LEE, FRANCIS LIGHTFOOT (1734–1797): Va.; Cont. Congress, 1775–1779; Va. Senate, 1778–1782 (see vol. 2).
- LEE, HENRY ("LIGHT HORSE HARRY") (1756–1818): Va.; capt. Va. Dragoons, June 18, 1776; capt. to lt. col., Cont. Dragoons, June 31, 1777, to close of war.
- LEGG, WILLIAM (2D LORD OF DARTMOUTH) (1731–1801): Great Britain; British statesman and stepbrother of Lord North; lord privy seal, Nov. 1775–Mar. 1782.
- LEWIS, FRANCIS (1713–1803): N.Y.; merchant; Cont. Congress, 1774–1779; commissioner, Board of Admiralty, 1779 (see vol. 1).

- LINCOLN, BENJAMIN (1733–1810): Mass.; maj. gen., Cont. army, from Feb. 19, 1777; surrendered at Charleston, May 12, 1780; prisoner, May 12–Nov. 1780; secretary of war, Oct. 30, 1781 (see vol. 2).
- LINN, JAMES (1749–1821): Bedminister, Somerset Co.; WL's son-in-law (married Mary Livingston); capt. to maj., Somerset militia, Feb. 3, 1776–June 28, 1781; Privy Council, 1777–1778 (see vol. 1).
- LINN, MARY LIVINGSTON (1753–1839): WL's daughter; married James Linn, 1771.
- LIVINGSTON, CATHARINE (1751–1813): Elizabethtown, Essex Co.; WL's daughter; married Matthew Ridley, Apr. 14, 1787.
- LIVINGSTON, CORNELIA SCHUYLER (1746–1822): N.Y.; wife of Walter Livingston.
- LIVINGSTON, HENRY BROCKHOLST ("HARRY") (1757–1823): WL's son; resigned as lt. col., Cont. army, and returned to N.J., Mar. 1778; private secretary to John Jay, minister to Spain, Dec. 1778; returned, 1782, but captured en route (see vols. 1 & 2).
- LIVINGSTON, JOHN HENRY (1746–1825): Dutch Reformed clergyman; graduated from Yale, 1762; doctor of theology, University of Utrecht, 1770; professor of theology to the General Synod, 1784–1825; a principal figure in guiding the Dutch Reformed church to a complete and independent American organization.
- LIVINGSTON, JOHN LAWRENCE (1762–1781): WL's youngest son; midshipman, Cont. navy, Apr. 1780; lost at sea aboard *Saratoga*, 1781 (see vols. 1 & 2).
- LIVINGSTON, JUDITH (1758–1843): WL's daughter; married John W. Watkins, Apr. 6, 1780.
- LIVINGSTON, PETER VAN BRUGH (1712–1792): N.Y., Basking Ridge, Somerset Co., and Elizabethtown, Essex Co.; WL's brother; delegate and pres., N.Y. Prov. Congress, 1775–1776; moved to N.J., 1776.
- LIVINGSTON, PHILIP (1716–1778): N.Y.; WL's brother; Cont. Congress, 1774–1778 (see vol. 2).
- LIVINGSTON, ROBERT, JR. (1708–1790): N.Y.; WL's brother; merchant; 3d lord of Livingston Manor.
- LIVINGSTON, SUSAN (1755–1833): Basking Ridge, Somerset Co.; daughter of Peter Van Brugh Livingston; married John Kean (S.C.), 1786; married Count Julian Ursino Niemecewicz.
- LIVINGSTON, SUSANNAH (1748–1840): WL's daughter; married John Cleves Symmes, 1794 (see vols. 1 & 2).
- LIVINGSTON, SUSANNAH FRENCH ("SUKEY"): Elizabethtown, Essex Co.; daughter of Philip French; married WL, Mar. 2, 1747 (see vols. 1 & 2).
- LIVINGSTON, WALTER (1740–1797): N.Y.; merchant; son of Robert Livingston, 3d lord of Livingston Manor; WL's cousin; N.Y. Assembly, 1777–1779.
- LIVINGSTON, WILLIAM, JR. (1754–1817): WL's son; aide to WL during the Revolution (see vols. 1 & 2).
- LIVINGSTON, WILLIAM ALEXANDER (1757–1780): Jamaica, British W.I.; Loyalist; son of Peter Van Brugh Livingston; captured at sea by Americans en route from Jamaica to N.Y., July 1779.
- LLOYD, DAVID: Gloucester Co.; Loyalist; indicted for treason, sentenced to death, Nov.–Dec. 1778; pardoned, Jan. 1779.
- LORD, ISAAC: Gloucester Co.; Loyalist; indicted for treason, sentenced to death, Nov.–Dec. 1778; pardoned, Jan. 1779.
- LORING, JOSHUA (1744–1789): Mass.; Loyalist; British commissary of prisoners, N.Y., 1777–June 1783; settled in England after war (see vol. 2).
- LOSHIER, JOHN (1740–1805): Bergen Co.; ens., Bergen militia, from Aug. 6, 1776; captured, Mar. 27, 1778.
- LOTT, ABRAHAM: Hanover, Morris Co.; merchant (see vol. 2).
- LOWRY, THOMAS (1737–1806): Hunterdon Co.; lt. col. to col., Hunterdon militia, June 19, 1776, through at least 1777; asst. quartermaster gen. and dep. commissary, Cont. army, 1777–1781.
- LUCE, WILLIAM: Elizabethtown, Essex Co.; navy capt.; Loyalist; captured by British on return from commercial venture in Jamaica, W.I., Aug. 1776; joined British army, 1777; estate confiscated, 1779.
- MACDOUGALL, ALEXANDER (1732–1786):

- N.Y.; maj. gen., Cont. army, 1777–1782 (see vols. 1 & 2).
- McKEAN, THOMAS (1734–1817): Pa.; Cont. Congress, 1774–1783; chief justice, Pa., 1777–1799 (see vol. 1).
- MACLEOD (McLEOD), WILLIAM: Elizabethtown, Essex Co.; Loyalist; 52d regt., British army, 1775.
- McPHERSON, JOHN (d. ca. 1792): Pa.; publisher; ship broker; inventor.
- MADISON, JAMES (1751–1836): Va.; Va. Executive Council, 1778–1780; Cont. Congress, Mar. 20, 1780–Dec. 1783.
- MAITLAND, JOHN: Great Britain; lt. col. of the 71st Regt. of foot until 1779.
- MARSH, DANIEL: asst. quartermaster, Middlesex Co., Mar. 2, 1778–Mar. 2, 1779, with the rank of maj.; quartermaster at Rahway, N.J., militia, 1779–Mar. 6, 1781.
- MASON, JOHN (d. 1781): N.Y.; Loyalist; member of gang plundering northern N.J., 1779; jailed by British for plundering L.I. Loyalists, 1780; used by British as intermediary with mutineers of N.J. Line at Pompton, winter 1780–1781; turned over by mutineers to Americans and hanged.
- MATHEWS (MATTHEWS), DAVID: N.Y.; Loyalist; mayor of New York City, Feb. 1776; arrested by patriots, July 1776, and sent to Conn.; settled after war on Cape Breton, Canada.
- MATHEWS, JOHN (1744–1802): S.C.; S.C. House of Representatives, 1776–1780; Cont. Congress, 1778–1782.
- MATTISON (MOTTISON), AARON: civilian employed in making coffins at general hospital at Princeton, Jan. 3, 1777, to the winter of 1778; deputy quartermaster's dept. until Oct. 27, 1779.
- MEAD, JOHN (1756–1823): Bergen Co.; capt., Bergen militia.
- MERCEREAU (MESCREAU, MERSEREAU), JOSHUA (1728–1804): Staten Island, N.Y.; American intelligence agent, 1776 to at least 1780 (see vol. 1).
- MERSELIS (MARSALIS, MERSALYIS, MUSSELIS), JOHN (b. 1754): Schraalenburgh, Bergen Co.; farmer; Loyalist, later turned patriot; land confiscated, Dec. 1778; informant to WL, May 1780; arrested, June 1781, but released; returned to Schraalenburgh after war.
- MIRALLES, DON JUAN DE (d. 1780): Cuba; merchant; arrived at Philadelphia as unofficial Spanish observer, July 1778; died at Morristown, N.J., Apr. 28, 1780 (see vol. 2).
- MORGAN, JAMES, JR. (1757–1822): ens. to capt., Middlesex militia, to at least 1780.
- MORGAN, JOHN (1735–1789): Pa.; doctor; director gen. of hospitals, chief physician, Cont. army, 1775; authority curtailed by Cont. Congress, 1776; removed, 1777; private practice, Pa., thereafter.
- MORRIS, GOUVERNEUR (1752–1816): N.Y.; Cont. Congress, 1777–1780 (see vol. 2).
- MORRIS, ISRAEL: Haddonfield, Gloucester Co.; asst. commissary of purchases, West Jersey, N.J. militia, 1776–1780.
- MORRIS, JACOB: N.Y.; maj., Cont. army, and aide-de-camp to Maj. Gen. Charles Lee, from 1776; wounded, June 28, 1778; maj., aide-de-camp to Maj. Gen. Nathaniel Greene, May 1781–1782.
- MORRIS, ROBERT (1734–1806): Pa.; merchant; Pa. Assembly, 1778–1780; supt. of finance, from Feb. 20, 1781 (see vols. 1 & 2).
- MORRIS, ROBERT (1745–1815): Bergen Co.; lawyer; chief justice, N.J. Supreme Court; resigned, June 1779; private law practice thereafter (see vols. 1 & 2).
- MOTT, JAMES, JR. (1739–1823): Middletown and Dover, Monmouth Co.; Gen. Assembly, 1776–1779; N.J. treasurer, 1783–1799 (see vol. 1).
- MOULTRIE, WILLIAM (1730–1805): S.C.; brig. to maj. gen., Cont. army, from 1776 to end of war; taken prisoner at Charleston, May 12, 1780; paroled, Nov. 1781.
- MUNRO, PETER JAY (1767–1833): N.Y.; John Jay's nephew; son of Eve Jay Munro and Rev. Harry Munro, a Loyalist.
- MURRAY, JOHN (4TH EARL OF DUNMORE) (1732–1809): Great Britain; gov., Va., 1771–1776; House of Lords, 1776–1787 (see vol. 2).
- MURRAY, JOSEPH (1720–1780): Colt's Neck, Monmouth Co.; farmer; pvt., Monmouth militia; killed, June 8, 1780.

- Sussex Co.; capt. to col., Sussex militia, State Troops, May 23, 1777, through at least 1780 (see vol. 1).
- RUNK, JACOB: Amwell, Hunterdon Co.; 2d lt., Hunterdon militia, Oct. 20, 1777, until at least 1780.
- RUTLEDGE, JOHN (1739–1800): S.C.; pres., S.C., 1776–1778; gov., S.C., 1779–1782 (see vols. 1 & 2).
- ST. CLAIR, ARTHUR (1736–1818): Pa.; maj. gen., Cont. army, Feb. 1777 to end of war (see vols. 1 & 2).
- SAYRE, STEPHEN (d. ca. 1820): N.Y.; secretary to Arthur Lee in London, 1776–1777; self-appointed ambassador of the American cause in Europe; returned to America in 1783.
- SCHUYLER, PHILIP (1733–1804): N.Y.; maj. gen., Cont. army, 1775–1779; Cont. Congress, 1778–1781; N.Y. Senate, 1780–1784 (see vols. 1 & 2).
- SCOTT, JOHN MORIN (1730–1784): N.Y.; N.Y. Senate, 1777–1782; secretary of state, N.Y., 1778–1784; Cont. Congress, 1780–1783 (see vol. 1).
- SCUDDER, NATHANIEL (1733–1781): Freehold, Monmouth Co.; physician; Cont. Congress, 1777–1779 (see vols. 1 & 2).
- SCUDDER, WILLIAM (1739–1793): Middlesex Co.; maj. to lt. col., Middlesex militia, Aug. 9, 1776, to at least 1781 (see vol. 1).
- SEELY (SEELEY), SILVANUS (1740–1821): Chatham, Morris Co.; farmer; capt. to col., Morris militia, June 14, 1776–1780 (see vol. 2).
- SHARPE, ANTHONY: Salem Co.; capt. to maj., Salem militia, Feb. 9, 1776–1777; maj., State Troops, 1779.
- SHERMAN, ROGER (1721–1793): Conn.; Cont. Congress, 1774–1781 (see vols. 1 & 2).
- SHIPPEN, WILLIAM, JR. (1736–1808): Pa.; director gen. of hospitals, Cont. army, Apr. 11, 1777–Jan. 3, 1781 (see vol. 2).
- SHREVE, ISRAEL (1739–1799): Gloucester Co.; lt. col. to col., Cont. army, Oct. 31, 1775–1781 (see vols. 1 & 2).
- SHREVE, WILLIAM (1737–1812): Mansfield, Burlington Co.; maj. to col., Burlington militia, Sept. 28, 1776–1781.
- SIMCOE, JOHN GRAVES (1752–1806): Great Britain; maj. to col., British army, Queen's Rangers, Oct. 15, 1777–Dec. 19, 1781; captured, Oct. 1779; exchanged, Dec. 31, 1779 (see vol. 2).
- SKINNER, ABRAHAM (d. 1826): Pa.; ens. to 1st lt., Pa. Line, Cont. army, 1776–1777; taken prisoner at Germantown, Oct. 4, 1777; exchanged, June 1778; commissary gen. of prisoners, Sept. 15, 1780, to end of war.
- SKINNER, JAMES JOHN (d. 1794): Md.; ens. to 1st lt., Md. Line, Cont. army, Dec. 10, 1776–1783.
- SMITH, BELCHER PEARTREE: Elizabethtown, Essex Co.; son of William Peartree Smith; captured during refugee raid against Elizabethtown, Jan. 25, 1780.
- SMITH, ISAAC (1740–1807): Trenton, Hunterdon Co.; physician; attorney; associate judge, N.J. Supreme Court, Feb. 15, 1777–1804 (see vols. 1 & 2).
- SMITH, MERIWETHER (1730–1790): Va.; Cont. Congress, 1778–1782.
- SMOCK, BARNES (1738–1829): Middletown, Monmouth Co.; horse breeder and racer; capt. of artillery, Monmouth militia; captured, June 9, 1780, and held in Sugar House, New York City, Aug. 28, 1780.
- SMOLLET, TOBIAS GEORGE (1721–1771): Great Britain; London novelist and founder of the *Critical Review*, 1756; best known as author of *The Expedition of Humphry Clinker* (1771).
- SOLANO Y BOTE, JOSÉ (1726–1806): Spanish sailor; commanded the squadron sent to Caribbean, 1780.
- SPENSER, ELIJAH (1721–1784): Trenton, Hunterdon Co.; pastor of the First Presbyterian Church, Nov. 18, 1769–Dec. 27, 1784; hospital chaplain, Oct. 20, 1777–Nov. 9, 1780.
- STERNE, LAURENCE (1713–1768): Great Britain; clergyman; author of *The Life and Opinions of Tristram Shandy, Gentleman* (York and London, 1759–1767) (see vol. 2).
- STEUBEN, FRIEDRICH WILHELM AUGUSTUS, BARON VON (1730–1794): Prussia; inspector gen., Cont. army, Feb. 1778; maj. gen., May 5, 1778; Washington's representative to Congress on matters of army reorganization, 1779–1780 (see vol. 2).

- STEVENS, JOHN, JR. (1749–1838): Lebanon, Hunterdon Co.; lawyer; N.J. treasurer, 1776–1784; maj., Hunterdon militia, Feb. 1, 1777–April 18, 1778.
- STEVENS, JOHN, SR. (1715–1792): Lebanon, Hunterdon Co.; merchant; father of John Stevens, Jr.; Legislative Council, 1770–1782; vice pres., Council of Safety, 1777–1778; vice pres., Privy Council, 1776–1782 (see vols. 1 & 2).
- STIRLING, LORD. See Alexander, William.
- STOCKTON, THOMAS: Windsor, Middlesex Co.; Cont. army, Sept. 15, 1777; commissary, N.J. militia and Cont. army, Mar. 1778; discharged, 1779 (see vol. 2).
- STOUT, CORNELIUS: Amwell, Hunterdon Co.; maj., Hunterdon militia, from Sept. 9, 1777; cashiered, May 14, 1781 (see vol. 2).
- STOUT, JAMES (1758–1815): lt. to capt., Hunterdon militia; State Troops; Cont. army.
- STRING, CHRISTOPHER: Gloucester Co.; Loyalist; convicted of treason, sentenced to death, Nov.–Dec. 1778; pardoned, Jan. 1779.
- STRYKER, JOHN (1740–1786): Millstone, Somerset Co.; capt., light horse troop, Somerset militia, 1777 to at least 1779.
- SULLIVAN, JOHN (1740–1795): N.H.; maj. gen., Cont. army, Aug. 9, 1776–Nov. 30, 1779; Cont. Congress, 1780–1781 (see vols. 1 & 2).
- SYMMES, JOHN CLEVES (1742–1814): Walpack, Sussex Co.; lawyer; col., Sussex militia; Legislative Council, 1776–1777, 1780–1781; justice, N.J. Supreme Court, Feb. 15, 1777–1783 (see vols. 1 & 2).
- TALLMAN, PETER (d. 1786): Mansfield, Burlington Co.; farmer; judge, court of common pleas, Oct. 31, 1778; Legislative Council, 1778–1780 (see vol. 2).
- TAYLOR, JOHN (1751–1801): Middlesex Co.; lt. col. to col., Middlesex militia, June 6, 1777–Oct. 9, 1779; tutor, Queen's College (Rutgers), 1773–1790 (see vol. 1).
- TERNAY, CHARLES LOUIS D'ARSAC, CHEVALIER DE (1722–1780): France; French navy; commanded fleet that accompanied Rochambeau's expeditionary force to America, 1780; died at Newport, Dec. 12, 1780.
- THOMAS, EDWARD (1736–1794): Elizabethtown, Essex Co.; lt. col. to col., Essex militia, 1775 to at least 1779.
- THOMAS, THOMAS: N.Y.; col., N.Y. militia; taken prisoner at Cherry Valley, Nov. 10, 1778; released, May 15, 1779.
- THOMSON, CHARLES (1729–1824): Pa.; secretary, Cont. Congress, 1774–1789 (see vols. 1 & 2).
- TILGHMAN, TENCH (1744–1786): Md. and Pa.; col., Cont. army, and aide-de-camp to George Washington, Aug. 8, 1776–Dec. 23, 1783 (see vols. 1 & 2).
- TROUP (TROOP), ROBERT (ca. 1756–1832): N.Y.; lt. col. and aide-de-camp to Horatio Gates, Cont. army, Oct. 4, 1777–1778; secretary, Board of War, Feb. 1778–1779; secretary, Board of Treasury, May 29, 1779; resigned, Feb. 8, 1780 (see vol. 2).
- TRUMBULL, JOHN (1756–1843): Conn.; son of Jonathan Trumbull; aide-de-camp to Washington, July 1775; brigade maj., Cont. army, Aug. 1775; deputy adj. gen., June 1776; resigned commission, Feb. 1777; studied art in Boston, 1777; aide-de-camp to John Sullivan, summer 1778; sailed for France to study painting, May 1780.
- TRUMBULL, JONATHAN (1710–1785): Conn.; gov., Conn., 1769–1784 (see vols. 1 & 2).
- TRYON, WILLIAM (1725–1788): Great Britain; maj. gen. to lt. gen., British army, June 5, 1778–1782 (see vols. 1 & 2).
- TY (formerly TITUS), COLONEL (ca. 1754–1780): Colt's Neck, Monmouth Co.; runaway slave and commander of Loyalist forces at Sandy Hook; leader of numerous raids against Monmouth farmers, 1780; killed in attack on Joshua Huddy's house, Sept. 1, 1780.
- URINE, GIDEON: Gloucester Co.; Loyalist; convicted of treason, sentenced to death, Nov.–Dec. 1778; pardoned Jan. 1779.
- VAN CORTLAND (VAN CORTLANDT), PHILIP (d. ca. 1800): Newark and Second River, Essex Co.; col. to brig. gen., Essex militia, 1778–Oct. 1781 (see vol. 1).

- VAN DYKE, JACOB: Somerset Co.; pvt., troop of light horse, Somerset militia.
- VAN KIRK, JOHN (1751–1834): Monmouth Co.; capt., light dragoons, Monmouth militia.
- VAN NESTE (VAN NEST), ABRAHAM: Bridgewater, Somerset Co.; Privy Council, 1778–1779 (see vol. 2).
- VAN NESTE (VAN NEST), ABRAHAM, JR. (1750–1833): Somerset Co.; Abraham Van Neste's son; ens. to capt., Somerset militia.
- VAN ZANDT, JACOBUS (d. ca. 1789): N.Y.; merchant; moved to Morris Co., N.J. (see vol. 2).
- VEGHTE, REYNIER (REYNEAR) (1754–1833): Hillsborough, Somerset Co.; lt. to capt., Somerset militia.
- VON HEER (VON HERZ), BARTOLOMEW: Pa.; capt. to brevet maj., light dragoons, June 1, 1778–1783.
- WADSWORTH, JEREMIAH (1743–1804): Conn.; col. and commissary gen. of purchases, Apr. 9, 1778–Jan. 1, 1780 (see vol. 2).
- WALLACE, JOSHUA MADDOX (1752–1819): Bridgewater, Raritan, Somerset Co.; landowner.
- WALSINGHAM, R. B.: Great Britain; British navy; commodore of reinforcement squadron under Adm. Rodney in the West Indies, spring 1780; escorted trade and troop movements between England and the West Indies, summer 1780.
- WALTON, ELISHA (1746–1813): Freehold, Monmouth Co.; maj., State Troops, March 27, 1778–1780 (see vol. 1).
- WARD, JOHN: 2d battalion, 2d establishment; capt., Bowman's company, 2d regt., Cont. army.
- WARD, PETER (1755–1812): Bergen Co.; capt., light horse, Bergen militia; capt., Maj. Hayes's battalion, State Troops, 1781–1782.
- WARD, UZAL: Newark, Essex Co.; stone-cutter; farmer; Loyalist; joined British army, 1776; Essex Co. property confiscated, 1778; remained in N.J. after war.
- WASHINGTON, GEORGE (1732–1799): Va.; commander in chief, Cont. army, June 15, 1775, to end of war.
- WATKINS, JOHN W. (1757–1813): N.Y.; merchant; WL's son-in-law; married Judith Livingston, Apr. 6, 1780; 2d lt. to maj., Cont. army, Feb. 1776 to at least Apr. 1780.
- WATTS, MARY ALEXANDER (1749–1831): daughter of William Alexander (Lord Stirling) and Sarah Livingston; WL's niece; married to N.Y. Loyalist Robert Watts, Feb. 1775.
- WATTS, ROBERT (1743–1814): N.Y.; Loyalist; property confiscated, 1779; married to Mary Alexander, Lord Stirling's daughter, Feb. 1775.
- WAYNE, ANTHONY (1745–1796): Pa.; col. to brevet maj. gen., Pa. Line, Cont. army, Jan. 3, 1776–Sept. 30, 1783 (see vol. 2).
- WEARE, MESHECH (1713–1786): N.H.; pres., N.H. council, and chairman, Committee of Safety, 1776–1784; chief justice, N.H., 1776–1782.
- WEBSTER, JOHN: Middlesex Co.; lt. col. to col., Middlesex militia, Mar. 31, 1778–1780.
- WELLS, HARRISON: Gloucester Co.; Loyalist; convicted of treason, sentenced to death, Nov.–Dec. 1778; pardoned, 1779; property confiscated and sold, 1779.
- WEST, JACOB: Greenwich, Sussex Co.; col. and dep. quartermaster gen., State Troops, Feb. 1777–Apr. 1781 (see vol. 2).
- WEST, STEPHEN (d. 1778): Monmouth Co.; Loyalist; killed as "pine bandit."
- WHIPPLE, WILLIAM (1730–1785): N.H.; Cont. Congress, 1776–1779; brig. gen., N.H. militia, 1777–1778; N.H. Assembly, 1780–1784 (see vol. 2).
- WHITE, JANE: Philadelphia and Bucks Co., Pa.; Loyalist; wife of Loyalist Robert White; arrested for engaging in illegal trade between Philadelphia and N.Y., 1779.
- WHITE, WILLIAM (1748–1836): Pa.; Episcopal clergyman; rector at Christ Church, Philadelphia, 1776–1836; chaplain, Cont. Congress, Dec. 23, 1776–1779.
- WHITTLESEY, CHAUNCEY (1746–1812): N.H.; purchasing commissary for N.H., 1776 to end of war; WL's friend from Yale; Congregational minister.

- WILKINSON, JAMES** (ca. 1757–1825): Md. and Pa.; dep. adj. gen., Northern Dept., Cont. army, May 24, 1777–Mar. 6, 1778; brevet brig. gen., Nov. 6, 1777–Mar. 6, 1778; secretary, Board of War, Jan. 6, 1778; clothier gen., July 24, 1779–Mar. 27, 1781 (see vol. 2).
- WILLIAMS, EZEKIEL** (d. 1778): Monmouth Co.; Loyalist; killed as “pine bandit.”
- WILLIAMS, RENNSALAER** (1732–1796): Trenton, Hunterdon Co.; farmer; j.p.; librarian; innkeeper of Royal Oak tavern in Trenton; instrumental in establishing Trenton Academy, 1781.
- WILSON, PETER** (1746–1825): New Barbadoes, Bergen Co.; educator; philologist; N.J. Gen. Assembly, 1778–1783.
- WINANS, ELIAS** (1742–1789): Lt., Essex militia.
- WINDS, WILLIAM** (1727–1789): Morristown, Morris Co.; brig. gen., N.J. militia, Mar. 4, 1777–June 10, 1779.
- WITHERSPOON, JOHN** (1723–1794): Princeton, Somerset Co.; Presbyterian clergyman; pres., College of N.J. (Princeton), 1768–1794; Cont. Congress, 1776–1782 (see vols. 1 & 2).
- WORLEY, [HENRY]**: Bridgewater, Somerset Co.; tavern owner.
- WRIGHT, JOHN**: pvt. to sgt., Cont. army, 1777–July 10, 1780.
- YARD, BENJAMIN** (1714–1808): Trenton, Hunterdon Co.; blacksmith; j.p., 1777–1780.
- YORKE, JOSEPH (BARON DOVER)** (1724–1792): Great Britain; member of Parliament for Grampound, 1774–1780; ambassador to the Netherlands, 1761–1780.
- YOUNG, JOHN** (d. 1781): capt. of sloop *Independence*; wrecked on Ocracoke bar, Apr. 1778; appointed capt. of sloop *Saratoga*, 1780, which was lost at sea, Mar. 1781.
- ZEISBERGER, DAVID** (1721–1808): Moravia; immigrated to Savannah, Ga., then to Pa., 1739; Moravian missionary at Bethlehem, Pa., Indian mission.

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To Sir Henry Clinton, March 29, 1779

“ . . . I am possessed of the most authentic proofs of a General officer under your command having offered a large sum of money to an inhabitant of this State to assassinate me. . . .”

To the Assembly, April 24, 1779

“ . . . I have great reason to think that the Militia will not obey the next call without an augmentation of their pay. . . .”

To George Washington, November 9, 1779

“ . . . I have directed the Commissary of Prisoners to order Lieut. Colonel Simcoe to be confined in Burlington Jail; . . . his Imprisonment will doubtless be his best Security against the Resentment of the People; who are exceedingly irritated against him for the many Acts of Barbarity with which he is charged.”

To George Washington, December 19, 1779

“To find our Troops in want of Bread at the close of so glorious a Campaign . . . requires no uncommon fortitude to bear with any tolerable patience.”

To Mary Livingston Linn, April 28, 1780

“There are many obstacles to your living in my family, as I really fear that your temper will impel you to disturb its peace, & should you behave as you used to do, I had rather live in the Caves & dens of the Earth than in the same house with you.”

To William Burnet, Sr., June 5, 1780

“I am happy to find that the Legislature is about a Law to prevent the pernicious practice of paroling Tories. . . .”

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